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SENATE—*Wednesday, October 31, 2007*

The Senate met at 12 noon and was called to order by the Honorable ROBERT P. CASEY, Jr., a Senator from the State of Pennsylvania.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, who remains the same though all else fades, You don't leave us when we leave You. You are gracious and compassionate, slow to anger, and rich in love.

Thank You for Your presence in the lives of our Senators. Give them a clearer vision of the light that leads to truth. Remind them that everything is possible for those who believe. Incline their hearts to Your wisdom and love, as you keep them on the path of integrity. May they find rest and joy in spending time with You. When their hearts grow faint and weary and the night overtakes them, renew their strength and enable them to soar on eagle's wings. May the differing approaches expressed by both parties contribute to greater solutions to the problems in our world. Lord, deliver our lawmakers in times of trouble and bless them as they seek to honor You.

We pray in Your wonderful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROBERT P. CASEY, Jr., led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 31, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROBERT P. CASEY, Jr., a Senator from the State of Pennsylvania, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CASEY thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, today the Senate will conduct a period of morning business for an hour, with the time equally divided and controlled. The majority will control the first half and the Republicans will control the final half.

Following morning business, the Senate will resume the motion to proceed to H.R. 3963, the children's health insurance legislation.

For the knowledge of all Members, we came in late today. There was a very important hearing that one of the committees had. We had been told that there would likely be a Senator who would object to the committee meeting, so we came in later so they could complete their work. I think we will still accomplish all we need to do.

I filed a cloture motion on the motion to proceed. Unless an agreement is reached, we will have a cloture vote sometime this afternoon.

We are going to start the farm bill after the CHIP legislation is completed or disposed of. That will be Monday when we will move to the farm bill.

MEASURES PLACED ON CALENDAR—S. 2264 and H.R. 2295

Mr. REID. Mr. President, I ask that the Chair direct its attention to two bills at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the titles of the bills for the second time.

The assistant legislative clerk read as follows:

> A bill (S. 2264) to amend the Internal Revenue Code of 1986 to extend for two years the tax-free distributions from individual retirement plans for charitable purposes.
>
> A bill (H.R. 2295) to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

Mr. REID. Mr. President, I now object to any further proceeding to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar.

CHILDREN'S HEALTH INSURANCE PROGRAM

Mr. REID. Mr. President, children's health is a tremendously difficult issue because children all over America need to be able to go to a doctor when they are sick or hurt. The way this body is operating now basically is that we are not going to be able to complete, it appears, our legislation. The President has vetoed the bill once. We were told that if certain changes were made, Republicans in the House would look to this legislation favorably. We did make some changes. We tightened down the legislation so it is virtually impossible for anyone who is here illegally to obtain benefits from this program. We changed that.

We also limited the legislation so parents or adults without children would be off the program in 1 year. Also, there could be no waivers for those over 300 percent of poverty. Ninety-two percent of the individuals getting benefits from the legislation are 200 percent above poverty.

We made those changes, hoping it would bring some around. After that was done and it passed the House and came over here, we were told by a number of individuals if we would hold off on this legislation, there would be an agreement reached, and I thought that

● This "bullet" symbol identifies statements or insertions which are not spoken by a member of the Senate on the floor.

was a good suggestion. As the RECORD indicates, yesterday I asked that that be the case. Obviously, that was not the case. An objection was heard and we were unable to delay the vote.

This morning, we heard something from the President that is totally different. He keeps changing the ball here. First of all, he indicated to Leader PELOSI and me that he would like to sit down and talk to us. He said that publicly in the press. After the veto vote, he said he would like to come down and talk to us. Then he said, no, I am not going to talk to you; talk to my staff. Obviously, he wasn't leveling with the American people then.

Today, he came up with a new deal. He doesn't like the way it is paid for. I guess his term of reference is that we don't pay for much around here. That is why we have these staggering deficits. But he said in the press today he didn't like the way it is paid for. Remember, we are on a pay-go program around here. Any new spending has to be paid for. This children's health program is paid for with tobacco taxes. So the goalposts keep being moved.

What are the consequences? Is it a bunch of talk by Government officials, of which I am one? It is very serious. Twenty-one States will run out of money for childrens' health insurance in the coming year. At least nine of those States will exhaust their allotments in March if Congress continues spending at current levels.

There is a report that came out today in the New York Times newspaper. California is adopting rules, in case that happens, to create a waiting list and remove more than a million children who are already on the rolls. These are kids. The nine states that will run out of money by March are Alaska, Georgia, Illinois, Iowa, Maine, Maryland, Massachusetts, New Jersey, and Rhode Island. This comes from a nonpartisan, nonpolitical organization, the Congressional Research Service.

So there are real consequences to what we are not doing. We are going to go ahead with the vote today and complete this legislation, as I indicated, sometime this week. If we have to work into the weekend, we will. I have alerted the Republican leader of that. If necessary, we can, of course, condense that time, but it would take consent of all the Senators.

We are, in good faith, trying to protect children—children who are already receiving the benefits of this program that was adopted 10 years ago on a bipartisan basis, led by Senators KENNEDY and HATCH. Now we are trying to further this legislation, led by Senators BAUCUS, GRASSLEY, ROCKEFELLER and HATCH and their counterparts in the House.

I think it is a real shame that we are at the point where we are. Ten million children, if we pass this legislation, would have the benefits of this insurance. If we don't pass it, as indicated in some of the statistics I gave a minute ago, 9 States will run out of money in March and 21 States will run out next year sometime.

The program now has 5.5 million children on it. If we don't do anything by year's end, it will be down to about 3 million children. That is what I am told. If we pass our legislation—and it doesn't cost the American people any money—we would wind up having 10 million children covered. As I have indicated, most all adults will be off the program, as I have indicated to the chair and to those within the sound of my voice.

This is a good program. This doesn't take into consideration approximately 50 million people who have no health insurance, but it takes care of a few of the children—the little people—who need help when they are sick and hurt. This allows them even to go get some preventive care, which is badly needed, which will save our country a lot of money in the so-called outyears.

We are ready and willing to be reasonable, but it appears we have no alternative, based on what we did yesterday, to proceed forward and send the bill to the President again. The only thing that would come in the way of that is if the Republicans use whatever excuse they can come up with to try to satisfy the President.

As I said yesterday, in the 7 years this man has been President, he has had the strings on his puppets in the Senate. Maybe people who voted for this on more than one occasion will switch and say we don't like the way we are being treated. Remember, we have given them everything they wanted, and they could not take yes for an answer yesterday.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

NOMINATION OF JUDGE MICHAEL B. MUKASEY

Mr. McCONNELL. Mr. President, today marks the 40th day since the nomination of Judge Michael Mukasey to be Attorney General.

The Mukasey nomination was the culmination of a process in which the President was extremely solicitous of the views of the Democratic majority.

Let's recap. Our friends on the Democratic side of the aisle did not want the former Attorney General to continue in office and, as we all know, he resigned.

Our Democratic colleagues wanted to be consulted on whom the next Attorney General should be. Well, the administration consulted extensively with our Democratic friends.

Our Democratic colleagues did not want the former Solicitor General, Ted Olson, to be nominated. He, in my view, would have made an outstanding choice. But the administration did not nominate him.

Our Democratic colleagues said if, instead, the President "were to nominate a . . . conservative . . . like Mike Mukasey," he "would get through the Senate very, very quickly." Well, the President didn't nominate somebody like Mike Mukasey; the President nominated Mike Mukasey himself. He received widespread acclaim for taking that step.

So it is apparent the President acted in a very bipartisan fashion in reaching the decision he did to nominate Judge Mukasey.

So did our Democratic colleagues reciprocate to that act of good faith? At this point, it is kind of difficult to say they have. First, they held up the nomination for weeks before even scheduling a hearing—an action—or, more precisely, an inaction—which the Washington Post termed "irresponsible."

Then, despite the fact that Judge Mukasey testified for 2 days and answered 250 questions in the process, our Democratic colleagues asked him to answer an additional 500 written questions. By contrast, Attorney General Reno did not receive any written questions until after she was confirmed. Then it took over 2 weeks for a markup to be scheduled. I understand one now has been scheduled for next Tuesday, and I am certainly glad that has finally occurred, but it shouldn't have taken nearly this long.

Months ago our Democratic colleagues told us "this Nation needs a new Attorney General and it can't afford to wait." That was the cry on the other side: We need a new Attorney General and we can't afford to wait. Unfortunately, since then, we have been waiting and waiting and waiting. We have been waiting so long that Judge Mukasey's nomination is the longest pending Attorney General nomination in two decades.

Now the good news is that the markup has been set. We need to get Judge Mukasey's nomination to the floor for an up-or-down vote as soon as possible.

I think we have seen some unfortunate flareup of partisanship. Hopefully that will not continue and we can get Judge Mukasey to work down at the Justice Department where we all agree his services are very greatly needed.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will now proceed to a period for the transaction of morning business for 60 minutes, with Senators permitted to speak for up to 10 minutes each, with the first 30 minutes under the control of the majority and the final 30 minutes under the control of the Republicans.

The Senator from West Virginia.

CHILDREN'S HEALTH INSURANCE PROGRAM

Mr. ROCKEFELLER. Mr. President, yesterday the President of the United States stood on the steps of the White House and had the audacity to lecture Congress about how to do our work. It is precisely a lack of Presidential leadership, potentially a lack of policy interest, and certainly a lack of understanding of responsible Government that is getting in the way of solving our Nation's problems—the President.

This Congress inherited a growing deficit from Mr. Bush—his created deficit, not his father's; his—and Congress has committed to live by a pay-as-you-go way of spending which makes life very tough. It is the absolute height of hypocrisy to have a President who effectively frittered away, gave away, to his rich friends a $5.6 trillion surplus and to have him lecturing the Congress about skyrocketing spending.

Did all of that go to his rich friends? No; most of it did. Some of it went to his brilliantly conceived war in Iraq which has made America a much less safe place to live, while the Taliban and others grow stronger in Afghanistan.

America needed, when he took office and especially after 9/11, to make some substantial investments in our defense and intelligence infrastructure, as well as very new and very good homeland security initiatives to respond to the September 11 attacks and ongoing threats. That spending was required for our national security.

Generally speaking around here, we take national security pretty seriously. We do on the Intelligence Committee. But that is not where the bulk of taxpayers' dollars has gone under this administration. Instead, we have given trillions of dollars away in tax cuts to millionaires and billionaires, and we are in year 5 of an astronomically expensive Iraq war with a failed strategy that is, as I said, making America less safe.

I am going to say to the President, this is not a political speech. I do not often come to the floor of the Senate to speak. I prefer to do my work in committees and in conferences. But I am fed up and outraged at what has transpired from the White House.

Meanwhile, on the home front, our domestic priorities, such as children, we have met a concrete wall of resistance. The veto of the Children's Health Insurance Program rests with him and it rests with him, President Bush, alone.

The Democratic leader was talking about some of the falsehoods the President has used in arguing against—publicly, constantly, all the time—the Children's Health Insurance Program, none of which are true. All of those who not only created the program, as I did along with John Chafee and ORRIN HATCH, but those of us who are working on it now, in an extraordinarily bipartisan way amongst ourselves and with the House, are trying to make it work. But over all that, there is this looming understanding that no matter what we do, the President is going to veto the bill. I will get into that later.

So now the President is threatening to veto and then veto again and then veto again appropriations bills aimed at investing in other pressing domestic needs. While, at the same time he is pushing to make the tax cuts for billionaires and millionaires, that I referred to before, permanent while advocating little to nothing for hard-working, middle-class families.

Congress is keeping its promise to the working-class families in West Virginia and around the Nation. We try to put the best interests of our soldiers, our children, our veterans, and our families first, and we have done so. We are the ones who have done that. If the President thinks that vetoing bill after bill and threatening to do so, setting the tone to do so, somehow achieves his goals, it is going to make him even less relevant to the American people than he is now.

Let me comment a little bit more on his statement regarding CHIP, the Children's Health Insurance Program. It is certainly the best program since Medicaid in terms of health care and one which is working, according to all analysis, efficiently and effectively and humanely.

As we all know, after months of intense negotiations between Republicans and Democrats, Congress presented a bill to the White House that would continue the health care coverage of the 6.6 million children currently covered and add on approximately 4 million more. It would give 10 million-plus children insurance, little children who have no health insurance, and we want to tend to that problem.

It has been an entirely bipartisan process. CHUCK GRASSLEY, the honorable senior Senator from Iowa, MAX BAUCUS, the honorable senior Senator from Montana, JAY ROCKEFELLER, the honorable junior Senator from West Virginia, and ORRIN HATCH, the honorable senior Senator from Utah have worked for months, more importantly have our staffs, on a bipartisan basis, have worked for months, 7 days a week, through the night, to try to make this bill work.

The President wanted to put $5 billion into it, which would have cut a lot of children out of health insurance. Obviously, the Democrats wanted to put in $50 billion into it. The Republicans wanted to put $22 billion into it. What we did, the four of us Senators who are doing this, met every single afternoon for weeks and for months from 5 to 7 to figure out a way, arguing, walking out sometimes, negotiating, and finally coming to the figure of $35 billion, and we were all happy. We all shook hands with pride because we knew we were doing something good for America's children. There were no politics there. It was pure negotiations in the interest of the people who don't start wars, who don't get our Nation into trouble, and who don't have any health insurance.

Congress met its responsibility. We did the right thing by our children. The President perhaps didn't understand the policy involved. I don't know. As the leader indicated, he didn't want to talk about it. But he certainly deliberately told a lot of falsehoods about the program, and the leader also discussed that situation, never mentioning that 91 percent of all children retrospectively and prospectively—the 6.6 million plus the 4 million—are at 200 percent of poverty or below—91 percent, 9 out of 10.

I see them with my eyes in West Virginia. I see them as a VISTA volunteer. I see them now as a relatively senior, though still junior, Senator because they are people. When their teeth are not fixed, their lives are changed. When their baby teeth are not fixed, don't worry about the adult teeth to follow; they are already compromised. And immunizations, EPSDT, all kinds of other health care needs.

We did the right thing by our children. The President—and it was the President who decided to veto this bill—it was the President who abdicated his moral responsibility to our children in favor of tobacco and partisan politics, or ideology. It doesn't matter, does it, if he is going to veto the bill. I just came from a meeting a half hour ago where Republicans and Democrats from the House and Senate were trying to work out a compromise, but there was this looming sense that whatever we do was going to get vetoed, so it didn't make any difference.

Ten million children—this isn't some controversial dam or earmark. This is uninsured children. Some of them had been previously uninsured and now are, and 4 million more who are uninsured. They are children. If you don't get a healthy start in life, everything is compromised—your health, your self-esteem, your prospects, your future, your life. It starts with health care.

It is the President who continues to tell these falsehoods about our bill to take attention away from the real issue. This is not about the cost of the bill, this is not about uninsured adults, this is not about illegal immigrants. This is about not wanting to give poor and low-income children and children whose parents cannot afford private insurance access to something monumental called health care.

The President said so himself in a statement which I can barely get out of my mouth. He said to a Cleveland audience on July 10 of this year:

> I mean, people have access to health care in America, after all. You just go to the emergency room.

Mr. President, you cannot understand health care, you cannot understand any of its intricacies, you cannot understand any of its broad oversweeps and ever, not even once in your life, make a statement such as that. The last time as a Senator I was in a waiting room in an emergency room with a child was about 1 or 2 years ago, and we waited 9 hours. So that statement, which is hard for me to say, alone, speaks volumes about his less than compassionate intentions.

Yesterday, the President accused Democrats in Congress of going it alone without seeking input from Republicans. There is absolutely nothing that could be further from the truth. We sought input from him, and we were turned down. We have done nothing but work with Republicans. We were working with Republicans 45 minutes ago in an hour, hour and a half long meeting—I don't know how long. I think we are meeting again this afternoon—from the House. We are trying to resolve this, all at the same time understanding that at the end of the day it is probably all going to get vetoed. But we don't care because we do care about children. It is about children. It is about children and their right to have health care, and we are in a position to do it.

I went to a high building in New York at the invitation of somebody, and I walked in and I was greeted very coldly. I sat down. I was stared at very coldly. I became moderately unhappy. So I decided to start out the conversation, which he had asked for.

I said: How much are you going to make this year?

He said: $183 million.

But he said: If you people on the Finance Committee would do something about deferred compensation, I could make more.

Now, this put me in a real kind of quandary. I didn't want to be impolite—I did want to be impolite, but I didn't want to show it—and so I said to him: How is it that I describe something called the United States of America? How is it that I deal with income disparity? How is it that I come from your $183 million, plus whatever it is if we did on the Finance Committee would give you more, to the fact that the average working family who pays taxes and works and has children in West Virginia has an income of $26,600 a year? How do I get from $26,000 a year to $183 million-plus a year and still call this the United States of America, which is trying to resolve income disparity and treat people fairly?

I couldn't do it. The conversation was not pleasant, and I got up and walked out. I am happy to say the gentleman was fired a week later.

So we have tried to get the attention of the White House. We have tried to engage the White House. We have tried to do it not for the sake of just simply crafting a bill, but because we have a passionate belief that goes back to 1996—a passionate belief that we are speaking on behalf of millions of American families who cannot afford something so basic as health care and that we can fix it for them for $35 million, and that is over a period of years, but we were rebuffed. We were vetoed, and we have actually been vetoed verbally five or six times since.

CHIP is a bipartisan program. The bill passed by the Congress is a bipartisan bill. It does have strong Republican support. There were a lot of Republicans in the House who voted for their version of the bill despite very obvious arm-twisting by the White House. If there is any hope left of enacting a children's health insurance bill this year, it is because there is still a bipartisan group of Senators and Congressmen who are working to keep it together.

But if the President continues to mischaracterize our bill and engage in disinformation, then I would say to my colleagues: Enough is enough. Enough is enough. Either you are for giving kids a healthy start in life or you are not. It is that simple. Money is not the problem. Paying is the problem. Injustice is the problem. Poverty is the problem. Money is not.

Well, the President has made his choice. For him, children evidently don't really need health care. They can just go to the emergency room. It is really a poignantly horrible statement for him to have made. I don't know if he has ever been to an emergency room. I have. He is entitled to his conscience, of course, and he is entitled to his opinion. He is entitled to protecting tobacco over protecting children. That is his right. He is the President. He has the veto pen, and he can sign or veto. He chooses to veto. But let us be very clear: He will have this as his legacy.

As a nation, we have always done what is right by our most vulnerable populations, not sometimes as efficiently or as swiftly as we could, but as we could. Our seniors and our children have always been at the top of that. Now our veterans are sacred. Veterans, when they go to serve our country, are soldiers for their entire lives, and we protect them. If this President won't live up to that ideal, then it is time to get one who will.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER (Mr. MENENDEZ). The Senator from Arizona.

Mr. KYL. Might I just inquire now, would we be beginning the Republican time for morning business?

The PRESIDING OFFICER. There is still 9½ minutes remaining on the Democratic time.

Mr. KYL. I understand we have permission to proceed, and I thank the majority for that and would note that when speakers come on their side, then they would be entitled to their time.

The PRESIDING OFFICER. Without objection, the Senator from Arizona is recognized.

NOMINATION OF JUDGE MICHAEL MUKASEY

Mr. KYL. Mr. President, I wish to urge the swift confirmation of Judge Michael Mukasey as Attorney General. It has been 6 weeks now, and the Senate Judiciary Committee has not even taken up the nomination. It is past time to fill this vacancy.

There is no question this nominee is qualified to serve. I don't need to recite his qualifications. They were mentioned by many Members at Judge Mukasey's nomination hearing.

The distinguished majority leader said:

> Judge Mukasey has strong professional credentials and a reputation for independence. A man who spent 18 years on the Federal bench surely understands the importance of checks and balances and knows how to say no to the President when he oversteps the Constitution.

There is no question, the Nation would be well served by Judge Mukasey's confirmation. Indeed, in recommending Judge Mukasey to serve on the Supreme Court, Senator SCHUMER noted that Judge Mukasey, and the others he recommended:

> . . . were legally excellent, ideologically moderate, within the mainstream, and have demonstrated a commitment to the rule of law.

Surely, if a man is qualified and independent enough to be on the Supreme Court, we should have far fewer concerns when nominating him to serve the remaining time of about 1 year as Attorney General.

It seems to me that what this debate boils down to is politics. Some Members want more information about his views. I would note that he testified for 2 full days and has answered nearly 500 written questions. The initial reaction from many of my Democratic colleagues was that he was extremely forthcoming and they were pleased with his candidness. But for some Senators, apparently this is not enough. It almost seems to me as if some of my colleagues are willing to hold this nomination hostage until he gives them exactly the answers they want, even when he is unable as a legal matter to do that.

Let me explain why. Judge Mukasey has not been briefed on classified programs, and he will not be briefed on classified programs until he becomes the Attorney General, but some of my colleagues now seem to be saying he should have to make pronouncements about the legalities of those programs even when he doesn't know their details—can't know their details. How is this independent?

I would suggest this: My colleagues don't want an Attorney General who is independent; they want an Attorney General who will kowtow to their views and make pronouncements over issues on which he is not legally allowed to opine. That is, of course, the opposite of independence.

Since the beginning of this Congress, Democratic Senators have repeatedly called for new leadership at the Department of Justice. They have said the work of the Department is too important to delay confirmation of a new Attorney General. Well, now is the time for them to act.

Before the nomination, Senator SCHUMER said:

> Let me say, if the President were to nominate somebody, albeit a conservative, but somebody who put the rule of law first, someone like a Mike Mukasey, my guess is that they would get through the Senate very, very quickly.

Well, my colleague would have guessed wrong. It hasn't been quick. The Senate Judiciary Committee has not moved quickly, and this is all the worse because the average amount of time between nomination and confirmation of the last nine Attorneys General has been 21 days. Already Judge Mukasey has been pending for about twice that period of time—6 weeks—longer than any Attorney General nominee in 20 years. If these delays continue, obviously new records are sure to be broken.

The bottom line here is that President Bush has nominated a distinguished and nonpolitical candidate to be the next Attorney General. The Senate should reciprocate by using the confirmation process not to settle old scores or to politicize the nomination. Independence has to mean something. We do not want an Attorney General who refuses to give his honest legal opinions to the President, and we don't want one who is forced to make commitments to the Senate that are not grounded in facts or law.

The Department of Justice needs an Attorney General with the foresight and experience to resolve the issues the Nation's top law enforcement agency faces and to tackle the difficult challenges especially presented in a post-9/11 world. The qualities and background of Judge Michael Mukasey, combined with his extensive experience in national security and terrorism cases, commend him to serve as Attorney General in these challenging times. It is important for the Senate to move on with this important business of the Nation so that Judge Mukasey can be voted on by the Senate.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I wish to be associated with the remarks of the distinguished Senator from Arizona. I think he summed it up pretty well, but let me just make some comments myself about the Mukasey nomination.

Just when you thought it might be safe to venture back into the confirmation water, the partisan sharks rush in and push you right back onto the beach. Today is 40 days—40 days—since the Senate received the nomination of Judge Michael Mukasey to be Attorney General of the United States, 40 days in the partisan wilderness for a man who is superbly qualified and widely respected and whose service is desperately needed.

Before addressing what is being done to Judge Mukasey, let me remind my colleagues who he is. Michael Mukasey has spent four decades serving the law and the country. He spent 16 years in private legal practice, 4 years as a Federal prosecutor, and 19 years as a Federal district court judge. He was head of the Official Corruption Unit during his service as assistant U.S. attorney and chief judge during his last 6 years as a U.S. district judge, both in the Southern District of New York.

Judge Mukasey's service in that particular jurisdiction gave him the expertise in national security issues that makes him especially qualified to lead a Justice Department that is being retooled for the war on terrorism and especially since the war on terrorism continues as we stand here on the floor. He presided over the 9-month trial of Omar Abdel Rahman and sentenced him to life in prison for the 1993 plot to blow up the World Trade Center.

When the U.S. Court of Appeals for the Second Circuit affirmed Judge Mukasey's decision, it took the unusual step of commenting on how he handled the trial. These are the appeals court's words. Judge Mukasey:

> . . . presided with extraordinary skill and patience, assuring fairness to the prosecution and to each defendant and helpfulness to the jury. His was an outstanding achievement in the face of challenges far beyond those normally endured by a trial judge.

That was the U.S. Court of Appeals for the Second Circuit on August 16, 1999.

That is a remarkable statement. Appeals courts review district court decisions, but rarely do they comment in this manner on district court judges.

Both generally and specifically, by any reasonable or objective standard, Judge Mukasey is eminently qualified to be our next Attorney General. By the standards set by my Democratic colleagues themselves, Judge Mukasey should by now have become Attorney General Mukasey. My Democratic colleagues have repeatedly said that the Justice Department needs new leadership and needs it now. The Senator from New York, Mr. SCHUMER, whom my colleague from Arizona quoted, is a Judiciary Committee member and a serious one. He has said:

> We can't afford to wait because justice is too important.

He is not alone in making that statement among the Democrats. The Democratic mantra is, justice is too important to wait; we need a new Attorney General now. My Democratic colleagues also offered criteria, offered a description of the kind of Attorney General we need right away. The chairman of the Judiciary Committee, Senator LEAHY, said:

> We want the best man or woman who can run the place, restore the sense of commitment and restore the sense of integrity to the Department of Justice.

The Senator from New York, Mr. SCHUMER, who knows him well, said the nominee would have to be someone of unimpeachable integrity, experience, and someone who could hit the ground running.

I respectfully say to my Democratic colleagues that Judge Mukasey fits your bill. He can run the place. He is a man of integrity and experience. He certainly can hit the ground running.

It appeared for a short, brief time that my Democratic colleagues thought so too. After a full day of testimony, Chairman LEAHY told Judge Mukasey that his answers showed his independence and his agreement that political influence has no place in law enforcement.

Mr. SCHUMER, the distinguished Senator from New York, said:

> The most important qualities we need in an Attorney General right now are independence and integrity, and looking at Judge Mukasey's career and his interviews that we have all had with him, it seems clear that Judge Mukasey possesses these vital attributes.

I ask unanimous consent that these and some other quotes be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. HATCH. We need a new Attorney General now. In fact, we needed him 40 days ago. Justice is too important to wait. Judge Mukasey meets the criteria. He is qualified. He is ready to lead. Then why is Judge Mukasey not already on the job leading the Justice Department to where Americans think it needs to be? Why is his nomination stalled, 40 days into the confirmation process, without even a committee vote?

It is certainly not because this is the way Attorney General nominees have been treated in the past. In my 31 years in this body, we have taken an average of 3 weeks to move an Attorney General nominee from nomination to confirmation. It has already been twice that long—40 days and counting—for

Judge Mukasey, and he was only today put on the Judiciary Committee agenda for next week.

Let me rewind the confirmation clock to 1993, the last time a Democratic Senate evaluated a nominee for Attorney General. Janet Reno, the Democratic nominee, received very different treatment than this Republican nominee is receiving today. Miss Reno's nomination went through the entire confirmation process from initial receipt to final confirmation in less time than Judge Mukasey's nomination has been sitting in the Judiciary Committee since this hearing.

While the Judiciary Committee will not vote on Mukasey's nomination until at least next week, the committee did not even wait for a markup to approve the Reno nomination.

I was the ranking member on the Judiciary Committee, and I supported then-Chairman BIDEN's request to vote on Miss Reno's nomination at the end of the hearing. I knew Janet Reno was very liberal. I knew she didn't agree with most Republican Senators. But she was qualified. She was a decent person. To be honest with you, the Senate unanimously confirmed her the very next day after the hearing, without even a markup.

While Senators gave Judge Mukasey nearly 500 written questions, after 2 days of oral testimony—500 written questions, the answers to which he already has provided, I might add—no Senators gave even a single question to Miss Reno.

What happened? Why such radically different treatment when a Democratic nominee for Attorney General comes up? It is simply because a Republican rather than a Democrat is in the White House and because we have a different approach toward matters.

Most of us believe when a President is elected, that President, he or she, should have the right to the nominees they put up, as long as they are competent and decent.

The need for new Justice Department leadership remains. Judge Mukasey's obvious qualifications are the same. What happened that his nomination is now being obstructed, slowed down, and delayed? The latest excuse is that Judge Mukasey will not state on the fly a legal conclusion for a Justice Department he has not yet led about whether the coercive interrogation technique known as waterboarding constitutes torture. He will not come to legal conclusions before he can apply appropriate legal standards to appropriate facts. I think that is a mark in his favor. He should be praised, not criticized, for taking this approach.

Rather than focusing on his refusal to answer a question that he should not answer, I want to remind my colleagues what Judge Mukasey has said on this subject. Everyone appeared pleasantly surprised when Judge Mukasey denounced torture during his hearing. He went so far as to explain how torture violates not only statutes or treaties but the United States Constitution itself.

Judge Mukasey said if waterboarding properly can be labeled torture, then it too is unconstitutional. In a letter dated yesterday, Judge Mukasey said he considers techniques such as waterboarding personally repugnant. But personal conclusions are not the same as legal conclusions. So Judge Mukasey outlined in detail the kind of analysis he would follow to decide whether such interrogation techniques constitute torture prohibited by the Constitution, or cruel, inhuman, or degrading treatment prohibited by statute and the Geneva Conventions.

I ask unanimous consent that his letter be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 2.)

Mr. HATCH. Judge Mukasey wrote:

> Legal questions must be answered based solely on the actual facts, circumstances and legal standards presented.

How can he possibly be criticized for making legal judgments by applying legal standards to appropriate facts? What kind of crazy, topsy-turvy confirmation process is this? My Democratic colleagues demanded over and over that, if confirmed, Judge Mukasey must exercise his own independent judgment and that he must answer legal questions on his own; that he must not base advice on political pressure. But now they criticize him for doing precisely what they told him to do. Democrats now criticize Judge Mukasey for saying he will exercise his own independent judgment and answer legal questions on his own, without basing his advice on political pressure. My Democratic colleagues cannot insist that Judge Mukasey be independent toward a Republican President but compliant toward a Democratic Senate. They cannot declare that the Constitution is not whatever President Bush says it is, but demand Judge Mukasey's agreement that the Constitution is whatever Senate Democrats say it is.

We should stop playing partisan political games with this nomination. The Justice Department is too important for this type of stuff. Judge Mukasey is eminently qualified to provide the leadership the Department needs now. His insistence that independent legal judgment rather than emotion or partisan pressure will guide him only enhances his fitness for taking the helm at the Justice Department.

Forty days into the partisan wilderness is more than enough. We should confirm Judge Michael Mukasey without further delay.

I yield the floor.

EXHIBIT 1

DEMOCRATS SAY THE JUSTICE DEPARTMENT NEEDS NEW LEADERSHIP NOW

Senator Chuck Schumer (D–NY): May 24, 2007: "This nation needs a new Attorney General, and it can't afford to wait."; August 27, 2007: "the Justice Department . . . desperately needs new leadership."

Senator Sheldon Whitehouse (D–RI): June 11, 2007: "the U.S. Department of Justice is a precious institution in our democracy . . . and we need to take some action."

DEMOCRATS PRAISE JUDGE MUKASEY

Senator Chuck Schumer (D–NY): May 22, 2007: "If the president were to nominate somebody . . . like a . . . Mike Mukasey, my guess is they would get through the Senate very, very quickly."; October 17, 2007: "The most important qualities we need in an Attorney General right now are independence and integrity. And looking at Judge Mukasey's career and his interviews that we have all had with him, it seems clear that Judge Mukasey possesses these vital attributes."; October 18, 2007: "He could get a unanimous vote out of this committee. . . . It's not a done deal yet. But he could."

Senator Pat Leahy (D–VT): October 16, 2007: "I would expect him to be confirmed."; October 17, 2007: "I appreciate [not only] the succinctness of your answers but the clarity of them."

Senator Ben Cardin (D–MD): October 17, 2007: "I've been very impressed by the direct answers that you've given to very important questions."

EXHIBIT 2

MICHAEL B. MUKASEY

Hon. PATRICK J. LEAHY, Hon. JOSEPH R. BIDEN, Jr., Hon. DIANNE FEINSTEIN, Hon. CHARLES E. SCHUMER, Hon. BENJAMIN L. CARDIN, Hon. EDWARD M. KENNEDY, Hon. HERB KOHL, Hon. RUSSELL D. FEINGOLD, Hon. RICHARD J. DURBIN, Hon. SHELDON WHITEHOUSE,

DEAR CHAIRMAN LEAHY, SENATORS KENNEDY, BIDEN, KOHL, FEINSTEIN, FEINGOLD, SCHUMER, DURBIN, CARDIN and WHITEHOUSE: Thank you for your letter of October 23, 2007. I well understand the concerns of the Senators who signed this letter that this Country remain true to its ideals, and that includes how we treat even the most brutal terrorists in U.S. custody. I understand also the importance of the U.S. remaining a nation of laws and setting a high standard of respect for human rights. Indeed, I said at the hearing that torture violates the law and the Constitution, and the President may not authorize it as he is no less bound by constitutional restrictions than any other government official.

I was asked at the hearing and in your letter questions about the hypothetical use of certain coercive interrogation techniques. As described in your letter, these techniques seem over the line or, on a personal basis, repugnant to me, and would probably seem the same to many Americans. But hypotheticals are different from real life, and in any legal opinion the actual facts and circumstances are critical. As a judge, I tried to be objective in my decision-making and to put aside even strongly held personal beliefs when assessing a legal question because legal questions must be answered based solely on the actual facts, circumstances, and legal standards presented. A legal opinion based on hypothetical facts and circumstances may be of some limited academic appeal but has scant practical effect or value.

I have said repeatedly, and reiterate here, that no one, including a President, is above the law, and that I would leave office sooner than participate in a violation of law. If confirmed, any legal opinions I offer will reflect that I appreciate the need for the United States to remain a nation of laws and to set the highest standards. I will be mindful also of our shared obligation to ensure that our Nation has the tools it needs, within the law, to protect the American people.

Legal opinions should treat real issues. I have not been briefed on techniques used in any classified interrogation program conducted by any government agency. For me, then, there is a real issue as to whether the techniques presented and discussed at the hearing and in your letter are even part of any program of questioning detainees. Although I have not been cleared into the details of any such program, it is my understanding that some Members of Congress, including those on the intelligence committees, have been so cleared and have been briefed on the specifics of a program run by the Central Intelligence Agency ("CIA"). Those Members know the answer to the question of whether the specific techniques presented to me at the hearing and in your letter are part of the CIA's program. I do not.

I do know, however, that "waterboarding" cannot be used by the United States military because its use by the military would be a clear violation of the Detainee Treatment Act ("DTA"). That is because "water- boarding" and certain other coercive interrogation techniques are expressly prohibited by the Army Field Manual on Intelligence Interrogation, and Congress specifically legislated in the DTA that no person in the custody or control of the Department of Defense ("DOD") or held in a DOD facility may be subject to any interrogation techniques not authorized and listed in the Manual.

In the absence of legislation expressly banning certain interrogation techniques in all circumstances, one must consider whether a particular technique complies with relevant legal standards. Below, I provide a summary of the type of analysis that I would undertake, were I presented as Attorney General with the question of whether coercive interrogation techniques, including "waterboarding" as described in your letter, would constitute torture, cruel, inhuman or degrading treatment, or a violation of Common Article 3 of the Geneva Conventions.

The statutory elements of torture are set forth in 18 U.S.C. §2340. By the terms of the statute, whether a particular technique is torture would turn principally on whether it is specifically intended to cause (a) severe physical pain or suffering, or (b) prolonged mental harm resulting from certain specified threats or acts. If, after being briefed, I determine that a particular technique satisfies the elements of section 2340, I would conclude that the technique violated the law.

I note that the Department of Justice published its interpretation of 18 U.S.C. §2340 in a December 30, 2004 memorandum to then-Deputy Attorney General James B. Comey, which superseded the memorandum of August 1, 2002 that I testified was a "mistake." I understand that the December 30, 2004 memorandum remains the Department's prevailing interpretation of section 2340. Although the December 30, 2004 memorandum to Mr. Comey does not discuss any specific techniques, it does state that "[w]hile we have identified various disagreements with the August 2002 Memorandum, we have reviewed this Office's prior opinions addressing issues involving treatment of detainees and do not believe that any of their conclusions would be different under the standards set forth in this memorandum."

Even if a particular technique did not constitute torture under 18 U.S.C. §2340, I would have to consider also whether it nevertheless would be prohibited as "cruel, inhuman or degrading treatment" as set forth in the DTA and the Military Commissions Act ("MCA")—enacted after the Department of Justice's December 30, 2004 memorandum to Mr. Comey—which extended the Convention Against Torture's prohibition on "cruel, inhuman or degrading treatment" to individuals in United States custody regardless of location or nationality. Congress specified in those statutes, as the Senate had in consenting to the ratification of the Convention Against Torture, that the Fifth, Eighth, and Fourteenth Amendments to the U.S. Constitution would control our interpretation of the phrase "cruel, inhuman or degrading treatment."

The Fifth Amendment is likely most relevant to an inquiry under the DTA and MCA into the lawfulness of an interrogation technique used against alien enemy combatants held abroad, and the Supreme Court has established the well-known "shocks the conscience" to determine whether particular government conduct is consistent with the Fifth Amendment's due process guarantees. *See County of Sacramento* v. *Lewis*, 523 U.S. 833, 850 (1998); *Rochin* v. *California*, 342 U.S. 165, 174 (1952). A legal opinion on whether any interrogation technique shocks the conscience such that it constitutes cruel, inhuman or degrading treatment requires an understanding of the relevant facts and circumstances of the technique's past or proposed use. This is the test mandated by the Supreme Court itself in *County of Sacramento* v. *Lewis* in which it wrote that "our concern with preserving the constitutional proportions of substantive due process *demands an exact analysis of circumstances* before any abuse of power is condemned as conscience shocking." 523 U.S. 833, 850 (1998) (emphasis added). As the Supreme Court has explained, a court first considers whether the conduct is "arbitrary in the constitutional sense," a test that asks whether the conduct is proportionate to the governmental interests involved. *Id.* at 847. In addition, the court must conduct an objective inquiry into whether the conduct at issue is "egregious" or "outrageous" in light of "traditional executive behavior and contemporary practices." *Id.* at 847 n.8. This inquiry requires a review of executive practice so as to determine what the United States has traditionally considered to be out of bounds, and it makes clear that there are some acts that would be prohibited regardless of the surrounding circumstances.

I would have to ensure also that any technique complies with our Nation's obligations under the Geneva Conventions, including those acts, such as murder, mutilation, rape, and cruel or inhuman treatment, that Congress has forbidden as grave breaches of Common Article 3 under the War Crimes Act. With respect to any coercive interrogation technique, the prohibition on "cruel or inhuman treatment" would be of particular relevance. That statute, similar in structure to 18 U.S.C. §2340, prohibits acts intended (a) to cause serious physical pain or suffering, or (b) serious and non-transitory mental harm resulting from certain specific threats or acts. Also, I would have to consider whether there would be a violation of the additional prohibitions imposed by Executive Order 13440, which includes a prohibition of willful and outrageous personal abuse inflicted for the purpose of humiliating and degrading the detainee.

As I testified, any discussion of coercive interrogation techniques necessarily involves a discussion of and a choice among bad alternatives. I was and remain loath to discuss and opine on any of those alternatives at this stage for the following three principal reasons: First, to repeat, I have not been made aware of the details of any interrogation program to the extent that any such program may be classified, and thus do not know what techniques may be involved in any such program that some may find analogous or comparable to the coercive techniques presented to me at the hearing and in your letter. Second, I would not want any *uninformed* statement of mine made during a confirmation process to present our own professional interrogators in the field, who must perform their duty under the most stressful conditions, or those charged with reviewing their conduct, with a perceived threat that any conduct of theirs, past or present, that was based on authorizations supported by the Department of Justice could place them in personal legal jeopardy. Third, for the reasons that I believe our intelligence community has explained in detail, I would not want any statement of mine to provide our enemies with a window into the limits or contours of any interrogation program we may have in place and thereby assist them in training to resist the techniques we actually may use.

I emphasize in closing this answer that nothing set forth above, or in my testimony, should be read as an approval of the interrogation techniques presented to me at the hearing or in your letter, or any comparable technique. Some of you told me at the hearing or in private meetings that you hoped and expected that, if confirmed, I would exercise my independent judgment when providing advice to the President, regardless of whether that advice was what the President wanted to hear. I told you that it would be irresponsible for me to do anything less. It would be no less irresponsible for me to seek confirmation by providing an uninformed legal opinion based on hypothetical facts and circumstances.

As I testified, if confirmed I will review any coercive interrogation techniques currently used by the United States Government and the legal analysis authorizing their use to assess whether such techniques comply with the law. If, after such a review, I determine that any technique is unlawful, I will not hesitate to so advise the President and will rescind or correct any legal opinion of the Department of Justice that supports use of the technique. I view this as entirely consistent with my commitment to provide independent judgment on all issues. That is my commitment and pledge to the President, to the Congress, and to the American people. Each and all should expect no less from their Attorney General.

Sincerely,

MICHAEL B. MUKASEY.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, may I inquire how much more time this side of the aisle has in morning business?

The PRESIDING OFFICER. The Senator from Texas would have 12 minutes.

SCHIP

Mr. CORNYN. Mr. President, I realize today is Halloween, so millions of children all over the globe will be showing up at our homes, saying "trick or treat." Unfortunately, Congress has been up to more tricks than treats lately. I say that with a sense of irony but also a sense of great disappointment.

Almost 3 weeks ago, on October 11, I sent a letter to Senator REID, the Senate majority leader, and the Speaker of the House, Congresswoman PELOSI, urging them to work across the aisle with Republicans and Democrats to come up with a sensible compromise on the reauthorization of the State Children's Health Insurance Program.

Today, as we know, is October 31, Halloween, and we have still not been able to come up with a compromise that is reasonable and fiscally responsible which the President will sign. The families and the children in my State of Texas who are, unfortunately, put on edge and suffering some sense of anxiety wondering whether this important program will continue to serve the needs of low-income children are being unfortunately taken advantage of and disadvantaged.

Why in the world would Congress play this kind of game and make those who are the most vulnerable among us the most anxious about their future and whether they will be able to get the health care which everyone in Congress believes low-income children ought to receive?

Instead of negotiating and trying to come up with a sensible compromise, we find the leadership in the House of Representatives rushing through a bill with little bipartisan input. Rather than trying to hammer out a meaningful compromise, we find a bill that actually costs just as much but serves fewer children and which otherwise makes minor tweaks to the legislation.

This bill clearly misses the mark and fails to reauthorize the State Children's Health Insurance Program according to the original intent of the program, which is putting low-income children first, low-income children whose families earn too much money to qualify for Medicaid—that is up to 100 percent of the poverty level—but who make up to 200 percent of the poverty level. Unfortunately, due to the inaction of the U.S. Congress, we have 700,000 low-income Texas children who qualify for Medicaid, who qualify for SCHIP, but who are currently not signed up and receiving those benefits. Instead, Congress is taking its eye off the ball and exploding this sensible program that deserves to be authorized by raising the eligibility cap to 300 percent of the poverty level but doing nothing—I reiterate—nothing to ensure that low-income children, including 700,000 low-income children in Texas, have coverage first before we grow the program to higher income levels and cover adults as well.

In fact, this legislation repeals the requirement that 95 percent of low-income children below 200 percent of the poverty level be covered first before extending coverage to children from higher income families. I do not believe this provision has the interests of the children this legislation was designed to serve put first. Instead, I think it puts partisan political interests ahead of the interests of low-income children.

All of this has come, of course, in response to the President's veto of the original SCHIP reauthorization, a proposal that failed to encourage participation among the poorest of our children, and instead expanded coverage to children of higher income families as well as adults. Rather than being an obstacle, the President's veto should be looked at as an opportunity to reengage on a bipartisan basis to come up with a solution. It is no wonder that Congress's approval ratings are around the 11-percent range. When the people across America look to Washington to find solutions to their problems, what do they find? They find partisan posturing and precious few results.

This is an opportunity to deliver a result and to keep a promise that we, on a bipartisan basis, have made to the poorest children in our country. What should we have asked ourselves as to what we should do? While we leave our children and their families blowing in the wind, will we turn their lives into campaign promises or will we, instead, keep our word that we came here to serve the needs of the American people, and particularly the most vulnerable among us, by continuing this important program and making sure that poor kids get health care first, before we look at growing this program to cover other more well-to-do children or perhaps even adults as are covered currently in four States.

The recent debate on SCHIP has focused too much on our political gains and not enough on the well-being of our poor children. This bill has become another political football in a game that has been raging for months, but, unlike any other game that I am familiar with, this game has only an imaginary scoreboard, the results are arbitrary, and nothing—nothing—it appears, is out of bounds.

Whenever a health care package for low-income children is delayed because some want to engage in partisan games and political posturing, you know things have gone too far.

They say the definition of insanity is doing the same thing over and over again and yet expecting different results. Well, by that definition, this is insanity. We know the original bill that was vetoed by the President was because it strayed far from the original objectives. It was not funded on a source of revenue that could be expected to pay for this radical expansion of the current program by 140 percent.

Well, we know the reasons the President vetoed that legislation. And what does the leadership in the House of Representatives decide to do? Well, they decide to essentially do the same thing again and dare the President, one more time, to veto this legislation.

It is clear this is not, by definition, good-faith negotiation and attempt, on a bipartisan basis, to solve this very real problem. Rather than give voice to those who want to find a better and more sensible solution to this problem, we will find ourselves this afternoon simply voting on another substantially flawed bill, which the President has likewise promised to veto.

Of course, when the bill returns from its short and uneventful trip to the White House, we will not fail to see the video cameras paraded out for the press conferences to talk once more about how the President and those who voted against this bill have heartlessly blocked it.

It has become a cynical ploy. Everybody gets it. Only people inside the beltway in Washington or inside this Chamber who continue to engage in partisan posturing do not get it. The American people see through it as clearly as you would expect.

The truth is no one wants to see SCHIP reauthorized more than the Members of the Congress, on a bipartisan basis. It is an enormously successful program passed with broad bipartisan support in 1997, and it should be continued. As a matter of fact, those of us who voted against the bill the President vetoed believe we should continue the program, and we should add at least $10 billion to the original funding in order to cover more and more low-income kids.

But even more important than that, in my State of Texas, half of the uninsured children in Texas who are eligible for Medicaid and SCHIP under the current program are not signed up. What is Congress doing to make sure those children are reached out to, that their parents are assisted in filling out the paperwork so they can qualify for this program? Precious little. Precious little.

Congress continues to add 140 percent to the current authority under this program, to take money out of necessary outreach to reach out to the low-income kids and to explode this program into one that covers people making much more money than double the Federal level of poverty.

I will do everything in my power to ensure these children get the health care they need. The problem is, as I and many of my colleagues have pointed out numerous times, this bill does not make these children a priority. It does not make these children a priority but, rather, an afterthought.

Instead, it puts other children, many of whom already enjoy the benefits of private health insurance, in competition with these low-income children for CHIP coverage. The result is that children who most need it get crowded out in favor of children who already have private health insurance.

This bill simply does not fix the problem. It raises the eligibility for CHIP enrollment without a concerted effort to enroll those children who are currently eligible first. Additionally, this new bill does nothing to close the loopholes on income disregard. Now, that is a fancy way of saying disregarding the rules. You say the rules are one thing, but you come behind it later on and say: Well, forget some of these rules when it comes to qualifying income.

This bill is another example of that kind of gamesmanship under the title of income disregards which allows States the ability to, in effect, define a family's income by saying: We will not take into account all income. We are going to disregard some so you will qualify for this Federal Government taxpayer-paid-for benefit.

This loophole would allow States to actually exceed 300 percent of poverty level by disregarding part of the family's income.

Neither does this bill address the crowd-out effect which is expected to shift 2 million children from private coverage to government-run health care. There are a number of other problems with this bill that do nothing to eliminate the document fraud and identity theft that would allow noncitizens to qualify for the benefits under this legislation.

We can do better. We must do better. But we cannot do better as long as we continue to engage in this partisan gamesmanship and political posturing. Unfortunately, it is the low-income children, among the most vulnerable in our country, who are the ones who are left wondering: Is Congress going to act in their best interests?

Unfortunately, they have seen very little evidence so far that they are our No. 1 priority, as they should be. Instead, partisan politics appear to be the No. 1 priority, and those children appear to be something left behind.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I ask unanimous consent for the rest of the Democratic time in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPUBLICAN OBSTRUCTIONISM

Mr. MENENDEZ. Mr. President, right up the street from here, right up Pennsylvania Avenue, is the White House. It is not far, a little over a mile. But what has been made abundantly clear over the past 10 months since Congress changed hands, what has been made abundantly clear is that when it comes to the priorities of the families of this Nation, when it comes to the values they hold, the distance between here and the White House is many miles.

Americans have seen for themselves what we in Congress want to do for them. They have seen some truly meaningful and landmark initiatives achieved on behalf of American families: The 9/11 Commission bill, bringing security to all our communities; the most sweeping ethics reform in a generation, extracting lobbying influence from the policies that affect all of us; the first increase in the minimum wage, the first raise for American workers in more than a decade; and the most significant college affordability package since the GI bill, because we recognize that a good education is the great equalizer.

But that is not all we are trying to do for middle-class Americans, for working Americans, for families in this country. That is the tip of the iceberg. We want to help American families by investing in security, education, and health care, and we have legislation to do that. Yes, there will be plenty more ideas, plenty more initiatives, plenty more investments in the people of this country whom we stand together to support but only to have the President and his friends in Congress block our progress.

Time after time, a majority of the Members of this body have lined up behind truly important legislation, only to have the President take out his veto pen or our Republican colleagues in the Senate strike up a filibuster.

Yesterday I saw President Bush, flanked by some of his top allies from Congress, complaining about what he claims Congress has not done this year. It takes a lot of nerve for the President to say that, when he received from this Congress landmark security legislation, landmark education legislation, landmark ethics reforms, and the first minimum wage raise in a decade. He signed them all into law, all within 10 months.

It takes a lot of nerve for President Bush to say we are wasting time, when he, along with his allies, has refused the children's health legislation, stem cell research legislation, and legislation to change the course in Iraq.

I know it is Halloween, but the legislative graveyard for which the President is the grim reaper is not a trick or a treat. It is downright scary that the President can be so disconnected from the values and hopes of mainstream America.

Ask the American people: What would they rather us do in Washington—stand up for lifesaving research, lower energy costs, get our troops out of Iraq or kill initiative after initiative that would benefit American families? In Congress, we are going to try to give the President what we call in golf a mulligan on one of the most important investments we can make in our country, the health of our children. The first time, he vetoes it, sending the message that millions of children who have nowhere else to turn are unworthy of a strong Federal commitment.

We believe that is fundamentally wrong. The President has to choose if he is going to sign it into law or again write a big "no" on an investment in America's children. This is a President who says, no, no, no, when it comes to investing in our families, but yes, yes, yes, when it comes to more troops, more time, more money for his stay-the-course plan in Iraq.

This is a President who does not see the irony in sticking out the one hand to ask for $200 billion for Iraq this year, while using the other hand to veto health coverage for poor American children. This is a President who has no problem with killing a child's health bill that would have been paid for with 3½ months of Iraq funding. This is a President who says: We are fighting them over there so we do not have to fight them over here, when what he means is: We are spending all our money over there, and we do not have it to spend here.

In Congress, we want a strong investment in children's health care, in stem cell research, in changing the course in Iraq. We have offered those to the President. He has rejected it. The President and his allies seem to want to stay the course in Iraq and not much else.

Well, America is going to see a lot of ghouls and goblins tonight. But what is truly scary is that the legislative grim reaper that threatens millions of families without health care insurance, the demon of oil addiction, and the specter of an endless war, are not going to be gone when we wake up. That is the reality we face. That is why we continue to challenge to change the course.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DORGAN). Without objection, it is so ordered.

Mr. BROWN. I ask unanimous consent to speak for no more than 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSUMER PRODUCT SAFETY COMMISSION

Mr. BROWN. Mr. President, our Nation's haphazard trade policy too often allows contaminated food and dangerous toys onto our shelves and into our homes, and this administration has done little to curb the toxic tide.

Earlier this month, I asked Ohio's Ashland University chemistry Professor Jeff Weidenhamer to test 22 Halloween products for lead. Three products tested were found to contain high lead levels. Acceptable levels of lead, according to the Consumer Product Safety Commission, are 600 parts per million for adults. According to CPSC, there is no acceptable lead level for children. A Halloween Frankenstein cup that Professor Weidenhamer tested—presumably a cup that may end up in a child's mouth—contained 39,000 parts per million versus 600, which is acceptable for an adult, and zero acceptable for a child.

For more than 40 years, parents trusted that their children's toys were safe from lead. The safety net secured to help our families is being systematically dismantled, as the Presiding Officer, the Senator from North Dakota, has pointed out so well, by our Nation's failed trade policies and an apathetic administration. Forty years ago, we banned lead in paint. Now we must ban lead in toys. I am a cosponsor of legislation with Senator OBAMA that would do that.

While a ban on lead in toys is an important step, it doesn't get at the heart of the problem—our failed trade policy. Until we get tough on enforcing safety standards abroad, we won't be able to prevent contaminated products from ending up on store shelves across the country and in our homes.

Distributors seeking low-cost products stretch supply chains to China and cut costs; that is, American companies that import go to China and other countries and push them to cut costs, to cut corners, and then those products are brought back into the United States. That means lead paint in toys because it is cheaper to buy and to apply, it means too often contaminated products in our homes, and it means zero accountability.

We have not made the importers, the contractors, or the Government accountable because of cuts at the Consumer Product Safety Commission and because we have a top Commissioner there who has simply weakened that agency and abdicated responsibility. As yesterday's report highlighted, we must do more to ensure the Consumer Product Safety Commission has what it needs to do its job.

I am a cosponsor of legislation sponsored by Senator PRYOR that would reauthorize and strengthen the Consumer Product Safety Commission. Its budget is half what it was when it began in the 1970s in real dollars. The staff has dwindled over the years from 1,000, including inspectors, to 420. We must instead increase funding and staff at the Consumer Product Safety Commission. We must increase coordination between the CPSC and Customs officials. We must give the Commission the authority to examine and approve other nations' regulatory systems before imports from a country get onto our store shelves.

When we buy tens of billions of dollars of toys, tires, and other consumer products from a country that has weak environmental laws, weak food safety laws, weak consumer protection laws and, at the same time, when our companies that import from other countries push subcontractors in those countries to cut costs, this is what we end up with. That is why we must give the CPSC the authority to examine and approve other nations' regulatory systems.

Unfortunately, as imports from China and other trading nations rise and the recall of toxic products at home increases, the Bush administration continues to call for more Consumer Product Safety Commission cuts.

Yesterday, the Times reported that Chairwoman Nord of the CPSC plans to actively work to kill the Pryor legislation. That is unacceptable. This administration's apathy for policies that protect our families is at best shameful and at worst potentially deadly.

One thing I am sure of: It is time for Nancy Nord of the Consumer Product Safety Commission chair to step aside. She is the acting chairperson but, unfortunately, we have seen a lot more inaction than we have action. It is time to put a chairperson in place who is not satisfied with "we are doing the best we can." We need a chairperson who fights for the authority and the resources the Commission needs to do the job it is supposed to.

Her response to the wave of product recalls has been, to put it charitably, underwhelming. She is fighting efforts to make more information available to the public about product hazards. She opposes protections for whistleblowers who identify shoddy products, and, most importantly, in the face of recall after recall, she has offered no plan to equip the CPSC to fulfill its role in product safety. She spends most of her time trying to make sure her agency isn't scrutinized or held accountable for doing its job. We need a permanent chairperson dedicated to doing the most important thing the CPSC is to do—protecting families and our children, not protecting corporate interests.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 3963, which the clerk will report.

The legislative clerk read as follows:

> A motion to proceed to the bill (H.R. 3963) to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent that the cloture vote on the motion to proceed to the children's health insurance bill, H.R. 3963, occur at 3:45 p.m. today, and that if cloture is invoked it be considered invoked as if the vote had occurred at 6:30 p.m. today and concluded at 6:50 p.m., with the time following the conclusion of morning business prior to the vote equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I wish to yield to myself 30 minutes, and I also ask unanimous consent that Senator KENNEDY be yielded 30 minutes of the majority's time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I am going to talk about a couple subjects this afternoon. I am going to begin, however, talking about the issue of children's health insurance.

The Children's Health Insurance Program will be the subject of the cloture vote later this afternoon, and it is a very important issue. We have a lot of children in this country who do not have health insurance coverage. Ten years ago, we put together a piece of legislation called the Children's Health Insurance Program. It has worked. It has been very successful. Millions of children who otherwise would not have had health insurance coverage now have health insurance coverage.

The President, when he campaigned for office a couple of years ago, said he supported and wanted to expand the Children's Health Insurance Program to cover more children. The Congress, on a bipartisan basis, has now passed the Children's Health Insurance Program reauthorization that would provide additional coverage for nearly 4 million additional children in this country—3.8 million additional children, to be exact. The President vetoed it—this after he campaigned saying he supported expanding the program. In fact, not only did he veto the expansion of the program—that was done on a bipartisan basis in the Congress, and fully paid for, I might say—but he sent Congress a budget that left 21 States without enough money to continue to cover the existing kids in the program.

So this administration has it wrong. That is not just me saying it, it is a bipartisan group of Members of Congress who believe very strongly we need to do what is right to try to get health insurance to children. We should try to make sure every American has health insurance. That is very important. But it seems to me if you do not have legislation that does that, at least start with the children.

I have said before, I do not know what is in second or third or fourth place in most people's lives in terms of what is important, but I know what is in first place in the lives of most people. It is their children and their children's health. If this is not a priority, if it is not a priority at the White House—it passed the Senate with a wide margin, passed the House with a wide margin, but we did not have 67 percent of the votes in the House to override the veto—if it is not a priority at the White House, I ask what is a priority? If providing health care for an additional 3.8 million children is not a priority, what are the priorities at the White House? What is more important?

Once again, this may be unfamiliar territory to the President because this is a piece of legislation that is fully paid for, unlike much of what we get from the White House these days. I am going to talk about that in a bit. But before us here in Congress, the President has two requests. In addition to his regular budget, the President has said to us: I want another $196 billion for the purposes of continuing the war in Iraq and Afghanistan. And he said: I want the $196 billion declared an emergency. I do not propose we pay for it. I propose we put it all on top of the debt. That will take us to almost two-thirds of a trillion dollars the President has asked for—none of it paid for, all of it requested by the President as an emergency.

Contrast that, by the way, a $196 billion emergency request—none of it paid for—with a bipartisan group in the Congress that says: We believe the priority is our children. We propose to cover 3.8 million additional kids with health insurance coverage, and we fully pay for it. That is a very significant departure from what we hear at the White House these days.

Now the President gases up Air Force One, flies all over the country, and flew down to Arkansas not many days ago and said: I am the fiscal policy President. I am going to get tough. I am vetoing bills. Interestingly, he did not veto a bill in the 6 years his party controlled both branches of Congress. He did not veto bills in the 6 years in which, in nearly every case, the appropriations coming out of the Congress exceeded his request or at least were dramatically changed from his request.

It is now, only in the shadows, the evening hours of his Presidency he decides he wants to be a fiscal policy President, tough on fiscal policy. The problem is, it is not so much what you say that matters, it is what you do that matters, and he has before us one more demonstration of the reckless fiscal policy we have seen now for some years, turning a very significant budget surplus, when he took office—and, yes, we had a budget surplus of about $240 billion in that year—turning that into a stream of fiscal policy budget deficits, adding $3 trillion to the Federal debt, and asking us, once again: Please give me another $196 billion above all the regular appropriations.

By the way, even as he asks for the additional $196 billion, he says we cannot afford providing insurance coverage for 3.8 million kids whom we fully pay for in a bipartisan bill.

I am telling you, I think the President is wrong. I admire the fact this is a bipartisan bill. We did it the right way. The President will have a second opportunity to have a bill on his desk. My hope is he will understand the good faith and goodwill of bipartisan Members of Congress who have the right priorities, saying our children come first and children's health insurance is very important.

INDIAN HEALTH CARE IMPROVEMENT ACT

Mr. President, that leads me to talk about a health insurance issue that includes the Children's Health Insurance Program but is much more than that. It is a bill that is going to come to the floor of the Senate soon, and thanks to the commitment by Senator REID, the majority leader, it is the reauthorization of the Indian Health Care Improvement Act.

It has been 8 years since Congress should have reauthorized the Indian Health Care Improvement Act—8 years—long past due, long past the time for us to have done this. The fact is, in this country we have 2 million of the first Americans—they were here greeting the folks who came to this country—American Indians, and many of them live in Third World conditions, and many of them experience health care rationing, which I think is a scandal.

It is not written much about these days, unfortunately. But there is a full-blown scandal, in my judgment, with respect to health care that is not available to American Indians—health care that was promised, health care that was committed, and health care that is our trust responsibility as a government to American Indians. We made that commitment, and we are not keeping it.

Indian children will benefit from children's health insurance as well. But also, Indian children live—and in some cases die—with the results of the Indian health care system.

This young lady shown in this picture is a 5-year-old beautiful young girl—sparkling eyes, with a beautiful dress, dancing in the traditional Indian dress—5 years old. Her grandmother, who testified at the Crow Indian Reservation, at a hearing I headed with Senator TESTER, held this picture up. Her name is Ta'shon Rain Littlelight—5 years old.

Ta'shon died. Her grandmother brought her photograph to the hearing and held it high. She talked about her granddaughter. She said Ta'shon lived the last 3 months of her life in unmedicated pain, and died of terminal cancer. She was taken and taken and taken again to the Indian Health Service, was diagnosed with depression, and treated for depression. Ultimately, it was discovered she had terminal cancer—not depression, terminal cancer.

She was flown to Billings, MT, and then to Denver, CO, and this young 5-year-old is gone. Her grandmother asks the question: Would better health care have saved her? Should she have been diagnosed in a different manner? I don't know the answer to that. I do know this: There are too many children like Ta'shon Rain Littlelight who do not have the same health care as others have, and Ta'shon lost her life.

It is not just this beautiful little girl. This is the photograph of a young girl whose photograph I have shown my colleagues before. Her name is Avis Littlewind. Avis Littlewind is also dead—14 years old. She took her own life. Her sister took her own life. Her father died at his own hand. She was in a fetal position in bed in her bedroom for 90 days at age 14, and somehow no one quite figured out this young lady desperately needed mental health treatment. So she took her life.

I went to that Indian reservation. I talked to the school officials. I talked to Avis Littlewind's classmates. I talked to the tribal officials to try to understand: How does a 14-year-old child fall through the cracks?

Well, there was not mental health treatment available in any significant way for this young child. The people who would get her health care would have to beg and borrow a car to drive her someplace. But she is gone. This young girl apparently felt hopeless and helpless and took her own life.

The question I ask with respect to the mental health treatment she should have gotten—with respect to so many other kinds of health care that should be available to American Indians—the question I ask is: When? When will they get the health treatment they deserve?

This is a picture of a woman from the Fort Berthold Indian Reservation. I have described her situation to my colleagues previously as well. Suspected of having a heart attack, she was put in an ambulance and driven to a hospital—the nearest hospital off the Indian reservation. Arriving at the hospital, as they were carrying her into the hospital, transferring her to a hospital gurney, they discovered at the hospital something taped to her thigh with an ordinary piece of tape.

Here, as shown on this chart, is what was taped to this woman's thigh, as she was taken into the hospital off of a gurney, suspected of having a heart attack. What they found taped to her thigh was a letter from the Department of Health and Human Services, and it described that this woman was not going to be eligible for contract health funding because they were out of money: So if you admit this woman to your hospital, understand, you are on your own. Financially, you are on your own. We are warning you.

That is what the letter taped to this woman's thigh said. That is health care today in modern America on Indian reservations.

Now let me describe why there is an urgency to pass Indian health care legislation, to reauthorize the Act that should have been reauthorized 8 years ago.

We spend twice as much money per person on health care for Federal prisoners incarcerated in our Federal prisons as we do for American Indians, and we have a responsibility, a trust responsibility, for health care for American Indians. This is not being generous. This is meeting a promise America made to Indians. This country made the promise over and over again that we would provide for their health care. But we have not met that promise.

If you take a look at what we spend per capita for American Indians, what you will discover is, we spend half as much per person for American Indians as we do for Federal prisoners. We have a responsibility for health care for those we incarcerate. I understand. If you stick someone in a Federal prison, you have to take care of them, provide for their health care.

Why do we spend twice as much for a Federal prisoner's health care as we did for Ta'shon Rain Littlelight's or Avis Littlewind's or, in per capita expenditures, we do for American Indians? We spend $6,700 a year, per capita, on Medicare expenditures, veterans, $4,600; Medicaid, $4,300; Federal prisoners, $3,200; Indian health program; $2,100 per capita. We have to do better than that. We have significant responsibilities, significant problems, and regrettably, full-scale health care rationing on many of America's Indian reservations, and I think it is a scandal and an outrage and we have to fix it.

Senator MURKOWSKI and I, as chairman and ranking member of the Indian Affairs Committee, have written in our committee a piece of legislation called the Indian Health Care Improvement Act. We are ready to bring that to the floor of the Senate at last, at long last. Lives will be saved if we can pass this piece of legislation. Senator REID has given us a commitment that we will have this piece of legislation on the floor of the Senate, and when we do, I think it will be a day of some celebration for American Indians who have been promised health care and, regrettably, have not received the benefit of the promises that were made. I am not suggesting there aren't some talented men and women who work in the Indian health care system and who work in public health. I am not suggesting there aren't some very talented people out there. But I can tell horror stories that are almost unbelievable.

A woman goes to the doctor on an Indian reservation, and she has a knee that is unbelievably painful—bone on bone. It is the kind of knee that if it belonged to a Member of the Senate or 1 of the Senator's families, they would go and get a knee replacement. Bone on bone, unbelievably painful.

This woman is told: Wrap your knee in cabbage leaves for 4 days, and it will be fine. Well, that is not fine, and that is not medicine. That isn't what we should expect in terms of meeting our responsibilities in this country to the first Americans.

Again, I asked the grandmother of Ta'Shon Rain Littlelight if I could use her image, and I do so respectfully and I do so understanding the delicacy of it. But when the grandmother came to the hearing and held up the picture of this beautiful young girl with the sparkling eyes, and said: My granddaughter died, and here is how she died. In 3 months of unmedicated pain after her terminal cancer had not been diagnosed for months and months and months.

I think it is important for us to ask the question: Does this matter? Do we care? I hope the answer is yes, it does matter and, yes, this Congress does care and, yes, this Congress is going to meet its responsibility. I hope in the coming weeks that certainly will be the case, starting here in the Senate.

Mr. President, I yield the floor, and I make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 13 minutes remaining.

FISCAL POLICY

Mr. DORGAN. Mr. President, I wanted to speak about the subject I referenced briefly, and that is fiscal policy and this President. It gives me no joy to come and be critical of the President's fiscal policy. But it should give the American people no joy either to understand the consequences of a fiscal policy that turned very large budget surpluses, which took us a long time to begin to see, into very long-term Federal budget deficits and three trillion dollars of additional debt. That is a reckless fiscal policy and one that has to be fixed.

When he recently asked the Congress for an additional $196 billion—none of it paid for, all emergency—the President said: Now we will see whether the Congress supports the troops. Well, the fact is, not all that money goes to the troops in Iraq and Afghanistan. A substantial portion of that money goes to contractors.

I wanted to go through with my colleagues some examples of what we are finding with respect to the spending of taxpayers' money for contractors. I believe I have held 17 hearings over the recent 4 years as chairman of the Policy Committee on these issues.

Let me put up a couple of charts to describe where we are headed.

This is a Congressional Budget Office estimate of October of this year. The U.S. wars in Iraq and Afghanistan could cost taxpayers a total of $2.4 trillion by 2017 when you count the very large interest costs because this is being financed with borrowed money. Again, a President who says he is a conservative borrowing all of this money, insisting it be borrowed and not paid for, and we end up in this country paying a fortune for the war costs.

So the question is, is this money for the troops? Well, let me describe what we have. Last month, military officials said contracts worth $6 billion to provide essential supplies to American troops in Kuwait, Iraq, and Afghanistan—including food, water, and shelter—were under review by criminal investigators. In addition, $88 billion in contracts and programs, including those for body armor for soldiers and material for Iraqi and Afghan security forces, are being audited for financial irregularities.

Think of that: $88 billion; $6 billion under criminal investigation; $88 billion, financial irregularities by these contractors.

Once again, under this President, last month the Army reported that it had 78 cases of fraud and corruption under investigation, had obtained 20 criminal indictments, and had uncovered over $15 million in bribes.

Another $196 billion, while those who prance around this money have a field day. It doesn't seem like conservatism to me.

Again, in August, 2 months ago, the New York Times reported:

> The enormous expenditures of American and Iraqi money on the Iraq reconstruction program, at least $40 billion over all, have been criticized for reasons that go well beyond the corruption cases that have been uncovered so far. Weak oversight, poor planning, and endless security problems have contributed to many of the program failures.

So we ante up money from the United States Congress—billions and billions of dollars. We are going to provide health care clinics for the Iraqis. We are going to build 142 health care clinics. We hire the contractor. The money is gone, but the clinics aren't there. An Iraqi doctor—a very courageous Iraqi doctor—testified at one of my hearings. He said: I went to the Health Minister in Iraq and said: You know, we had these contracts with an American contracting company that was going to do these 142 health care clinics in Iraq. I would like to visit them. The Iraqi Health Minister said to this physician: You don't understand. Most of those are imaginary clinics.

Well, the American taxpayer got fleeced. The money is gone. The contractor got the money. The clinics don't exist.

We can't even keep track of the guns that are being sent to Iraq. We sent Iraq 185,000 AK-47s, and at this point we know where 75,000 of them are; 110,000 are gone and unaccounted for. We sent them 170,000 pistols, 90,000 of them we can't account for. Are some of these AK-47s and pistols being aimed at American troops? Of course they are. How is it that we fund with American taxpayers' money the shipment of massive quantities of weapons to Iraq and don't keep track of where they are? Again, there are 110,000 AK-47s, we don't know where they are, and 80,000 pistols, we don't know where they are. This is almost staggering incompetence, in my judgment.

Saddam Hussein is dead. He was hanged by the neck. The Iraqi people no longer have Saddam Hussein in their lives. The Iraqi people voted for their own new constitution, and they voted for a new government. All that is left for the Iraqi people is to provide for their own security. The question is, when will the Iraqi people demonstrate the will to provide for their own security?

We have trained 360,000 Iraqis in the interior forces and defense forces, soldiers and police men and women—360,000 have been trained, and they can't provide for their own defense, for their own security. Is there not a will in this country in which Saddam Hussein is gone, a new constitution, a new government exists, and they have 360,000 people trained, and that training was paid for by this country—is there not a will, then, to provide for security? If they can't, we can't. We are not going to provide security in Iraq for the next 5 or 10 years. We should not be going door to door in Baghdad in the middle of a civil war with U.S. soldiers.

But it seems to me we should reasonably ask the question: If we have trained 360,000 for security in Iraq, and they can't provide for their own security, where are they? We are now told that up to 50 percent of those we have trained are probably not on the job anymore. We don't know where they are.

I also just saw information a couple of days ago that the number of people we are training has dropped by two-thirds. I mean, everyone talks about—including the President—the way out of Iraq is to train the Iraqis for their own security. We have trained a third of a million of them and now we have reduced the amount of training by two-thirds and now we have a surge of American soldiers going door to door in Baghdad in the middle of a civil war. I am just saying I don't think that adds up in the context of what this administration is asking of this Congress.

Between April 2003 and June of 2004, $12 billion in U.S. currency, much of it in one-hundred-dollar bills, was dispersed by the Coalition Provisional Authority. That is us. We airlifted billions of dollars in C-130s. Some of it was shoveled out the back of pickup trucks in Baghdad. You think that doesn't attract flies and people who want to cheat and steal? It does. What happened? About $9 billion has gone missing, unaccounted for, in a frenzy of mismanagement and greed, it is said.

ADM David Oliver, who was a senior official of the Coalition Provisional Authority was asked by a reporter about what happened to the cash that was airlifted to Baghdad. Our official said:

> I have no idea. I can't tell you whether the money went to the right things or didn't. Nor do I actually think it's important.

Oh, really? You don't think it is important whether billions of dollars was used for the proper purpose?

An independent oversight agency reported this month that it could not complete an audit of a $1.2 billion contract to train Iraqi police because records kept by the State Department and by DynCorps International, the contractor, were inaccurate and in disarray, documents not sufficient to do any kind of an audit.

The State Department paid $43.8 million for manufacturing and temporary storage of a residential camp that has never been used. They paid $36.4 million for weapons and equipment, including body armor, armored vehicles, and communications equipment that couldn't be accounted for.

Among the problems identified before an audit—this is a New York Times story of this month—were duplicate payments, the purchase of a never-used $1.8 million x-ray scanner, and payments of $387,000 to house DynCorps officials in hotels rather than other available accommodations.

My colleagues get my point. I could show 100 charts which would all show in my judgment massive, staggering incompetence and lack of oversight of these contracts.

The President says: I want $196 billion in emergency funding, none of it paid for, and by the way, if you don't support that, you are not supporting the troops. Well, a substantial amount of this money is supporting contractors, not troops, and there is substantial evidence that there is dramatic waste, fraud, and abuse of these contracts, and no one seems to care. No one seems to be watching the store. That goes for the Defense Department, the Secretary of State, and many others, including the White House.

Finally, when we vote on the issue of whether we should provide additional emergency funding for the President, and yes, for the troops, and also for these contractors, I am going to suggest something very different. Some things are habit forming, and one of them, it seems to me, is to ask the Congress to increase spending substantially and not pay for it. This President has done this now to the tune of two-thirds of $1 trillion for the war in Iraq and Afghanistan.

Aside from the fact that I think it is wrong because it doesn't have the country going to war with the soldiers—it seems to me if you send soldiers to war, you also ought to ask the country to be with those soldiers, not just with their thoughts and prayers but also to pay for the cost, rather than charge it to some future generation and have the soldiers fight the battle, and then come back to our country and pay the bills for those battles.

So I have said to my colleagues, and I would say to the President, when we consider this issue of additional funding, I am going to offer this time some ways to pay for a portion of it, and I am going to give some examples. I have used many of these before, but this time, we will have a chance to vote on them. Maybe I will win, maybe I will lose, I don't know. But it seems to me we ought to do some things that are thoughtful and patriotic, even as we decide that we are going to provide support to our troops.

Let me give an example.

Let me give you an example. I have used this many times. This is a five-story white building in the Cayman Islands. A very enterprising reporter from Bloomberg named David Evans went to that building. It is on Church Street. That five-story white building is home to 12,748 corporations. They are not actually there, of course; it is legal fiction that was created by smart lawyers to give corporations an address in the Cayman Islands so they can avoid paying U.S. taxes. I have legislation that says it doesn't matter if you are living in this building, you are not going to be able to avoid taxes by doing that; if your operations are not there, you cannot attempt to "move" your operations there to avoid paying U.S. taxes. I will attempt to close that.

This is one of the most egregious. Wachovia Bank in the United States is one of the most prominent companies to do this. They purchased a sewage system in Bochum, Germany. It is not because they have a special interest in sewage systems. They don't want a sewage system. They bought it and immediately leased it back to the German city, which never lost it, and the Wachovia Bank never got it. They just had a financial transaction that gave an American bank a $175 million tax writeoff for the sham of buying a sewer system in Germany.

Mr. President, only a portion of this practice has been shut down. I will give my colleagues a chance to shut that down and also raise revenue to begin to pay for some of the costs of the war as well.

This one is a streetcar in Dortmund, Germany. We had First Union Bank lease streetcars there—not for the purpose of running a streetcar system; they wanted to avoid paying U.S. taxes. That is a scandal.

I will also offer a piece of legislation that will shut down the tax scam that says if you fire your workers, close your plant, and move your jobs overseas, as Huffy Bicycles did, we will give you a tax cut. It is unbelievable that we provide that tax cut in this country. If you get rid of your American workers, shut down your plant, move overseas, and then ship the product back here, you get a tax deferral. Huffy is now a Chinese bike company. All the workers in Ohio got fired, and the American tax system gave a reward to this company for moving to China.

We have had a chance—four times—to vote on this, and a majority in the Senate supported that tax break. One of these days, it will get closed. We will vote on that in the context of paying for some of the costs the President is asking us to pay for.

Finally, just two more.

This is, as you know, a picture of the dancing grapes from Fruit of the Loom. We have seen the television commercials. I don't know why someone would dress up as a grape and dance, but they made an imprint for Fruit of the Loom underwear before they left America. I assume they are still dancing, but I assume those who lost their jobs when Fruit of the Loom went to Mexico and other countries are not dancing. It is not that people stopped wearing underwear, but they are not making them in the United States.

Finally, the little red wagon—Radio Flyer, a Chicago company for over a century—is now made in China. It was for the same purpose: Tax cuts and low wages in China. I am going to close that loophole with respect to the description I have just given of moving your company to China and getting a tax cut.

The point is, the President wants $196 billion in emergency funding. I don't know whether the Congress will do that. When the President asks for funding in the future, saying he wants to charge this, leave office, and then somebody else can pay the bill, we in Congress ought to say that there are easy baby steps to at least begin raising some funding. I have named three of them. We can stop American companies from benefitting from buying sewage systems or streetcars in other countries, stop paying an incentive for people to move American jobs overseas, and stop allowing companies to set up sham offices on Church Street in the Cayman Islands to avoid paying U.S. taxes.

It doesn't take a giant step or a lot of courage to decide to shut down those tax scams and those wrongheaded, perverse economic incentives. Doing that will raise money and allow us to offset some of these war costs. And I hope that perhaps—I know better than to say this. I was going to say that perhaps the President will support this. But this administration opposes most of the proposals I have described that would raise funding by shutting down some of these terrible loopholes.

This issue of if the President asks the Congress for $196 billion—which he has now done in emergency money, with none of it paid for, and says: Now we will see whether the Congress supports the troops, I want my colleagues to understand that a substantial portion of this money is not going to troops, but it is going to contractors. I think this is the most substantial waste, fraud, and abuse that has existed in the history of this country, with respect to what is going on with the contractors. That is something we should be considering or a portion of what we should consider as well as we react to the President's proposal. Who is minding the store? Who is providing real oversight? Why have we allowed this to happen? Those represent the hard questions I believe Congress has a responsibility to ask.

We all want the right thing for this country. I think we all want to be able to extract ourselves from a war in the Middle East, to be successful in the fight against terrorism, to expand opportunities with an economy that provides jobs and expand the middle class in this country. We all want to fix the health care system and provide solutions to our energy needs so that we are not so unbelievably dependent on foreign sources of energy. We all want that. I hope in the coming weeks, particularly as we end this year, we can find ways to decide to work together. There ought to be common purpose and a common set of goals for us to advance the interests of this country.

Mr. President, I yield the floor and suggest the absence of a quorum and ask unanimous consent that the time be equally charged to both sides.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair advises the Senator—no one else is on the floor—the majority has 24 minutes remaining. Senator KENNEDY had reserved 30 minutes.

Mr. DURBIN. Mr. President, I ask unanimous consent to be recognized for 10 minutes to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRESSIONAL APPROVAL RATINGS

Mr. DURBIN. Mr. President, there are reports in the newspaper about the approval ratings of politicians and political institutions. Certainly, the President has had some problems, has had better days. His numbers are low. The numbers for Congress, in many respects, as an institution, are even lower.

Those of us who serve in the Congress are asked from time to time: What does this all mean? Why are the American people so critical of Congress, and what is it doing?

I think it reflects several points. First, the last election, which changed control of Congress from Republicans to Democrats, many people believed would be a watershed, a real change in direction. They have looked and haven't seen it, particularly when it comes to the war in Iraq. Despite our best efforts in the Democratic majority in the Senate, with only 51 out of 100 Members, we sent the President an opportunity to change the direction of his policy and start bringing American troops home. The President used his power in the Constitution to veto that legislation.

We tried over and over, with all-night sessions, long debates, a variety of amendments and have not been able to break through and come up with a solid enough, strong enough bipartisan majority to change the policies in Iraq.

It is frustrating—frustrating, I am sure, to the American people, frustrating to us in Congress, for some who voted against the war and now believe this war has no end in sight and should be ended soon in a responsible way.

I think that is an indication of one of the reasons why the disapproval numbers for Congress are what they are today.

We tried, however, when it comes to our budget and spending in the Congress, to focus resources on the needs of America. We have a chance to do that. But, unfortunately, we face another veto threat from President Bush.

Our budget that we passed includes a lot of spending that will make a big difference—more Border Patrol agents to protect America, explosives detection machines in airports, research into cancer, diabetes, heart disease, other major killers of Americans, a much stronger food safety inspection system, an issue near and dear to me, energy efficiency and renewable energy projects and tax cuts for middle-class families.

The total difference between our spending and what the President requested is $22 billion out of a national budget that borders on passing a trillion, depending on how one counts. That is eight-tenths of 1 percent of the Federal budget, the difference between the President's request and what we are appropriating. That is less than we spend in 2 months on the war in Iraq. The money we want to spend in America is less than 2 months of the war in Iraq. It is less than half of what the President wants to spend next year for tax breaks for the wealthiest Americans.

We have passed a lot of appropriations bills to meet long-needed, long-neglected wants of middle-class and working families. Unfortunately, the President's priorities are different. There is no clearer contrast in our priorities and the President's priorities than the issue of children's health insurance.

Senator KENNEDY has come to the floor, and I am going to yield to him in a moment. He has been a national leader, certainly a Senate leader when it comes to the issue of children's health insurance. Think about this: A great and good and prosperous Nation, America, with 300 million people, has 15 million people without health insurance.

Ten years ago, we said: Let's move forward and do something about it. A Republican Congress passed the Children's Health Insurance Program, and we managed to find coverage for 6.6 million of those kids. Now with a Democratic Congress, we want to continue the program and expand it to cover more children. So we set a goal of 10 million children. That still leaves 5 million uninsured. But 10 million would be insured over the next 5 years. The cost? An additional $35 billion. The way we pay for it is direct: an increase in the Federal tobacco tax with proceeds going to insure children.

We believe this is sensible, keeping in mind the kids we are talking about are not the poorest kids in America. The poorest kids in America are covered by Medicaid. They get help, and I am glad they do. It says something good about our Nation. The kids who are well off, with parents in jobs that have health insurance, have no concern. How about those kids right in the middle? Mom and Dad go to work every single day and don't have the benefit of health insurance. They may make minimum wage or a little better. They don't have any benefits and the kids have no protection.

A child without health insurance is less likely to have a regular doctor, regular checkups, regular immunizations, and less likely to have detected in their early lives medical problems which, if left untreated, become very serious and very expensive.

We wanted to help those kids. So we put a bill together with the support of 18 Republican Senators, all 51 Democrats. We had 69 Senators committed to it. We sent it to the President, and he vetoed it. He said it was socialized medicine. I am not sure what that term means today. Forty years ago, it was the suggestion of too much Government.

What the President doesn't tell us, and should, is this program is not about a government health insurance program. Overwhelmingly, the health insurance for these kids will be provided by private companies that will receive some subsidies, some incentive from the Government to provide this care with the State governments. So it is not socialism, if that is the President's concern.

Secondly, he worried about whether it is fiscally responsible. We pay for it. The President and his war of $169 billion a year is unpaid for. He heaps it on our children and their children by adding to the national debt. We pay for this program.

Finally, this notion that somehow we are going to discourage private insurance for these kids, if the private insurance market was so anxious to cover these kids, they would have been there long ago. These kids have gone months and years without coverage. Now is the time to change it.

The President used his veto pen four times since he was elected 7 years ago—once to veto a change in the war in Iraq, two other times to veto bipartisan-passed stem cell research, and now in vetoing the Children's Health Insurance Program.

Senator REID, the majority leader, came to the floor yesterday and said: We will give you a little more time to work out our differences with the Republicans, we will have an effort at compromise. They objected to being given a little more time to work this out.

We have tried. We have had good bipartisan support for this bill. We want to bring it across the line. We want to pass a bill either the President will sign or we override his veto, and we are trying to do that.

In closing, because I see Senator KENNEDY is here and prepared to speak, it will not be long now, maybe a matter of days, before this President asks for $196 billion for the war in Iraq. Some of us who voted against it are troubled that we continue to see the cost of this war go up in human terms, with almost 3,900 Americans killed, with tens of thousands injured, and who knows how many innocent Iraqis lost their lives, and the war continues to go on.

The good news from Iraq? Oh, they like to tell us the administration has all sorts of good news. The good news is the death rate is down. We have seen ethnic cleansing in neighborhoods and now the vacant neighborhoods where 4 million Iraqis have become refugees. These empty neighborhoods don't have as much fighting. Is that a victory? I am not sure it is.

We need to be more honest with the American people. If the President believes he can ask with a straight face for $196 billion for the war in Iraq, if he can ask for that kind of money to help the people of Iraq, he ought to step back and sign a bill that helps the children of America.

A strong America begins at home. It begins with strong American citizens, strong families, strong neighborhoods, strong communities, and a strong Nation. The President can move us in that direction.

I hope my colleagues in the Senate this week will join us. Let's pass this Children's Health Insurance Program. Let's send it back to the President. Let's hope, as he considers $196 billion unpaid for his war in Iraq, he can find $35 billion paid for the children of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts. The Chair advises the Senator that 15½ minutes remain.

Mr. KENNEDY. I ask if the Chair will let me know when there is 2 minutes remaining.

Mr. President, I wish to first of all thank our friend and colleague from Illinois, Senator DURBIN, for again making an excellent statement about the Nation's priorities, the priorities we have before us in terms of making a judgment about the Children's Health Insurance Program. He has spoken frequently, eloquently, and passionately about the issue. He and I are hopeful that across the country Americans are able to take a few minutes and really absorb the arguments that are made in the case that is before the Senate and also understand the judgments many of us have made on this side of the aisle—virtually all of us on this side of the aisle, and some very courageous Republicans—about what our responsibilities should be to the future of our country. It is a future that expects, that demands, and that requires us to give attention and assistance, when we can, to our children. This is the right thing to do not only from a health point of view, as has been pointed out so many times, but it also is imperative in terms of getting a handle on health care costs in the future by having a healthier generation, and, importantly, it is imperative as we are looking to the education of this generation.

We have made the case time and time again, and we are making different points this afternoon, but the fact is if a child can't see the blackboard or hear the teacher or is unable to read the assignment because they are in need of glasses, that child is not going to be able to learn, that child has a better chance of dropping out, and that child has a better chance of living a life that is not constructive, productive, or useful in so many ways. So this case has been made time and again, and it is important.

We hope, those of us who are supporting this legislation, that we will be able to garner the votes that are essential to getting this legislation into law. So I thank those who have spoken and spoken so well on this issue.

Mr. President, as I and others have mentioned, this is really an issue of priorities. Nothing points out the issue of priorities more clearly than the choice we have between investing in our children—Americas's children here at home, the sons and daughters of working families—and investing in the war in Iraq. This point is made frequently but can never be made enough: 41 days of conflict in Iraq at $12 billion is 10 million children who could be insured for virtually 1 year. That points to the difference in the choice. On the one hand, we have a President and administration that virtually gives open-endedness to the number of days we are going to continue to be in Iraq. Yet, when it comes to the question of these 10 million children for the year, he says: Absolutely no. There is no way. We will not permit it, we will not accept it, and we will veto any proposal that comes our way that recommends and suggests it.

The administration is quick to highlight their achievements on health care for children in Iraq, but they won't show the same commitment to the health of our own children. In Iraq, American money has renovated 52 primary care clinics and re-equipped 600 others, but in America, children are denied essential medical services in the name of fiscal discipline; in Iraq, we have provided 30 million doses of children's vaccines, but in America we are told we cannot afford basic preventive care for 10 million children.

The Web site of the U.S. Agency for International Development proudly notes the remarkable accomplishment—and I commend them for it—that they have successfully vaccinated 98 percent of all Iraqi children against measles, mumps, and rubella. If only we could do as much. If only we could do as much for our own children. According to the Centers for Disease Control, only 91 percent of American children have received the same vaccine by the recommended age. The administration should be as concerned that children growing up in Boston or Birmingham get their recommended vaccines as they are about the children in Baghdad and Basra.

The same Web site proudly notes that the USAID has improved the health of vulnerable populations in Iraq by increasing access to high-quality, community-based primary health care. That is just what we are trying to do in America with this bill. In Iraq, it is an accomplishment; in America, it is a veto.

A bipartisan majority in Congress has made a judgment too. Our judgment is that we must make room for decent health care for America's children. We must stand up to the empty rhetoric and hollow slogans of the White House and give all children in America the healthy start in life they deserve. We need to know who is for working families across America and who will stand in their way to getting quality, affordable health care.

We need to know who is for families such as the Vega family in Greenfield, MA. CHIP helps Flora Vega, a working mother, buy an extra inhaler for her 5-year-old daughter so she can have one at school and the other at home. CHIP also helped her afford a nebulizer—the small, portable device that pumps the asthma medicine into her lungs when an inhaler isn't effective. That means her daughter doesn't face sudden dangerous attacks of asthma that require her to go to an emergency room.

We need to know who is for families such as the Lewis family in Springfield, MA. I met Dedra Lewis and her daughter, Alexsiana, when they came to talk about the difference CHIP has made in their lives. Alexsiana has a rare eye disease that requires expensive drops every hour of each day. To take care of her daughter, Dedra had to cut back on her hours at work and lost her insurance. Without CHIP, she would be choosing between paying the mortgage for their home and paying for the medicine the child needs to keep her vision.

Family after family, from coast to coast, can tell similar stories. That is why families across America are calling on Congress to renew the promise of CHIP. The task has not been easy, but we will not be deterred or deflected. When Medicare was first proposed in the 1960s to allow the Nation's senior citizens to live their retirement years in dignity, its supporters were attacked with much the same harsh rhetoric as we hear about CHIP—it is socialized medicine, it is a Government takeover. But Congress rejected that absurd rhetoric, and hundreds of millions of senior citizens have benefited immensely ever since. America's families face real challenges—higher mortgages, soaring gas prices, the ever-increasing cost of health care, and many other burdens. They deserve real solutions, but the White House offers only hollow slogans.

Our opponents failed to stop Medicare, and they won't stop CHIP now. Medicare didn't pass on the first attempt, but its supporters came back again and again with the force of the American people behind them to ask—to demand—that Congress act. And the 1964 election made it all possible. That is just what we will do with CHIP, even if it takes the 2008 election to do it. We will keep at it until the children of America get the health care they need and deserve and that the American people are demanding.

As we have pointed out, at the time we saw this legislation developed, when it was initially proposed, it was a compromise between Republicans and Democrats. Those of us who wanted to give attention to the uninsured sons and daughters of working families recognized that we had a unique situation in America: We had resources as a result of the tobacco settlement, which provided hundreds of billions of dollars as a bonus to America, and we could decide how we were going to expend those resources. I saw in my own State of Massachusetts, the determination to use those resources to provide a health insurance program for the sons and daughters of working families.

That was a very important model that was replicated here over 10 years ago in the Senate, where we used much of the resources that were allocated to us to be able to develop the Children's Health Insurance Program. There were Republicans on that side who said: Look, we don't want to just extend Medicaid; we want a separate program that will be resolved in the States. There were those of us on this side saying: Medicaid provides very good health assistance for children; the preventive programs are model programs, and they do an enormous amount in providing quality health care for children in a wide variety of areas and functions. No, our Republicans said, we want the States to be able to develop those; we will take guidelines, but we will let the States do it. A compromise was reached between Republicans and Democrats, and that was acceptable.

Secondly, it was determined that the States would have the ability to make judgments and decisions about deductibles and copays. We said: No, we want a standard way to make sure all working families are going to be able to acquire it. But, no, we worked out that program, and again it was a compromise. It was a judgment and decision of the sponsors of that legislation that we were going to use the private insurance companies—private insurance companies—to make sure of the delivery system. Many of us thought it would take a long time to get this program up if we went that route, but nonetheless it was a compromise. It was a compromise. Democrats and Republicans came together in this compromise program. Very important compromises were made at that time. It reflected the best judgment of the Members of the Senate and the House of Representatives, and that legislation has been an extraordinary success.

The area where it has not been successful is that we have not reached all the children out there who are eligible and should be able to receive it. If we are looking for legislation that really reflects the best of Republicans and Democrats, if we are looking for legislation that basically reflects the best in terms of our priorities, this is that legislation, and now is the time to move ahead.

We have a budget of $2.9 trillion. The question is, Can we afford—can we afford—the few billion dollars to provide the type of health coverage in this legislation? We are not even taking the resources from the existing budget. We are saying: What is going to be the result of that, by increasing the cost per package, the 61 cents? The result of that is going to be more children are going to stop smoking. That is the result.

If you take the increase in the cost of a pack of cigarettes, we have the real opportunity to see a very important public health achievement—discouraging children, the 3,000 children who start smoking every single day, the thousand who become effectively addicted from their earliest contacts with it. We discourage them from moving down that pathway. So this is a positive health development both in terms of the resources and in terms of the outcome. Unique. Unique.

Just to finalize here, we are enacting new legislation—those of us who believe in it—to address some of the real challenges and make this a fairer and more equitable country. We have the example of the existing program in place now. It works. It works. It is successful. Parents need it, and parents want it. The only issue—the only issue, the only issue—is whether we have the willingness and the will to implement it and to make it achievable for families in this country. We are talking about those working families, those mothers who hear a sick child cry in the night and wonder whether that child is $423 sick, because that is the average cost of going to the emergency room; those families who pray their child, who has an earache or a throat ache, will be better in the morning. How do you put a cost on that? How do you put a cost on that? Well, we recognize that as a real value, and we are not prepared to let parents make that kind of judgment call and feel that kind of pain and that kind of fear and that kind of anguish.

This legislation does the job, and it is important that we get a strong, overwhelming vote this afternoon that really reflects the good judgment of the American people, who say children should be first in this Nation. That has been a founding value of our Nation since the Pilgrims settled up in my part of the country, and I believe it is a value that is shared today. We will have an opportunity to vote on this in a short time. Hopefully, it will be accepted overwhelmingly in the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, what is the parliamentary situation in which the Senate finds itself at this moment?

The PRESIDING OFFICER. The time of the majority has expired. The Republicans have 59½ minutes.

Mr. MENENDEZ. Mr. President, I ask unanimous consent to speak for 10 minutes. Should a Member of the Republican side of the aisle seek the floor, I will be happy to yield at that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I wish to talk about the reauthorization of the Children's Health Insurance Program and why those who are opposing the bill are making this a nightmare for children. When I first came to the floor in support of the bill on July 31, I knew there were those who did not share my support, but I thought they would merely be a road bump to reauthorization. Now it seems we have a roadblock to children getting critical care they need.

How many times can you veto or vote against children receiving health care and not raise a question as to your role as a representative of the people? How many times can you veto or vote against children receiving health care and then turn around and take pictures with babies and families back in your home State? How many times can you veto or vote against children receiving health care and then still argue that you care about the well-being of children other than your own?

I don't understand how we have gotten to this point, but let me make this very simple. The bill at its core provides health care for poor children. Yet there are those in Congress and the White House who are missing that bottom line. More important, their votes are hurting our Nation's children.

There are 9 million children in America who suffer in silence because they do not have health care; 6 million of them are eligible for the Children's Health Insurance Program or Medicaid, but they are not enrolled.

That keeps me up at night. I hope it keeps up at night others who have to cast a vote soon as well.

I want to be sure we know the families and children we are talking about. The families we seek to cover work every day at some of the toughest jobs in America—some of them jobs none of us would want to do, but they work at it every day. They work at jobs that offer no health care coverage whatsoever and they do not make enough money from their employment to afford private coverage. It is the children in these families we are trying to cover. So let's talk about the reasons why there are those who continue to vote to bar children from health care.

That is strong language, but I have had enough of sugar-coating this issue. The new bill includes substantial revisions to try to reach out to colleagues who have raised issues and directly addresses a number of the concerns they have talked about. According to the Congressional Budget Office, the new bill would continue to cover nearly 4 million uninsured children by 2012, at a cost of about $35 billion over 5 years. That is a fraction of what we spend in Iraq. That is in addition to the over 6 million children already covered by this program.

Those opposed to this bill have been shouting about how the bill needs to cover more low-income children. Good news, the new bill would further increase our focus on covering the lowest income uninsured children. The new bill would prohibit any coverage above 300 percent of the poverty line, except for some who have already been grandfathered in. Limiting new coverage to 300 percent is a harder line than the original bill, and it is a concrete ceiling for new coverage. It also changes the financial incentives States receive to enroll more children, and it ensured we are targeting the enrollment of low-income children.

The new bill only provides these incentives to States when they enroll Medicaid-eligible children and no longer includes incentives for enrolling SCHIP children, as was in the original bill.

In fact, this new bill will cover an additional 100,000 children as compared to the original bill, for a grand total of 3.9 million children gaining coverage under the bill on which we will be voting cloture. Of these children, essentially half are Medicaid eligible. These children are the low-income children many of our colleagues are talking about. This new bill brings in 200,000 more Medicaid-eligible children than the first bill.

We have listened and we have made changes. But compromising on children's health can only go so far. The second issue I have heard, and it makes my blood boil, is the argument that undocumented immigrants would gain coverage under this bill. I know it is Halloween so we are going to scare the American people as best we can, but this is a tactic that cannot stand. Let's make it clear: Undocumented immigrants are not eligible for Medicaid and CHIP, they have never been, and nothing in this bill changes that. Nothing in this bill changes that. It is a shame there are Members who still come on the floor using that argument.

In fact, the new bill tightens citizenship requirements. States will seek to verify names and Social Security numbers but also have to verify citizenship with information from the Social Security Administration. The Social Security Administration will check the information received from the States to determine that the information matches and also check to see if the database shows that the applicant is a citizen. If they can confirm—great. We have another citizen with health care. If not, the State has to require original documents to prove citizenship. This is in no way an open door, and in no way should we allow this to continue to be used as a false reason to not give health care to children in this country.

I ask my colleagues to stop tying up this issue, trying to make children's health care an immigration debate so we can have it every night on the nightly news being about immigration. Oh, it is about immigration. It is not about immigration. It is about children's health care; children who do not have it, cannot afford it, and will not have it unless this Congress acts.

Some have also raised the question about adults. The reality is we cover some parents. This administration gave us waivers to do it because they said it is a good thing: Let's cover parents who are also in these jobs, working hard, not able to afford health care, not getting it at work—because we are getting more children involved through their parents. By the way, we happen to cover more Americans—isn't that a terrible thing? We happen to cover more Americans, of the 47 million who have no health care coverage whatsoever. It is a terrible thing.

I think it is quite a good thing. I have seen it succeed in my home State of New Jersey. We have found a strong correlation between enrollment of parents and enrollment of children.

Finally, if values match our actions, this bill needs to be supported by all Members in the House and Senate and signed into law by the president. It is time for President Bush to stop making his fiscal conservative bones on the health care of children. It is time for the President to put away the veto pen and allow doctors to take out their stethoscopes to make our children healthier. It is time to give the children of America what the President and every Member of the Senate and Congress has, health care coverage, health care for America's most precious asset but also its most vulnerable asset—our children.

I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I wish to spend a few minutes of time speaking about the "revised" SCHIP bill and what it means to the American people. The rhetoric associated with the bill is that we want to cover children. That is a laudable goal. But that is not what this bill is about. If that were what this bill is about, what we would be doing is having a bill on the floor that expands the current payments of $5 billion a year to $7 billion a year, which is what is required by the CBO to truly cover the kids whose parents make $41,000 a year or less. That is not what this bill is about.

The bill is about having the American taxpayers, and especially the poor American taxpayers, pay $133 billion over the next 10 years to cover families presently with insurance.

What does the Congressional Budget Office say about this bill? First of all, it spends $400,000 more than the bill the President vetoed; it covers 500,000 fewer kids. It still maintains that 10 percent of the people in 2012 on SCHIP will be adults. It gives exemptions for the State of New Jersey—a family of five earning $89,00 a year, they will still be covered. It creates loopholes where rural hospitals get paid the same as metropolitan hospitals, as a favor or an "earmark" to certain Members of Congress.

What it does not do is solve the problem. What is going on here? There is not anybody in America who does not think we corporately should be helping poor children with their health care. But this isn't a bill about helping poor children with their health care; otherwise, we would not be taking 1.2 million middle-income kids and putting them on SCHIP, at the same time the only increase we see on the poor kids, families making under $40,000, is $800,000. So what is going on? What is going on is this is a political campaign. It is a political campaign that, under the guise of helping children, what we want to do is start the march toward single-payer, government-run health care. That is OK if you believe that and you want to put that out. But this idea of, we are going to wink and nod to the American public under the name of poor children when, in fact, this bill will cover not poor children and 10 percent of the people covered will be adults 5 years from now and we are going to take kids off their parents' insurance.

One of the things people will not talk about is in 35 States, the SCHIP program is Medicaid. Of those 35 States, over 50 percent of the doctors will not see a Medicaid child. Why is that? Because Medicaid will not pay a rate at which the doctor can pay their overhead and still see the child. So what we are going to do is we are going to take the parents' right away to choose the doctor they want for their kids, and we are not going to lower their insurance premium at all by taking the kids off—the ones who have insurance, the 1.2 million who the CBO says will come off private insurance—and then we are going to take away the parents' right to pick the doctor to care for their kid.

What this is, is moving to single-payer, government-run health care. What I would say is, if that is what we want to do, let's call it that. But that is not what we are calling this. We are claiming we want to help poor children.

President Bush got it right. Before we expand to families of $60,000 or $80,000 a year who have insurance and put them on a Government program, shouldn't we make sure the program we have now has enough money to cover the kids whose families make under $41,000 a year? And shouldn't we make sure that, when we say we are giving you coverage, we are giving you coverage?

The other thing we ought to ask is: Why aren't the American people going to get value out of this? The cost in this program, to buy $2,300 worth of insurance—and that is the highest level at which the average kids cost, the average is probably around $1,700—why would we be spending $4,000 in this bill to buy $2,300 worth of insurance? The American people have to look at that and say: What is wrong with this picture?

The other side of it is we are going to get all the money, we say, by taxing tobacco. Who pays tobacco taxes? Who are the majority of people in this country who pay tobacco taxes? I will tell you who they are, they are disproportionately poor. They are disproportionately the disadvantaged. They are disproportionately those people who can least afford to pay a tax. So it is no wonder the CBO, in this evaluation of this program, said: This is the most regressive tax we have seen in years. It is going to hurt the very people we say we want to cover. Does the Senator have a question?

Mrs. McCASKILL. Will the Senator yield for a couple of questions?

Mr. COBURN. Absolutely.

Mrs. McCASKILL. You know, the Senator from Oklahoma and I agree about an awful lot when it comes to fiscal discipline, but I am having a little trouble. I am hoping he can help me with this problem I am having. I am willing to bet the Senator from Oklahoma may have been one of the Senators who said no to Medicare Part D. I am guessing. I would have to check the vote.

Mr. COBURN. I wasn't in the Senate or the Congress.

Mrs. McCASKILL. I forget the Senator is a newcomer. I would be curious. This is where I don't understand the Senator's concerns about political gamesmanship and trying to make this about the children, and so forth.

On the other hand, I am trying to figure out the President's position, and maybe the Senator can explain to me why no means testing. You know, $170 billion and basically no way to pay for it was not a problem for the President of the United States with Medicare Part D. They were jumping up and taking credit for it then. There was absolutely no means testing, and it was much more expensive than this program.

The question is, what is the difference? Why is it that the President has a problem with this program, when Medicare Part D, with no means testing, no way to pay for it, was just fine?

Mr. COBURN. I would be remiss if I thought I could speak for the President. But I will tell you what this Senator thinks. Medicare Part D hung on the shoulders of our children $8.3 trillion worth of unfunded liabilities.

So today we are giving prescription drugs to seniors, and we are taking away future opportunity from our kids. Had I been here, I would not have voted for Medicare Part D. In fact, I lobbied a lot of my former friends from the House to vote against Part D. That is not what we are talking about today.

What we are talking about today is, if we are going to have a program for poor children, which I support, we at least ought to cover up to 95 percent of the kids who are eligible before we expand the eligibility. That is where the $7.8 billion over the next 5 years needs to be added to this program, and then with the caveat that says: States, you cannot go to the higher income until you cover the poor.

This is a typical example of what Washington does and America rejects all the time. We do not measure what we are doing to see if we are accomplishing things. What we do know about SCHIP is that in many places it has been a valuable lifesaving tool for the poor people in this country. But, in fact, the States have done a poor job of enrolling many of those kids.

What we also know about SCHIP is that 35 of the States put their kids on SCHIP into Medicare. Now, what does that mean? Since you get no choice of half the doctors who are out there who are eligible to care for the kids, what we have said is, we are going to give you care, but you get no choice. You get care, but you get no choice. You get no freedom when the Government helps you with who your child is going to see.

So I do not doubt that there are inconsistencies in any President's position. I can debate Medicare Part D all day. I am with you. I am on your side. But the point is, this debate is not about helping kids. This debate is about changing the underlying structure of our health care and starting to build a Medicare from the ground up, and we have a Medicare here and merging them in the middle.

I am willing to debate that, too, but I want us to be honest about what we are debating; otherwise, we would not have a family of five in New Jersey making $89,000 a year eligible under this program, someone who already has insurance.

So here is the question for the American people: Do you want to pay taxes to buy health insurance for 1.2 million kids, for parents who already have it, and give them a program that is subpar to what they already have with no decrease in the insurance cost to parents for the insurance they are covering now? That is the question.

And do we have a way of covering poor kids that would be better? I would propose to the Senator from Missouri that a refundable tax credit to poor children, allowing their parents to have enough money to buy a policy, which the average is truly $1,700 per year, per kid, a refundable tax credit that gives them the freedom to choose any doctor they want, that does not put a Medicaid on their forehead, that automatically excludes 50 percent of the physicians in this country, is a far better way to do it and a more equitable way to do it.

If we did that, that would pay for itself without raising taxes anywhere because you would eliminate the cost shifting that goes on in the health care industry for the kids who do not have care today. And we will not raise taxes on the poorest of the poor because that is who is going to be paying for this.

Plus, we all know, 21 million new Americans are not going to start smoking. We all know that. But yet that is how we chose to meet the requirements of pay-go here, through a false claim that we will have enough revenue to pay for it by raising the tax on cigarettes.

So I am all for having a debate on national health care. Senator WYDEN and I and Senator BENNETT and Congressman CONYERS and myself and Senator BURR had that debate in New York this week at the New School. That is a good debate to have. But this is a slight. This is a slight about what we are doing. And the question to the American people has to be: Do you really think, if you are making $45,000 a year or $65,000 a year, that your taxes ought to go up to pay for somebody who is making 61,000 or less, and at the same time limit the availability of those same children to have the physician of their choice? That is what we are talking about. I believe we ought to cover poor children. I think that the SCHIP program now ought to be held accountable to cover the poor children. If we are going to pay for it, I am willing to put the money and find offsets somewhere else to pay for it, if we do not do a tax credit.

Mrs. McCASKILL. Mr. President, if the Senator would yield for a second, as he well knows, I voted with him. I voted with the Senator from Oklahoma to try to pull some of the earmarks out of the bill, to pull all of that money out of children's health insurance. I think he and I both agree on the goal.

The problem is, the question I wanted to ask—and he is not in a position to answer it because, unfortunately, he is not someone who was here who voted for Medicare Part D, but the inconsistency as to what I hear from the White House and what I think people in this Chamber are hearing from the Senators who voted for Medicare Part D is, every argument they are using for SCHIP is true but exponentially higher in Medicare Part D.

By the way, the only difference is in Medicare Part D the people who are making the money are the pharmaceutical companies and the insurance companies, and it is not funded and multimillionaires and billionaires get it. So it is so unfair to say that the President is taking a principled stand because if it were a principle, it would have been consistent for both SCHIP and Medicare Part D. That is the question that you are unable to answer, and I have yet to hear anybody answer that question.

Mr. COBURN. Mr. President, I reclaim my time to say the following: I think the Senator from Missouri makes a good point on consistency. I think they are finally awakened to what the American people want at the White House. I think they are finally starting to pay attention that being efficient in the Federal Government is important.

But having not been, maybe, efficient with Medicare Part D, I applaud the President for now taking a stand on something that is common sense that would say: If we are going to have a program for poor children, let's make sure it covers poor children. Let's make sure it covers poor children. Right now it does not. Right now it does not.

Rather than expand the program that is not meeting what it is supposed to do and raise taxes on the poorest of the poor, I think the President's response and the CBO's score, which is $7.8 billion more over the next 5 years instead of $35 billion more over the next 5 years, is a reasonable response to really cover poor children.

And what we know, by what CBO says, is that will do it. Now, let's talk about the difference in what we are going to be having the cloture vote on now versus the bill that the President just vetoed. This bill covers 400,000 less kids; it spends $500 million more. So we are not at $4,000 anymore, we are at about $4,200 to buy $2,300 worth of health insurance. It does not fix the fast lane for illegal immigrants as the authors claim. It does not fix adults on the SCHIP program.

CBO says in 2012, at least at a minimum, 10 percent of the enrollees will still be adults. It does not fix the crowdout issue. This bill will cause 2 million people to lose private insurance coverage and come in a government-run program, crowding them out of the private insurance market. Despite a fix for the problem of enrolling more higher income kids than currently eligible kids in SCHIP, the CBO still projects only 800,000 currently eligible, currently eligible SCHIP kids, will get enrolled.

But 1.2 million kids of families making more than $60,000 will get enrolled. So for every two kids we enroll who are poor, we are going to take three kids out of the private sector. We have talked about what kids lose when they go to the Medicaid Program.

What are the other problems? In this bill are earmarks for specific hospitals to violate CMS payment rules to pay those hospitals more than what the rules say because some Congressman or Senator thinks they should not have to live within the rules. I would love to be able to tell that to people in a community in Oklahoma who just had to shut down their hospital because they could not make it under what CMS rules pay.

So what we have is about seven of those in here, where we are going to take care of the little hospitals of seven Members of Congress, but we are going to ignore all of the rest of the community hospitals in this country that are struggling under a payment system that does not pay for the care of people they are supposed to be caring for.

There is still an income disregard loophole, which means it does not matter what you said because we have a loophole that says if States want to, they do not have to follow the income guidelines. You can still enroll families making more than $100,000 a year in the SCHIP program.

Well, that is in there by design because the desire and design of this bill is to move to single-payer, national health care.

I think the Presiding Officer sitting in the chair right now probably believes that is where we should go. I do not have any problem debating that. But the incrementalism and the real effort of this bill is to expand SCHIP to a point where Americans who have insurance are going to pay higher taxes so everybody can get covered. If you look at the mess that is trying to be created by these five or six hospitals in here right now, how are we going to solve that problem when everything is Medicare?

Some say we are going to take the profit motive out of medicine. We are going to take the profit motive out of the drug industry. We are going to have a 220,000-physician shortage in 15 areas in this country. The applications for enrollment at medical school are diving. Why are they diving? Because they cannot afford the education and then have an income to pay off their student loan, let alone pay for housing and income to feed their kids.

How did that come about? It could have been Medicare creating that. It could have been that we were not willing to pay. What else is going to happen? Eighty percent of all innovation in health care in the world comes from this country. Eight out of every ten new ideas that are lifesaving, eight out of ten of every new treatments, eight of ten new devices are developed in this country.

Why are they developed? Because we still have 48 percent of the health care system that is not run by some government program. And through there, there is enough risk taken, based on the reward that can be gained, to invest in capital and research to develop these lifesaving treatments.

We say we want to move SCHIP in the name of kids, but what we really want to do is to have national health care. Well, we better think about that hard and long because here are the statistics on cancer treatment in this country compared to everywhere else in the world. It does not matter what cancer you get in this country, you have a 50-percent greater chance of living 5 years than anywhere else in the world.

Why is that? Is it those big, bad pharmaceutical companies that have to spend a billion dollars just to get through the maze at FDA? Is that what it is? Is that why? I am a two-time cancer survivor. I am so thankful for the pharmaceutical industry. I would not be here without them. Two times they have developed, researched, and made drugs that have saved my life.

I do not disagree that we have some excesses in corporations in this country. But the pharmaceutical industry, with all the negatives that are out there, still leads one of the most positive responses we have ever seen in this country to solving real problems for real Americans. So we can beat them up and we can beat the President up and say Medicare Part D. I do regularly on Medicare Part D. I don't think we ought to steal from our children to have drugs paid for. But this bill steals from everybody. It also steals from the poorest. It steals from the poor, blue-collar, low-income worker who has the benefit of a lot of other programs. It says: We are going to raise your taxes because you happen to be addicted to nicotine. We are going to steal from you to pay for somebody who is making $61,000 a year who already has insurance. Do we want to do that? Do we want to steal from the people who are working, barely getting by, so we can pay for people who already have insurance? Is that what we are doing? That is what we are doing.

I have listened to the debate. I offered some ways to change this. Senator BURR and I offered an amendment. We didn't get a vote on it. It solves through tax credits a way to insure, not go into a Medicaid program but insure with choice, so you take the stigma of Medicaid off patients' foreheads. We offered a way that every kid could get covered. It is called a refundable tax credit. It can only be spent on health insurance or health care. But people don't want to do that. Why would those who are more progressive in thought not want to do that? Because they offered the original income tax credit. Why would they not want to do that? It is because the agenda is different than we say it is. The agenda is to start toward a nationalized, single-payer, government-run, no-choice health care system that will eliminate that 80 percent of innovation in the world made by American ingenuity, American capitalism, American idea that "I will invest some of mine to see if I can come up with an idea that will help somebody else and, by the way, I will profit from it."

What we are saying is, we don't want markets to work. We want the Government to run it. If you think about everything else we have today, everything with the exception of health care and primary and secondary education, we believe in markets. They have been very good to us. They have given us the highest standard of living of any society ever in the history of the world. They have advanced causes in terms of treatment of disease more than any advancement ever in the history of the world. What this bill is about is saying: We don't believe markets ought to apply.

Myself, RICHARD BURR, and five others have a bill called the Health Care Quality and Choice Act. It creates a tax credit for everybody to buy their health care. We treat everybody the same. Everybody gets the same amount. Everybody gets to buy a private health insurance plan. We create a market so the insurance industry doesn't steal 25 percent of the cost of that. We set up a way to create markets. The Every Child Insured Act, legislation offered by RICHARD BURR, creates a way where every kid is covered. Senator MARTINEZ and Senator VOINOVICH have a bill that covers up to 300 percent with tax credits of all the kids in the country who don't presently have health insurance. This bill isn't about covering kids. This bill is about putting the Government in control of the last 48 percent of health care. As P.J. O'Rourke says, if you think health care is expensive now, wait until it is free.

A couple other things the American people should know is that England is pouring billions of dollars into their national health care system now. Why? Because on average when you get cancer in England, up until 18 months ago, once you were diagnosed, you waited at least 12 months before treatment started. They have a goal by 2010 to get to 3 months to start your treatment. Do you know what the average length of time, insured or uninsured, in this country is from the time you have a diagnosis of cancer until you start getting treated? It is 3 weeks and 2 days. Why do you think we are doing better than they are on these things?

We are about to go into a system that destroys innovation, destroys quality. I agree, there is plenty wrong in health care. I have a bill that changes us toward prevention. I am all for working on the problems we have in health care. But the question the American people ought to ask is, do we want to tax ourselves to pay for care for kids who are already covered in the name of not doing a good job under the SCHIP bill now, and should we have the kids who need to be covered covered before we start reaching beyond those who already have care? They are not going to answer that question. Because the real debate is, the first step is to get away from your choice of choosing a doctor, your choice of what facility you will go to, your choice in getting to choose what drugs you will take and what options you will have, because the Government bureaucrats are going to decide all that for you.

If you believe that is not true, look at what Medicare is doing right now for women who have osteoporosis. They get diagnosed with a DEXA-scan. They get treatment. But because doctors in this country have ordered too many DEXA-scans, according to the bureaucracy in Washington known as the Center for Medicare Services, we have now limited physicians. You can't check to see if the medicine you are giving is working and maybe change the medicine to give them one that might be working, because a bureaucrat has decided we are doing too many tests. That is called rationing. That is why health care costs are lower around the world, because they let people die from cancer. They let people die with a broken hip. They let people die with congestive heart failure.

We don't. We value individual lives and we are willing to put the resources in for the best, longest, and best quality life. Don't be fooled about what this bill is about. This bill is the first step toward national health care. This bill fails to address the problems in SCHIP as they are today. This bill raises taxes on the poorest of the people in the country—all in the name of having a political issue in 2008 to say those people who oppose this don't care about kids. I have spent my whole life delivering babies, 4,000 of them now. That is a false claim. If you care about these kids, you will balance the budget, pay for the war by the expensive, duplicative, wasteful programs we could eliminate. We would have a balanced budget, and we wouldn't be charging the very thing we are getting ready to pass on to our kids, which is a $300 billion deficit this year alone. Caring about kids means you will make the tough choices, that means you go against the interest groups to do what is right for the future, not what is best for the next election.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I believe on the Democratic side we may be out of time. On the Republican side, there is time left. I ask unanimous consent to borrow some of the Republican time.

Mr. COBURN. There is no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. I thank the Senator from Oklahoma.

I have a limited amount of time, but I want to highlight a couple of things about the State Children's Health Insurance Program legislation. All of America knows about it. We have been debating this for weeks, and we will continue. Obviously, there are differences of opinion about what to do about health care generally. I will focus on one argument that has been made against this, that somehow if the Federal Government continues the State Children's Health Insurance Program and adds funding—we had an overwhelming vote here in the Senate, and we will have that again today, a veto-proof endorsement of the program and the dollars to back it up by an increase in the cigarette tax—what has been debated back and forth is the coverage and who gets covered and who doesn't.

People across America have heard a lot about 200 percent of poverty, 300 percent of poverty. These numbers get thrown around. Two hundred percent of poverty means a family of four is making $41,300. Most of the families covered by this program and that would continue to be covered or would be added to the coverage are in that range and below 200 percent of poverty. I want to put up a chart that walks through this in terms of a family. If we look at 32 States, we have about 32 States that set the income eligibility for the Children's Health Insurance Program at 200 percent of poverty, $41,300. Of course, 201 percent would be 1 percentage point above that. So let's say a State doesn't allow and the Federal Government won't allow States to go above 200 percent of poverty. Here is what families are facing, getting by on $41,507, for an example, in a rural county in Pennsylvania. If you look at a family of four with two children, take-home income is $2,893; housing, $726; childcare, $1,129—even if you got a child credit, it would still be a big number; $609 for food; $446 for transportation; phone service, $45; total $2,955. That is their expenses. Then you add in the number from up top, the income level, the monthly income, the differential between the income and the expenses, you get a minus of $62. Let's say that is off by a couple hundred dollars. Let's say those numbers are off by a few hundred dollars give or take. It doesn't matter. Because either way you cut it, if a family is faced with the basic necessities of life, not factoring in school supplies, not factoring in an emergency for a child hospitalization, not factoring in other things that families have to deal with every day, whether it is an extra rent payment or an increase in rent, whether it is a pair of shoes or sneakers for a child, none of that is factored in there, this family is still behind at 201 percent of the poverty level.

I have been hearing for weeks from the President—we have all heard from him when he makes public pronouncements—that somehow this program is going to families who don't need it; their incomes are too high; it will go above that. Yet now you have Senate and House negotiators who have worked out an agreement where they put a ceiling at 300 percent because of objections that were raised. I don't know what more we can do. The President apparently thinks this program works. He says he supports it. His measly increase would actually lead to a reduction of the number of American children who are covered. But he says he supports the program. He says he wants to increase it. He said, when campaigning, that we should add millions more. Yet he is the roadblock in front of progress on this issue.

This illustration is right on target in terms of what a real family faces. One more point about this. Think about what it costs; even if you have a family who has coverage through their employer, that family may have to deal with a similar situation. We all know that the average monthly premium for family coverage is about $300. In either scenario, they are up against a lot paying for children's health insurance, and this is at a fairly low income level for a family of four. That argument makes no sense.

I will conclude with one other argument. There were representations made over many weeks now by the President. He kept pointing to States such as New York and New Jersey as examples of how these numbers would get too high and the income levels would get too high. I can debate him on that point, but I will put that aside for a moment. What he didn't talk about and what some of his allies have not talked about is the fact that this isn't just about what happens to children in urban areas. We know from history, from 10 years of evidence, this program not only works generally, but it works particularly well for poor kids. It works particularly well for African-American children. We have cut that rate of uninsured a lot. It works particularly well for urban children who happen to be Hispanic. But what the President doesn't want to admit is that it also helps a lot for rural children.

Today in America one-third of all rural children—we have a lot in Pennsylvania, a lot of children who live in rural communities—get Medicaid or SCHIP. Thank God we have those programs for rural kids and for urban kids and all the rest.

I will give you two examples, and then I will conclude. Pennsylvania has a broad middle. We have a lot of smaller counties, many of them rural. To give you two examples: Clarion County and Huntingdon County—one is in the middle of Pennsylvania toward the southwest and one, Clarion, is up almost in the northwestern part of our State.

Under the Bush plan, if the President were to get his way, under his children's health insurance proposal, here is what would happen in Clarion County, PA. Between fiscal year 2008 and fiscal year 2012, it is estimated 146 children would lose coverage. OK. Go a couple counties away to Huntingdon County—a small rural county—and in that same time period of 2008 to 2012, 129 kids would lose their coverage.

Now, I think it is a tragedy for 1 kid or 5 kids or 10 kids to lose coverage, but now you are talking about hundreds of kids in two small counties in terms of population.

What is the comparison to the bipartisan children's health insurance proposal? Clarion County would gain 278 children, Huntingdon County would gain 247. So instead of losing about 130 to 150 in each of those small counties, we gain 250 children or more, maybe as high as 280 children.

So that is the difference. We can talk all we want about percents of income in all the States. I am looking at two counties in Pennsylvania that happen to be smaller in population and that happen to be largely rural, and I know hundreds of children who get coverage now will not get that coverage in those two counties; and hundreds of children would get coverage under the bipartisan children's health insurance legislation.

I do not know what more the Senate and the House can do on both sides of the aisle to plead with the President to go along with what the American people have told us overwhelmingly. There are a lot of things we disagree about in the Senate and across the country, but very few Americans now disagree that investing in children in the dawn of their lives is a good idea for that child, for his or her community, and for our economy long term.

So we will continue to make the case up until and through the vote today. But I think this is critically important for the children of America, all the children of America—urban, suburban, rural or any other way we classify where our children live. For their sake, and for the sake of the long-term economic future of the country, I believe the State children's health insurance legislation is urgently needed.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, to quote Yogi Berra: It feels like deja vu all over again.

Here we are again debating the State children's health insurance bill, or SCHIP as we all know it by. I know colleagues are tired of this issue and frustrated by the process.

I do think, though, we have an opportunity to move forward and to bring this issue to closure. I think my colleagues should be aware of many of the improvements that have been made to the bill that has passed the Senate twice. These improvements were negotiated in a bipartisan manner with the Senate and the House in order to help persuade Members who have indicated a willingness to support the SCHIP bill.

A lot has been said about who is or is not negotiating the bill. Some have been critical because they have not been part of those discussions. To them I would say: Stop trying to kill the bill if you want to be a part of the negotiations. It makes no sense to negotiate with Members who have said they are never going to vote for the bill.

So we have been trying to figure out a way to make the bill better. Here is where we are so far:

There is more of an emphasis upon poor kids. Everybody has been saying: We ought to emphasize getting kids under 200 percent of poverty into the program. We have rewritten the bill to make that more certain. It is probably still not satisfactory to some people so far, but we will continue to work on that.

Then there is the whole New York $83,000 red herring issue, and that was in the President's veto address. But remember, it was not in our bill. But somehow somebody told the President it was in the bill, and then the President, in his veto message, referred to a reason for vetoing the bill was the $83,000 issue with New York. That has been in the law for 10 years. What we did—so the President could not say that anymore—is we made clear this was not going to happen in any State.

Then we took care of the childless adult issue. In the original bill, you remember, we phased out childless adults covered by the SCHIP legislation, and we phased them out in that bill over a 2-year period of time. We now have that down to a 1-year period of time.

Premium assistance is strengthened. A technical clarification to the citizenship documentation provision in the bill has been made. That is not all. More work yet this morning—with Senator BAUCUS and me and some House Members—more work is underway trying to work with those who are sincerely wanting to vote for a children's health insurance bill.

We are working on a potential amendment to this bill that will go further to address putting kids under 200 percent of poverty first, strengthening the private coverage options, and further clarifying that no illegals can get onto the program.

Now, you understand, all these things are what our intention is. But somehow, through statutory language, we have not been able to make it clear enough. So we are going back and trying to make it more clear as a practical matter, maybe doing in a real way what we intended to do that maybe when we wrote the language unintentionally was not accomplished.

Now, to the point of illegals, Members who are working to kill this bill have tried to make it seem like this bill opens the floodgates to people who are in our country illegally getting onto the health programs. To keep asserting this is as responsible as yelling "fire" in a crowded movie theater.

The latest assault is being leveled at the provision based on a bill authored by no other than Senator LUGAR. It is a provision called ExpressLane, which allows States the option—just the option—to establish income eligibility based on eligibility for other means-tested programs. "ExpressLane" is the new poster child now for those who scream "illegals" as a way to kill the bill.

I ask unanimous consent to speak for 1 more minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, the "ExpressLane" option in the bill clearly requires a State to confirm the citizenship of applicants. I want to make that clear. The "ExpressLane" makes sure you have to be a citizen of the United States.

Since some Members clearly are not reading the bill, let me read from those provisions:

> Verification of citizenship or Nationality status: The State shall satisfy the requirements of section 1902(a) (460)(B) or section 2105(c)(10), as applicable for verifications of citizenship or nationality status.

I don't know how much more clear it can be, and I hope it puts to rest a very sad mischaracterization of the bill.

To sum up, the bill before us now is an improvement on the bill that passed the Senate. It strengthens the number of provisions that Republicans have been concerned about. I hope with the amendment I am working on with Chairman BAUCUS, Senator HATCH, Senator ROCKEFELLER, and Members of both parties from the House of Representatives, that we will be able to increase the number of Republicans who vote to support this bill here in the Senate.

I support cloture in the vote just coming up and I ask my colleagues to do it so we can proceed on this bill. I urge my colleagues to vote the same way.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 450, H.R. 3963, Children's Health Insurance Program Reauthorization Act of 2007.

> Max Baucus, Harry Reid, Benjamin L. Cardin, S. Whitehouse, Robert Menendez, Daniel K. Inouye, Jack Reed, Barbara Boxer, Patrick J. Leahy, Bernard Sanders, Ken Salazar, Kent Conrad, Ron Wyden, Byron L. Dorgan, Debbie Stabenow, Bill Nelson, Robert P. Casey, Jr.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 3963 to amend title XXII of the Social Security Act to extend and improve the Children's Health Insurance Program shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Delaware (Mr. BIDEN), the Senator from Illinois (Mr. OBAMA), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. BIDEN) would vote "yea."

Mr. LOTT. The following Senator is necessarily absent: the Senator from Virginia (Mr. WARNER).

The PRESIDING OFFICER (Mrs. MCCASKILL). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 62, nays 33, as follows:

[Rollcall Vote No. 401 Leg.]

YEAS—62

Akaka
Alexander
Baucus
Bingaman
Boxer
Brown
Byrd
Cantwell
Cardin
Carper
Casey
Clinton
Coleman
Collins
Conrad
Corker
Dodd
Domenici
Dorgan
Durbin
Feingold
Feinstein
Grassley
Harkin
Hatch
Inouye
Johnson
Kennedy
Kerry
Klobuchar
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lugar
McCaskill
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Pryor
Reed
Reid
Roberts
Rockefeller
Salazar
Sanders
Schumer
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Tester
Webb
Whitehouse

NAYS—33

Allard
Barrasso
Bennett
Bond
Brownback
Bunning
Burr
Chambliss
Coburn
Cochran
Cornyn
Craig
Crapo
DeMint
Dole
Ensign
Enzi
Graham
Gregg
Hagel
Hutchison
Inhofe
Isakson
Kyl
Lott
Martinez
McCain
McConnell
Sessions
Shelby
Thune
Vitter
Voinovich

NOT VOTING—5

Bayh
Biden
Obama
Warner
Wyden

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 33. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader is recognized.

Mr. REID. Madam President, while everybody is here, there will be no more rollcall votes today. I am going to be meeting shortly with Senator MCCONNELL to find out when the next vote will be. The next vote can only come about with a unanimous consent request. I will work with Senator MCCONNELL to see if we can come up with an easier lift than what is required under the rules.

Under the rules, we will vote at approximately 1 a.m. Friday morning on the next aspect of this procedure we have on the CHIP bill. We will visit in a short time to see if we can change that time in any way. Again, that would have to be done by unanimous consent. As we know, if any one person doesn't like it, it will not happen. Otherwise, the next vote will be likely at 1 a.m. Friday morning.

As I said, I will do everything I can to see if we can make it more convenient for the Members, as I am sure Senator MCCONNELL will. We have, on this most important issue, to make sure that the necessary parties are contacted and that everybody knows exactly what they are doing. So until further notice, the next vote will be at 1 a.m. Friday morning.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. LINCOLN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. MCCONNELL. Reserving the right to object.

The PRESIDING OFFICER. The Senator cannot reserve the right to object.

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, the Senate is now considering what is essentially a do-over bill. The majority seems to believe that what didn't pass muster the first time and was vetoed by the President can now be successful. Well, it can't be, and my friends on the other side of the aisle know that.

The reason we have this do-over bill before us is because, I believe, this process has become more about scoring political points than making good policy. When the other Chamber passed this bill—and they rammed it through, in essentially 1 day—not only did they not pick up any votes, they actually lost one vote on the House side.

Then the majority in this body bypassed the committee process where both parties would have had a chance to strengthen the bill and brought it directly to the floor.

Last Friday, the majority filed cloture on the motion to proceed, forcing this vote today. It is the majority that wanted to vote on this do-over bill, not my side of the aisle.

The majority is also expected to fill the amendment tree to prevent Republican Senators from offering amendments and closing loopholes in the bill. All of that suggests to me that this is about politics, really, and not policy.

So the bill before us is almost like a sequel of the bill that was vetoed the last time. And like any sequel, it is even worse the second time around.

According to the Congressional Budget Office estimates, this bill actually covers 400,000 fewer children than the original SCHIP bill. Yet it costs more—a half billion dollars more.

Our friends on the other side argue that their do-over bill will serve low-income children first. But instead of requiring that low-income children be served first before expanding the program to cover those beyond 200 percent of the Federal poverty level, this bill expands the program to cover families making as much as 300 percent of the Federal poverty level.

This will repeal the requirement that the Secretary of Health and Human Services, Mike Leavitt, just recently put in place that States cover 95 percent of low-income kids before they expand.

This bill also contains an "income disregard loophole" that would allow States to ignore thousands of dollars of income when determining SCHIP eligibility. States could essentially define a family's income at whatever level they see fit.

Democrats also argue this do-over bill will only serve children, not adults. Even that is not the case. While this legislation would phase childless adults out of the program within 1 year, parents would still be eligible.

Put it all together, and we have a bill born out of a process that is focused more on scoring political points than making good policy, and it is certainly not one I intend to support.

I urge my colleagues to re-engage in communication and consultation with this side of the aisle. Together, we can craft a bill that keeps its focus on low-income children and can actually receive a Presidential signature. That is the way to accomplish real results for the American people. We Republicans stand ready and willing to do just that.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Madam President, what is the matter before the Senate?

The PRESIDING OFFICER. The motion to proceed to the Children's Health Insurance Program.

Mr. BYRD. I ask unanimous consent that I may speak as in morning business, and I speak out of order.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAN

Mr. BYRD. Madam President, I commend and offer my wholehearted support for the resolution that Senator DURBIN has submitted. His resolution, which I am proud to cosponsor, is a simple, clear statement of a fundamental constitutional principle; namely, that the Congress and only the Congress has the power to declare war. As this resolution states:

> Any offensive military action taken by the United States against Iran must be explicitly approved by Congress before such action may be initiated.

The President is the Commander in Chief of the Armed Forces. But the President of the United States, although Commander in Chief of the Armed Forces, is not a dictator. The President is not an emperor. He is President, who, like all Presidents, takes an oath of fealty to the Constitution of the United States.

It is the American people—the American people—who pay the price of war in blood and in treasure. And it is the American people, through their representatives in Congress—that means us—who must give their approval—the approval of the American people—for such a momentous decision. That is the system that George Washington recognized when he presented his resignation to the Continental Congress. That is the system that the wise Framers of the Constitution created when they drafted our most basic and sacred document. That is the system that every Senator takes an oath to defend.

Today is a fitting day to discuss the issue of Iran. Today is All Hallows Eve—Halloween—a day when people don masks and costumes to frighten others. The White House has been busy unleashing its rhetorical ghosts and goblins to scare the American people with claims of an imminent nuclear threat in Iran, as they did with Iraq. But while few people doubt the desire of some in the Iranian regime to attain a nuclear bomb, there is little evidence that Iran is close to acquiring such a weapon. Fear, panic, and chest-pounding do not work well in the conduct of foreign policy. This is a time to put diplomacy to work. There is ample opportunity to coordinate with our allies to constrain Iran's ambitions. But instead of working with our partners, the Bush administration has unveiled new unilateral sanctions against Iran. Instead of direct diplomatic negotiations with Iran, the Bush administration continues to issue ultimatums and threats.

We have been down that path already. We know where it leads. Vice President CHENEY recently threatened "serious consequences"—serious consequences—if Tehran does not acquiesce to U.S. demands—the exact phrase that he, the Vice President, used in the runup to the invasion of Iraq. The parallels are all too chilling. President Bush warned that those who wished to avoid World War III should seek to keep Iran from obtaining nuclear weapons. Secretary of Defense Gates has admitted in the press that the Pentagon has drafted plans for a military option in Iran. The President's $196 billion request for emergency war funding included a request for bunker buster bombs that have no immediate use in Iraq. Taking all of this together—the bellicose rhetoric, the needlessly confrontational unilateral sanctions, the provocative stationing of U.S. warships in the region, the operational war planning, and the request for munitions that seem designed for use in Iran—these are all reasons for deep concern that this administration is once again rushing headlong into another disastrous war in the Middle East.

The Bush administration apparently believes it has the authority to wage preemptive war. It believes it can do so without prior Congressional approval. That is why the resolution of Senator RICHARD DURBIN of Illinois is so critical—namely, the White House must be reminded of the constitutional powers entrusted to the people's branch—that is us, the House of Representatives and the Senate. I urge my colleagues to join Senator DURBIN and me on this important resolution and halt—halt—this rush to another war. Let us not make the same disastrous mistake as we did with Iraq.

Madam President, I yield the floor.

Mr. WHITEHOUSE. Madam President, may I speak for 12 minutes as in morning business?

The PRESIDING OFFICER. Without objection, it is so ordered.

ON THE NOMINATION OF MICHAEL MUKASEY

Mr. WHITEHOUSE. Madam President, the Senate is now called upon to consider President Bush's nominee to succeed Alberto Gonzales as Attorney General of this Nation the person we must rely on to repair what has been left broken to uphold the rule of law where political loyalties once ruled and to lead the Department of Justice forward at a time of upheaval; and of urgency.

In many ways, President Bush has made a fine appointment in Judge Michael Mukasey; far better than we have come to expect in this administration. He is not a political hack. He is not a partisan ideologue. He is not an incompetent crony. We have had our share of those. No, he is a brilliant lawyer, a distinguished jurist, and by all accounts a good man.

And no one feels more keenly than do I the need for repair and recovery of the Department of Justice. In a small way, I served this Department, as a U.S. Attorney, and I feel how important this great institution is to our country; and how important an Attorney General—such as Judge Mukasey could be—is to this great institution.

I wish it were so easy. But there are times in history that rear up, and become a swivel point on which our direction as a Nation can turn.

The discussion of torture in recent days has made this such a point. Suddenly, even unexpectedly, this time has come.

It calls us to think—What is it that makes this country great? Whence cometh our strength?

First, of course, is a strong economy, to pay for military and foreign aid activities; to attract the best and the brightest from around the world to our land, and to reward hard work and invention, boldness and innovation.

Now is not the time to discuss how we have traded away our heartland jobs, how our education system is failing in international competition, how a broken health care system drags us down, how an unfunded trillion dollar war and the borrowing to pay for it compromise our strength. For now, let me just recognize that a strong economy is necessary to our strength.

But a strong economy is only necessary, not sufficient. Ultimately, America is an ideal. America for centuries has been called a "shining city on a hill." We are a lamp to other nations. A great Senator on this floor said "America is not a land, it's a promise."

Torture breaks that promise; extinguishes that lamp; darkens that city.

When Judge Mukasey came before the Judiciary Committee, he was asked about torture and about one particular practice which has its roots in the Spanish Inquisition. Waterboarding involves strapping somebody in a reclining position, heels above head, putting a cloth over their face and pouring water over the cloth to create the feeling of drowning. As Senator JOHN MCCAIN, who spent years in a prison camp in North Vietnam, has said, "It is not a complicated procedure. It is torture."

The Judge Advocates General of the United States Army, Navy, Air Force and Marines have agreed that the use of simulated drowning would violate U.S. law and the laws of war. Several Judge Advocates General told Congress that waterboarding would specifically constitute torture under the Federal Anti-Torture Statute, making it a felony offense.

Judge Mukasey himself acknowledged that "these techniques seem over the line or, on a personal basis, repugnant to me." He noted that waterboarding would be in violation of the Army Field Manual.

But in our hearing last week, asked specifically whether the practice of waterboarding is constitutional, he would say no more than: "if it amounts to torture, it is not constitutional," and since then he has failed to recognize that waterboarding is clearly a form of torture, is unconstitutional, and is unconditionally wrong.

There are practical faults when America tortures. It breaks the Golden Rule—do unto others as you would have them do unto you, enshrined in the Army Field Manual with the question, if it were done to your men, would you consider it abuse?

There are practical concerns over whether torture actually works, whether it is sound, professional interrogation practice. I am not an expert, but experts seem to say it is not.

But the more important question is the one I asked earlier—whence cometh our strength as a nation? Our strength comes from the fact that we stand for something. Our strength comes from the aspirations of millions around the globe who want to be like us, who want their country to be like ours. Our strength comes when we embody the hopes and dreams of mankind.

September 11 was a terrible catastrophe that rocked our Nation to its core. But tens of thousands of Americans, nearly 30,000 men, died in the Argonne Forest, and we did not lose our character as a nation. Are we not as strong now as then?

September 11 was a terrible catastrophe that challenged our economy, our politics, and our way of life. But Japan withstood two nuclear explosions, and it is today an economically and culturally vibrant country. Are we not made of stuff as strong as they?

September 11 was a terrible catastrophe, and it lives on as a test for our Nation. But the real catastrophe would be if we sell our birthright for a mess of pottage, if we sell our destiny as a lamp to other nations and a beacon to a suffering world, for bits of coerced intelligence.

I don't think anyone intended this nomination to turn on this issue. So many of us saw with relief an end to the ordeal of the Department of Justice, and wished this nomination to succeed.

But for whatever reason, this moment has appeared, unbidden, as a moment of decision on who we are and what we are as a nation. What path will we follow? Will we continue America's constant steady path toward the light?

Will we trust in our ideals? Will we recognize the strength that comes when men and women rise in villages and hamlets and barrios around the world and say, that is what I want my country to be like; that is the world I choose, and turn their faces toward our light?

Or, to borrow from Churchill, will we head down "the stairway which leads to a dark gulf. It is a fine broad stairway at the beginning, but after a bit the carpet ends. A little farther on there are only flagstones, and a little farther on still these break beneath your feet"? Will we join that gloomy historical line leading from the Inquisition, through the prisons of tyrant regimes, through gulags and dark cells, and through Saddam Hussein's torture chambers? Will that be the path we choose?

I hope not.

I am torn—deeply torn between this man and this moment. This is a good man, I believe. But this moment can help turn us back toward the light, and away from that dark and descending stairway. If this moment can awaken us to the strength of our ideals and principles, then, with whatever strength I have, I feel it is my duty to put my shoulder to this moment, and with whatever strength God has given me, to push toward the light.

One might argue that this makes Mr. Mukasey an innocent victim in a clash between Congress and the President—that no nominee for Attorney General will be able to satisfy Congress or the American people on the question of torture, because the President or perhaps the Vice President will not allow any nominee to draw that bright line at what we all know in our hearts and minds to be abhorrent to our Constitution and our values.

That is exactly the point. If we allow the President of the United States to prevent, to forbid, a would-be Attorney General of the United States—the most highly visible representative of our rule of law—from recognizing that bright line, we will have turned down that dark stairway. I cannot stand for that. I will oppose this nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, it is my understanding that we are in the 30 hours of postcloture on the motion to proceed on SCHIP. Am I correct?

The PRESIDING OFFICER. That is correct.

Mr. ENZI. I thought it might be a good idea for somebody to actually talk about that. To quote from Shakespeare:

> A rose by any other name would smell as sweet.

But the so-called new SCHIP plan is essentially the same as the old one, and it still stinks.

I rise today to speak about the State Children's Health Insurance Program, or what people on Capitol Hill are calling SCHIP.

SCHIP was created by a Republican Congress in 1997 to help low-income kids get health insurance. The goal of the program is to help kids who do not qualify for Medicaid but also cannot afford to get health insurance on their own, receive the care they need. This program was temporarily extended until November 16, 2007, which is coming up shortly. I am here today to speak about how important it is for Congress to work with the President to reauthorize this critical program in a way that gets every single low-income child who needs insurance insured.

If it were not for politics, this would have been solved last week. It would have been solved last month.

We have been working on this issue in the Senate for a few months now. And the longer we work on it, the more political it becomes. I worried that some Members in this Chamber have lost sight of the goal: making sure all the low-income children in this country have health care.

The press has been reporting that Members of the body have claimed that all the concerns were addressed in the last version of the bill the House voted on last week. That is not correct. The concerns were not addressed. This so-called new bill still fails to put low-income children first by gutting the administration's requirement to enroll at least 95 percent of the kids below 200 percent of poverty before expanding the program to cover the higher income population.

This so-called new bill still expands the Children's Health Insurance Program to higher income families by using income disregards, which is clarifying certain expenses so they do not count toward income. How much are we going to let people exclude and still consider them poor?

When the House debated this bill last week, Representative DINGELL, the chairman of the Energy and Commerce Committee, participated in the colloquy with Representative BURGESS and explained how the income disregard loophole works.

What this means in plain English is, the majority party knows there is a provision in the bill that could lead to children from families earning over $100,000 going into Government health care. This is exactly what I mean when I say we have lost focus when it comes to this bill. This program is intended to help low-income kids, not kids in families earning as much as $100,000 a year.

The so-called new bill still allows the enrollment of adults, though the bill does transition childless adults off the SCHIP into Medicaid. Parents still receive SCHIP coverage.

The so-called new bill still removes 2 million individuals from private coverage and puts them on Government-run health care at the taxpayer's expense.

Congress needs to ensure this program is paying for health insurance for kids who do not currently have health insurance, not switching kids from private insurance to Government-run health insurance.

We need to help all Americans get health insurance, but there are better, more efficient ways than spoiling a good children's plan. I have introduced a first-class, 10-step plan that would help us achieve the goal of comprehensive health care reform for every American. Any one of those steps would improve the situation for almost all Americans. All 10 steps would improve it for every American.

But to get back to what is wrong with this new bill, the so-called new bill still expands SCHIP to illegal immigrants by weakening citizenship verification requirements. Let me repeat that. This so-called new bill still expands the SCHIP program to illegal immigrants by weakening citizenship verification requirements.

Now, the so-called new bill still is not paid for. It is relying on a budget trick to get around the budget rule. I am the only accountant in the Senate. I am sure there are others who can count. There are documents that show this information, but this so-called new bill still includes a tobacco tax increase, and the proposed tax hike is highly regressive, with much of the tax burden being shouldered by low-income taxpayers.

Now, I am not a fan of tobacco. I have spoken on this floor many times about why I am so adamantly against tobacco usage. But using a tobacco tax to pay for children's health insurance does not make sense because you have to keep the program funding level stable in the future, and that would require 22 million more smokers.

We are going to help children's health by talking 22 million more people into smoking and keeping the ones who are smoking now from quitting? It does not sound like a health care plan to me.

The so-called new bill still contains district-specific earmarks. Again, we know we have lost focus on children's health insurance when the bill contains earmarks for certain districts. Clearly, the so-called new bill has not changed that much from the previous bill. We have to put low-income kids first, and this bill does not do that.

I have cosponsored the Kids First Act, S. 2152. The bill would provide Federal funding for children in need and require the money actually be spent on children from families with lower incomes.

This bill is a good step in the direction of the compromise, and I hope the majority will see that and start working with the minority to pass something the President can sign rather than putting the kids in jeopardy by continuing to play politics.

I would be remiss if I did not mention what a great job my home State of Wyoming is doing in the way that they are administering SCHIP. Wyoming first implemented its SCHIP program, called Kid Care CHIP, in Wyoming in 1999. In 2003, Wyoming formed a public-private partnership with Blue Cross/Blue Shield of Wyoming and Delta Dental of Wyoming to provide health, vision, and dental benefits to nearly 6,000 kids in Wyoming. That is a pretty significant part of our population. Wyoming is the least populated State in the Nation.

These partnerships have made Kid Care CHIP a very successful program in Wyoming. All children enrolled in the program receive a wide range of benefits, including inpatient and outpatient hospital services, lab and x ray services, prescription drugs, mental health and substance abuse services, not to mention dental and vision services.

Families share in the cost of the children's health care by paying copayments for a portion of the care provided. These copays are capped at $200 a year per family—not per child, per family.

Wyoming is also engaged in an outreach campaign targeted to find and enroll the additional 6,000 kids who are eligible for the Kid Care CHIP but are not enrolled. I am proud of the great job Wyoming is doing in implementing its program.

I am proud to say that even if the program were not reauthorized, Wyoming has enough money to run its program for another year because folks there know how to budget and plan. I sure hope it does not come to that. We need to get it extended. We need to get it extended right now.

I hope Congress will be able to set the politics aside and put the kids first. We have a job to do for all the kids in the States that are not as fiscally responsible as Wyoming. They will start running out of money, so we owe it to them to work across the aisle and with the President and get a bill signed into law. I will cover this some more tomorrow when more have spoken and there are some arguments to counter.

There is a way that we can come to a compromise and arrive at a solution. In fact, some of the negotiations I was involved with last week I thought had been reached. And then when I saw the bill that was voted out by the House, I saw a little recidivism there. I thought we had done better than that. But, obviously, we had not. Obviously, we need to keep working.

I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The assistant majority leader is recognized.

MUKASEY NOMINATION

Mr. DURBIN. Mr. President, it is my great honor to serve in the Senate and represent my State of Illinois. It is a singular honor and responsibility.

Unlike the House of Representatives where I was honored to serve for 14 years, in the Senate we are often called on to judge people; not ideas, not bills, not expenditures, but people. I think it defines one of the fundamental differences between the House and the Senate.

So often when it comes to the President's appointments and Cabinet officials, those who serve us in public life, we have to take the measure of a person and decide whether that person is the right one for the moment, if that person has the integrity and the skill and the values to serve this great Nation.

It is a heavy burden. Sometimes I am sure I have gotten it wrong, and other times right. You are never quite sure. In this situation, as a member of the Senate Judiciary Committee, I am faced with this question about filling the vacancy after the resignation of Attorney General Alberto Gonzales.

I was not a fan of Attorney General Gonzales. I voted against his nomination. There were many reasons. I will not go through the long litany. But I did not believe he was the right person for the job. I thought his appointment to lead the Department of Justice was the appointment of a man more loyal to a President than to our Constitution and his special responsibility in our Cabinet.

But even beyond that, I was haunted, haunted by the involvement of Attorney General Gonzales in a historic decision made by the Bush administration.

America has never been the same since 9/11/2001. We can all recall exactly where we were at that moment, the horror that came over us as we realized how many innocent Americans would lose their lives with this unprovoked terrorist attack on the United States, the grief we shared with families and friends after that loss, witnessing all of the funerals and hearing all of the sad stories.

Determined, this Congress came together in a matter of days and declared war on those responsible. Now there have been many times in my public career when I have been called on to decide whether to go to war. These are the decisions which may look easy from the outside but are never easy.

You know that when a nation goes to war, people will die. You hope it will be the enemy, but you know it will be some of our own, and innocent people as well. You find yourself tossing and turning thinking about what is the right thing to do.

When it came to the declaration of war on the Taliban and al-Qaida for what happened on 9/11, there was no tossing and turning. With resolve, the Senate unanimously voted to embark on that war, to make it clear that the United States would not tolerate what had happened on 9/11.

Of course, shortly thereafter, another challenge presented itself to the Senate when it came to the war in Iraq. I thought that was a much different issue. In fact, I thought it was an unwise policy decision to go forward. I joined 22 of my colleagues in voting against the authorization for the use of military force by President Bush.

I think history has shown that the decision to go to war in Iraq was one that was ill-fated and may go down as one of the worst decisions in the history of our Nation. But what happened in addition to those two declarations of war is also going to be written in the annals of history.

What did we do to protect America? Well, if you look back in our history, you will find that whenever we are insecure and frightened and believe we are in danger, we make a number of decisions to find security and peace of mind. Then over time we reflect on those decisions. And over time some of them do not stand the test of being consistent with our basic values.

We were debating some of those decisions even today in the Judiciary Committee. The question of warrantless wiretapping, the conflict between privacy and security. It is almost always an issue when America is at war or there is a question of our security. It is an issue today: telephone records, records of e-mail traffic, and so forth.

What right does the Government have, and under what circumstances can the Government violate the privacy of an individual in an effort to protect our Nation? That debate will continue. It is far from resolved.

But there was another debate involved after 9/11 that I did not anticipate. I did not imagine at the time, in all of my grief and all of my concern, that this administration would actually call into issue the question of how America would treat its prisoners after 9/11.

The reason it never dawned on me was the fact that for decades now the United States has been in a position of global leadership when it comes to the morally right position on the treatment of prisoners.

We have prided ourselves on our co-authorship of the Geneva Conventions, an international standard of conduct relative to the treatment of prisoners in a time of war. We have prided ourselves on our own Constitution which bars cruel and unusual punishment. We have said that a democracy, the one we revere, the one that is part of our very national being, is a civilized nation, a nation that will draw lines and live by those lines when others might not.

Other countries in the world think perhaps we get on a high horse sometimes when it comes to this. Each year the Department of State puts out a human rights scorecard on the world. We grade the world on issues such as torture, treatment of prisoners, treatment of political dissent, use of child soldiers, genocidal policies. The United States makes an announcement: These are the countries that are not living up to those standards. We stand in judgment of other nations. That is why it came as a surprise to me, as slowly the information trickled out from this White House and this administration, that the Bush administration was raising fundamental questions about whether we would change the way we treated prisoners, detainees in the so-called war on terrorism.

As we learned, some of the decisions of this administration were particularly troubling. They called the Geneva Conventions, which had guided us for almost half a century, quaint, and some referred to them as obsolete; they said that we had to do more when it came to terror. It appears at some point there was a change of heart in the administration and they backed off some of the early harsh language in the so-called Bybee memo and went on to revert to some standards closer to where our Nation had always been. The fact is, there was not only active discussion, but it appears there was active conduct involved in the treatment of prisoners far different than what we had said to the world was our standard of treatment and our standard of care.

I am old enough to recall the Vietnam war. I often say to groups I speak to in Illinois and other places that certain words bring certain images. When the words "Vietnam war" are brought to mind and I am asked of the first snapshots in my mind, the first one that presents itself is the black-and-white grainy photograph of the mayor of a South Vietnamese hamlet shooting pointblank at the head of a political prisoner. The second image is of a little girl stripped naked running down a road with her arms extended, burned from napalm. I will never get those images out of my mind.

I am afraid there are images of the war in Iraq that will stay with people for a long time as well. One of them, sadly, will be images from Abu Ghraib prison and the treatment of Iraqi prisoners. A prisoner on a stool with his head covered with a bag, his arms extended with electrodes connected; I am afraid that is an image that will be with us for a long time and in the minds of many will be an unfair characterization of America and what we are about.

That was one of the reasons why I could not vote for the nomination of Attorney General Gonzales. I knew he was complicit in these conversations, these policies, this change when it came to the issue of torture. I find it difficult to rationalize how a person whose job it is to uphold the rule of law could be party to that.

Now comes a vacancy, an opportunity to consider a successor—Judge Michael Mukasey, former Federal judge from New York, a person who has given his life to the law, an extraordinarily gifted, talented, able jurist, who left the bench for private practice. Some have described Judge Mukasey as aspiring to the role of caretaker because it is a year and a few months away from the President's end of office. But the person confirmed to fill that job has a much bigger responsibility than caretaker. He will bear a heavy burden of doing his part to restore honor and dignity to the Department of Justice.

I believe Michael Mukasey could do that if he not only brought the skills of a judge and the administrative skills that he might bring to the job, but also brought with him a clear break from Attorney General Gonzales's views on the issue of torture. It is the Attorney General's role to uphold the law and American values. Former Attorney General Gonzales failed in that role.

The late historian Arthur Schlesinger, Jr. said this about the Justice Department's legal defense of torture:

> No position taken has done more damage to the American reputation in the world—ever.

That is a powerful statement from a man who made his life as a historian and close adviser to President John Kennedy and close confidant of many others at the highest levels of public life, to say that no position taken has done more damage to America's reputation in the world than this administration's position on torture.

Judge Mukasey has a distinguished record. I had hoped his background as a member of the Federal judiciary would give him the independence and integrity necessary for the job of Attorney General. On the first day of his testimony I was so relieved and refreshed; he answered questions. He didn't say "I don't know" and duck and dodge. When confronted with hard questions, such as will you be prepared to walk away from this President if asked to do something that you feel inconsistent with the Constitution and laws of the land, he was resolute and firm in his answers. I thought maybe this is the right person. This is a man who, because of his background and station in life, doesn't need this job but would take it for public service and be willing to stand up for principle. It was so refreshing.

Then came the second day of questions. I had a chance to ask him a question toward the end of the hearing. The room was almost empty. People had come to the conclusion on the second day that it was a foregone conclusion that Judge Mukasey would be approved as the nominee by the Judiciary Committee and submitted to the Senate. I asked him late in the questioning about the issue of torture. In fact, I was specific. I went beyond the general questions of torture because the administration said clearly: We do not have a policy of torture. We don't engage in torture.

I then went to specific forms of torture, things that have been done to prisoners in detention over the centuries which are commonly regarded as torture. I asked him about waterboarding. Judge Mukasey refused to answer the question and said:

> I don't know what's involved in the technique. If waterboarding is torture, torture is not constitutional.

SHELDON WHITEHOUSE of Rhode Island is my colleague. He called this response by Judge Mukasey "a massive hedge." I think Senator WHITEHOUSE was kind. For those who heard his remarks a few minutes ago, I told him it was one of the most powerful statements I had heard as a Senator in analyzing the challenge we now face on the Judiciary Committee with this nomination.

I had hoped I would have heard from Judge Mukasey words that were spoken to me and to the committee and to America by people who have given their lives to considering this difficult topic.

Retired RADM John Hutson, former Navy Judge Advocate General, testified at Judge Mukasey's confirmation hearing. He was asked about Judge Mukasey's statements and position on waterboarding. This is what he said:

> Other than, perhaps the rack and thumb screws, water-boarding is the most iconic example of torture in history. It was devised, I believe, in the Spanish Inquisition. It has been repudiated for centuries. It's a little disconcerting to hear now that we are not quite sure where waterboarding fits in the scheme of things. I think we have to be very sure where it fits in the scheme of things.

Those are the words of Admiral Hutson. I was troubled by Judge Mukasey's position on waterboarding. I joined with all of my Democratic colleagues in the Judiciary Committee and sent him a letter. I wanted to give him a fair opportunity to reflect on the questions and his answers and to give us a complete statement of his views on this issue. I felt it was important and only fair to give him that chance. Last night we received his reply. To say the least, it was disappointing. We asked Judge Mukasey a simple, straightforward question. Is waterboarding illegal? His response took four pages. In it was very little.

He said waterboarding was "on a personal basis, repugnant to me." But he refused to say whether waterboarding was illegal because "hypotheticals are different from real life" and it would depend on "the actual facts and the circumstances."

With all due respect, that is an evasive answer. Frankly, while Judge Mukasey has not been confirmed yet, that answer sounds too reminiscent of his predecessor. For the past 5 years, whenever we have asked the administration whether torture techniques such as waterboarding are illegal, they always have the same response: That is a hypothetical question, and it depends on the facts and circumstances.

Let's be clear. Waterboarding is not a hypothetical. Waterboarding or simulated drowning is a torture technique that has been used at least since the Spanish Inquisition and is used today by repressive regimes around the world. I have come to the floor, Senator McCONNELL has come to the floor, and many others, to decry what is happening in Burma today where the military junta is not only killing innocent Burmese people in the streets but engaging in torture and detention of citizens who are only trying to speak their heart. The Burmese military has reportedly used waterboarding against democracy activists as they violently repressed demonstrations in recent weeks. Whether waterboarding is torture is certainly not a hypothetical question to these Burmese democracy activists. These are some techniques that are so clearly illegal that it doesn't depend on facts and circumstances. They should always be off limits. Would it depend on the facts and circumstances whether it is torture to pull out someone's fingernails? Do you want to know more? Would it depend on facts and circumstances whether rack-and-thumb screws are torture?

Judge Mukasey refused to say whether waterboarding is illegal, but many others have answered this question and they didn't need four pages to do it. Following World War II, the United States prosecuted Japanese military personnel as war criminals for waterboarding American servicemen. The Judge Advocates General, the highest ranking military lawyers in each of the U.S. military's four branches, told me unequivocally waterboarding is illegal.

To take one example, BG Kevin M. Sandkuhler, Staff Judge Advocate to the Commandant of the Marine Corps, stated:

> Threatening a detainee with imminent death, to include drowning, is torture.

Senator JOHN McCAIN, a Republican colleague from Arizona, who knows more than anyone on this floor about being a prisoner and being treated as a prisoner, spoke to this issue with credibility and clarity. This is what he said of waterboarding:

> In my view, to make someone believe that you are killing him by drowning is no different than holding a pistol to his head and firing a blank. I believe that it is torture, very exquisite torture.

Earlier this week Senator McCAIN was asked about Judge Mukasey's refusal to say whether waterboarding was torture. This is how he responded:

> Anyone who says they don't know if waterboarding is torture or not has no experience in the conduct of warfare and national security.

Senator JOHN WARNER, one of the authors of the Military Commissions Act, during the floor debate on the same legislation said that waterboarding is "in the category of grave breaches of Common Article 3 of the Geneva Conventions" and would be "clearly prohibited" by the Military Commissions Act.

Our own State Department has long recognized that waterboarding is torture and cruel, inhuman and degrading treatment. The State Department has repeatedly criticized other countries for using waterboarding in its annual Country Reports on Human Rights Practices.

How can we on one hand say our Secretary of State is going to look at the conduct of the world and issue a report every year and find that if they are engaged in waterboarding and the torture of prisoners, they have violated human rights, and have a nominee for Attorney General of the United States of America uncertain until he knows a little bit more about the facts and circumstances surrounding the use of waterboarding?

It is important to note that although Judge Mukasey was equivocal and evasive on the issue of waterboarding, there were other issues he was happy to volunteer strong opinions on. For example, I asked him whether he believes the Second Amendment secures an individual right to bear arms. Unlike waterboarding, which is widely condemned, this is an unsettled legal question.

The Bush administration takes the position that the Second Amendment protects an individual right to bear firearms, but that view has been rejected by most Federal appeals courts and conflicts with the holding of the U.S. Supreme Court in United States v. Miller. Judge Mukasey did not hesitate and ask for facts and circumstances. He said:

> Based on my own study, I believe that the Second Amendment protects an individual right to keep and bear arms.

On this contentious, debated, constitutional issue about the Second Amendment, he wasted no time coming to a legal conclusion. But when it comes to the issue of waterboarding he refuses.

Every reason Judge Mukasey has offered in his letter to us for his failure to take a position on waterboarding falls short. He says he has not been briefed on the administration's interrogation programs. Isn't it ironic, because if he were briefed, he would have refused to answer the question, saying it is classified. What I am asking about are basic principles, and he refuses to answer.

Now he argues he cannot answer the question because he has not been briefed. As we made clear in our letter, we are not asking Judge Mukasey's views of the administration's interrogation program. We are asking him for his personal opinion on waterboarding.

He also argues he cannot take a position on waterboarding because it would "provide our enemies with a window into the limits or contours of any interrogation program."

With all due respect, what does that say about us? If you would go to the Internet now and run a search on the term "waterboarding," you would find there are 18 million references to it—18 million. This is not a term shrouded in mystery. It is a term well known and well discussed across the world.

If the argument is being made by Judge Mukasey that we want to leave our enemies in doubt as to whether we engage in waterboarding, what does it say about us? If the United States does not explicitly and publicly condemn waterboarding, it is certainly more difficult to argue that enemy forces cannot use the same tactics. That has always been the gold standard. If this tactic of interrogation were applied to an American soldier, would the United States cry foul? Would we say it is torture, cruel, inhuman, and degrading?

There is no doubt in my mind we would say any American soldier subjected to waterboarding is a victim of torture. We said it after World War II, and we prosecuted those Japanese military officials responsible.

Why now in the 21st century is there any doubt in Judge Mukasey's mind? Sadly, if the Senate confirms Judge Mukasey, it will tell the world the American Attorney General has not made up his mind about a form of torture that has been repudiated for centuries.

Many of us have a vision of America after this administration. We look beyond January 20, 2009. We hope we will live in a better and safer world. We hope the next President, whoever that may be, will rebuild alliances with countries that have stood by our side through thick and thin throughout our history—countries which are now estranged by the policies of this administration.

We hope whoever the next President will be, that person will seek to restore the image of America in the world, tell people who we are, because many have such wrong and bad impressions of this great Nation. We certainly expect the next President to reestablish the values that define us: fairness and justice, clarity of purpose—a caring nation, dedicated to peace.

When the history of this war on terror and this Bush administration is written, I am afraid many of the actions of this administration will fall into a sad and regretful category—a category that includes the suspension of habeas corpus during the Civil War, the Sedition Act of World War I, the Japanese internment camps in World War II, the Army-McCarthy hearings of the Cold War, the enemies list of the Nixon administration—overreactions by a government so consumed with the idea of security that that government lost its way when it came to our basic and fundamental values.

We cannot lose our way when it comes to the choice of the next Attorney General. As good a person as he may be, his response to this question—this basic and fundamental question on policies of the interrogation of prisoners leaves me no alternative but to oppose Judge Mukasey's nomination to be Attorney General of the United States.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, back in August, I stood right here on the Senate floor and shared the story of a little girl from my home State. I did that because I wanted to illustrate why it is our moral obligation as Americans to renew and improve the Children's Health Insurance Program, or CHIP.

Shortly afterward, the Senate approved the CHIP bill by an overwhelming margin because Senators on both sides of the aisle agreed that all children should be able to see a doctor when they are sick. They supported reauthorizing CHIP because it would reduce the number of uninsured American children by a third.

Well, President Bush vetoed it.

Now it is 3 months later, and I am frustrated and angry that I have to stand here again talking about CHIP and that we are still trying to get the White House to understand.

The supporters of this bill have agreed to a compromise. We want to make this program work. We are back with another bill now that we think meets everyone's needs. So today I come back to the floor to remind President Bush and anyone else who still questions how important it is to approve this program now—about that little girl from Yakima, WA, because it is time for the President to stop blocking her health care.

The little girl I want to tell you about is Sydney. She is 9 years old. In many ways, Sydney is like any other happy child in America. She loves to sing. She loves to dance. She does well in school. She has a lot of friends. But Sydney is different in one way. She has a life-shortening genetic condition called cystic fibrosis. It requires her to take and I quote from her a "bucketful" of medicine every day.

She has already spent weeks of her young life in the hospital hooked up to an IV of antibiotics which help her to live another day. All of that is possible because of the health care she has received as part of the CHIP program.

Her mom, Sandi DeBord, told me about Sydney because she was very frightened that CHIP might no longer be available for her daughter. She wrote to me and said:

> I know for a fact that without this bit of assistance, her life would end much sooner due to the inability to afford quality health care for her.

Her life would end because she could not afford health care. What a sad note. I am here to tell the story again because, sad to say, 3 months later I cannot assure Sydney's mom that CHIP will always be there. In fact, the news has become even more worrisome.

Just today, in the New York Times, it reported that because of the President's refusal to work with Congress on this bill, several States are now planning to start dropping children from the program in order to save money. Unless something changes, California says it is going to start dropping 64,000 kids a month in January—64,000 kids a month.

A study from the Congressional Research Service found that nine States—Alaska, Georgia, Illinois, Iowa, Maine, Maryland, Massachusetts, New Jersey, and Rhode Island—are all going to run out of money by March. Twelve more States are going to run out between April and September. This is a tragedy, and it is our moral obligation to fix this. That is what we are trying to do now in the Senate.

As Sydney's story shows us, the need for the Children's Health Insurance Program is clear. It does not matter if you are a Republican child or a Democrat child or a progressive or a conservative; making sure our children get health care is the right thing to do.

> When a child gets a cut that requires stitches or comes down with a fever or has an earache or any other imaginable problem, they ought to be able to get help, period. This is the United States of America. But, unfortunately, today, in this country, that is not the case. Millions of kids do not get the medicine or the care they need.

We know the ranks of our uninsured children are growing because as the cost of living rises and wages remain stagnant, more and more parents are struggling to afford any health care.

Most of us in the Senate know this. The CHIP program has had strong Republican support, and I particularly thank Senator GRASSLEY and Senator HATCH, who cosponsored the original 1997 bill, and have been working so hard with Senator BAUCUS and Senator ROCKEFELLER since.

But even with that bipartisan support in the Senate, President Bush has complained about the bill that passed. As an excuse to delay the program, he and a few Republican supporters say we have been unwilling to work with them. They say it will increase costs. I am here to say that is not the case. Despite what the President says, we listened to their concerns, and in this bill that is now before the Senate we address those concerns.

This bill we are now considering addresses the concerns we heard over and over that children of illegal immigrants will be covered by requiring that States not only verify names and Social Security numbers, but they also check citizenship information in the Social Security Administration's database. So that issue is gone.

Secondly, it ends the coverage of childless adults by the end of 1 year. So that issue is gone.

Finally, this bill concentrates on making sure the poorest kids get covered first. So that issue is gone.

This bill also helps bridge the gap for another 3.9 million children whose parents cannot afford insurance. And this program is paid for. I want to say that again. This program is paid for.

President Bush just asked us to borrow $196 billion for the war in Iraq and Afghanistan for this year alone. But he opposes children's health insurance, even though we found a way to pay for every penny of it for the next 5 years. The $35 billion cost for CHIP's initiatives comes solely from a 61-cent excise tax increase on cigarettes and other tobacco products. No other programs are cut. Social Security is not raided. We are not increasing the deficit. Not only will this provide millions of children with health care, experts actually estimate it is going to get 1.7 million adults to quit smoking and prevent millions of kids from ever getting hooked. So this is good for our kids' health care now, and it is going to make a lot of kids healthier in the future.

Children's health should not be about politics. I have said this over and over. It is about making sure kids see a doctor when they need to. Kids are not Democrats; they are not Republicans. They are just kids who deserve health care.

Unfortunately, President Bush has let health care for our children get caught up in a desperate attempt to appeal to his dwindling number of supporters.

We know CHIP is the right thing to do. Americans know it is the right thing to do. More than 65 percent of them oppose President Bush's veto.

So to President Bush—and to any of our colleagues out there who still see this as a debate over politics and numbers—I want to remind you once more of a little girl who is 9 years old whose name is Sydney and the millions of other kids out there who depend on us to do the right thing.

Sydney is still fighting cystic fibrosis, and her mom is still wondering whether she will be able to take care of her in the future. I hope we can tell her that we will.

So on behalf of Sydney, on behalf of the 73,000 uninsured children in my State alone, and the more than 8 million children in this country, I thank all of my colleagues who worked so hard on this bill and supported it to this point. I urge the President to stop blocking this critical program for our kids.

Mr. President, I yield the floor.

MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT

Mrs. CLINTON. Mr. President, I am in support of the Passenger Rail Investment and Improvement Act of 2007.

The passage of this critical legislation is truly a great achievement. For New Yorkers, Amtrak is not just a commodity but a life source. Passenger rail is an essential element of our transportation network that provides irreplaceable capacity and mobility to New York and the Nation. For the past near 7 years, we have had to fight the administration's constant attempts to privatize and dismantle our Nation's premier passenger rail service, Amtrak. Eliminating Amtrak service would be an economic disaster and an irresponsible policy.

Today, as gas prices continue to climb and airline delays are at an all-time high, Amtrak not only provides a necessary and affordable alternative to our congested airways, it links commuters to local locations not serviced by the airline industry. The enactment of Passenger Rail Investment and Improvement Act of 2007 will end the stop-gap funding process for Amtrak and will provide the traveling public with the security of a comprehensive plan for improving our nation's passenger rail system.

No country in the world has ever developed and maintained a successful passenger railroad system without assistance from their national government. Without offering an alternative, President Bush has aimed to simply shut down passenger rail in the US.

This plan will authorize $19.2 billion in Federal funds for Amtrak by providing $3.2 billion over the next 6 years and will allow Amtrak to make critical repairs and improvements to its service. Funding under this legislation will allow Amtrak to implement a comprehensive plan that will enhance rail security, reduce train delays, and improve customer service. It will also provide sufficient funding and direction to bring the Northeast corridor up to a "state-of-good-repair," including vital tunnel life safety work in the Hudson River Tunnels.

In recent years, attempts by Congress to improve and modernize Amtrak's operations were stalled by the Republican-controlled House, and earlier this year the President proposed cutting $493 million, more than 38 percent of Amtrak's operating funds. This sort of backward thinking would have severely jeopardized Amtrak's ability to serve their passenger lines in New York and throughout the Northeast.

Mr. President, in the State of New York, Amtrak operates 140 routes, employs more than 1,900 people, and has 2 of the top 10 busiest stations in their rail system. Amtrak is an integral part of our transportation infrastructure and continues to service parts of the State that need the influx of tourists, business travelers, and others. The future without Amtrak for New York would be devastating.

I am proud that the full Senate has rejected the administration's approach to Amtrak. As an original cosponsor of this legislation, I commend Senator LAUTENBERG and Senator LOTT for their leadership in steering this critically important legislation through the Senate. As an original cosponsor of this legislation, I am pleased that my Senate colleagues have voted overwhelmingly to continue to provide critical funding for Amtrak, and I look forward to this legislation being signed into law.

Mr. WHITEHOUSE. Mr. President, yesterday, the Senate made a strong and long-overdue investment in the future of public transit in Rhode Island and throughout the country. I am pleased to have cast my vote for the passage of the Passenger Rail Investment and Improvement Act of 2007 (PRIIA), which will guide the maintenance, growth, and funding of the railroad through Fiscal Year 2012.

Each year, over 12 million business and leisure travelers depend on Amtrak's Northeast Corridor service, which connects the great cities of New England and the Mid-Atlantic states. Providence is a vital link on this route, with more than half a million Amtrak passengers boarding and departing Amtrak trains in the city each year. Also on the Northeast corridor route are Kingston and Westerly, Rhode Island. Kingston is home to the University of Rhode Island, and Amtrak gives students, faculty, researchers, and visitors direct access to this thriving college town. The Westerly station provides rail service to residents of both Rhode Island and Connecticut who rely on public transportation.

Despite its importance to millions of travelers, the Northeast Corridor has fallen into a state of disrepair in recent years. The infrastructure on this route is some of the oldest in the Nation, and a revitalization plan has been necessary for some time. This new Amtrak bill includes a strategy to restore the route to good condition by September of 2012—the first capital development plan put in place since Amtrak's previous authorization expired 5 years ago—and authorizes full federal funding of necessary repairs and upgrades. The Amtrak bill also authorizes the formation of a commission to oversee the operation and maintenance of the Northeast Corridor. The commission will include Amtrak, the Federal Railroad Administration, and each state along the route. I am pleased that Rhode Island will have a voice in future planning for a resource so vital to us.

In addition to funding operations and capital improvements, the Amtrak bill also addresses the congestion experienced on so many of the system's routes. By law, Amtrak passenger trains have the right of way over private freight trains, but this preference is often ignored. The bill the Senate passed today permits the Surface Transportation Board to assess fines against non-compliant freight railroads and to distribute damages to Amtrak. Congestion has increased in recent years, especially along the Northeast Corridor, and this provision should lead to fewer and shorter delays for passengers.

Finally, let us celebrate a piece of good Rhode Island news—I have been informed that the escalators in the Providence train station, which have been broken and covered with dust since early 2005, are scheduled to be reopened and in service by the week of November 12.

I congratulate Senators FRANK LAUTENBERG of New Jersey and TRENT LOTT of Mississippi on the passage of this critical piece of legislation. I also want to recognize the contributions of Rhode Island's own Senator JACK REED, who has been a strong and constant advocate for Amtrak. The new resources and clear development plan outlined in this bill reaffirm Congress's commitment to passenger rail service in the United States.

MATTHEW SHEPARD ACT OF 2007

Mr. SMITH. Mr. President, I wish to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

In the early hours of October 19, 2007, a 28-year-old man was shot at allegedly because of his sexual orientation. The victim and a friend left a gay bar in Midtown Atlanta, GA, for a gas station down the street at about 3 a.m. At that time, a sport utility vehicle with three men inside pulled into the gas station's parking lot. One of the vehicle's passengers was allegedly intoxicated and complaining to customers about the number of gay people at the gas station, using antigay epithets. Some of the man's behavior is caught on surveillance tapes at the station. The victim and his friend began to walk back to the bar after a short stay at the gas station and were followed by the men in the vehicle. As they walked by the bar, the man who appeared intoxicated shot at them four or five times, grazing the victim with a bullet that had ricocheted off the building. While Georgia does not have a hate crime law, the shooting is being investigated as an antigay incident.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Matthew Shepard Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

FIRES OF SOUTHERN CALIFORNIA 2007

Mrs. BOXER. Mr. President, over the past 2 weeks, residents of San Bernardino, San Diego, Orange, Los Angeles, Ventura, Riverside, and Santa Barbara counties in southern California have faced some of the most horrific wildland fires in California's recorded history. At one point, as many as 1 million Californians were forced from their homes and communities by flames driven by Santa Ana winds of up to 100 miles per hour.

To date, 14 people have lost their lives, almost 3,000 structures, two-thirds of them homes, have been destroyed and more than 500,000 acres have burned. Over 100 people have been injured, some seriously. The consequences to people's lives will be long term, and we will do everything we can to bring comfort to victims and regeneration to affected communities.

Throughout these fires, which are only now being subdued, thousands of firefighters, mostly Californians, but some from other States, have been on the front lines working around the clock to defeat the fires. They have been tireless and fearless. We owe these California firefighters, and those who traveled across the country, our deepest thanks and appreciation. Whether it was saving the lives of people in the path of the flames, or making a stand to protect a neighborhood or a whole town, these brave men and women were there selflessly doing their duty. CalFire, the California National Guard, county and local fire agencies worked tirelessly to get the job done.

Thankfully, there has been no loss of firefighter lives, though several of our firefighters were injured, and to them I send my best wishes for a full recovery.

I hope that today we all can recognize our firefighters' valor and steadfastness in the face of the threat. We must also commit ourselves to standing up for their health and welfare as they face health challenges that sometimes last a lifetime. They do a very difficult job and we must do everything possible to assure they have all the support necessary so that they can continue to be there when the next threat presents itself.

SOMALIA

Mr. FEINGOLD. Mr. President, I have come to this floor many times over the years to urge increased U.S. attention and resources to Somalia. Meanwhile, the United States and the international community at large have continued to respond sporadically and clumsily to the steady deterioration of Somalia's security, humanitarian, and political situations. In January, I said that we had only a very limited window to establish the conditions necessary for stability in Somalia and the volatile Horn of Africa region, but I fear that opportunity may soon be lost. Events over the past few days suggest that strong but inclusive leadership is needed now if Somalia is to avoid the worst descent into chaos of its tumultuous history.

This weekend saw a massive setback in Somalia's security and humanitarian situation as a fresh outbreak of fighting which aid workers describe as the worst violence in months—forced tens of thousands more Somalis from their homes in Mogadishu. Most of these people are seeking refuge in communities whose coping capacities are already at the breaking point due to the strain of providing food, water, protection, shelter, and basic services to more than 300,000 existing internally displaced persons. Some of the newly displaced have fled to areas where there is little or no access by humanitarian agencies.

Forty of these aid organizations that are operating against all odds in Somalia released a statement yesterday highlighting the dramatic deterioration of the humanitarian situation and their increasing inability to effectively respond due to security and access constraints. They are calling on the international community and all parties to the present conflict to demonstrate a commitment to protect civilians, to facilitate the delivery of aid, and to respect humanitarian space and the safety of humanitarian workers. I want to take this moment to honor the courageous individuals and their sponsoring organizations for their persistent service to the innocent civilians most affected by the ongoing instability in Somalia and to echo their appeal for concerted action to support their work and the broader objective of peace for Somalia.

Amidst this dark backdrop there is a glimmer of hope for progress. On Monday, the embattled Foreign Minister of Somalia's fragile transitional federal government, Ali Mohamed Gedi, resigned amid feverish political infighting. Since its formation 3 years ago, the TFG has suffered from a lack of public legitimacy due to its inability to effectively represent and provide security and services to the Somali people. The appointment of a new Prime Minister is likely to be the last chance for this transitional government to restore some credibility and move forward with political reconciliation. I encourage all parties to seize this opportunity for progress towards a solution to the country's deepening crisis.

In January, I warned that without concerted international and national action, Somalia could deteriorate into what it has been since the early 1990s—a haven for terrorists and warlords and a source of crippling instability in a critical region. But as tensions between Ethiopia and Eritrea rise once again, the ongoing humanitarian needs of civilians in the Ogaden region of Ethiopia reach international attention, and the Comprehensive Peace Agreement in Sudan stands on extremely fragile ground, I fear that our failure to protect civilians, defeat extremists, and build conditions for stability in Somalia could result in an even more disastrous outcome with consequences that extend far beyond the porous borders of this besieged nation. We cannot afford to squander this chance for progress towards peace.

INAUGURAL ADDRESS OF DREW GILPIN FAUST

Mr. KENNEDY. Mr. President, it is a privilege to draw the attention of my colleagues to the inauguration earlier this month of Dr. Drew Gilpin Faust as the 28th president of Harvard University.

Unfortunately, because of my recent surgery, I was not able to attend the ceremony, but I read with great interest the eloquent and inspring address of Dr. Faust at that ceremony.

Dr. Faust, an historian of the Civil War and former dean of the Radcliffe Institute, made history herself by becoming the first woman to serve as president of this outstanding university.

Others who spoke on this occasion included our Massachusetts Governor, Deval Patrick, historian John Hope Franklin, University of Pennsylvania president Amy Gutmann, where Dr. Faust spent much of her brilliant career, and author Tony Morrison.

Present also were three of Dr. Faust's distinguished predecessors, Derek Bok, Neil Rudenstine, and Lawrence Summers, as well as distinguished representatives of other major colleges and universities in the United States and throughout the world.

Last month, Senator DOLE, Congressman PETRI, Congressman FRANK, Congressman CAPUANO, and I had the privilege of hosting a reception in the Senate's Mansfield Room to honor and welcome Dr. Faust. A number of our colleagues attended as well, and we all look forward to working with Dr. Faust, especially on higher education issues, in the years ahead.

Dr. Faust is obviously an excellent choice by Harvard. She grew up in the Shenandoah Valley in Virginia, and attended Concord Academy in Massachusetts. After earning her BA from Bryn Mawr College, she continued her education at the University of Pennsylvania, where she earned her M.A. and Ph.D. in American civilization and served on the faculty there for 26 years, earning wide renown as a leading historian of the Civil War and the American South. In 2001 she became the first dean of the Radcliffe Institute for Advanced Study at Harvard, and was appointed as Harvard's Abraham Lincoln Professor of History.

Her scholarship has been focused on the past, but almost from the beginning she has been committed as well to solving the problems of the present and making the world a better place for the future.

As a child in Virginia, she was appalled by the racism in her own community. At the age of nine, she wrote a letter to President Eisenhower opposing segregation.

In high school, she went to Eastern Europe one summer and spent weekends volunteering in a program to help the poor. She was elected senior class president and was so widely respected that the school's new headmaster sought her advice about the school.

In her freshman year at Bryn Mawr College, she was outraged when peaceful protesters against segregation in Selma were brutally clubbed and gassed by the police—so she skipped her midterm exams to go there and join the protest.

At the University of Pennsylvania, she dedicated much of her time and energy to the cause of women in academic life. She chaired the university's Women's Studies Program, and worked skillfully to see that women candidates for the faculty were considered fully and fairly.

Through it all, Dr. Faust won well-deserved renown for her scholarship. She became one of the Nation's preeminent historians of the South, bringing new light to topics such as plantation agriculture and the life of southern intellectuals. Her landmark 1996 book, "Mothers of Invention," made her the first to demonstrate that women had a significant impact on the outcome of the Civil War. For that pioneering study, she received the Francis Parkman Prize for the year's best work of history.

For the past 7 years, Dr. Faust has been the "mother of invention" at the Radcliffe Institute, skillfully guiding Radcliffe's transformation into one of the Nation's foremost research centers for established and emerging scholars in all disciplines, and still maintaining its special and long-standing role in the study of women, gender and society.

As Dr. Faust has said, our shared enterprise now, as people connected to Harvard, is to make the future of this extraordinary university even more remarkable than its past. And with the distinguished leadership of Dr. Faust, there is no doubt it will be.

I still remember the old inscription on the Dexter Gate in Harvard Yard: "Enter to grow in wisdom. Depart to serve better thy country and all mankind." I am sure President Faust will give new power to these words in our day and generation.

I wish President Faust well as she assumes this extraordinary responsibility, and I believe all of us in Congress will be interested in her eloquent and inspiring address on the historic occasion of her inauguration. It is an auspicious new beginning for Harvard, and I ask unanimous consent that her address be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNLEASHING OUR MOST AMBITIOUS IMAGININGS

(Inaugural Address of President Drew Gilpin Faust as President of Harvard University, Cambridge, Massachusetts, October 12, 2007)

I stand honored by your trust, inspired by your charge. I am grateful to the Governing Boards for their confidence, and I thank all of you for gathering in these festival rites. I am indebted to my three predecessors, sitting behind me, for joining me today. But I am grateful to them for much more—for all that they have given to Harvard and for what each of them has generously given to me—advice, wisdom, support. I am touched by the greetings from staff, faculty, students, alumni, universities, from our honorable Governor, and from the remarkable John Hope Franklin, who has both lived and written history. I am grateful to the community leaders from Boston and Cambridge who have come to welcome their new neighbor. I am a little stunned to see almost every person I am related to on earth sitting in the front rows. And I would like to offer a special greeting of my own to my teachers who are here—teachers from grade school, high school, college and graduate school—who taught me to love learning and the institutions that nurture it.

We gather for a celebration a bit different from our June traditions. Commencement is an annual rite of passage for thousands of graduates; today marks a rite of passage for the University. As at Commencement, we don robes that mark our ties to the most ancient traditions of scholarship. On this occasion, however, our procession includes not just our Harvard community, but scholars—220 of them—representing universities and colleges from across the country and around the world. I welcome and thank our visitors, for their presence reminds us that what we do here today, and what we do at Harvard every day, links us to universities and societies around the globe.

NEW BEGINNINGS

Today we mark new beginnings by gathering in solidarity; we celebrate our community and its creativity; we commit ourselves to Harvard and all it represents in a new chapter of its distinguished history. Like a congregation at a wedding, you signify by your presence a pledge of support for this marriage of a new president to a venerable institution. As our colleagues in anthropology understand so well, rituals have meanings and purposes; they are intended to arouse emotions and channel intentions. In ritual, as the poet Thomas Lynch has written, "We act out things we cannot put into words." But now my task is in fact to put some of this ceremony into words, to capture our meanings and purposes.

Inaugural speeches are a peculiar genre. They are by definition pronouncements by individuals who don't yet know what they are talking about. Or, we might more charitably dub them expressions of hope unchastened by the rod of experience.

A number of inaugural veterans—both orators and auditors—have proffered advice, including unanimous agreement that my talk must be shorter than Charles William Eliot's—which ran to about an hour and a half. Often inaugural addresses contain lists—of a new president's specific goals or programs. But lists seem too constraining when I think of what today should mean; they seem a way of limiting rather than unleashing our most ambitious imaginings, our profoundest commitments.

If this is a day to transcend the ordinary, if it is a rare moment when we gather not just as Harvard, but with a wider world of scholarship, teaching and learning, it is a time to reflect on what Harvard and institutions like it mean in this first decade of the 21st century.

Yet as I considered how to talk about higher education and the future, I found myself—historian that I am—returning to the past and, in particular, to a document I encountered in my first year of graduate school. My cousin Jack Gilpin, Class of '73, read a section of it at Memorial Church this morning. As John Winthrop sat on board the ship Arabella in 1630, sailing across the Atlantic to found the Massachusetts Bay Colony, he wrote a charge to his band of settlers, a charter for their new beginnings. He offered what he considered "a compass to steer by"—a "model," but not a set of explicit orders. Winthrop instead sought to focus his followers on the broader significance of their project, on the spirit in which they should undertake their shared work. I aim to offer such a "compass" today, one for us at Harvard, and one that I hope will have meaning for all of us who care about higher education, for we are inevitably, as Winthrop urged his settlers to be, "knitt together in this work as one."

AMERICAN HIGHER EDUCATION TODAY

American higher education in 2007 is in a state of paradox—at once celebrated and assailed. A host of popular writings from the 1980s on have charged universities with teaching too little, costing too much, coddling professors and neglecting students, embracing an "illiberalism" that has silenced open debate. A PBS special in 2005 described a "sea of mediocrity" that "places this nation at risk." A report issued by the U.S. Department of Education last year warned of the "obsolescence" of higher education as we know it and called for federal intervention in service of the national interest.

Yet universities like Harvard and its peers, those represented by so many of you here today, are beloved by alumni who donate billions of dollars each year, are sought after by students who struggle to win admission, and, in fact, are deeply revered by the American public. In a recent survey, 93 percent of respondents considered our universities "one of [the country's] most valuable resources." Abroad, our universities are admired and emulated; they are arguably the American institution most respected by the rest of the world.

How do we explain these contradictions? Is American higher education in crisis, and if so, what kind? What should we as its leaders and representatives be doing about it? This ambivalence, this curious love-hate relationship, derives in no small part from our almost unbounded expectations of our colleges and universities, expectations that are at once intensely felt and poorly understood.

THE POWER OF EDUCATION

From the time of its founding, the United States has tied its national identity to the power of education. We have long turned to education to prepare our citizens for the political equality fundamental to our national self-definition. In 1779, for example, Thomas Jefferson called for a national aristocracy of talent, chosen "without regard to wealth, birth, or other accidental condition of circumstance" and "rendered by liberal education . . . able to guard the sacred deposit of rights and liberties of their fellow-citizens." As our economy has become more complex, more tied to specialized knowledge, education has become more crucial to social and economic mobility. W.E.B. DuBois observed in 1903 that "Education and work are the levers to lift up a people." Education makes the promise of America possible.

In the past half century, American colleges and universities have shared in a revolution, serving as both the emblem and the engine of the expansion of citizenship, equality and opportunity—to blacks, women, Jews, immigrants, and others who would have been subjected to quotas or excluded altogether in an earlier era. My presence here today—and indeed that of many others on this platform—would have been unimaginable even a few short years ago. Those who charge that universities are unable to change should take note of this transformation, of how different we are from universities even of the mid 20th century. And those who long for a lost golden age of higher education should think about the very limited population that alleged utopia actually served. College used to be restricted to a tiny elite; now it serves the many, not just the few. The proportion of the college age population enrolled in higher education today is four times what it was in 1950; twelve times what it was before the 1920s. Ours is a different and a far better world.

At institutions like Harvard and its peers, this revolution has been built on the notion that access should be based, as Jefferson urged, on talent, not circumstance. In the late 1960s, Harvard began sustained efforts to identify and attract outstanding minority students; in the 1970s, it gradually removed quotas limiting women to a quarter of the entering college class. Recently, Harvard has worked hard to send the message that the college welcomes families from across the economic spectrum. As a result we have seen in the past 3 years a 33 percent increase in students from families with incomes under $60,000. Harvard's dorms and Houses are the most diverse environments in which many of our students will ever live.

Yet issues of access and cost persist—for middle-class families who suffer terrifying sticker shock, and for graduate and professional students who may incur enormous debt as they pursue service careers in fields where salaries are modest. As graduate training comes to seem almost as indispensable as the baccalaureate degree for mobility and success, the cost of these programs takes on even greater importance.

The desirability and the perceived necessity of higher education have intensified the fears of many. Will I get in? Will I be able to pay? This anxiety expresses itself in both deep-seated resentment and nearly unrealizable expectations. Higher education cannot alone guarantee the mobility and equality at the heart of the American Dream. But we must fully embrace our obligation to be available and affordable. We must make sure that talented students are able to come to Harvard, that they know they are able to come, and that they know we want them here. We need to make sure that cost does not divert students from pursuing their passions and their dreams.

But American anxiety about higher education is about more than just cost. The deeper problem is a widespread lack of understanding and agreement about what universities ought to do and be. Universities are curious institutions with varied purposes that they have neither clearly articulated nor adequately justified. Resulting public confusion, at a time when higher education has come to seem an indispensable social resource, has produced a torrent of demands for greater "accountability" from colleges and universities.

UNIVERSITIES ARE ACCOUNTABLE TO THE PAST, PRESENT, AND FUTURE

Universities are indeed accountable. But we in higher education need to seize the initiative in defining what we are accountable for. We are asked to report graduation rates, graduate school admission statistics, scores on standardized tests intended to assess the "value added" of years in college, research dollars, numbers of faculty publications. But such measures cannot themselves capture the achievements, let alone the aspirations of universities. Many of these metrics are important to know, and they shed light on particular parts of our undertaking. But our purposes are far more ambitious and our accountability thus far more difficult to explain.

Let me venture a definition. The essence of a university is that it is uniquely accountable to the past and to the future—not simply or even primarily to the present. A university is not about results in the next quarter; it is not even about who a student has become by graduation. It is about learning that molds a lifetime, learning that transmits the heritage of millennia; learning that shapes the future. A university looks both backwards and forwards in ways that must—that even ought to—conflict with a public's immediate concerns or demands. Universities make commitments to the timeless, and these investments have yields we cannot predict and often cannot measure. Universities are stewards of living tradition—in Widener and Houghton and our 88 other libraries, in the Fogg and the Peabody, in our departments of classics, of history and of literature. We are uncomfortable with efforts to justify these endeavors by defining them as instrumental, as measurably useful to particular contemporary needs. Instead we pursue them in part "for their own sake," because they define what has over centuries made us human, not because they can enhance our global competitiveness.

We pursue them because they offer us as individuals and as societies a depth and breadth of vision we cannot find in the inevitably myopic present. We pursue them too because just as we need food and shelter to survive, just as we need jobs and seek education to better our lot, so too we as human beings search for meaning. We strive to understand who we are, where we came from, where we are going and why. For many people, the four years of undergraduate life offer the only interlude permitted for unfettered exploration of such fundamental questions. But the search for meaning is a never-ending quest that is always interpreting, always interrupting and redefining the status quo, always looking, never content with what is found. An answer simply yields the next question. This is in fact true of all learning, of the natural and social sciences as well as the humanities, and thus of the very core of what universities are about.

By their nature, universities nurture a culture of restlessness and even unruliness. This lies at the heart of their accountability to the future. Education, research, teaching are always about change—transforming individuals as they learn, transforming the world as our inquiries alter our understanding of it, transforming societies as we see our knowledge translated into policies—policies like those being developed at Harvard to prevent unfair lending practices, or to increase affordable housing or avert nuclear proliferation—or translated into therapies, like those our researchers have designed to treat macular degeneration or to combat anthrax. The expansion of knowledge means change. But change is often uncomfortable, for it always encompasses loss as well as gain, disorientation as well as discovery. It has, as Machiavelli once wrote, no constituency. Yet in facing the future, universities must embrace the unsettling change that is fundamental to every advance in understanding.

OUR OBLIGATION TO THE FUTURE

We live in the midst of scientific developments as dramatic as those of any era since the 17th century. Our obligation to the future demands that we take our place at the forefront of these transformations. We must organize ourselves in ways that enable us fully to engage in such exploration, as we have begun to do by creating the Broad Institute, by founding cross-school departments, by launching a School of Engineering and Applied Sciences. We must overcome barriers both within and beyond Harvard that could slow or constrain such work, and we must provide the resources and the facilities—like the new science buildings in both Cambridge and Allston—to support it. Our obligation to the future makes additional demands. Universities are, uniquely, a place of philosophers as well as scientists. It is urgent that we pose the questions of ethics and meaning that will enable us to confront the human, the social and the moral significance of our changing relationship with the natural world.

Accountability to the future requires that we leap geographic as well as intellectual boundaries. Just as we live in a time of narrowing distances between fields and disciplines, so we inhabit an increasingly transnational world in which knowledge itself is the most powerful connector. Our lives here in Cambridge and Boston cannot be separated from the future of the rest of the earth: we share the same changing climate; we contract and spread the same diseases; we participate in the same economy. We must recognize our accountability to the wider world, for, as John Winthrop warned in 1630, "we must consider that we shall be as a city upon a hill. The eyes of all people are upon us."

HARVARD AS A SOURCE AND SYMBOL

Harvard is both a source and a symbol of the ever expanding knowledge upon which the future of the earth depends, and we must take an active and reflective role in this new geography of learning. Higher education is burgeoning around the globe in forms that are at once like and unlike our own. American universities are widely emulated, but our imitators often display limited appreciation for the principles of free inquiry and the culture of creative unruliness that defines us.

The "Veritas" in Harvard's shield was originally intended to invoke the absolutes of divine revelation, the unassailable verities of Puritan religion. We understand it quite differently now. Truth is an aspiration, not a possession. Yet in this we—and all universities defined by the spirit of debate and free inquiry—challenge and even threaten those who would embrace unquestioned certainties. We must commit ourselves to the uncomfortable position of doubt, to the humility of always believing there is more to know, more to teach, more to understand.

The kinds of accountability I have described represent at once a privilege and a responsibility. We are able to live at Harvard in a world of intellectual freedom, of inspiring tradition, of extraordinary resources, because we are part of that curious and venerable organization known as a university. We need better to comprehend and advance its purposes—not simply to explain ourselves to an often critical public, but to hold ourselves to our own account. We must act not just as students and staff, historians and computer scientists, lawyers and physicians, linguists and sociologists, but as citizens of the university, with obligations to this commonwealth of the mind. We must regard ourselves as accountable to one another, for we constitute the institution that in turn defines our possibilities. Accountability to the future encompasses special accountability to our students, for they are our most important purpose and legacy. And we are responsible not just to and for this university, Harvard, in this moment, 2007, but to the very concept of the university as it has evolved over nearly a millennium.

It is not easy to convince a nation or a world to respect, much less support, institutions committed to challenging society's fundamental assumptions. But it is our obligation to make that case: both to explain our purposes and achieve them so well that these precious institutions survive and prosper in this new century. Harvard cannot do this alone. But all of us know that Harvard has a special role. That is why we are here; that is why it means so much to us.

Last week I was given a brown manila envelope that had been entrusted to the University Archives in 1951 by James B. Conant, Harvard's 23rd president. He left instructions that it should be opened by the Harvard president at the outset of the next century "and not before." I broke the seal on the mysterious package to find a remarkable letter from my predecessor. It was addressed to "My dear Sir." Conant wrote with a sense of imminent danger. He feared an impending World War III that would make "the destruction of our cities including Cambridge quite possible." "We all wonder," he continued, "how the free world is going to get through the next fifty years."

HARVARD'S FUTURE

But as he imagined Harvard's future, Conant shifted from foreboding to faith. If the "prophets of doom" proved wrong, if there was a Harvard president alive to read his letter, Conant was confident about what the university would be. "You will receive this note and be in charge of a more prosperous and significant institution than the one over which I have the honor to preside . . . That . . . [Harvard] will maintain the traditions of academic freedom, of tolerance for heresy, I feel sure." We must dedicate ourselves to making certain he continues to be right; we must share and sustain his faith.

Conant's letter, like our gathering here, marks a dramatic intersection of the past with the future. This is a ceremony in which I pledge—with keys and seal and charter—my accountability to the traditions that his voice from the past invokes. And at the same time, I affirm, in compact with all of you, my accountability to and for Harvard's future. As in Conant's day, we face uncertainties in a world that gives us sound reason for disquiet. But we too maintain an unwavering belief in the purposes and potential of this university and in all it can do to shape how the world will look another half century from now. Let us embrace those responsibilities and possibilities; let us share them "knitt together . . . as one;" let us take up the work joyfully, for such an assignment is a privilege beyond measure.

LOSS OF SOUTH CAROLINA STUDENTS

Mr. GRAHAM. Mr. President, as we are confronted by the deep sadness of this tragic loss, may we never lose sight of the life, vitality, and youth that was suddenly taken from us on October 27, 2007, in Ocean Isle, NC. Today and in the difficult days to come, we offer our sincerest condolences to the family and friends of these seven young men and women. The University of South Carolina, Clemson University, and the State of South Carolina feel the immeasurable pain of losing seven of our most precious sons and daughters, and as the family South Carolinians are, we share in your grief and offer our love and support.

Not only do we mourn the loss of sons and daughters, but we mourn the loss of future leaders and scholars, peacemakers and trailblazers, parents and friends. The world was vastly open to these young men and women. I ask others to find the courage and resolve to fulfill their suspended hopes and dreams, ensuring that futures overcome flames and aspirations prevail over ashes.

Though it is grief that connects us now, let it be the spirit of their lives that forever bonds our community. We should honor these students by taking up the load they left for us to carry and seeing their earthly aspirations through to their full fruition.

XV PAN AMERICAN GAMES

Mr. DODD. Mr. President, it is with great pride that I join all of Connecticut in extending congratulations to the many young athletes who competed in the 15th Pan American Games, in Rio de Janeiro, Brazil. For over half a century, these games have brought together athletes from across the Western Hemisphere. This year 5,648 athletes from 49 countries came together in Rio to compete in 38 sports.

The Pan American games, similar to the Olympics, provide us another valuable opportunity to enjoy international athletic competition undertaken for pride and the love of the sport. By participating in the 15th Pan American Games, these young Americans have had an opportunity that few of their fellow Americans ever will—to join in competition with other young people from North, Central, and South America.

I would like to commend the 14 athletes from Connecticut who competed in the games: John Ball, Andrew Bolton, Eliza Cleveland, Reilley Dampeer, Robert Merrick, Alyssa Naeher, Todd Paul, Cara Raether, Geoffrey Rathgeber, Sarah Trowbridge, Karen Scavotto, Cameron Winklevoss, Tyler Winklevoss, Bartosz Wolski. It is with great pleasure and pride that I offer further congratulations to the Connecticut athletes who brought home three gold and five silver medals and one bronze medal. Without a doubt, the nine medals won by Connecticut's athletes contributed to America's overall victory at the 15th Pan American Games. It is my hope that these kinds of events will further unite our hemisphere.

ADDITIONAL STATEMENTS

CELEBRATING THE CENTENNIAL OF THE WAILUKU COURTHOUSE

• Mr. AKAKA. Mr. President, this month, the county of Maui celebrated the centennial anniversary of the historic Wailuku Courthouse. Built in 1907, the Wailuku Courthouse served as the center of the judicial system on Maui for more than 80 years. Today, it is home to Maui County's Department of the Prosecuting Attorney.

The Hawaiian Organic Act, passed by Congress in 1900, created a system of governance for the new Territory of Hawaii. County governments were established along with a territorial court system. The town of Wailuku was selected as the seat of Maui's county government, making it the logical place to construct a new courthouse and other public buildings.

The contract to build the Wailuku Courthouse, at the cost of $23,312.40, was awarded to Angus P. McDonald in September 1907. Construction began the next month and was completed a year later. In 1909, the Honorable Judge Aluwae Noa Kepoikai became the first judge to preside over cases presented in the new Wailuku Courthouse.

As Hawaii and the county of Maui grew, so did the demand for legal services and the needs of the judiciary. In 1988, the State judicial system on Maui moved into a new building, and in 1991, plans were made to gut the courthouse. However, the county of Maui intervened and took control of the courthouse by way of a land swap with the State, saving the historic building and its interior. A $1.8 million restoration followed, and in 1993, Maui's Department of the Prosecuting Attorney moved into the newly renovated courthouse.

The historic courthouse has served the people of Maui for 100 years. The fact that it remains as both a working government building and as an architectural treasure of Hawaii's past is the result of the efforts of the many people who are to be commended and honored as we celebrate the centennial of the Wailuku Courthouse.•

RECOGNIZING MAJOR GENERAL HARRY B. BURCHSTEAD, JR.

• Mr. GRAHAM. Mr. President, today I ask the Senate to join me in recognizing Major General Harry B. Burchstead, Jr. on the occasion of his retirement from the South Carolina Army National Guard. Since entering the United States Army as a commissioned officer through the ROTC program at Clemson University, General Burchstead has remained a dedicated serviceman for his entire career. Immediately after his graduation from Clemson, General Burchstead loyally answered his call of duty and deployed for combat service in the Vietnam War.

After leaving active duty in 1971, General Burchstead went on to pursue his law degree at the University of South Carolina. While in law school, General Burchstead continued his military service by joining the South Carolina Army National Guard in 1972. For the next thirty-five years, General Burchstead proudly served the State of South Carolina as a traditional citizen soldier through many levels of military service.

In 1997, General Burchstead was appointed to serve as the Deputy Adjutant General of South Carolina. In this capacity, he was critical in advising the Adjutant General's oversight of the South Carolina Army and Air National Guard. For six years, General Burchstead's strategic and diligent counsel was integral to the effective military operations of our state's full-time servicemen and women.

As a distinguished leader, General Burchstead was selected to command the 263rd Army Air and Missile Defense Command in 2003. In his role as Commander, General Burchstead led Joint Task Force Cobra in its execution of the Juniper-Cobra Missile Defense Exercise in Israel. Additionally, General Burchstead was successful in commanding the Joint Project Optical Windmill Air and Missile Defense Exercise in Europe, as well as the U.S.-Russian Federation Missile Defense Exercise at Fort Bliss, Texas.

A dedicated patriot, General Burchstead formally retired from the South Carolina Army National Guard on September 30th, 2007. Over his thirty-five years of service General Burchstead has amassed numerous awards and decorations including the Legion of Merit, the Bronze Star Medal with two oak leaf clusters, the Purple Heart, the U.S. Meritorious Service Medal and the Army Commendation Medal. His military career will be forever marked by his selfless devotion and sacrifice to both our country and the State of South Carolina. I wish General Burchstead the very best in his retirement and ask that the United States Senate join me in thanking him for his lifelong career of service.•

CONGRATULATING FLOTATION TECHNOLOGIES

• Ms. SNOWE. Mr. President, I wish to congratulate Flotation Technologies, an extraordinary global leader in the design and production of deepwater buoyancy products from my home State of Maine. Flotation Technologies of Biddeford recently received the Manufacturing Excellence Award from the Maine Manufacturing Extension Partnership, MEP, for "superior manufacturing practices" that have successfully propelled the firm into the international market.

Flotation Technologies creates and manufactures syntactic foam buoyancy and polyurethane elastomer products for the offshore, oceanographic, and seismic industries, as well as for the U.S. military. Founded in 1979, the enterprise has been manufacturing syntactic foam longer than any other company in business today. This year, to meet the company's rapid expansion, Flotation Technologies relocated to a 45,000-square-foot facility in the Biddeford Industrial Park. The new facility will allow Flotation Technologies to install state-of-the-art automated production equipment that will triple production capacity.

This pioneering company makes extraordinarily resilient products for extreme environments. Flotation Technologies' buoys are lowered miles below the ocean surface, where they face up to 10,000 pounds of pressure per square inch, equivalent to the weight of a truck. They are as dense as oak, yet still relatively lightweight, and the buoys can survive under the frigid polar ice in the Arctic and under the searing heat in West Africa. These high-quality products were even relied upon to help shoot the 1997 Oscar-winning blockbuster movie "Titanic."

Flotation Technologies began as a small family enterprise, primarily serving scientists engaged in oceanographic and earthquake research. In

2002, as energy prices rose sharply, interest in offshore exploration grew rapidly. Flotation Technologies' buoyancy products are crucial to support the miles of flexible piping needed to extract resources from the ocean floor. In the last few years, the company has become a major supplier of these products, and most recently, Flotation Technologies won a $4.1 million contract to build buoyancy modules for Frontier Drilling, a Houston oil company.

Expansion into this business has been a rewarding endeavor, and Flotation Technologies is setting its sights on further growth. The firm currently employs 42 people in Maine, and they expect to add at least 10 more employees by the end of the year. Revenues are expected to hit $10.5 million this year, and management is aiming for $30 million in sales within 3 years. Flotation Technologies recently worked with the Maine MEP to develop a strategic business plan that dramatically improved the efficiency of its operations. The Maine MEP is part of a nationwide network of technical, manufacturing, and business specialists linked together through the U.S. Department of Commerce. By implementing the Maine MEP's streamlining techniques, the company was able to double sales for 2006.

Despite such impressive growth, Flotation Technologies has remained in the hands of a tightly-knit group of family members. Tim Cook, the current president, is the son of the company's founder, David Cook. As Tim notes, his family has "put it all on the line" for this venture for nearly 30 years. I congratulate Tim and his family on their success and wish them well in the years to come. Their dedicated entrepreneurial spirit is very much a part of what makes our Nation great, and I am proud to have them in my home State of Maine.●

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 2295. An act to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 2264. A bill to amend the Internal Revenue Code of 1986 to extend for 2 years the tax-free distributions from individual retirement plans for charitable purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3794. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Oriental Fruit Fly; Addition and Removal of Quarantined Areas in California" (Docket No. APHIS–2006–0151) received on October 26, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3795. A communication from the Administrator, Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Common Crop Insurance Regulations; Fresh Market Sweet Corn Crop Insurance Provisions" (RIN0563–AC02) received on October 26, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3796. A communication from the Director of Defense Research and Engineering, Department of Defense, transmitting, pursuant to law, notification of the Department's intent to fund Foreign Comparative Testing projects during fiscal year 2008; to the Committee on Armed Services.

EC–3797. A communication from the Under Secretary for Industry and Security, Department of Commerce, transmitting, pursuant to law, a report relative to the Department's intent to impose new foreign policy-based export controls on certain persons in Burma; to the Committee on Banking, Housing, and Urban Affairs.

EC–3798. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Global Terrorism Sanctions Regulations; Terrorism Sanctions Regulations; Foreign Terrorist Organizations Sanctions Regulations" (31 CFR Parts 594, 595, and 597) received on October 25, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–3799. A communication from the Chairman, Board of Governors, Federal Reserve System, transmitting, pursuant to law, a report relative to credit availability for small businesses; to the Committee on Banking, Housing, and Urban Affairs.

EC–3800. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Department's view on the Sudan Accountability and Divestment Act; to the Committee on Banking, Housing, and Urban Affairs.

EC–3801. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Member Inspection of Credit Union Books, Records, and Minutes" (RIN3133–AD33) received on October 29, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–3802. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Share Insurance Appeals; Clarification of Enforcement Authority of NCUA Board" (12 CFR Parts 745 and 747) received on October 29, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–3803. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Final Rule Amending the Sudanese Sanctions Regulations to Implement Executive Order 13412" (31 CFR Part 538) received on October 26, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–3804. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (72 FR 57245) received on October 26, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–3805. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (72 FR 57241) received on October 26, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–3806. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving the export of thirty Boeing 737–900ER passenger aircraft to Indonesia; to the Committee on Banking, Housing, and Urban Affairs.

EC–3807. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" (72 FR 58020) received on October 26, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–3808. A communication from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, a biennial report relative to the use of federal assistance provided to the states and Interstate Marine Fisheries Commissions; to the Committee on Commerce, Science, and Transportation.

EC–3809. A communication from the Acting General Counsel, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Safety Standard for Automatic Residential Garage Door Operators" (RIN3041–AC42) received on October 25, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3810. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Commercial Equipment: Distribution Transformers Energy Conservation Standards" (RIN1904–AB08) received on October 26, 2007; to the Committee on Energy and Natural Resources.

EC–3811. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled, "The Potential Benefits of Distributed Generation and the Rate-Related Issues that May Impede its Expansion"; to the Committee on Energy and Natural Resources.

EC–3812. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Annual Pension Plan, etc., Cost-of-Living Adjustments for 2008" (Notice 2007–87) received on October 25, 2007; to the Committee on Finance.

EC–3813. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, an interim feasibility report and environmental impact statement relative to several levee projects; to the Committee on Environment and Public Works.

EC–3814. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Hague Convention on Intercountry Adoption; Intercountry Adoption Act of 2000; Consular Office Procedures in Convention Cases"

(RIN1400–AC40) received on October 26, 2007; to the Committee on Foreign Relations.

EC–3815. A communication from the Deputy Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, an erratum notice relative to a report on the employment of an adequate number of Americans during 2006 by the United Nations; to the Committee on Foreign Relations.

EC–3816. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Government of Cuba's compliance with several agreements made between it and the United States; to the Committee on Foreign Relations.

EC–3817. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2007–213–2007–220); to the Committee on Foreign Relations.

EC–3818. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Default Investment Alternatives under Participant Directed Individual Account Plans" (RIN1210–AB10) received on October 25, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–3819. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Management Costs, Interim Final Rule" ((RIN1660–AA21)(FEMA–2006–0035)) received on October 25, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3820. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–133, "Bank Charter Modernization Amendment Act of 2007" received on October 26, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3821. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–132, "Child's Right to Nurse Human Rights Amendment Act of 2007" received on October 26, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3822. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–131, "Homestead Housing Preservation Amendment Act of 2007" received on October 26, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3823. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–164, "District of Columbia Free Clinic Captive Insurance Company Establishment Temporary Act of 2007" received on October 26, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3824. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–165, "Energy Efficiency Standards Act of 2007" received on October 26, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3825. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–163, "Closing of a Public Alley in Square 452, S.O. 06–1034 Act of 2007" received on October 26, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3826. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–162, "Quality Teacher Incentive Clarification Act of 2007" received on October 26, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3827. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–134, "Closing of a Portion of 8th Street, S.E., and the Public Alley in Squares 5956 and W–5956, S.O. 05–4555, Act of 2007" received on October 26, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3828. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, the report of action on a nomination for the position of Principal Deputy Director of National Intelligence, received on October 25, 2007; to the Select Committee on Intelligence.

EC–3829. A communication from the White House Liaison, Office of Justice Programs, Department of Justice, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer for the position of Assistant Attorney General, received on October 25, 2007; to the Committee on the Judiciary.

EC–3830. A communication from the Administrator, Small Business Administration, transmitting, pursuant to law, a report relative to the Administration's Strategic Plan for fiscal years 2008 to 2013; to the Committee on Small Business and Entrepreneurship.

EC–3831. A communication from the Assistant Secretary for Administration and Management, Office of the Chief Financial Officer, Department of Labor, transmitting, pursuant to law, the report of a nomination for the position of Chief Financial Officer, received on October 25, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–3832. A communication from the Assistant Secretary for Administration and Management, Bureau of Labor Statistics, Department of Labor, transmitting, pursuant to law, the report of a nomination and designation of an acting officer for the position of Commissioner of Labor Statistics, received on October 25, 2007; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 2271. An original bill to authorize State and local governments to divest assets in companies that conduct business operations in Sudan, to prohibit United States Government contracts with such companies, and for other purposes (Rept. No. 110–213).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BIDEN for the Committee on Foreign Relations.

*Daniel D. Heath, of New Hampshire, to be United States Alternate Executive Director of the International Monetary Fund for a term of two years.

*Sean R. Mulvaney, of Illinois, to be an Assistant Administrator of the United States Agency for International Development.

*Patrick Francis Kennedy, of Illinois, a Career Member of the Senior Foreign Service, Class of Career Minister, to be an Under Secretary of State (Management).

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. KLOBUCHAR (for herself and Ms. MIKULSKI):

S. 2267. A bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for eldercare expenses; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Ms. MIKULSKI):

S. 2268. A bill to require issuers of long term care insurance to establish third party review processes for disputed claims; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHNSON (for himself and Mr. THUNE):

S. 2269. A bill to reauthorize the Mni Wiconi Rural Water Supply Project; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself and Mr. COCHRAN):

S. 2270. A bill to include health centers in the list of entities eligible for mortgage insurance under the National Housing Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DODD:

S. 2271. An original bill to authorize State and local governments to divest assets in companies that conduct business operations in Sudan, to prohibit United States Government contracts with such companies, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mr. VITTER:

S. 2272. A bill to designate the facility of the United States Postal Service known as the Southpark Station in Alexandria, Louisiana, as the John "Marty" Thiels Southpark Station, in honor and memory of Thiels, a Louisiana postal worker who was killed in the line of duty on October 4, 2007; to the Committee on Homeland Security and Governmental Affairs.

By Mr. AKAKA (by request):

S. 2273. A bill to enhance the functioning and integration of formerly homeless veterans who reside in permanent housing, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BIDEN (for himself, Mr. GRASSLEY, Mr. DURBIN, and Mrs. FEINSTEIN):

S. 2274. A bill to amend the Controlled Substances Act to prevent the abuse of dextromethorphan, and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 2275. A bill to prohibit the manufacture, sale, or distribution in commerce of certain children's products and child care articles that contain phthalates, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DODD (for himself, Mr. VOINOVICH, and Mr. WARNER):

S. 2276. A bill to enhance United States competitiveness in aeronautics, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SMITH (for himself, Mr. KOHL, and Mrs. FEINSTEIN):

S. 2277. A bill to amend the Internal Revenue Code of 1986 to increase the limitation on the issuance of qualified veterans' mortgage bonds for Alaska, Oregon, and Wisconsin and to modify the definition of qualified veteran; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. OBAMA, and Mr. SCHUMER):

S. 2278. A bill to improve the prevention, detection, and treatment of community and healthcare-associated infections (CHAI), with a focus on antibiotic-resistant bacteria; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BIDEN (for himself and Mr. LUGAR):

S. 2279. A bill to combat international violence against women and girls; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. McCONNELL (for himself, Mr. REID, and Mr. BENNETT):

S. Res. 361. A resolution to permit the collection of donations in Senate buildings to be sent to United States military personnel on active duty overseas participating in or in support of Operation Iraqi Freedom, Operation Enduring Freedom, and the war on terrorism; considered and agreed to.

By Mr. HARKIN (for himself and Mr. CHAMBLISS):

S. Res. 362. A resolution recognizing 2007 as the year of the 100th Anniversary of the American Society of Agronomy; considered and agreed to.

ADDITIONAL COSPONSORS

S. 367

At the request of Mr. DORGAN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 367, a bill to amend the Tariff Act of 1930 to prohibit the import, export, and sale of goods made with sweatshop labor, and for other purposes.

S. 450

At the request of Ms. STABENOW, her name was added as a cosponsor of S. 450, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

At the request of Mr. ENSIGN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 450, supra.

S. 667

At the request of Mrs. CLINTON, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 667, a bill to expand programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and for other purposes.

S. 694

At the request of Mrs. CLINTON, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 694, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of light motor vehicles, and for other purposes.

S. 714

At the request of Mr. AKAKA, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 714, a bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally.

S. 773

At the request of Mr. WARNER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 773, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 803

At the request of Mr. ROCKEFELLER, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 803, a bill to repeal a provision enacted to end Federal matching of State spending of child support incentive payments.

S. 887

At the request of Mrs. FEINSTEIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 887, a bill to restore import and entry agricultural inspection functions to the Department of Agriculture.

S. 1060

At the request of Mr. BIDEN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1060, a bill to reauthorize the grant program for reentry of offenders into the community in the Omnibus Crime Control and Safe Streets Act of 1968, to improve reentry planning and implementation, and for other purposes.

S. 1164

At the request of Mr. CARDIN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1164, a bill to amend title XVIII of the Social Security Act to improve patient access to, and utilization of, the colorectal cancer screening benefit under the Medicare Program.

S. 1356

At the request of Mr. BROWN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1356, a bill to amend the Federal Deposit Insurance Act to establish industrial bank holding company regulation, and for other purposes.

S. 1782

At the request of Mr. FEINGOLD, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1782, a bill to amend chapter 1 of title 9 of United States Code with respect to arbitration.

S. 1876

At the request of Mr. BIDEN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1876, a bill to prohibit extraterritorial detention and rendition, except under limited circumstances, to modify the definition of "unlawful enemy combatant" for purposes of military commissions, to extend statutory habeas corpus to detainees, and for other purposes.

S. 1880

At the request of Mr. KERRY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1880, a bill to amend the Animal Welfare Act to prohibit dog fighting ventures.

S. 1958

At the request of Mr. CONRAD, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 1958, a bill to amend title XVIII of the Social Security Act to ensure and foster continued patient quality of care by establishing facility and patient criteria for long-term care hospitals and related improvements under the Medicare program.

S. 2050

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2050, a bill to amend title II of the Social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes.

S. 2063

At the request of Mr. CONRAD, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2063, a bill to establish a Bipartisan Task Force for Responsible Fiscal Action, to assure the economic security of the United States, and to expand future prosperity and growth for all Americans.

S. 2119

At the request of Mr. JOHNSON, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2119, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 2143

At the request of Mr. KOHL, the name of the Senator from South Dakota (Mr.

JOHNSON) was added as a cosponsor of S. 2143, a bill to amend the Elementary and Secondary Education Act to establish a program to improve the health and education of children through grants to expand school breakfast programs, and for other purposes.

S. 2172

At the request of Mr. MCCAIN, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 2172, a bill to impose sanctions on officials of the State Peace and Development Council in Burma, to prohibit the importation of gems and hardwoods from Burma, to support democracy in Burma, and for other purposes.

S. 2213

At the request of Mr. HATCH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2213, a bill to amend title 18, United States Code, to improve prevention, investigation, and prosecution of cyber-crime, and for other purposes.

S. 2219

At the request of Mr. DURBIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 2219, a bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare Program.

S. 2262

At the request of Mr. DOMENICI, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2262, a bill to authorize the Preserve America Program and Save America's Treasures Program, and for other purposes.

S. RES. 334

At the request of Mr. LUGAR, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. Res. 334, a resolution expressing the sense of the Senate regarding the degradation of the Jordan River and the Dead Sea and welcoming cooperation between the peoples of Israel, Jordan, and Palestine.

S. RES. 356

At the request of Mr. DURBIN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. Res. 356, a resolution affirming that any offensive military action taken against Iran must be explicitly approved by Congress before such action may be initiated.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. STABENOW (for herself and Mr. COCHRAN):

S. 2270. A bill to include health centers in the list of entities eligible for mortgage insurance under the National Housing Act; to the Committee on Banking, Housing, and Urban Affairs.

Ms. STABENOW. Mr. President, today I am pleased to introduce the Community Health Center Capital Investment Act. I also thank my colleague, Senator THAD COCHRAN of Mississippi, for joining me in sponsoring this critical legislation. Health centers in both our states are committed to serving more people, and our legislation will give them a little help to do just that.

One of our most important investments in our health-care system is funding the Community Health Center program. According to the National Association of Community Health Centers, health centers provide comprehensive primary and preventive care to over 16 million people—including nearly 7 million uninsured—each year in more than 6,000 urban and rural communities.

One of my initial pledges when I first ran for the Senate was to increase the number of community health centers in Michigan. Since I became a Senator, there are new 15 community health centers or access points in Michigan. I am also so pleased to have had the support of so many of my colleagues in increasing funding for community health center grants. This year, 64 Senators signed the Stabenow-Bond funding request, and we were pleased that the Senate Labor-HHS-Education Appropriations bill will provide an additional $250 million increase for community health centers. This increased funding will help reach nearly 2 million people next year.

But even as we provide assistance to community health centers for operations, we cannot forget their capital needs such as renovating older buildings, purchasing new equipment, and investing in health information technology. But in general, without specific authorization in Federal law, health centers cannot use current grant dollars for construction, modernization, or expansion of facilities.

According to NACHC, one out of three health centers currently operates in buildings that are 30 years old or older. The average cost of a facility project is estimated to be $2.3 million. Many centers borrow funds for these purposes at rates that could be, and should be, lower.

Kim Sibilsky, the executive director of the Michigan Primary Care Association, wrote me: "The majority of Michigan's 34 community Health Center organizations were founded in the middle and late 1970s, and many of their 160 community-based sites are located in facilities that require renovation to meet the changing health care needs of their communities. More readily available renovation dollars will assist Michigan Health Centers in improving access to quality health care for Michigan residents."

One simple solution would be granting access for community health centers to use the facility assistance programs at the Department of Housing and Urban Development. If health centers were able to access HUD's loan guarantee and mortgage insurance program through the Title XI Small Medical Group Facilities Program, they would have an important tool with which to address facility concerns.

The legislation we are introducing today is a small clarification to the Title XI Program to ensure that health centers can obtain mortgage insurance under the program. But this small change will have a huge reward for our safety-net providers. It will allow them to lower the interest rate on the money they borrow, and therefore lower the cost of the project for the center. This savings will be translated directly to increased patient care.

I ask unanimous consent that a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be placed in the RECORD, as follows:

NATIONAL ASSOCIATION OF
COMMUNITY HEALTH CENTERS, INC.,
October 25, 2007.

Hon. DEBBIE STABENOW,
Hart Senate Office Building,
Washington, DC
Hon. THAD COCHRAN,
Dirksen Senate Office Building,
Washington, DC

DEAR SENATOR STABENOW AND SENATOR COCHRAN: On behalf of the National Association of Community Health Centers, the advocate voice for our nation's Community, Migrant, Public Housing and Homeless Health Centers and the 16 million patients they serve, I am writing to offer our strong endorsement of your bipartisan legislation the "Community Health Center Capital Investment Act."

America's Health Centers commend you for your leadership in introducing this important legislation to expand access to federal grants for capital improvements in the nation's 1,100 federally qualified health centers. As the health care home for 16 million people in more than 6,000 urban and rural locations, health centers provide high quality, comprehensive primary and preventive care for children and adults. Each year as the number of patients served at health centers continues to increase, so will the need for modernization and construction of new health center facilities.

Your proposal is a significant step forward toward improving access to primary health care across the country. A recent survey in twelve states found that nearly two-thirds of health centers need to expand or modernize their current buildings, while some areas need to construct new facilities to treat the growing number of patients in their communities. Today, health centers have limited access to federal grants for facility improvements and struggle to raise sufficient capital to meet the $2.3 million average cost of facility projects. By ensuring that health centers have access to the Housing and Urban Department's loan guarantee and mortgage insurance program through the Title XI Small Medical Group Facilities Program, health centers will have an important tool to address these facility concerns.

We greatly applaud your legislation to ensure that the nation's health centers will be authorized to access HUD's loan guarantee and mortgage insurance programs for the construction, modernization and expansion of their facilities. Your leadership on this issue will significantly improve the health and well-being of our nation's medically underserved.

Again, thank you for your sponsorship of the "Community Health Center Capital Investment Act." America's Health Centers are proud to endorse your legislation and offer their active support in helping to secure its enactment.

Sincerely,

CRAIG A. KENNEDY, MPH,
Associate Vice President, Federal and State Affairs.

Mr. COCHRAN. Mr. President, community health centers provide care for over 15 million patients nationwide each year and are a critical part of our country's health care network. Many of these centers operate out of buildings that are in need of modernization or expansion. Current law limits access to federal funds to community health centers for any type of construction, modernization, or expansion. Therefore, the only funds available to community health centers for facilities are through congressionally directed spending.

We are introducing a bill today to include community health centers as eligible recipients for funding through the Department of Housing and Urban Development's Small Medical Group Facilities Program. Under this competitive program, community health centers will be able to access loan guarantees and mortgage insurance, thus giving them a tool to address their facility concerns and by doing so, better serve their patients.

I am pleased to offer this legislation that will help improve access to and quality of community health center care.

By Mr. BIDEN (for himself, Mr. GRASSLEY, Mr. DURBIN, and Mrs. Feinstein):

S. 2274. A bill to amend the Controlled Substances Act to prevent the abuse of dextromethorphan, and for other purposes; to the Committee on the Judiciary.

Mr. BIDEN. Mr. President, "Robotripping," ingesting large amounts of cough suppressants containing a common over-the-counter ingredient called Dextromethorphan, or "DXM," is a dangerous, potentially lethal, threat to our Nation's children. That is why today I am introducing the Dextromethorphan Abuse Reduction Act of 2007, which takes significant steps towards countering this alarming problem.

DXM is a cough suppressing ingredient found in many over-the-counter products. While DXM is safe at the recommended dosage, it can produce a hallucinogenic effect similar to that of PCP if ingested in abnormally high doses. Because many drugs containing DXM are legal and widely available over-the-counter, too many teens have the perception that they are not dangerous regardless of the amount ingested. Nothing could be further from the truth; overdosing on DXM can cause a rapid heartbeat, high blood pressure, seizures, brain damage, elevated body temperatures, and even death.

Recent studies reveal troubling rates of DXM abuse. The number of reported cases in California has increased tenfold since 1999 and experts believe that this mirrors national trends. Moreover, the Partnership for a Drug-Free America estimates that 2.4 million teens—1 in 10—got high on over-the-counter cough medicines in 2005. Children ages 9 to 17 are the fastest growing group of DXM abusers. Indeed, the latest Monitoring the Future survey revealed that nearly 7 percent—or one in about every 14—12th graders reported abusing cough or cold medicines to get high during the past year. Mr. President, these shocking numbers speak for themselves.

To be certain, this is not the first time we have seen the abuse of over-the-counter medications. As you will recall, we spent much of the 109th Congress debating how to address the dangers posed by pseudoephedrine, which can be used to manufacture methamphetamine. We passed the Combat Methamphetamine Epidemic Act of 2005, which took the important step of moving medications containing pseudoephedrine behind the counter and closely regulating their sales. While this move was controversial at the time among those who believed it imposed an unnecessary inconvenience on law-abiding Americans, it has worked: domestic manufacture of methamphetamine has been reduced dramatically and there is no indication that people who legitimately need medicines containing pseudoephedrine are not receiving them.

My bill takes two key steps to combat the abuse of medicines containing DXM. First, it regulates bulk DXM—the powder that has not been combined with any other ingredients—by placing it in Schedule V of the Controlled Substances Act. Cough medicine with codeine is also a Schedule V substance. This gives DEA the authority to monitor and control DXM in its unfinished form. While DXM-containing commercial end-products like Robitussin and Coricidin Cough and Cold will not be scheduled, the bill requires that any would-be purchaser of a DXM-containing product be 18 years of age, a move that many grocery stores and pharmacies have already voluntarily taken.

Second, and equally important in my view, the bill infuses substantial funding into efforts to raise public awareness about the problem of prescription and over-the-counter drug abuse, and it establishes coordinated efforts to educate teens and parents about medicine abuse. I have always said that tough enforcement efforts must be coupled with equally tough prevention and treatment measures. Prevention is a key component to solving the problem of rising medicine abuse, and my bill provides robust funding for educational television advertisements, community awareness and prevention programs, and targeted grants made available to local community coalitions to develop comprehensive strategies to reverse the rise in medicine abuse in a particular community.

Senators GRASSLEY, DURBIN, and FEINSTEIN are original cosponsors of the legislation. The bill is also supported by a number of retail organizations including the National Association of Chain Drug Stores, NACDS, the Consumer Healthcare Products Association, CHPA, and the Food Marketing Institute, FMI. The Community Anti-Drug Coalition of America, CADCA, and the Partnership for a Drug-Free America also support the bill.

I would like to thank Senators GRASSLEY, FEINSTEIN, and DURBIN for their support on this and many other important drug issues facing our country, and I hope all members of this body will join us in this effort and support this bill.

Mr. GRASSLEY. Mr. President, I am pleased to join my colleague, Senator BIDEN, in introducing the Dextromethorphan Abuse Reduction Act of 2007. As senior members of the U.S. Senate, and as chairman and co-chairman of the Senate Caucus on International Narcotics Control, we have seen firsthand how trends in drug abuse have changed over the years and we have worked to provide effective solutions to the drug problem whether the matter is foreign or domestic.

Together, we have been monitoring the recent reports in the media and in the health community detailing new and emerging trends in drug abuse among teens. The reports have established that the fastest rising area of drug abuse among teens is the abuse of prescription drugs that are available in the drug cabinets of parents, family, and friends. These reports indicate that there is also a trend among teens to abuse nonprescription cough and cold medicines that are available without a prescription, over the counter, OTC, at pharmacies and grocery stores across the country. These trends highlight a new danger to America's youth as these products are readily available and are often times perceived to be safe even if used outside their intended use. We cannot afford to ignore this trend and need to ensure that we are doing all we can to protect our kids. If we don't address this problem now, the use of prescription drugs and OTC cough and cold medicines could become more prevalent than the use of traditional illegal narcotics such as marijuana, cocaine, heroin, and methamphetamine.

To illustrate this point, the 2006 University of Michigan annual survey of U.S. adolescents found that while illicit drug use among teens is down, use and abuse of prescription drugs remains high. This includes the abuse of powerful painkillers such as OxyContin and Vicodin. Another survey by the Partnership for a Drug Free America released just last year also found similar results stating that 1 in 5 teens admitted to abusing prescription drugs.

These surveys also included new questions on nonprescription drugs. The University of Michigan survey found that nearly 1 in 14 12th grade students had used nonprescription drugs to get high. The Partnership for a Drug Free America also found that nearly 10 percent of teens have abused cold and cough medicines that contain dextromethorphan or DXM, the active ingredient in OTC cough suppressants. Taken together, these surveys are further evidence that abuse of both prescription and nonprescription OTC drugs is more common than abuse of many illicit drugs. As such, it is our duty to ensure that the laws on the books are adequate to address the new trends in drug abuse.

Of particular concern to me is the abuse of medicines that are available OTC because of how prevalent these products are. Further, many parents may not know about the abuse of such products. For instance, many parents have never heard of dextromethorphan or DXM and are unaware that there is a problem with the abuse of this drug. For those unfamiliar, DXM is the main active ingredient in a number of OTC products, primarily in cough medicines. DXM is the active ingredient and is generally available in two forms, a "finished dosage form" and an "unfinished dosage form". Finished dosage form means a product contains DXM and other inactive ingredients that are approved for human use, such as cough and cold syrups and pills. Unfinished dosage form refers to the raw chemical DXM in any concentrated amount that is not in finished dosage form for consumption. Unfinished DXM is generally not available at local pharmacies and grocery stores; however, it is available over the Internet and finding its way into our communities. Because both forms, finished and unfinished, are readily available to teens, we need to ensure that reasonable controls are put in place to ensure that access to DXM is limited to those who need the products for true medicinal purposes.

So why regulate DXM at all? Aside from the increasing number of teens abusing the product, the potential dangers are cause enough. Abuse of DXM produces a hallucinogenic effect similar to that of PCP or LSD. To get this effect, teens must often ingest large quantities of DXM and given the uncertain dosage to reach this hallucinogenic effect, overdosing on the product is a real danger. If an overdose occurs, the effects can include an irregular heartbeat, elevated blood pressure, seizures, brain damage, and even death. In fact, both the Food and Drug Administration, FDA, and the Substance Abuse and Mental Health Services Administration, SAMSHA, have posted warnings about the abuse of DXM in OTC finished dosage form and the unfinished dosage powdered form that kids are obtaining over the Internet.

Because of these dangers that abuse and overdose pose, we are here today introducing legislation that will place reasonable restrictions on the sale of DXM. The Dextromethorphan Abuse Reduction Act of 2007 strikes the appropriate balance of regulating access to DXM and products that contain DXM for those under 18 years old while making sure these products remain available for those who have a legitimate medical need.

First, our legislation will regulate the sale of unfinished DXM by placing it on Schedule V of the Controlled Substances Act. This is the tier of the controlled substances list that currently regulates other forms of cough syrup that contains codeine. As a Schedule V product, DXM will be regulated by the Drug Enforcement Administration, DEA, and will allow the Attorney General to regulate the sale of unfinished DXM over the Internet.

Second, the legislation provides civil penalties for retailers who knowingly or intentionally sell DXM in finished dosage form to an individual under the age of 18. This requirement will ensure that stores and retailers sell products containing DXM in a responsible manner. However, to ensure that retailers are not improperly fined, the bill contains an affirmative defense for those who are presented false or fraudulent identification. The bill also provides the Attorney General the authority to tier the scheduled fines to reduce the penalties for retailers who provide an effective employee training program.

Lastly, this legislation provides vital funding to three important programs for the prevention of abuse of prescription and nonprescription drugs. The legislation authorizes funding to the National Youth Anti-Drug Media Campaign for education to children under age 18 about the dangers of prescription and OTC drug abuse. I have been an outspoken critic about the National Youth Anti-Drug Media Campaign's latest efforts; however, there is a clear need for further education to parents and communities across the country about the dangers of prescription drug abuse and the abuse of nonprescription drugs such as DXM. These funds should help provide an immediate impact in informing parents of the danger that can be found in a medicine cabinet at home.

This bill also authorizes funding for the Community Anti-Drug Coalitions of America, CADCA, to provide education to children under 18 about prescription and OTC drug abuse. It also creates a small federal grant program under SAMHSA at the Department of Health and Human Services to provide communities across the country funding if they demonstrate a major prescription or OTC drug problem and have an effective strategy to deal with that problem.

This legislation is part of an ongoing effort to prevent the abuse of DXM, along with other nonprescription and prescription drugs. This legislation is supported by number of groups including the National Association of Chain Drug Stores, NACDS, the Food Marketing Institute, FMI, their member organizations, and the Community Anti-Drug Coalitions of America among others. I urge my colleagues to support this important legislation and help prevent the abuse of prescription and OTC drugs.

By Mrs. FEINSTEIN:

S. 2275. A bill to prohibit the manufacture, sale, or distribution in commerce of certain children's products and child care articles that contain phthalates, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mrs. FEINSTEIN. Mr. President, I rise to introduce legislation to ban the use of phthalates in toys.

This legislation will ban the use of six types of phthalates in toys, which are linked to birth defects. Phthalates are plasticizing chemicals used in a variety of everyday products, including cosmetics, nail polish, paint, and shower curtains. Alarmingly, they are used in a variety of children's toys, such as rubber ducks, teething rings, and bath toys.

This legislation will ban the manufacture, sale or distributions of toys and childcare articles that contain more than .1 percent of DEHP, DBP, or BBP.

It will also ban the manufacture, sale, or distribution of toys and childcare articles for use by children 3 years old or younger that contain more than .1 percent of DINP, DIDP, or DnOP.

It clearly states that phthalates cannot be replaced with other dangerous chemicals identified by the Environmental Protection Agency as carcinogens, possible carcinogens, or chemicals that cause reproductive or developmental harm.

Phthalates are used in a variety of PVC, polyvinyl chloride, plastic products to make them soft and pliable. Phthalates are not chemically bonded to PVC molecules. When a child places a plastic toy with phthalates into his or her mouth, these phthalates leach out of the plastic product and into the child's system.

Phthalates are found in many common children's toys: rubber ducks, soft bath books, teethers, and even dolls. In 2006, the San Francisco Chronicle sent 16 common children's toys to a Chicago lab for testing to see if they exceeded the .1 percent limit proposed in this legislation. The results should alarm parents everywhere. One teether contained a phthalate at five times the proposed limit. A rubber duck sold at Walgreens had 13 times the proposed limit of DEHP, a carcinogenic phthalate. The face of a popular doll contained double the proposed phthalate limit.

While the science is still evolving, we know that exposure to phthalates can cause serious long-term health effects. Phthalates interfere with the natural functioning of the hormone system, and can cause reproductive abnormalities, many resulting from low levels of testosterone.

In 2005, Dr. Shanna Swan of the University of Rochester School of Medicine found that pregnant women with high levels of phthalates in their urine were more likely to give birth to boys with a birth defect that is a key indicator of low testosterone levels.

Men with high phthalate levels have lower sperm counts and damaged sperm DNA.

Phthalate exposure has also been linked to premature birth and the early onset of puberty. They may be a factor in some cancers.

Young children, whose bodies are still growing and developing, are particularly vulnerable when exposed to phthalates in the toys around them.

In the face of this troubling science, at least 14 other nations have acted to ban or restrict the use of phthalates in children's products. Examples include: the European Union's ban, upon which this legislation is modeled, has been in effect since 2006; the Argentina Ministry of Health imposed a ban in 1999; and Japan banned toys containing DEHP and DINP intended to be put in the mouth of children up to the age of 6.

My home State of California recently became the first state to ban phthalates in toys and other products intended for children. California parents will now know that the toys they give their children are not placing them at risk for serious health problems.

It is time for the rest of the country to follow the lead of California, the European Union, and other nations. Without action, the U.S. risks becoming a dumping ground for phthalate laden toys that cannot legally be sold elsewhere. American children deserve better.

Opponents of this ban will argue that we cannot safely replace phthalates, and that these replacements could place children at an even greater risk. The experience in the European Union certainly suggests otherwise.

Facing the phthalate ban, European manufacturers began to develop alternatives. Danisco, a Danish company, has introduced a phthalate alternative that has been approved for use in both the U.S. and the European Union.

Manufacturers have found ways to make safe, phthalate free toys for European Union children, and there is no reason that they should not do the same for American children.

There is much we do not know about the chemicals that surround us. Evidence is demonstrating that phthalates are posing a risk to children. I strongly believe that products not known to be safe should not be in the hands and mouths of children.

I urge my colleagues to support this legislation, and to provide all American children with the same safe toys available in Europe and California.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Children's Chemical Risk Reduction Act of 2007".

SEC. 2. BAN ON CERTAIN PRODUCTS CONTAINING PHTHALATES.

(a) FINDINGS.—Congress finds that—

(1) phthalates are a class of chemicals used in polyvinyl chloride (PVC) plastic to improve flexibility and in cosmetics to bind fragrance to the product and are used in many products intended for use by young children, including, teethers, toys, and soft plastic books; and

(2) there is extensive scientific literature reporting the hormone-disrupting effects of phthalates and substantial evidence of phthalates found in humans at levels associated with adverse effects.

(b) BANNED HAZARDOUS SUBSTANCE.—Effective January 1, 2009, any children's product or child care article that contains a phthalate shall be treated as a banned hazardous substance under the Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) and the prohibitions contained in section 4 of such Act shall apply to such product or article.

(c) PROHIBITION ON USE OF CERTAIN ALTERNATIVES TO PHTHALATES IN CHILDREN'S PRODUCTS AND CHILD CARE ARTICLES.—

(1) IN GENERAL.—If a manufacturer modifies a children's product or child care article that contains a phthalate to comply with the ban under subsection (b), such manufacturer shall—

(A) use an alternative to phthalates that is the least toxic; and

(B) not use any of the prohibited alternatives to phthalates described in paragraph (2).

(2) PROHIBITED ALTERNATIVES TO PHTHALATES.—The prohibited alternatives to phthalates described in this paragraph are the following:

(A) Carcinogens rated by the Environmental Protection Agency as Group A, Group B, or Group C carcinogens.

(B) Substances described in the List of Chemicals Evaluated for Carcinogenic Potential of the Environmental Protection Agency as follows:

(i) Known to be human carcinogens.

(ii) Likely to be human carcinogens.

(iii) Suggestive of being human carcinogens.

(C) Reproductive toxicants identified by the Environmental Protection Agency that cause any of the following:

(i) Birth defects.

(ii) Reproductive harm.

(iii) Developmental harm.

(d) DEFINITIONS.—As used in this Act—

(1) the term "children's product" means a toy or any other product designed or intended by the manufacturer for use by a child;

(2) the term "child care article" means all products designed or intended by the manufacturer to facilitate sleep, relaxation, or the feeding of children, or to help children with sucking or teething; and

(3) the term "children's product or child care article that contains a phthalate" means—

(A) a children's product or a child care article any part of which contains any combination of di-(2-ethylhexyl) phthalate (DEHP), dibutyl phthalate (DBP), or benzyl butyl phthalate (BBP) in concentrations exceeding 0.1 percent; and

(B) a children's product or a child care article intended for use by a child less than 3 years of age that—

(i) can be placed in a child's mouth; and

(ii)(I) contains any combination of diisononyl phthalate (DINP), diisodecyl phthalate (DIDP), or di-n-octyl phthalate (DnOP), in concentrations exceeding 0.1 percent; or

(II) contains any combination of di-(2-ethylhexyl) phthalate (DEHP), dibutyl phthalate (DBP), benzyl butyl phthalate (BBP), diisononyl phthalate (DINP), diisodecyl phthalate (DIDP), or di-n-octyl phthalate (DnOP), in concentrations exceeding 0.1 percent.

By Mr. DODD (for himself, Mr. VOINOVICH, and Mr. WARNER):

S. 2276. A bill to enhance United States competitiveness in aeronautics, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. DODD. Mr. President, I rise today to introduce the Aeronautics Competitiveness Act of 2007 with my colleagues, Senators VOINOVICH and WARNER.

Since the Wright brothers first flew at Kill Devil Hills, aeronautics has been an iconic American industry. The ability to fly is no less remarkable because it has now become commonplace; and in fact, that a flight across the country is now routine is a wonder in itself. Very few advances have had the national and global impact of the progress of aeronautics, and at the core of those advances has been a robust tradition of American ingenuity and production.

The challenges in aeronautics continue to shift. The air traffic control system is under strain, and my colleagues on the Commerce Committee have worked diligently this year to chart the path for a complete overhaul of the system. There are environmental pressures the industry has not faced before, including pressure to reduce greenhouse gas emissions. At the same time, new sectors of the business, including light jets, show the potential for astonishing growth. All of these challenges require significant technology advances, and a significant investment in research.

We find ourselves at a crossroads. The European Union has written a report entitled "European Aeronautics: A Vision for 2020." I can summarize the vision: it is to supplant the U.S. as the global leader in aeronautics in the next 13 years. Toward that goal, the E.U. is investing about $860 million per year at today's exchange rates in a research fund for aeronautics and "sustainable surface transport." With the investments of individual countries, the total research spending on civil aeronautics is closer to $4.5 billion. In contrast, this year's budget for NASA aeronautics research will be on the order of $550 million. Aeronautics is the first "A" in NASA, but receives less than one-thirtieth of the funds.

The aeronautics industry is part of the fabric of American life, and has the highest trade surplus of any industry, at $52 billion last year. But U.S. preeminence is far from assured. This is why I am proud to introduce a bill that will help to ensure the future competitiveness of U.S. aeronautics. It increases the authorization level for NASA aeronautics programs by 20 percent per year for the first 2 years, with a smaller increase in the third year. It creates a more transparent and inclusive process for stakeholder input into research priorities, and encourages NASA to take selected technologies farther along from basic research towards development. And it invests in the workforce by providing for scholarships for graduate students at NASA and the FAA, and creating a program modeled on the Independent Research and Development program.

I believe the future is bright for this vital industry, and I strongly feel that we should be unwilling to cede leadership to anyone in this area, no matter how determined they may be. I urge my colleagues to support this bill to preserve the leading role of U.S. aeronautics.

By Mr. DURBIN (for himself, Mr. OBAMA, and Mr. SCHUMER):

S. 2278. A bill to improve the prevention, detection, and treatment of community and health care-associated infections (CHAI), with a focus on antibiotic-resistant bacteria; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, we have seen an increasing amount of attention on the growing problem of community and hospital-associated methicillin-resistant staphylococcus aureus, or MRSA, infections. The CDC estimates that in 2005 in the U.S., 94,000 people developed an invasive drug-resistant staph infection. Out of 94,000 infections, researchers found that more than half were acquired in the health care system—people who had recently had surgery or were on kidney dialysis, for example. Nearly 19,000 Americans die, often needlessly, from these infections every year. This is more than the number of people who died from HIV/AIDS, homicide, emphysema, or Parkinson's.

The infections impact not only our civilian families but also our military families. CDC worked with the Army in 2003 to look at an outbreak of serious infections among soldiers. Between March and October 2003, they discovered that 145 American soldiers had been infected with another drug-resistant bacteria, Acinetobacter baumannii-calcoaceticus complex, or ABC. This outbreak of drug-resistant wound infections among soldiers in Iraq appears to have come from the U.S. military hospitals where they were treated, not the battlefield.

Hospitals are taking active steps to identify and control infections, but keep in mind that about half of the infections that end up being treated in a hospital were actually picked up in the community. Schools in Connecticut, Maryland, North Carolina, Ohio, Virginia, and Kentucky have had to close to help contain the spread of an infection. School officials in Mississippi, New Hampshire, and Virginia reported student deaths within the past month from bacteria, while officials in at least four other States reported cases of students being infected. Most recently, a 12-year-old in Brooklyn died from a community-aquired staph infection.

In the State of Illinois, cases of the drug-resistant staph infection closed schools in Aurora and Joliet. Other cases were confirmed in the Indian Prairie School District in the Aurora Naperville area. Two suburban Catholic elementary schools outside of Chicago were closed for heavy-duty cleaning after school leaders discovered each of the student bodies had a case of a drug-resistant staph infection.

States are taking important steps to control staph infection. The State of Illinois has taken aggressive steps to identify the infection before it grows out of control. Illinois is the first State to require testing of all high-risk hospital patients and isolation of those who carry the bacteria called MRSA. Twenty-two States have passed laws that will give their residents important information about hospital infections. Nineteen States have laws that require public reporting of infection rates.

States are actively pursuing the options that the CDC recommends for communities and hospitals to help fight the spread of drug-resistant bugs. It is time for the Federal Government to follow suit.

Today, I introduce the Community and Healthcare Associated Infections Reduction Act of 2007. This legislation builds on what hospitals are already doing and what infectious disease experts and Government agencies agree is critical to reducing the emergence of these infections.

My colleagues, Senator OBAMA and Senator SCHUMER, and I introduced this bill because we believe we have a national responsibility to improve the prevention, detection, and treatment of community and health care-associated infections. To do so, we need to tackle the problem from all sides.

We need better data to understand the problem at hand. The bill requires hospitals to report infection rates to the Federal Government, which we will then use to target high risk areas, identify hospitals that are doing a good job of controlling infections, and do a better job of communicating what we know to hospitals and health departments around the country. With better data, researchers will learn more about how to treat and, ideally, how to prevent these dangerous infections.

But, reporting is not enough. We need comprehensive infection control programs. The bill commissions an updated, comprehensive look at best practices for hospitals on infection control to provide hospitals the tools they need to best address these infections.

The bill also requires the Secretary to conduct a feasibility study on the creation of a Federal payment system to acknowledge and reward hospitals that are preventing these infections. Would this system work and is it what hospitals need? Hospital workers, doctors, and nurses do their very best to protect patients from infection. What more can be done to reward hospitals that are keeping infection rates low?

In addition, the bill addresses the growing impact of these infections—inside and outside the hospital. A new public health campaign will increase awareness in the public and educate people about reducing and preventing infections, especially in schools, locker rooms, playgrounds—the areas where we know bacteria can thrive. Finally, the bill calls for greater coordination of and greater emphasis on research at the Federal level. There are promising approaches to the control of infectious disease—for example, some investigators are looking at the use of bacteria-resistant surfaces in hospitals and other settings.

In a Nation as rich as ours, with the best health care professionals in the world, we don't expect people to come into a health care setting with a broken bone and then go home with a dangerous infection. Our health care system is safe and high quality, and I think we can only improve on that with a stronger emphasis on prevention, reporting and research. Our patients need it, our families deserve it, and everyone of us wants it.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be placed in the RECORD, as follows:

S. 2278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Community and Healthcare-Associated Infections Reduction Act of 2007".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Effective antibiotics have transformed the practice of medicine and saved millions of lives, but the emergence and spread of antibiotic-resistant bacterial pathogens poses a significant threat to patient and public health.

(2) Although many antibiotic-resistant infections occur most frequently among individuals in hospitals and other healthcare facilities, they also affect otherwise healthy individuals in the community.

(3) According to the Centers for Disease Control and Prevention (referred to in this Act as the "CDC"), healthcare-associated infections (referred to in this Act as "HAI") are one of the top 10 leading causes of death in the United States.

(4) In American hospitals alone, HAI account for an estimated 1,700,000 infections and 99,000 associated deaths each year. In 70 percent of these deaths, the bacteria are resistant to at least one commonly used antibiotic.

(5) Dr. John Jernigan, Chief of Interventions and Evaluations at the CDC, estimates that HAI in hospitals result in up to $27,500,000,000 in additional healthcare costs annually. The growing problem of antibiotic resistance, which affects the most common and least expensive antibiotics first, also shifts utilization toward more expensive antibiotics.

(6) Methicillin-resistant *Staphylococcus aureus* (referred to in this Act as "MRSA"), one of the most dangerous forms of antibiotic-resistant staph infections, highlights the magnitude of the problem. A recent study by the CDC estimates that nearly 95,000 people became infected with invasive MRSA in 2005 in the United States, resulting in 19,000 deaths, more than the number who died from HIV/AIDS, Parkinson's disease, emphysema, or homicide. A vast majority (85 percent) of these infections were associated with healthcare treatment.

(7) MRSA also affects individuals outside the healthcare setting and in the community. Recent weeks have seen an increase by health and education officials in reported staph infection outbreaks, including antibiotic-resistant strains. These infections have occurred in New York, Kentucky, Virginia, Maryland, Illinois, Ohio, North Carolina, Florida, and the District of Columbia.

(8) The problem of antibiotic-resistant infections is not limited to MRSA. High levels of resistance in *enterococci, Klebsiella pneumonia, Pseudomonas aeruginosa, and E. coli* have also been reported.

(9) Antibiotic-resistant infections have been discovered in troops coming back from Iraq and Afghanistan. A CDC study showed that between March and October 2003, 145 United States service members at military treatment facilities were infected or colonized with a multidrug-resistant gram-negative bacterium called *Acinetobacter baumannii*. The most likely source of this outbreak was bacteria within deployed field hospitals.

(10) Despite this significant public health threat, information on community and healthcare-associated infections (referred to in this Act as "CHAI") is incomplete and unreliable. Policymakers, healthcare providers, and individual consumers have little information about hospital infection rates, making it difficult to diagnose the scope of the problem and evaluate current infection prevention efforts, and assess potential remedies.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Centers for Medicare & Medicaid Services.

(2) AHRQ.—The term "AHRQ" means the Agency for Healthcare Research and Quality.

(3) CHAI.—The term "CHAI" means community and healthcare-associated infections.

(4) DIRECTOR.—The term "Director" means the Director of the Centers for Disease Control and Prevention, unless otherwise specifically designated.

(5) HAI.—The term "HAI" means healthcare-associated infections, which are infections that patients acquire during the course of receiving treatment for other conditions within a healthcare setting.

(6) HOSPITAL.—The term "hospital" means a subsection (d) hospital (as defined in section 1886(d)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B))).

(7) INTERAGENCY WORKING GROUP.—The term "interagency working group" means the interagency working group on community and healthcare-associated infections established under section 9.

(8) MRSA.—The term "MRSA" means Methicillin-resistant *Staphylococcus aureus*.

(9) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

SEC. 4. COMMUNITY AND HEALTHCARE-ASSOCIATED INFECTION CONTROL PROGRAM.

(a) ESTABLISHMENT OF BEST PRACTICES GUIDELINES FOR INFECTION CONTROL.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, AHRQ in collaboration with CDC shall develop best-practices guidelines for internal infection control plans to prevent, detect, control, and treat CHAI at hospitals.

(2) REQUIREMENTS.—In carrying out paragraph (1), AHRQ shall—

(A) establish a set of best practices with supporting justification of their appropriateness and effectiveness based on nationally-recognized or evidence-based standards, which practices may include—

(i) the establishment of an infection control oversight committee; and

(ii) the establishment of measures for the prevention, detection, control, and treatment of CHAI, such as—

(I) staff training and education on CHAI prevention and control, including the monitoring and strict enforcement of hand hygiene procedures;

(II) a system to identify, designate, and manage patients known to be colonized or infected with CHAI, including diagnostic surveillance processes and policies, procedures and protocols for staff who may have had potential exposure to a patient or resident known to be colonized or infected with a CHAI, and an outreach process for notifying a receiving healthcare facility of any patient known to be colonized or infected with CHAI prior to transfer of such patient within or between facilities;

(III) the development and implementation of an infection control intervention protocol that may include active detection and isolation procedures, the alternation of the physical plan of a hospital, the appropriate use of anti-microbial agents, and other infection control precautions for general surveillance of infected or colonized patients;

(B) work in collaboration with other agencies and organizations whose area of expertise is the identification, treatment, and prevention of infectious disease;

(C) publish proposed guidelines for internal infection control plans;

(D) provide for a comment period of not less than 90 days; and

(E) establish final guidelines, taking into consideration any comment received under subparagraph (D).

(b) CONSULTATION OF BEST PRACTICES GUIDELINES.—The Administrator shall consult best practices guidelines in evaluating hospitals infection control plans as a condition of participation in the Medicare program.

(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated such sums as may be necessary for each of fiscal years 2008 through 2012.

SEC. 5. COLLECTION, REPORTING, AND COMPILATION OF COMMUNITY AND HEALTHCARE-ASSOCIATED INFECTION DATA.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, hospitals shall report information about CHAI to the CDC National Healthcare Safety Network (NHSN), which shall be used by the CDC to develop a national database of infection rates in hospitals. With respect to reporting such information, the following shall apply:

(1) Hospitals shall meet data reporting standards as required by the NHSN, including timeframes, case-finding techniques, submission formats, infection definitions and other relevant terms, methodology for surveillance of infections, risk-adjustment techniques, or other specifications necessary to render the incoming data valid, consistent, compatible, and manageable.

(2) Hospitals shall submit data that allows the CDC to distinguish between—

(A) infections that are present in patients upon their admission to the hospital;

(B) infections that occur during a patient's hospital stay; and

(C) infections caused by multiple drug resistant organisms and nondrug resistant organisms.

(3) The CDC shall have the authority to make such orders, findings, rules, and regulations as necessary to ensure that hospitals accurately and timely track and report data.

(b) CONSULTATION.—The CDC shall review and revise NHSN standards as appropriate, working in consultation with the Centers for Medicare & Medicaid Services, AHRQ, and national organizations engaged in healthcare quality measurement and reporting.

(c) DATA HARMONIZATION.—The Director shall work in collaboration with the Administrator to support the harmonization of data for purposes of developing a national database of infections rates in hospitals and other purposes determined to be appropriate.

(d) DISSEMINATION OF DATA.—Not later than 1 year after the date of enactment of this Act, subject to the confidentiality of patient records, the CDC shall—

(1) make data available to interested researchers;

(2) make data available to interested State Health Departments;

(3) produce useful and accessible reports for the public to allow for comparisons of HAI rates across hospitals; and

(4) use data to assist hospitals in evaluating and formulating best practices strategies to reduce infection rates.

(e) PRIVACY OF DATA.—Notwithstanding any other provision of Federal, State, or local law, the infection data collected pursuant to this Act shall be privileged and shall not be—

(1) subject to admission as evidence or other disclosure in any Federal, State, or local civil or administrative proceeding; and

(2) subject to use in a State or local disciplinary proceeding against a hospital or provider.

(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated such sums as may be necessary for each of fiscal years 2008 through 2012.

SEC. 6. QUALITY IMPROVEMENT PAYMENT PROGRAM.

(a) PAY FOR PERFORMANCE INITIATIVES REPORT.—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to Congress a report studying the feasibility of reducing HAI rates through a Quality Improvement Payment Program.

(b) PROGRAM.—The report under subsection (a) shall consider such factors as—

(1) patient demographics, such as—

(A) the median income of patients;

(B) percentage of minority patients; and

(C) disease condition;

(2) hospital characteristics, such as—

(A) median income;

(B) population density of the hospital zip code locale;

(C) university affiliation; and

(D) hospital size as indicated by the number of beds; and

(3) other factors as determined to be appropriate by the Centers for Medicare & Medicaid Services.

(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated such sums as may be necessary for each of fiscal years 2008 through 2012.

SEC. 7. PUBLIC AWARENESS CAMPAIGN.

(a) IN GENERAL.—The Director shall award grants to States for the purpose of enabling the States to carry out public awareness campaigns to provide public education and increase awareness with respect to the issue of reducing, preventing, detecting, and controlling CHAI.

(b) REQUIREMENTS.—To be eligible for a grant under subsection (a), a State shall provide assurances to the Secretary that the State campaign to be conducted under the grant shall—

(1) provide information on the prevention and control of CHAI, including appropriate antibiotic use, causes and symptoms, and management, treatment and reduction methods, in healthcare settings and non-healthcare settings;

(2) provide information to healthcare providers and the public, including schools, nonprofit organizations, and private-sector entities; and

(3) work with members of the community to promote awareness and education, including hospitals, school health centers, schools, local governments, doctors' offices, prisons, jails, and other public- and private-sector entities.

(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated such sums as may be necessary for each of fiscal years 2008 through 2012.

SEC. 8. EXPANSION AND COORDINATION OF ACTIVITIES OF THE NATIONAL INSTITUTES OF HEALTH REGARDING COMMUNITY AND HEALTHCARE-ASSOCIATED INFECTIONS.

(a) COMMUNITY AND HEALTHCARE-ASSOCIATED INFECTIONS INITIATIVE THROUGH THE NATIONAL INSTITUTES OF HEALTH.—

(1) EXPANSION AND INTENSIFICATION OF ACTIVITIES.—

(A) IN GENERAL.—The Director of National Institutes of Health (referred to in this section as the "Director"), in coordination with the directors of the other national research institutes (as appropriate), may expand and intensify programs of the National Institutes of Health with respect to research and related activities concerning CHAI.

(B) COORDINATION.—The directors referred to in paragraph (1) may jointly coordinate the programs referred to in such paragraph and consult with additional Federal officials, voluntary health associations, medical professional societies, and private entities, as appropriate.

(2) PLANNING GRANTS AND CONTRACTS FOR INNOVATIVE RESEARCH IN CHAI.—

(A) IN GENERAL.—In carrying out subsection (a)(1) the Director may award planning grants or contracts for the establishment of new research programs, or the enhancement of existing research programs, that focus on CHAI.

(B) RESEARCH.—In awarding planning grants or contracts under paragraph (1), the Director may give priority to—

(i) collaborative partnerships, which may include academic institutions, private sector entities, or nonprofit organizations with a focus on infectious disease science, medicine, public health, veterinary medicine, or other discipline impacting or influenced by emerging infectious diseases;

(ii) research on the most effective copper-based applications to stem infections in military and civilian healthcare facilities; and

(iii) research on new rapid diagnostic techniques for antibiotic-resistant bacteria.

(b) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary, in collaboration with the Director, the Commissioner of Food and Drugs, and the Director of the National Institutes of Health, shall prepare and submit to the appropriate committees of the Congress a report that describes the obstacles to anti-infective, especially antibacterial, drug research and development. Such report shall—

(1) identify, in concurrence with infectious disease clinicians and appropriate professional associations, the infectious pathogens that are (or are likely to become) a significant threat to public health because of drug resistance or other factors;

(2) identify those incentives that may already exist through Federal programs, such as Orphan Product designation, including an explanation of how such programs would apply to infectious diseases and in particular resistant bacterial infections;

(3) recommend strategies to publicize current incentives available to encourage anti-infective, especially antibacterial, drug research and development;

(4) recommend additional regulatory and legislative solutions to stimulate appropriate anti-infective, especially antibacterial, drug research and development;

(5) update the progress made in response to the "Public Health Action Plan to Combat Antimicrobial Resistance" to include a narrative summary of activities in addition to tables provided in existing progress reports, highlighting where gaps remain as well as obstacles to future progress; and

(6) recommend strategies to strengthen the Federal response to antimicrobial resistance, as outlined in the Action Plan, in particular additional actions needed to address remaining gaps or obstacles to progress in implementing the Plan, as well as Federal funding needs.

(c) PUBLIC INFORMATION.—The coordinating committee shall make readily available to the public information concerning the research, education, and other activities relating to CHAI, that are conducted or supported by the National Institutes of Health.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary for each of fiscal years 2008 through 2012 to carry out this section.

SEC. 9. INTERAGENCY WORKING GROUP ON COMMUNITY AND HEALTHCARE-ASSOCIATED INFECTIONS.

(a) ESTABLISHMENT.—The Secretary, in coordination with the Administrator, shall establish an interagency working group on CHAI to consider issues relating to the reduction and prevention of these infections.

(b) MEMBERSHIP.—The interagency working group shall be composed of a representative from each Federal agency (appointed by the head of each such agency) that has jurisdiction over, or is affected by, CHAI including—

(1) the Centers for Medicare & Medicaid Services;

(2) the Centers for Disease Control and Prevention;

(3) the Health Resources and Services Administration;

(4) the Agency for Healthcare Research and Quality;

(5) the Food and Drug Administration;

(6) the National Institutes of Health;

(7) the Department of Agriculture;

(8) the Department of Defense;

(9) the Department of Veterans Affairs;

(10) the Environmental Protection Agency; and

(11) such other Federal agencies as determined appropriate.

(c) DUTIES.—The interagency working group shall—

(1) work in collaboration with the Interagency Task Force on Anti-microbial Resistance;

(2) facilitate communication and partnership on infection prevention and quality health-related projects and policies;

(3) serve as a centralized mechanism to coordinate a national effort—

(A) to discuss and evaluate evidence and knowledge on infection prevention;

(B) to determine the range of effective, feasible, and comprehensive actions to improve healthcare quality related to CHAI; and

(C) to examine and better address the growing impact of CHAI in communities throughout the United States;

(4) coordinate plans to communicate research results relating to CHAI prevention and control to enable reporting and outreach activities to produce more useful and timely information;

(5) consider and determine the feasibility of establishing an active surveillance program involving other entities (such as athletic teams or correctional facilities) for the purpose of identifying those individuals in the community that are colonized and at

risk of susceptibility to and transmission of bacteria;

(6) develop an appropriate research agenda for Federal agencies;

(7) develop recommendations regarding evidence-based best practices, model programs, effective guidelines, and other strategies for promoting CHAI prevention and control;

(8) monitor Federal progress in meeting specific CHAI prevention and control promotion goals; and

(9) not later than 2 years after the date of enactment of this Act, submit to Congress a report that describes the appropriateness and effectiveness of best practices guidelines developed by the Centers for Disease Control and Prevention for infection control plans.

(d) MEETINGS.—

(1) IN GENERAL.—The interagency working group shall meet at least 6 times each year.

(2) ANNUAL CONFERENCE.—The Secretary shall sponsor an annual conference on CHAI prevention, detection, and control to enhance coordination and share best practices in CHAI data collection, analysis, and reporting.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 10. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON COMMUNITY AND HEALTHCARE-ASSOCIATED INFECTIONS.

Not later than 2 years after the date of enactment of the Act, the Government Accountability Office shall submit to Congress a report on the impact of this Act on—

(1) the prevalence of CHAI; and

(2) the quality and availability of data about CHAI.

SEC. 11. PREEMPTION.

Nothing in this Act shall be construed to preempt existing State laws, except to the extent that such State laws would result in the establishment of duplicative or conflicting surveillance or reporting requirements.

By Mr. BIDEN (for himself and Mr. LUGAR):

S. 2279. A bill to combat international violence against women and girls; to the Committee on Foreign Relations.

Mr. BIDEN. Mr. President, one in three women worldwide will experience gender-based violence in her lifetime. In some countries, that's true for 70 percent of women. No country is immune. From trafficking of women in Eastern Europe to "honor" killings in Jordan to rape being used as a brutal weapon of war in Darfur and the Congo, violence against women and girls crosses all borders and affects women in all social groups, religions and socio-economic classes.

Around the globe, women and girls face domestic violence, rape, forced or child marriage, so-called "honor" killings, dowry-related murder, human trafficking, and female genital mutilation. The United Nations estimates that at least 5,000 "honor" killings take place each year around the world and more than 130,000,000 girls and young women worldwide have been subjected to genital mutilation. A 2006 United Nations Report found that at least 102 member states had no specific laws on domestic violence. The statistics are staggering.

Not surprisingly, violence against women and girls has a profound impact on the health and development of countries worldwide. Violence breeds poverty. It impedes economic development because it can prevent girls from going to school, or stop women from holding jobs or inheriting property, or shut down access to critical health care for themselves and their children. We can't eradicate poverty and disease unless we prevent and respond to the violence women face in their own homes and communities. We cannot truly empower women to become active in civic life and promote peace, prosperity and democracy unless they personally are free from fear of violence.

Violence against women is a global health crisis, not just because so many women and girls are injured and die as a result, but also because inequality and violence interfere with current efforts to combat the HIV/AIDS pandemic. Forced sex increases vulnerability to HIV/AIDS transmission, in part, because condoms are not likely to be used. In sub-Saharan Africa alone, women account for close to three-quarters of those living with HIV/AIDS between the ages 18 and 24.

The picture is grim, and can be discouraging. But the good news is that local and international organizations are working in communities around the world with courage, sensitivity and great success to help women overcome violence at home, in school and at work. But they need our help.

We've made tremendous progress in reducing violence against women here in the United States since we passed the Violence Against Women Act, VAWA, in 1994. That important work continues. But we cannot ignore the devastation wrought by violence in every corner of the globe. Now is the time to turn our attention to women in other parts of the world—women whose lives are devastated by poverty, political and civic exclusion, disease, and violence. Gender-based violence contributes to the poverty, inequality and instability that threaten peace. Addressing it isn't just moral; it is also smart.

So today, during this final week of Domestic Violence Awareness Month, I am introducing with my good friend from Indiana, Senator LUGAR, the International Violence Against Women Act. This groundbreaking, bipartisan legislation would integrate efforts to end gender-based violence into all existing, appropriate U.S. foreign assistance programs.

The International Violence Against Women Act has three main components. First, the bill reorganizes and rejuvenates the gender-related efforts of the State Department by creating one central office—the "Office for Women's Global Initiatives", directed by a Senate-confirmed Ambassador who reports directly to the Secretary. The Coordinator of the Office or Women's Global Initiatives, the "Coordinator", will be charged with monitoring, coordinating, and organizing all U.S. resources, programs and aid abroad that deals with women's issues, including gender-based violence. Additionally, my bill creates a new Office of Women's Global Development at the United States Agency for International Development, also to be directed by a Senate-confirmed nominee. The Director will be responsible for addressing gender-based violence and integrating gender into U.S. government assistance programs. The Director will work closely with the Coordinator and the Secretary of State to implement the provisions of the IVAWA legislation.

Under the current organizational scheme, projects addressing violence against women, either primarily or tangentially, are spread throughout the State Department and USAID without a central inventory, game plan or leader. My bill will raise the profile of women's issues generally at the State Department, and ensure that gender-based violence programs are building on past successes, leveraging core competencies and working in conjunction with other initiatives.

Second, the International Violence Against Women Act mandates creation of a 5-year, comprehensive strategy, with coordinated programming, to prevent and respond to violence against women in 10 to 20 targeted countries. The act creates a dedicated funding stream of $175 million a year to support programs dealing with violence against women in five areas: the criminal and civil justice system—everything from drafting laws on domestic violence, to enhancing women's access to property and inheritance rights, to reforming police practices—health care, girls' access to education and school safety, women's access to employment and financial resources, and public awareness campaigns that change social norms.

I know from my experience in Delaware that coordinating community responses in towns and cities has made all the difference in fighting domestic violence and rape. I applied those same principles of coordination and joint programming to the International Violence Against Women Act. International experts agree on the necessity of a multi-disciplinary approach that brings governments and nongovernmental organizations to the table to create sustainable infrastructure. To be clear, the International Violence Against Women Act is not asking countries to reinvent the wheel. At every step our strategy will lead to coordination of efforts to have the greatest possible impact. This type of effective, cost-efficient, gender-based violence programming already exists and is taking place in pockets all around the globe. We have the blueprints; my Act would provide the momentum and support for a full-scale international priority.

Finally, as the recent reports from the Congo make tragically clear, in situations of humanitarian crises, conflict and post-conflict operations, women and girls are vulnerable to horrific acts of violence. Reports of refugee women being raped while collecting firewood, soldiers sexually abusing girls in exchange for token food items, or women subjected to unimaginable brutality and torture as a tactic of war are shocking in number and inhumanity. The Act requires training, reporting mechanisms and other measures for those who are working directly with or protecting refugees and other vulnerable populations. The act also requires that the State Department identify "critical outbreaks" in which violence against women and girls is being used as a weapon of intimidation and abuse in armed conflict or war, or is escalating in an environment of impunity, and to take emergency measures to respond to the outbreaks.

The issue of violence against women and girls is complex and our legislation is a bold and ambitious plan. There are limitations on the United States' power to "fix" a problem that is so widespread. We are mindful that no country has a perfect record or all the answers. Yet Congress has a long and proud history of tackling complex international problems, most recently the devastating epidemic of HIV/AIDS and the insidious crime of human trafficking.

I did not approach this legislation lightly. Over the past months, I've solicited information from every relevant office in the State Department, USAID and the Department of Justice that works on the issues of women's rights and gender-based violence abroad. I asked for input and information from the United Nations secretariat, and many of its subsidiary agencies who are working to prevent and respond to gender-based violence internationally in various capacities. And most importantly, the International Violence Against Women Act was drafted with the insight and expertise of over 100 nongovernmental organizations and 40 women's groups around the globe, including American Refugee Committee, Amnesty International, CARE, Christian Children's Fund, Family Violence Prevention Fund, Global AIDS Alliance, Human Rights Watch, Inter-Agency Gender Working Group, IGWAG, International Rescue Committee, International Justice Mission, Women's Edge Coalition, Vital Voices Global Partnership and many others. I thank all of them for their invaluable assistance and perseverance as this bill came together.

Former United Nations Secretary-General Kofi Annan said "Violence against women is perhaps the most shameful human rights violation. And it is perhaps the most pervasive. It knows no boundaries of geography, culture or wealth. As long as it continues, we cannot claim to be making real progress towards equity, development and peace." I could not agree more. My International Violence Against Women Act marshals together, for the first time, coordinated American resources, good will and leadership to address this global issue. I believe the time is now for the U.S. to get actively engaged in the fight for women's lives and girls' futures.

Over the past 30 years, the understanding of human rights and violence against women has metamorphosed. A State's responsibility to protect women from violence has evolved—what was once seen largely as a private, family or cultural matter is now understood by the international community as a violation of basic human rights. Violence against women is a legal wrong. It cannot be excused or justified or ignored. It is an engrained social norm but one that we can dismantle over time—one woman at a time—with patience, creativity and sustained political will. The International Violence Against Women Act is the first step.

Mr. President, I ask unanimous consent that the text of the bill and a section-by-section analysis be printed in the RECORD.

There being no objection, the material was ordered to be placed in the RECORD, as follows:

S. 2279

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "International Violence Against Women Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Statement of policy.
Sec. 4. Definitions.

TITLE I—COORDINATION AND POLICY PLANNING

Sec. 101. Official positions and institutional changes.
Sec. 102. Policy and programs.
Sec. 103. Inclusion of information on violence against women and girls in human rights reports.

TITLE II—OTHER PROVISIONS

Sec. 201. Amendments to Foreign Service Act of 1980.
Sec. 202. Support for multilateral efforts to end violence against women and girls.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Violence against women and girls is rooted in multiple causes and takes many forms, including physical, sexual, and psychological. It affects all countries, social groups, ethnicities, religions, and socioeconomic classes and is a global health, economic development, and human rights problem of epidemic proportions.

(2) According to the World Health Organization—

(A) approximately 1 in 3 of the women in the world will experience violence in her lifetime, with rates of up to 70 percent in some countries; and

(B) 1 in 5 of the women in the world will be the victim of rape or attempted rape in her lifetime.

(3) According to the 2006 United Nations Secretary-General's report entitled Ending Violence Against Women, 102 member states have no specific laws on domestic violence.

(4) Women and girls face many different types of gender-based violence, including forced or child marriage, so-called "honor killings", dowry-related murder, human trafficking, and female genital mutilation. The United Nations estimates that at least 5,000 so-called "honor killings" take place each year around the world and that more than 130,000,000 girls and young women worldwide have been subjected to female genital mutilation.

(5) The President's Emergency Plan for AIDS Relief 2006 Report on Gender-Based Violence and HIV/AIDS reports that violence against women is a public health and development problem that significantly increases susceptibility to HIV/AIDS. A United Nations study on the global AIDS epidemic found that in sub-Saharan Africa, women who are 15 to 24 years old can be infected at rates that are up to 6 times higher than men of the same age.

(6) Recent studies in Africa indicate that between 16 and 47 percent of girls in primary and secondary school report sexual abuse or harassment by male teachers or classmates. Girls who experience sexual violence at school are also more likely to experience unintended pregnancies or become infected with sexually transmitted infections, including HIV/AIDS.

(7) Rape and sexual assault are weapons of war used to torture, intimidate, and terrorize women and communities. Amnesty International reports that women have suffered from sexual violence during conflicts in Rwanda, the former Yugoslavia, Sierra Leone, and most recently in the Democratic Republic of the Congo, where women have suffered from brutal and systematic sexual assaults.

(8) Displaced, refugee, and stateless women and girls in humanitarian emergencies, conflict settings, and natural disasters face extreme violence and threats because of power inequities, including being forced to exchange sex for food and humanitarian supplies, and being at increased risk of rape, sexual exploitation, and abuse.

(9) According to the United States Agency for International Development (USAID)—

(A) 70 percent of the 1,300,000,000 people living in poverty in the world are women and children;

(B) ⅔ of the 876,000,000 illiterate adults in the world are women;

(C) ⅔ of the 125,000,000 school-aged children who are not in school are girls;

(D) more than ¾ of the 27,000,000 refugees in the world are women and children; and

(E) 1,600 women die unnecessarily every day during pregnancy and childbirth.

(10) In 2003, the United Nations Special Rapporteur on Violence Against Women concluded that violence against women violates the basic human rights of women, results in "devastating consequences for women who

experience it, traumatic impact on those who witness it, de-legitimization of States that fail to prevent it and the impoverishment of entire societies that tolerate it.".

(11) Violence against women is an impediment to the health, opportunity, and development of women and their societies. According to an October 2006 study of the United Nations Secretary General entitled Ending Violence Against Women, "Violence against women impoverishes women, their families, communities and nations. It lowers economic production, drains resources from public services and employers, and reduces human capital formation.".

(12) The World Bank recognizes that women's health, education, and economic opportunities directly impact the development and well being of their families and their societies. A 2001 World Bank Report, entitled Engendering Development, reports that greater gender equality leads to improved nutrition, lower child mortality, less government corruption, higher productivity, and reduced HIV infection rates.

(13) Increased access to economic opportunities is crucial to the prevention of and response to domestic and sexual violence. Both microfinance-based interventions and increased asset control have been shown to reduce levels of intimate partner violence in addition to providing economic independence for survivors.

(14) Campaigns to change social norms, including community organizing, media campaigns, and efforts to engage and educate men and boys, have been shown to change attitudes that condone and tolerate violence against women and girls and reduce violence and abuse.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to promote women's political, economic, educational, social, cultural, civil, and human rights and opportunities throughout the world;

(2) to condemn and combat violence against women and girls, and to promote and assist other governments in preventing and responding to such violence;

(3) to promote ending violence against women and girls around the world, whether the abuse is committed directly by a foreign government, is implicitly committed by such government through hostile laws or de jure mandates to disenfranchise women, or is committed by private actors and the government fails to address the abuse;

(4) to encourage foreign governments to enact and implement effective legal reform to combat violence against women and girls, and to encourage access to justice, true accountability for abusers, and meaningful redress and support for victims;

(5) to systematically integrate and coordinate efforts to prevent and respond to violence against women and girls into United States foreign policy and foreign assistance programs, and to expand implementation of effective practices and programs;

(6) to fully implement the comprehensive international strategy set forth in section 300G of the Foreign Assistance Act of 1961, as added by this Act, which provides assistance to eligible countries to reduce and prevent gender-based violence with coordinated efforts in the criminal justice, health, education, and economic sectors;

(7) to support and build capacity of indigenous nongovernmental organizations that are working to prevent and respond to violence against women and girls, particularly women's nongovernmental organizations, and to support and encourage United States organizations working in partnership with such nongovernmental organizations;

(8) to prevent and respond to violence against women and girls through multisectoral methods, working at individual, family, community, local, national, and international levels and incorporating service, prevention, training, and advocacy activities and economic, education, health, legal, and protective intervention services;

(9) to coordinate activities with recipient country governments, as appropriate, and with other bilateral, multilateral, nongovernmental, and private sector actors active in the relevant sector and country;

(10) to foster international and regional cooperation with an aim towards defining regional strategies, as appropriate, for preventing and responding to violence against women and girls, and exchanging data and successful strategies;

(11) to work through international organizations of which the United States is a member, including the United Nations and its specialized agencies, funds and programs to encourage, promote, and advocate for stronger efforts and policies to prevent and end violence against women and girls;

(12) to enhance training and other programs to prevent and respond to violence against women and girls in humanitarian relief, conflict, and post-conflict operations;

(13) to enhance training by United States personnel of professional foreign military and police forces and judicial officials to include specific and thorough instruction on preventing and responding to violence against women and girls;

(14) to press for the implementation of policies and practices in global peace and security efforts, including United Nations peacekeeping and policing operations, that prevent and respond to violence against women and girls and hold personnel accountable for the full implementation of these policies and practices.

SEC. 4. DEFINITIONS.

In this Act:

(1) VIOLENCE AGAINST WOMEN AND GIRLS.—The term "violence against women and girls"—

(A) means any act of gender-based violence against women or girls committed because of their gender that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivations of liberty, whether occurring in public or private life; and

(B) includes—

(i) physical, sexual, and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, nonspousal violence, and violence related to exploitation;

(ii) physical, sexual, and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women, and forced prostitution; and

(iii) physical, sexual, and psychological violence perpetrated or condoned by the state, wherever it occurs.

(2) ELIGIBLE COUNTRIES.—The term "eligible countries" means countries that are not classified as high-income countries in the most recent edition of the World Development Report for Reconstruction and Development published by the International Bank for Reconstruction and Development.

TITLE I—COORDINATION AND POLICY PLANNING

SEC. 101. OFFICIAL POSITIONS AND INSTITUTIONAL CHANGES.

Chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2166 et seq.) is amended by adding at the end the following:

"TITLE XIII—INTERNATIONAL PREVENTION OF VIOLENCE AGAINST WOMEN AND GIRLS

"SEC. 300A. VIOLENCE AGAINST WOMEN AND GIRLS DEFINED.

"In this title, the term 'violence against women and girls' has the meaning given that term in section 5 of the International Violence Against Women Act of 2007.

"Subtitle A—Official Positions and Institutional Changes

"SEC. 300B. OFFICE OF WOMEN'S GLOBAL INITIATIVES.

"(a) ESTABLISHMENT.—There is established in the Office of the Secretary of State in the Department of State, the Office of Women's Global Initiatives. The office shall be headed by the Coordinator of the Office of Women's Global Initiatives (referred to in this title as the 'Coordinator'), who shall be appointed by the President, by and with the advice and consent of the Senate. The Coordinator shall report directly to the Secretary and shall have the rank and status of Ambassador at Large.

"(b) PURPOSE.—The Office of Women's Global Initiatives shall be the sole office coordinating all efforts of the United States Government regarding international women's issues and is intended to replace the Office of International Women's Issues in the Office of the Under Secretary for Democracy and Global Affairs in the Department of State.

"(c) DUTIES.—The Coordinator shall have the following responsibilities:

"(1) IN GENERAL.—The Coordinator shall—

"(A) design, oversee, and coordinate activities and programs of the United States Government relating to international women's issues; and

"(B) direct United States Government resources to—

"(i) prevent and respond to violence against women and girls throughout the world; and

"(ii) develop the comprehensive international strategy described in section 300G to reduce violence against women and girls.

"(2) PRINCIPAL ADVISOR.—The Coordinator shall serve as the principal advisor to the Secretary of State regarding foreign policy matters relating to women, including violence against women and girls.

"(3) COORDINATING ROLE.—The Coordinator shall—

"(A) oversee and coordinate all resources and activities of the United State Government to combat violence against women and girls internationally, including developing strategies for the integration of efforts to prevent and respond to gender-based violence into United States assistance programs;

"(B) coordinate all policies, programs, and funding related to violence against women and girls internationally of the Department of State, including—

"(i) the Bureau of Population, Refugees, and Migration;

"(ii) the Bureau of Democracy, Human Rights, and Labor;

"(iii) the Bureau for International Narcotics and Law Enforcement Affairs;

"(iv) the Bureau of Education and Cultural Affairs;

“(v) the Bureau of Political Military Affairs;

“(vi) the Bureau of International Organizations Affairs;

“(vii) the Bureau of Economic and Business Affairs;

“(viii) the Foreign Service Institute;

“(ix) the Office of the Coordinator for Reconstruction and Stabilization;

“(x) the Office to Monitor and Combat Trafficking in Persons;

“(xi) the Office of the United States Global AIDS Coordinator; and

“(xii) all regional bureaus and offices;

“(C) coordinate all policies, programs, and funding related to violence against women and girls internationally in the Department of Justice, the Department of Labor, the Department of Health and Human Services, the Department of Defense, and the Department of Homeland Security;

“(D) coordinate all policies, programs, and funding relating to violence against women and girls internationally in the United States Agency for International Development (USAID), including the Women's Global Development Office;

“(E) monitor and evaluate all such gender-based violence programs administered by the entities listed in subparagraphs (B) through (D), as necessary;

“(F) coordinate all policies, programs, and funding of the Millennium Challenge Corporation relating to violence against women and girls internationally;

“(G) design, integrate, and, as appropriate, implement policies, programs, and activities related to women's health, education, economic development, legal reform, social norm changes, women's human rights, and protection of women in humanitarian crises, including those identified pursuant to section 300G(c); and

“(H) encourage departments listed in subparagraph (C) to create agency-specific programmatic guidelines on addressing violence against women and girls internationally and monitor implementation of those guidelines.

“(4) DIPLOMATIC REPRESENTATION.—Subject to the direction of the President and the Secretary of State, the Coordinator is authorized to represent the United States in matters relevant to violence against women and girls internationally in—

“(A) contacts with foreign governments, nongovernmental organizations, the United Nations and its specialized agencies, and other international organizations of which the United States is a member; and

“(B) multilateral conferences and meetings relevant to violence against women and girls.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 for each of fiscal years 2008 through 2012, under the heading ‘Diplomatic and Consular Programs’, to carry out activities under this section. Funds appropriated pursuant to this subsection shall be under the direct control of the Coordinator.

“SEC. 300C. WOMEN'S GLOBAL DEVELOPMENT OFFICE.

“(a) ESTABLISHMENT.—There is established, within the United States Agency for International Development, the Office of Women's Global Development. The Office of Women's Global Development shall be headed by the Director of Women's Global Development (referred to in this title as the ‘Director’), who shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall report directly to the Administrator of the United States Agency for International Development and shall consult regularly with the Coordinator of the Office of Women's Global Initiatives.

“(b) PURPOSE.—The Office of Women's Global Development shall be the sole office coordinating all efforts of the United States Agency for International Development (USAID) regarding international women's issues and is intended to replace the Office of Women in Development in USAID in existence on the date of the enactment of this title.

“(c) DUTIES.—

“(1) IN GENERAL.—The Director shall—

“(A) integrate gender into all policies, programs, and activities of the United States Agency for International Development to improve the status of women, increase opportunities for women, and support the overall development goals of United States programs and assistance;

“(B) ensure that efforts to prevent and respond to violence against women and girls are integrated into United States Government foreign assistance programs at the strategic planning and country operational plan levels; and

“(C) monitor the manner in which such activities are integrated, programmed, and implemented in each country plan.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $15,000,000 for each of fiscal years 2008 through 2012 to carry out activities and collaboration related to preventing and responding to gender-based violence. Funds appropriated pursuant to this subsection shall be under the direct control of the Director. Such funds are in addition to amounts otherwise available for such purposes.

“SEC. 300D. ADVISORY COMMISSION ON INTERNATIONAL VIOLENCE AGAINST WOMEN.

“(a) ESTABLISHMENT.—There is established within the Department of State an Advisory Commission on International Violence Against Women (in this section referred to as the ‘Advisory Commission’).

“(b) MEMBERSHIP.—

“(1) APPOINTMENT.—The Advisory Commission shall be composed of—

“(A) the Coordinator of Women's Global Initiatives, who shall serve as chair, and the Director of the Women's Global Development Office, both of whom shall serve ex officio as nonvoting members of the Advisory Commission;

“(B) 8 members appointed by the Secretary of State who are not officers or employees of the Federal Government;

“(C) 3 members appointed by the President pro tempore of the Senate on the joint recommendation of the Majority and Minority Leaders of the Senate; and

“(D) 3 members appointed by the Speaker of the House of Representatives on the joint recommendation of the Majority and Minority Leaders of the House of Representatives.

“(2) SELECTION.—Members of the Advisory Commission shall be selected from among—

“(A) distinguished individuals noted for their knowledge and experience in fields relevant to the issue of international violence against women and girls, including foreign affairs, human rights, and international law;

“(B) representatives of nongovernmental organizations and other institutions having knowledge and expertise related to violence against women and girls; and

“(C) academics representative of the various scholarly approaches to the issue of international violence against women and girls.

“(3) TIME OF APPOINTMENT.—The appointments required under paragraph (1) shall be made not later than 120 days after the date of the enactment of this title.

“(4) TERMS.—The term of each member appointed to the Advisory Commission shall be 3 years. Members shall be eligible for reappointment to a second term.

“(c) DUTIES.—The Advisory Commission shall—

“(1) annually make recommendations to the Secretary of State regarding best practices to prevent and respond to violence against women and girls internationally and the effective integration of such practices into the foreign policy of the United States, including assistance programming; and

“(2) consult with members of the United States Government and with private groups and individuals on the prevention and response to international violence against women and girls.

“(d) HEARINGS.—In carrying out this section, the Advisory Commission may conduct such hearings, sit and at such times and places, take such testimony, and receive such evidence, as the Advisory Commission considers appropriate.

“(e) FUNDING.—Members of the Advisory Commission shall be allowed travel expenses, including per diem in lieu of subsistence at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of duties for the Advisory Commission.

“(f) REPORT OF THE ADVISORY COMMISSION.—Not later than May 1 of each year, the Advisory Commission shall submit a report to the President, the Secretary of State, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives that sets forth its findings and recommendations for United States policy and programs.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $300,000 for each of the fiscal years 2008 through 2012 to carry out this section.”.

SEC. 102. POLICY AND PROGRAMS.

Chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2166 et seq.), as amended by section 101, is further amended by adding at the end the following:

“Subtitle B—Policy and Programs

“SEC. 300G. COMPREHENSIVE INTERNATIONAL STRATEGY TO REDUCE AND PREVENT VIOLENCE AGAINST WOMEN AND GIRLS.

“(a) DEVELOPMENT AND IMPLEMENTATION OF STRATEGY.—Not later than 1 year after the date of the enactment of this title, the President, with the assistance of the Coordinator of Women's Global Initiatives and Director of Women's Global Development, shall develop and commence implementation of a comprehensive, 5-year international strategy to prevent and respond to violence against women and girls internationally, and shall submit it to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

“(b) COLLABORATION.—In developing the strategy under subsection (a), the President, with the assistance of the Coordinator, shall consult with—

“(1) the Secretary of State, including the offices and bureaus listed in section 300B(b)(3)(B), other executive agencies listed in section 300B(b)(3)(C), United States aid agencies and offices as listed in section 300B(b)(3)(D), the Millennium Challenge Corporation listed in section 300B(b)(3)(E), and Interagency Task Force to Monitor and Combat Trafficking; and

"(2) nongovernmental organizations with demonstrated expertise working on violence against women and girls, women's health, or women's empowerment issues internationally.

"(c) CONTENT.—The strategy developed under subsection (a) shall—

"(1) identify between 10 and 20 eligible countries that are geographically, ethnically, and culturally diverse, and have severe levels of violence against women and girls;

"(2) describe the nature and extent of violence against women and girls in each country;

"(3) identify how and to what extent the violence against women and girls in each country is negatively affecting goals of improving the health, education, economic, democracy and civic participation, criminal justice, and internally displaced persons and refugee management sectors in such country and its region;

"(4) assess the efforts of the government in each country to prevent and respond to violence against women and girls and assess the potential capacity of each country to manage 2 or more of the gender violence-based program activities identified under subsection (d);

"(5)(A) describe the programs to be undertaken in cooperation with the governments of each country in specific areas for progress in preventing and responding to violence against women and girls;

"(B) identify resources to help implement programs; and

"(C) encourage development of national action plans;

"(6) for each country, identify 2 or more of the program activities listed in subsection (d) and describe how the selected programs will prevent and respond to the problem of violence against women and girls, including—

"(A) increasing legal and judicial protections;

"(B) enhancing the capacity of the health sector to respond to such violence;

"(C) increasing opportunities for women and girls in education and economic development; or

"(D) promoting societal awareness and changing social norms;

"(7) include, as appropriate, strategies designed to accommodate the needs of stateless, internally displaced, refugee, or religious or ethnic minority women and girls;

"(8) project general levels of resources needed on an annual basis to achieve the stated objective in each country, taking into account activities and funding provided by other donor country governments and other multilateral institutions and leveraging private sector resources;

"(9) include potential coordination with existing programs, initiatives, and expertise on preventing and responding to violence against women and girls that exist within nongovernmental organizations, including in-country, civil society organizations, particularly women's organizations and community-based groups;

"(10) identify the Federal departments and agencies involved in the execution of the relevant program activities; and

"(11) describe the monitoring and evaluation mechanisms established for each country and how they will be used to assess overall progress in preventing and responding to violence against women and girls.

"(d) PROGRAM ACTIVITIES SUPPORTED.—Assistance provided under this section shall be used to carry out, in each of the countries identified in the strategy required pursuant to subsection (a), 2 or more of the following program activities:

"(1) Increasing legal and judicial protections by—

"(A) supporting programs that strengthen a coordinated community response to violence against women and girls, including through coordination between judges, police, prosecutors, and legal advocates to enhance prospects for perpetrator accountability;

"(B) supporting efforts and providing resources to provide training and technical assistance to police, prosecutors, forensic physicians, lawyers, corrections officers, judges, and judicial officials, and where appropriate, to nonlawyer advocates and traditional community authorities on violence against women and girls;

"(C) supporting efforts to reform and revise criminal and civil laws to prohibit violence against women and girls and create accountability for perpetrators;

"(D) enhancing the capacity of the justice sector, including keeping official records of all complaints, collecting and safeguarding evidence, systematizing and tracking data on cases of violence against women and girls, and undertaking investigations and evidence gathering expeditiously;

"(E) helping women and girls who are victims of violence gain access to the justice sector and supporting them throughout the legal process, including establishing victim and witness units for courts and promoting support for survivor services, including hotlines and shelters;

"(F) promoting civil remedies in cases of domestic violence that—

"(i) prioritize victim safety and confidentiality and offender accountability;

"(ii) grant women and children restraining, protection, or removal orders with appropriate criminal sanctions for violations against perpetrators of violence;

"(iii) strengthen and promote women's custodial rights over children and protect children; and

"(iv) grant courts authority to provide specific relief pursuant to a restraining or removal order, including restitution, spousal maintenance, child support, payment of debt, or return or equitable distribution of property;

"(G) reducing the incidence of violence against women and girls committed by government officials by developing confidential mechanisms for reporting violence against women and girls committed by government officials and institutions and developing laws to punish the perpetrators and remove immunity from state officials;

"(H) promoting broader legal protection for women and girls against all forms of violence against women and girls, such as female infanticide and female genital mutilation, and practices that are associated with higher rates of violence against women and girls, such as child and forced marriage; and

"(I) increasing the number of women advocates trained to respond to violence against women and girls at police stations, including the creation of domestic violence units and increasing the number of women police.

"(2) Carrying out health care initiatives, including—

"(A) promoting the integration of programs to prevent and respond to violence against women and girls into existing programs addressing child survival, women's health, family planning, mental health, and HIV/AIDS prevention, care, and treatment;

"(B) training of health care providers, including traditional birth attendants, on methods to safely and confidentially assess women and girls seeking health services for intimate partner, family, and sexual violence;

"(C) developing and enforcing national and operational women's health, children's health, and HIV/AIDS policies that prevent and respond to violence against women and girls, with accompanying resources, including through cooperative efforts with ministries of health;

"(D) developing information gathering systems within the health care sector that, consistent with safety and confidentiality concerns, collect and compile data on the type of violence experienced by women and girls, access to care, age of victims, and relationship of victims to perpetrators;

"(E) working with governments to develop partnerships with civil society organizations to create referral networks systems for psychosocial, legal, economic, or other support services; and

"(F) integrating screening and assessment for gender-based violence into HIV/AIDS programming and other health programming into all country operation plans, and increasing women's access to information, strategies, and services to protect themselves from HIV/AIDS.

"(3) Conducting public awareness programs to change social norms and attitudes, including—

"(A) supporting women survivors of violence to educate their communities on the impacts of violence;

"(B) engaging men, including faith and traditional leaders;

"(C) providing funding and programmatic support for mass media social change campaigns; and

"(D) supporting community efforts to change attitudes about harmful traditional practices, including child marriage, female genital mutilation, and so-called 'honor killings'.

"(4) Improving economic opportunities for women and girls, including—

"(A) supporting programs to help women meet their economic needs and to increase their economic opportunities, in both rural and urban areas, including through support for—

"(i) the establishment and development of businesses (micro, small, and medium-sized enterprises) through access to financial and nonfinancial services; and

"(ii) education, literacy, and numeracy programs, leadership development and job skills training, especially in nontraditional fields and expected growth sectors;

"(B) supporting programs to help increase property rights, social security, and home ownership and land tenure security for women by—

"(i) promoting equitable extension of property and inheritance rights, particularly rights to familial and marital property;

"(ii) promoting legal literacy, including among faith and traditional leaders, about women's property rights; and

"(iii) helping women to make land claims and protecting women's existing claims and advocating for equitable land titling and registration for women, including safeguards for women title-holders in the case of domestic violence disputes;

"(C) integrating activities to prevent and respond to violence against women and girls into existing economic opportunity programs by—

"(i) integrating education on violence against women and girls into women's microfinance, microenterprise, and job skills training programs; and "(ii) training providers of economic opportunity services and programs in sensitivity to violence against women and girls; and

"(D) addressing violence against women and girls in the workplace.

"(5) Improving educational opportunities for women and girls, including—

"(A) supporting efforts and providing resources to provide training for all teachers and school administrators on school-related violence, in particular increasing awareness of violence against women and girls, and to improve reporting, referral, and implementation of codes of conduct;

"(B) working to ensure the safety of girls during their travel to and from school and on school grounds;

"(C) including programs for girls and boys on the unacceptability of violence against women and girls; and

"(D) conducting national and baseline surveys to collect data on school-related violence against women and girls.

"SEC. 300H. ASSISTANCE TO REDUCE INTERNATIONAL VIOLENCE AGAINST WOMEN AND GIRLS INTERNATIONALLY.

"(a) COORDINATING EXISTING AID PROGRAMS.—The Coordinator of the Women's Global Initiatives, working with the Director of the Office of Women's Global Development, shall ensure that existing programs, contracts, grants, agreements, and foreign assistance under the Foreign Assistance Act of 1961 (22 U.S.C. 2166 et seq.), the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601 et seq.), the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.), the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (22 U.S.C. 7601 et seq.), the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.), the FREEDOM Support Act (22 U.S.C. 5851 et seq.), and other Acts authorizing foreign assistance incorporate, as applicable, measures to prevent and respond to violence against women and girls.

"(b) AUTHORITY.—To implement and execute the comprehensive international strategy developed pursuant to section 300G, the President is authorized to provide assistance to nongovernmental organizations, multilateral institutions, and foreign countries for program activities described in section 300G(d).

"(c) ALLOCATE NEW FUNDING.—The Coordinator of the Office of Women's Global Initiatives is authorized to allocate funds to implement and execute the comprehensive international strategy developed pursuant to section 300G.

"(d) USE OF FUNDS.—Any funds made available under this section to nongovernmental organizations must be designated to organizations that have demonstrated expertise regarding violence against women and girls internationally, or that are in partnership with such organizations and that have demonstrated capabilities or expertise in a particular program activity described in subsection 300G(d).

"(e) GRANTS TO WOMEN'S NONGOVERNMENTAL ORGANIZATIONS AND COMMUNITY-BASED ORGANIZATIONS.—Not less than 10 percent of the funds awarded in a fiscal year under this section shall be awarded to women's nongovernmental organizations and community-based organizations.

"(f) AWARD PROCESS.—Funds awarded under this section shall be provided through an open, competitive, and transparent process where possible.

"(g) CONDITIONS.—Entities receiving funds awarded through the grant program established under this section—

"(1) should include the collection of data and the evaluation of program effectiveness;

"(2) should be responsible for developing and reporting on outcomes related to preventing and responding to violence against women and girls;

"(3) should gather input from women's nongovernmental organizations or community-based organizations, including organizations with expertise in preventing and responding to violence against women and girls; and

"(4) shall consider the safety of women and girls as a primary concern in deciding how to design, implement, monitor, and evaluate programs.

"(h) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There is authorized to be appropriated to the Office of Women's Global Initiatives $175,000,000 for each of the fiscal years 2008 through 2012 to carry out this section and section 300G.

"(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to paragraph (1) shall remain available until expended.

"(3) NONSUPPLANTATION.—Funds authorized and appropriated under this Act shall supplement, not supplant, existing funds otherwise available for activities under this title.

"SEC. 300I. ANNUAL REPORT ON UNITED STATES EFFORTS TO END INTERNATIONAL VIOLENCE AGAINST WOMEN AND GIRLS.

"(a) IN GENERAL.—Not later than 1 year after the submission of the comprehensive international strategy developed under section 300G, and annually thereafter, the Secretary of State, assisted by the Coordinator of Women's Global Initiatives, shall submit to Congress a report to be entitled the 'Report on International Violence Against Women and Girls'.

"(b) CONTENT.—The report required under subsection (a) shall include the following:

"(1) The goals and objectives of the comprehensive international strategy developed under section 300G(a).

"(2) The specific criteria used to determine the effectiveness of the strategy.

"(3) A description of the coordination of all United States Government resources and international activities to prevent and respond to the problem of violence against women and girls, including—

"(A) an identification of the Federal agencies involved;

"(B) a description of the coordination between Federal agencies and departments, including those acting in the eligible countries; and

"(C) a description of the coordination with non-United States Government entities, including the governments of eligible countries, multilateral organizations and institutions, and nongovernmental organizations.

"(4) A description of the relationship between efforts to prevent and respond to violence against women and girls internationally and other United States assistance strategies in developing countries and diplomatic relationships.

"(5) A description of efforts to include gender-based violence in United States diplomatic and peacemaking initiatives.

"(6) A description of any significant efforts by bilateral and multilateral donors in support of preventing and responding to international violence against women and girls.

"(7) A description of the implementation of the agency-specific guidelines described in section 300B(d)(3)(H).

"(8) A description of the activities of, and funding provided for programs that prevent and respond to violence against women and girls in humanitarian relief, conflict and post-conflict operations, including violence perpetrated by humanitarian workers.

"(9) A description of United States training of foreign military and police forces, judicial officials, and humanitarian relief grantees to prevent and respond to violence against women and girls.

"(10) A description of data collection efforts conducted under this title.

"(11) Identification of all contractors, subcontractors, grantees, and subgrantees receiving United States funds for preventing and responding to violence against women and girls.

"(12) Recommendations related to best practices, effective strategies, and suggested improvements to enhance the impact of efforts to prevent and respond to violence against women and girls.

"(13) A description of efforts to evaluate the accountability and efficacy of the programs funded pursuant to section 300H(g).

"(14) A compilation of the descriptions on the nature and extent of violence against women and girls included in the annual Human Rights Reports required under section 116(d) of the Foreign Assistance Act of 1961, as amended by this Act.

"(15) The identification of countries or regions with critical outbreaks of violence against women and girls described in subsection 300L(h), including—

"(A) an analysis of the situations, including the factors driving the violence, the role of government, militia, rebel, or other armed forces in the violence; and

"(B) an analysis of United States and other multilateral, bilateral, or governmental efforts to prevent or respond to the violence, assist survivors, or hold the perpetrators accountable.

"(16) A description of United States resources that are being used—

"(A) to assist in efforts to prevent or respond to the critical outbreaks of violence described in section 300L(h);

"(B) assist survivors of such violence;

"(C) hold perpetrators accountable for such violence; and

"(D) encourage all parties to the armed conflict to protect women and girls from violence.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of State to meet the reporting requirements under this section—

"(1) $2,500,000 for fiscal year 2008; and

"(2) $500,000 for each of the fiscal years 2009 through 2012.

"SEC. 300J. DATA COLLECTION.

"(a) IN GENERAL.—The Coordinator of Women's Global Initiatives, assisted by the Administrator of the United States Agency for International Development and the Director of the Women in Development Office, shall be responsible for researching, collecting, monitoring, and evaluating data related to efforts to prevent and respond to violence against women and girls internationally.

"(b) USE OF FUNDS.—Funds made available under this section may be used for the following purposes:

"(1) To collect and analyze data on the scope and extent of all forms of violence against women and girls, including under-documented forms of violence and violence against marginalized groups. This work may include original research or analysis of existing data sets.

"(2) To help governments of countries systematically collect and analyze data on violence against women and girls, including both national surveys and data collected by service providers.

"(3) To use internationally comparable indicators, norms, and methodologies for measuring the scope, prevalence, and incidence of violence against women and girls.

"(4) To include data on violence against women and girls in national and international data collection efforts, including those administered and funded by the United States Agency for International Development, the Millennium Challenge Corporation, and the Centers for Disease Control and Prevention.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $20,000,000 for each of the fiscal years 2008 through 2012 to carry out the activities under this section.

"SEC. 300K. ENHANCING UNITED STATES TRAINING OF FOREIGN MILITARY AND POLICE FORCES ON VIOLENCE AGAINST WOMEN AND GIRLS.

"(a) PURPOSE.—The purpose of this section is to ensure that United States programs to train foreign military and police forces and judicial officials include instruction on preventing and responding to violence against women and girls internationally.

"(b) COVERED PROGRAMS.—The programs covered under this section include—

"(1) activities authorized under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.); and

"(2) activities under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456) to build the capacity of foreign military and police forces to conduct counterterrorist operations or support military and stability operations in which the United States is participating.

"(c) AUTHORIZATION.—The Secretary of State and the Secretary of Defense, in consultation with the Coordinator of Women's Global Initiatives, shall—

"(1) incorporate training on how to prevent and respond to violence against women and girls into the basic training curricula of foreign military and police forces and judicial officials; and

"(2) ensure that United States assistance to units involved in regional or multilateral peacekeeping operations includes training on preventing and responding to violence against women and girls internationally.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $8,000,000 for each of the fiscal years 2008 through 2012 to carry out the activities under this section.

"SEC. 300L. ADDRESSING VIOLENCE AGAINST WOMEN AND GIRLS IN HUMANITARIAN RELIEF, PEACEKEEPING, CONFLICT, AND POST-CONFLICT OPERATIONS.

"(a) DEFINITIONS.—In this section, the term 'Inter-Agency Standing Committee' means the committee established in response to United Nations General Assembly Resolution 46/182 (1991).

"(b) ACTIVITIES OF THE DEPARTMENT OF STATE THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—The Secretary of State and the Administrator of the United States Agency for International Development shall—

"(1) in consultation with the Coordinator of Women's Global Initiatives, provide assistance to programs that prevent and respond to violence against women and girls in all humanitarian relief, conflict, and post-conflict operations, including—

"(A) building the capacity of nongovernmental organizations to address the special protection needs of women and children affected by humanitarian, conflict, or post-conflict operations;

"(B) supporting local and international nongovernmental initiatives to prevent, detect, and report violence against women and girls;

"(C) conducting protection and security assessments for refugees and internally displaced persons in camps or in communities to improve the design and security of camps, with special emphasis on the security of women and girls;

"(D) supporting efforts to reintegrate survivors of a humanitarian relief, conflict, or post-conflict operation through education, psychosocial assistance, trauma counseling, family and community reinsertion and reunification, and medical assistance; and

"(E) providing legal services for women and girls who are victims of violence during a humanitarian relief, conflict or post-conflict operation, including the collection of evidence for war crime tribunals and advocacy for legal reform; and

"(2) require that all grantees deployed in humanitarian relief, conflict, and post-conflict operations—

"(A) comply with the Inter-Agency Standing Committee's Six Core Principles Relating to Sexual Exploitation and Abuse;

"(B) train all humanitarian workers in preventing and responding to violence against women and girls, including in the use of mechanisms to report violence against women and girls;

"(C) conduct appropriate public outreach to make known to the host community the mechanisms to report violence against women and girls; and

"(D) promptly and appropriately respond to reports of violence against women and girls and treat survivors in accordance with best practices regarding confidentiality.

"(c) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There is authorized to be appropriated to the Department of State and the United States Agency for International Development $40,000,000 for each of the fiscal years 2008 through 2010 for programs described in subsection (b)(1) that prevent and respond to violence against women and girls in humanitarian relief, conflict, and post-conflict operations, in addition to amounts otherwise available for such purposes.

"(2) FUNDING NOT AT EXPENSE OF OTHER HUMANITARIAN PROGRAMS.—Any amounts appropriated pursuant to paragraph (1) may not be provided at the expense of other humanitarian programs.

"(d) ACTIVITIES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—The Administrator of the United States Agency for International Development, in consultation with the Coordinator of Women's Global Initiatives, shall designate and deploy, as appropriate, protection officers as an integral part of Disaster Assistance Response Teams to ensure that programs to prevent and address violence against women and girls are integrated into humanitarian relief, conflict, and post-conflict operations.

"(e) ACTIVITIES OF THE DEPARTMENT OF STATE.—Not later than 180 days after the date of the enactment of this title, the Secretary of State shall submit a report to Congress on efforts to—

"(1) require that all private military contracting firms hired by the Department of State for humanitarian relief, conflict, and post-conflict operations—

"(A) demonstrate a commitment to expanding the number and roles of women in such operations;

"(B) train all contractors who will be deployed to humanitarian relief, conflict, or post-conflict operations in preventing and responding to violence against women and girls, including in the use of mechanisms to report violence against women and girls;

"(C) conduct appropriate public outreach to make known to the host community the mechanisms to report violence against women and girls; and

"(D) promptly and appropriately respond to reports of violence against women and girls and treat survivors in accordance with best practices regarding confidentiality; and

"(2) assist women and girls formally involved in, or associated with, fighting forces as part of any multilateral or bilateral Disarmament, Demobilization, Rehabilitation and Reintegration efforts by providing—

"(A) protection and suitable separate facilities for women and girls in demobilization and transit centers;

"(B) equitable reintegration activities and opportunities to women and girls, including access to schooling, vocational training, employment, and childcare; and

"(C) essential medical care and psychosocial support for women and girls who are victims of gender-based violence.

"(f) ACTIVITIES OF THE DEPARTMENT OF DEFENSE.—The Secretary of Defense shall—

"(1) in consultation with the Coordinator of Women's Global Initiatives and the Director of the Office of Military Affairs of the Bureau of Democracy, Conflict and Humanitarian Assistance of the United States Agency for International Development, provide training in preventing and responding to violence against civilian women and girls to all United States military personnel, military contractors, military observers, and military police forces who will be deployed to humanitarian relief, conflict, and post-conflict operations;

"(2) in consultation with the Coordinator of Women's Global Initiatives and the Director of the Office of Military Affairs of the Bureau of Democracy, Conflict and Humanitarian Assistance, establish mechanisms for reporting incidences of violence against civilian women and girls by United States military personnel, military contractors, military observers, and police forces participating in humanitarian relief, peacekeeping, and post-conflict operations; and

"(3) establish appropriate public outreach to notify the civilian population of the mechanisms for reporting incidences of violence against civilian women and girls by United States military personnel, military contractors, military observers, and police forces.

"(g) ADDRESSING VIOLENCE AGAINST CIVILIAN WOMEN AND GIRLS BY UNITED NATIONS PEACEKEEPERS.—

"(1) DEPARTMENT OF STATE ACTIVITIES.—The Secretary of State shall encourage member states of the United Nations—

"(A) to support expanding the number and roles of female officers in all United Nations peacekeeping missions, whether as military forces, civilian police, or military observers; and

"(B) to routinely put forward the names of qualified female candidates for senior United Nations military and civilian management positions, particularly for overseas missions.

"(2) SENSE OF CONGRESS REGARDING ACTIONS OF UNITED NATIONS PEACEKEEPERS.—It is the sense of Congress that the Secretary-General of the United Nations should continue to strengthen the existing ability of the United Nations Department of Peacekeeping Operations and the Department of Field Support to prevent and respond to violence against women and girls by United Nations military and civilian personnel by—

"(A) requiring that troop contributing countries properly train all soldiers on the United Nations guidelines regarding appropriate conduct towards civilians, in particular those guidelines that address violence against women and girls, before participation in United Nations peacekeeping missions;

"(B) supporting the expansion of the role and number of female officers in all United Nations peacekeeping missions, whether as military forces, civilian police, or military observers;

"(C) strongly encouraging all United Nations member states to routinely put forward the names of qualified female candidates for senior United Nations military and civilian management positions, particularly for overseas missions;

"(D) ensuring appropriate mechanisms are in place for individuals to safely bring allegations of violence against women and girls to the attention of United Nations peacekeeping mission commanders and the United Nations Office of Internal Oversight;

"(E) ensuring the capability and capacity for the United Nations Office of Internal Oversight to investigate all credible allegations of violence against women and girls timely and efficiently, and in a manner that protects the whistleblower;

"(F) improving informational programs for all United Nations personnel on their responsibility to prevent violence against women and girls and not to engage in acts of violence against women and girls;

"(G) demanding that troop contributing countries—

"(i) thoroughly investigate allegations of their nationals engaging in violence against women and girls while serving on United Nations peacekeeping missions; and

"(ii) punish those found guilty of such misconduct; and

"(H) continuing to permanently exclude individuals found to have engaged in violence against women and girls as well as troop contingent commanders and civilian managerial personnel complicit in such behavior, from participating in future United Nations peacekeeping missions.

"(h) EMERGENCY MEASURES FOR CRITICAL OUTBREAKS OF VIOLENCE DURING CONFLICT OR POST-CONFLICT OPERATIONS.—

"(1) EMERGENCY RESPONSE TO CRITICAL OUTBREAKS.—The Secretary of State, in consultation with the Coordinator of Women's Global Initiatives, the Director of National Intelligence, and the Secretary of Defense, shall identify and take emergency measures to respond to critical outbreaks of violence against women and girls in situations of armed conflict when it is determined that the violence is being used as a weapon of intimidation and abuse.

"(2) DETERMINATION.—Violence against women and girls shall be determined to be a 'critical outbreak' if—

"(A) a United States Government report, allied government information, or credible non-governmental or media accounts depict a widespread pattern of violence 'against women or girls, particularly rape and other forms of sexual abuse, that is escalating in the number of victims or brutality of attacks and that takes place in an environment of relative impunity; or

"(B) escalating violence against women or girls is part of an organized campaign by governmental or rebel forces or militias.

"(3) EMERGENCY MEASURES.—Not later than 180 days after the identification of a critical outbreak, the Secretary of State, in consultation with the Coordinator of Women's Global Initiatives, the Director of National Intelligence, and the Secretary of Defense, shall develop emergency measures to respond to the outbreak identified under paragraph (1).

"(4) CONSULTATION.—In developing emergency measures under paragraph (1), the Secretary of State, with the assistance of the Coordinator, shall consult with—

"(A) nongovernmental organizations with demonstrated expertise working on preventing and addressing systematic violence against women and girls as a weapon of intimidation and abuse in situations of conflict and war; and

"(B) international organizations, such as the United Nations and its subsidiary funds, agencies, and programs, which are preventing and addressing systematic violence against women and girls as a weapon of intimidation and abuse in situations of conflict and war.

"(5) CONTENT.—The emergency measures developed under paragraph (1) shall include a description of—

"(A) the bilateral and multilateral diplomatic efforts that the Secretary of State will take to address the critical outbreak, including—

"(i) efforts with the government in which the violence is occurring, governments of the region in which the violence is occurring, and other allied governments; and

"(ii) efforts in international fora, such as the United Nations and its subsidiary agencies, funds and programs, including in the United Nations Security Council, as appropriate; and

"(B) the efforts by the United States Government to—

"(i) protect women and girls at risk in a critical outbreak region;

"(ii) urge all parties to the armed conflict to protect women and girls; and

"(iii) facilitate the prosecution of those responsible for the violence in a critical outbreak area.

"(6) NOTICE.—The Secretary of State shall notify Congress of efforts to respond to critical outbreaks, including a description of the bilateral and multilateral diplomatic efforts of the Department of State.

"(i) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated under subsection (c), there is authorized to be appropriated such sums as may be necessary for emergency measures, including the expansion of reporting mechanisms and programs, for each critical outbreak of violence identified under this section.".

SEC. 103. INCLUSION OF INFORMATION ON VIOLENCE AGAINST WOMEN AND GIRLS IN HUMAN RIGHTS REPORTS.

Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended—

(1) in paragraph (10), by striking "; and" and inserting a semicolon;

(2) in paragraph (11)(C), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(12) wherever applicable, the nature and extent of violence against women and girls.".

TITLE II—OTHER PROVISIONS

SEC. 201. AMENDMENTS TO FOREIGN SERVICE ACT OF 1980.

(a) PERFORMANCE PAY.—Section 405 of the Foreign Service Act of 1980 (22 U.S.C. 3965) is amended by adding at the end the following:

"(f) PROMOTION OF HUMAN RIGHTS.—Service in the promotion of internationally recognized human rights, including preventing and responding to violence against women and girls, shall serve as a basis for the award of performance pay.".

(b) FOREIGN SERVICE AWARDS.—Section 614 of the Foreign Service Act of 1980 (22 U.S.C. 4013) is amended by inserting "and preventing and responding to violence against women and girls" after "religion".

(c) FOREIGN SERVICE TRAINING.—Chapter 2 of title I of the Foreign Service Act of 1980 is amended by adding at the end the following:

"SEC. 212. TRAINING FOR FOREIGN SERVICE OFFICERS.

"The Secretary of State, assisted by the Coordinator of Women's Global Initiatives, shall include, as part of the standard training provided for officers of the Service (including chiefs of mission), instruction on international violence against women and girls, including domestic and sexual violence against women and girls in humanitarian relief, conflict, and post-conflict operations.".

SEC. 202. SUPPORT FOR MULTILATERAL EFFORTS TO END VIOLENCE AGAINST WOMEN AND GIRLS.

There is authorized to be appropriated to the International Organizations and Programs Account $5,000,000 for each of fiscal years 2008 through 2012 to support the United Nations Development Fund for Women Trust Fund in Support of Actions to Eliminate Violence Against Women.

SECTION-BY-SECTION SUMMARY OF THE INTERNATIONAL VIOLENCE AGAINST WOMEN ACT OF 2007

Sec. 1. Short Title.

Sec. 2. Table of Contents.

Sec. 3. Findings.—This section details the magnitude of the problem of violence against women and girls in families, communities, and countries around the world.

Sec. 4. Statement of Policy.—This section states that it is U.S. policy to promote women's political, economic, educational, social, cultural, civil, and human rights and opportunities throughout the world and to prevent and respond to violence against women and girls.

Sec. 5. Definitions.—This section defines "violence against women as "any act of gender-based violence against women or girls committed because of their gender that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivations of liberty, whether occurring in public or private life." (Identical to the widely-used, internationally-accepted definition.)

TITLE I: COORDINATION AND POLICY PLANNING

Sec. 101. Official Positions and Institutional Changes.—This section amends chapter 2, part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2166 et seq) by adding the following new title: "Title XIII—International Prevention of Violence Against Women and Girls".

Sec. 300A. Violence Against Women and Girls Defined.—"Violence against women" is defined in section 5 of the International Violence Against Women Act of 2007.

SUBTITLE A—OFFICIAL POSITIONS AND INSTITUTIONAL CHANGES

Sec. 300B. Office of Women's Global Initiatives.—This section establishes an "Office of Women's Global Initiatives" in the immediate office of the Secretary of State. The Coordinator of the Office of Women's Global Initiatives (the "Coordinator") will be appointed by the President with the advice and consent of the Senate and with the rank and status of Ambassador at Large. The Coordinator will design, oversee, and coordinate activities of the U.S. Government related to international women's issues, including violence against women and girls, and will develop the comprehensive international strategy as provided in this bill. The Coordinator will integrate efforts to reduce violence against women into existing U.S. Government assistance programs; allocate new funding to new programs; design, integrate, and implement new programs; and monitor and evaluate all programs. This section authorizes the appropriation of $15,000,000 for each of the fiscal years 2008–2012 to perform these office functions.

Sec. 300C. Women's Global Development Office.—This section establishes the Office of Women's Global Development within the United States Agency for International Development (USAID). The head of the office will be the Director of Women's Global Development (the "Director"), who will be appointed by the President with the advice and consent of the Senate and will report directly to the Administrator. The Director will consult regularly with the Coordinator of the Office of Women's Global Initiatives. The Director will integrate gender into USAID programs and activities and will ensure that efforts to prevent and respond to violence against women and girls are integrated into U.S. Government assistance programs. This section authorizes the appropriation of $15,000,000 for each of the fiscal years 2008–2012 to perform these office functions.

Sec. 300D. Advisory Commission on International Violence Against Women and Girls.—This section establishes an Advisory Commission on International Violence Against Women in the Department of State. The Advisory Commission will be composed of the Coordinator of Women's Global Initiatives, the Director of the Women's Global Development Office, eight members appointed by the President, three members appointed by the President pro tempore of the Senate, and three members appointed by the Speaker of the House of Representatives. Members will have expertise in the issue of violence against women and girls internationally and will include representatives of nongovernmental organizations (NGOs), and academics. This section authorizes the appropriation of $300,000 for each of fiscal years 2008–2012 to carry out the Commission's activities.

Sec. 102. Policy and Programs.—This section adds the new subtitle: "Subtitle B—Policy and Programs".

Sec. 300G. Comprehensive International Strategy to Reduce and Prevent Violence Against Women and Girls.—This section mandates the President, with the assistance of the Coordinator of Women's Global Initiatives and the Director of the Women's Global Development Office, within one year of the enactment of the Act, to submit to Congress a 5-year, comprehensive strategy to combat violence against women internationally.

The strategy will identify 10–20 low to middle income countries that have severe levels of gender-based violence. The strategy will describe the violence problems in each country and how the domestic and/or sexual violence is preventing sustainable progress in meeting humanitarian and/or development goals. The strategy will assess each country's capacity for change and the necessary collaboration. For each country, the strategy will describe two or more new programs that will be implemented to address the gender-based violence. The strategy will explain the coordination with existing country programs, experts and organizations and will identify what U.S. government agencies will be involved for each country initiative. Finally, the strategy mandates monitoring, assessment and accountability mechanisms for each country's programs.

As mentioned, the strategy will designate two or more programs to be implemented in each of the selected countries. This section sets forth a menu of possible, new gender-based violence program activities within five different sectors—legal reform and judicial protection, health care initiatives, public awareness campaigns, economic improvements and increasing educational opportunities.

Sec. 300H. Assistance to Reduce Violence Against Women and Girls Internationally.—This section authorizes the Coordinator to incorporate measures combating violence against women into existing acts and government legislation. It gives the Coordinator authority to provide annually $175 million of new funding to federal agencies, NGOs, community-based organizations, foreign governments, and multilateral institutions seeking to prevent and to reduce violence against women through the activities described in the international strategy.

Sec. 300I. Annual Report on International Violence Against Women and Girls.—This section determines that, not more than one year after the enactment of this Act, the Secretary, with the assistance of the Coordinator and the Director, will submit an annual report to Congress on the U.S. progress to end international violence against women and girls. The report will incorporate the comprehensive international strategy and detail the progress of the grant programs, the collaboration with multinational organizations, the training administered to humanitarian and military forces on gender-based violence, and the status of best practices developed to address the violence. This section authorizes the appropriation of $2,500,000 for the year 2008 and $500,000 for each of fiscal years 2009–2012 to generate the report.

Sec. 300J. Data Collection, Research, Monitoring, and Evaluation.—This section states that the Coordinator, with the assistance of the Administrator of USAID and the Director of the Women's Global Development Office, is responsible for researching, collecting, monitoring, and evaluating data on the effectiveness of programs designed as part of the global strategy to address violence against women and girls. Funds will be used to conduct national surveys and original research, and to monitor the effectiveness of new and existing programs. This section authorizes the appropriation of $20,000,000 to carry out the activities listed.

Sec. 300K. Enhancing United States Training of Foreign Military and Police Forces on Violence Against Women and Girls.—This section mandates that the Secretary of State and the Secretary of Defense report to Congress on efforts to incorporate instruction on preventing and responding to violence against women and girls in all basic training curricula of foreign military and police forces and judicial officials, and that such training shall be a component of all U.S. assistance to regional or multilateral peacekeeping units. Under this section, $8,000,000 is authorized for each of fiscal years 2008–2012 to carry out such training activities.

Sec. 300L. Addressing Violence Against Women and Girls in Humanitarian Relief, Peacekeeping, Conflict, and Post-Conflict Operations.—This section increases the ability of the United States Agency for International Development, the Department of State and the Department of Defense to prevent and address violence against women and girls in humanitarian relief, peacekeeping, conflict and post-conflict operations.

Programs and grantee training.—Under this section, the Secretary of State and Administrator of USAID shall include programs to prevent and respond to violence against women and girls in all humanitarian relief, conflict, and post-conflict operations under their authority. There is authorized to be appropriated $40,000,000 for each of fiscal years 2008–2012 to carry out such activities.

The Secretary of State and Administrator of USAID shall also require that all grantees that are deployed in such operations comply with the Inter-Agency Standing Committee Guidelines for Gender-Based Violence, and train all humanitarian workers in preventing and responding to violence against women and girls. Such training shall include the use of mechanisms to report violence against women and girls. Grantees shall be required to conduct public outreach campaigns to make known to the host community the mechanisms to report incidents of violence against women and girls, promptly respond to reports of such violence, and treat survivors confidentially.

Disaster Assistance Response Teams (DARTS).—This section also mandates that the Administrator of USAID deploy, as appropriate, protection officers as part of Disaster Assistance Response Teams (DART) to implement programs to prevent and address violence against women and girls.

State Department Report on Private Military Contractors and DDR efforts.—Under this section, the Secretary of State is required to submit a report outlining the Department's efforts to require that all private military contracting firms hired for humanitarian relief, conflict, and post-conflict operations demonstrate a commitment to expanding the number and role of women, and train all contractors in preventing and responding to violence against women and girls, including in the use of mechanisms to report such violence.

The report shall also include information on the Department's efforts to establish programs to assist women and girls as part of any multilateral or bilateral Disarmament, Demobilization, Rehabilitation and Reintegration [DDRR] programs.

Emergency Measures to respond to violence in Armed Conflict.—This section requires the Secretary of State to take emergency measures to identify and respond to "critical outbreaks" of violence against women and girls being used as a weapon of intimidation and abuse in situations of conflict and war, and shall notify Congress with a description, including bilateral and multilateral efforts with the government in which the violence is occurring, and governments of the surrounding region.

Department of Defense Training.—This section requires the Secretary of Defense to provide training in preventing and responding to violence against civilian women and girls to all United States military personnel and contractors who will be deployed to humanitarian relief, conflict, and post-conflict operations. The training must include mechanisms for reporting incidences of violence, as well as public outreach to make known to the civilian population the mechanisms.

Sense of the Senate Concerning U.N. Peacekeepers.—This section expresses the Sense of the Senate that the UN Secretary General should strengthen the United Nations' capability to prevent and respond to violence against civilian women and girls by United Nations Peacekeepers.

Sec. 104. Inclusion of Information on Violence Against Women and Girls in Human Rights Reports.—This section amends Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n) to include a description of the nature and extent of violence against women in the Department of State's annual Human Rights Report.

TITLE II: OTHER PROVISIONS

Sec. 201. Amendments to Foreign Service Act of 1980.—This section amends Section 405 of the Foreign Service Act of 1980 (22 U.S.C. 3965) to provide that service in the promotion of human rights, including the rights of women and girls, will serve as a basis for performance pay.

Sec. 212. Training for Foreign Service Officers.—This section amends Chapter 2 of title I of the Foreign Service Act of 1980 to provide for training for foreign service officers on international violence against women.

Sec. 202. Support For Multilateral Efforts to End Violence Against Women and Girls.—This section authorizes the appropriation of $5,000,000 for each of fiscal years 2008–2012 to the United Nations Development Fund for Women (UNIFEM) Trust Fund in Support of Actions to Eliminate Violence Against Women.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 361—TO PERMIT THE COLLECTION OF DONATIONS IN SENATE BUILDINGS TO BE SENT TO UNITED STATES MILITARY PERSONNEL ON ACTIVE DUTY OVERSEAS PARTICIPATING IN OR IN SUPPORT OF OPERATION IRAQI FREEDOM, OPERATION ENDURING FREEDOM, AND THE WAR ON TERRORISM

Mr. McCONNELL (for himself, Mr. REID, and Mr. BENNETT) submitted the following resolution; which was considered and agreed to:

S. RES. 361

Resolved,

SECTION 1. COLLECTION OF DONATIONS TO UNITED STATES MILITARY PERSONNEL.

(a) IN GENERAL.—Notwithstanding any other provision of the rules or regulations of the Senate—

(1) a Senator, officer, or employee of the Senate may collect from another Senator, officer, or employee of the Senate within Senate buildings nonmonetary donations to be sent to United States military personnel on active duty overseas participating in or in support of Operation Iraqi Freedom, Operation Enduring Freedom, and the war on terrorism; and

(2) a Senator, officer, or employee of the Senate may work with a nonprofit organization with respect to the delivery of donations that are collected as described in paragraph (1).

(b) EFFECTIVE PERIOD.—This resolution shall be in effect until December 31, 2007.

SENATE RESOLUTION 362—RECOGNIZING 2007 AS THE YEAR OF THE 100TH ANNIVERSARY OF THE AMERICAN SOCIETY OF AGRONOMY

Mr. HARKIN (for himself and Mr. CHAMBLISS) submitted the following resolution; which was considered and agreed to:

S. RES. 362

Whereas the American Society of Agronomy was founded on December 31, 1907, with Mark A. Carleton as the first President of the Society;

Whereas the American Society of Agronomy is one of the premier scientific societies in the world, as demonstrated by first-class journals, international and regional meetings, and development of a broad range of educational opportunities;

Whereas the science and scholarship of the American Society of Agronomy are mission-directed, and seek to foster exploration and application of agronomic science, with the goal of increasing and disseminating knowledge concerning the nature, use, improvement, and interrelationships of plants, soil, water, and the environment;

Whereas the American Society of Agronomy strives to obtain that goal by promoting effective research, disseminating scientific information, facilitating technology transfer, fostering high standards of education, striving to maintain high standards of ethics, promoting advancements in the agronomy profession, and cooperating with other organizations with similar objectives;

Whereas the American Society of Agronomy significantly contributes to the scientific and technical knowledge necessary to protect and sustain natural resources in the United States;

Whereas the American Society of Agronomy has a critical international role in developing sustainable agricultural management standards for the protection of land resources;

Whereas the mission of the American Society of Agronomy continues to expand, from the development of sustainable production of food, fiber, and forage, to the production of renewable energy and biobased industrial products;

Whereas the American Society of Agronomy certifies a body of professional Certified Crop Advisors and Certified Professional Agronomists who work closely with agricultural producers to develop nutrient management plans that are designed to minimize environmental risk in production agriculture;

Whereas, in industry, extension, and basic research, the American Society of Agronomy has fostered a dedicated professional and scientific community that, in 2007, includes more than 8,015 members and 13,015 certified crop advisor professionals; and

Whereas the American Society of Agronomy was the parent society that led to the formation of both the Crop Science Society of America and the Soil Science Society of America and later fostered the common overall management of these 3 related societies: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes 2007 as the 100th anniversary year of the American Society of Agronomy;

(2) commends the American Society of Agronomy for 100 years of dedicated service to advance the science and practice of agronomy; and

(3) acknowledges the promise of the American Society of Agronomy to continue to enrich the lives of all citizens, by improving stewardship of the environment, combating world hunger, and enhancing the quality of life for the next 100 years and beyond.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3491. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3963, to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes; which was ordered to lie on the table.

SA 3492. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3963, supra; which was ordered to lie on the table.

SA 3493. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3963, supra; which was ordered to lie on the table.

SA 3494. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3963, supra; which was ordered to lie on the table.

SA 3495. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3963, supra; which was ordered to lie on the table.

SA 3496. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3963, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3491. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3963, to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ___—HEALTH CARE CHOICE

SEC. _01. SHORT TITLE.

This title may be cited as "Health Care Choice Act of 2007".

SEC. _02. SPECIFICATION OF CONSTITUTIONAL AUTHORITY FOR ENACTMENT OF LAW.

This title is enacted pursuant to the power granted Congress under article I, section 8, clause 3, of the United States Constitution.

SEC. _03. FINDINGS.

Congress finds the following:

(1) The application of numerous and significant variations in State law impacts the ability of insurers to offer, and individuals to obtain, affordable individual health insurance coverage, thereby impeding commerce in individual health insurance coverage.

(2) Individual health insurance coverage is increasingly offered through the Internet, other electronic means, and by mail, all of which are inherently part of interstate commerce.

(3) In response to these issues, it is appropriate to encourage increased efficiency in the offering of individual health insurance coverage through a collaborative approach by the States in regulating this coverage.

(4) The establishment of risk-retention groups has provided a successful model for the sale of insurance across State lines, as the acts establishing those groups allow insurance to be sold in multiple States but regulated by a single State.

SEC. _04. COOPERATIVE GOVERNING OF INDIVIDUAL HEALTH INSURANCE COVERAGE.

(a) IN GENERAL.—Title XXVII of the Public Health Service Act (42 U.S.C. 300gg et seq.) is amended by adding at the end the following new part:

"PART D—COOPERATIVE GOVERNING OF INDIVIDUAL HEALTH INSURANCE COVERAGE

"SEC. 2795. DEFINITIONS.

"In this part:

"(1) PRIMARY STATE.—The term 'primary State' means, with respect to individual health insurance coverage offered by a health insurance issuer, the State designated by the issuer as the State whose covered laws shall govern the health insurance issuer in the sale of such coverage under this part. An issuer, with respect to a particular policy, may only designate one such State as its primary State with respect to all such coverage it offers. Such an issuer may not change the designated primary State with respect to individual health insurance coverage once the policy is issued, except that such a change may be made upon renewal of the policy. With respect to such designated State, the issuer is deemed to be doing business in that State.

"(2) SECONDARY STATE.—The term 'secondary State' means, with respect to individual health insurance coverage offered by a health insurance issuer, any State that is not the primary State. In the case of a health insurance issuer that is selling a policy in, or to a resident of, a secondary State, the issuer is deemed to be doing business in that secondary State.

"(3) HEALTH INSURANCE ISSUER.—The term 'health insurance issuer' has the meaning given such term in section 2791(b)(2), except that such an issuer must be licensed in the primary State and be qualified to sell individual health insurance coverage in that State.

"(4) INDIVIDUAL HEALTH INSURANCE COVERAGE.—The term 'individual health insurance coverage' means health insurance coverage offered in the individual market, as defined in section 2791(e)(1).

"(5) APPLICABLE STATE AUTHORITY.—The term 'applicable State authority' means, with respect to a health insurance issuer in a State, the State insurance commissioner or official or officials designated by the State to enforce the requirements of this title for the State with respect to the issuer.

"(6) HAZARDOUS FINANCIAL CONDITION.—The term 'hazardous financial condition' means that, based on its present or reasonably anticipated financial condition, a health insurance issuer is unlikely to be able—

"(A) to meet obligations to policyholders with respect to known claims and reasonably anticipated claims; or

"(B) to pay other obligations in the normal course of business.

"(7) COVERED LAWS.—The term 'covered laws' means the laws, rules, regulations, agreements, and orders governing the insurance business pertaining to—

"(A) individual health insurance coverage issued by a health insurance issuer;

"(B) the offer, sale, and issuance of individual health insurance coverage to an individual; and

"(C) the provision to an individual in relation to individual health insurance coverage of—

"(i) health care and insurance related services;

"(ii) management, operations, and investment activities of a health insurance issuer; and

"(iii) loss control and claims administration for a health insurance issuer with respect to liability for which the issuer provides insurance.

"(8) STATE.—The term 'State' means only the 50 States and the District of Columbia.

"(9) UNFAIR CLAIMS SETTLEMENT PRACTICES.—The term 'unfair claims settlement practices' means only the following practices:

"(A) Knowingly misrepresenting to claimants and insured individuals relevant facts or policy provisions relating to coverage at issue.

"(B) Failing to acknowledge with reasonable promptness pertinent communications with respect to claims arising under policies.

"(C) Failing to adopt and implement reasonable standards for the prompt investigation and settlement of claims arising under policies.

"(D) Failing to effectuate prompt, fair, and equitable settlement of claims submitted in which liability has become reasonably clear.

"(E) Refusing to pay claims without conducting a reasonable investigation.

"(F) Failing to affirm or deny coverage of claims within a reasonable period of time after having completed an investigation related to those claims.

"(10) FRAUD AND ABUSE.—The term 'fraud and abuse' means an act or omission committed by a person who, knowingly and with intent to defraud, commits, or conceals any material information concerning, one or more of the following:

"(A) Presenting, causing to be presented or preparing with knowledge or belief that it will be presented to or by an insurer, a reinsurer, broker or its agent, false information as part of, in support of or concerning a fact material to one or more of the following:

"(i) An application for the issuance or renewal of an insurance policy or reinsurance contract.

"(ii) The rating of an insurance policy or reinsurance contract.

"(iii) A claim for payment or benefit pursuant to an insurance policy or reinsurance contract.

"(iv) Premiums paid on an insurance policy or reinsurance contract.

"(v) Payments made in accordance with the terms of an insurance policy or reinsurance contract.

"(vi) A document filed with the commissioner or the chief insurance regulatory official of another jurisdiction.

"(vii) The financial condition of an insurer or reinsurer.

"(viii) The formation, acquisition, merger, reconsolidation, dissolution or withdrawal from one or more lines of insurance or reinsurance in all or part of a State by an insurer or reinsurer.

"(ix) The issuance of written evidence of insurance.

"(x) The reinstatement of an insurance policy.

"(B) Solicitation or acceptance of new or renewal insurance risks on behalf of an insurer reinsurer or other person engaged in the business of insurance by a person who knows or should know that the insurer or other person responsible for the risk is insolvent at the time of the transaction.

"(C) Transaction of the business of insurance in violation of laws requiring a license, certificate of authority or other legal authority for the transaction of the business of insurance.

"(D) Attempt to commit, aiding or abetting in the commission of, or conspiracy to commit the acts or omissions specified in this paragraph.

"SEC. 2796. APPLICATION OF LAW.

"(a) IN GENERAL.—The covered laws of the primary State shall apply to individual health insurance coverage offered by a health insurance issuer in the primary State and in any secondary State, but only if the coverage and issuer comply with the conditions of this section with respect to the offering of coverage in any secondary State.

"(b) EXEMPTIONS FROM COVERED LAWS IN A SECONDARY STATE.—Except as provided in this section, a health insurance issuer with respect to its offer, sale, renewal, and issuance of individual health insurance coverage in any secondary State is exempt from any covered laws of the secondary State (and any rules, regulations, agreements, or orders sought or issued by such State under or related to such covered laws) to the extent that such laws would—

"(1) make unlawful, or regulate, directly or indirectly, the operation of the health insurance issuer operating in the secondary State, except that any secondary State may require such an issuer—

"(A) to pay, on a nondiscriminatory basis, applicable premium and other taxes (including high risk pool assessments) which are levied on insurers and surplus lines insurers, brokers, or policyholders under the laws of the State;

"(B) to register with and designate the State insurance commissioner as its agent solely for the purpose of receiving service of legal documents or process;

"(C) to submit to an examination of its financial condition by the State insurance commissioner in any State in which the issuer is doing business to determine the issuer's financial condition, if—

"(i) the State insurance commissioner of the primary State has not done an examination within the period recommended by the National Association of Insurance Commissioners; and

"(ii) any such examination is conducted in accordance with the examiners' handbook of the National Association of Insurance Commissioners and is coordinated to avoid unjustified duplication and unjustified repetition;

"(D) to comply with a lawful order issued—

"(i) in a delinquency proceeding commenced by the State insurance commissioner if there has been a finding of financial impairment under subparagraph (C); or

"(ii) in a voluntary dissolution proceeding;

"(E) to comply with an injunction issued by a court of competent jurisdiction, upon a petition by the State insurance commissioner alleging that the issuer is in hazardous financial condition;

"(F) to participate, on a nondiscriminatory basis, in any insurance insolvency guaranty association or similar association to which a health insurance issuer in the State is required to belong;

"(G) to comply with any State law regarding fraud and abuse (as defined in section 2795(10)), except that if the State seeks an injunction regarding the conduct described in this subparagraph, such injunction must be obtained from a court of competent jurisdiction; or

"(H) to comply with any State law regarding unfair claims settlement practices (as defined in section 2795(9));

"(2) require any individual health insurance coverage issued by the issuer to be countersigned by an insurance agent or broker residing in that Secondary State; or

"(3) otherwise discriminate against the issuer issuing insurance in both the primary State and in any secondary State.

"(c) CLEAR AND CONSPICUOUS DISCLOSURE.—A health insurance issuer shall provide the following notice, in 12-point bold type, in any insurance coverage offered in a secondary State under this part by such a health insurance issuer and at renewal of the policy, with the 5 blank spaces therein being appropriately filled with the name of the health insurance issuer, the name of primary State, the name of the secondary State, the name of the secondary State, and the name of the secondary State, respectively, for the coverage concerned:

'This policy is issued by _________ and is governed by the laws and regulations of the State of _________, and it has met all the laws of that State as determined by that State's Department of Insurance. This policy may be less expensive than others because it is not subject to all of the insurance laws and regulations of the State of _________, including coverage of some services or benefits mandated by the law of the State of _________. Additionally, this policy is not subject to all of the consumer protection laws or restrictions on rate changes of the State of _________. As with all insurance products, before purchasing this policy, you should carefully review the policy and determine what health care services the policy covers and what benefits it provides, including any exclusions, limitations, or conditions for such services or benefits.'.

"(d) Prohibition on Certain Reclassifications and Premium Increases.—

"(1) In general.—For purposes of this section, a health insurance issuer that provides individual health insurance coverage to an individual under this part in a primary or secondary State may not upon renewal—

"(A) move or reclassify the individual insured under the health insurance coverage from the class such individual is in at the time of issue of the contract based on the health-status related factors of the individual; or

"(B) increase the premiums assessed the individual for such coverage based on a health status-related factor or change of a health status-related factor or the past or prospective claim experience of the insured individual.

"(2) Construction.—Nothing in paragraph (1) shall be construed to prohibit a health insurance issuer—

"(A) from terminating or discontinuing coverage or a class of coverage in accordance with subsections (b) and (c) of section 2742;

"(B) from raising premium rates for all policy holders within a class based on claims experience;

"(C) from changing premiums or offering discounted premiums to individuals who engage in wellness activities at intervals prescribed by the issuer, if such premium changes or incentives—

"(i) are disclosed to the consumer in the insurance contract;

"(ii) are based on specific wellness activities that are not applicable to all individuals; and

"(iii) are not obtainable by all individuals to whom coverage is offered;

"(D) from reinstating lapsed coverage; or

"(E) from retroactively adjusting the rates charged an individual insured individual if the initial rates were set based on material misrepresentation by the individual at the time of issue.

"(e) Prior Offering of Policy in Primary State.—A health insurance issuer may not offer for sale individual health insurance coverage in a secondary State unless that coverage is currently offered for sale in the primary State.

"(f) Licensing of Agents or Brokers for Health Insurance Issuers.—Any State may require that a person acting, or offering to act, as an agent or broker for a health insurance issuer with respect to the offering of individual health insurance coverage obtain a license from that State, except that a State many not impose any qualification or requirement which discriminates against a nonresident agent or broker.

"(g) Documents for Submission to State Insurance Commissioner.—Each health insurance issuer issuing individual health insurance coverage in both primary and secondary States shall submit—

"(1) to the insurance commissioner of each State in which it intends to offer such coverage, before it may offer individual health insurance coverage in such State—

"(A) a copy of the plan of operation or feasibility study or any similar statement of the policy being offered and its coverage (which shall include the name of its primary State and its principal place of business);

"(B) written notice of any change in its designation of its primary State; and

"(C) written notice from the issuer of the issuer's compliance with all the laws of the primary State; and

"(2) to the insurance commissioner of each secondary State in which it offers individual health insurance coverage, a copy of the issuer's quarterly financial statement submitted to the primary State, which statement shall be certified by an independent public accountant and contain a statement of opinion on loss and loss adjustment expense reserves made by—

"(A) a member of the American Academy of Actuaries; or

"(B) a qualified loss reserve specialist.

"(h) Power of Courts To Enjoin Conduct.—Nothing in this section shall be construed to affect the authority of any Federal or State court to enjoin—

"(1) the solicitation or sale of individual health insurance coverage by a health insurance issuer to any person or group who is not eligible for such insurance; or

"(2) the solicitation or sale of individual health insurance coverage by, or operation of, a health insurance issuer that is in hazardous financial condition.

"(i) State Powers To Enforce State Laws.—

"(1) In general.—Subject to the provisions of subsection (b)(1)(G) (relating to injunctions) and paragraph (2), nothing in this section shall be construed to affect the authority of any State to make use of any of its powers to enforce the laws of such State with respect to which a health insurance issuer is not exempt under subsection (b).

"(2) Courts of competent jurisdiction.—If a State seeks an injunction regarding the conduct described in paragraphs (1) and (2) of subsection (h), such injunction must be obtained from a Federal or State court of competent jurisdiction.

"(j) States' Authority To Sue.—Nothing in this section shall affect the authority of any State to bring action in any Federal or State court.

"(k) Generally Applicable Laws.—Nothing in this section shall be construed to affect the applicability of State laws generally applicable to persons or corporations.

"SEC. 2797. PRIMARY STATE MUST MEET FEDERAL FLOOR BEFORE ISSUER MAY SELL INTO SECONDARY STATES.

"A health insurance issuer may not offer, sell, or issue individual health insurance coverage in a secondary State if the primary State does not meet the following requirements:

"(1) The State insurance commissioner must use a risk-based capital formula for the determination of capital and surplus requirements for all health insurance issuers.

"(2) The State must have legislation or regulations in place establishing an independent review process for individuals who are covered by individual health insurance coverage unless the issuer provides an independent review mechanism functionally equivalent (as determined by the primary State insurance commissioner or official) to that prescribed in the 'Health Carrier External Review Model Act' of the National Association of Insurance Commissioners for all individuals who purchase insurance coverage under the terms of this part.

"SEC. 2798. ENFORCEMENT.

"(a) In General.—Subject to subsection (b), with respect to specific individual health insurance coverage the primary State for such coverage has sole jurisdiction to enforce the primary State's covered laws in the primary State and any secondary State.

"(b) Secondary State's Authority.—Nothing in subsection (a) shall be construed to affect the authority of a secondary State to enforce its laws as set forth in the exception specified in section 2796(b)(1).

"(c) Court Interpretation.—In reviewing action initiated by the applicable secondary State authority, the court of competent jurisdiction shall apply the covered laws of the primary State.

"(d) Notice of Compliance Failure.—In the case of individual health insurance coverage offered in a secondary State that fails to comply with the covered laws of the primary State, the applicable State authority of the secondary State may notify the applicable State authority of the primary State.".

(b) Effective Date.—The amendment made by subsection (a) shall apply to individual health insurance coverage offered, issued, or sold after the date of the enactment of this Act.

SEC. _06. SEVERABILITY.

If any provision of the title or the application of such provision to any person or circumstance is held to be unconstitutional, the remainder of this title and the application of the provisions of such to any other person or circumstance shall not be affected.

SA 3492. Mr. DeMINT submitted an amendment intended to be proposed by him to the bill H.R. 3963, to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. ____. ABOVE-THE-LINE DEDUCTION FOR HEALTH INSURANCE PREMIUMS AND OUT-OF-POCKET EXPENSES.

(a) In General.—Section 62(a) of the Internal Revenue Code of 1986 (defining adjusted gross income) is amended by inserting after paragraph (21) the following new paragraph:

"(22) Health insurance payments.—

"(A) In general.—Any amount allowable as a deduction under section 213 (determined without regard to any income limitation under subsection (a) thereof) by reason of subsection (d)(1)(D) thereof for qualified health insurance and for any deductible and other out-of-pocket expenses required to be paid under such insurance.

"(B) Qualified health insurance.—For purposes of this paragraph—

"(i) In general.—The term 'qualified health insurance' means insurance which constitutes medical care as defined in section 213(d) without regard to—

"(I) paragraph (1)(C) thereof, and

"(II) so much of paragraph (1)(D) thereof as relates to qualified long-term care insurance contracts.

"(ii) Exclusion of certain other contracts.—Such term shall not include insurance if a substantial portion of its benefits are excepted benefits (as defined in section 9832(c)).".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. _____. USE OF HEALTH SAVINGS ACCOUNTS FOR NON-GROUP HIGH DEDUCTIBLE HEALTH PLAN PREMIUMS.

(a) IN GENERAL.—Section 223(d)(2)(C) of the Internal Revenue Code of 1986 (relating to exceptions) is amended by striking "or" at the end of clause (iii), by striking the period at the end of clause (iv) and inserting ", or", and by adding at the end the following new clause:

"(v) a high deductible health plan, other than a group health plan (as defined in section 5000(b)(1)).".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. _____. CLARIFICATION OF DEFINITION OF GROUP HEALTH PLAN UNDER HIPAA.

(a) ERISA.—Section 733(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191b(a)(1)) is amended by adding at the end the following: "Such term does not include an arrangement maintained by an employer the sole effect of which is to provide reimbursement to employees for the purchase by such employees of health insurance coverage offered in the individual market (as defined in section 2791(e)(1)) of the Public Health Service Act), notwithstanding that the employer or an employee organization negotiates the cost or benefits of the arrangement.".

(b) PHSA.—Section 2791(a)(1) of the Public Health Service Act (42 U.S.C. 300gg-91(a)(1)) is amended by adding at the end the following: "Such term does not include an arrangement maintained by an employer the sole effect of which is to provide reimbursement to employees for the purchase by such employees of health insurance coverage offered in the individual market, notwithstanding that the employer or an employee organization negotiates the cost or benefits of the arrangement.".

(c) IRC.—Section 9832(a) of the Internal Revenue Code of 1986 (relating to definitions) is amended by inserting before the period the following: ", except that such term does not include an arrangement maintained by an employer the sole effect of which is to provide reimbursement to employees for the purchase by such employees of health insurance coverage offered in the individual market (as defined in section 2791(e)(1)) of the Public Health Service Act), notwithstanding that the employer or an employee organization negotiates the cost or benefits of the arrangement.".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2007.

SA 3493. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3963, to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 114 and insert the following:

SEC. 114. DENIAL OF PAYMENTS FOR EXPENDITURES FOR CHILD HEALTH ASSISTANCE FOR CHILDREN WHOSE FAMILY INCOME EXCEEDS 300 PERCENT OF THE POVERTY LINE.

(a) IN GENERAL.—Section 2105(c) (42 U.S.C. 1397ee(c)) is amended by adding at the end the following new paragraph:

"(8) DENIAL OF PAYMENTS FOR EXPENDITURES FOR CHILD HEALTH ASSISTANCE FOR CHILDREN WHOSE FAMILY INCOME EXCEEDS 300 PERCENT OF THE POVERTY LINE.—

"(A) IN GENERAL.—For child health assistance furnished after the date of the enactment of this paragraph, no payment shall be made under this section for any expenditures for providing child health assistance or health benefits coverage for a targeted low-income child whose family income exceeds 300 percent of the poverty line.

"(B) DETERMINATION OF FAMILY INCOME.—In determining family income under this title (including in the case of a State child health plan that provides health benefits coverage in the manner described in section 2101(a)(2)), a State shall base such determination on gross income (including amounts that would be included in gross income if they were not exempt from income taxation).".

(b) PROHIBITION ON WAIVER OF REQUIREMENTS.—Section 2107(f) (42 U.S.C. 1397gg(f)), as amended by section 112(a)(2)(A), is amended by adding at the end the following new paragraph:

"(3) The Secretary may not approve a waiver, experimental, pilot, or demonstration project with respect to a State after the date of enactment of the Children's Health Insurance Program Reauthorization Act of 2007 that would waive or modify the requirements of section 2105(c)(8) (relating to denial of payments for expenditures for child health assistance for children whose family income exceeds 300 percent of the poverty line).".

SA 3494. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3963, to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes; which was ordered to lie on the table; as follows:

On page 281, between lines 16 and 17, insert the following:

SEC. ___. POINT OF ORDER AGAINST LEGISLATION THAT RESULTS IN A TAKEOVER OF HEALTH CARE COVERAGE BY THE FEDERAL GOVERNMENT.

Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

"POINT OF ORDER AGAINST LEGISLATION THAT RESULTS IN A TAKEOVER OF HEALTH CARE COVERAGE BY THE FEDERAL GOVERNMENT

"SEC. 316. (a)(1) IN GENERAL.—It shall not be in order in the Senate to consider any bill, resolution, amendment, amendment between Houses, motion, or conference report that—

"(A) imposes Federal Government mandates that reduce the number of Americans covered by private health insurance;

"(B) mandates through Federal law that any employer contributions or private wages that currently fund private health care coverage go to a Federally-run program for health care coverage; or

"(C) displaces the number of individuals in private health care coverage through an expansion or creation of a health care system run by the Federal Government by more than 5 percent of the total number of individuals affected by the expansion or creation of any such system.

"(2) DETERMINATIONS.—All determinations required by this subsection shall be made by the Congressional Budget Office.

"(b) SUPERMAJORITY WAIVER AND APPEAL.—

"(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

"(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.".

SA 3495. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3963, to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 613.

SA 3496. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3963, to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Children's Health Care First Act".

SEC. 2. PROHIBITION ON FUNDING CONGRESSIONAL EARMARKS UNTIL ALL UNITED STATES CHILDREN HAVE OPTIMAL HEALTH INSURANCE.

Notwithstanding any other provision of law, the Secretary of Health and Human Services shall not allocate or make payments from any funds appropriated for congressionally directed spending items (as such term is defined for purposes of paragraph 5(d) of rule XLIV of the Standing Rules of the Senate) for fiscal year 2008 or any succeeding fiscal year until on or after the date on which the Secretary of Health and Human Services certifies to Congress that all children in the United States have optimal health insurance.

SEC. 3. TRANSFER OF EARMARK FUNDS TO SCHIP.

Notwithstanding any other provision of law, any funds appropriated to the Secretary of Health and Human Services or the Department of Health and Human Services for congressionally directed spending items (as such term is defined for purposes of paragraph 5(d) of rule XLIV of the Standing Rules of the Senate) for fiscal year 2008 or any succeeding fiscal year are hereby transferred and made available for providing allotments to States under section 2104 of the Social Security Act (42 U.S.C. 1397dd) until on or after the date described in section 2.

SEC. 4. ANNUAL REPORT ON NUMBER OF CHILDREN PROVIDED HEALTH INSURANCE THROUGH TRANSFERRED EARMARK FUNDS.

Beginning January 1, 2008, and annually thereafter until on or after the date described in section 2, the Secretary of Health and Human Services shall submit a report to Congress on the number of children who are provided child health assistance under a State child health plan under title XXI of the Social Security Act through funds transferred and made available under section 3 for providing allotments to States under section 2104 of such Act.

AUTHORITY FOR COMMITTEES TO MEET

AD HOC SUBCOMMITTEE ON DISASTER RECOVERY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Disaster Recovery of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, October 31, 2007, at 2:30 p.m. in order to conduct a hearing entitled, "Post-Catastrophe Crisis: Addressing the Dramatic Need and Scant Availability of Mental Health Care in the Gulf Coast."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 31, 2007, at 2:30 p.m., in order to conduct a hearing entitled "Climate Disclosure: Measuring Financial Risks and Opportunties."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Wednesday, October 31, 2007 at 10 a.m. in room 406 of the Dirksen Senate Office Building, in order to conduct a hearing entitled, "Examination of the Licensing Process for the Yucca Mountain Repository."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 31, 2007, at 11 a.m. in order to hold a business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet, during the session of the Senate, in order to conduct a hearing entitled "FISA Amendments: How to Protect America's Security and Privacy and Preserve the Rule of Law and Government Accountability" on Wednesday, October 31, 2007. The hearing will commence at 10 a.m. in room 226 of the Dirksen Senate Office Building.

Witness list

Panel I: Kenneth L. Wainstein, Assistant Attorney General, National Security Division, U.S. Department of Justice.

Panel II: Edward Black, President and CEO, Computer & Communications Industry Association, Washington, DC; Patrick F. Philbin, Partner, Kirkland & Ellis, Washington, DC; Morton H. Halperin, Director of U.S. Advocacy, Open Society Institute, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent for the Committee on Veterans' Affairs to be authorized to meet during the session of the Senate on Wednesday, October 31, 2007, in order to conduct a hearing on the Uniformed Services Employment and Reemployment Rights Act. The Committee will meet in room SD–562 of the Dirksen Senate Office Building, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMITTING COLLECTION OF DONATIONS IN SENATE BUILDINGS TO BE SENT TO MILITARY PERSONNEL

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 361, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 361) to permit the collection of donations in Senate buildings to be sent to United States military personnel on active duty overseas participating in or in support of Operation Iraqi Freedom, Operation Enduring Freedom, and the war on terrorism.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 361) was agreed to, as follows:

S. RES. 361

Resolved,

SECTION 1. COLLECTION OF DONATIONS TO UNITED STATES MILITARY PERSONNEL.

(a) IN GENERAL.—Notwithstanding any other provision of the rules or regulations of the Senate—

(1) a Senator, officer, or employee of the Senate may collect from another Senator, officer, or employee of the Senate within Senate buildings nonmonetary donations to be sent to United States military personnel on active duty overseas participating in or in support of Operation Iraqi Freedom, Operation Enduring Freedom, and the war on terrorism; and

(2) a Senator, officer, or employee of the Senate may work with a nonprofit organization with respect to the delivery of donations that are collected as described in paragraph (1).

(b) EFFECTIVE PERIOD.—This resolution shall be in effect until December 31, 2007.

RECOGNIZING 2007 AS THE YEAR OF THE 100TH ANNIVERSARY OF THE AMERICAN SOCIETY OF AGRONOMY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 362, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 362) recognizing 2007 as the year of the 100th anniversary of the American Society of Agronomy.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and motions to reconsider be laid upon the table en bloc; that any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 362) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 362

Whereas the American Society of Agronomy was founded on December 31, 1907, with Mark A. Carleton as the first President of the Society;

Whereas the American Society of Agronomy is one of the premier scientific societies in the world, as demonstrated by first-class journals, international and regional meetings, and development of a broad range of educational opportunities;

Whereas the science and scholarship of the American Society of Agronomy are mission-directed, and seek to foster exploration and application of agronomic science, with the goal of increasing and disseminating knowledge concerning the nature, use, improvement, and interrelationships of plants, soil, water, and the environment;

Whereas the American Society of Agronomy strives to obtain that goal by promoting effective research, disseminating scientific information, facilitating technology transfer, fostering high standards of education, striving to maintain high standards of ethics, promoting advancements in the agronomy profession, and cooperating with other organizations with similar objectives;

Whereas the American Society of Agronomy significantly contributes to the scientific and technical knowledge necessary to protect and sustain natural resources in the United States;

Whereas the American Society of Agronomy has a critical international role in developing sustainable agricultural management standards for the protection of land resources;

Whereas the mission of the American Society of Agronomy continues to expand, from the development of sustainable production of food, fiber, and forage, to the production of renewable energy and biobased industrial products;

Whereas the American Society of Agronomy certifies a body of professional Certified Crop Advisors and Certified Professional Agronomists who work closely with agricultural producers to develop nutrient management plans that are designed to minimize environmental risk in production agriculture;

Whereas, in industry, extension, and basic research, the American Society of Agronomy has fostered a dedicated professional and scientific community that, in 2007, includes more than 8,015 members and 13,015 certified crop advisor professionals; and

Whereas the American Society of Agronomy was the parent society that led to the formation of both the Crop Science Society of America and the Soil Science Society of America and later fostered the common overall management of these 3 related societies: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes 2007 as the 100th anniversary year of the American Society of Agronomy;

(2) commends the American Society of Agronomy for 100 years of dedicated service to advance the science and practice of agronomy; and

(3) acknowledges the promise of the American Society of Agronomy to continue to enrich the lives of all citizens, by improving stewardship of the environment, combating world hunger, and enhancing the quality of life for the next 100 years and beyond.

DESIGNATING THE DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN AUGUSTA, GEORGIA, AS THE "CHARLIE NORWOOD DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER"

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 1808, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1808) to designate the Department of Veterans Affairs Medical Center in Augusta, Georgia, as the "Charlie Norwood Department of Veterans Affairs Medical Center."

There being no objection, the Senate proceeded to consider the bill.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1808) was ordered to a third reading, was read the third time, and passed.

RECOGNIZING THE NAVY SEALS MUSEUM IN FORT PIERCE, FLORIDA

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration of H.R. 2779 and the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2779) to recognize the Navy UDT-SEAL Museum in Fort Pierce, FL, as the official national museum of Navy SEALs and their predecessors.

There being no objection, the Senate proceeded to consider the bill.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the bill be read the third time, passed, and the motion to reconsider be laid upon the table; that any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2779) was ordered to a third reading, was read the third time, and passed.

ORDERS FOR THURSDAY, NOVEMBER 1, 2007

Mrs. MURRAY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Thursday, November 1; that on Thursday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled, with Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of the motion to proceed to H.R. 3963, the CHIP legislation; further, that all time consumed in morning business during today's session and tomorrow, as well as the time during the adjournment, count postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mrs. MURRAY. Mr. President, if there is no further business, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 5:49 p.m., adjourned until Thursday, November 1, 2007, at 10 a.m.

HOUSE OF REPRESENTATIVES—*Wednesday, October 31, 2007*

The House met at 10 a.m.

The Reverend Eric W. Jorgensen, St. Stephen's Reformed Episcopal Church, Eldersburg, Maryland, offered the following prayer:

Almighty God, who has given us this good land for our heritage, we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor. Bless these Representatives who faithfully serve the citizens of this Nation. Grant them a solemn sense of responsibility before God and their fellow man. Care for their loved ones in need while they labor in this House. Help them to stand firm in conviction where warranted and grant the ability to come to consensus when needed.

We ask the same for other government branches and for Your mercy upon those who defend our national life and liberty. Make us all strong and great in the fear of God and in love of righteousness that blessed of Thee we may be a blessing to all people. Grant this by the authority of Him who was and is and is to come. Amen.

THE JOURNAL

The SPEAKER pro tempore (Mrs. TAUSCHER). The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. POE. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POE. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Missouri (Mr. CLEAVER) come forward and lead the House in the Pledge of Allegiance.

Mr. CLEAVER led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING THE REVEREND ERIC W. JORGENSEN

(Mr. BARTLETT of Maryland asked and was given permission to address the House for 1 minute.)

Mr. BARTLETT of Maryland. Madam Speaker, I want to thank one of my constituents, Pastor Eric W. Jorgensen of St. Stephen's Reformed Episcopal Church in Eldersburg, Maryland, for serving as a guest chaplain of the House of Representatives and providing us a beautiful prayer before we begin our work.

This is a tradition begun by Benjamin Franklin that has been followed ever since by the House of Representatives and the Senate. Benjamin Franklin, then 82 years of age, rose during a moment of crisis during our Constitutional Convention. This is part of what he said: "In the days of our contest with Great Britain when we were sensible of danger, we had daily prayer in this room for divine protection. I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth, that God governs in the affairs of men. If a sparrow cannot fall without his notice, can a Nation rise without his aid?

"I therefore beg leave to move that henceforth prayers imploring the assistance of heaven and its blessings on our deliberations be held in this assembly every morning before we begin to proceed to any other business."

Thank you, Mr. Franklin, for this precedent. Thank you, Pastor Jorgensen, for helping to continue this great tradition.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 further requests for 1-minute speeches on each side of the aisle.

END THE WAR IN IRAQ

(Mr. CLEAVER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLEAVER. Madam Speaker, this morning I rose from my slumber and turned on C–SPAN, as I always do, and caller after caller mentioned that they interpret what goes on here in this body as irrelevant, that we don't listen to the American people. Of course, if they are talking about the war, which most Americans want ended, they are right. If they are referring back to the Terri Schiavo incident, they are right. But many of them were talking about the SCHIP program. It is troublesome to me that we will not provide health insurance for 10 million children.

I don't attack the President, I don't condemn my colleagues and call them names, but I have got to say that it is embarrassing that the dreams of the American public show up here on this floor to die. This has become the burial ground for American dreams.

WELCOME PRESIDENT NAMBARYN ENKHBAYAR OF MONGOLIA

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, last week President Nambaryn Enkhbayar of Mongolia visited the United States to meet with President Bush and discuss the growing partnership between our two nations. As cochair of the Mongolian Caucus, I was grateful for President Enkhbayar's visit. Mongolia and the United States continue to work closely together to strengthen our economic and strategic alliances, as well as our efforts internationally.

Madam Speaker, I am particularly appreciative of the Mongolian people's continued support of our efforts in Iraq as the central front in the global war on terrorism. During the visit, President Bush and President Enkhbayar signed a Millennium Challenge Corporation Compact. A millennium challenge compact is an initiative by the United States to help developing nations expand their economic growth by investing in infrastructure, health care, education, transportation and other areas.

In conclusion, God bless our troops, and we will never forget September the 11th.

Happy birthday, Alan Stedman of Haddenfield, New Jersey.

AMERICAN SOLDIERS IN IRAQ ARE TIRED, BITTER AND SKEPTICAL, AND YET BUSH ONLY OFFERS STATUS QUO

(Mr. MORAN of Virginia asked and was given permission to address the

☐This symbol represents the time of day during the House proceedings, e.g., ☐1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

House for 1 minute and to revise and extend his remarks.)

Mr. MORAN of Virginia. Madam Speaker, as President Bush allows the war in Iraq to drag on, with no change in policy and no end in sight, it is important that we hear what our combat soldiers are saying on the front lines of that war. Over the weekend, The Washington Post published a story on the First Infantry Division of the First Battalion, which has been patrolling the streets of Baghdad for the last 14 months. Those troops are tired, bitter and skeptical. One such soldier told the reporter, and I am quoting, "I don't think this place is worth another soldiers' life."

Our soldiers are also frustrated that decisionmakers here in Washington don't fully realize what is going on. Quoting another soldier: "They just know back there what the higher-ups tell them. But the higher-ups don't go anywhere, and actually they only go to the safe places with a little bit of gunfire. They don't see what we see on the ground." Having been to Iraq a number of times, as many of my colleagues have, how true that is.

Madam Speaker, none of us in this Chamber can imagine what our soldiers go through on a daily basis in Iraq, but the White House needs to start listening to them. It is well past time to bring our sons and daughters home from this fiasco we call the war in Iraq.

TRULY SCARY HALLOWEEN

(Mr. AKIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AKIN. Madam Speaker, today is Halloween. The Democrats are doing a good job celebrating it. They are handing out entitlements like Halloween candy. The question is how are we going to pay for it. Well, they have approved $431 billion in new taxes this year, but for Halloween they have got something that is really scary: the mother of all tax increases, the biggest tax increase in the history of our country, $3.5 trillion.

The question becomes on Halloween, with fuel prices going up, with the cost of health care going up, with the cost of housing going up, how can we face something as scary as the mother of all tax increases.

VETERANS DAY

(Mr. KAGEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KAGEN. Madam Speaker, the war to end all wars, World War I, ended on the 11th day of the 11th month in 1911. In these words, Armistice Day became our Nation's day to give our gratitude to all, to all of our servicemen and women, as President Wilson proclaimed: "To us in America the reflections of Armistice Day will be filled with solemn pride in the heroism of those who died in the country's service and with gratitude for the victory, both because of the thing from which it has freed us and because the opportunity it has given America to show her sympathy with peace and justice in the councils of nations."

Peace and justice. Peace and justice.

President Eisenhower would later, in 1954, change this title to Veterans Day. This 110th Congress has fulfilled its duty to the spirit and the meaning of Veterans Day by passing the largest increase in veterans benefits in the past 77 years, making certain all vets receive the benefits they have earned.

This Veterans Day day, please, please thank a veteran for their service, for this is still our Nation's finest hour.

EARMARK MINUTE

(Mr. FLAKE asked and was given permission to address the House for 1 minute.)

Mr. FLAKE. Madam Speaker, Democrats wisely seized on earmark reform as an issue during last year's elections. I believe that their promises of reform, coupled with the Republican Party's inability to control earmarks, directly contributed to the Democrats' success in last year's elections. However, the majority party does not appear to be following through with the substantive reforms that were promised.

Take the Labor-HHS bill that will soon be considered in conference. It contains more than 1,300 House earmarks, more than 1,000 Senate earmarks. It goes without saying that few of these earmarks have received even a cursory screening, let alone a thorough vetting. We need to remember that we are only halfway through the process and it is in the conference that much of the earmark mischief occurs. Public confidence in our ability as stewards of their taxpayer dollars will further erode.

Madam Speaker, while watching the Democrats make the same political miscalculations as we did in the majority may delight us as Republicans, it has to be sorely disappointing to taxpayers. I urge all Members, Republicans and Democrats, to support legislation to impose an earmark moratorium until we can scrutinize all earmarks.

☐ 1015

SCHIP HALLOWEEN

(Mr. EMANUEL asked and was given permission to address the House for 1 minute.)

Mr. EMANUEL. Madam Speaker, President Bush is continuing to oppose a bipartisan plan to give 10 million children the health care they need. This morning, the Associated Press reported that President Bush will veto any plan that raises the resources necessary to fund children's health care.

An overwhelming majority of Republicans and Democrats in Congress disagree with the President on this issue. But the President is content to continue to stand between 10 million children and their health care. The President's refusal to move forward could have serious consequences for middle-class families.

The New York Times reported today that 21 States will run out of money for children's health care this year if the spending for the SCHIP program continues only at current levels. The parents of these children earn a paycheck, not a welfare check. Millions of children and their parents are counting on this President and Republicans in Congress to offer more than an emergency room as health care.

The same children who are counting on the President to act will celebrate Halloween this evening and President Bush won't miss out on the fun. At 1600 Pennsylvania Avenue, President Bush is having what he calls an SCHIP Halloween. It's all trick, no treat. He's preventing health care coverage for millions of kids.

DRUG SMUGGLERS USE FAKE GOVERNMENT TRUCKS

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Madam Speaker, the drug smugglers have gotten smarter. They now disguise vehicles they are using to smuggle drugs into America to look exactly like Texas State transportation trucks. They mask them with official decals and even license plates; thus, making it easier to bring drugs into the United States.

Even though this criminal activity is highly organized, at least 11 drug dealers have been captured bringing thousands of dollars worth of drugs into our country using these fake State vehicles.

But when the U.S. Attorney prosecuted these criminals, they received relatively light sentences. Some people received only fines. One received 24 months in prison, far less than the 11- and 12-year sentences that Border Agents Ramos and Compean received when they were prosecuted by the same U.S. Attorney for wounding a drug smuggler on the border.

The U.S. Attorney's weak prosecution of drug smugglers is disturbing. The U.S. Attorney's Office seems to be more interested in prosecuting border agents than it is in prosecuting the real criminals that bring drugs into our country. The overwhelming message here is that a measly fine is just a cost of doing business: the drug smuggling business in America.

And that's just the way it is.

MISPLACED PRIORITIES

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute.)

Mr. JOHNSON of Georgia. Madam Speaker, within the last month, the American people have seen just how misplaced President Bush's priorities are when it comes to addressing the needs of hardworking Americans.

Earlier this month, the President vetoed a bipartisan bill that would have provided 10 million children private health insurance through the SCHIP program. The bill cost an additional $35 billion over the next 5 years, and would have allowed us to receive 4 million more uninsured children. Instead, the President suggested a mere $5 billion increase, which would lead to more than 800,000 children losing their health insurance coverage.

Contrast that with the President's announcement last week that he was requesting an additional $189 billion in emergency funds over the next year for the war in Iraq, which was $42 billion higher than originally thought.

Fortunately, most Americans, Senators and Governors have caught on to the President's misplaced priorities. But Republicans here in the House continue to blindly follow this President. And just as they refused to join us last week in standing by these 10 million kids, House Republicans will most likely sign off on the President's war funding request without ever asking a single question.

PRAYER BAN OVERTURNED

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Madam Speaker, since the American founding, acknowledging God has been at the center of American experience. Today, for example, Congress opened our day in prayer. And thanks to the Seventh U.S. Circuit Court of Appeals, the Indiana General Assembly can open in prayer again.

In November of 2005, U.S. District Judge David Hamilton ruled that opening prayers in the Indiana House of Representatives could not mention Jesus or endorse a particular religion. Then-House Speaker Brian Bosma appealed the decision; and yesterday, in a 2-1 opinion, the court overruled that decision.

I commend the Seventh U.S. Circuit Court of Appeals, and I particularly rise to commend the tenacious and principled leadership of Republican minority leader Brian Bosma. Because of his efforts, Hoosiers can continue our long tradition of acknowledging God in the public square and in the well of the people's State House.

DEMOCRATS EXERCISE FISCAL DISCIPLINE

(Mr. KLEIN of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEIN of Florida. Madam Speaker, this summer the Democrat-led House completed work on all 12 appropriations bills that fund the Federal Government for the upcoming year. Each bill restores fiscal responsibility, ensures that taxpayer dollars are spent wisely, and was passed with bipartisan support. Our bills will not add money to the Federal deficit because we kept our promise to adhere to pay-as-you-go rules.

Yesterday, financial watchdogs, including the Center for Budget and Policy Priorities, the Concord Coalition and the Committee for a Responsible Federal Budget praised the new Congress for our strict adherence to the PAYGO rules.

Contrast that praise with the Bush administration's record of turning record surpluses into record deficits. President Bush has borrowed more money from foreign nations than all 42 of his predecessors combined.

Yet the President threatens to veto our appropriations bills because he says they are excessive. Does he really oppose important investments in veterans health care, pay raises for active duty soldiers, funding for more cops on our streets, and funding for life-saving medical research?

Americans need to send a message to President Bush to get his priorities right.

NOT MUCH ACCOMPLISHED

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Madam Speaker, an analysis of the accomplishments under Democrat control here in Congress for the 110th Congress has shown that not much has been accomplished. Let's take a look at it. There have been a thousand votes taken this year. When you look at those thousand votes, only 106 bills have been signed by the President. What are those bills? Well, 46 were naming of post offices, public buildings and bridges. Not much accomplishment there. And 44 bills were noncontroversial. Some were actually Republican bills. They had strong bipartisan support.

Fourteen of these bills were reauthorization of existing law that the Republicans developed and were just continuing. And two substantial, serious bills that passed this House, the FISA bill and the Iraq supplemental, passed without one member of the Democrat leadership supporting it.

That is all that has been accomplished, and I think the American people need to know. Lastly, not one appropriation bill has been sent to the President and the fiscal year is already over.

OUR CHILDREN'S HEALTH

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARNAHAN. Madam Speaker, the Children's Health Insurance Program is one of the most effective government programs of the last decade. For an investment of just $3.50 a day, we can ensure health care for that child who would otherwise fall through the cracks because their family makes too much for Medicaid but can't afford private health insurance.

This small cost is significantly less than the cost we all bear when uninsured children fail to receive preventative care and end up in our emergency rooms. Yet the President and about 10 of his Republican House supporters are all that stand in the way of covering 10 million American children.

Our bipartisan legislation will allow children who are already eligible for the program to see the doctor of their family's choice so they don't have to resort to an emergency room for their primary care.

Madam Speaker, it is time for our Republican colleagues in this body to join us in ensuring that all American children have a healthy start in life. The future success of our Nation depends on the health and well-being of our children. It is time for the obstructionists to get out of the way. Let's get the job done.

FUND OUR VETERANS

(Mrs. DRAKE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DRAKE. Madam Speaker, this is day 31. That is 31 days so far that our veterans have not had the use of the increased funding for their benefits in health care. That is $18.5 million a day not able to be used. And why? Because the Democratic leadership has decided to not complete this bill and send it to the President who has agreed to sign it.

In June, this House passed this appropriation bill with a $6 billion increase in a bipartisan manner. We were proud of our work and grateful to our veterans. On September 6, the Senate passed their bill. This work is done.

Our veterans are not pawns in a political game. They are heroes. America expects us to get the job done. America expects us to provide the best care for our veterans. Please join me in calling upon the Democratic leadership to put our veterans first and send this bill to the President now.

PROTECT SEXUAL TRAFFICKING VICTIMS

(Mrs. MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MALONEY of New York. Madam Speaker, today the House Judiciary Committee will hold a hearing on the Trafficking Victims Protection Act. Sex trafficking has been called the slavery issue of the 21st century. And because girls and women are its victims, it is one of the great women's issues of our time.

The lives of trafficking victims are pure horror. These photographs that are in the current issue of Prism magazine include mug shots or photographs of trafficked women arrested for prostitution over periods ranging from 1 to no more than 3 years.

Better than words could ever convey, the photos display the destruction that takes place for hundreds of thousands of trafficked girls and women. Notice how when they were first arrested, they all look distinctly different. But in the end, they all look the same. You cannot tell the difference from one to the other. That is because they have been abused, psychologically battered, broken and devastated at the hands of their pimps.

We need effective prosecution strategies against their traffickers.

We need to protect the victims of the sex trade industry and punish the predators who exploit them.

DECREASE TAX BURDEN

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Madam Speaker, last week the Ways and Means Committee chairman outlined the provisions of what he has been calling the "mother of all tax bills."

The most important piece of information about this proposal is the bottom line. The proposal would mean a multi-trillion-dollar tax increase on the American taxpayer.

I think this is a good moment to take a step back and look at the philosophical difference between Republicans and Democrats. On this side of the aisle, we simply believe people know how to spend their money better than the government. But just look at the legislation passed in the House so far this year: $431 billion in tax increases have been included in bills that have already passed the House this year.

Madam Speaker, we should remember, no one knows how to spend their money better than the taxpayer. We should be looking for ways to decrease the tax burden, not increase it.

DEMOCRATS MOVE AMERICA IN NEW DIRECTION

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Madam Speaker, last November Democrats listened to the American people. But, unfortunately, President Bush continues to ignore them. Democrats promised to take our Nation in a new direction, and in many ways we have. We increased the minimum wage for the first time in a decade. We made Americans safer by fully implementing the 9/11 Commission recommendations. We also restored PAYGO rules so that Congress lives within its means.

We are proud of our accomplishments, but an intransigent President is blocking our efforts to do more. Lifesaving cures to debilitating diseases remain out of reach because President Bush vetoed stem cell research legislation. Our soldiers continue to referee a civil war in Iraq because President Bush vetoed a bill that would have brought our troops home next year. And millions of children cannot see the doctor of their choice because President Bush vetoed bipartisan legislation that would provide health insurance to 4 million more kids.

Madam Speaker, while it is frustrating to deal with a President who continues to ignore the results of last year's elections, congressional Democrats will continue to move America in a new direction.

□ 1030

PROVIDING FOR CONSIDERATION OF H.R. 3920, TRADE AND GLOBALIZATION ASSISTANCE ACT OF 2007

Mr. WELCH of Vermont. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 781 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 781

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3920) to amend the Trade Act of 1974 to reauthorize trade adjustment assistance, to extend trade adjustment assistance to service workers and firms, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) One hour of debate, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor; (2) the amendment in the nature of a substitute printed in part B of the report of the Committee on Rules, if offered by Representative McCrery of Louisiana or his designee, which shall be in order without intervention of any point of order except those arising under clause 9 or 10 of rule XXI, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 3920 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentleman from Vermont is recognized for 1 hour.

Mr. WELCH of Vermont. Madam Speaker, for the purpose of the debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. WELCH of Vermont. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. WELCH of Vermont. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, H. Res. 781 provides for consideration of H.R. 3920, the Trade Globalization and Assistance Act of 2007, under a structured rule. The rule provides 1 hour of debate with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. Finally, the rule makes in order a substitute amendment to be offered by Representative MCCRERY of Louisiana, or his designee.

Madam Speaker, let me begin by saying what we all know. Trade can be a very good thing for the economy of this country, and this Congress and this Member of Congress is committed to examining any trade agreement that is brought before this House in 2 ways: One, whether the terms and provisions will improve the economy of this country; and 2, whether there is a capacity to share the benefits that that trade agreement will bring to this economy, across all sectors of it.

And what we have to acknowledge on trade agreements, and really is the underpinning of this legislation brought before the House, is that there is significant dislocation that can occur with trade. There can be winners and there can be losers, and in the adjustment to some of the consequences that have adverse impact on many of our workers across this country, we must have a substantial and vigorous and effective assistance program to help workers who are hurt regain jobs, regain employment, improve their incomes and be part of this economy and be part of the benefits, not just the downside of trade.

I want to thank Chairman RANGEL, Chairman MILLER, Congressman LEVIN and Congressman SMITH for their diligence in putting together a very strong adjustment assistance package that we will vote for later today. Among many others, they have been working on this bill for nearly a decade.

Trade adjustment assistance hadn't been started in this country until 1962; even though trade has been a very difficult political issue for this country from its inception, where there were debates about tariffs. And in our days of our history, tariffs were used basically to protect our industries and allow them to get a foothold. And then trade barriers were gradually reduced, and what we're seeing as that happens is an increase in gross domestic product and wealth, but we're also seeing an increase in dislocation among many workers, and some of that is concentrated in many of the old industrial sectors of our country.

This legislation recognizes that impact and is attempting to substantially increase our ability to address the dislocation. That underpinning is essential for the consideration of any future trade packages that will be brought before this House.

The update is long overdue. H.R. 3920 expands trade assistance to the service sector. That was denied under the previous adjustment assistance legislation, even as more and more of our economy has become service-related and even as service sector jobs are being off-shored. So this change in trade adjustment assistance is long overdue and very necessary.

Too often workers are not provided with the training that they need under current training assistance bill. This bill doubles the current training fund cap to $440 million. Beyond expanding coverage to more workers, this TAA improves their training opportunities, as well as the all-important health care benefits.

Many of the folks who have been adversely affected by trade have come from older industries with strong unions where they had substantial and very important health care benefits. This trade adjustment assistance extends them.

It also creates new benefits for industries in communities that have been hardest hit by creating 24 manufacturing redevelopment zones to encourage the redevelopment of communities that have been hit the hardest by manufacturing decline.

What this legislation starts to understand is that one of the responses that we must have strategically to the acceleration of globalization is the intensification of localization. Our economies that have been hardest hit have to rebuild in part from the bottom up using the resources that we have in those communities, keeping dollars in those communities that can be reinvested and then create jobs and wealth in those communities.

Madam Speaker, one of the things that has been happening over the past generation is a widening gap between the highest and lowest paid among us. According to a 2006 survey conducted by the Wall Street Journal, the case right now is that the average CEO in the United States earns 262 times the pay of the average worker. It means that the CEO earned more in one work day than an average worker earned in the entire year.

And we have to look at this discrepancy because one of the actual facts that has to be recognized, whatever your position on trade, is that there has been this widening gap, and historically, this country has always been its best when we've had economic policies that have shared the wealth that is generated by people working hard in this country.

H.R. 3920 is an important bill for our economic stability and workforce growth. It's also a bill about fairness.

Madam Speaker, I reserve the balance of my time.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume, and on this beautiful day in our Nation's Capital, I wish you and our colleagues a Happy Halloween and say that it is an honor to be here on what is a very important piece of legislation.

I thank my friend for yielding me the customary 30 minutes and want to congratulate him on his very thoughtful statement and say that I consider him to be one of the most able Members of the new class that has come in. I hope my saying that doesn't jeopardize his standing in the Democratic Caucus, but I do appreciate his hard work on the Rules Committee.

I was prepared, Madam Speaker, to rise in support of this rule, but I've decided to oppose the rule, and the reason I've decided to oppose the rule is not the fact that we, for the first time in the 110th Congress, have a substitute made in order on a bill that has come forth from the Committee on Ways and Means. I should say at the outset that last night our colleague Mr. HASTINGS of Ft. Lauderdale, Florida, said that there was only one instance in the 109th Congress where an amendment was made in order by the then-majority for the consideration of a Ways and Means Committee bill, when, in fact, we researched that overnight and found that there were five instances, five instances in the 109th Congress where our majority, in fact, made in order an amendment to a Ways and Means Committee bill.

Madam Speaker, I would, at this point, include in the RECORD that statement which outlines those measures that we have put forward.

Bills referred to the Committee on Ways and Means considered under "structured" or "modified closed" rules in the 109th Congress:

1. H.R. 8—Death Tax Repeal Permanency Act of 2005.
2. H.R. 6—Energy Policy Act of 2005.
3. H.R. 4297—Tax Relief Extension Reconciliation Act of 2005.
4. H.R. 4437—Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005.
5. H.R. 4157—Health Information Technology Promotion Act of 2005.

Madam Speaker, so I do say that here we are on Halloween for the first time in this 10-month period of time having a substitute made in order, and I was, as I said, prepared to support the rule, but I've decided to oppose it. I decided to oppose it because of an article that I read in the Roll Call this morning which made it very clear that the Democratic majority is once again going down a path that they abandoned last summer, I'm happy to say, but they've unfortunately brought it to the forefront again, and that is the notion of casting aside the opportunity for the single bite at the apple that the minority has, and that is to offer the motion to recommit on measures.

Now, I know, Madam Speaker, that's a very inside baseball discussion, but our colleagues know that the motion to recommit is something that was often denied the Republican minority during the four decades before 1994, and when we won the majority in 1994, we made it very clear that we would, in fact, guarantee the minority, guarantee the minority a right to a motion to recommit, meaning at least one bite at the apple on a measure, even if all amendments were denied.

Now, this report has come forward that the distinguished Chair of the Committee on Rules, Ms. SLAUGHTER of Rochester, New York, is in the midst of a discussion, and she said in this quote in the paper that she wants to not say that it is imminent but she wants to get it right, getting it right, shutting down the opportunity for the minority to have that single opportunity to address an issue in the bill. And so the mere fact that this has come to the forefront again, Madam Speaker, has led me to come to the conclusion that I can't be supportive of this rule that we're debating here today.

I will say that I am in opposition to the underlying legislation itself, but as

I said, I'm very happy that we have the opportunity to debate a minority substitute for a major package from the Committee on Ways and Means.

Now, I mention this nearly 1-year period of time we've gone through, completed 10 months here, and we saw at the beginning of the Congress this wonderful document that I'm sure you've seen, Madam Speaker, that was put forward by Speaker PELOSI. It's entitled "A New Direction for America." Now, in this document, she says that basically every measure that is considered here on the House floor, and I quote from this document. It says, "should include procedure that allows an open, full and fair debate consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute."

Now, Madam Speaker, that was what was stated by Speaker PELOSI at the beginning of this Congress, and today, Halloween 2007, October 31, marks the first time, the first time in the 110th Congress that this opportunity for the minority has been availed us.

□ 1045

I will say that we have repeatedly considered in the Rules Committee Ways and Means measures, and we have repeatedly asked for a minority substitute to be made in order so that our constituents, and this has nothing to do simply with party, this has to do with the right of each Member of Congress who represents 600,000 and some people to have their opportunity to be heard here. Unfortunately, throughout this entire year, up until this point, every request for that minority substitute has, unfortunately, been denied.

I am happy that we are finally, today, allowing what I know will be a very thoughtful substitute that will be debated by my California colleague, Mr. McKEON, the ranking Republican on the Committee on Education and Labor, as well as the ranking Republican on the Ways and Means Committee, our friend from Louisiana (Mr. McCRERY).

I do commend my colleagues on the Rules Committee, the majority on the Rules Committee, for taking this first step. I hope very much that it is a sign of a new day at the Rules Committee. I hope that we will have this greater transparency, openness and bipartisanship which we were promised at the beginning of this year.

The underlying bill was actually a good place to start with this, in part, because the issue in question is so important, and, in part, because the proposal that has been reported from the Ways and Means Committee is in such dire need of improvement, that's why I believe that this substitute is one which should be able to enjoy very strong bipartisan support.

Madam Speaker, as you know very well, and you have been involved in the trade debate since you have come to the Congress, and I suspect you were probably interested in it even before you came to the Congress, the issue of trade adjustment assistance is a very, very critical and important and a very well-intentioned program that does need to be reformed and modernized in order to effectively help American workers compete in the worldwide marketplace. My friend from Vermont talked very thoughtfully about the issue of globalization and the fact that we have seen a dramatic improvement in our gross domestic product growth.

In fact, just this morning, I know it surprised many, we got the report that we have a 3.9 percent GDP growth rate annualized, the report that came from the Commerce Department this morning, demonstrating that opening up new markets and developing opportunities for U.S. workers and consumers has, in fact, been a positive. I will acknowledge, and I know we are going to be hearing a lot of sob stories through this debate, and, frankly, I am sympathetic with those sob stories, the stories about people who have been victimized by trade.

But I have got to say that one of the sad things that I have observed in the debate on trade is that it is blamed for virtually every ailment of society. In fact, I often am reminded of the fact that one time a constituent came up to me a couple of years ago and said we didn't have a single illegal immigrant coming from Mexico into the United States until you passed the North American Free Trade Agreement.

We know very well that the North American Free Trade Agreement has actually created a third of a trillion dollars in cross-border trade between the United States and Mexico. I argue that the problem of illegal immigration would have been dramatically worsened had we not put into place the trade agreement which has improved the quality of life and the standard of living in both countries.

I will say that the middle-class population in Mexico today is larger than the entire Canadian population, and that is by virtue of the fact that we have seen economic growth take place in Mexico that is a by-product of the North American Free Trade Agreement.

But having said all of that, as we will continue to rage on with the debate on the benefits of trade as we face, I hope, in the coming weeks and months the trade agreements for Peru, Panama, Colombia and South Korea, I will recognize that there are some sectors of our society that have not benefited from trade, and that's why we are here today. We are here today to recognize that it is very, very important for us to do everything possible to address the concerns of those workers who have been negatively impacted by trade.

Unfortunately, what the Democrats have done is to take an inefficient program and compound the inefficiencies and inadequacies and block all efforts to build more accountability into the system, which we all believe is very important. Then they intend to self-execute the fusion of this ill-advised proposal with another bill that imposes massive new regulations on American job creators. Perhaps most troubling is that this bill opens the door for TAA benefits to be granted to illegal immigrants. If we look at that problem, potentially having illegal immigrants benefiting from the program, if we look at the regulatory burden which is going to impinge on those who are creating jobs, I think we have got to recognize that we have a lot of work to do on that. I believe the substitute is the best answer.

The Democratic majority has tried to distract us all from the mess they have created by throwing billions of dollars at the problem. Of course, since money sadly does not grow on trees, the Democratic majority has once again resorted to raising taxes to pay for their boondoggle that won't actually do what they claim, in this case helping American workers deal with job loss. In fact, by saddling businesses, large, medium and small, with hefty new regulations, they are further diminishing our economic competitiveness and, in fact, exacerbating the problem that they purport to address with the measure that they have brought forward.

How the Democratic majority can say with a straight face that they want to help workers and yet are determined to shut down the job creators is beyond me. Whoever said irony was dead should just turn to C–SPAN. It's alive and well here on the House floor.

The challenges facing Americans in 2007 are very, very different than the challenges of just a few years ago, let alone when the TAA was established. Fundamentally, we are still striving for the same things we always have, good jobs that allow us to provide for our families and ensure a better life for our children. But we are achieving these goals in very different ways, and facing very different obstacles. The reality is that opportunity and challenge often go hand in hand.

One enterprising young entrepreneur may be very successful at tapping into the global economy, finding clients and contractors all over the world, allowing businesses to grow here at home and creating lots of good, well-paying jobs for Americans. But the company down the street might not navigate the effects of globalization so successfully. It may find itself struggling to compete with Indian software designers or Polish manufacturers or Australian marketing firms. The opportunities are limitless, but the challenges are broad-based. Limiting our focus to just those whose jobs are directly impacted by trade is a hopelessly narrow and simplistic approach. Trade is just one factor in the ever-churning economy that we face.

As I said, unfortunately, there is this tendency by many, the moment they witness any kind of change, the moment they witness any kind of displacement, the moment they witness any kind of problem at all, they want to blame it on trade, and that is just plain wrong.

There are new technologies growing exponentially and changing the nature of jobs and job creation irreversibly.

There are new competitors halfway across the globe that are in the marketplace whether we trade with them or not. There are 100 million Chinese workers who have been lifted out of abject poverty and are entering the middle class for the first time ever. Madam Speaker, you know as a proponent of trade that these are all good things, but we have to change our thinking in a very broad way if we don't want to drown in a sea of changes that we aren't prepared to navigate.

We need better math and science education from kindergarten all the way up. We need to make adult continuing education a part of everyday life. We need to enhance the financial literacy of American families. We need an economic agenda that is focused on growth and competitiveness, including opening up new markets for American producers and service providers. In other words, we need policies that assure that individuals are always finding new and better job opportunities.

When all else fails, we need worker assistance programs that help all workers get the training they need throughout an entire lifetime in an effective way that actually allows them to continue to climb up the economic ladder. We need programs that help to keep workers competitive, regardless of why they have lost their jobs. Whether the blame lies with technology, lost competitiveness, or simply dying industries that are going the way of blacksmiths and buggy whip makers, the only thing that matters is that every American can find a job and remain upwardly mobile throughout a lifetime.

As I said, Mr. McCRERY and Mr. McKEON have crafted a very thoughtful substitute that would work to accomplish just that. It would integrate trade adjustment assistance into other Federal worker programs so that we can help all workers facing tough times to get the training they need to remain competitive. Let me say again, we are very, very committed to ensuring that those workers who are facing tough times because of displacement that has come about due to trade agreements, that their concerns and their needs are addressed.

It would integrate trade adjustment assistance, as I said, in other Federal worker programs. In particular, it focuses on the Workforce Investment Act which has, as we all know, been very, very effective. This substitute would provide greater flexibility for workers so that they can actually get their training and education while they work, over a longer period of time. It would bring trade adjustment assistance into the 21st century, broadening its focus to reflect the new realities of the worldwide marketplace. It would ensure that the program remains accountable so that we can assure the taxpayers that their money is being spent in an effective and an efficient way. It would do all this without raising a single tax or creating any additional barriers to innovation and entrepreneurship.

This very thoughtful substitute is based on the premise that broad, far-reaching challenges demand broad, far-reaching solutions. And it is based on the very logical and simple fact that workers don't benefit when government puts job creators out of business. The Democrats' bill, on the other hand, takes a very narrow and flawed approach, while drastically increasing the money that we are wasting. Only the Democrats could manage to think small and spend big all in the same bill.

I hope today we can have a meaningful debate on the important issue of enhancing the competitiveness of the U.S. economy and ensuring that American workers, all workers, have access to new and better opportunities. I believe that our substitute gets us closer to that goal, and I anxiously look forward to the debate on this proposal.

With that, I reserve the balance of my time.

Mr. WELCH of Vermont. Madam Speaker, I just want to read one section from the bill to allay the apprehensions about benefits going to illegal aliens: section 226, Restriction of Eligibility For Program Benefits, states very specifically that "no benefit allowances, training or other employment services may be provided under this chapter to a worker who is an alien, unless the alien is an individual lawfully admitted for permanent residence in the United States."

At this time, Madam Speaker, I yield 4 minutes to the gentlewoman from California, a member of the Rules Committee, Ms. MATSUI.

Ms. MATSUI. I thank the gentleman from Vermont for yielding me time.

Madam Speaker, I rise today in strong support of the rule and the underlying legislation, the Trade and Globalization Assistance Act of 2007.

I want to congratulate Chairman RANGEL and members of the Ways and Means Committee on bringing this bill before us.

In 1962, Congress and President Kennedy created the Trade Adjustment Assistance Program to protect American workers and communities adversely impacted by international trade.

□ 1100

Back then, our Nation enjoyed a large trade surplus, our manufacturing industry was thriving, and our economy was moving forward.

By establishing the TAA program then, our Nation had the foresight to recognize that even when economic times were good, international trade and development could also cause a rift in our workforce and in our communities.

Now it is our time to provide the foresight for future generations of workers and companies who will face the continued pressure of globalization. The mark of a strong Nation is this ability to create a vision for itself and to adapt to that vision.

Like our economy, the TAA must change and evolve to meet the new challenges of the day. Under current law, the TAA program only offers benefits to those workers who lost their jobs in the manufacturing industry due to international trade.

Today, no sector in our economy is safe from outsourcing or trade activities. We are seeing IT jobs, call center jobs, and other U.S. service jobs move abroad.

Our commitment to the American worker is more important now than ever before. It is critical to continue to improve the benefits for displaced workers. But it is also essential that we not ignore other sectors of the economy that have been hard hit by outsourcing or trade competition.

That is why I'm pleased that the bill before us today expands current TAA coverage to include the service workers. More than 70 percent of our workforce today is in the service industry. Updating the TAA program to reflect this shift in the workforce is essential to the long-term health of our country.

This bill also improves health care benefits in the TAA program to make it a more affordable option for our workers. This bill also doubles the current funding to better train and relocate displaced workers.

Madam Speaker, the impact of globalization on our economy is not limited to workers. These affected workers reside in communities that experience massive job losses due to unfair trade practices. This bill attempts to help those communities get back on their feet.

Now more than ever, the Trade Adjustment Assistance Program is needed to position our workforce and economy at the forefront of an increasingly global economy. This bill moves us forward in the right direction.

Madam Speaker, Congress needs to be a partner to the communities in which we serve. This bill lays the groundwork for that. The Trade and Globalization Assistance Act of 2007 represents a big step in the right direction.

Mr. DREIER. Madam Speaker, I'd like to reserve the balance of my time, if I might.

Mr. WELCH of Vermont. Madam Speaker, I yield 5 minutes to the gentlewoman from Ohio (Ms. SUTTON), a member of the Rules Committee.

Ms. SUTTON. Madam Speaker, I support the TAA reauthorization and appreciate the important improvements this legislation makes in the program. But, unfortunately, there's a larger problem at work, and TAA only addresses the symptoms, not the cause.

So-called free trade has been anything but free. Our current trade policies have been devastating for communities in northeast Ohio and across this Nation. One only has to look at our record trade deficit and this growing TAA program to see this reality.

Madam Speaker, people across this country know that our trading system is broken. The fact is TAA became necessary because this country kept entering into unfair and harmful trade agreements that cost American workers their jobs and hurt businesses and communities.

While reauthorizing and improving the TAA program is important, what our working families really need are trade policies that do not jeopardize American jobs in the first place.

In just the last 7 years, we've lost more than 3 million manufacturing jobs in this country, and more than 200,000 in Ohio alone. Some estimates attribute more than 50,000 of Ohio's job losses directly to NAFTA. And we've seen the consequence of this job loss in the record numbers of families in foreclosure, and in families falling off of the health care rolls, and families sustaining benefits going out the window. These are families full of proud, hardworking Americans who have had their futures and opportunities undercut by our trade policies. It doesn't have to be that way. This country owes these workers the kind of assistance TAA aims to offer, because we must remember that very often it was our Nation's broken policies that set in motion the loss of their jobs. And because of this, it's this government's moral responsibility to try and help them land on their feet.

But wouldn't it have been better if those jobs had never been lost? And wouldn't it be better, Madam Speaker, to fix our broken policies so that they no longer allow other countries to engage in unfair trade tactics that leave U.S. businesses at a disadvantage and U.S. workers out of jobs?

This reauthorization bill recognizes the disastrous consequences that poorly conceived trade agreements such as NAFTA, CAFTA and the proposed Peru, Colombia, Panama and South Korean free trade agreements have had and will continue to have for our manufacturing and service industries.

Make no mistake. Our policies must not just sound good on paper. They must work for our businesses, our workers, our farmers, and our communities. Indeed, they must work and be fair to this country. If this Congress does not act on this reality which is being felt in places like Lorain and Akron and in districts across this country, we'll need more and more TAA programs every year as more and more American workers are let down by a broken and mismanaged system.

Madam Speaker, all the good intentions and helpful programs in TAA cannot disguise the fact that we're going about things backwards. We should start with American workers and communities, and end with multinational corporations, not the other way around. We must make sure that our trade policies do not leave our businesses and workers at an unfair disadvantage or provide incentives to move jobs offshore.

Many displaced workers have been turned away from TAA in Ohio in the past, due to chronic underfunding and complex eligibility rules and requirements. And for others it's been very difficult finding new good-paying jobs to support their families. In Ohio, only 65 percent of workers laid off between 2003 and 2005 had found new jobs by 2006, and only two-thirds of those jobs were remotely of similar pay.

And while the improved funding and expansions provided by this bill are welcome and certainly overdue, the most important message we should take away from this TAA reauthorization is the fact that it recognizes how much damage has been caused by our broken trade policies.

We should reauthorize this program, and I certainly appreciate the improvements in the bill. But as I said earlier, TAA only addresses the symptoms, not the cause.

We know what the problems are, and American workers and businesses are facing them every day. It is time for this Congress to step up and recognize the reality that millions of Americans are facing these issues due to our broken trade policies and finally take real and effective action.

Mr. DREIER. Madam Speaker, I'd like to continue to reserve the balance of my time.

Mr. WELCH of Vermont. Madam Speaker, I yield 4 minutes to the gentleman from New York (Mr. ARCURI), a member of the Rules Committee.

Mr. ARCURI. Madam Speaker, my colleague from the Rules Committee talked about the fact that the American people would hear sob stories. Well, I don't know if I have a sob story to tell, but I certainly have a true story to tell about the people in my district and how they have been affected by trade.

I rise today in strong support of the rule and the Trade Globalization Assistance Act. Unfortunately, it seems some of my colleagues only want to focus on the long-term effects of trade and globalization and neglect the short-term consequences.

Trade clearly creates an ebb and flow of jobs coming and going, and we have been hearing that. The problem in my district is, while the jobs have been going, they have not been coming back. The high-tech, the high-quality, high-paying jobs have not come back to my district. We have only seen the grave loss of jobs.

Over the last 30 years, my upstate New York district has been devastated by job loss. The fact is that since 1974, employees of businesses in my district have applied for trade adjustment assistance 227 times.

This is a list of some of the companies that have applied. They're companies like Utica Cutlery, Chicago Pneumatic, Oneida Ltd., General Electric, IBM, Smith Corona, Burrows Packaging. These were keystone companies in upstate New York economy, and in most cases, these companies ended up closing their doors.

It's important to look at commercial air travel in our district and how that's been affected by the loss of business as a result of trade. In our district, the Syracuse Airport during the 1970s serviced about 1.6 million flights a year. The Oneida County Airport, 750,000 flights a year. Today the Syracuse Airport has 1.2 million flights, and the Oneida County Airport is closed. That's well over a million flights a year that used to fly out of central New York that no longer do. The reason? The loss of jobs, the loss of business, and the loss of people.

The drastic loss of business and slow recovery creates a dilemma that the Trade and Globalization Assistance Act seeks to address. Most notably, the legislation provides for creation of 24 manufacturing redevelopment zones to encourage the redevelopment of communities that have suffered substantial decline in their manufacturing base.

The legislation also doubles the amount of training funds from $200 million to $440 million, so that workers eligible for TAA training are no longer turned away because the program has been inadequately funded.

Madam Speaker, we have to be realistic about trade and we need to empower our workers with adequate training services. The Trade and Globalization Assistance Act is not a government handout. It's not wasteful Federal spending. It's a way to be helpful to Americans who now need our help. And after all, isn't that what government is all about, the ability to help people who need it when they need it?

This is a good act, this is a good rule, and it's a very good bill. It's a commonsense plan to address the short-term consequences and long-term effects of trade globalization.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume.

And I would say to my good friend from New York that I think he's taken out of context my use of the term "sob story."

Now, as I said, I am a strong proponent of trade adjustment assistance and want to do everything that I possibly can to ensure that workers who have been negatively impacted by any kind of trade agreement are, in fact, able to receive the training and the benefits that can help them improve their standard of living and their quality of life.

But, Madam Speaker, when I was using the term "sob story," what I was talking about is the fact that time and time again we have demands made on those job creators out there, demands made of job creators which undermine their ability to create jobs and opportunities for people so that they can succeed. And then we, unfortunately, are faced with complaints coming from those people who are negatively impacted by the demands of policies that they have made to increase the regulatory burden, to increase the tax burden, which prevents those who are struggling to create new opportunities for U.S. workers from having an opportunity.

It looks like my friend would like me to yield to him. I am happy to yield to my friend.

Mr. ARCURI. You talked in your statement about the increase in the middle class of China, and that's a wonderful thing. But I'm concerned about the middle class here in this country.

Mr. DREIER. If I can reclaim my time, Madam Speaker, the point that I try to make on trade is that it is a win-win. As I said in my statement, we have just this morning gotten the news of a 3.9 percent Gross Domestic Product growth rate, annualized, which is the largest growth rate that we've had in a year and a half.

Now, I recognize that we have problems out there with the subprime market. We have lots of difficulties with which we're trying to contend.

I think it's very important, Madam Speaker, for us to note that as we deal with these problems they are not trade related. They are not trade related. In fact, the standard of living, quality of life, 3.9 percent GDP growth rate that we're enjoying is due to the fact that we are in the midst of prying open new markets for U.S. workers so that they can sell to them.

As I said in the Rules Committee last night, Madam Speaker, 96 percent, 96 percent of the world's consumers are outside of our borders. The world has access to our consumer market. The world can sell to the consumers in New York, in California, and in other States as well. That has helped improve the quality of life and the standard of living for the American people. And so as that has happened, we have access to our market, but unfortunately, those other markets around the world are not as open as ours.

What is it that these agreements do that have been negotiated with Peru, Panama, Colombia and South Korea, and I hope, Madam Speaker, that we can do many more of these agreements. What they do is they pry open their markets for U.S. goods and services.

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For example, in Colombia, the tariff rate on U.S. goods going into Colombia is 11 times greater than the tariff rate on Colombian products coming into the United States.

So, Madam Speaker, what we are saying is we want to create opportunities for U.S. workers so that they can export more. And, yes, if there is some displacement, we want to do everything that we possibly can to ensure that those workers who are negatively impacted by trade are, in fact, able to be trained and have the assistance that they need.

With that, I would like to inquire of the Chair how much time is remaining on each side.

The SPEAKER pro tempore. The gentleman from California has 8 minutes. The gentleman from Vermont has 11½ minutes.

Mr. DREIER. Madam Speaker, I reserve the balance of my time.

Mr. WELCH of Vermont. Madam Speaker, I yield 1 minute to the gentleman from New York (Mr. ARCURI).

Mr. ARCURI. I would just simply say that those are fine words and 3.1 percent is wonderful.

Mr. DREIER. It's 3.9.

Mr. ARCURI. I'm sorry, 3.9 percent. The problem is that that 3.9 percent can go to the people who are unemployed and, frankly, do nothing whatsoever for them because they are out of work as a result of loss of jobs, the people in upstate New York, the people in Ohio, the people in the Northeast who have lost their jobs as a result of trade. You can talk about what the percentages are and how much the GDP grew, but the fact of the matter is they have lost their job and they are out of work. Today we are here to help those people that have lost their job by supporting this rule and by passing this bill because this will help them in the short term to make it until they find new employment.

Mr. DREIER. Madam Speaker, will the gentleman yield?

Mr. ARCURI. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding.

Madam Speaker, I will say I completely concur with my friend on the need for us to ensure that those who are negatively impacted by trade are, in fact, benefited.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume.

The point that I am trying to make is that people who are impacted on a wide range of other factors that are not trade related are not those who should be directly benefiting from this.

We need to look at ourselves, what it is that we as a Nation can do to ensure that those individuals about whom my good friend has just spoken, who are laid off and are looking for new opportunities and want to have an opportunity to succeed, we need to look at what policies we can pursue in ensuring that we create the kind of opportunities those people deserve. Because right now government policies with a tax and regulatory policy and a lack of opportunity to sell in new markets around the world, because we have not proceeded with those trade agreements, are the things that are jeopardizing the ability for those U.S. workers to find the kind of opportunities they need.

With that, Madam Speaker, I reserve the balance of my time.

Mr. WELCH of Vermont. Madam Speaker, I have no further requests for time. I will reserve the balance of my time until the gentleman has closed for his side and yielded back his time.

Mr. DREIER. Madam Speaker, I yield myself the balance of my time.

A couple of things. At the outset, Madam Speaker, I referred to a statement that was made by my good friend from Fort Lauderdale on the Rules Committee last night when he said that there was only one opportunity in the 109th Congress for an amendment to be made in order for a Ways and Means Committee bill when, in fact, we researched that, as I said, and Mr. HASTINGS was absolutely wrong when he said it. We have five instances in the 109th Congress where we, in fact, did make in order amendments for Mr. RANGEL on the Ways and Means Committee for the consideration of measures.

Also stated last night, unfortunately, our friend from Worcester (Mr. MCGOVERN) made a statement that all trade adjustment assistance measures have been considered under suspension or closed rules. There was an item that was considered under suspension. As I said, if it's considered under suspension and passed, it means that there is clearly a strong bipartisan consensus because, as our colleagues know, Madam Speaker, one is required to have a two-thirds vote to make that happen.

But there was another bill that dealt with this issue. It was H.R. 3090, the Job Creation and Worker Assistance Act of 2002, and it was considered under a structured or modified closed rule in the 107th Congress and it provided then-Ranking Member RANGEL with an amendment in the nature of a substitute. So I just think it's important for us to make clear that we, in fact, did provide those kinds of opportunities.

Madam Speaker, as I said, I was prepared to support this rule. I do believe that it is a monumental accomplishment that, as we have gotten to October 31, Halloween, we are for the first time seeing a substitute made in order for the ranking member of the Ways and Means Committee, and I congratulate the Democratic majority, after having made this promise in January in a New Direction for America, that great document put forward by Speaker PELOSI in which the promise was made that amendments, open, full, fair debate, including a substitute, and it has taken us until October 31 before that has happened, but I celebrate, Madam Speaker, the fact that we have finally gotten to this point. That was what was going to lead me to be supportive of this rule.

But then I picked up the Roll Call newspaper, one of our affectionately called "rags" on Capitol Hill here. On page 3 I looked, and I have a printout of it right here, the article goes through a press conference that the majority leader held yesterday and a statement by the very distinguished Chair of our committee, the gentlewoman from Rochester (Ms. SLAUGHTER), in which she said the following: "Nothing is imminent. We want to take our time and do it right."

Madam Speaker, what she is referring to is this quest that was launched by the Democratic majority to undermine the minority's right to offer a motion to recommit. Now, again, as I said earlier, this is all inside baseball, but the motion to recommit means that nearly half of the American people, through their elected representatives, Democrat or Republican, have a right to offer a motion to recommit.

There have been some very thoughtful motions to recommit, 21, 22 of them that have succeeded in this Congress. Madam Speaker, we are in the minority. They would not have succeeded had we not seen a large number of Democrats join, and in a number of cases they have been passed nearly unanimously on recorded votes. So now with what are described as simply political moves, which are, interestingly enough, very thoughtful proposals that have been propounded by the Members of the minority, we are being told that once again the majority is looking to deny nearly half the American people the right to be heard on one single instance. So for that reason, I am going to encourage my colleagues to vote "no" on the rule.

I am going to ask Members also to oppose the previous question on the rule so that I can amend the rule to allow the House to go to conference with the Senate on the Military Construction and Veterans Affairs appropriations bill, which passed this House with overwhelming bipartisan support.

There have been reports that the majority leadership is planning on playing a political game with our veterans and our men and women on the front lines by wrapping the Defense bill and the Veterans Affairs bill into the Labor, Health and Human Services bill.

The Military Construction bill could have been sent to the President's desk weeks ago, but the Democratic leadership was content to play political games with America's kids. All we have asked this majority to do is to simply come to the table and I am asking here today that we oppose the previous question so that I can make in order an amendment that would allow us to proceed with this.

I ask unanimous consent that the text of the amendment and extraneous material be inserted in the RECORD just prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DREIER. Madam Speaker, we are here discussing trade adjustment assistance, and it is designed to ensure that, we as an institution, will have an opportunity to, as I said earlier, open up those very important markets around the world. They're all relatively small, and the United States of America has a $13.3 trillion economy, the largest economy the world has ever known. We have lots of things that are trade-related that are beneficial to the United States of America. First and foremost is our national security. I think it is critical for us to proceed with passage of the Panama, Peru and Colombia free trade agreements for the security of this hemisphere. Similarly, the Korea agreement is very important because we all know about the challenges that exist on the Korean peninsula, and engaging in greater economic exchanges between and among these countries is very important for our Nation's security.

At the same time, Madam Speaker, it is important that we do what we can to ensure that we have the very important trade adjustment assistance for those Americans who are negatively impacted by trade.

With that, I am going to urge a "no" vote on the previous question. And if by chance the previous question proceeds, I am going to urge a "no" vote on this rule because of the kinds of things that the new majority is trying to do to undermine the rights of nearly half the American people.

With that, I yield back the balance of my time.

Mr. WELCH of Vermont. I thank the gentleman from California, my good friend and colleague on the Rules Committee, for his kind words and his usual vigorous argument for the point of view represented on his side.

A couple of things. One, this is a good opportunity for the House to have a full and fair debate on the substance of this legislation and on the substitute. We will have that debate, we will have the vote, and we'll see which side prevails. So I am delighted that all Members of the House are going to have a full and fair opportunity to make their case.

Second, before we get to the specific details on what is contained in this trade adjustment assistance, there is really a bottom line that has to be acknowledged and it's this: That the road to prosperity has to be built on a foundation of fairness. What has happened in this country, despite the economic growth of 3.9 percent most recently, the highest gross domestic product in the history of the world, over $13 trillion, is that average, everyday working people are falling farther behind.

We have had the greatest disparity in wealth in this country since the 1920s, and there is a fundamental question that we have to answer, and it's this: Are we going to include all Americans in the benefits of a rising economy, or are we going to pursue policies that allow for the intensification of that widening gap between the very wealthy and everyone else?

Our party has made a commitment to the basic proposition of democratic fairness that requires everyone to have an opportunity to participate in the benefits of a rising and strengthening economy. And that hasn't happened. But what we have done with the legislation we have brought before this House is essentially tried to build that foundation of fairness and provide a new direction on our economic agenda, one that includes all Americans.

Let me just give, Madam Speaker, a few examples. We raised the minimum wage, something that hadn't been done in over 10 years. We had people working harder, making less, many of them paying more in taxes because of the Social Security payroll tax increases than at any time in history. In the average families, they found themselves working two and three jobs in an effort to pay the light bill, in an effort to pay the fuel bill, losing health care.

We increased access to college education by taking a free ride away from the international banks that were literally getting a taxpayer guarantee in subsidized profits and gave that benefit to students so that their student loans were cut in half in the interest rate, from 6.8 to 3.4. We passed the child health care, which extends benefits to working families, basically, to 10 million children throughout this country, something our kids need.

□ 1130

And these are oftentimes the children of the working poor. These are folks working hard. They would rather not have to have any help, but they can't afford health care. We passed prescription drug price negotiation. Instead of giving away guaranteed legislated profits to the drug companies, we, in the House, it's languishing in the other body, required price negotiation so that we can get the benefit of lower prices that we're entitled to because of bulk purchasing.

We passed many provisions that are going to strengthen our small businesses across this country because we know the small business is a job creator. And we stood up to an administration, at a time when our veterans and our soldiers are doing more for this country than in recent memory, by passing the highest increase in the budget for veterans in the history of the Veterans Administration.

The bottom line here is that this Congress, this leadership has made a commitment to a new direction. And the new direction is the old-time values of making certain that workers, average families, and communities that are fully engaged as American citizens participate in the benefits of our economy.

Trade adjustment assistance is one more brick in that foundation of fairness. We can't have trade agreements that are tilted so that the benefits are not shared and the burdens of dislocation are not shared.

So, Madam Speaker, I urge a "yes" vote on the previous question on the rule.

The material previously referred to by Mr. DREIER is as follows:

Amendment to H. Res. 781 Offered by Mr. Drier of California

At the end of the resolution, add the following:

SEC. 3. The House disagrees to the Senate amendment to the bill, H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, and agrees to the conference requested by the Senate thereon. The Speaker shall appoint conferees immediately, but may declare a recess under clause 12(a) of rule I for the purpose of consulting the Minority Leader prior to such appointment. The motion to instruct conferees otherwise in order pending the appointment of conferees instead shall be in order only at a time designated by the Speaker in the legislative schedule within two additional legislative days after adoption of this resolution.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

The Vote on the Previous Question: What It Really Means

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WELCH of Vermont. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mrs. TAUSCHER). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of H. Res. 781, if ordered, and approval of the Journal.

The vote was taken by electronic device, and there were—yeas 224, nays 190, not voting 18, as follows:

[Roll No. 1021]

YEAS—224

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shadegg
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NAYS—190

Aderholt
Akin
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)

Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—18

Alexander
Bachmann
Blackburn
Brady (TX)
Burgess
Carson
Cooper
Cubin
Davis, Lincoln
Dingell
Fortenberry
Jindal
Paul
Renzi
Schiff
Van Hollen
Weller
Wilson (OH)

□ 1154

Mr. SESSIONS and Mr. TIBERI changed their vote from "yea" to "nay."

Mrs. NAPOLITANO and Mr. SMITH of Washington changed their vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. WELCH of Vermont. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 222, noes 193, not voting 17, as follows:

[Roll No. 1022]

AYES—222

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NOES—193

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—17

Alexander
Blackburn
Carson
Cooper
Cubin
Davis, Lincoln
Dingell
Fortenberry
Jindal
Paul
Renzi
Roybal-Allard
Schiff
Van Hollen
Weldon (FL)
Weller
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1203

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MANZULLO. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 222, nays 190, answered "present" 2, not voting 18, as follows:

[Roll No. 1023]

YEAS—222

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Capps
Capuano
Cardoza
Carnahan
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gerlach
Gillibrand
Gonzalez
Goode
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuster
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Sutton
Tanner
Tauscher
Taylor
Thompson (MS)
Tierney
Towns
Tsongas
Udall (NM)
Velázquez
Visclosky
Walberg
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Woolsey
Wu
Wynn
Yarmuth

NAYS—190

Aderholt
Akin
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gilchrest
Gingrey
Goodlatte
Gordon
Granger
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

ANSWERED "PRESENT"—2

Gohmert
Tancredo

NOT VOTING—18

Alexander
Baird
Blackburn
Carson
Cooper
Cubin
Davis, Lincoln
Ellison
Hill
Jindal
McCaul (TX)
Neal (MA)
Paul
Renzi
Schiff
Van Hollen
Weller
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

☐ 1211

So the Journal was approved.

The result of the vote was announced as above recorded.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 106

Mr. FORTUÑO. Madam Speaker, I ask unanimous consent to withdraw my cosponsorship of H. Res. 106.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Puerto Rico?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 294. An act to reauthorize Amtrak, and for other purposes.

S. 2198. An act to require the Architect of the Capitol to permit the acknowledgement of God on flag certificates.

S. 2265. An act to extend the existing provisions regarding the eligibility for essential air service subsidies through fiscal year 2008.

The message also announced that pursuant to section 2(b) of Public Law 98–183, as amended by Public Law 103–419, the Chair, on behalf of the President pro tempore and upon the recommendation of the Republican Leader, appoints Gail Heriot, of California, to the United States Commission on Civil Rights, for a term of six years.

TRADE AND GLOBALIZATION ASSISTANCE ACT OF 2007

Mr. RANGEL. Mr. Speaker, pursuant to H. Res. 781, I call up the bill (H.R. 3920) to amend the Trade Act of 1974 to reauthorize trade adjustment assistance, to extend trade adjustment assistance to service workers and firms, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of the bill is as follows:se 12256

H.R. 3920

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Trade and Globalization Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.

TITLE I—TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

Subtitle A—Trade Adjustment Assistance for Service Sector Workers; Expansion of Covered Shifts in Production; Expansion of Downstream Secondary Worker Eligibility

Sec. 101. Extension of trade adjustment assistance to services sector; shifts in production.
Sec. 102. Determinations by Secretary of Labor.
Sec. 103. Monitoring and reporting relating to service sector.

Subtitle B—Industry-Wide Trade Adjustment Assistance

Sec. 111. Industry-wide determinations.
Sec. 112. Notifications regarding affirmative determinations and safeguards.
Sec. 113. Notification to Secretary of Commerce.
Sec. 114. Restriction on eligibility for program benefits.

Subtitle C—Program Benefits

Sec. 121. Qualifying requirements for workers.
Sec. 122. Weekly amounts.
Sec. 123. Limitations on trade readjustment allowances; allowances for extended training and breaks in training.

Sec. 124. Special rules for calculation of eligibility period.
Sec. 125. Application of State laws and regulations on good cause for waiver of time limits or late filing of claims.
Sec. 126. Employment and case management services.
Sec. 127. Training.
Sec. 128. Prerequisite education; approved training programs.
Sec. 129. Eligibility for unemployment insurance and program benefits while in training.
Sec. 130. Administrative expenses and employment and case management services.
Sec. 131. Job search and relocation allowances.
Subtitle D—Health Care Provisions
Sec. 141. Modifications relating health insurance assistance for certain TAA and PBGC pension recipients.
Subtitle E—Wage Insurance
Sec. 151. Reemployment trade adjustment assistance program for older workers.
Subtitle F—Other Matters
Sec. 161. Agreements with States.
Sec. 162. Fraud and recovery of overpayments.
Sec. 163. Technical amendments.
Sec. 164. Office of Trade Adjustment Assistance; Deputy Assistant Secretary for Trade Adjustment Assistance.
Sec. 165. Collection of data and reports; information to workers.
Sec. 166. Extension of TAA program.
Sec. 167. Judicial review.
Sec. 168. Liberal construction of certification of workers and firms.
TITLE II—TRADE ADJUSTMENT ASSISTANCE FOR FIRMS
Sec. 201. Trade adjustment assistance for firms.
Sec. 202. Extension of authorization of trade adjustment assistance for firms.
Sec. 203. Industry-wide programs for the development of new services.
TITLE III—UNEMPLOYMENT INSURANCE
Sec. 301. Short title.
Sec. 302. Special transfers to State accounts in the Unemployment Trust Fund.
Sec. 303. Extension of FUTA tax.
TITLE IV—MANUFACTURING REDEVELOPMENT ZONES
Sec. 401. Manufacturing redevelopment zones.
Sec. 402. Delay in application of worldwide interest allocation.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Since January 2001, the United States economy has lost nearly 3 million jobs in the manufacturing sector alone.

(2) Today, over 7.1 million people in the United States are unemployed, and nearly 1.2 million of those individuals have been unemployed for 6 months or longer.

(3) While the United States manufacturing sector has been the hardest hit by increased unemployment, the United States service sector has also seen declines as jobs have moved to low-cost labor markets, such as China, India, and the Philippines.

(4) Promoting the economic growth and competitiveness of the United States requires—

(A) opening substantial new markets for United States goods, services, and farm products;

(B) building a strong framework of rules for international trade to level the playing field for United States workers and businesses in all sectors of the economy; and

(C) helping those affected by globalization overcome its challenges and succeed.

(5) Congress created the trade adjustment assistance program in 1962 to provide United States workers who lose their jobs because of foreign competition with government-funded training and associated income support to enable such workers to transition to new, good-paying jobs.

(6) Unfortunately, the trade adjustment assistance program has not kept pace with globalization and it is failing to ensure that all workers adversely affected by trade receive the assistance they need and deserve.

(7) Workers in the service sector, who make up approximately 80 percent of the United States workforce, are ineligible for trade adjustment assistance.

(8) Inadequate funding for training leaves many dislocated workers without access to the retraining they need to find good-paying jobs.

(9) Unnecessary, unduly burdensome, and confusing program eligibility rules prevent workers from gaining access to benefits for which they are eligible.

(10) The health coverage tax credit suffers from fundamental flaws and, as a result, the credit is not being used by the vast majority of people who are eligible for it, despite a clear need for access to affordable health care.

(11) To meet the challenges posed by globalization and to preserve the critical role that United States workers play in promoting the strength and prosperity of the United States, the trade adjustment assistance program must be reformed.

TITLE I—TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

Subtitle A—Trade Adjustment Assistance for Service Sector Workers; Expansion of Covered Shifts in Production; Expansion of Downstream Secondary Worker Eligibility

SEC. 101. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE TO SERVICES SECTOR; SHIFTS IN PRODUCTION.

(a) PETITIONS.—Section 221(a) of the Trade Act of 1974 (19 U.S.C. 2271(a)(1)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "Secretary" and inserting "Secretary of Labor"; and

(ii) by striking "or subdivision" and inserting (or subdivision) or public agency (or subdivision); and

(B) in subparagraph (A), by striking "firm)" and inserting "firm, and workers in a service sector firm or subdivision of a service sector firm, or public agency)"; and

(2) in paragraph (3), by inserting "and on the Website of the Department of Labor" after "Federal Register".

(b) GROUP ELIGIBILITY REQUIREMENTS.—

(1) IN GENERAL.—Subsection (a) of section 222 of the Trade Act of 1974 (19 U.S.C. 2272) is amended—

(A) in the matter preceding paragraph (1), by striking "(including workers in any agricultural firm or subdivision of an agricultural firm)" and inserting "(other than workers in a public agency)";

(B) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking "like or directly competitive with articles produced" and inserting "or services like or directly competitive with articles produced or services provided"; and

(ii) by striking subparagraph (B) and inserting the following:

"(B)(i) there has been a shift, by such workers' firm or subdivision to a foreign country, of production of articles, or in provision of services, like or directly competitive with articles that are produced, or services that are provided, by such firm or subdivision; or

"(ii) such workers' firm or subdivision has obtained or is likely to obtain articles or services described in clause (i) from a foreign country.".

(2) WORKERS IN PUBLIC AGENCIES.—Such section is further amended—

(A) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(B) by inserting after subsection (a) the following:

"(b) ADVERSELY AFFECTED WORKERS IN PUBLIC AGENCIES.—A group of workers in a public agency shall be certified by the Secretary as eligible to apply for adjustment assistance under this chapter pursuant to a petition filed under section 221 if the Secretary determines that—

"(1) a significant number or proportion of the workers in the public agency, or an appropriate subdivision of the public agency, have become totally or partially separated, or are threatened to become totally or partially separated; and

"(2) the public agency or subdivision has obtained or is likely to obtain from a foreign country services that would otherwise be provided by such agency or subdivision.".

(3) ADVERSELY AFFECTED SECONDARY WORKERS.—Subsection (c) of such section (as redesignated by paragraph (2)(A) of this subsection) is amended—

(A) in the matter preceding paragraph (1), by striking "agricultural firm)" and inserting "agricultural firm, and workers in a service sector firm or subdivision of a service sector firm)";

(B) in paragraph (2)—

(i) by inserting "or service" after "related to the article"; and

(ii) by striking "(c)(3)" and inserting "(d)(3)"; and

(C) in paragraph (3)(A), by striking "it supplied to the firm (or subdivision)" and inserting "or services it supplied to the firm (or subdivision)".

(4) DEFINITIONS AND ELIGIBILITY.—Subsection (d) of such section (as redesignated by paragraph (2)(A) of this subsection) is amended—

(A) by striking "(d) For purposes of this section—" and inserting "(d) DEFINITIONS AND ELIGIBILITY.—For purposes of this section:"

(B) in paragraph (3), to read as follows:

"(3) DOWNSTREAM PRODUCER.——The term 'downstream producer' means a firm that performs additional, value-added production processes or services for a firm or subdivision, including a firm that performs final assembly, finishing, testing, packaging, or maintenance or transportation services directly for another firm (or subdivision), for articles or services that were the basis for a certification of eligibility under subsection (a) of a group of workers employed by such other firm (or subdivision).";

(C) in paragraph (4)—

(i) by striking "for articles" and inserting ", or services, used in the production of articles or in the provision of services, as the case may be,"; and

(ii) by inserting "(or subdivision)" after "such other firm"; and

(D) by adding at the end the following:

"(5) FIRMS IDENTIFIED BY ITC.—A petition filed under section 221 covering a group of workers from a firm or appropriate subdivision of a firm meets the requirements of subsection (a) if the firm is identified by the International Trade Commission under subsection (c), (d), or (e) of section 224.".

(5) BASIS FOR SECRETARY'S DETERMINATIONS.—Such section is further amended by adding at the end the following:

"(e) BASIS FOR SECRETARY'S DETERMINATIONS.—

"(1) INCREASED IMPORTS OF SERVICES.—For purposes of subsection (a)(2)(A)(ii), the Secretary may determine that increased imports of like or directly competitive services exist if the customers of the workers' firm or subdivision accounting for not less than 20 percent of the sales of the workers' firm or subdivision (as the case may be) certify to the Secretary that such customers are obtaining such services from a foreign country.

"(2) SHIFT IN PRODUCTION; OBTAINING ARTICLES OR SERVICES ABROAD.—For purposes of subsections (a)(2)(B) and (b)(2), the Secretary may determine that there has been a shift in production of articles or provision of services, or that a workers' firm or public agency, or subdivision thereof, has obtained or is likely to obtain like or directly competitive articles or services from a foreign country, based on a certification thereof from the workers' firm, public agency, or subdivision (as the case may be).

"(3) PROCESS AND METHODS FOR OBTAINING CERTIFICATIONS.—

"(A) REQUEST BY PETITIONER.—If requested by the petitioner, the Secretary shall obtain the certifications under paragraphs (1) and (2) in such manner as the Secretary determines is appropriate, including by issuing subpoenas under section 249 when necessary.

"(B) PROTECTION OF CONFIDENTIAL INFORMATION.—The Secretary may not release information obtained under subparagraph (A) that the Secretary considers to be confidential business information unless the party submitting the confidential business information had notice, at the time of submission, that such information would be released by the Secretary, or such party subsequently consents to the release of the information. Nothing in this subparagraph shall be construed to prohibit a court from requiring the submission of such confidential business information to the court in camera.".

(c) DEFINITIONS.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended—

(1) in the matter preceding paragraph (1), by striking "chapter—" and inserting "chapter:";

(2) in paragraph (1)—

(A) by inserting ", or employment in a public agency or appropriate subdivision of a public agency," after "of a firm"; and

(B) by striking "such firm or subdivision" inserting "such firm (or subdivision) or public agency (or subdivision)";

(3) in paragraph (2), by striking "employment—" and all that follows and inserting "employment has been totally or partially separated from such employment.";

(4) by redesignating paragraphs (8) through (17) as paragraphs (10) through (19), respectively; and

(5) by inserting after paragraph (6) the following:

"(7) The term 'public agency' means a department or agency of a State or local government or of the Federal Government.

"(8) The term 'service sector firm' means an entity engaged in the business of providing services.

"(9) Except as otherwise provided, the term 'Secretary' means the Secretary of Labor.".

SEC. 102. DETERMINATIONS BY SECRETARY OF LABOR.

Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) is amended—

(1) in subsection (b), by striking "before his application" and all that follows and inserting "before the worker's application under section 231 occurred more than one year before the date of the petition on which such certification was granted.";

(2) in subsection (c), by striking "together with his reasons" and inserting "and on the Website of the Department of Labor, together with the Secretary's reasons"; and

(3) in subsection (d), by striking "together with his reasons" and inserting "and on the Website of the Department of Labor, together with the Secretary's reasons".

SEC. 103. MONITORING AND REPORTING RELATING TO SERVICE SECTOR.

(a) IN GENERAL.—Section 282 of the Trade Act of 1974 (19 U.S.C. 2393) is amended—

(1) in the heading, by striking "**SYSTEM**" and inserting "**AND DATA COLLECTION**";

(2) in the first sentence—

(A) by striking "The Secretary" and inserting "(a) MONITORING PROGRAMS.—The Secretary";

(B) by inserting "and services" after "imports of articles";

(C) by inserting "and domestic provision of services" after "domestic production";

(D) by inserting "or providing services" after "producing articles"; and

(E) by inserting ", or provision of services," after "changes in production"; and

(3) by adding at the end the following:

"(b) COLLECTION OF DATA AND REPORTS ON SERVICE SECTOR.—

"(1) SECRETARY OF LABOR.—Not later than 90 days after the date of the enactment of the Trade and Globalization Act of 2007, the Secretary of Labor shall implement a system to collect data on adversely affected workers employed in the service sector that includes the number of workers by State, industry, and cause of dislocation of each worker.

"(2) SECRETARY OF COMMERCE.—Not later than 1 year after such date of enactment, the Secretary of Commerce shall, in consultation with the Secretary of Labor, conduct a study and report to Congress on ways to improve the timeliness and coverage of data on trade in services, including methods to identify increased imports due to the relocation of United States firms to foreign countries, and increased imports due to United States firms obtaining services from firms in foreign countries.".

(b) CLERICAL AMENDMENT.—The table of contents for title II of the Trade Act of 1974 is amended by striking the item relating to section 282 and inserting the following:

"Sec. 282. Trade monitoring and data collection.".

Subtitle B—Industry-Wide Trade Adjustment Assistance

SEC. 111. INDUSTRY-WIDE DETERMINATIONS.

(a) IN GENERAL.—Subchapter A of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) is amended by adding after section 223 the following:

"SEC. 223A. INDUSTRY-WIDE DETERMINATIONS.

"(a) INVESTIGATION.—Upon the request of the President or the United States Trade Representative, or the resolution of either the Committee on Finance of the Senate or the Committee on Ways and Means of the House of Representatives, with respect to a domestic industry, or if the Secretary certifies groups of workers in a domestic industry under section 223(a) pursuant to 3 petitions within a 180-day period, the Secretary shall promptly initiate an investigation under this chapter to determine the eligibility for adjustment assistance of—

"(1) all workers in that domestic industry; or

"(2) all workers in that domestic industry in a specific geographic region.

"(b) DETERMINATION REGARDING INDUSTRY-WIDE CERTIFICATION.—

"(1) DETERMINATION.—The Secretary shall, not later than 60 days after receiving a request or resolution described in subsection (a) with respect to a domestic industry, or making the third certification of workers in a domestic industry described in subsection (a), as the case may be—

"(A) determine whether all adversely affected workers in that domestic industry are eligible to apply for assistance under this subchapter, in accordance with the criteria established under subsection (e); or

"(B) determine whether all adversely affected workers in that domestic industry in a specific geographic region are eligible to apply for assistance under this subchapter, in accordance with the criteria established under subsection (e).

"(c) IDENTIFICATION AND CERTIFICATION.—

"(1) AFFIRMATIVE DETERMINATION.—

"(A) IN GENERAL.—Upon making an affirmative determination under subsection (b), the Secretary shall—

"(i) identify all firms operating within the domestic industry described in paragraph (1) or (2) or subsection (b) that are covered by the determination;

"(ii) certify all workers of such firms as a group of workers eligible to apply for assistance under this subchapter, without any other determination of whether such group meets the requirements of section 222.

"(B) OTHER REQUIREMENTS.—

"(i) IN GENERAL.—Each certification under subparagraph (A)(ii) shall specify the date on which the total or partial separation began or threatened to begin, except that—

"(I) with respect to a request or a resolution under subsection (a), such date may not be a date that precedes one year before the date on which the Secretary receives the request or resolution, as the case may be; and

"(II) with respect to the third certification of workers in a domestic industry described in subsection (a), such date may not be a date that precedes one year before the date on which the Secretary certifies the 3d such petition.

"(ii) INAPPLICABILITY.—A certification under subparagraph (A)(ii) shall not apply to any worker whose last total or partial separation from the firm occurred before the applicable date specified in clause (i).

"(2) NEGATIVE DETERMINATION.—If the Secretary makes a negative determination under subsection (b), the Secretary shall notify the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate of the reasons for the Secretary's determination.

"(3) PUBLICATION.—Upon making a determination under subsection (b), the Secretary shall promptly publish a summary of the determination in the Federal Register and on the Website of the Department of Labor, together with the reasons for making such determination.

"(4) TERMINATION.—Whenever the Secretary determines that a certification under paragraph (1) is no longer warranted, the Secretary shall terminate the certification and promptly have notice of the termination published in the Federal Register and on the

Website of the Department of Labor, together with the reasons for making such determination under this paragraph. Such termination shall apply only with respect to total or partial separations occurring after the termination date specified by the Secretary.

"(d) OUTREACH.—Upon making a certification under subsection (c)(1) of eligibility for adjustment assistance under this chapter of a group of workers or all workers in a domestic industry, the Secretary shall notify each Governor of a State in which the workers are located of the certification.

"(e) REGULATIONS.—The Secretary shall, not later than 1 year after the date of the enactment of the Trade and Globalization Act of 2007, issue regulations for making determinations under this section, including criteria for making such determinations. The Secretary shall develop such regulations in consultation with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, and the Secretary shall submit such regulations to each such committee at least 60 days before the regulations go into effect.

"(f) DOMESTIC INDUSTRY DEFINED.—In this section, the term 'domestic industry' means an industry in the United States, as that industry is defined by the North American Industry Classification System.".

(b) CLERICAL AMENDMENT.—The table of contents for title II of the Trade Act of 1974 is amended by inserting after the item relating to section 223 the following:

"Sec. 223A. Industry-wide determinations.".

(c) CONFORMING AMENDMENTS.—Chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) is amended—

(1) in section 225—

(A) in subsection (a), in the last sentence by inserting "or 223A" after "223"; and

(B) in subsection (b)—

(i) in paragraph (1), by striking "subchapter A of this chapter" and inserting "this subchapter"; and

(ii) in paragraph (2), by striking "subchapter A" and inserting "this subchapter"; and

(2) in section 231—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking "more than 60 days" and all that follows through "section 221" and inserting "on or after the date of such certification"; and

(ii) in paragraph (1)—

(I) in subparagraph (B), by inserting "or 223A (as the case may be)" after "223"; and

(II) in subparagraph (C), by inserting "or 223A(c)(4), as the case may be" after "223(d)"; and

(B) in subsection (b)—

(i) by striking paragraph (2); and

(ii) in paragraph (1)—

(I) by striking "(1)";

(II) by redesignating subparagraphs (A) and (B) as paragraph (1) and (2), respectively;

(III) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively; and

(IV) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively.

SEC. 112. NOTIFICATIONS REGARDING AFFIRMATIVE DETERMINATIONS AND SAFEGUARDS.

(a) IN GENERAL.—Section 224 of the Trade Act of 1974 (19 U.S.C. 2274) is amended—

(1) in the heading, by striking "**STUDY BY SECRETARY OF LABOR WHEN INTERNATIONAL TRADE COMMISSION BEGINS INVESTIGATION**" and inserting "**STUDY AND NOTIFICATIONS REGARDING TRADE REMEDY DETERMINATIONS**";

(2) in subsection (a), by striking "Whenever" and inserting "STUDY OF DOMESTIC INDUSTRY.—Whenever";

(3) in subsection (b)—

(A) by striking "The report" and inserting "REPORT BY THE SECRETARY.—The report";

(B) by striking "his report" and inserting "the Secretary's report"; and

(C) by inserting "and on the Website of the Department of Labor" after "Federal Register"; and

(4) by adding at the end the following:

"(c) NOTIFICATIONS REGARDING AFFIRMATIVE SAFEGUARD DETERMINATIONS UNDER SECTION 202.—Upon issuing an affirmative finding regarding serious injury, or the threat thereof, to a domestic industry, under section 202, the Commission shall notify the Secretary and the Secretary of Commerce of that finding and the identity of the firms which comprise the domestic industry.

"(d) NOTIFICATIONS REGARDING AFFIRMATIVE DETERMINATIONS UNDER SECTION 421.—Upon issuing an affirmative determination of market disruption, or the threat thereof, under section 421, the Commission shall notify the Secretary and the Secretary of Commerce of that determination and the identity of the firms which comprise the affected domestic industry.

"(e) NOTIFICATIONS REGARDING AFFIRMATIVE DETERMINATIONS UNDER TARIFF ACT OF 1930.—Upon issuing a final affirmative determination of injury, or the threat thereof, under section 705 or section 735 of the Tariff Act of 1930 (19 U.S.C. 1671d and 1673d), the Commission shall notify the Secretary and the Secretary of Commerce of that determination and the identity of the firms which comprise the affected domestic industry.

"(f) NOTIFICATION OF INDUSTRY AND WORKER REPRESENTATIVES.—Whenever the Commission makes a notification under subsection (c), (d), or (e)—

"(1) the Secretary shall—

"(A) notify the firms identified by the Commission as comprising the domestic industry affected, and any certified or recognized union or other duly authorized representatives of the workers in such industry, of the allowances, training, employment services, and other benefits available under this chapter, and the procedures under this chapter for filing petitions and applying for benefits;

"(B) notify the Governor of each State in which one or more firms described in subparagraph (A) are located of the Commission's determination and the identity of the firms; and

"(C) provide the necessary assistance to employers, groups of workers, and any certified or recognized union or other duly authorized representatives of such workers to file petitions under section 221; and

"(2) the Secretary of Commerce shall—

"(A) notify the firms identified by the Commission as comprising the domestic industry affected of the benefits under chapter 3 and the procedures under such chapter for filing petitions and applying for benefits; and

"(B) provide the necessary assistance to firms to file petitions under section 251.".

(b) CLERICAL AMENDMENT.—The table of contents for title II of the Trade Act of 1974 is amended by striking the item relating to section 224 and inserting the following:

"Sec. 224. Study and notifications regarding trade remedy determinations.".

SEC. 113. NOTIFICATION TO SECRETARY OF COMMERCE.

Section 225 of the Trade Act of 1974 (19 U.S.C. 2275) is amended by adding at the end the following:

"(c) Upon issuing a certification under section 223 or 223A, the Secretary shall notify the Secretary of Commerce of the identify of the firm or firms that are covered by the certification.".

SEC. 114. RESTRICTION ON ELIGIBILITY FOR PROGRAM BENEFITS.

(a) IN GENERAL.—Subchapter A of chapter 2 of title II of the trade Act of 1974 (19 U.S.C. 2271 et seq.) is amended by adding at the end the following new section:

"SEC. 226. RESTRICTION ON ELIGIBILITY FOR PROGRAM BENEFITS.

"No benefit allowances, training, or other employment services may be provided under this chapter to a worker who is an alien unless the alien is an individual lawfully admitted for permanent residence to the United States, is lawfully present in the United States, or is permanently residing in the United States under color of law.".

(b) CONFORMING AMENDMENT.—The table of contents of the Trade Act of 1974 is amended by adding after the item relating to section 225 the following:

"226. Restriction on eligibility for program benefits.".

Subtitle C—Program Benefits

SEC. 121. QUALIFYING REQUIREMENTS FOR WORKERS.

(a) IN GENERAL.—Subsection (a)(5)(A)(ii) of section 231 of the Trade Act of 1974 (19 U.S.C. 2291) is amended—

(1) by striking subclauses (I) and (II) and inserting the following:

"(I) in the case of a worker whose most recent total separation from adversely affected employment that meets the requirements of paragraphs (1) and (2) occurs after the date on which the Secretary issues a certification covering the worker, the last day of the 26th week after such total separation,

"(II) in the case of a worker whose most recent total separation from adversely affected employment that meets the requirements of paragraphs (1) and (2) occurs before the date on which the Secretary issues a certification covering the worker, the last day of the 26th week after the date of such certification,"; and

(2) in subclause (III)—

(A) by striking "later of the dates specified in subclause (I) or (II)" and inserting "date specified in subclause (I) or (II), as the case may be"; and

(B) by striking "or" at the end;

(3) by redesignating subclause (IV) as subclause (V); and

(4) by inserting after subclause (III) the following:

"(IV) the last day of such period that the Secretary determines appropriate, if the failure to enroll is due to the failure to provide the worker with timely information regarding the date specified in subclause (I) or (II), as the case may be, or".

(b) WAIVERS OF TRAINING REQUIREMENTS.—Subsection (c) of such section 231 is amended—

(1) in paragraph (1)(B)—

(A) by striking "The worker possesses" and inserting

"(i) IN GENERAL.—The worker possesses";

(B) by moving the remaining text 2 ems to the right; and

(C) by adding at the end the following:

"(ii) MARKETABLE SKILLS DEFINED.—For purposes of clause (i), the term 'marketable skills' may include the possession of a postgraduate degree from an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965) or equivalent foreign institution, or the possession of an equivalent postgraduate certification in a specialized field."; and

(2) in paragraph (3)—

(A) in subparagraph (A), by striking "may authorize" and inserting "shall authorize";

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

"(B) DURATION OF WAIVERS.—A waiver issued under paragraph (1) by a cooperating State shall be effective for not more than 3 months after the date on which the waiver is issued, except that the State, upon reviewing the waiver, may extend the waiver for an additional period of not more than 3 months if the State determines that the waiver should be maintained.".

(c) DETERMINATIONS OF ELIGIBILITY BY STATE EMPLOYEES APPOINTED ON MERIT BASIS.—Such section 231 is further amended by adding at the end the following:

"(d) DETERMINATIONS OF ELIGIBILITY BY STATE EMPLOYEES APPOINTED ON MERIT BASIS.—All determinations of eligibility for trade readjustment allowances under this part shall be made by employees of the State who are appointed on a merit basis.".

(d) CONFORMING AMENDMENT.—Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended by striking subsection (b) and redesignating subsections (c) through (g) as subsections (b) through (f), respectively.

SEC. 122. WEEKLY AMOUNTS.

(a) IN GENERAL.—Section 232 of the Trade Act of 1974 (19 U.S.C. 2292) is amended—

(1) in subsection (a)—

(A) by striking "subsections (b) and (c)" and inserting "subsections (b), (c), and (d)";

(B) by striking "total unemployment" the first place it appears and inserting "unemployment"; and

(C) in paragraph (2), by adding at the end before the period the following: ", except that in the case of an adversely affected worker who is participating in full-time training under this chapter, such income shall not include earnings from work for such week that are equal to or less than the most recent weekly benefit amount of the unemployment insurance payable to the worker for a week of total unemployment preceding the worker's first exhaustion of unemployment insurance (as determined for purposes of section 231(a)(3)(B))";

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following:

"(b)(1) Notwithstanding section 231(a)(3)(B), if an adversely affected worker who is participating in training qualifies for unemployment insurance under State law, based in whole or in part upon part-time or short-term employment following approval of the worker's initial trade readjustment allowance application under section 231(a), then for any week for which unemployment insurance is payable and for which the worker would otherwise be entitled to a trade readjustment allowance based upon the certification under section 223, the worker shall, in addition to any such unemployment insurance, be paid a trade readjustment allowance in the amount described in paragraph (2).

"(2) The trade readjustment allowance payable under paragraph (1) shall be equal to the weekly benefit amount of the unemployment insurance upon which the worker's trade readjustment allowance was initially determined under subsection (a), reduced by—

"(A) the amount of the unemployment insurance benefit payable to such worker for that week of unemployment for which a trade readjustment allowance is payable under paragraph (1); and

"(B) the amounts described in paragraphs (1) and (2) of subsection (a).".

(b) CONFORMING AMENDMENTS.—Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended—

(1) in subsection (a)(1), by striking "section 232(a)" and inserting "subsections (a) and (b) of section 232"; and

(2) in subsection (c), by striking "section 232(b)" and inserting "section 232(c)".

SEC. 123. LIMITATIONS ON TRADE READJUSTMENT ALLOWANCES; ALLOWANCES FOR EXTENDED TRAINING AND BREAKS IN TRAINING.

Section 233(a) of the Trade Act of 1974 (19 U.S.C. 2293(a)) is amended—

(1) in paragraph (2), by inserting "under paragraph (1)" after "trade readjustment allowance";

(2) in paragraph (3)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "52 additional weeks" and inserting "78 additional weeks"; and

(ii) by striking "52-week" and inserting "91-week"; and

(B) in the matter following subparagraph (B), by striking "52-week" and inserting "91-week".

SEC. 124. SPECIAL RULES FOR CALCULATION OF ELIGIBILITY PERIOD.

Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended by adding at the end the following:

"(g) SPECIAL RULE FOR CALCULATING SEPARATION.—Notwithstanding any other provision of this chapter, any period during which a judicial or administrative appeal is pending with respect to the denial by the Secretary of a petition under section 223 shall not be counted for purposes of calculating the period of separation under subsection (a)(2) or for purposes of calculating time periods specified in section 231(a)(5)(A).

"(h) SPECIAL RULE FOR JUSTIFIABLE CAUSE.—The Secretary may extend the periods during which trade readjustment allowances are payable to an adversely affected worker under paragraphs (2) and (3) of subsection (a) and under subsection (f) (but not the maximum amounts of such allowances that are payable under this section), if the Secretary determines that there is justifiable cause for such an extension, such as the failure to provide the worker with timely information, delays in certification due to administrative reconsideration or judicial review, or justifiable breaks in training that exceed the period allowable under subsection (e).".

SEC. 125. APPLICATION OF STATE LAWS AND REGULATIONS ON GOOD CAUSE FOR WAIVER OF TIME LIMITS OR LATE FILING OF CLAIMS.

Section 234 of the Trade Act of 1974 (19 U.S.C. 2294) is amended—

(1) by striking "Except where inconsistent" and inserting "(a) IN GENERAL.—Except where inconsistent"; and

(2) by adding at the end the following:

"(b) STATE LAWS AND REGULATIONS ON GOOD CAUSE FOR WAIVER OF TIME LIMITS OR LATE FILING OF CLAIMS.—Any law or regulation of a cooperating State under section 239 that allows for a waiver for good cause of any time limit, including a waiver for good cause to allow the late filing of any claim, for trade readjustment allowances or other adjustment assistance under this chapter shall, in the administration of the program by the State under this chapter, apply to the applicable time limitation referred to or specified in this chapter or any regulation prescribed to carry out this chapter.".

SEC. 126. EMPLOYMENT AND CASE MANAGEMENT SERVICES.

(a) IN GENERAL.—Section 235 of the Trade Act of 1974 (19 U.S.C. 2295) is amended to read as follows:

"SEC. 235. EMPLOYMENT AND CASE MANAGEMENT SERVICES.

"The Secretary shall provide, directly or through agreements with States under section 239, to adversely affected workers covered by a certification under subchapter A of this chapter the following employment and case management services:

"(1) Comprehensive and specialized assessment of skill levels and service needs, including through—

"(A) diagnostic testing and use of other assessment tools; and

"(B) in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.

"(2) Development of an individual employment plan to identify employment goals and objectives, and appropriate training to achieve those goals and objectives.

"(3) Information on training available in local and regional areas, information on individual counseling to determine which training is suitable training, and information on how to apply for such training.

"(4) Information on how to apply for financial aid, including referring workers to educational opportunity centers under section 402F of the Higher Education Act of 1965, where applicable, and notifying workers that the workers may ask financial aid administrators at institutions of higher education to allow use of their current year income in the financial aid process.

"(5) Short-term prevocational services, including development of learning skills, communications skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct to prepare individuals for employment or training.

"(6) Individual career counseling, including job search and placement counseling, during the period in which the individual is receiving a trade adjustment allowance or training under this chapter, and for purposes of job placement after receiving such training.

"(7) Provision of employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including—

"(A) job vacancy listings in such labor market areas;

"(B) information on jobs skills necessary to obtain jobs identified in job vacancy listings described in subparagraph (A);

"(C) information relating to local occupations that are in demand and earnings potential of such occupations; and

"(D) skills requirements for local occupations described in subparagraph (C).

"(8) Supportive services, including services relating to child care, transportation, dependent care, housing assistance, and need-related payments that are necessary to enable an individual to participate in training.".

(b) CLERICAL AMENDMENT.—The item relating to section 235 in the table of contents for title II of the Trade Act of 1974 is amended to read as follows:

"235. Employment and case management services.".

SEC. 127. TRAINING.

(a) IN GENERAL.—Subsection (a)(1) of section 236 of the Trade Act of 1974 (19 U.S.C. 2296) is amended by striking the last sentence.

(b) FUNDING.—Subsection (a)(2) of such section is amended—

(1) in subparagraph (A), to read as follows:

"(A) The total amount of payments that may be made under paragraph (1) for each of the fiscal years 2008 and 2009 shall not exceed $440,000,000. The total amount of payments that may be made under paragraph (1) for fiscal year 2010 and each subsequent fiscal year shall not exceed $660,000,000."; and

(2) by striking subparagraph (B) and inserting the following:

"(B) Not later than 120 days after the date of the enactment of the Trade and Globalization Act of 2007, the Secretary shall establish and implement procedures for the allocation among the States in each fiscal year of funds available to pay the costs of training for workers under this section. The Secretary shall, at least 60 days before the date on which the procedures described in this subparagraph are first implemented, consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate with respect to such procedures.

"(C) In establishing and implementing the procedures under subparagraph (B), the Secretary shall—

"(i) provide for at least 3 distributions of funds available for training in the fiscal year, and, in the first such distribution, disburse not more than 50 percent of the total amount of funds available for training in that fiscal year;

"(ii) consider using a broad range of factors for the allocation of training funds distributed to States for each fiscal year, including factors such as—

"(I) the number of workers certified under sections 223 and 223A in the preceding fiscal year;

"(II) the total number of workers certified under sections 223 and 223A that are enrolled in training approved under this section;

"(III) the minimum level of funding necessary to provide training approved under this section; and

"(IV) notifications under the Worker Adjustment and Retraining Notification Act or other layoff notifications;

"(iii) after the initial distribution of training funds to States at the beginning of each fiscal year, provide for subsequent distributions of training funds remaining, based on the factors described in clause (ii) (but, in the case of the factor described in subclause (I) of clause (ii), based on data from the preceding 2 fiscal quarters) if a State requests the distribution of the remaining funds;

"(iv) ensure that any final distribution of funds during a fiscal year is made not later than July 1 of that fiscal year; and

"(v) develop an explicit policy for re-capture and redistribution of training funds, to the extent such re-capture and redistribution of training funds is necessary.".

(c) DETERMINATIONS REGARDING TRAINING.—Subsection (a)(9) of such section is amended—

(1) by striking "The Secretary" and inserting "(A) Subject to subparagraph (B), the Secretary"; and

(2) by adding at the end the following:

"(B)(i) In determining under paragraph (1)(E) whether a worker is qualified to undertake and complete training, the Secretary may not disallow training for a period longer than the worker's period of eligibility for trade readjustment allowances under part I if the worker demonstrates that the worker has sufficient financial resources to complete the training after the expiration of the worker's period of eligibility for such trade readjustment allowances.

"(ii) In determining the reasonable cost of training under paragraph (1)(F) with respect to a worker, the Secretary may consider whether other public or private funds are reasonably available to the worker, except that the Secretary may not require a worker to obtain such funds as a condition of approval of training under paragraph (1).".

(d) DETERMINATIONS OF ELIGIBILITY BY STATE EMPLOYEES APPOINTED ON MERIT BASIS.—Such section is further amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) the following:

"(e) DETERMINATIONS OF ELIGIBILITY BY STATE EMPLOYEES APPOINTED ON MERIT BASIS.—All determinations of eligibility for training under this section shall be made by employees of the State who are appointed on a merit basis.".

(e) GAO STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study of the procedures for the allocation of training funds for workers under subparagraphs (B) and (C) of section 236(a)(2) of the Trade Act of 1974 (19 U.S.C. 2296), as added by subsection (a) of this section, that are established and implemented by the Secretary of Labor pursuant to such section. In carrying out the study, the Comptroller General shall examine the overall adequacy of funding for training for workers by State and the effectiveness of the procedures for allocating training funds between States and among workers.

(2) REPORTS.—

(A) INTERIM REPORT.—The Comptroller General of the United States shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate an interim report that contains the results of the study conducted under paragraph (1) for the first fiscal year with respect to which the procedures described in paragraph (1) are implemented.

(B) FINAL REPORT.—The Comptroller General of the United States shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a final report that contains the results of the study conducted under paragraph (1) for the first three fiscal years with respect to which the procedures described in paragraph (1) are implemented.

SEC. 128. PREREQUISITE EDUCATION; APPROVED TRAINING PROGRAMS.

(a) IN GENERAL.—Section 236(a)(5) of the Trade Act of 1974 (19 U.S.C. 2296(a)(5)) is amended—

(1) in subparagraph (A)—

(A) by striking "and" at the end of clause (i);

(B) by adding "and" at the end of clause (ii); and

(C) by inserting after clause (ii) the following:

"(iii) apprenticeship programs registered under the National Apprenticeship Act (29 U.S.C. 50 et seq.),";

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(3) by inserting after subparagraph (D) the following:

"(E) any program of prerequisite education or coursework required to enroll in training that may be approved under this section,";

(4) in subparagraph (F)(ii), as redesignated by paragraph (1), by striking "and" at the end;

(5) in subparagraph (G), as redesignated by paragraph (1), by striking the period at the end and inserting ", and"; and

(6) by adding at the end the following:

"(H) any training program or coursework at an accredited institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965), including a training program or coursework for the purpose of—

"(i) obtaining a degree or certification; or

"(ii) completing a degree or certification that the worker had previously begun at an accredited institution of higher education.

The Secretary may not limit approval of a training program under paragraph (1) to a program provided pursuant to title I of the Workforce Investment Act of 1998.".

(b) CONFORMING AMENDMENTS.—Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended—

(1) in subsection (a)(2), by inserting "prerequisite education or" after "requires a program of"; and

(2) in subsection (f) (as redesignated by section 121(d) of this Act), by inserting "prerequisite education or" after "includes a program of".

SEC. 129. ELIGIBILITY FOR UNEMPLOYMENT INSURANCE AND PROGRAM BENEFITS WHILE IN TRAINING.

(a) IN GENERAL.—Section 236(d) of the Trade Act of 1974 (19 U.S.C. 2296(d)) is amended to read as follows:

"(d) ELIGIBILITY.—A worker may not be determined to be ineligible or disqualified for unemployment insurance or program benefits under this subchapter—

"(1) because the worker—

"(A) is enrolled in training approved under subsection (a); or

"(B) left work—

"(i) that was not suitable employment to enter such training; or

"(ii) that the worker engaged in on a temporary basis during a break in such training or a delay in the commencement of such training; or

"(2) because the provisions of State law or Federal unemployment insurance law relating to availability for work, active search for work, or refusal to accept work apply to a week of training approved under subsection (a).".

(b) DEFINITION.—Subchapter B of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2291 et seq.) is amended—

(1) in section 233(d) (as redesignated by section 121(d) of this Act), by inserting "suitable" before "on-the-job training"; and

(2) in section 236—

(A) by inserting "suitable" before "on-the-job training" each place it appears; and

(B) by adding at the end the following:

"(h) SUITABLE ON-THE-JOB TRAINING.—For purposes of this section, the term 'suitable on-the-job training' means on-the-job training—

"(1) that can reasonably be expected to lead to suitable employment;

"(2) that is compatible with the skills of the worker;

"(3) that—

"(A) involves a curriculum through which the worker learns the skills necessary for the job for which the worker is being trained; and

"(B) can be measured by benchmarks that indicate that the worker is learning such skills; and

"(4) that is certified by the State as an on-the-job training program that meets the requirements of paragraph (3).".

SEC. 130. ADMINISTRATIVE EXPENSES AND EMPLOYMENT AND CASE MANAGEMENT SERVICES.

(a) IN GENERAL.—Part II of subchapter B of chapter 2 of title II of the Trade Act of 1974

(19 U.S.C. 2295 et seq.) is amended by inserting after section 236 the following:

"SEC. 236A. ADDITIONAL PAYMENTS FOR ADMINISTRATIVE EXPENSES AND EMPLOYMENT AND CASE MANAGEMENT SERVICES.

"(a) ADMINISTRATIVE EXPENSES.—

"(1) IN GENERAL.—The Secretary shall provide to each State that receives a payment under section 236 for a fiscal year an additional payment for such fiscal year in an amount that is not less than 15 percent of the amount of the payment under section 236.

"(2) USE OF FUNDS.—A State that receives an additional payment under paragraph (1) shall use the payment for administration of the trade adjustment assistance for workers program under this chapter, including for—

"(A) processing of waivers of training requirements under section 231;

"(B) collecting of data required under this chapter; and

"(C) providing services under section 235.

"(3) ADMINISTRATION REQUIREMENT.—Funds provided to a State under this subsection for a fiscal year that are in excess of the amount of funds provided to the State for administration of the trade adjustment assistance for workers program under this chapter for fiscal year 2007 may only be administered by employees of the State who are appointed on a merit basis.

"(b) ADDITIONAL FUNDING FOR EMPLOYMENT AND CASE MANAGEMENT SERVICES.—

"(1) IN GENERAL.—The Secretary shall provide to each State that receives a payment under section 236 for a fiscal year an additional payment for such fiscal year in an amount that is not less than .06 percent of the total amount of payments that may be made in that fiscal year as described in section 236(a)(2).

"(2) USE OF FUNDS.—A State that receives an additional payment under paragraph (1) shall use the payment for providing services under section 235.

"(3) ADMINISTRATION REQUIREMENT.—Funds provided to a State under this subsection may only be administered by employees of the State who are appointed on a merit basis.

"(c) FUNDING.—Funds provided to the States under this section shall not be counted toward the limitation contained in section 236(a)(2)(A).".

(b) CLERICAL AMENDMENT.—The table of contents for title II of the Trade Act of 1974 is amended by inserting after the item relating to section 236 the following:

"Sec. 236A. Additional payments for administrative expenses and employment and case management services.".

SEC. 131. JOB SEARCH AND RELOCATION ALLOWANCES.

(a) JOB SEARCH ALLOWANCES.—Section 237 of the Trade Act of 1974 (19 U.S.C. 2297) is amended—

(1) in subsection (a)(2)(C)(ii), by striking ", unless the worker received a waiver ,under section 231(c)"; and

(2) in subsection (b)—

(A) in paragraph (1), by striking "90 percent of the cost of" and inserting "all"; and

(B) in paragraph (2), by striking "$1,250" and inserting "$1,500".

(b) RELOCATION ALLOWANCES.—Section 238 of the Trade Act of 1974 (19 U.S.C. 2298) is amended—

(1) in subsection (a)(2)(E)(ii), by striking ", unless the worker received a waiver under section 231(c)"; and

(2) in subsection (b)—

(A) in paragraph (1), by striking "90 percent of the" and inserting "all"; and

(B) in paragraph (2), by striking "$1,250" and inserting "$1,500".

Subtitle D—Health Care Provisions

SEC. 141. MODIFICATIONS RELATING HEALTH INSURANCE ASSISTANCE FOR CERTAIN TAA AND PBGC PENSION RECIPIENTS.

(a) INCREASE IN CREDIT PERCENTAGE AMOUNT.—

(1) IN GENERAL.—Subsection (a) of section 35 of the Internal Revenue Code of 1986 is amended by striking "65 percent" and inserting "85 percent".

(2) CONFORMING AMENDMENT.—Subsection (b) of section 7527 of such Code is amended by striking "65 percent" and inserting "85 percent".

(b) TAA RECIPIENTS RECEIVING UNEMPLOYMENT COMPENSATION AND NOT ENROLLED IN TRAINING PROGRAM ELIGIBLE FOR CREDIT.—Paragraph (2) of section 35(c) of such Code is amended to read as follows:

"(2) ELIGIBLE TAA RECIPIENT.—The term 'eligible TAA recipient' means, with respect to any month, any individual who—

"(A) is receiving for any day of such month a trade readjustment allowance under chapter 2 of title II of the Trade Act of 1974, or

"(B) who is receiving unemployment compensation (as defined in section 85) for such month and who would be eligible to receive such allowance for such month if section 231 of such Act were applied without regard to subsections (a)(3)(B) and (a)(5) thereof.

An individual shall continue to be treated as an eligible TAA recipient during the first month that such individual would otherwise cease to be an eligible TAA recipient by reason of the preceding sentence.".

(c) ELIGIBILITY FOR ELIGIBLE INDIVIDUALS MADE RETROACTIVE TO TAA-RELATED LOSS OF EMPLOYMENT.—Subsection (c) of section 35 of such Code is amended by adding at the end the following new paragraph:

"(5) RETROACTIVE ELIGIBILITY FOR TAA RECIPIENTS.—In the case of any individual who is an eligible TAA recipient or eligible alternative TAA recipient for any month, such individual shall be treated as an eligible individual for any month which precedes such month and which begins after the later of—

"(A) the date of the separation from employment which gives rise to such individual being an eligible TAA recipient or eligible alternative TAA recipient, or

"(B) December 31, 2007.".

(d) CONTINUED QUALIFICATION OF FAMILY MEMBERS AFTER CERTAIN EVENTS.—

(1) IN GENERAL.—Subsection (g) of section 35 of such Code is amended by redesignating paragraph (9) as paragraph (10) and inserting after paragraph (8) the following new paragraph:

"(9) CONTINUED QUALIFICATION OF FAMILY MEMBERS AFTER CERTAIN EVENTS.—

"(A) MEDICARE ELIGIBILITY.—In the case of any month which would be an eligible coverage month with respect to an eligible individual but for subsection (f)(2)(A), such month shall be treated as an eligible coverage month with respect to such eligible individual solely for purposes of determining the amount of the credit under this section with respect to any qualifying family members of such individual (and any advance payment of such credit under section 7527). This subparagraph shall only apply with respect to the first 36 months after such eligible individual is first entitled to the benefits described in subsection (f)(2)(A).

"(B) DIVORCE.—In the case of the finalization of a divorce between an eligible individual and such individual's spouse, such spouse shall be treated as an eligible individual for purposes of this section and section 7527 for a period of 36 months beginning with the date of such finalization, except that the only qualifying family members who may be taken into account with respect to such spouse are those individuals who were qualifying family members immediately before such finalization.

"(C) DEATH.—In the case of the death of an eligible individual—

"(i) any spouse of such individual (determined at the time of such death) shall be treated as an eligible individual for purposes of this section and section 7527 for a period of 36 months beginning with the date of such death, except that the only qualifying family members who may be taken into account with respect to such spouse are those individuals who were qualifying family members immediately before such death, and

"(ii) any individual who was a qualifying family member of the decedent immediately before such death (or, in the case of an individual to whom paragraph (4) applies, the taxpayer to whom the deduction under section 151 is allowable) shall be treated as an eligible individual for purposes of this section and section 7527 for a period of 36 months beginning with the date of such death, except that in determining the amount of such credit only such qualifying family member may be taken into account.".

(2) CONFORMING AMENDMENT.—Section 173(f) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)) is amended by adding at the end the following:

"(8) CONTINUED QUALIFICATION OF FAMILY MEMBERS AFTER CERTAIN EVENTS.—

"(A) MEDICARE ELIGIBILITY.—In the case of any month which would be an eligible coverage month with respect to an eligible individual but for paragraph (7)(B)(i), such month shall be treated as an eligible coverage month with respect to such eligible individual solely for purposes of determining the eligibility of qualifying family members of such individual under this subsection. This subparagraph shall only apply with respect to the first 36 months after such eligible individual is first entitled to the benefits described in paragraph (7)(B)(i).

"(B) DIVORCE.—In the case of the finalization of a divorce between an eligible individual and such individual's spouse, such spouse shall be treated as an eligible individual for purposes of this subsection for a period of 36 months beginning with the date of such finalization, except that the only qualifying family members who may be taken into account with respect to such spouse are those individuals who were qualifying family members immediately before such finalization.

"(C) DEATH.—In the case of the death of an eligible individual—

"(i) any spouse of such individual (determined at the time of such death) shall be treated as an eligible individual for purposes of this subsection for a period of 36 months beginning with the date of such death, except that the only qualifying family members who may be taken into account with respect to such spouse are those individuals who were qualifying family members immediately before such death, and

"(ii) any individual who was a qualifying family member of the decedent immediately before such death shall be treated as an eligible individual for purposes this subsection for a period of 36 months beginning with the date of such death, except that no qualifying family members may be taken into account with respect to such individual.".

(e) MODIFICATION OF CREDITABLE COVERAGE REQUIREMENT.—

(1) IN GENERAL.—Subparagraph (B) of section 35(e)(2) of such Code is amended to read as follows:

"(B) QUALIFYING INDIVIDUAL.—For purposes of this paragraph, the term 'qualifying individual' means an eligible individual and the qualifying family members of such individual if such individual meets the requirements of clauses (iii) and (iv) of subsection (b)(1)(A) and—

"(i) in the case of an eligible TAA recipient or an eligible alternative TAA recipient, has (as of the date on which the individual seeks to enroll in the coverage described in subparagraphs (B) through (H) of paragraph (1)) a period of creditable coverage (as defined in section 9801(c)), or

"(ii) in the case of an eligible PBGC pension recipient, enrolls in such coverage during the 90-day period beginning on the later of—

"(I) the last day of the first month with respect to which such recipient becomes an eligible PBGC pension recipient, or

"(II) the date of the enactment of this subparagraph.".

(2) CONFORMING AMENDMENT.—Clause (ii) of section 172(f)(2)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)(2)(B)) is amended to read as follows:

"(ii) QUALIFYING INDIVIDUAL.—For purposes of this subparagraph, the term 'qualifying individual' means an eligible individual and the qualifying family members of such individual if such individual meets the requirements of clauses (iii) and (iv) of section 35(b)(1)(A) of the Internal Revenue Code of 1986 and—

"(I) in the case of an eligible TAA recipient or an eligible alternative TAA recipient, has (as of the date on which the individual seeks to enroll in the coverage described in clauses (ii) through (viii) of subparagraph (A)) a period of creditable coverage (as defined in section 9801(c) of such Code), or

"(II) in the case of an eligible PBGC pension recipient, enrolls in such coverage during the 90-day period beginning on the later of—

"(aa) the last day of the first month with respect to which such recipient becomes an eligible PBGC pension recipient, or

"(bb) the date of the enactment of this clause.".

(3) OUTREACH.—The Secretary of the Treasury shall carry out a program to notify individuals prior to their becoming eligible PBGC pension recipients (as defined in section 35 of the Internal Revenue Code of 1986) of the requirement of subsection (e)(2)(B)(ii) of such section, as added by this subsection.

(f) TAA PRE-CERTIFICATION PERIOD RULE FOR PURPOSES OF DETERMINING WHETHER THERE IS A 63-DAY LAPSE IN CREDITABLE COVERAGE.—

(1) IRC AMENDMENT.—Section 9801(c)(2) of the Internal Revenue Code of 1986 (relating to not counting periods before significant breaks in creditable coverage) is amended by adding at the end the following new subparagraph:

"(D) TAA-ELIGIBLE INDIVIDUALS.—

"(i) TAA PRE-CERTIFICATION PERIOD RULE.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date which is 5 days after the postmark date of the notice by the Secretary (or by any person or entity designated by the Secretary) that the individual is eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 shall not be taken into account in determining the continuous period under subparagraph (A).

"(ii) DEFINITIONS.—The terms 'TAA-eligible individual', and 'TAA-related loss of coverage' have the meanings given such terms in section 4980B(f)(5)(C)(iv).".

(2) ERISA AMENDMENT.—Section 701(c)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181(c)(2)) is amended by adding at the end the following new subparagraph:

"(C) TAA-ELIGIBLE INDIVIDUALS.—

"(i) TAA PRE-CERTIFICATION PERIOD RULE.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date that is 5 days after the postmark date of the notice by the Secretary (or by any person or entity designated by the Secretary) that the individual is eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 of the Internal Revenue Code of 1986 shall not be taken into account in determining the continuous period under subparagraph (A).

"(ii) DEFINITIONS.—The terms 'TAA-eligible individual', and 'TAA-related loss of coverage' have the meanings given such terms in section 605(b)(4)(c).".

(3) PHSA AMENDMENT.—Section 2701(c)(2) of the Public Health Service Act (42 U.S.C. 300gg(c)(2)) is amended by adding at the end the following new subparagraph:

"(C) TAA-ELIGIBLE INDIVIDUALS.—

"(i) TAA PRE-CERTIFICATION PERIOD RULE.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date that is 5 days after the postmark date of the notice by the Secretary (or by any person or entity designated by the Secretary) that the individual is eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 of the Internal Revenue Code of 1986 shall not be taken into account in determining the continuous period under subparagraph (A).

"(ii) DEFINITIONS.—The terms 'TAA-eligible individual', and 'TAA-related loss of coverage' have the meanings given such terms in section 2205(b)(4)(c).".

(g) RATING SYSTEM REQUIREMENT FOR CERTAIN STATE-BASED COVERAGE.—

(1) IN GENERAL.—Subparagraph (A) of section 35(e)(2) of such Code is amended by adding at the end the following new clause:

"(v) RATING SYSTEM REQUIREMENT.—In the case of coverage described in paragraph (1)(F)(ii), the premiums for such coverage are restricted, based on a community rating system with respect to eligible individuals and their qualifying family members, or based on a rate-band system under which the maximum rate which may be charged does not exceed 150 percent of the standard rate with respect to eligible individuals and their qualifying family members.".

(2) CONFORMING AMENDMENT.—Clause (i) of section 173(f)(2)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)(2)(B)) is amended by adding at the end the following new subclause:

"(V) RATING SYSTEM REQUIREMENT.—In the case of coverage described in subparagraph (A)(vi)(II), the premiums for such coverage are restricted, based on a community rating system with respect to eligible individuals and their qualifying family members, or based on a rate-band system under which the maximum rate which may be charged does not exceed 150 percent of the standard rate with respect to eligible individuals and their qualifying family members.".

(h) TERMINATION OF PROGRAM.—

(1) IN GENERAL.—Section 35 of such Code is amended by adding at the end the following new subsection:

"(h) TERMINATION.—An individual shall not be treated as an eligible individual for purposes of this section or section 7527 for any month beginning after December 31, 2009, unless such individual was an eligible individual for a continuous period of months ending with such month and beginning before such date.".

(2) CONFORMING AMENDMENT.—Subsection (f) of section 173 of the Workforce Investment Act of 1998 (29 U.S.C. 2918) is amended by adding at the end the following new paragraph:

"(8) TERMINATION.—An individual shall not be treated as an eligible individual for purposes of this subsection for any month beginning after December 31, 2009, unless such individual was an eligible individual for a continuous period of months ending with such month and beginning before such date.".

(i) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to months beginning after December 31, 2007, in taxable years ending after such date.

(2) RATING SYSTEM REQUIREMENT.—The amendments made by subsection (g) shall apply to months beginning after March 31, 2008, in taxable years ending after such date.

(3) DISCRETION TO DELAY EFFECTIVE DATE FOR PURPOSES OF ADVANCE PAYMENT PROGRAM.—Solely for purposes of carrying out the advance payment program under section 7527, the Secretary may provide that one or more amendments made by subsections (b), (c), and (d) shall not apply to one or more months beginning before March 31, 2008, to the extent that the Secretary determines that such delay is necessary to properly implement any such amendment as part of such program.

(j) GAO STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study regarding the health insurance tax credit allowed under section 35 of the Internal Revenue Code of 1986.

(2) REPORT.—Not later than March 1, 2009, the Comptroller General shall submit a report to Congress regarding the results of the study conducted under paragraph (1). Such report shall include an analysis of—

(A) the administrative costs—

(i) of the Federal Government with respect to such credit and the advance payment of such credit under section 7527 of such Code, and

(ii) of providers of qualified health insurance with respect to providing such insurance to eligible individuals and their qualifying family members,

(B) the health status and relative risk status of eligible individuals and qualifying family members covered under such insurance,

(C) participation in such credit and the advance payment of such credit by eligible individuals and their qualifying family members, including the reasons why such individuals did or did not participate and the effect of the amendments made by this section on such participation, and

(D) the extent to which eligible individuals and their qualifying family members—

(i) obtained health insurance other than qualifying health insurance, or

(ii) went without health insurance coverage.

(3) Access to Records.—For purposes of conducting the study required under this subsection, the Comptroller General and any of his duly authorized representatives shall have access to, and the right to examine and copy, all documents, records, and other recorded information—

(A) within the possession or control of providers of qualified health insurance, and

(B) determined by the Comptroller General (or any such representative) to be relevant to the study.

The Comptroller General shall not disclose the identity of any provider of qualified health insurance or any eligible individual in making any information obtained under this section available to the public.

(4) Definitions.—Any term which is defined in section 35 of the Internal Revenue Code of 1986 shall have the same meaning when used in this subsection.

Subtitle E—Wage Insurance

SEC. 151. REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE PROGRAM FOR OLDER WORKERS.

(a) In General.—Section 246 of the Trade Act of 1974 (19 U.S.C. 2318) is amended—

(1) by amending the heading to read as follows: "**REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE**";

(2) in subsection (a)—

(A) in paragraph (1), by striking "alternative" and inserting "reemployment";

(B) in paragraph (2)(A), by striking "for a period not to exceed 2 years" and inserting "for the eligibility period under paragraph (3)(C)"; and

(C) by striking paragraphs (3) through (5) and inserting the following:

"(3) Eligibility.—

"(A) In general.—A group of workers certified under subchapter A as eligible for adjustment assistance under subchapter A is eligible for benefits described in paragraph (2) under the program established under paragraph (1).

"(B) Individual eligibility.—A worker in a group of workers described in subparagraph (A) may elect to receive benefits described in paragraph (2) under the program established under paragraph (1) if the worker—

"(i) is at least 50 years of age;

"(ii) earns not more than $60,000 each year in wages from reemployment;

"(iii)(I) is employed on a full-time basis as defined by State law in the State in which the worker is employed; or

"(II) is employed at least 20 hours per week and is enrolled in training approved under section 236; and

"(iv) does not return to the employment from which the worker was separated.

In the case of a worker described in clause (iii)(II), the percentage referred to in paragraph (2)(A) shall be deemed to be a percentage equal to ½ of the ratio of weekly hours of employment referred to in clause (iii)(II) to weekly hours of employment of that worker at the time of separation (but not more than 50 percent).

"(C) Eligibility period for payments.—A worker in a group of workers described in subparagraph (A) may receive payments described in paragraph (2)(A) under the program established under paragraph (1) for a period not to exceed 2 years from the date on which the worker exhausts all rights to unemployment insurance based on the separation of the worker from adversely affected employment or the date on which the worker obtains reemployment, whichever is earlier.

"(D) Training.—A worker described in subparagraph (B) shall be eligible to receive training approved under section 236.

"(4) Total amount of payments.—The payments described in paragraph (2)(A) made to a worker may not exceed $12,000 per worker during the eligibility period under paragraph (3)(C).

"(5) Limitation on other benefits.—A worker described in paragraph (3) may not receive a trade readjustment allowance under part I of subchapter B during any week for which the worker receives a payment described in paragraph (2)(A)."; and

(3) in subsection (b)(2), by striking "subsection (a)(3)(B)" and inserting "subsection (a)(3)".

(b) Extension of Program.—Subsection (b)(1) of such section is amended by striking "5" and inserting "10".

(c) Clerical Amendment.—The table of contents for title II of the Trade Act of 1974 is amended by striking the item relating to section 246 and inserting the following:

"Sec. 246. Reemployment trade adjustment assistance program.".

Subtitle F—Other Matters

SEC. 161. AGREEMENTS WITH STATES.

(a) In General.—Subsection (a) of section 239 of the Trade Act of 1974 (19 U.S.C. 2311) is amended—

(1) by striking "will" each place it appears and inserting "shall"; and

(2) in clause (2), to read as follows: "(2) in accordance with subsection (f), shall provide adversely affected workers covered by a certification under subchapter A the employment and case management services described in section 235".

(b) Outreach.—Subsection (f) of such section is amended—

(1) in paragraph (3), by striking "and" at the end;

(2) by striking paragraph (4) and inserting the following:

"(4) perform outreach, intake (which may include worker profiling) and orientation for assistance and benefits available under this chapter for adversely affected workers covered by a certification under subchapter A of this chapter, and"; and

(3) by adding at the end the following:

"(5) provide adversely affected workers covered by a certification under subchapter A of this chapter with employment and case management services described in section 235.".

SEC. 162. FRAUD AND RECOVERY OF OVERPAYMENTS.

Section 243(a)(1) of the Trade Act of 1974 (19 U.S.C. 2315(a)(1)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking "may waive" and inserting "shall waive"; and

(B) by striking ", in accordance with guidelines prescribed by the Secretary," and

(2) in subparagraph (B), by striking "would be contrary to equity and good conscience" and inserting "would cause a financial hardship for the individual (or the individual's household, if applicable) when taking into consideration the income and resources reasonably available to the individual (or household) and other ordinary living expenses of the individual (or household)".

SEC. 163. TECHNICAL AMENDMENTS.

(a) In General.—Section 249 of the Trade Act of 1974 (19 U.S.C. 2321) is amended—

(1) in the heading, by striking "subpena" and inserting "subpoena"; and

(2) in the text, by striking "subpena" and inserting "subpoena" each place it appears.

(b) Clerical Amendment.—The item relating to section 249 in the table of contents for title II of the Trade Act of 1974 is amended to read as follows:

"249. Subpoena power.".

SEC. 164. OFFICE OF TRADE ADJUSTMENT ASSISTANCE; DEPUTY ASSISTANT SECRETARY FOR TRADE ADJUSTMENT ASSISTANCE.

(a) In General.—Subchapter C of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2311 et seq.) is amended by adding at the end the following:

"SEC. 250. OFFICE OF TRADE ADJUSTMENT ASSISTANCE; DEPUTY ASSISTANT SECRETARY FOR TRADE ADJUSTMENT ASSISTANCE.

"(a) Establishment.—There is established in the Department of Labor an office to be known as the Office of Trade Adjustment Assistance (hereinafter in this section referred to as the 'Office').

"(b) Head of Office.—The head of the Office shall be the Deputy Assistant Secretary for Trade Adjustment Assistance (hereinafter in this section referred to as the 'Deputy Assistant Secretary'), who shall be appointed by the President, by and with the advice and consent of the Senate.

"(c) Principle Functions.—The principle functions of the Deputy Assistant Secretary shall be—

"(1) to oversee and implement the administration of trade adjustment assistance for workers under this chapter; and

"(2) to carry out functions delegated to the Secretary of Labor under this chapter, including—

"(A) making determinations under section 223 or 223A;

"(B) providing information about the program and assisting groups of workers and other parties to prepare petitions or applications for program benefits under section 225;

"(C) ensuring workers covered by a certification receive the employment services described in section 235;

"(D) ensuring States fully comply with agreements under section 239;

"(E) acting as a vigorous advocate for workers applying for assistance under this chapter;

"(F) receiving complaints, grievances, and requests for assistance from workers under this chapter;

"(G) establishing and overseeing a hotline that workers, employers, and other entities may call to obtain information regarding eligibility criteria, procedural requirements, and benefits available under this chapter; and

"(H) carrying out such other duties with respect to this chapter as the President may specify for purposes of this section.".

(b) Clerical Amendment.—The table of contents for title II of the Trade Act of 1974 is amended by inserting after the item relating to section 249 the following:

"Sec. 250. Office of Trade Adjustment Assistance; Deputy Assistant Secretary for Trade Adjustment Assistance.".

SEC. 165. COLLECTION OF DATA AND REPORTS; INFORMATION TO WORKERS.

(a) In General.—Subchapter C of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2311 et seq.) is amended by adding at the end the following:

"SEC. 250A. COLLECTION OF DATA AND REPORTS; INFORMATION TO WORKERS.

"(a) In General.—Not later than 90 days after the date of the enactment of the Trade and Globalization Act of 2007, the Secretary shall implement a system to collect and publicly disseminate data on all adversely affected workers who apply for or receive adjustment assistance under this chapter.

"(b) Data To Be Included.—The system required under subsection (a) shall include collection of the following data classified by State, industry, and nationwide totals:

"(1) The number of petitions and number of workers covered by petitions filed, certified and denied.

"(2) The date of filing of each petition and the date of the determination, and the average processing time, by year, on petitions.

"(3) A breakdown, by the claimed cause of dislocation, of petitions denied, such as increased imports, shift in production, and other bases for eligibility.

"(4) A breakdown of the number of certified petitions by the cause of dislocation, such as increase in imports, shift in production, and other causes of eligibility for adjustment assistance.

"(5) The number of workers participating in any aspect of the adjustment assistance program under this chapter.

"(6) Reemployment rates and sectors in which dislocated workers have been employed after receiving adjustment assistance under this chapter.

"(7) The type of adjustment assistance received under this chapter, such as training or education assistance, reemployment adjustment assistance, cash benefits, health coverage, and relocation allowances, the number of workers receiving each type of assistance, and the average duration of time workers receive each type of assistance.

"(8) The fields of training or education in which workers receiving training or education benefits under this chapter are enrolled, the number of workers participating in each field, classified by major types of training or education.

"(9) The number of workers leaving training before completing a course of training or education, classified by the cause for early termination.

"(10) The number of training waivers granted, classified by type of waiver.

"(11) The wages of workers before separation and any job obtained after receiving benefits under the trade adjustment assistance program under this chapter.

"(12) The average duration of training that was completed.

"(c) REPORT.—Not later than 16 months after the date of the enactment of the Trade and Globalization Act of 2007, and annually thereafter, the Secretary shall submit to the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, and any other congressional committee of appropriate jurisdiction, a report on whether changes to eligibility requirements, benefits, or training funding under the trade adjustment assistance program under this chapter should be made based on the data collected under subsection (b).

"(d) AVAILABILITY ON WEBSITE OF THE DEPARTMENT OF LABOR.—The Secretary shall make the data collected under subsection (b) publicly available on the website of the Department of Labor, in a searchable format, and shall update the data quarterly.".

(b) CLERICAL AMENDMENT.—The table of contents for title II of the Trade Act of 1974 is amended by inserting after the item relating to section 250 (as added by section 163(b) of this Act) the following:

"Sec. 250A. Collection of data and reports; information to workers.".

SEC. 166. EXTENSION OF TAA PROGRAM.

(a) FOR WORKERS.—Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking "December 31, 2007" and inserting "September 30, 2012".

(b) TERMINATION.—Section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended by striking "December 31, 2007" each place it appears and inserting "September 30, 2012".

(c) FOR FARMERS.—Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended by adding at the end the following: "There are authorized to be appropriated to the Department of Agriculture not to exceed $81,000,000 for the 9-month period beginning on January 1, 2008, and $90,000,000 for each of the fiscal years 2009 through 2012 to carry out the purposes of this chapter.".

SEC. 167. JUDICIAL REVIEW.

Section 284 of the Trade Act of 1974 (19 U.S.C. 2395) is amended—

(1) in subsection (a)—

(A) by inserting "or 223A" after "223"; and

(B) by striking "271" and inserting "273";

(2) by amending subsection (b) to read as follows:

"(b) STANDARD OF REVIEW.—The Court of International Trade shall have jurisdiction to review the case as provided in section 706 of title 5, Untied States Code. The findings of fact by the Secretary of Labor, the Secretary of Commerce, or the Secretary of Agriculture, as the case may be, must be supported by substantial evidence and must be based on a reasonable investigation. The Court of International Trade may—

"(1) remand the case to such Secretary to take further evidence; or

"(2) reverse the action of such Secretary.

If the case is remanded under paragraph (1), the Secretary concerned may make new or modified findings of fact and may modify the Secretary's previous action, and shall certify to the court the record of the further proceedings. The new or modified findings of fact must be supported by substantial evidence and must be based on a reasonable investigation."; and

(3) in subsection (c), by striking the first sentence.

SEC. 168. LIBERAL CONSTRUCTION OF CERTIFICATION OF WORKERS AND FIRMS.

(a) IN GENERAL.—Chapter 5 of title II of the Trade Act of 1974 (19 U.S.C. 2391 et seq.) is amended by adding at the end the following:

"SEC. 288. LIBERAL CONSTRUCTION OF CERTIFICATION OF WORKERS AND FIRMS.

"The provisions of chapter 2 (relating to adjustment assistance for workers) and the provisions of chapter 3 (relating to adjustment assistance for firms) shall be liberally construed in favor of certifying workers for assistance under such chapter 2 and certifying firms for assistance under such chapter 3.".

(b) CLERICAL AMENDMENT.—The table of contents for title II of the Trade Act of 1974 is amended by inserting after the item relating to section 287 the following:

"Sec. 288. Liberal construction of certification of workers and firms.".

TITLE II—TRADE ADJUSTMENT ASSISTANCE FOR FIRMS

SEC. 201. TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.

(a) IN GENERAL.—Section 251 of the Trade Act of 1974 (19 U.S.C. 2341) is amended—

(1) in subsection (a), by inserting "or service sector firm" after "(including any agricultural firm";

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting "or service sector firm" after "any agricultural firm"; and

(ii) in subparagraph (B)—

(I) in clause (i), by striking ", or" and inserting a comma;

(II) in clause (ii)—

(aa) by inserting "or service" after "of an article"; and

(bb) by striking ", and" and inserting a comma; and

(III) by adding at the end the following:

"(iii) sales or production, or both, of the firm, during the period consisting of not more than 36 months preceding the most recent 12-month period for which data are available, have decreased absolutely, or

"(iv) sales or production, or both, of an article or service that accounted for not less than 25 percent of the total production or sales of the firm during the 36-month period preceding the most recent 12-month period for which data are available have decreased absolutely, and"; and

(B) in the matter preceding subparagraph (A) of paragraph (2) , by striking "paragraph (1)(C)—" and inserting "paragraph (1)(C):"; and

(3) by adding at the end the following:

"(e) BASIS FOR THE DETERMINATION OF THE SECRETARY.—

"(1) INCREASED IMPORTS.—For purposes of subsection (c)(1)(C), the Secretary—

"(A) may use data from any of the preceding three calendar years to determine if the requirements of such subsection have been met; and

"(B) may determine that increases of imports of like or directly competitive articles or services exist if customers accounting for a significant percentage of the decrease in the sales of the firm certify to the Secretary that such customers are obtaining such articles or services from a foreign country.

"(2) PROCESS AND METHODS FOR OBTAINING CERTIFICATIONS.—

"(A) REQUEST BY PETITIONER.—If requested by a firm, the Secretary shall obtain the certifications under paragraph (1)(B) in such manner as the Secretary determines is appropriate.

"(B) PROTECTION OF CONFIDENTIAL INFORMATION.—The Secretary may not release information obtained under subparagraph (A) that the Secretary considers to be confidential business information unless the party submitting the confidential business information had notice, at the time of submission, that such information would be released by the Secretary, or such party subsequently consents to the release of the information. Nothing in this subparagraph shall be construed to prohibit a court from requiring the submission of such confidential business information to the court in camera.

"(f) NOTIFICATION TO FIRMS OF AVAILABILITY OF BENEFITS.—Upon receiving notice from the Secretary of Labor under section 225(c) of the identity of a firm or firms that are covered by a certification issued under section 223 or 223A, the Secretary of Commerce shall notify such firm or firms of the availability of adjustment assistance under this chapter.".

(b) DEFINITION.—Section 261 of the Trade Act of 1974 (19 U.S.C. 2351) is amended—

(1) by striking "For purposes of" and inserting "(a) FIRM.—For purposes of"; and

(2) by adding at the end the following:

"(b) SERVICE SECTOR FIRM.—For purposes of this chapter, the term 'service sector firm' means a firm engaged in the business of providing services.".

SEC. 202. EXTENSION OF AUTHORIZATION OF TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.

Section 256(b) of the Trade Act of 1974 (19 U.S.C. 2346(b)) is amended—

(1) by striking "and $4,000,000 for the 3-month period beginning on October 1, 2007," inserting "and $50,000,000 for each of fiscal years 2008 through 2012," after "fiscal years 2003 through 2007,"; and

(2) by inserting after the first sentence the following: "Of the amounts appropriated pursuant to this subsection for each fiscal year, $350,000 shall be available for full-time positions in the Department of Commerce to administer the program under this chapter.".

SEC. 203. INDUSTRY-WIDE PROGRAMS FOR THE DEVELOPMENT OF NEW SERVICES.

Section 265(a) of the Trade Act of 1974 (19 U.S.C. 2355(a)) is amended—

(1) in the first sentence, by striking "new product development" and inserting "the development of new products and services"; and

(2) in the second sentence, by inserting ", 223A," after "223".

TITLE III—UNEMPLOYMENT INSURANCE

SEC. 301. SHORT TITLE.

This title may be cited as the "Unemployment Insurance Modernization Act".

SEC. 302. SPECIAL TRANSFERS TO STATE ACCOUNTS IN THE UNEMPLOYMENT TRUST FUND.

(a) IN GENERAL.—Section 903 of the Social Security Act (42 U.S.C. 1103) is amended by adding at the end the following:

"Special Transfers in Fiscal Years 2008 Through 2012 for Modernization

"(f)(1)(A) In addition to any other amounts, the Secretary of Labor shall provide for the making of unemployment compensation modernization incentive payments (hereinafter 'incentive payments') to the accounts of the States in the Unemployment Trust Fund, by transfer from amounts reserved for that purpose in the Federal unemployment account, in accordance with succeeding provisions of this subsection.

"(B) The maximum incentive payment allowable under this subsection with respect to any State shall, as determined by the Secretary of Labor, be equal to the amount obtained by multiplying $7,000,000,000 times the same ratio as is applicable under subsection (a)(2)(B) for purposes of determining such State's share of any funds to be transferred under subsection (a) as of October 1, 2007.

"(C) Of the maximum incentive payment determined under subparagraph (B) with respect to a State—

"(i) one-third shall be transferred to the account of such State upon a certification under paragraph (4)(B) that the State law of such State meets the requirements of paragraph (2); and

"(ii) the remainder shall be transferred to the account of such State upon a certification under paragraph (4)(B) that the State law of such State meets the requirements of paragraph (3).

"(2) The State law of a State meets the requirements of this paragraph if such State law—

"(A) uses a base period that includes the most recently completed calendar quarter before the start of the benefit year for purposes of determining eligibility for unemployment compensation; or

"(B) provides that, in the case of an individual who would not otherwise be eligible for unemployment compensation under the State law because of the use of a base period that does not include the most recently completed calendar quarter before the start of the benefit year, eligibility shall be determined using a base period that includes such calendar quarter.

"(3) The State law of a State meets the requirements of this paragraph if such State law includes provisions to carry out at least 2 of the following subparagraphs:

"(A) An individual shall not be denied regular unemployment compensation under any State law provisions relating to availability for work, active search for work, or refusal to accept work, solely because such individual is seeking only part-time (and not full-time) work, except that the State law provisions carrying out this subparagraph may exclude an individual if a majority of the weeks of work in such individual's base period do not include part-time work.

"(B) An individual shall not be disqualified from regular unemployment compensation for separating from employment if that separation is for compelling family reasons. For purposes of this subparagraph, the term 'compelling family reasons' includes at least the following:

"(i) Domestic violence (verified by such reasonable and confidential documentation as the State law may require) which causes the individual reasonably to believe that such individual's continued employment would jeopardize the safety of the individual or of any member of the individual's immediate family.

"(ii) The illness or disability of a member of the individual's immediate family.

"(iii) The need for the individual to accompany such individual's spouse—

"(I) to a place from which it is impractical for such individual to commute; and

"(II) due to a change in location of the spouse's employment.

"(C) Weekly unemployment compensation is payable under this subparagraph to any individual who is unemployed (as determined under the State unemployment compensation law), has exhausted all rights to regular and (if applicable) extended unemployment compensation under the State law, and is enrolled and making satisfactory progress in a State-approved training program or in a job training program authorized under the Workforce Investment Act of 1998. Such program shall prepare individuals who have been separated from a declining occupation, or who have been involuntarily and indefinitely separated from employment as a result of a permanent reduction of operations at the individual's place of employment, for entry into a high-demand occupation. The amount of unemployment compensation payable under this subparagraph to an individual for a week of unemployment shall be equal to the individual's average weekly benefit amount (including dependents' allowances) for the most recent benefit year, and the total amount of unemployment compensation payable under this subparagraph to any individual shall be equal to at least 26 times the individual's average weekly benefit amount (including dependents' allowances) for the most recent benefit year.

"(4)(A) Any State seeking an incentive payment under this subsection shall submit an application therefor at such time, in such manner, and complete with such information as the Secretary of Labor may by regulation prescribe, including information relating to compliance with the requirements of paragraph (2) or (3), as well as how the State intends to use the incentive payment to improve or strengthen the State's unemployment compensation program. The Secretary of Labor shall, within 90 days after receiving a complete application, notify the State agency of the State of the Secretary's findings with respect to the requirements of paragraph (2) or (3) (or both).

"(B) If the Secretary of Labor finds that the State law provisions (disregarding any State law provisions which are not then currently in effect as permanent law or which are subject to discontinuation under certain conditions) meet the requirements of paragraph (2) or (3), as the case may be, the Secretary of Labor shall thereupon make a certification to that effect to the Secretary of the Treasury, together with a certification as to the amount of the incentive payment to be transferred to the State account pursuant to that finding. The Secretary of the Treasury shall make the appropriate transfer within 30 days after receiving such certification.

"(C)(i) No certification of compliance with the requirements of paragraph (2) or (3) may be made with respect to any State whose State law is not otherwise eligible for certification under section 303 or approvable under section 3304 of the Federal Unemployment Tax Act.

"(ii) No certification of compliance with the requirements of paragraph (3) may be made with respect to any State whose State law is not in compliance with the requirements of paragraph (2).

"(iii) No application under subparagraph (A) may be considered if submitted before October 1, 2007, or after the latest date necessary (as specified by the Secretary of Labor in regulations) to ensure that all incentive payments under this subsection are made before October 1, 2012.

"(5)(A) Except as provided in subparagraph (B), any amount transferred to the account of a State under this subsection may be used by such State only in the payment of cash benefits to individuals with respect to their unemployment (including for dependents' allowances and for unemployment compensation under paragraph (3)(C)), exclusive of expenses of administration.

"(B) A State may, subject to the same conditions as set forth in subsection (c)(2) (excluding subparagraph (B) thereof, and deeming the reference to 'subsections (a) and (b)' in subparagraph (D) thereof to include this subsection), use any amount transferred to the account of such State under this subsection for the administration of its unemployment compensation law and public employment offices.

"(6) Out of any money in the Federal unemployment account not otherwise appropriated, the Secretary of the Treasury shall reserve $7,000,000,000 for incentive payments under this subsection. Any amount so reserved shall not be taken into account for purposes of any determination under section 902, 910, or 1203 of the amount in the Federal unemployment account as of any given time. Any amount so reserved for which the Secretary of the Treasury has not received a certification under paragraph (4)(B) by the deadline described in paragraph (4)(C)(iii) shall, upon the close of fiscal year 2012, become unrestricted as to use as part of the Federal unemployment account.

"(7) For purposes of this subsection, the terms 'benefit year', 'base period', and 'week' have the respective meanings given such terms under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

"Special Transfers in Fiscal Years 2008 Through 2012 for Administration

"(g)(1) Notwithstanding any other provision of this section, the total amount available for transfer to the accounts of the States pursuant to subsection (a) as of the beginning of each of fiscal years 2008, 2009, 2010, 2011, and 2012 shall be equal to the total amount which (disregarding this subsection) would otherwise be so available, increased by $100,000,000.

"(2) Each State's share of any additional amount made available by this subsection shall be determined, certified, and computed in the same manner as described in subsection (a)(2) and shall be subject to the same limitations on transfers as described in subsection (b). For purposes of applying subsection (b)(2), the balance of any advances made to a State under section 1201 shall be credited against, and operate to reduce (but not below zero)—

"(A) first, any additional amount which, as a result of the enactment of this subsection, is to be transferred to the account of such State in a fiscal year; and

"(B) second, any amount which (disregarding this subsection) is otherwise to be transferred to the account of such State pursuant to subsections (a) and (b) in such fiscal year.

"(3) Any additional amount transferred to the account of a State as a result of the enactment of this subsection—

"(A) may be used by the State agency of such State only in the payment of expenses incurred by it for—

"(i) the administration of the provisions of its State law carrying out the purposes of subsection (f)(2) or any subparagraph of subsection (f)(3);

"(ii) improved outreach to individuals who might be eligible for regular unemployment compensation by virtue of any provisions of the State law which are described in clause (i);

"(iii) the improvement of unemployment benefit and unemployment tax operations; and

"(iv) staff-assisted reemployment services for unemployment compensation claimants; and

"(B) shall be excluded from the application of subsection (c).

"(4) The total additional amount made available by this subsection in a fiscal year shall be taken out of the amounts remaining in the employment security administration account after subtracting the total amount which (disregarding this subsection) is otherwise required to be transferred from such account in such fiscal year pursuant to subsections (a) and (b).".

(b) Regulations.—The Secretary of Labor may prescribe any regulations necessary to carry out the amendment made by subsection (a).

SEC. 303. EXTENSION OF FUTA TAX.

Section 3301 of the Internal Revenue Code of 1986 (relating to rate of tax) is amended—

(1) by striking "2007" in paragraph (1) and inserting "2012", and

(2) by striking "2008" in paragraph (2) and inserting "2013".

TITLE IV—MANUFACTURING REDEVELOPMENT ZONES

SEC. 401. MANUFACTURING REDEVELOPMENT ZONES.

(a) In General.—Subchapter Y of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

"PART III—MANUFACTURING REDEVELOPMENT ZONES

"Sec. 1400U–1. Designation of manufacturing redevelopment zones.
"Sec. 1400U–2. Eligibility criteria.
"Sec. 1400U–3. Manufacturing redevelopment tax credit bonds.
"Sec. 1400U–4. Tax-exempt manufacturing zone facility bonds.
"Sec. 1400U–5. Additional low-income housing credits.

"SEC. 1400U–1. DESIGNATION OF MANUFACTURING REDEVELOPMENT ZONES.

"(a) In General.—From among the areas nominated for designation under this section, the Secretary may designate manufacturing redevelopment zones.

"(b) Limitations on Designations.—The Secretary may designate in the aggregate 24 nominated areas as manufacturing redevelopment zones, subject to the availability of eligible nominated areas. The Secretary shall designate manufacturing redevelopment zones in such manner that the aggregate population of all such zones does not exceed 2,000,000.

"(c) Period Designation May Be Made.—A designation may be made under subsection (a) only during the 2-year period beginning on the date of the enactment of this section.

"(d) Period for Which Designation Is in Effect.—

"(1) In general.—Any designation under this section shall remain in effect during the period beginning on the date of the designation and ending on the earliest of—

"(A) the close of the 10th calendar year beginning on or after the date of the designation,

"(B) the termination date designated by the State and local governments as provided for in their nomination, or

"(C) the date the Secretary revokes the designation.

"(2) Revocation of designation.—The Secretary may revoke the designation under this section of an area if such Secretary determines that the local government or the State in which it is located—

"(A) has modified the boundaries of the area, or

"(B) is not complying substantially with, or fails to make progress in achieving the benchmarks set forth in, the strategic plan included with the application

"(e) Limitations on Designations; Application.—Rules similar to the rules of subsections (e) and (f) of section 1391 shall apply for purposes of this section except that the rules of such subsection (f) shall be applied with respect to the eligibility criteria specified in section 1400U–2.

"(f) Determinations of Population.—Any determination of population under this part shall be made on the basis of the most recent decennial census for which data are available.

"SEC. 1400U–2. ELIGIBILITY CRITERIA.

"(a) In General.—A nominated area shall be eligible for designation under section 1400U–1 only if—

"(1) it meets each of the criteria specified in section 1392(a),

"(2) the nominated area has experienced a significant decline in the number of individuals employed in manufacturing or has a high concentration of abandoned or underutilized manufacturing facilities, and

"(3) no portion of the nominated area is located in an empowerment zone or renewal community, unless the local government which nominated the area elects to terminate such designation as an empowerment zone or renewal community.

"(b) Application of Certain Rules; Definitions.—For purposes of this subchapter—

"(1) rules similar to the rules of subsections (b), (c), and (d) of section 1392 and paragraphs (4), (7), (8), and (9) of section 1393(a) shall apply, and

"(2) any term defined in section 1393 shall have the same meaning when used in this subchapter.

"(c) Discretion to Adjust Requirements.—In determining whether a nominated area is eligible for designation as a manufacturing redevelopment zone, the Secretary may, where necessary to carry out the purposes of this part, waive the requirement of section 1392(a)(4) if it is shown that the nominated area has experienced a loss of manufacturing jobs during the previous 20 years which is in excess of 25 percent.

"SEC. 1400U–3. MANUFACTURING REDEVELOPMENT TAX CREDIT BONDS.

"(a) In General.—For purposes of subpart I of part IV of subchapter A (relating to qualified tax credit bonds), the term 'manufacturing redevelopment bond' means any bond issued as part of an issue if—

"(1) 100 percent of the available project proceeds of such issue are to be used for one or more qualified manufacturing redevelopment purposes,

"(2) the bond is not a private activity bond, and

"(3) the local government which nominated the area to which such bond relates designates such bond for purposes of this section.

"(b) Limitation on Amount of Bonds Designated.—The maximum aggregate face amount of bonds which may be designated under subsection (a) with respect to any manufacturing redevelopment zone shall not exceed $150,000,000.

"(c) Qualified Manufacturing Redevelopment Purpose.—For purposes of this section, the term 'qualified manufacturing redevelopment purposes' means capital expenditures paid or incurred with respect to property located in a manufacturing redevelopment zone for purposes of promoting development or other economic activity in such zone, including expenditures for environmental remediation, improvements to public infrastructure, and construction of public facilities.

"(d) Definitions.—For purposes of this section, any term used in this section which is also used in section 54A shall have the same meaning given such term by section 54A.

"SEC. 1400U–4. TAX-EXEMPT MANUFACTURING ZONE FACILITY BONDS.

"(a) In General.—For purposes of part IV of subchapter B (relating to tax exemption requirements for State and local bonds), the term 'exempt facility bond' includes any bond issued as part of an issue if—

"(1) 95 percent or more of the net proceeds (as defined in section 150(a)(3)) of such issue are to be used for manufacturing zone property, and

"(2) the local government which nominated the area to which such bond relates designates such bond for purposes of this section.

"(b) Limitation on Amount of Bonds Designated.—

"(1) In general.—The aggregate face amount of bonds which may be designated under subsection (a)(2) with respect to any manufacturing redevelopment zone shall not exceed $230,000,000.

"(2) Current refunding not taken into account.—In the case of a refunding (or series of refundings) of a bond designated under this section, the refunding obligation shall be treated as designated under subsection (a)(2) (and shall not be taken into account in applying paragraph (1)) if—

"(A) the amount of the refunding bond does not exceed the outstanding amount of the refunded bond, and

"(B) the refunded bond is redeemed not later than 90 days after the date of issuance of the refunding bond.

"(c) Limitation on Amount of Bonds Allocable to Any Person.—

"(1) In general.—Subsection (a) shall not apply to any issue if the aggregate amount of outstanding manufacturing zone facility bonds allocable to any person (taking into account such issue) exceeds—

"(A) $15,000,000 with respect to any 1 manufacturing redevelopment zone, or

"(B) $20,000,000 with respect to all manufacturing redevelopment zones.

"(2) AGGREGATE ENTERPRISE ZONE FACILITY BOND BENEFIT.—For purposes of paragraph (1), the aggregate amount of outstanding manufacturing zone facility bonds allocable to any person shall be determined under rules similar to the rules of section 144(a)(10), taking into account only bonds to which subsection (a) applies.

"(d) MANUFACTURING ZONE PROPERTY.—For purposes of this section—

"(1) IN GENERAL.—The term 'manufacturing zone property' means any property to which section 168 applies (or would apply but for section 179) if—

"(A) such property was acquired by the taxpayer by purchase (as defined in section 179(d)(2)) after the date on which the designation of the manufacturing redevelopment zone took effect,

"(B) the original use of which in the manufacturing redevelopment zone commences with the taxpayer, and

"(C) substantially all of the use of which is in the manufacturing redevelopment zone and is in the active conduct of a qualified business by the taxpayer in such zone.

"(2) QUALIFIED BUSINESS.—The term 'qualified business' means any trade or business except that—

"(A) the rental to others of real property located in a manufacturing redevelopment zone shall be treated as a qualified business only if the property is not residential rental property (as defined in section 168(e)(2)), and

"(B) such term shall not include any trade or business consisting of the operation of any facility described in section 144(c)(6)(B).

"(3) SPECIAL RULES FOR SUBSTANTIAL RENOVATIONS AND SALE-LEASEBACK.—Rules similar to the rules of subsections (a)(2) and (b) of section 1397D shall apply for purposes of this subsection.

"(e) NONAPPLICATION OF CERTAIN RULES.—Sections 57(a)(5) (relating to tax-exempt interest), 146 (relating to volume cap), and 147(d) (relating to acquisition of existing property not permitted) shall not apply to any manufacturing zone facility bond.

"SEC. 1400U–5. ADDITIONAL LOW-INCOME HOUSING CREDITS.

"(a) IN GENERAL.—For purposes of section 42, in the case of each calendar year during which the designation of a manufacturing redevelopment zone is in effect, the State housing credit ceiling of the State which includes such manufacturing redevelopment zone shall be increased by the lesser of—

"(1) the aggregate housing credit dollar amount allocated by the State housing credit agency of such State to buildings located in such manufacturing redevelopment zone for such calendar year, or

"(2) the excess of—

"(A) the manufacturing zone housing amount with respect to such manufacturing redevelopment zone, over

"(B) the aggregate increases under this subsection with respect to such zone for all preceding calendar years.

"(b) MANUFACTURING ZONE HOUSING AMOUNT.—For purposes of subsection (a), the term 'manufacturing zone housing amount' means, with respect to any manufacturing redevelopment zone, the product of $20 multiplied by the population of such zone.

"(c) OTHER RULES.—

"(1) CARRYOVERS.—Rules similar to the rules of section 1400N(c)(1)(C) shall apply for purposes of this section.

"(2) RETURNED AMOUNTS.—If any amount of State housing credit ceiling which was taken into account under subsection (a)(1) is returned within the meaning of section 42(h)(3)(C)(iii)—

"(A) such amount shall not be taken into account under such section, and

"(B) such allocation shall cease to be treated as an increase under this subsection for purposes of subsection (a)(2)(B) until reallocated.".

(b) APPLICATION OF WORK OPPORTUNITY TAX CREDIT TO MANUFACTURING REDEVELOPMENT ZONES.—Subparagraphs (A) and (B) of section 51(d)(5) of such Code are each amended by inserting "manufacturing redevelopment zone," after "renewal community,".

(c) CONFORMING AMENDMENTS RELATED TO MANUFACTURING REDEVELOPMENT TAX CREDIT BONDS.—

(1) GENERAL RULES.—Part IV of subchapter A of chapter 1 of such Code (relating to credits against tax) is amended by adding at the end the following new subpart:

"Subpart I—Qualified Tax Credit Bonds

"Sec. 54A. Credit to holders of qualified tax credit bonds.

"SEC. 54A. CREDIT TO HOLDERS OF QUALIFIED TAX CREDIT BONDS.

"(a) ALLOWANCE OF CREDIT.—If a taxpayer holds a qualified tax credit bond on one or more credit allowance dates of the bond during any taxable year, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of the credits determined under subsection (b) with respect to such dates.

"(b) AMOUNT OF CREDIT.—

"(1) IN GENERAL.—The amount of the credit determined under this subsection with respect to any credit allowance date for a qualified tax credit bond is 25 percent of the annual credit determined with respect to such bond.

"(2) ANNUAL CREDIT.—The annual credit determined with respect to any qualified tax credit bond is the product of—

"(A) the applicable credit rate, multiplied by

"(B) the outstanding face amount of the bond.

"(3) APPLICABLE CREDIT RATE.—For purposes of paragraph (2), the applicable credit rate is the rate which the Secretary estimates will permit the issuance of qualified tax credit bonds with a specified maturity or redemption date without discount and without interest cost to the qualified issuer. The applicable credit rate with respect to any qualified tax credit bond shall be determined as of the first day on which there is a binding, written contract for the sale or exchange of the bond.

"(4) SPECIAL RULE FOR ISSUANCE AND REDEMPTION.—In the case of a bond which is issued during the 3-month period ending on a credit allowance date, the amount of the credit determined under this subsection with respect to such credit allowance date shall be a ratable portion of the credit otherwise determined based on the portion of the 3-month period during which the bond is outstanding. A similar rule shall apply when the bond is redeemed or matures.

"(c) LIMITATION BASED ON AMOUNT OF TAX.—

"(1) IN GENERAL.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess of—

"(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

"(B) the sum of the credits allowable under this part (other than subpart C and this subpart).

"(2) CARRYOVER OF UNUSED CREDIT.—If the credit allowable under subsection (a) exceeds the limitation imposed by paragraph (1) for such taxable year, such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such taxable year (determined before the application of paragraph (1) for such succeeding taxable year).

"(d) QUALIFIED TAX CREDIT BOND.—For purposes of this section—

"(1) QUALIFIED TAX CREDIT BOND.—The term 'qualified tax credit bond' means a manufacturing redevelopment bond (as defined in section 1400U–3) which is part of an issue that meets the requirements of paragraphs (2), (3), (4), (5), and (6).

"(2) SPECIAL RULES RELATING TO EXPENDITURES.—

"(A) IN GENERAL.—An issue shall be treated as meeting the requirements of this paragraph if, as of the date of issuance, the issuer reasonably expects—

"(i) 100 percent or more of the available project proceeds to be spent for 1 or more qualified purposes within the 3-year period beginning on such date of issuance, and

"(ii) a binding commitment with a third party to spend at least 10 percent of such available project proceeds will be incurred within the 6-month period beginning on such date of issuance.

"(B) FAILURE TO SPEND REQUIRED AMOUNT OF BOND PROCEEDS WITHIN 3 YEARS.—

"(i) IN GENERAL.—To the extent that less than 100 percent of the available project proceeds of the issue are expended by the close of the expenditure period for 1 or more qualified purposes, the issuer shall redeem all of the nonqualified bonds within 90 days after the end of such period. For purposes of this paragraph, the amount of the nonqualified bonds required to be redeemed shall be determined in the same manner as under section 142.

"(ii) EXPENDITURE PERIOD.—For purposes of this subpart, the term 'expenditure period' means, with respect to any issue, the 3-year period beginning on the date of issuance. Such term shall include any extension of such period under clause (iii).

"(iii) EXTENSION OF PERIOD.—Upon submission of a request prior to the expiration of the expenditure period (determined without regard to any extension under this clause), the Secretary may extend such period if the issuer establishes that the failure to expend the proceeds within the original expenditure period is due to reasonable cause and the expenditures for qualified purposes will continue to proceed with due diligence.

"(C) QUALIFIED PURPOSE.—For purposes of this paragraph, the term 'qualified purpose' means a purpose specified in section 1400U-3(a)(1).

"(D) REIMBURSEMENT.—For purposes of this subtitle, available project proceeds of an issue shall be treated as spent for a qualified purpose if such proceeds are used to reimburse the issuer for amounts paid for a qualified purpose after the date that the Secretary makes an allocation of bond limitation with respect to such issue, but only if—

"(i) prior to the payment of the original expenditure, the issuer declared its intent to reimburse such expenditure with the proceeds of a qualified tax credit bond,

"(ii) not later than 60 days after payment of the original expenditure, the issuer adopts an official intent to reimburse the original expenditure with such proceeds, and

"(iii) the reimbursement is made not later than 18 months after the date the original expenditure is paid.

"(3) REPORTING.—An issue shall be treated as meeting the requirements of this paragraph if the issuer of qualified tax credit bonds submits reports similar to the reports required under section 149(e).

"(4) SPECIAL RULES RELATING TO ARBITRAGE.—

"(A) IN GENERAL.—An issue shall be treated as meeting the requirements of this paragraph if the issuer satisfies the requirements of section 148 with respect to the proceeds of the issue.

"(B) SPECIAL RULE FOR INVESTMENTS DURING EXPENDITURE PERIOD.—An issue shall not be treated as failing to meet the requirements of subparagraph (A) by reason of any investment of available project proceeds during the expenditure period.

"(C) SPECIAL RULE FOR RESERVE FUNDS.—An issue shall not be treated as failing to meet the requirements of subparagraph (A) by reason of any fund which is expected to be used to repay such issue if—

"(i) such fund is funded at a rate not more rapid than equal annual installments,

"(ii) such fund is funded in a manner that such fund will not exceed the amount necessary to repay the issue if invested at the maximum rate permitted under clause (iii), and

"(iii) the yield on such fund is not greater than the discount rate determined under paragraph (5)(B) with respect to the issue.

"(5) MATURITY LIMITATION.—

"(A) IN GENERAL.—An issue shall not be treated as meeting the requirements of this paragraph if the maturity of any bond which is part of such issue exceeds the maximum term determined by the Secretary under subparagraph (B).

"(B) MAXIMUM TERM.—During each calendar month, the Secretary shall determine the maximum term permitted under this paragraph for bonds issued during the following calendar month. Such maximum term shall be the term which the Secretary estimates will result in the present value of the obligation to repay the principal on the bond being equal to 50 percent of the face amount of such bond. Such present value shall be determined using as a discount rate the average annual interest rate of tax-exempt obligations having a term of 10 years or more which are issued during the month. If the term as so determined is not a multiple of a whole year, such term shall be rounded to the next highest whole year.

"(e) OTHER DEFINITIONS.—For purposes of this subchapter—

"(1) CREDIT ALLOWANCE DATE.—The term 'credit allowance date' means—

"(A) March 15,

"(B) June 15,

"(C) September 15, and

"(D) December 15.

Such term includes the last day on which the bond is outstanding.

"(2) BOND.—The term 'bond' includes any obligation.

"(3) STATE.—The term 'State' includes the District of Columbia and any possession of the United States.

"(4) AVAILABLE PROJECT PROCEEDS.—The term 'available project proceeds' means—

"(A) the excess of—

"(i) the proceeds from the sale of an issue, over

"(ii) the issuance costs financed by the issue (to the extent that such costs do not exceed 2 percent of such proceeds), and

"(B) the proceeds from any investment of the excess described in subparagraph (A).

"(f) CREDIT TREATED AS INTEREST.—For purposes of this subtitle, the credit determined under subsection (a) shall be treated as interest which is includible in gross income.

"(g) S CORPORATIONS AND PARTNERSHIPS.—In the case of a tax credit bond held by an S corporation or partnership, the allocation of the credit allowed by this section to the shareholders of such corporation or partners of such partnership shall be treated as a distribution.

"(h) BONDS HELD BY REGULATED INVESTMENT COMPANIES AND REAL ESTATE INVESTMENT TRUSTS.—If any qualified tax credit bond is held by a regulated investment company or a real estate investment trust, the credit determined under subsection (a) shall be allowed to shareholders of such company or beneficiaries of such trust (and any gross income included under subsection (f) with respect to such credit shall be treated as distributed to such shareholders or beneficiaries) under procedures prescribed by the Secretary.

"(i) CREDITS MAY BE STRIPPED.—Under regulations prescribed by the Secretary—

"(1) IN GENERAL.—There may be a separation (including at issuance) of the ownership of a qualified tax credit bond and the entitlement to the credit under this section with respect to such bond. In case of any such separation, the credit under this section shall be allowed to the person who on the credit allowance date holds the instrument evidencing the entitlement to the credit and not to the holder of the bond.

"(2) CERTAIN RULES TO APPLY.—In the case of a separation described in paragraph (1), the rules of section 1286 shall apply to the qualified tax credit bond as if it were a stripped bond and to the credit under this section as if it were a stripped coupon.".

(2) REPORTING.—Subsection (d) of section 6049 of such Code (relating to returns regarding payments of interest) is amended by adding at the end the following new paragraph:

"(9) REPORTING OF CREDIT ON QUALIFIED TAX CREDIT BONDS.—

"(A) IN GENERAL.—For purposes of subsection (a), the term 'interest' includes amounts includible in gross income under section 54A and such amounts shall be treated as paid on the credit allowance date (as defined in section 54A(e)(1)).

"(B) REPORTING TO CORPORATIONS, ETC.—Except as otherwise provided in regulations, in the case of any interest described in subparagraph (A) of this paragraph, subsection (b)(4) of this section shall be applied without regard to subparagraphs (A), (H), (I), (J), (K), and (L)(i).

"(C) REGULATORY AUTHORITY.—The Secretary may prescribe such regulations as are necessary or appropriate to carry out the purposes of this paragraph, including regulations which require more frequent or more detailed reporting.".

(3) OTHER CONFORMING AMENDMENTS RELATED TO TAX CREDIT BONDS.—

(A) Sections 54(c)(2) and 1400N(l)(3)(B) of such Code are each amended by striking "subpart C" and inserting "subparts C and I".

(B) Section 1397E(c)(2) of such Code is amended by striking "subpart H" and inserting "subparts H and I".

(C) Section 6401(b)(1) of such Code is amended by striking "and H" and inserting "H, and I".

(D) The heading of subpart H of part IV of subchapter A of chapter 1 of such Code is amended by striking "**CERTAIN BONDS**" and inserting "**CLEAN RENEWABLE ENERGY BONDS**".

(E) The table of subparts for part IV of subchapter A of chapter 1 of such Code is amended by striking the item relating to subpart H and inserting the following new items:

"SUBPART H—NONREFUNDABLE CREDIT TO HOLDERS OF CLEAN RENEWABLE ENERGY BONDS

"SUBPART I—QUALIFIED TAX CREDIT BONDS".

(d) CLERICAL AMENDMENT.—The table of parts for subchapter Y of chapter 1 of such Code is amended by adding at the end the following new item:

"PART III—MANUFACTURING REDEVELOPMENT BONDS".

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

(2) BOND PROVISIONS.—Sections 1400U-3 and 1400U-4 of the Internal Revenue Code of 1986 (as added by subsection (a)), and the amendments made by subsection (c), shall apply to obligations issued after the date of the enactment of this Act.

(3) WORK OPPORTUNITY TAX CREDIT.—The amendments made by subsection (b) shall apply to individuals who begin work for the employer after the date of the enactment of this Act.

SEC. 402. DELAY IN APPLICATION OF WORLDWIDE INTEREST ALLOCATION.

(a) IN GENERAL.—Paragraphs (5)(D) and (6) of section 864(f) of the Internal Revenue Code of 1986 are each amended by striking "December 31, 2008" and inserting "December 31, 2011".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2008.

The SPEAKER pro tempore (Mr. SERRANO). Pursuant to House Resolution 781, the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in part A of House Report 110-417, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3920

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Trade and Globalization Assistance Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.

TITLE I—TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

Subtitle A—Trade Adjustment Assistance for Service Sector Workers; Expansion of Covered Shifts in Production; Expansion of Downstream Secondary Worker Eligibility

Sec. 101. Extension of trade adjustment assistance to services sector; shifts in production.
Sec. 102. Determinations by Secretary of Labor.
Sec. 103. Monitoring and reporting relating to service sector.

Subtitle B—Industry-Wide Trade Adjustment Assistance

Sec. 111. Industry-wide determinations.
Sec. 112. Notifications regarding affirmative determinations and safeguards.
Sec. 113. Notification to Secretary of Commerce.

Subtitle C—Program Benefits

Sec. 121. Qualifying requirements for workers.
Sec. 122. Weekly amounts.
Sec. 123. Limitations on trade readjustment allowances; allowances for extended training and breaks in training.
Sec. 124. Special rules for calculation of eligibility period.
Sec. 125. Application of State laws and regulations on good cause for waiver of time limits or late-filing of claims.
Sec. 126. Employment and case management services.
Sec. 127. Training.
Sec. 128. Prerequisite education; approved training programs.
Sec. 129. Eligibility for unemployment insurance and program benefits while in training.
Sec. 130. Administrative expenses and employment and case management services.
Sec. 131. Job search and relocation allowances.

Subtitle D—Health Care Provisions

Sec. 141. Modifications relating health insurance assistance for certain TAA and PBGC pension recipients.
Sec. 142. Extension of COBRA benefits for certain TAA-eligible individuals and PBGC recipients.

Subtitle E—Wage Insurance

Sec. 151. Reemployment trade adjustment assistance program for older workers.

Subtitle F—Other Matters

Sec. 161. Restriction on eligibility for program benefits.
Sec. 162. Agreements with States.
Sec. 163. Fraud and recovery of overpayments.
Sec. 164. Technical amendments.
Sec. 165. Office of Trade Adjustment Assistance; Deputy Assistant Secretary for Trade Adjustment Assistance.
Sec. 166. Collection of data and reports; information to workers.
Sec. 167. Extension of TAA program.
Sec. 168. Judicial review.
Sec. 169. Liberal construction of certification of workers and firms.

TITLE II—TRADE ADJUSTMENT ASSISTANCE FOR FIRMS

Sec. 201. Trade adjustment assistance for firms.
Sec. 202. Extension of authorization of trade adjustment assistance for firms.
Sec. 203. Industry-wide programs for the development of new services.
Sec. 204. Demonstration project on strategic trade transformation assistance.

TITLE III—TRADE ADJUSTMENT ASSISTANCE FOR FARMERS

Sec. 301. Eligibility of certain other producers.

TITLE IV—UNEMPLOYMENT INSURANCE

Sec. 301. Short title.
Sec. 302. Special transfers to State accounts in the Unemployment Trust Fund.
Sec. 303. Extension of FUTA tax.
Sec. 304. Safety Net Review Commission.

TITLE V—MANUFACTURING REDEVELOPMENT ZONES

Sec. 401. Manufacturing redevelopment zones.
Sec. 402. Delay in application of worldwide interest allocation.

TITLE VI—WORKER ADJUSTMENT AND RETRAINING NOTIFICATION

Sec. 601. Short title.
Sec. 602. Amendments to the WARN Act.
Sec. 603. Effective date.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Since January 2001, the United States economy has lost nearly 3 million jobs in the manufacturing sector alone.

(2) Today, over 7.1 million people in the United States are unemployed, and nearly 1.2 million of those individuals have been unemployed for 6 months or longer.

(3) While the United States manufacturing sector has been the hardest hit by increased unemployment, the United States service sector has also seen declines as jobs have moved to low-cost labor markets, such as China, India, and the Philippines.

(4) Promoting the economic growth and competitiveness of the United States requires—

(A) opening substantial new markets for United States goods, services, and farm products;

(B) building a strong framework of rules for international trade to level the playing field for United States workers and businesses in all sectors of the economy; and

(C) helping those affected by globalization overcome its challenges and succeed.

(5) Congress created the trade adjustment assistance program in 1962 to provide United States workers who lose their jobs because of foreign competition with government-funded training and associated income support to enable such workers to transition to new, good-paying jobs.

(6) Unfortunately, the trade adjustment assistance program has not kept pace with globalization and it is failing to ensure that all workers adversely affected by trade receive the assistance they need and deserve.

(7) Workers in the service sector, who make up approximately 80 percent of the United States workforce, are ineligible for trade adjustment assistance.

(8) Inadequate funding for training leaves many dislocated workers without access to the retraining they need to find good-paying jobs.

(9) Unnecessary, unduly burdensome, and confusing program eligibility rules prevent workers from gaining access to benefits for which they are eligible.

(10) The health coverage tax credit suffers from fundamental flaws and, as a result, the credit is not being used by the vast majority of people who are eligible for it, despite a clear need for access to affordable health care.

(11) To meet the challenges posed by globalization and to preserve the critical role that United States workers play in promoting the strength and prosperity of the United States, the trade adjustment assistance program must be reformed.

TITLE I—TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

Subtitle A—Trade Adjustment Assistance for Service Sector Workers; Expansion of Covered Shifts in Production; Expansion of Downstream Secondary Worker Eligibility

SEC. 101. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE TO SERVICES SECTOR; SHIFTS IN PRODUCTION.

(a) PETITIONS.—Section 221(a) of the Trade Act of 1974 (19 U.S.C. 2271(a)(1)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "Secretary" and inserting "Secretary of Labor"; and

(ii) by striking "or subdivision" and inserting "or public agency, or subdivision of a firm or public agency,"; and

(B) in subparagraph (A), by striking "firm)" and inserting "firm, and workers in a service sector firm or subdivision of a service sector firm, or of a public agency or subdivision thereof)"; and

(2) in paragraph (3), by inserting "and on the Website of the Department of Labor" after "Federal Register".

(b) GROUP ELIGIBILITY REQUIREMENTS.—

(1) IN GENERAL.—Subsection (a) of section 222 of the Trade Act of 1974 (19 U.S.C. 2272) is amended—

(A) in the matter preceding paragraph (1), by striking "(including workers in any agricultural firm or subdivision of an agricultural firm)" and inserting "(other than workers in a public agency)";

(B) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking "like or directly competitive with articles produced" and inserting "or services like or directly competitive with articles produced or services provided"; and

(ii) by striking subparagraph (B) and inserting the following:

"(B)(i) there has been a shift, by such workers' firm or subdivision to a foreign country, of production of articles, or in provision of services, like or directly competitive with articles produced, or services provided, by such firm or subdivision; or

"(ii) such workers' firm or subdivision has obtained or is likely to obtain articles or services described in clause (i) from a foreign country.".

(2) WORKERS IN PUBLIC AGENCIES.—Such section is further amended—

(A) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(B) by inserting after subsection (a) the following:

"(b) ADVERSELY AFFECTED WORKERS IN PUBLIC AGENCIES.—A group of workers in a public agency shall be certified by the Secretary as eligible to apply for adjustment assistance under this chapter pursuant to a petition filed under section 221 if the Secretary determines that—

"(1) a significant number or proportion of the workers in the public agency, or an appropriate subdivision of the public agency, have become totally or partially separated, or are threatened to become totally or partially separated; and

"(2) the public agency or subdivision has obtained or is likely to obtain from a foreign country services that would otherwise be provided by such agency or subdivision.".

(3) ADVERSELY AFFECTED SECONDARY WORKERS.—Subsection (c) of such section (as redesignated by paragraph (2)(A) of this subsection) is amended—

(A) in the matter preceding paragraph (1), by striking "agricultural firm)" and inserting "agricultural firm, and workers in a service sector firm or subdivision of a service sector firm)";

(B) in paragraph (2)—

(i) by inserting "or service" after "related to the article"; and

(ii) by striking "(c)(3)" and inserting "(d)(3)"; and

(C) in paragraph (3)(A), by striking "it supplied to the firm (or subdivision)" and inserting "or services it supplied to the firm (or subdivision)".

(4) DEFINITIONS AND ELIGIBILITY.—Subsection (d) of such section (as redesignated by paragraph (2)(A) of this subsection) is amended—

(A) by striking "(d) For purposes of this section—" and inserting "(d) DEFINITIONS AND ELIGIBILITY.—For purposes of this section:"

(B) in paragraph (3), to read as follows:

"(3) DOWNSTREAM PRODUCER.—The term 'downstream producer' means a firm that performs additional, value-added production processes or services for a firm or subdivision, including a firm that performs final assembly, finishing, testing, packaging, or maintenance or transportation services directly for another firm (or subdivision), for articles or services that were the basis for a certification of eligibility under subsection (a) of a group of workers employed by such other firm (or subdivision).";

(C) in paragraph (4)—

(i) by striking "for articles" and inserting ", or services, used in the production of articles or in the provision of services, as the case may be,"; and

(ii) by inserting "(or subdivision)" after "such other firm"; and

(D) by adding at the end the following:

"(5) FIRMS IDENTIFIED BY ITC.—A petition filed under section 221 covering a group of workers from a firm or appropriate subdivision of a firm meets the requirements of subsection (a) if the firm is identified by the International Trade Commission under subsection (c), (d), or (e) of section 224.".

(5) BASIS FOR SECRETARY'S DETERMINATIONS.—Such section is further amended by adding at the end the following:

"(e) BASIS FOR SECRETARY'S DETERMINATIONS.—

"(1) INCREASED IMPORTS OF SERVICES.—For purposes of subsection (a)(2)(A)(ii), the Secretary may determine that increased imports of like or directly competitive services exist if the customers of the workers' firm or subdivision accounting for not less than 20 percent of the sales of the workers' firm or subdivision (as the case may be) certify to the Secretary that such customers are obtaining such services from a foreign country.

"(2) SHIFT IN PRODUCTION; OBTAINING ARTICLES OR SERVICES ABROAD.—For purposes of subsections (a)(2)(B) and (b)(2), the Secretary may determine that there has been a shift in production of articles or provision of services, or that a workers' firm or public agency, or subdivision thereof, has obtained or is likely to obtain like or directly competitive articles or services from a foreign country, based on a certification thereof from the workers' firm, public agency, or subdivision (as the case may be).

"(3) PROCESS AND METHODS FOR OBTAINING CERTIFICATIONS.—

"(A) REQUEST BY PETITIONER.—If requested by the petitioner, the Secretary shall obtain the certifications under paragraphs (1) and (2) in such manner as the Secretary determines is appropriate, including by issuing subpoenas under section 249 when necessary.

"(B) PROTECTION OF CONFIDENTIAL INFORMATION.—The Secretary may not release information obtained under subparagraph (A) that the Secretary considers to be confidential business information unless the party submitting the confidential business information had notice, at the time of submission, that such information would be released by the Secretary, or such party subsequently consents to the release of the information. Nothing in this subparagraph shall be construed to prohibit a court from requiring the submission of such confidential business information to the court in camera.".

(c) DEFINITIONS.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended—

(1) in the matter preceding paragraph (1), by striking "chapter—" and inserting "chapter:";

(2) in paragraph (1)—

(A) by inserting ", or employment in a public agency or appropriate subdivision of a public agency," after "of a firm"; and

(B) by striking "such firm or subdivision" inserting "such firm (or subdivision) or public agency (or subdivision)";

(3) in paragraph (2), by striking "employment—" and all that follows and inserting "employment, has been totally or partially separated from such employment.";

(4) by redesignating paragraphs (8) through (17) as paragraphs (10) through (19), respectively; and

(5) by inserting after paragraph (6) the following:

"(7) The term 'public agency' means a department or agency of a State or local government or of the Federal Government.

"(8) The term 'service sector firm' means an entity engaged in the business of providing services.

"(9) Except as otherwise provided, the term 'Secretary' means the Secretary of Labor.".

SEC. 102. DETERMINATIONS BY SECRETARY OF LABOR.

Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) is amended—

(1) in subsection (b), by striking "before his application" and all that follows and inserting "before the worker's application under section 231 occurred more than one year before the date of the petition on which such certification was granted.";

(2) in subsection (c), by striking "together with his reasons" and inserting "and on the Website of the Department of Labor, together with the Secretary's reasons"; and

(3) in subsection (d)—

(A) by striking "subdivision of the firm" and all that follows through "he shall" and inserting "subdivision of the firm, or of a public agency or subdivision of a public agency, that total or partial separations from such firm (or subdivision) or public agency (or subdivision) are no longer attributable to the conditions specified in section 222, the Secretary shall"; and

(B) by striking "together with his reasons" and inserting "and on the Website of the Department of Labor, together with the Secretary's reasons".

SEC. 103. MONITORING AND REPORTING RELATING TO SERVICE SECTOR.

(a) IN GENERAL.—Section 282 of the Trade Act of 1974 (19 U.S.C. 2393) is amended—

(1) in the heading, by striking "**SYSTEM**" and inserting "**AND DATA COLLECTION**";

(2) in the first sentence—

(A) by striking "The Secretary" and inserting "(a) MONITORING PROGRAMS.—The Secretary";

(B) by inserting "and services" after "imports of articles";

(C) by inserting "and domestic provision of services" after "domestic production";

(D) by inserting "or providing services" after "producing articles"; and

(E) by inserting ", or provision of services," after "changes in production"; and

(3) by adding at the end the following:

"(b) COLLECTION OF DATA AND REPORTS ON SERVICE SECTOR.—

"(1) SECRETARY OF LABOR.—Not later than 90 days after the date of the enactment of the Trade and Globalization Assistance Act of 2007, the Secretary of Labor shall implement a system to collect data on adversely affected workers employed in the service sector that includes the number of workers by State, industry, and cause of dislocation of each worker.

"(2) SECRETARY OF COMMERCE.—Not later than 1 year after such date of enactment, the Secretary of Commerce shall, in consultation with the Secretary of Labor, conduct a study and report to Congress on ways to improve the timeliness and coverage of data on trade in services, including methods to identify increased imports due to the relocation of United States firms to foreign countries, and increased imports due to United States firms obtaining services from firms in foreign countries.".

(b) CLERICAL AMENDMENT.—The table of contents for title II of the Trade Act of 1974 is amended by striking the item relating to section 282 and inserting the following:

"Sec. 282. Trade monitoring and data collection.".

Subtitle B—Industry-Wide Trade Adjustment Assistance

SEC. 111. INDUSTRY-WIDE DETERMINATIONS.

(a) IN GENERAL.—Subchapter A of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) is amended by adding after section 223 the following:

"SEC. 223A. INDUSTRY-WIDE DETERMINATIONS.

"(a) INVESTIGATION.—Upon the request of the President or the United States Trade Representative, or the resolution of either the Committee on Finance of the Senate or the Committee on Ways and Means of the House of Representatives, with respect to a domestic industry, or if the Secretary certifies groups of workers in a domestic industry under section 223(a) pursuant to 3 petitions within a 180-day period, the Secretary shall promptly initiate an investigation under this chapter to determine the eligibility for adjustment assistance of—

"(1) all workers in that domestic industry; or

"(2) all workers in that domestic industry in a specific geographic region.

"(b) DETERMINATION REGARDING INDUSTRY-WIDE CERTIFICATION.—The Secretary shall, not later than 60 days after receiving a request or resolution described in subsection (a) with respect to a domestic industry, or making the third certification of workers in a domestic industry described in subsection (a), as the case may be—

"(1) determine whether all adversely affected workers in that domestic industry are eligible to apply for assistance under this subchapter, in accordance with the criteria established under subsection (e); or

"(2) determine whether all adversely affected workers in that domestic industry in a specific geographic region are eligible to apply for assistance under this subchapter, in accordance with the criteria established under subsection (e).

"(c) IDENTIFICATION AND CERTIFICATION.—

"(1) AFFIRMATIVE DETERMINATION.—

"(A) IN GENERAL.—Upon making an affirmative determination under subsection (b), the Secretary shall—

"(i) identify all firms operating within the domestic industry described in paragraph (1) or (2) of subsection (b) that are covered by the determination; and

"(ii) certify all workers of such firms as a group of workers eligible to apply for assistance under this subchapter, without any other determination of whether such group meets the requirements of section 222.

"(B) OTHER REQUIREMENTS.—

"(i) IN GENERAL.—Each certification under subparagraph (A)(ii) shall specify the date on which the total or partial separation began or threatened to begin, except that—

"(I) with respect to a request or a resolution under subsection (a), such date may not be a date that precedes one year before the date on which the Secretary receives the request or resolution, as the case may be; and

"(II) with respect to the third certification of workers in a domestic industry described in subsection (a), such date may not be a date that precedes one year before the date on which the Secretary certifies the 3d such petition.

"(ii) INAPPLICABILITY.—A certification under subparagraph (A)(ii) shall not apply to any worker whose last total or partial separation from the firm occurred before the applicable date specified in clause (i).

"(iii) TRAINING BEFORE SEPARATION.—Any worker covered by a certification under subparagraph (A)(ii) shall be deemed to be an adversely affected worker for purposes of receiving services under section 235 and training under section 236, without regard to whether the worker has been totally or partially separated from employment. In the case of a worker not totally or partially separated from employment, the reference in section 236(a)(1)(A) to 'suitable employment' shall be deemed not to refer to such employment.

"(2) NEGATIVE DETERMINATION.—If the Secretary makes a negative determination under subsection (b), the Secretary shall notify the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate of the reasons for the Secretary's determination.

"(3) PUBLICATION.—Upon making a determination under subsection (b), the Secretary shall promptly publish a summary of the determination in the Federal Register and on the Website of the Department of Labor, together with the reasons for making such determination.

"(4) Termination.—Whenever the Secretary determines that a certification under paragraph (1) is no longer warranted, the Secretary shall terminate the certification and promptly have notice of the termination published in the Federal Register and on the Website of the Department of Labor, together with the reasons for making such determination under this paragraph. Such termination shall apply only with respect to total or partial separations occurring after the termination date specified by the Secretary. In the case of a worker described in paragraph (1)(B)(iii), no services described in section 235 or training described in section 236 may be initiated after such termination date.

"(d) Outreach.—Upon making a certification under subsection (c)(1) of eligibility for adjustment assistance under this chapter of a group of workers or all workers in a domestic industry, the Secretary shall notify each Governor of a State in which the workers are located of the certification.

"(e) Regulations.—The Secretary shall, not later than 1 year after the date of the enactment of the Trade and Globalization Assistance Act of 2007, issue regulations for making determinations under this section, including criteria for making such determinations. The Secretary shall develop such regulations in consultation with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, and the Secretary shall submit such regulations to each such committee at least 60 days before the regulations go into effect.

"(f) Domestic Industry Defined.—In this section, the term 'domestic industry' means an industry in the United States, as that industry is defined by the North American Industry Classification System.".

(b) Clerical Amendment.—The table of contents for title II of the Trade Act of 1974 is amended by inserting after the item relating to section 223 the following:

"Sec. 223A. Industry-wide determinations.".

(c) Conforming Amendments.—Chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) is amended—

(1) in section 225—

(A) in subsection (a), in the last sentence by inserting "or 223A" after "223"; and

(B) in subsection (b)—

(i) in paragraph (1), by striking "subchapter A of this chapter" and inserting "this subchapter"; and

(ii) in paragraph (2), by striking "subchapter A" and inserting "this subchapter"; and

(2) in section 231—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking "more than 60 days" and all that follows through "section 221" and inserting "on or after the date of such certification"; and

(ii) in paragraph (1)—

(I) in subparagraph (B), by inserting "or 223A (as the case may be)" after "223"; and

(II) in subparagraph (C), by inserting "or 223A(c)(4), as the case may be" after "223(d)"; and

(B) in subsection (b)—

(i) by striking paragraph (2); and

(ii) in paragraph (1)—

(I) by striking "(1)";

(II) by redesignating subparagraphs (A) and (B) as paragraph (1) and (2), respectively;

(III) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively; and

(IV) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively.

SEC. 112. NOTIFICATIONS REGARDING AFFIRMATIVE DETERMINATIONS AND SAFEGUARDS.

(a) In General.—Section 224 of the Trade Act of 1974 (19 U.S.C. 2274) is amended—

(1) in the heading, by striking "**STUDY BY SECRETARY OF LABOR WHEN INTERNATIONAL TRADE COMMISSION BEGINS INVESTIGATION**" and inserting "**STUDY AND NOTIFICATIONS REGARDING TRADE REMEDY DETERMINATIONS**";

(2) in subsection (a), by striking "Whenever" and inserting "Study of Domestic Industry.—Whenever";

(3) in subsection (b)—

(A) by striking "The report" and inserting "Report by the Secretary.—The report";

(B) by striking "his report" and inserting "the Secretary's report"; and

(C) by inserting "and on the Website of the Department of Labor" after "Federal Register"; and

(4) by adding at the end the following:

"(c) Notifications Regarding Affirmative Safeguard Determinations Under Section 202.—Upon issuing an affirmative finding regarding serious injury, or the threat thereof, to a domestic industry, under section 202, the Commission shall notify the Secretary and the Secretary of Commerce of that finding and the identity of the firms which comprise the domestic industry.

"(d) Notifications Regarding Affirmative Determinations Under Section 421.—Upon issuing an affirmative determination of market disruption, or the threat thereof, under section 421, the Commission shall notify the Secretary and the Secretary of Commerce of that determination and the identity of the firms which comprise the affected domestic industry.

"(e) Notifications Regarding Affirmative Determinations Under Tariff Act of 1930.—Upon issuing a final affirmative determination of injury, or the threat thereof, under section 705 or section 735 of the Tariff Act of 1930 (19 U.S.C. 1671d and 1673d), the Commission shall notify the Secretary and the Secretary of Commerce of that determination and the identity of the firms which comprise the affected domestic industry.

"(f) Notification of Industry and Worker Representatives.—Whenever the Commission makes a notification under subsection (c), (d), or (e)—

"(1) the Secretary shall—

"(A) notify the firms identified by the Commission as comprising the domestic industry affected, and any certified or recognized union or other duly authorized representatives of the workers in such industry, of the allowances, training, employment services, and other benefits available under this chapter, and the procedures under this chapter for filing petitions and applying for benefits;

"(B) notify the Governor of each State in which one or more firms described in subparagraph (A) are located of the Commission's determination and the identity of the firms; and

"(C) provide the necessary assistance to employers, groups of workers, and any certified or recognized union or other duly authorized representatives of such workers to file petitions under section 221; and

"(2) the Secretary of Commerce shall—

"(A) notify the firms identified by the Commission as comprising the domestic industry affected of the benefits under chapter 3 and the procedures under such chapter for filing petitions and applying for benefits; and

"(B) provide the necessary assistance to firms to file petitions under section 251.".

(b) Clerical Amendment.—The table of contents for title II of the Trade Act of 1974 is amended by striking the item relating to section 224 and inserting the following:

"Sec. 224. Study and notifications regarding trade remedy determinations.".

SEC. 113. NOTIFICATION TO SECRETARY OF COMMERCE.

Section 225 of the Trade Act of 1974 (19 U.S.C. 2275) is amended by adding at the end the following:

"(c) Upon issuing a certification under section 223 or 223A, the Secretary shall notify the Secretary of Commerce of the identify of the firm or firms that are covered by the certification.".

Subtitle C—Program Benefits

SEC. 121. QUALIFYING REQUIREMENTS FOR WORKERS.

(a) In General.—Subsection (a)(5)(A)(ii) of section 231 of the Trade Act of 1974 (19 U.S.C. 2291) is amended—

(1) by striking subclauses (I) and (II) and inserting the following:

"(I) in the case of a worker whose most recent total separation from adversely affected employment that meets the requirements of paragraphs (1) and (2) occurs after the date on which the Secretary issues a certification covering the worker, the last day of the 26th week after such total separation,

"(II) in the case of a worker whose most recent total separation from adversely affected employment that meets the requirements of paragraphs (1) and (2) occurs before the date on which the Secretary issues a certification covering the worker, the last day of the 26th week after the date of such certification,"; and

(2) in subclause (III)—

(A) by striking "later of the dates specified in subclause (I) or (II)" and inserting "date specified in subclause (I) or (II), as the case may be"; and

(B) by striking "or" at the end;

(3) by redesignating subclause (IV) as subclause (V); and

(4) by inserting after subclause (III) the following:

"(IV) the last day of such period that the Secretary determines appropriate, if the failure to enroll is due to the failure to provide the worker with timely information regarding the date specified in subclause (I) or (II), as the case may be, or".

(b) Waivers of Training Requirements.—Subsection (c) of such section 231 is amended—

(1) in paragraph (1)(B)—

(A) by striking "The worker possesses" and inserting

"(i) In general.—The worker possesses";

(B) by moving the remaining text 2 ems to the right; and

(C) by adding at the end the following:

"(ii) Marketable skills defined.—For purposes of clause (i), the term 'marketable skills' may include the possession of a postgraduate degree from an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965) or equivalent institution, or the possession of an equivalent postgraduate certification in a specialized field."; and

(2) in paragraph (3)—

(A) in subparagraph (A), by striking "may authorize" and inserting "shall authorize";

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

"(B) Duration of waivers.—A waiver issued under paragraph (1) by a cooperating State shall be effective for not more than 3 months after the date on which the waiver is issued, except that the State, upon reviewing the waiver, may extend the waiver for an additional period of not more than 3 months if the State determines that the waiver should be maintained.".

(c) Determinations of Eligibility by State Employees Appointed on Merit Basis.—Such section 231 is further amended by adding at the end the following:

"(d) DETERMINATIONS OF ELIGIBILITY BY STATE EMPLOYEES APPOINTED ON MERIT BASIS.—All determinations of eligibility for trade readjustment allowances under this part shall be made by employees of the State who are appointed on a merit basis.".

(d) CONFORMING AMENDMENT.—Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended by striking subsection (b) and redesignating subsections (c) through (g) as subsections (b) through (f), respectively.

SEC. 122. WEEKLY AMOUNTS.

(a) IN GENERAL.—Section 232 of the Trade Act of 1974 (19 U.S.C. 2292) is amended—

(1) in subsection (a)—

(A) by striking "subsections (b) and (c)" and inserting "subsections (b), (c), and (d)";

(B) by striking "total unemployment" the first place it appears and inserting "unemployment"; and

(C) in paragraph (2), by adding at the end before the period the following: ", except that in the case of an adversely affected worker who is participating in full-time training under this chapter, such income shall not include earnings from work for such week that are equal to or less than the most recent weekly benefit amount of the unemployment insurance payable to the worker for a week of total unemployment preceding the worker's first exhaustion of unemployment insurance (as determined for purposes of section 231(a)(3)(B))";

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following:

"(b)(1) Notwithstanding section 231(a)(3)(B), if an adversely affected worker who is participating in training qualifies for unemployment insurance under State law, based in whole or in part upon part-time or short-term employment following approval of the worker's initial trade readjustment allowance application under section 231(a), then for any week for which unemployment insurance is payable and for which the worker would otherwise be entitled to a trade readjustment allowance based upon the certification under section 223, the worker shall, in addition to any such unemployment insurance, be paid a trade readjustment allowance in the amount described in paragraph (2).

"(2) The trade readjustment allowance payable under paragraph (1) shall be equal to the weekly benefit amount of the unemployment insurance upon which the worker's trade readjustment allowance was initially determined under subsection (a), reduced by—

"(A) the amount of the unemployment insurance benefit payable to such worker for that week of unemployment for which a trade readjustment allowance is payable under paragraph (1); and

"(B) the amounts described in paragraphs (1) and (2) of subsection (a).".

(b) CONFORMING AMENDMENTS.—Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended—

(1) in subsection (a)(1), by striking "section 232(a)" and inserting "subsections (a) and (b) of section 232"; and

(2) in subsection (c), by striking "section 232(b)" and inserting "section 232(c)".

SEC. 123. LIMITATIONS ON TRADE READJUSTMENT ALLOWANCES; ALLOWANCES FOR EXTENDED TRAINING AND BREAKS IN TRAINING.

Section 233(a) of the Trade Act of 1974 (19 U.S.C. 2293(a)) is amended—

(1) in paragraph (2), by inserting "under paragraph (1)" after "trade readjustment allowance";

(2) in paragraph (3)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "52 additional weeks" and inserting "78 additional weeks"; and

(ii) by striking "52-week" and inserting "91-week"; and

(B) in the matter following subparagraph (B), by striking "52-week" and inserting "91-week".

SEC. 124. SPECIAL RULES FOR CALCULATION OF ELIGIBILITY PERIOD.

Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended by adding at the end the following:

"(g) SPECIAL RULE FOR CALCULATING SEPARATION.—Notwithstanding any other provision of this chapter, any period during which a judicial or administrative appeal is pending with respect to the denial by the Secretary of a petition under section 223 shall not be counted for purposes of calculating the period of separation under subsection (a)(2) or for purposes of calculating time periods specified in section 231(a)(5)(A).

"(h) SPECIAL RULE FOR JUSTIFIABLE CAUSE.—The Secretary may extend the periods during which trade readjustment allowances are payable to an adversely affected worker under paragraphs (2) and (3) of subsection (a) and under subsection (f) (but not the maximum amounts of such allowances that are payable under this section), and the periods specified in section 231(a)(5)(A), if the Secretary determines that there is justifiable cause for such an extension, such as the failure to provide the worker with timely information, or justifiable breaks in training that exceed the period allowable under subsection (e).".

SEC. 125. APPLICATION OF STATE LAWS AND REGULATIONS ON GOOD CAUSE FOR WAIVER OF TIME LIMITS OR LATE FILING OF CLAIMS.

Section 234 of the Trade Act of 1974 (19 U.S.C. 2294) is amended—

(1) by striking "Except where inconsistent" and inserting "(a) IN GENERAL.—Except where inconsistent"; and

(2) by adding at the end the following:

"(b) STATE LAWS AND REGULATIONS ON GOOD CAUSE FOR WAIVER OF TIME LIMITS OR LATE FILING OF CLAIMS.—Any law or regulation of a cooperating State under section 239 that allows for a waiver for good cause of any time limit, including a waiver for good cause to allow the late filing of any claim, for trade readjustment allowances or other adjustment assistance under this chapter shall, in the administration of the program by the State under this chapter, apply to the applicable time limitation referred to or specified in this chapter or any regulation prescribed to carry out this chapter.".

SEC. 126. EMPLOYMENT AND CASE MANAGEMENT SERVICES.

(a) IN GENERAL.—Section 235 of the Trade Act of 1974 (19 U.S.C. 2295) is amended to read as follows:

"SEC. 235. EMPLOYMENT AND CASE MANAGEMENT SERVICES.

"The Secretary shall provide, directly or through agreements with States under section 239, to adversely affected workers covered by a certification under subchapter A of this chapter the following employment and case management services:

"(1) Comprehensive and specialized assessment of skill levels and service needs, including through—

"(A) diagnostic testing and use of other assessment tools; and

"(B) in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.

"(2) Development of an individual employment plan to identify employment goals and objectives, and appropriate training to achieve those goals and objectives.

"(3) Information on training available in local and regional areas, information on individual counseling to determine which training is suitable training, and information on how to apply for such training.

"(4) Information on how to apply for financial aid, including referring workers to educational opportunity centers under section 402F of the Higher Education Act of 1965, where applicable, and notifying workers that the workers may ask financial aid administrators at institutions of higher education to allow use of their current year income in the financial aid process.

"(5) Short-term prevocational services, including development of learning skills, communications skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct to prepare individuals for employment or training.

"(6) Individual career counseling, including job search and placement counseling, during the period in which the individual is receiving a trade adjustment allowance or training under this chapter, and for purposes of job placement after receiving such training.

"(7) Provision of employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including—

"(A) job vacancy listings in such labor market areas;

"(B) information on jobs skills necessary to obtain jobs identified in job vacancy listings described in subparagraph (A);

"(C) information relating to local occupations that are in demand and earnings potential of such occupations; and

"(D) skills requirements for local occupations described in subparagraph (C).

"(8) Supportive services, including services relating to child care, transportation, dependent care, housing assistance, and need-related payments that are necessary to enable an individual to participate in training.".

(b) CLERICAL AMENDMENT.—The item relating to section 235 in the table of contents for title II of the Trade Act of 1974 is amended to read as follows:

"235. Employment and case management services.".

SEC. 127. TRAINING.

(a) IN GENERAL.—Subsection (a)(1) of section 236 of the Trade Act of 1974 (19 U.S.C. 2296) is amended by striking the last sentence.

(b) FUNDING.—Subsection (a)(2) of such section is amended—

(1) in subparagraph (A), to read as follows:

"(A) The total amount of payments that may be made under paragraph (1) for each of the fiscal years 2008 and 2009 shall not exceed $440,000,000. The total amount of payments that may be made under paragraph (1) for fiscal year 2010 and each subsequent fiscal year shall not exceed $660,000,000."; and

(2) by striking subparagraph (B) and inserting the following:

"(B) Not later than 120 days after the date of the enactment of the Trade and Globalization Assistance Act of 2007, the Secretary shall establish and implement procedures for the allocation among the States in each fiscal year of funds available to pay the costs of training for workers under this section. The Secretary shall, at least 60 days before the date on which the procedures described in this subparagraph are first implemented, consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate with respect to such procedures.

"(C) In establishing and implementing the procedures under subparagraph (B), the Secretary shall—

"(i) provide for at least 3 distributions of funds available for training in the fiscal year, and, in the first such distribution, disburse not more than 50 percent of the total amount of funds available for training in that fiscal year;

"(ii) consider using a broad range of factors for the allocation of training funds distributed to States for each fiscal year, including factors such as—

"(I) the number of workers certified under sections 223 and 223A in the preceding fiscal year;

"(II) the total number of workers certified under sections 223 and 223A that are enrolled in training approved under this section;

"(III) the minimum level of funding necessary to provide training approved under this section; and

"(IV) notifications under the Worker Adjustment and Retraining Notification Act or other layoff notifications;

"(iii) after the initial distribution of training funds to States at the beginning of each fiscal year, provide for subsequent distributions of training funds remaining, based on the factors described in clause (ii) (but, in the case of the factor described in subclause (I) of clause (ii), based on data from the preceding 2 fiscal quarters) if a State requests the distribution of the remaining funds;

"(iv) ensure that any final distribution of funds during a fiscal year is made not later than July 1 of that fiscal year; and

"(v) develop an explicit policy for re-capture and redistribution of training funds, to the extent such re-capture and redistribution of training funds is necessary.".

(c) DETERMINATIONS REGARDING TRAINING.—Subsection (a)(9) of such section is amended—

(1) by striking "The Secretary" and inserting "(A) Subject to subparagraph (B), the Secretary"; and

(2) by adding at the end the following:

"(B)(i) In determining under paragraph (1)(E) whether a worker is qualified to undertake and complete training, the Secretary may not disallow training for a period longer than the worker's period of eligibility for trade readjustment allowances under part I if the worker demonstrates that the worker has sufficient financial resources to complete the training after the expiration of the worker's period of eligibility for such trade readjustment allowances.

"(ii) In determining the reasonable cost of training under paragraph (1)(F) with respect to a worker, the Secretary may consider whether other public or private funds are reasonably available to the worker, except that the Secretary may not require a worker to obtain such funds as a condition of approval of training under paragraph (1).".

(d) DETERMINATIONS OF ELIGIBILITY BY STATE EMPLOYEES APPOINTED ON MERIT BASIS.—Such section is further amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) the following:

"(e) DETERMINATIONS OF ELIGIBILITY BY STATE EMPLOYEES APPOINTED ON MERIT BASIS.—All determinations of eligibility for training under this section shall be made by employees of the State who are appointed on a merit basis.".

(e) GAO STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study of the procedures for the allocation of training funds for workers under subparagraphs (B) and (C) of section 236(a)(2) of the Trade Act of 1974 (19 U.S.C. 2296), as added by subsection (a) of this section, that are established and implemented by the Secretary of Labor pursuant to such section. In carrying out the study, the Comptroller General shall examine the overall adequacy of funding for training for workers by State and the effectiveness of the procedures for allocating training funds between States and among workers.

(2) REPORTS.—

(A) INTERIM REPORT.—The Comptroller General of the United States shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate an interim report that contains the results of the study conducted under paragraph (1) for the first fiscal year with respect to which the procedures described in paragraph (1) are implemented.

(B) FINAL REPORT.—The Comptroller General of the United States shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a final report that contains the results of the study conducted under paragraph (1) for the first three fiscal years with respect to which the procedures described in paragraph (1) are implemented.

SEC. 128. PREREQUISITE EDUCATION; APPROVED TRAINING PROGRAMS.

(a) IN GENERAL.—Section 236(a)(5) of the Trade Act of 1974 (19 U.S.C. 2296(a)(5)) is amended—

(1) in subparagraph (A)—

(A) by striking "and" at the end of clause (i);

(B) by adding "and" at the end of clause (ii); and

(C) by inserting after clause (ii) the following:

"(iii) apprenticeship programs registered under the National Apprenticeship Act (29 U.S.C. 50 et seq.),";

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(3) by inserting after subparagraph (D) the following:

"(E) any program of prerequisite education or coursework required to enroll in training that may be approved under this section,";

(4) in subparagraph (F)(ii), as redesignated by paragraph (1), by striking "and" at the end;

(5) in subparagraph (G), as redesignated by paragraph (1), by striking the period at the end and inserting ", and"; and

(6) by adding at the end the following:

"(H) any training program or coursework at an accredited institution of higher education (as defined in section 102 of the Higher Education Act of 1965), including a training program or coursework for the purpose of—

"(i) obtaining a degree or certification; or

"(ii) completing a degree or certification that the worker had previously begun at an accredited institution of higher education.

The Secretary may not limit approval of a training program under paragraph (1) to a program provided pursuant to title I of the Workforce Investment Act of 1998.".

(b) CONFORMING AMENDMENTS.—Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended—

(1) in subsection (a)(2), by inserting "prerequisite education or" after "requires a program of"; and

(2) in subsection (f) (as redesignated by section 121(d) of this Act), by inserting "prerequisite education or" after "includes a program of".

SEC. 129. ELIGIBILITY FOR UNEMPLOYMENT INSURANCE AND PROGRAM BENEFITS WHILE IN TRAINING.

(a) IN GENERAL.—Section 236(d) of the Trade Act of 1974 (19 U.S.C. 2296(d)) is amended to read as follows:

"(d) ELIGIBILITY.—A worker may not be determined to be ineligible or disqualified for unemployment insurance or program benefits under this subchapter—

"(1) because the worker—

"(A) is enrolled in training approved under subsection (a); or

"(B) left work—

"(i) that was not suitable employment in order to receive such training; or

"(ii) that the worker engaged in on a temporary basis during a break in such training or a delay in the commencement of such training; or

"(2) because of the application to any such week in training of the provisions of State law or Federal unemployment insurance law relating to availability for work, active search for work, or refusal to accept work.".

(b) DEFINITION.—Subchapter B of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2291 et seq.) is amended—

(1) in section 233(d) (as redesignated by section 121(d) of this Act), by inserting "suitable" before "on-the-job training"; and

(2) in section 236—

(A) by inserting "suitable" before "on-the-job training" each place it appears; and

(B) by adding at the end the following:

"(h) SUITABLE ON-THE-JOB TRAINING.—For purposes of this section, the term 'suitable on-the-job training' means on-the-job training—

"(1) that can reasonably be expected to lead to suitable employment;

"(2) that is compatible with the skills of the worker;

"(3) that—

"(A) involves a curriculum through which the worker learns the skills necessary for the job for which the worker is being trained; and

"(B) can be measured by benchmarks that indicate that the worker is learning such skills; and

"(4) that is certified by the State as an on-the-job training program that meets the requirements of paragraph (3).".

SEC. 130. ADMINISTRATIVE EXPENSES AND EMPLOYMENT AND CASE MANAGEMENT SERVICES.

(a) IN GENERAL.—Part II of subchapter B of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2295 et seq.) is amended by inserting after section 236 the following:

"SEC. 236A. ADDITIONAL PAYMENTS FOR ADMINISTRATIVE EXPENSES AND EMPLOYMENT AND CASE MANAGEMENT SERVICES.

"(a) ADMINISTRATIVE EXPENSES.—

"(1) IN GENERAL.—The Secretary shall provide to each State that receives a payment under section 236 for a fiscal year an additional payment for such fiscal year in an amount that is not less than 15 percent of the amount of the payment under section 236.

"(2) USE OF FUNDS.—A State that receives an additional payment under paragraph (1) shall use the payment for administration of the trade adjustment assistance for workers program under this chapter, including for—

"(A) processing of waivers of training requirements under section 231;

"(B) collecting of data required under this chapter; and

"(C) providing services under section 235.

"(3) ADMINISTRATION REQUIREMENT.—Funds provided to a State under this subsection for a fiscal year that are in excess of the amount of funds provided to the State for administration of the trade adjustment assistance for workers program under this chapter for fiscal year 2007 may only be administered by employees of the State who are appointed on a merit basis.

"(b) ADDITIONAL FUNDING FOR EMPLOYMENT AND CASE MANAGEMENT SERVICES.—

"(1) IN GENERAL.—The Secretary shall provide to each State that receives a payment under section 236 for a fiscal year an additional payment for such fiscal year in an amount that is not less than .06 percent of the total amount of payments that may be made in that fiscal year as described in section 236(a)(2).

"(2) USE OF FUNDS.—A State that receives an additional payment under paragraph (1) shall use the payment for providing services under section 235.

"(3) ADMINISTRATION REQUIREMENT.—Funds provided to a State under this subsection may only be administered by employees of the State who are appointed on a merit basis.

"(c) FUNDING.—Funds provided to the States under this section shall not be counted toward the limitation contained in section 236(a)(2)(A).".

(b) CLERICAL AMENDMENT.—The table of contents for title II of the Trade Act of 1974 is amended by inserting after the item relating to section 236 the following:

"Sec. 236A. Additional payments for administrative expenses and employment and case management services.".

SEC. 131. JOB SEARCH AND RELOCATION ALLOWANCES.

(a) JOB SEARCH ALLOWANCES.—Section 237 of the Trade Act of 1974 (19 U.S.C. 2297) is amended—

(1) in subsection (a)(2)(C)(ii), by striking ", unless the worker received a waiver under section 231(c)"; and

(2) in subsection (b)—

(A) in paragraph (1), by striking "90 percent of the cost of" and inserting "all"; and

(B) in paragraph (2), by striking "$1,250" and inserting "$1,500".

(b) RELOCATION ALLOWANCES.—Section 238 of the Trade Act of 1974 (19 U.S.C. 2298) is amended—

(1) in subsection (a)(2)(E)(ii), by striking ", unless the worker received a waiver under section 231(c)"; and

(2) in subsection (b)—

(A) in paragraph (1), by striking "90 percent of the" and inserting "all"; and

(B) in paragraph (2), by striking "$1,250" and inserting "$1,500".

Subtitle D—Health Care Provisions

SEC. 141. MODIFICATIONS RELATING HEALTH INSURANCE ASSISTANCE FOR CERTAIN TAA AND PBGC PENSION RECIPIENTS.

(a) INCREASE IN CREDIT PERCENTAGE AMOUNT.—

(1) IN GENERAL.—Subsection (a) of section 35 of the Internal Revenue Code of 1986 is amended by striking "65 percent" and inserting "85 percent".

(2) CONFORMING AMENDMENT.—Subsection (b) of section 7527 of such Code is amended by striking "65 percent" and inserting "85 percent".

(b) TAA RECIPIENTS RECEIVING UNEMPLOYMENT COMPENSATION AND NOT ENROLLED IN TRAINING PROGRAM ELIGIBLE FOR CREDIT.—Paragraph (2) of section 35(c) of such Code is amended to read as follows:

"(2) ELIGIBLE TAA RECIPIENT.—The term 'eligible TAA recipient' means, with respect to any month, any individual who—

"(A) is receiving for any day of such month a trade readjustment allowance under chapter 2 of title II of the Trade Act of 1974, or

"(B) who is receiving unemployment compensation (as defined in section 85) for such month and who would be eligible to receive such allowance for such month if section 231 of such Act were applied without regard to subsections (a)(3)(B) and (a)(5) thereof.

An individual shall continue to be treated as an eligible TAA recipient during the first month that such individual would otherwise cease to be an eligible TAA recipient by reason of the preceding sentence.".

(c) ELIGIBILITY FOR ELIGIBLE INDIVIDUALS MADE RETROACTIVE TO TAA-RELATED LOSS OF EMPLOYMENT.—Subsection (c) of section 35 of such Code is amended by adding at the end the following new paragraph:

"(5) RETROACTIVE ELIGIBILITY FOR TAA RECIPIENTS.—In the case of any individual who is an eligible TAA recipient or eligible alternative TAA recipient for any month, such individual shall be treated as an eligible individual for any month which precedes such month and which begins after the later of—

"(A) the date of the separation from employment which gives rise to such individual being an eligible TAA recipient or eligible alternative TAA recipient, or

"(B) December 31, 2007.".

(d) CONTINUED QUALIFICATION OF FAMILY MEMBERS AFTER CERTAIN EVENTS.—

(1) IN GENERAL.—Subsection (g) of section 35 of such Code is amended by redesignating paragraph (9) as paragraph (10) and inserting after paragraph (8) the following new paragraph:

"(9) CONTINUED QUALIFICATION OF FAMILY MEMBERS AFTER CERTAIN EVENTS.—

"(A) MEDICARE ELIGIBILITY.—In the case of any month which would be an eligible coverage month with respect to an eligible individual but for subsection (f)(2)(A), such month shall be treated as an eligible coverage month with respect to such eligible individual solely for purposes of determining the amount of the credit under this section with respect to any qualifying family members of such individual (and any advance payment of such credit under section 7527). This subparagraph shall only apply with respect to the first 36 months after such eligible individual is first entitled to the benefits described in subsection (f)(2)(A).

"(B) DIVORCE.—In the case of the finalization of a divorce between an eligible individual and such individual's spouse, such spouse shall be treated as an eligible individual for purposes of this section and section 7527 for a period of 36 months beginning with the date of such finalization, except that the only qualifying family members who may be taken into account with respect to such spouse are those individuals who were qualifying family members immediately before such finalization.

"(C) DEATH.—In the case of the death of an eligible individual—

"(i) any spouse of such individual (determined at the time of such death) shall be treated as an eligible individual for purposes of this section and section 7527 for a period of 36 months beginning with the date of such death, except that the only qualifying family members who may be taken into account with respect to such spouse are those individuals who were qualifying family members immediately before such death, and

"(ii) any individual who was a qualifying family member of the decedent immediately before such death (or, in the case of an individual to whom paragraph (4) applies, the taxpayer to whom the deduction under section 151 is allowable) shall be treated as an eligible individual for purposes of this section and section 7527 for a period of 36 months beginning with the date of such death, except that in determining the amount of such credit only such qualifying family member may be taken into account.".

(2) CONFORMING AMENDMENT.—Section 173(f) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)) is amended by adding at the end the following:

"(8) CONTINUED QUALIFICATION OF FAMILY MEMBERS AFTER CERTAIN EVENTS.—

"(A) MEDICARE ELIGIBILITY.—In the case of any month which would be an eligible coverage month with respect to an eligible individual but for paragraph (7)(B)(i), such month shall be treated as an eligible coverage month with respect to such eligible individual solely for purposes of determining the eligibility of qualifying family members of such individual under this subsection. This subparagraph shall only apply with respect to the first 36 months after such eligible individual is first entitled to the benefits described in paragraph (7)(B)(i).

"(B) DIVORCE.—In the case of the finalization of a divorce between an eligible individual and such individual's spouse, such spouse shall be treated as an eligible individual for purposes of this subsection for a period of 36 months beginning with the date of such finalization, except that the only qualifying family members who may be taken into account with respect to such spouse are those individuals who were qualifying family members immediately before such finalization.

"(C) DEATH.—In the case of the death of an eligible individual—

"(i) any spouse of such individual (determined at the time of such death) shall be treated as an eligible individual for purposes of this subsection for a period of 36 months beginning with the date of such death, except that the only qualifying family members who may be taken into account with respect to such spouse are those individuals who were qualifying family members immediately before such death, and

"(ii) any individual who was a qualifying family member of the decedent immediately before such death shall be treated as an eligible individual for purposes this subsection for a period of 36 months beginning with the date of such death, except that no qualifying family members may be taken into account with respect to such individual.".

(e) MODIFICATION OF CREDITABLE COVERAGE REQUIREMENT.—

(1) IN GENERAL.—Subparagraph (B) of section 35(e)(2) of such Code is amended to read as follows:

"(B) QUALIFYING INDIVIDUAL.—For purposes of this paragraph, the term 'qualifying individual' means an eligible individual and the qualifying family members of such individual if such individual meets the requirements of clauses (iii) and (iv) of subsection (b)(1)(A) and—

"(i) in the case of an eligible TAA recipient or an eligible alternative TAA recipient, has (as of the date on which the individual seeks to enroll in the coverage described in subparagraphs (B) through (H) of paragraph (1)) a period of creditable coverage (as defined in section 9801(c)), or

"(ii) in the case of an eligible PBGC pension recipient, enrolls in such coverage during the 90-day period beginning on the later of—

"(I) the last day of the first month with respect to which such recipient becomes an eligible PBGC pension recipient, or

"(II) the date of the enactment of this subparagraph.".

(2) CONFORMING AMENDMENT.—Clause (ii) of section 172(f)(2)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)(2)(B)) is amended to read as follows:

"(ii) QUALIFYING INDIVIDUAL.—For purposes of this subparagraph, the term 'qualifying individual' means an eligible individual and the qualifying family members of such individual if such individual meets the requirements of clauses (iii) and (iv) of section 35(b)(1)(A) of the Internal Revenue Code of 1986 and—

"(I) in the case of an eligible TAA recipient or an eligible alternative TAA recipient, has (as of the date on which the individual seeks to enroll in the coverage described in clauses (ii) through (viii) of subparagraph (A)) a period of creditable coverage (as defined in section 9801(c) of such Code), or

"(II) in the case of an eligible PBGC pension recipient, enrolls in such coverage during the 90-day period beginning on the later of—

"(aa) the last day of the first month with respect to which such recipient becomes an eligible PBGC pension recipient, or

"(bb) the date of the enactment of this clause.".

(3) OUTREACH.—The Secretary of the Treasury shall carry out a program to notify individuals prior to their becoming eligible PBGC pension recipients (as defined in section 35 of the Internal Revenue Code of 1986) of the requirement of

subsection (e)(2)(B)(ii) of such section, as added by this subsection.

(f) TAA Pre-Certification Period Rule for Purposes of Determining Whether There Is a 63-Day Lapse in Creditable Coverage.—

(1) IRC amendment.—Section 9801(c)(2) of the Internal Revenue Code of 1986 (relating to not counting periods before significant breaks in creditable coverage) is amended by adding at the end the following new subparagraph:

"(D) TAA-ELIGIBLE INDIVIDUALS.—

"(i) TAA PRE-CERTIFICATION PERIOD RULE.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date which is 5 days after the postmark date of the notice by the Secretary (or by any person or entity designated by the Secretary) that the individual is eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 shall not be taken into account in determining the continuous period under subparagraph (A).

"(ii) DEFINITIONS.—The terms 'TAA-eligible individual', and 'TAA-related loss of coverage' have the meanings given such terms in section 4980B(f)(5)(C)(iv).".

(2) ERISA amendment.—Section 701(c)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181(c)(2)) is amended by adding at the end the following new subparagraph:

"(C) TAA-ELIGIBLE INDIVIDUALS.—

"(i) TAA PRE-CERTIFICATION PERIOD RULE.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date that is 5 days after the postmark date of the notice by the Secretary (or by any person or entity designated by the Secretary) that the individual is eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 of the Internal Revenue Code of 1986 shall not be taken into account in determining the continuous period under subparagraph (A).

"(ii) DEFINITIONS.—The terms 'TAA-eligible individual', and 'TAA-related loss of coverage' have the meanings given such terms in section 605(b)(4)(c).".

(3) PHSA amendment.—Section 2701(c)(2) of the Public Health Service Act (42 U.S.C. 300gg(c)(2)) is amended by adding at the end the following new subparagraph:

"(C) TAA-ELIGIBLE INDIVIDUALS.—

"(i) TAA PRE-CERTIFICATION PERIOD RULE.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date that is 5 days after the postmark date of the notice by the Secretary (or by any person or entity designated by the Secretary) that the individual is eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 of the Internal Revenue Code of 1986 shall not be taken into account in determining the continuous period under subparagraph (A).

"(ii) DEFINITIONS.—The terms 'TAA-eligible individual', and 'TAA-related loss of coverage' have the meanings given such terms in section 2205(b)(4)(c).".

(g) Rating System Requirement for Certain State-Based Coverage.—

(1) In general.—Subparagraph (A) of section 35(e)(2) of such Code is amended by adding at the end the following new clause:

"(v) Rating system requirement.—In the case of coverage described in paragraph (1)(F)(ii), the premiums for such coverage are restricted, based on a community rating system with respect to eligible individuals and their qualifying family members, or based on a rate-band system under which the maximum rate which may be charged does not exceed 150 percent of the standard rate with respect to eligible individuals and their qualifying family members.".

(2) Conforming amendment.—Clause (i) of section 173(f)(2)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)(2)(B)) is amended by adding at the end the following new subclause:

"(V) Rating system requirement.—In the case of coverage described in subparagraph (A)(vi)(II), the premiums for such coverage are restricted, based on a community rating system with respect to eligible individuals and their qualifying family members, or based on a rate-band system under which the maximum rate which may be charged does not exceed 150 percent of the standard rate with respect to eligible individuals and their qualifying family members.".

(h) Termination of Program.—

(1) In general.—Section 35 of such Code is amended by adding at the end the following new subsection:

"(h) Termination.—An individual shall not be treated as an eligible individual for purposes of this section or section 7527 for any month beginning after December 31, 2009, unless such individual was an eligible individual for a continuous period of months ending with such month and beginning before such date.".

(2) Conforming amendment.—Subsection (f) of section 173 of the Workforce Investment Act of 1998 (29 U.S.C. 2918) is amended by adding at the end the following new paragraph:

"(8) Termination.—An individual shall not be treated as an eligible individual for purposes of this subsection for any month beginning after December 31, 2009, unless such individual was an eligible individual for a continuous period of months ending with such month and beginning before such date.".

(i) Effective Date.—

(1) In general.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to months beginning after December 31, 2007, in taxable years ending after such date.

(2) Rating system requirement.—The amendments made by subsection (g) shall apply to months beginning after March 31, 2008, in taxable years ending after such date.

(3) DISCRETION TO DELAY EFFECTIVE DATE FOR PURPOSES OF ADVANCE PAYMENT PROGRAM.—Solely for purposes of carrying out the advance payment program under section 7527, the Secretary may provide that one or more amendments made by subsections (b), (c), and (d) shall not apply to one or more months beginning before March 31, 2008, to the extent that the Secretary determines that such delay is necessary to properly implement any such amendment as part of such program.

(j) GAO Study and Report.—

(1) Study.—The Comptroller General of the United States shall conduct a study regarding the health insurance tax credit allowed under section 35 of the Internal Revenue Code of 1986.

(2) Report.—Not later than March 1, 2009, the Comptroller General shall submit a report to Congress regarding the results of the study conducted under paragraph (1). Such report shall include an analysis of—

(A) the administrative costs—

(i) of the Federal Government with respect to such credit and the advance payment of such credit under section 7527 of such Code, and

(ii) of providers of qualified health insurance with respect to providing such insurance to eligible individuals and their qualifying family members,

(B) the health status and relative risk status of eligible individuals and qualifying family members covered under such insurance,

(C) participation in such credit and the advance payment of such credit by eligible individuals and their qualifying family members, including the reasons why such individuals did or did not participate and the effect of the amendments made by this section on such participation, and

(D) the extent to which eligible individuals and their qualifying family members—

(i) obtained health insurance other than qualifying health insurance, or

(ii) went without health insurance coverage.

(3) ACCESS TO RECORDS.—For purposes of conducting the study required under this subsection, the Comptroller General and any of his duly authorized representatives shall have access to, and the right to examine and copy, all documents, records, and other recorded information—

(A) within the possession or control of providers of qualified health insurance, and

(B) determined by the Comptroller General (or any such representative) to be relevant to the study.

The Comptroller General shall not disclose the identity of any provider of qualified health insurance or any eligible individual in making any information obtained under this section available to the public.

(4) DEFINITIONS.—Any term which is defined in section 35 of the Internal Revenue Code of 1986 shall have the same meaning when used in this subsection.

SEC. 142. EXTENSION OF COBRA BENEFITS FOR CERTAIN TAA-ELIGIBLE INDIVIDUALS AND PBGC RECIPIENTS.

(a) ERISA Amendments.—Section 602(2)(A) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1162(2)(A)) is amended—

(1) by moving clause (v) to after clause (iv) and before the flush left sentence beginning with "In the case of a qualified beneficiary";

(2) by striking "In the case of a qualified beneficiary" and inserting the following:

"(vi) SPECIAL RULE FOR DISABILITY.—In the case of a qualified beneficiary"; and

(3) by redesignating clauses (v) and (vi), as amended by paragraphs (1) and (2), as clauses (viii) and (ix) and by inserting after clause (iv) the following new clauses:

"(v) SPECIAL RULE FOR PBGC RECIPIENTS.—In the case of a qualifying event described in section 603(2) with respect to a covered employee who (as of such qualifying event) has a nonforeitable right to a benefit any portion of which is to be paid by the Pension Benefit Guaranty Corporation under title IV, notwithstanding clause (i) or (ii), the date of the death of the covered employee, or in the case of the surviving spouse or dependent children of the covered employee, 36 months after the date of the death of the covered employee.

"(vi) SPECIAL RULE FOR TAA-ELIGIBLE INDIVIDUALS.—In the case of a qualifying event described in section 603(2) with respect to a covered employee who is (as of the date that the period of coverage would, but for this clause or clause (vii), otherwise terminate under clause (i) or (ii)) a TAA-eligible individual (as defined in section 605(b)(4)(B)), the period of coverage shall not terminate by reason of clause (i) or (ii), as the case may be, before the later of the date specified in such clause or the date on which such individual ceases to be such a TAA-eligible individual.

"(vii) SPECIAL RULE FOR CERTAIN TAA-ELIGIBLE INDIVIDUALS.—In the case of a qualifying event described in section 603(2) with respect to a covered employee who is (as of the date that the period of coverage would, but for this clause or clause (vi), otherwise terminate under clause (i) or (ii)) a TAA-eligible individual (as defined in section 605(b)(4)(B)) and who (as of such qualifying event) has attainted age 55 or has completed 10 or more years of service with the employer, clauses (i) and (ii) shall not apply.".

(b) IRC AMENDMENTS.—Clause (i) of section 4980B(f)(2)(B) of the Internal Revenue Code of 1986 is amended—

(1) by striking "In the case of a qualified beneficiary" and inserting the following:

"(VI) SPECIAL RULE FOR DISABILITY.—In the case of a qualified beneficiary", and

(2) by redesignating subclauses (V) and (VI), as amended by paragraph (1), as subclauses (VIII) and (IX) and by inserting after clause (IV) the following new subclauses:

"(V) SPECIAL RULE FOR PBGC RECIPIENTS.—In the case of a qualifying event described in paragraph (3)(B) with respect to a covered employee who (as of such qualifying event) has a nonforeitable right to a benefit any portion of which is to be paid by the Pension Benefit Guaranty Corporation under title IV of the Employee Retirement Income Security Act of 1974, notwithstanding subclause (I) or (II), the date of the death of the covered employee, or in the case of the surviving spouse or dependent children of the covered employee, 36 months after the date of the death of the covered employee.

"(VI) SPECIAL RULE FOR TAA-ELIGIBLE INDIVIDUALS.—In the case of a qualifying event described in paragraph (3)(B) with respect to a covered employee who is (as of the date that the period of coverage would, but for this subclause or subclause (VII), otherwise terminate under subclause (I) or (II)) a TAA-eligible individual (as defined in paragraph (5)(C)(iv)(II)), the period of coverage shall not terminate by reason of subclause (I) or (II), as the case may be, before the later of the date specified in such subclause or the date on which such individual ceases to be such a TAA-eligible individual.

"(VII) SPECIAL RULE FOR CERTAIN TAA-ELIGIBLE INDIVIDUALS.—In the case of a qualifying event described in paragraph (3)(B) with respect to a covered employee who is (as of the date that the period of coverage would, but for this subclause or subclause (VI), otherwise terminate under subclause (I) or (II)) a TAA-eligible individual (as defined in paragraph (5)(C)(iv)(II)) and who (as of such qualifying event) has attainted age 55 or has completed 10 or more years of service with the employer, subclauses (I) and (II) shall not apply.".

(c) PHSA AMENDMENTS.—Section 2202(2)(A) of the Public Health Service Act (42 U.S.C. 300bb-2(2)(A)) is amended—

(1) by striking "In the case of a qualified beneficiary" and inserting the following:

"(v) SPECIAL RULE FOR DISABILITY.—In the case of a qualified beneficiary"; and

(2) by redesignating clauses (iv) and (v), as amended by paragraph (1), as clauses (vi) and (vii) and by inserting after clause (iii) the following new clauses:

"(iv) SPECIAL RULE FOR TAA-ELIGIBLE INDIVIDUALS.—In the case of a qualifying event described in section 2203(2) with respect to a covered employee who is (as of the date that the period of coverage would, but for this clause or clause (v), otherwise terminate under clause (i) or (ii)) a TAA-eligible individual (as defined in section 2205(b)(4)(B)), the period of coverage shall not terminate by reason of clause (i) or (ii), as the case may be, before the later of the date specified in such clause or the date on which such individual ceases to be such a TAA-eligible individual.

"(v) SPECIAL RULE FOR CERTAIN TAA-ELIGIBLE INDIVIDUALS.—In the case of a qualifying event described in section 2203(2) with respect to a covered employee who is (as of the date that the period of coverage would, but for this clause or clause (iv), otherwise terminate under clause (i) or (ii)) a TAA-eligible individual (as defined in section 2205(b)(4)(B)) and who (as of such qualifying event) has attainted age 55 or has completed 10 or more years of service with the employer, clauses (i) and (ii) shall not apply.".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to periods of coverage which would (without regard to the amendments made by this section) end on or after January 1, 2008.

Subtitle E—Wage Insurance

SEC. 151. REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE PROGRAM FOR OLDER WORKERS.

(a) IN GENERAL.—Section 246 of the Trade Act of 1974 (19 U.S.C. 2318) is amended—

*(1) by amending the heading to read as follows: "**REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE**";*

(2) in subsection (a)—

(A) in paragraph (1), by striking "alternative" and inserting "reemployment";

(B) in paragraph (2)(A), by striking "for a period not to exceed 2 years" and inserting "for the eligibility period under paragraph (3)(C)"; and

(C) by striking paragraphs (3) through (5) and inserting the following:

"(3) ELIGIBILITY.—

"(A) IN GENERAL.—A group of workers certified under subchapter A as eligible for adjustment assistance under subchapter A is eligible for benefits described in paragraph (2) under the program established under paragraph (1).

"(B) INDIVIDUAL ELIGIBILITY.—A worker in a group of workers described in subparagraph (A) may elect to receive benefits described in paragraph (2) under the program established under paragraph (1) if the worker—

"(i) is at least 50 years of age;

"(ii) earns not more than $60,000 each year in wages from reemployment;

"(iii)(I) is employed on a full-time basis as defined by State law in the State in which the worker is employed; or

"(II) is employed at least 20 hours per week and is enrolled in training approved under section 236; and

"(iv) is not employed at the firm from which the worker was separated

In the case of a worker described in clause (iii)(II), the percentage referred to in paragraph (2)(A) shall be deemed to be a percentage equal to ½ of the ratio of weekly hours of employment referred to in clause (iii)(II) to weekly hours of employment of that worker at the time of separation (but not more than 50 percent).

"(C) ELIGIBILITY PERIOD FOR PAYMENTS.—A worker in a group of workers described in subparagraph (A) may receive payments described in paragraph (2)(A) under the program established under paragraph (1) for a period not to exceed 2 years from the date on which the worker exhausts all rights to unemployment insurance based on the separation of the worker from adversely affected employment or the date on which the worker obtains reemployment, whichever is earlier.

"(D) TRAINING AND OTHER SERVICES.—A worker described in subparagraph (B) shall be eligible to receive training approved under section 236 and services under section 235.

"(4) TOTAL AMOUNT OF PAYMENTS.—The payments described in paragraph (2)(A) made to a worker may not exceed $12,000 per worker during the eligibility period under paragraph (3)(C).

"(5) LIMITATION ON OTHER BENEFITS.—A worker described in paragraph (3) may not receive a trade readjustment allowance under part I of subchapter B during any week for which the worker receives a payment described in paragraph (2)(A)."; and

(3) in subsection (b)(2), by striking "subsection (a)(3)(B)" and inserting "subsection (a)(3)".

(b) EXTENSION OF PROGRAM.—Subsection (b)(1) of such section is amended by striking "5" and inserting "10".

(c) CLERICAL AMENDMENT.—The table of contents for title II of the Trade Act of 1974 is amended by striking the item relating to section 246 and inserting the following:

"Sec. 246. Reemployment trade adjustment assistance program.".

Subtitle F—Other Matters

SEC. 161. RESTRICTION ON ELIGIBILITY FOR PROGRAM BENEFITS.

(a) IN GENERAL.—Subchapter A of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) is amended by adding at the end the following new section:

"SEC. 226. RESTRICTION ON ELIGIBILITY FOR PROGRAM BENEFITS.

"No benefit allowances, training, or other employment services may be provided under this chapter to a worker who is an alien unless the alien is an individual lawfully admitted for permanent residence to the United States, is lawfully present in the United States, or is permanently residing in the United States under color of law.".

(b) CONFORMING AMENDMENT.—The table of contents of the Trade Act of 1974 is amended by adding after the item relating to section 225 the following:

"226. Restriction on eligibility for program benefits.".

SEC. 162. AGREEMENTS WITH STATES.

(a) IN GENERAL.—Subsection (a) of section 239 of the Trade Act of 1974 (19 U.S.C. 2311) is amended—

(1) by striking "will" each place it appears and inserting "shall"; and

(2) in clause (2), to read as follows: "(2) in accordance with subsection (f), shall provide adversely affected workers covered by a certification under subchapter A the employment and case management services described in section 235".

(b) OUTREACH.—Subsection (f) of such section is amended—

(1) in paragraph (3), by striking "and" at the end;

(2) by striking paragraph (4) and inserting the following:

"(4) perform outreach, intake (which may include worker profiling) and orientation for assistance and benefits available under this chapter for adversely affected workers covered by a certification under subchapter A of this chapter, and"; and

(3) by adding at the end the following:

"(5) provide adversely affected workers covered by a certification under subchapter A of this chapter with employment and case management services described in section 235.".

SEC. 163. FRAUD AND RECOVERY OF OVERPAYMENTS.

Section 243(a)(1) of the Trade Act of 1974 (19 U.S.C. 2315(a)(1)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking "may waive" and inserting "shall waive"; and

(B) by striking ", in accordance with guidelines prescribed by the Secretary," and

(2) in subparagraph (B), by striking "would be contrary to equity and good conscience" and inserting "would cause a financial hardship for the individual (or the individual's household, if applicable) when taking into consideration the income and resources reasonably available to the individual (or household) and other ordinary living expenses of the individual (or household)".

SEC. 164. TECHNICAL AMENDMENTS.

(a) IN GENERAL.—Section 249 of the Trade Act of 1974 (19 U.S.C. 2321) is amended—

*(1) in the heading, by striking "**SUBPENA**" and inserting "**SUBPOENA**"; and*

(2) in the text, by striking "subpena" and inserting "subpoena" each place it appears.

(b) CLERICAL AMENDMENT.—The item relating to section 249 in the table of contents for title II of the Trade Act of 1974 is amended to read as follows:

"249. Subpoena power.".

SEC. 165. OFFICE OF TRADE ADJUSTMENT ASSISTANCE; DEPUTY ASSISTANT SECRETARY FOR TRADE ADJUSTMENT ASSISTANCE.

(a) IN GENERAL.—Subchapter C of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2311 et seq.) is amended by adding at the end the following:

"SEC. 250. OFFICE OF TRADE ADJUSTMENT ASSISTANCE; DEPUTY ASSISTANT SECRETARY FOR TRADE ADJUSTMENT ASSISTANCE.

"(a) ESTABLISHMENT.—There is established in the Department of Labor an office to be known as the Office of Trade Adjustment Assistance (hereinafter in this section referred to as the 'Office').

"(b) HEAD OF OFFICE.—The head of the Office shall be the Deputy Assistant Secretary for Trade Adjustment Assistance (hereinafter in this section referred to as the 'Deputy Assistant Secretary'), who shall be appointed by the President, by and with the advice and consent of the Senate.

"(c) PRINCIPLE FUNCTIONS.—The principle functions of the Deputy Assistant Secretary shall be—

"(1) to oversee and implement the administration of trade adjustment assistance for workers under this chapter; and

"(2) to carry out functions delegated to the Secretary of Labor under this chapter, including—

"(A) making determinations under section 223 or 223A;

"(B) providing information about the program and assisting groups of workers and other parties to prepare petitions or applications for program benefits under section 225;

"(C) ensuring workers covered by a certification receive the employment services described in section 235;

"(D) ensuring States fully comply with agreements under section 239;

"(E) acting as a vigorous advocate for workers applying for assistance under this chapter;

"(F) receiving complaints, grievances, and requests for assistance from workers under this chapter;

"(G) establishing and overseeing a hotline that workers, employers, and other entities may call to obtain information regarding eligibility criteria, procedural requirements, and benefits available under this chapter; and

"(H) carrying out such other duties with respect to this chapter as the President may specify for purposes of this section.".

(b) CLERICAL AMENDMENT.—The table of contents for title II of the Trade Act of 1974 is amended by inserting after the item relating to section 249 the following:

"Sec. 250. Office of Trade Adjustment Assistance; Deputy Assistant Secretary for Trade Adjustment Assistance.".

SEC. 166. COLLECTION OF DATA AND REPORTS; INFORMATION TO WORKERS.

(a) IN GENERAL.—Subchapter C of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2311 et seq.) is amended by adding at the end the following:

"SEC. 250A. COLLECTION OF DATA AND REPORTS; INFORMATION TO WORKERS.

"(a) IN GENERAL.—Not later than 90 days after the date of the enactment of the Trade and Globalization Assistance Act of 2007, the Secretary shall implement a system to collect and publicly disseminate data on all adversely affected workers who apply for or receive adjustment assistance under this chapter.

"(b) DATA TO BE INCLUDED.—The system required under subsection (a) shall include collection of the following data classified by State, industry, and nationwide totals:

"(1) The number of petitions and number of workers covered by petitions filed, certified and denied.

"(2) The date of filing of each petition and the date of the determination, and the average processing time, by year, on petitions.

"(3) A breakdown, by the claimed cause of dislocation, of petitions denied, such as increased imports, shift in production, and other bases for eligibility.

"(4) A breakdown of the number of certified petitions by the cause of dislocation, such as increase in imports, shift in production, and other causes of eligibility for adjustment assistance.

"(5) The number of workers participating in any aspect of the adjustment assistance program under this chapter.

"(6) Reemployment rates and sectors in which dislocated workers have been employed after receiving adjustment assistance under this chapter.

"(7) The type of adjustment assistance received under this chapter, such as training or education assistance, reemployment adjustment assistance, cash benefits, health coverage, and relocation allowances, the number of workers receiving each type of assistance, and the average duration of time workers receive each type of assistance.

"(8) The fields of training or education in which workers receiving training or education benefits under this chapter are enrolled, the number of workers participating in each field, classified by major types of training or education.

"(9) The number of workers leaving training before completing a course of training or education, classified by the cause for early termination.

"(10) The number of training waivers granted, classified by type of waiver.

"(11) The wages of workers before separation and any job obtained after receiving benefits under the trade adjustment assistance program under this chapter.

"(12) The average duration of training that was completed.

"(c) COLLECTION OF DATA FROM STATES.—The Secretary is authorized to collect such data from the States as is necessary to carry out this section.

"(d) REPORT.—Not later than 16 months after the date of the enactment of the Trade and Globalization Assistance Act of 2007, and annually thereafter, the Secretary shall submit to the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, and any other congressional committee of appropriate jurisdiction, a report on whether changes to eligibility requirements, benefits, or training funding under the trade adjustment assistance program under this chapter should be made based on the data collected under subsection (b).

"(e) AVAILABILITY ON WEBSITE OF THE DEPARTMENT OF LABOR.—The Secretary shall make the data collected under subsection (b) publicly available on the website of the Department of Labor, in a searchable format, and shall update the data quarterly.".

(b) CLERICAL AMENDMENT.—The table of contents for title II of the Trade Act of 1974 is amended by inserting after the item relating to section 250 (as added by section 163(b) of this Act) the following:

"Sec. 250A. Collection of data and reports; information to workers.".

SEC. 167. EXTENSION OF TAA PROGRAM.

(a) FOR WORKERS.—Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking "December 31, 2007" and inserting "September 30, 2012".

(b) TERMINATION.—Section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended by striking "December 31, 2007" each place it appears and inserting "September 30, 2012".

(c) FOR FARMERS.—Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended by adding at the end the following: "There are authorized to be appropriated to the Department of Agriculture not to exceed $81,000,000 for the 9-month period beginning on January 1, 2008, and $90,000,000 for each of the fiscal years 2009 through 2012 to carry out the purposes of this chapter.".

SEC. 168. JUDICIAL REVIEW.

Section 284 of the Trade Act of 1974 (19 U.S.C. 2395) is amended—

(1) in subsection (a)—

(A) by inserting "or 223A" after "223"; and

(B) by striking "271" and inserting "273";

(2) by amending subsection (b) to read as follows:

"(b) STANDARD OF REVIEW.—The Court of International Trade shall have jurisdiction to review the case as provided in section 706 of title 5, Untied States Code. The findings of fact by the Secretary of Labor, the Secretary of Commerce, or the Secretary of Agriculture, as the case may be, must be supported by substantial evidence and must be based on a reasonable investigation. The Court of International Trade may—

"(1) remand the case to such Secretary to take further evidence; or

"(2) reverse the action of such Secretary.

If the case is remanded under paragraph (1), the Secretary concerned may make new or modified findings of fact and may modify the Secretary's previous action, and shall certify to the court the record of the further proceedings. The new or modified findings of fact must be supported by substantial evidence and must be based on a reasonable investigation."; and

(3) in subsection (c), by striking the first sentence.

SEC. 169. LIBERAL CONSTRUCTION OF CERTIFICATION OF WORKERS AND FIRMS.

(a) IN GENERAL.—Chapter 5 of title II of the Trade Act of 1974 (19 U.S.C. 2391 et seq.) is amended by adding at the end the following:

"SEC. 288. LIBERAL CONSTRUCTION OF CERTIFICATION OF WORKERS AND FIRMS.

"The provisions of chapter 2 (relating to adjustment assistance for workers) and the provisions of chapter 3 (relating to adjustment assistance for firms) shall be liberally construed in favor of certifying workers for assistance under such chapter 2 and certifying firms for assistance under such chapter 3.".

(b) CLERICAL AMENDMENT.—The table of contents for title II of the Trade Act of 1974 is amended by inserting after the item relating to section 287 the following:

"Sec. 288. Liberal construction of certification of workers and firms.".

TITLE II—TRADE ADJUSTMENT ASSISTANCE FOR FIRMS

SEC. 201. TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.

(a) IN GENERAL.—Section 251 of the Trade Act of 1974 (19 U.S.C. 2341) is amended—

(1) in subsection (a), by inserting "or service sector firm" after "(including any agricultural firm";

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting "or service sector firm" after "any agricultural firm"; and

(ii) in subparagraph (B)—

(I) in clause (i), by striking ", or" and inserting a comma;

(II) in clause (ii)—

(aa) by inserting "or service" after "of an article"; and

(bb) by striking ", and" and inserting a comma; and

(III) by adding at the end the following:

"(iii) sales or production, or both, of the firm, during the period consisting of not more than 36 months preceding the most recent 12-month period for which data are available, have decreased absolutely, or

"(iv) sales or production, or both, of an article or service that accounted for not less than 25 percent of the total production or sales of the firm during the 36-month period preceding the most recent 12-month period for which data are available have decreased absolutely, and"; and

(B) in the matter preceding subparagraph (A) of paragraph (2) , by striking "paragraph (1)(C)—" and inserting "paragraph (1)(C):"; and

(3) by adding at the end the following:

"(e) BASIS FOR THE DETERMINATION OF THE SECRETARY.—

"(1) INCREASED IMPORTS.—For purposes of subsection (c)(1)(C), the Secretary—

"(A) may use data from any of the preceding three calendar years to determine if the requirements of such subsection have been met;

"(B) may determine that increases of imports of like or directly competitive articles or services exist if customers accounting for a significant percentage of the decrease in the sales of the firm certify to the Secretary that such customers are obtaining such articles or services from a foreign country; and

"(C) may, in determining whether increased imports of like or directly competitive articles or services exist, give special consideration to whether it is difficult to demonstrate an increase of such imports if the share of such imports relative to production or consumption in the United States of the article produced or service provided by the firm concerned is already significant.

"(2) PROCESS AND METHODS FOR OBTAINING CERTIFICATIONS.—

"(A) REQUEST BY PETITIONER.—If requested by a firm, the Secretary shall obtain the certifications under paragraph (1)(B) in such manner as the Secretary determines is appropriate.

"(B) PROTECTION OF CONFIDENTIAL INFORMATION.—The Secretary may not release information obtained under subparagraph (A) that the Secretary considers to be confidential business information unless the party submitting the confidential business information had notice, at the time of submission, that such information would be released by the Secretary, or such party subsequently consents to the release of the information. Nothing in this subparagraph shall be construed to prohibit a court from requiring the submission of such confidential business information to the court in camera.

"(f) NOTIFICATION TO FIRMS OF AVAILABILITY OF BENEFITS.—Upon receiving notice from the Secretary of Labor under section 225(c) of the identity of a firm or firms that are covered by a certification issued under section 223 or 223A, the Secretary of Commerce shall notify such firm or firms of the availability of adjustment assistance under this chapter.".

(b) DEFINITION.—Section 261 of the Trade Act of 1974 (19 U.S.C. 2351) is amended—

(1) by striking "For purposes of" and inserting "(a) FIRM.—For purposes of"; and

(2) by adding at the end the following:

"(b) SERVICE SECTOR FIRM.—For purposes of this chapter, the term 'service sector firm' means a firm engaged in the business of providing services.".

SEC. 202. EXTENSION OF AUTHORIZATION OF TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.

Section 256(b) of the Trade Act of 1974 (19 U.S.C. 2346(b)) is amended—

(1) by striking "and $4,000,000 for the 3-month period beginning on October 1, 2007," inserting "and $50,000,000 for each of fiscal years 2008 through 2012," after "fiscal years 2003 through 2007,"; and

(2) by inserting after the first sentence the following: "Of the amounts appropriated pursuant to this subsection for each fiscal year, $350,000 shall be available for full-time positions in the Department of Commerce to administer the program under this chapter.".

SEC. 203. INDUSTRY-WIDE PROGRAMS FOR THE DEVELOPMENT OF NEW SERVICES.

Section 265(a) of the Trade Act of 1974 (19 U.S.C. 2355(a)) is amended—

(1) in the first sentence, by striking "new product development" and inserting "the development of new products and services"; and

(2) in the second sentence, by inserting ", 223A," after "223".

SEC. 204. DEMONSTRATION PROJECT ON STRATEGIC TRADE TRANSFORMATION ASSISTANCE.

(a) IN GENERAL.—Chapter 3 of title II of the Trade Act of 1974 (19 U.S.C. 2341 et seq.) is amended by adding at the end the following:

"SEC. 266. DEMONSTRATION PROJECT ON STRATEGIC TRADE TRANSFORMATION ASSISTANCE.

"(a) IN GENERAL.—The Secretary shall conduct a demonstration project (in this section referred to as the 'project') to demonstrate a programmatic framework that will allow small- and medium-sized manufacturers in the United States to gain access to resources that will help them better compete domestically and globally. The project should include among its primary goals the following:

"(1) Expanding the number of firms capable of taking advantage of a trade remedy program without drastically increasing the cost of the remedy to the taxpayer.

"(2) Certifying and providing assistance to approximately 700 firms.

"(3) Integrating the benefits of other applicable government programs into the project, and making benefits from the project subject to that integration.

"(4) Increasing the number of small- and medium-sized firms that export and increasing the value of exports from these firms.

"(5) Increasing revenues that small- and medium-sized firms derive from sales to the Federal Government and State and local governments.

"(6) Expanding technology availability to the small- and medium-sized firm segment by increasing access to, and adoption of, the latest technologies being developed at Federal laboratories and at universities.

"(7) Improving the business and manufacturing practices of small- and medium-sized firms to enable them to become competitive in a global marketplace.

"(b) ADVISORY BOARD.—

"(1) IN GENERAL.—In carrying out the project, the Secretary shall establish an advisory board comprised of representatives described in paragraph (2) to provide advice and recommendations with respect to the establishment and operation of the project.

"(2) REPRESENTATIVES.—Representatives referred to in paragraph (1) shall consist of the respective executive directors of each Trade Adjustment Assistance Center affiliated with the trade adjustment assistance for firms program under this chapter.

"(c) DURATION.—The Secretary shall conduct the project for the 3-year period beginning on the date that is 180 days after the date of the enactment of this Act.

"(d) ADMINISTRATION OF PROJECT.—In implementing the project, the Secretary shall give preference, in entering into contracts for the operation and administration of the project, to Trade Adjustment Assistance Centers affiliated with the trade adjustment assistance for firms program under this chapter.

"(e) REPORT.—The Secretary shall submit to the Congress a report on the project under this section not later than 6 months after the date of the completion of the project. Such report shall include—

"(1) information on the impact of the project on mitigating the impact of imports in terms of competitiveness; and

"(2) recommendations on the cost-effectiveness of extending or expanding the project.

"(f) FUNDING.—Of the amounts made available to carry out this chapter for fiscal years 2008 through 2012, not more than $1,000,000 for each such fiscal year is authorized to be made available to carry out this section.".

(b) CLERICAL AMENDMENT.—The table of contents for title II of the Trade Act of 1974 is amended by inserting after the item relating to section 265 the following:

"Sec. 266. Demonstration project on strategic trade transformation assistance.".

TITLE III—TRADE ADJUSTMENT ASSISTANCE FOR FARMERS

SEC. 301. ELIGIBILITY OF CERTAIN OTHER PRODUCERS.

Section 292 of the Trade Act of 1974 (19 U.S.C. 2401a) is amended—

(1) in subsection (a), by inserting "and on the Website of the Department of Agriculture" after "Federal Register"; and

(2) by adding at the end the following:

"(f) ELIGIBILITY OF CERTAIN OTHER PRODUCERS.—An agricultural commodity producer or group of producers that resides outside of the State or region identified in a petition filed under subsection (a) may file a request to become a party to that petition not later than 30 days after the date notice is published in the Federal Register and on the Website of the Department of Agriculture with respect to that petition.".

TITLE IV—UNEMPLOYMENT INSURANCE

SEC. 301. SHORT TITLE.

This title may be cited as the "Unemployment Insurance Modernization Act".

SEC. 302. SPECIAL TRANSFERS TO STATE ACCOUNTS IN THE UNEMPLOYMENT TRUST FUND.

(a) IN GENERAL.—Section 903 of the Social Security Act (42 U.S.C. 1103) is amended by adding at the end the following:

"Special Transfers in Fiscal Years 2008 Through 2012 for Modernization

"(f)(1)(A) In addition to any other amounts, the Secretary of Labor shall provide for the making of unemployment compensation modernization incentive payments (hereinafter 'incentive payments') to the accounts of the States in the Unemployment Trust Fund, by transfer from amounts reserved for that purpose in the Federal unemployment account, in accordance with succeeding provisions of this subsection.

"(B) The maximum incentive payment allowable under this subsection with respect to any State shall, as determined by the Secretary of Labor, be equal to the amount obtained by multiplying $7,000,000,000 times the same ratio as is applicable under subsection (a)(2)(B) for purposes of determining such State's share of any funds to be transferred under subsection (a) as of October 1, 2007.

"(C) Of the maximum incentive payment determined under subparagraph (B) with respect to a State—

"(i) one-third shall be transferred to the account of such State upon a certification under paragraph (4)(B) that the State law of such State meets the requirements of paragraph (2); and

"(ii) the remainder shall be transferred to the account of such State upon a certification under

paragraph (4)(B) that the State law of such State meets the requirements of paragraph (3).

"(2) The State law of a State meets the requirements of this paragraph if such State law—

"(A) uses a base period that includes the most recently completed calendar quarter before the start of the benefit year for purposes of determining eligibility for unemployment compensation; or

"(B) provides that, in the case of an individual who would not otherwise be eligible for unemployment compensation under the State law because of the use of a base period that does not include the most recently completed calendar quarter before the start of the benefit year, eligibility shall be determined using a base period that includes such calendar quarter.

"(3) The State law of a State meets the requirements of this paragraph if such State law includes provisions to carry out at least 2 of the following subparagraphs:

"(A) An individual shall not be denied regular unemployment compensation under any State law provisions relating to availability for work, active search for work, or refusal to accept work, solely because such individual is seeking only part-time (and not full-time) work, except that the State law provisions carrying out this subparagraph may exclude an individual if a majority of the weeks of work in such individual's base period do not include part-time work.

"(B) An individual shall not be disqualified from regular unemployment compensation for separating from employment if that separation is for compelling family reasons. For purposes of this subparagraph, the term 'compelling family reasons' includes at least the following:

"(i) Domestic violence (verified by such reasonable and confidential documentation as the State law may require) which causes the individual reasonably to believe that such individual's continued employment would jeopardize the safety of the individual or of any member of the individual's immediate family.

"(ii) The illness or disability of a member of the individual's immediate family.

"(iii) The need for the individual to accompany such individual's spouse—

"(I) to a place from which it is impractical for such individual to commute; and

"(II) due to a change in location of the spouse's employment.

"(C) Weekly unemployment compensation is payable under this subparagraph to any individual who is unemployed (as determined under the State unemployment compensation law), has exhausted all rights to regular and (if applicable) extended unemployment compensation under the State law, and is enrolled and making satisfactory progress in a State-approved training program or in a job training program authorized under the Workforce Investment Act of 1998. Such program shall prepare individuals who have been separated from a declining occupation, or who have been involuntarily and indefinitely separated from employment as a result of a permanent reduction of operations at the individual's place of employment, for entry into a high-demand occupation. The amount of unemployment compensation payable under this subparagraph to an individual for a week of unemployment shall be equal to the individual's average weekly benefit amount (including dependents' allowances) for the most recent benefit year, and the total amount of unemployment compensation payable under this subparagraph to any individual shall be equal to at least 26 times the individual's average weekly benefit amount (including dependents' allowances) for the most recent benefit year.

"(4)(A) Any State seeking an incentive payment under this subsection shall submit an application therefor at such time, in such manner, and complete with such information as the Secretary of Labor may by regulation prescribe, including information relating to compliance with the requirements of paragraph (2) or (3), as well as how the State intends to use the incentive payment to improve or strengthen the State's unemployment compensation program. The Secretary of Labor shall, within 90 days after receiving a complete application, notify the State agency of the State of the Secretary's findings with respect to the requirements of paragraph (2) or (3) (or both).

"(B) If the Secretary of Labor finds that the State law provisions (disregarding any State law provisions which are not then currently in effect as permanent law or which are subject to discontinuation under certain conditions) meet the requirements of paragraph (2) or (3), as the case may be, the Secretary of Labor shall thereupon make a certification to that effect to the Secretary of the Treasury, together with a certification as to the amount of the incentive payment to be transferred to the State account pursuant to that finding. The Secretary of the Treasury shall make the appropriate transfer within 30 days after receiving such certification.

"(C)(i) No certification of compliance with the requirements of paragraph (2) or (3) may be made with respect to any State whose State law is not otherwise eligible for certification under section 303 or approvable under section 3304 of the Federal Unemployment Tax Act.

"(ii) No certification of compliance with the requirements of paragraph (3) may be made with respect to any State whose State law is not in compliance with the requirements of paragraph (2).

"(iii) No application under subparagraph (A) may be considered if submitted before October 1, 2007, or after the latest date necessary (as specified by the Secretary of Labor in regulations) to ensure that all incentive payments under this subsection are made before October 1, 2012.

"(5)(A) Except as provided in subparagraph (B), any amount transferred to the account of a State under this subsection may be used by such State only in the payment of cash benefits to individuals with respect to their unemployment (including for dependents' allowances and for unemployment compensation under paragraph (3)(C)), exclusive of expenses of administration.

"(B) A State may, subject to the same conditions as set forth in subsection (c)(2) (excluding subparagraph (B) thereof, and deeming the reference to 'subsections (a) and (b)' in subparagraph (D) thereof to include this subsection), use any amount transferred to the account of such State under this subsection for the administration of its unemployment compensation law and public employment offices.

"(6) Out of any money in the Federal unemployment account not otherwise appropriated, the Secretary of the Treasury shall reserve $7,000,000,000 for incentive payments under this subsection. Any amount so reserved shall not be taken into account for purposes of any determination under section 902, 910, or 1203 of the amount in the Federal unemployment account as of any given time. Any amount so reserved for which the Secretary of the Treasury has not received a certification under paragraph (4)(B) by the deadline described in paragraph (4)(C)(iii) shall, upon the close of fiscal year 2012, become unrestricted as to use as part of the Federal unemployment account.

"(7) For purposes of this subsection, the terms 'benefit year', 'base period', and 'week' have the respective meanings given such terms under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

"Special Transfers in Fiscal Years 2008 Through 2012 for Administration

"(g)(1) Notwithstanding any other provision of this section, the total amount available for transfer to the accounts of the States pursuant to subsection (a) as of the beginning of each of fiscal years 2008, 2009, 2010, 2011, and 2012 shall be equal to the total amount which (disregarding this subsection) would otherwise be so available, increased by $100,000,000.

"(2) Each State's share of any additional amount made available by this subsection shall be determined, certified, and computed in the same manner as described in subsection (a)(2) and shall be subject to the same limitations on transfers as described in subsection (b). For purposes of applying subsection (b)(2), the balance of any advances made to a State under section 1201 shall be credited against, and operate to reduce (but not below zero)—

"(A) first, any additional amount which, as a result of the enactment of this subsection, is to be transferred to the account of such State in a fiscal year; and

"(B) second, any amount which (disregarding this subsection) is otherwise to be transferred to the account of such State pursuant to subsections (a) and (b) in such fiscal year.

"(3) Any additional amount transferred to the account of a State as a result of the enactment of this subsection—

"(A) may be used by the State agency of such State only in the payment of expenses incurred by it for—

"(i) the administration of the provisions of its State law carrying out the purposes of subsection (f)(2) or any subparagraph of subsection (f)(3);

"(ii) improved outreach to individuals who might be eligible for regular unemployment compensation by virtue of any provisions of the State law which are described in clause (i);

"(iii) the improvement of unemployment benefit and unemployment tax operations; and

"(iv) staff-assisted reemployment services for unemployment compensation claimants; and

"(B) shall be excluded from the application of subsection (c).

"(4) The total additional amount made available by this subsection in a fiscal year shall be taken out of the amounts remaining in the employment security administration account after subtracting the total amount which (disregarding this subsection) is otherwise required to be transferred from such account in such fiscal year pursuant to subsections (a) and (b).".

(b) REGULATIONS.—The Secretary of Labor may prescribe any regulations necessary to carry out the amendment made by subsection (a).

SEC. 303. EXTENSION OF FUTA TAX.

Section 3301 of the Internal Revenue Code of 1986 (relating to rate of tax) is amended—

(1) by striking "2007" in paragraph (1) and inserting "2010", and

(2) by striking "2008" in paragraph (2) and inserting "2011".

SEC. 304. SAFETY NET REVIEW COMMISSION.

(a) ESTABLISHMENT.—The Secretary of Labor shall establish an advisory commission to be known as the "Safety Net Review Commission" (hereinafter in this section referred to as the "Commission").

(b) FUNCTION.—It shall be the function of the Commission to evaluate the unemployment compensation program, the Trade Adjustment Assistance program, the Job Corps program, a program under the Workforce Investment Act, and other employment assistance programs, including the purpose, goals, countercyclical effectiveness, coverage, benefit adequacy, trust fund solvency, funding of State administrative costs, administrative efficiency, and any other aspects of each such program, as well as any related provisions of the Internal Revenue Code of 1986, and to make recommendations for their improvement.

(c) MEMBERS.—

(1) IN GENERAL.—The Commission shall consist of 11 members as follows:

(A) 5 members appointed by the President, to include representatives of business, labor, State government, and the public.

(B) 3 members appointed by the President pro tempore of the Senate, in consultation with the Chairman and ranking member of the Committee on Finance of the Senate.

(C) 3 members appointed by the Speaker of the House of Representatives, in consultation with the Chairman and ranking member of the Committee on Ways and Means of the House of Representatives.

(2) QUALIFICATIONS.—In appointing members under subparagraphs (B) and (C) of paragraph (1), the President pro tempore of the Senate and the Speaker of the House of Representatives shall each appoint—

(A) 1 representative of the interests of business,

(B) 1 representative of the interests of labor, and

(C) 1 representative of the interests of State governments.

(3) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(4) CHAIRMAN.—The President shall appoint the Chairman of the Commission from among its members.

(d) STAFF AND OTHER ASSISTANCE.—

(1) IN GENERAL.—The Commission may engage any technical assistance (including actuarial services) required by the Commission to carry out its functions under this section.

(2) ASSISTANCE FROM SECRETARY OF LABOR.—The Secretary of Labor shall provide the Commission with any staff, office facilities, and other assistance, and any data prepared by the Department of Labor, required by the Commission to carry out its functions under this section.

(e) COMPENSATION.—Each member of the Commission—

(1) shall be entitled to receive compensation at the rate of pay for level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the actual performance of duties vested in the Commission; and

(2) while engaged in the performance of such duties away from such member's home or regular place of business, shall be allowed travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of such title 5 for persons in the Government employed intermittently.

(f) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Commission shall submit to the President and the Congress a report setting forth the findings and recommendations of the Commission as a result of its evaluation under this section.

(g) TERMINATION.—The Commission shall terminate 2 months after submitting its report pursuant to subsection (f).

TITLE V—MANUFACTURING REDEVELOPMENT ZONES

SEC. 401. MANUFACTURING REDEVELOPMENT ZONES.

(a) IN GENERAL.—Subchapter Y of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

"PART III—MANUFACTURING REDEVELOPMENT ZONES

"Sec. 1400U–1. Designation of manufacturing redevelopment zones.
"Sec. 1400U–2. Eligibility criteria.
"Sec. 1400U–3. Manufacturing redevelopment tax credit bonds.
"Sec. 1400U–4. Tax-exempt manufacturing zone facility bonds.
"Sec. 1400U–5. Additional low-income housing credits.

"SEC. 1400U–1. DESIGNATION OF MANUFACTURING REDEVELOPMENT ZONES.

"(a) IN GENERAL.—From among the areas nominated for designation under this section, the Secretary may designate manufacturing redevelopment zones.

"(b) LIMITATIONS ON DESIGNATIONS.—The Secretary may designate in the aggregate 24 nominated areas as manufacturing redevelopment zones, subject to the availability of eligible nominated areas. The Secretary shall designate manufacturing redevelopment zones in such manner that the aggregate population of all such zones does not exceed 2,000,000.

"(c) PERIOD DESIGNATION MAY BE MADE.—A designation may be made under subsection (a) only during the 2-year period beginning on the date of the enactment of this section.

"(d) PERIOD FOR WHICH DESIGNATION IS IN EFFECT.—

"(1) IN GENERAL.—Any designation under this section shall remain in effect during the period beginning on the date of the designation and ending on the earliest of—

"(A) the close of the 10th calendar year beginning on or after the date of the designation,

"(B) the termination date designated by the State and local governments as provided for in their nomination, or

"(C) the date the Secretary revokes the designation.

"(2) REVOCATION OF DESIGNATION.—The Secretary may revoke the designation under this section of an area if such Secretary determines that the local government or the State in which it is located—

"(A) has modified the boundaries of the area, or

"(B) is not complying substantially with, or fails to make progress in achieving the benchmarks set forth in, the strategic plan included with the application

"(e) LIMITATIONS ON DESIGNATIONS; APPLICATION.—Rules similar to the rules of subsections (e) and (f) of section 1391 shall apply for purposes of this section except that the rules of such subsection (f) shall be applied with respect to the eligibility criteria specified in section 1400U–2.

"(f) DETERMINATIONS OF POPULATION.—Any determination of population under this part shall be made on the basis of the most recent decennial census for which data are available.

"SEC. 1400U–2. ELIGIBILITY CRITERIA.

"(a) IN GENERAL.—A nominated area shall be eligible for designation under section 1400U–1 only if—

"(1) it meets each of the criteria specified in section 1392(a),

"(2) the nominated area has experienced a significant decline in the number of individuals employed in manufacturing or has a high concentration of abandoned or underutilized manufacturing facilities, and

"(3) no portion of the nominated area is located in an empowerment zone or renewal community, unless the local government which nominated the area elects to terminate such designation as an empowerment zone or renewal community.

"(b) APPLICATION OF CERTAIN RULES; DEFINITIONS.—For purposes of this subchapter—

"(1) rules similar to the rules of subsections (b), (c), and (d) of section 1392 and paragraphs (4), (7), (8), and (9) of section 1393(a) shall apply, and

"(2) any term defined in section 1393 shall have the same meaning when used in this subchapter.

"(c) DISCRETION TO ADJUST REQUIREMENTS.—In determining whether a nominated area is eligible for designation as a manufacturing redevelopment zone, the Secretary may, where necessary to carry out the purposes of this part, waive the requirement of section 1392(a)(4) if it is shown that the nominated area has experienced a loss of manufacturing jobs during the previous 20 years which is in excess of 25 percent.

"SEC. 1400U–3. MANUFACTURING REDEVELOPMENT TAX CREDIT BONDS.

"(a) IN GENERAL.—For purposes of subpart I of part IV of subchapter A (relating to qualified tax credit bonds), the term 'manufacturing redevelopment bond' means any bond issued as part of an issue if—

"(1) 100 percent of the available project proceeds of such issue are to be used for one or more qualified manufacturing redevelopment purposes,

"(2) the bond is not a private activity bond, and

"(3) the local government which nominated the area to which such bond relates designates such bond for purposes of this section.

"(b) LIMITATION ON AMOUNT OF BONDS DESIGNATED.—The maximum aggregate face amount of bonds which may be designated under subsection (a) with respect to any manufacturing redevelopment zone shall not exceed $150,000,000.

"(c) QUALIFIED MANUFACTURING REDEVELOPMENT PURPOSE.—For purposes of this section, the term 'qualified manufacturing redevelopment purposes' means capital expenditures paid or incurred with respect to property located in a manufacturing redevelopment zone for purposes of promoting development or other economic activity in such zone, including expenditures for environmental remediation, improvements to public infrastructure, and construction of public facilities.

"(d) DEFINITIONS.—For purposes of this section, any term used in this section which is also used in section 54A shall have the same meaning given such term by section 54A.

"SEC. 1400U–4. TAX-EXEMPT MANUFACTURING ZONE FACILITY BONDS.

"(a) IN GENERAL.—For purposes of part IV of subchapter B (relating to tax exemption requirements for State and local bonds), the term 'exempt facility bond' includes any bond issued as part of an issue if—

"(1) 95 percent or more of the net proceeds (as defined in section 150(a)(3)) of such issue are to be used for manufacturing zone property, and

"(2) the local government which nominated the area to which such bond relates designates such bond for purposes of this section.

"(b) LIMITATION ON AMOUNT OF BONDS DESIGNATED.—

"(1) IN GENERAL.—The aggregate face amount of bonds which may be designated under subsection (a)(2) with respect to any manufacturing redevelopment zone shall not exceed $230,000,000.

"(2) CURRENT REFUNDING NOT TAKEN INTO ACCOUNT.—In the case of a refunding (or series of refundings) of a bond designated under this section, the refunding obligation shall be treated as designated under subsection (a)(2) (and shall not be taken into account in applying paragraph (1)) if—

"(A) the amount of the refunding bond does not exceed the outstanding amount of the refunded bond, and

"(B) the refunded bond is redeemed not later than 90 days after the date of issuance of the refunding bond.

"(c) LIMITATION ON AMOUNT OF BONDS ALLOCABLE TO ANY PERSON.—

"(1) IN GENERAL.—Subsection (a) shall not apply to any issue if the aggregate amount of outstanding manufacturing zone facility bonds allocable to any person (taking into account such issue) exceeds—

"(A) $15,000,000 with respect to any 1 manufacturing redevelopment zone, or

“(B) $20,000,000 with respect to all manufacturing redevelopment zones.

“(2) AGGREGATE ENTERPRISE ZONE FACILITY BOND BENEFIT.—For purposes of paragraph (1), the aggregate amount of outstanding manufacturing zone facility bonds allocable to any person shall be determined under rules similar to the rules of section 144(a)(10), taking into account only bonds to which subsection (a) applies.

“(d) MANUFACTURING ZONE PROPERTY.—For purposes of this section—

“(1) IN GENERAL.—The term ‘manufacturing zone property’ means any property to which section 168 applies (or would apply but for section 179) if—

“(A) such property was acquired by the taxpayer by purchase (as defined in section 179(d)(2)) after the date on which the designation of the manufacturing redevelopment zone took effect,

“(B) the original use of which in the manufacturing redevelopment zone commences with the taxpayer, and

“(C) substantially all of the use of which is in the manufacturing redevelopment zone and is in the active conduct of a qualified business by the taxpayer in such zone.

“(2) QUALIFIED BUSINESS.—The term ‘qualified business’ means any trade or business except that—

“(A) the rental to others of real property located in a manufacturing redevelopment zone shall be treated as a qualified business only if the property is not residential rental property (as defined in section 168(e)(2)), and

“(B) such term shall not include any trade or business consisting of the operation of any facility described in section 144(c)(6)(B).

“(3) SPECIAL RULES FOR SUBSTANTIAL RENOVATIONS AND SALE-LEASEBACK.—Rules similar to the rules of subsections (a)(2) and (b) of section 1397D shall apply for purposes of this subsection.

“(e) NONAPPLICATION OF CERTAIN RULES.—Sections 57(a)(5) (relating to tax-exempt interest), 146 (relating to volume cap), and 147(d) (relating to acquisition of existing property not permitted) shall not apply to any manufacturing zone facility bond.

“SEC. 1400U–5. ADDITIONAL LOW-INCOME HOUSING CREDITS.

“(a) IN GENERAL.—For purposes of section 42, in the case of each calendar year during which the designation of a manufacturing redevelopment zone is in effect, the State housing credit ceiling of the State which includes such manufacturing redevelopment zone shall be increased by the lesser of—

“(1) the aggregate housing credit dollar amount allocated by the State housing credit agency of such State to buildings located in such manufacturing redevelopment zone for such calendar year, or

“(2) the excess of—

“(A) the manufacturing zone housing amount with respect to such manufacturing redevelopment zone, over

“(B) the aggregate increases under this subsection with respect to such zone for all preceding calendar years.

“(b) MANUFACTURING ZONE HOUSING AMOUNT.—For purposes of subsection (a), the term ‘manufacturing zone housing amount’ means, with respect to any manufacturing redevelopment zone, the product of $20 multiplied by the population of such zone.

“(c) OTHER RULES.—

“(1) CARRYOVERS.—Rules similar to the rules of section 1400N(c)(1)(C) shall apply for purposes of this section.

“(2) RETURNED AMOUNTS.—If any amount of State housing credit ceiling which was taken into account under subsection (a)(1) is returned within the meaning of section 42(h)(3)(C)(iii)—

“(A) such amount shall not be taken into account under such section, and

“(B) such allocation shall cease to be treated as an increase under this subsection for purposes of subsection (a)(2)(B) until reallocated.”.

(b) APPLICATION OF WORK OPPORTUNITY TAX CREDIT TO MANUFACTURING REDEVELOPMENT ZONES.—Subparagraphs (A) and (B) of section 51(d)(5) of such Code are each amended by inserting “manufacturing redevelopment zone,” after “renewal community,”.

(c) CONFORMING AMENDMENTS RELATED TO MANUFACTURING REDEVELOPMENT TAX CREDIT BONDS.—

(1) GENERAL RULES.—Part IV of subchapter A of chapter 1 of such Code (relating to credits against tax) is amended by adding at the end the following new subpart:

“Subpart I—Qualified Tax Credit Bonds

“Sec. 54A. Credit to holders of qualified tax credit bonds.

“SEC. 54A. CREDIT TO HOLDERS OF QUALIFIED TAX CREDIT BONDS.

“(a) ALLOWANCE OF CREDIT.—If a taxpayer holds a qualified tax credit bond on one or more credit allowance dates of the bond during any taxable year, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of the credits determined under subsection (b) with respect to such dates.

“(b) AMOUNT OF CREDIT.—

“(1) IN GENERAL.—The amount of the credit determined under this subsection with respect to any credit allowance date for a qualified tax credit bond is 25 percent of the annual credit determined with respect to such bond.

“(2) ANNUAL CREDIT.—The annual credit determined with respect to any qualified tax credit bond is the product of—

“(A) the applicable credit rate, multiplied by

“(B) the outstanding face amount of the bond.

“(3) APPLICABLE CREDIT RATE.—For purposes of paragraph (2), the applicable credit rate is the rate which the Secretary estimates will permit the issuance of qualified tax credit bonds with a specified maturity or redemption date without discount and without interest cost to the qualified issuer. The applicable credit rate with respect to any qualified tax credit bond shall be determined as of the first day on which there is a binding, written contract for the sale or exchange of the bond.

“(4) SPECIAL RULE FOR ISSUANCE AND REDEMPTION.—In the case of a bond which is issued during the 3-month period ending on a credit allowance date, the amount of the credit determined under this subsection with respect to such credit allowance date shall be a ratable portion of the credit otherwise determined based on the portion of the 3-month period during which the bond is outstanding. A similar rule shall apply when the bond is redeemed or matures.

“(c) LIMITATION BASED ON AMOUNT OF TAX.—

“(1) IN GENERAL.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess of—

“(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

“(B) the sum of the credits allowable under this part (other than subpart C and this subpart).

“(2) CARRYOVER OF UNUSED CREDIT.—If the credit allowable under subsection (a) exceeds the limitation imposed by paragraph (1) for such taxable year, such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such taxable year (determined before the application of paragraph (1) for such succeeding taxable year).

“(d) QUALIFIED TAX CREDIT BOND.—For purposes of this section—

“(1) QUALIFIED TAX CREDIT BOND.—The term ‘qualified tax credit bond’ means a manufacturing redevelopment bond (as defined in section 1400U–3) which is part of an issue that meets the requirements of paragraphs (2), (3), (4), (5), and (6).

“(2) SPECIAL RULES RELATING TO EXPENDITURES.—

“(A) IN GENERAL.—An issue shall be treated as meeting the requirements of this paragraph if, as of the date of issuance, the issuer reasonably expects—

“(i) 100 percent or more of the available project proceeds to be spent for 1 or more qualified purposes within the 3-year period beginning on such date of issuance, and

“(ii) a binding commitment with a third party to spend at least 10 percent of such available project proceeds will be incurred within the 6-month period beginning on such date of issuance.

“(B) FAILURE TO SPEND REQUIRED AMOUNT OF BOND PROCEEDS WITHIN 3 YEARS.—

“(i) IN GENERAL.—To the extent that less than 100 percent of the available project proceeds of the issue are expended by the close of the expenditure period for 1 or more qualified purposes, the issuer shall redeem all of the nonqualified bonds within 90 days after the end of such period. For purposes of this paragraph, the amount of the nonqualified bonds required to be redeemed shall be determined in the same manner as under section 142.

“(ii) EXPENDITURE PERIOD.—For purposes of this subpart, the term ‘expenditure period’ means, with respect to any issue, the 3-year period beginning on the date of issuance. Such term shall include any extension of such period under clause (iii).

“(iii) EXTENSION OF PERIOD.—Upon submission of a request prior to the expiration of the expenditure period (determined without regard to any extension under this clause), the Secretary may extend such period if the issuer establishes that the failure to expend the proceeds within the original expenditure period is due to reasonable cause and the expenditures for qualified purposes will continue to proceed with due diligence.

“(C) QUALIFIED PURPOSE.—For purposes of this paragraph, the term ‘qualified purpose’ means a purpose specified in section 1400U–3(a)(1).

“(D) REIMBURSEMENT.—For purposes of this subtitle, available project proceeds of an issue shall be treated as spent for a qualified purpose if such proceeds are used to reimburse the issuer for amounts paid for a qualified purpose after the date that the Secretary makes an allocation of bond limitation with respect to such issue, but only if—

“(i) prior to the payment of the original expenditure, the issuer declared its intent to reimburse such expenditure with the proceeds of a qualified tax credit bond,

“(ii) not later than 60 days after payment of the original expenditure, the issuer adopts an official intent to reimburse the original expenditure with such proceeds, and

“(iii) the reimbursement is made not later than 18 months after the date the original expenditure is paid.

“(3) REPORTING.—An issue shall be treated as meeting the requirements of this paragraph if the issuer of qualified tax credit bonds submits reports similar to the reports required under section 149(e).

“(4) SPECIAL RULES RELATING TO ARBITRAGE.—

“(A) IN GENERAL.—An issue shall be treated as meeting the requirements of this paragraph if the issuer satisfies the requirements of section 148 with respect to the proceeds of the issue.

“(B) SPECIAL RULE FOR INVESTMENTS DURING EXPENDITURE PERIOD.—An issue shall not be

treated as failing to meet the requirements of subparagraph (A) by reason of any investment of available project proceeds during the expenditure period.

"(C) SPECIAL RULE FOR RESERVE FUNDS.—An issue shall not be treated as failing to meet the requirements of subparagraph (A) by reason of any fund which is expected to be used to repay such issue if—

"(i) such fund is funded at a rate not more rapid than equal annual installments,

"(ii) such fund is funded in a manner that such fund will not exceed the amount necessary to repay the issue if invested at the maximum rate permitted under clause (iii), and

"(iii) the yield on such fund is not greater than the discount rate determined under paragraph (5)(B) with respect to the issue.

"(5) MATURITY LIMITATION.—

"(A) IN GENERAL.—An issue shall not be treated as meeting the requirements of this paragraph if the maturity of any bond which is part of such issue exceeds the maximum term determined by the Secretary under subparagraph (B).

"(B) MAXIMUM TERM.—During each calendar month, the Secretary shall determine the maximum term permitted under this paragraph for bonds issued during the following calendar month. Such maximum term shall be the term which the Secretary estimates will result in the present value of the obligation to repay the principal on the bond being equal to 50 percent of the face amount of such bond. Such present value shall be determined using as a discount rate the average annual interest rate of tax-exempt obligations having a term of 10 years or more which are issued during the month. If the term as so determined is not a multiple of a whole year, such term shall be rounded to the next highest whole year.

"(e) OTHER DEFINITIONS.—For purposes of this subchapter—

"(1) CREDIT ALLOWANCE DATE.—The term 'credit allowance date' means—

"(A) March 15,

"(B) June 15,

"(C) September 15, and

"(D) December 15.

Such term includes the last day on which the bond is outstanding.

"(2) BOND.—The term 'bond' includes any obligation.

"(3) STATE.—The term 'State' includes the District of Columbia and any possession of the United States.

"(4) AVAILABLE PROJECT PROCEEDS.—The term 'available project proceeds' means—

"(A) the excess of—

"(i) the proceeds from the sale of an issue, over

"(ii) the issuance costs financed by the issue (to the extent that such costs do not exceed 2 percent of such proceeds), and

"(B) the proceeds from any investment of the excess described in subparagraph (A).

"(f) CREDIT TREATED AS INTEREST.—For purposes of this subtitle, the credit determined under subsection (a) shall be treated as interest which is includible in gross income.

"(g) S CORPORATIONS AND PARTNERSHIPS.—In the case of a tax credit bond held by an S corporation or partnership, the allocation of the credit allowed by this section to the shareholders of such corporation or partners of such partnership shall be treated as a distribution.

"(h) BONDS HELD BY REGULATED INVESTMENT COMPANIES AND REAL ESTATE INVESTMENT TRUSTS.—If any qualified tax credit bond is held by a regulated investment company or a real estate investment trust, the credit determined under subsection (a) shall be allowed to shareholders of such company or beneficiaries of such trust (and any gross income included under subsection (f) with respect to such credit shall be treated as distributed to such shareholders or beneficiaries) under procedures prescribed by the Secretary.".

(2) REPORTING.—Subsection (d) of section 6049 of such Code (relating to returns regarding payments of interest) is amended by adding at the end the following new paragraph:

"(9) REPORTING OF CREDIT ON QUALIFIED TAX CREDIT BONDS.—

"(A) IN GENERAL.—For purposes of subsection (a), the term 'interest' includes amounts includible in gross income under section 54A and such amounts shall be treated as paid on the credit allowance date (as defined in section 54A(e)(1)).

"(B) REPORTING TO CORPORATIONS, ETC.—Except as otherwise provided in regulations, in the case of any interest described in subparagraph (A) of this paragraph, subsection (b)(4) of this section shall be applied without regard to subparagraphs (A), (H), (I), (J), (K), and (L)(i).

"(C) REGULATORY AUTHORITY.—The Secretary may prescribe such regulations as are necessary or appropriate to carry out the purposes of this paragraph, including regulations which require more frequent or more detailed reporting.".

(3) OTHER CONFORMING AMENDMENTS RELATED TO TAX CREDIT BONDS.—

(A) Sections 54(c)(2) and 1400N(l)(3)(B) of such Code are each amended by striking "subpart C" and inserting "subparts C and I".

(B) Section 1397E(c)(2) of such Code is amended by striking "subpart H" and inserting "subparts H and I".

(C) Section 6401(b)(1) of such Code is amended by striking "and H" and inserting "H, and I".

*(D) The heading of subpart H of part IV of subchapter A of chapter 1 of such Code is amended by striking "**Certain Bonds**" and inserting "**Clean Renewable Energy Bonds**".*

(E) The table of subparts for part IV of subchapter A of chapter 1 of such Code is amended by striking the item relating to subpart H and inserting the following new items:

"SUBPART H—NONREFUNDABLE CREDIT TO HOLDERS OF CLEAN RENEWABLE ENERGY BONDS

"SUBPART I—QUALIFIED TAX CREDIT BONDS".

(d) CLERICAL AMENDMENT.—The table of parts for subchapter Y of chapter 1 of such Code is amended by adding at the end the following new item:

"PART III—MANUFACTURING REDEVELOPMENT BONDS".

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

(2) BOND PROVISIONS.—Sections 1400U–3 and 1400U–4 of the Internal Revenue Code of 1986 (as added by subsection (a)), and the amendments made by subsection (c), shall apply to obligations issued after the date of the enactment of this Act.

(3) WORK OPPORTUNITY TAX CREDIT.—The amendments made by subsection (b) shall apply to individuals who begin work for the employer after the date of the enactment of this Act.

SEC. 402. DELAY IN APPLICATION OF WORLDWIDE INTEREST ALLOCATION.

(a) IN GENERAL.—Paragraphs (5)(D) and (6) of section 864(f) of the Internal Revenue Code of 1986 are each amended by striking "December 31, 2008" and inserting "December 31, 2011".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2008.

TITLE VI—WORKER ADJUSTMENT AND RETRAINING NOTIFICATION

SEC. 601. SHORT TITLE.

This title may be cited as the "Early Warning and Health Care for Workers Affected by Globalization Act".

SEC. 602. AMENDMENTS TO THE WARN ACT.

(a) DEFINITIONS.—

(1) EMPLOYER, PLANT CLOSING, AND MASS LAYOFF.—Paragraphs (1) through (3) of section 2(a) of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101(a)(1)–(3)) are amended to read as follows:

"(1) the term 'employer' means any business enterprise that employs 100 or more employees;

"(2) the term 'plant closing' means the permanent or temporary shutdown of a single site of employment, or of one or more facilities or operating units within a single site of employment, which results in an employment loss at such site, during any 30-day period, for 50 or more employees;

"(3) the term 'mass layoff' means a reduction in force at a single site of employment which results in an employment loss at such site, during any 30-day period, for 50 or more employees.".

(2) SECRETARY OF LABOR.—

(A) DEFINITION.—Paragraph (8) of such section is amended to read as follows:

"(8) the term 'Secretary' means the Secretary of Labor or a representative of the Secretary of Labor.".

(B) REGULATIONS.—Section 8(a) of such Act (29 U.S.C. 2107(a)) is amended by striking "of Labor".

(3) CONFORMING AMENDMENTS.—

(A) NOTICE.—Section 3(d) of such Act (29 U.S.C. 2102(d)) is amended by striking out ", each of which is less than the minimum number of employees specified in section 2(a)(2) or (3) but which in the aggregate exceed that minimum number," and inserting "which in the aggregate exceed the minimum number of employees specified in section 2(a)(2) or (3)".

(B) DEFINITIONS.—Section 2(b)(1) of such Act (29 U.S.C. 2101(b)(1)) is amended by striking "(other than a part-time employee)".

(b) NOTICE.—

(1) NOTICE PERIOD.—

(A) IN GENERAL.—Section 3 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102) is amended by striking "60-day period" and inserting "90-day period" each place it appears.

(B) CONFORMING AMENDMENT.—Section 5(a)(1) of such Act (29 U.S.C. 2104(a)(1)) is amended in the matter following subparagraph (B), by striking "60 days" and inserting "90 days".

(2) RECIPIENTS.—Section 3(a) of such Act (29 U.S.C. 2102(a)) is amended—

(A) in paragraph (1), by striking "or, if there is no such representative at that time, to each affected employee; and" and inserting "and to each affected employee;"; and

(B) by redesignating paragraph (2) as paragraph (3) and inserting after paragraph (1) the following:

"(2) to the Secretary; and".

(3) INFORMATION REGARDING BENEFITS AND SERVICES AVAILABLE TO WORKERS AND DOL NOTICE TO CONGRESS.—Section 3 of such Act (29 U.S.C. 2102) is further amended by adding at the end the following:

"(e) INFORMATION REGARDING BENEFITS AND SERVICES AVAILABLE TO EMPLOYEES.—Concurrent with or immediately after providing the notice required under subsection (a)(1), an employer shall provide affected employees with information regarding the benefits and services available to such employees, as described in the guide compiled by the Secretary under section 12.

"(f) DOL NOTICE TO CONGRESS.—As soon as practicable and not later than 15 days after receiving notification under subsection (a)(2), the Secretary of Labor shall notify the appropriate Senators and Members of the House of Representatives who represent the area or areas where the plant closing or mass layoff is to occur.".

(c) ENFORCEMENT.—

(1) AMOUNT.—Section 5(a)(1) of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2104(a)(1)) is amended—

(A) in subparagraph (A)—

(i) by striking "back pay for each day of violation" and inserting "two days' pay multiplied by the number of calendar days short of 90 that the employer provided notice before such closing or layoff"

(ii) in clause (ii), by striking "and" at the end thereof;

(B) by redesignating subparagraph (B) as subparagraph (C);

(C) by inserting after subparagraph (A) the following:

"(B) interest on the amount described in subparagraph (A) calculated at the prevailing rate; and"; and

(D) by striking the matter following subparagraph (C) (as so redesignated).

(2) EXEMPTION.—Section 5(a)(4) of such Act (29 U.S.C. 2104(a)(4)) is amended by striking "reduce the amount of the liability or penalty provided for in this section" and inserting "reduce the amount of the liability under subparagraph (C) of paragraph (1) and reduce the amount of the penalty provided for in paragraph (3)".

(3) ADMINISTRATIVE COMPLAINT.—Section 5(a)(5) of such Act (29 U.S.C. 2104(a)(5)) is amended—

(A) by striking "may sue" and inserting "may,";

(B) by inserting after "both," the following: "(A) file a complaint with the Secretary alleging a violation of section 3, or (B) bring suit"; and

(C) by adding at the end thereof the following new sentence: "A person seeking to enforce such liability may use one or both of the enforcement mechanisms described in subparagraphs (A) and (B).".

(4) ACTION BY THE SECRETARY.—Section 5 of such Act (29 U.S.C. 2104) is amended—

(A) by redesignating subsection (b) as subsection (d); and

(B) by inserting after subsection (a) the following new subsections:

"(b) ACTION BY THE SECRETARY.—

"(1) ADMINISTRATIVE ACTION.—The Secretary shall receive, investigate, and attempt to resolve complaints of violations of section 3 by an employer in the same manner that the Secretary receives, investigates, and attempts to resolve complaints of violations of sections 6 and 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 and 207).

"(2) SUBPOENA POWERS.—For the purposes of any investigation provided for in this section, the Secretary shall have the subpoena authority provided for under section 9 of the Fair Labor Standards Act of 1938 (29 U.S.C. 209).

"(3) SUMS RECOVERED.—Any sums recovered by the Secretary on behalf of an employee under subparagraphs (A), (B), and (D) of section 5(a)(1) shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to each employee affected. Any such sums not paid to an employee because of inability to do so within a period of 3 years, and any sums recovered by the Secretary under subparagraph (C) of section 5(a)(1), shall be credited as an offsetting collection to the appropriations account of the Secretary of Labor for expenses for the administration of this Act and shall remain available to the Secretary until expended.

"(c) LIMITATIONS.—

"(1) LIMITATIONS PERIOD.—An action may be brought under this section not later than 2 years after the date of the last event constituting the alleged violation for which the action is brought.

"(2) COMMENCEMENT.—In determining when an action is commenced under this section for the purposes of paragraph (1), it shall be considered to be commenced on the date on which the complaint is filed.".

(d) POSTING OF NOTICES; PENALTIES.—Section 11 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 note) is amended to read as follows:

"SEC. 11. POSTING OF NOTICES; PENALTIES.

"(a) POSTING OF NOTICES.—Each employer shall post and keep posted in conspicuous places upon its premises where notices to employees are customarily posted a notice to be prepared or approved by the Secretary setting forth excerpts from, or summaries of, the pertinent provisions of this chapter and information pertinent to the filing of a complaint.

"(b) PENALTIES.—A willful violation of this section shall be punishable by a fine of not more than $500 for each separate offense.".

(e) NON-WAIVER OF RIGHTS AND REMEDIES; INFORMATION REGARDING BENEFITS AND SERVICES AVAILABLE TO EMPLOYEES.—Such Act is further amended by adding at the end the following:

"SEC. 12. RIGHTS AND REMEDIES NOT SUBJECT TO WAIVER.

"(a) IN GENERAL.—The rights and remedies provided under this Act (including the right to maintain a civil action) may not be waived, deferred, or lost pursuant to any agreement or settlement other than an agreement or settlement described in subsection (b).

"(b) AGREEMENT OR SETTLEMENT.—An agreement or settlement referred to in subsection (a) is an agreement or settlement negotiated by the Secretary, an attorney general of any State, or a private attorney on behalf of affected employees.

"SEC. 13. INFORMATION REGARDING BENEFITS AND SERVICES AVAILABLE TO WORKERS.

"The Secretary of Labor shall maintain a guide of benefits and services which may be available to affected employees, including unemployment compensation, trade adjustment assistance, COBRA benefits, and early access to training and other services, including counseling services, available under the Workforce Investment Act of 1998. Such guide shall be available on the Internet website of the Department of Labor and shall include a description of the benefits and services, the eligibility requirements, and the means of obtaining such benefits and services. Upon receiving notice from an employer under section 3(a)(2), the Secretary shall immediately transmit such guide to such employer.".

(f) NOTICE EXCUSED WHERE CAUSED BY TERRORIST ATTACK.—Section 3(b)(2) of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102(b)(2)) is amended by adding at the end the following new subparagraph:

"(C) No notice under this Act shall be required if the plant closing or mass layoff is due directly or indirectly to a terrorist attack on the United States.".

SEC. 603. EFFECTIVE DATE.

Except as otherwise provided in this Act, the provisions of this Act, and the amendments made by this Act, shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. Debate shall not exceed 1 hour, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor.

After 1 hour of debate on the bill, as amended, it shall be in order to consider the amendment in the nature of a substitute printed in part B of the report, if offered by the gentleman from Louisiana (Mr. McCRERY) or his designee, which shall be in order without intervention of any point of order, shall be considered read, and shall be debatable for 1 hour, equally divided and controlled by the proponent and an opponent.

The gentleman from New York (Mr. RANGEL) and the gentleman from Louisiana (Mr. McCRERY) each will control 20 minutes, and the gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. McKEON) each will control 10 minutes.

The Chair recognizes the gentleman from New York.

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Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Before I ask unanimous consent to yield the balance of my time to our distinguished subcommittee chairman for Trade, Mr. LEVIN, I first want to thank Mr. McCRERY for helping to set the stage for at least the Ways and Means Committee to vote unanimously for the free trade agreement with Peru. This was a record vote, this was a historic vote, and we had every vote on the committee.

I raise that at this time not to curry favor with the Republicans to support this historic piece of legislation before us, but because I know from Mr. McCRERY's input and contribution, he recognizes that trade no longer has to be seen as something that is negative to American workers.

Good trade agreements that create jobs should be allowed a vote and not be hurried so that Members are not impeded from the policy and really have an opportunity to study the substance. Without his cooperation and that of the United States Trade Representative and Secretary Treasurer, we would not even have the opportunity to look forward to the bipartisan victory we had in the committee and look forward to on the floor.

A part of that agreement, however, was he and I sharing that when people are without work, without jobs, without hope, when communities are adversely affected because of trade, that our government and our multinationals have a responsibility not just to their shareholders, but to do all that they can to ease the pain, to encourage investment, and to have a climate, whether it is globalization or technology, to know that trade is not always the villain.

And to the extent we are able to improve on many of the things that we have in this bill before us, we do hope that the Trade and Globalization Assistance Act will be just the beginning. That whether it is trade or not, we have a responsibility to the dignity of American workers and their children so that in this great country they can aspire to be working and to have the respect that all Americans would want in terms of being producers.

So to the extent that we had the cooperation of Mr. McCRERY in creating the climate, and fully appreciating that we had input from Republicans on the Ways and Means Committee, even though we didn't ask for their votes and accept their amendments, it is this climate that makes our country so great, that makes this Congress so great, and makes me proud to be the Chair and a member of the Ways and Means Committee.

I rise today in strong support of H.R. 3920, the Trade and Globalization Assistance Act of 2007.

We come here today at a crossroads of sorts.

In recent years, trade policy has been a dividing force, used as a political tool to advance ideologies, rather than a shared sense of purpose that our trade agreements and programs could reflect the broader goals of the American worker.

The legislation before us today offers an opportunity to change that.

In the early months of this Congress, I joined with the Speaker and the House leadership to remind the Administration that the Constitution specifically designates Congress as the branch of government responsible for international commerce.

We agreed that we took that responsibility seriously and we would use our majority to improve American trade policy to better reflect the needs and concerns of our workers, not just our large, multi-national corporations.

The legislation before us today is the next step in developing a new trade policy that more adequately addresses the growing perception that trade is not working for American workers.

The Trade and Globalization Assistance Act of 2007 would expand training and benefits for workers while also helping to encourage investment in communities that have lost jobs to increased trade—particularly in our manufacturing sector.

The growing perception that prior American trade policy ignored the needs of workers here and abroad is a large contributing factor to the declining public support for trade.

For years we have had a program in place—trade adjustment assistance, or TAA—that was supposed to tackle some of the issues and problems workers face as it relates to trade.

Despite the best of intentions, this program did not meet expectations or promises and has failed to keep pace with globalization.

We are here to change that today with the Trade and Globalization Assistance Act of 2007.

The bill before us today is a comprehensive policy expanding opportunities for American workers, industries, and communities to prepare for and overcome the challenges created by expanded trade.

First, the bill significantly expands existing TAA for Workers by: 1) covering service workers and additional manufacturing workers; 2) increasing TAA benefits; 3) making the TAA wage insurance program permanent; 4) improving the TAA health care benefit; and 5) increasing TAA program funding.

Second, the bill includes a package of tax incentives to encourage investment in distressed communities that have lost manufacturing jobs.

Third, recognizing that unemployment insurance (UI) is the gateway to TAA, the bill reforms the unemployment insurance system by creating incentives for States to cover part-time, low-wage, and other workers under State UI laws.

America's ability to compete and win in a global economy is too critical for our trade policy to continue being a partisan issue.

I noticed with great displeasure yesterday's veto threat from the Administration on this bill. To that statement, I would say that the bill before us today passed the Ways and Means Committee with Democratic and Republican support—and I expect it will receive the same from the full House.

The issues contained in this bill are central to the ongoing debate over the Administration's trade policy and if this Administration wishes to address the growing public concern over the direction of its trade policy, it will reconsider this veto threat.

Globalization is here to stay—and we must band together as Democrats and Republicans to shape its benefits for all Americans.

I look forward to today's discussion and I urge you to support H.R. 3920, the Trade and Globalization Assistance Act of 2007.

At this time I would like unanimous consent to yield the balance of my time to the gentleman from Michigan (Mr. LEVIN), the chairman of the Subcommittee on Trade, who has played such an important role in creating that climate and working with the staff and the members on the other side.

The SPEAKER pro tempore. Without objection, the gentleman from Michigan is recognized for the balance of the time.

There was no objection.

Mr. McCRERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I return the compliment to the chairman of the Ways and Means Committee for helping to create an atmosphere on our committee which has allowed us to make great progress in the area of trade, as evidenced by today's 39–0 vote in favor of advancing the Peru Free Trade Agreement.

The chairman and I have talked many times this year about the need to have a more viable assistance program or network of programs at the Federal level as well as in the private sector to assist workers in our country who lose their jobs through no fault of their own, who lose their jobs because of trade or because of globalization more generally. The chairman has been very good at listening to our suggestions from the minority and considering those.

Unfortunately, for whatever reason, the bill that is before the House today does not reflect any of our suggestions or proposals that we have shared with the majority; and that's unfortunate, although I have been assured by the chairman that as this bill works its way through the rest of the process, our ideas may yet receive consideration and perhaps inclusion. So I remain hopeful of that.

But the bill that is before us today does not contain those and it contains, I think, a number of weaknesses which compel me to not support the bill that is before the House today but instead to support a substitute which I will offer later in the debate.

In talking about the majority bill that's on the floor today as a threshold matter, and the chairman knows this because I have talked with him about it, I think we should be considering trade adjustment assistance, unemployment insurance, modification of those programs in the context of trade opportunities generally for United States workers, farmers and businesses. That is to say, I think we should be considering modifications to our assistance network in the context of the pending free trade agreements that are before the Congress and the expired trade promotion authority. Unfortunately, we are not doing that. We are considering TAA in isolation.

The alternative that I offer today would reauthorize trade adjustment assistance for 5 years. To help workers gain the skills needed to adapt to the changing global economy, our bill would restructure TAA from a predominantly income support program that offers training into a job retraining program that improves access to more flexible training and continues to provide income support, health care, and other benefits.

The contrasts between the substitute I will offer and H.R. 3920, the bill on the floor, are quite stark. For example, H.R. 3920 would pointlessly keep people in trade adjustment assistance longer. Our substitute would provide more flexible training options to get people back to work sooner, including by training before layoff and training part-time and giving people training scholarships to use over 4 years.

H.R. 3920 would increase TAA spending by billions of dollars, but would not require any further accountability on how program funds are spent. Our bill introduces some elements of accountability in that spending.

H.R. 3920 would greatly expand TAA and, I think, exacerbate the inefficiencies in the program today. Our bill would better integrate TAA and other Federal programs to make more services available to all workers.

H.R. 3920 would extend benefits to public sector workers and submit State and local officials to subpoenas and legal proceedings to comply. Our bill would maintain the focus of the program on private sector workers.

H.R. 3920 would greatly expand the health coverage tax credit, but then terminate that credit in 2 years. I don't know exactly why the majority chose to terminate this health care tax credit in 2 years. They have, in way of explanation, said that they think the current way the tax credit is structured may not be the best way to do it so they may use these 2 years to come up with another plan. That may be; but the fact is that the bill terminates the health care tax credit in 2 years. They also increase the credit from 65 percent to 85 percent which I believe is not warranted. Our substitute would increase the credit from 65 percent to 70 percent, and would continue that credit for the entire 5-year life of the bill.

There are other differences. One that we think is notable is the new markets tax credit that we would expand. We think that is a more efficient way to address communities that have been directly impacted by trade. The tax credit bonds in the majority bill we think are untested. They could be subject to abuse and uses that are not really related to impacts of trade.

I also want to express my clear opposition to how the majority pays for the $10 billion cost of their bill. First, they would delay interest allocation rules that this Congress enacted in 2004. We did that to address an unfairness for American companies that do business overseas. The effect of delaying the application of that change that we made would be to make United States companies less competitive.

Second, they would unnecessarily, in our view, increase Federal unemployment payroll taxes by extending the 0.2 percent FUTA surtax that is due to expire at the end of this year for another 3 years.

I regret that this bill does not reflect what I hoped to be our bipartisan approach to trade adjustment assistance or to our trade agenda beyond the Peru FTA, and I reluctantly will oppose it and support the substitute.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The Chair would now recognize the 20 minutes allotted to the gentleman from California (Mr. GEORGE MILLER) and to the gentleman from California (Mr. MCKEON).

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Thank you, Mr. Speaker. I yield myself 3 minutes.

Mr. Speaker, the typical income of American households has actually declined between 2002 and 2006 in inflation-adjusted terms. Last year, the number of Americans without health insurance actually increased by over 2 million.

For years now, Americans have had to deal with stagnating incomes and rising costs for basics like health care, food, energy and housing. For many reasons, Americans are deeply concerned about the future of their economy and their place in it. One cause of their concern is the negative consequences they see from international trade.

Indeed, Americans find themselves increasingly caught in the crosshairs of the global economy. They have watched neighbors, friends and loved ones lose their jobs when plants close and move overseas. Americans have become even more skeptical about trade agreements, and for good reason. They have watched jobs move to China, and in return they get lead-poisoned toys.

Given these very real concerns, it is critical that we include in trade agreements strong and enforceable labor and environmental protections. And we must provide substantial assistance to workers who are negatively affected by this trade.

On the first part, I want to thank the committee for what they have done in terms of the trade agreements with these labor and environmental protections and I want to thank them for this legislation today.

This legislation we are considering addresses this very important point of what happens to those workers who have the negative consequences of international trade. This legislation helps ensure that displaced workers can help make ends meet while they find a new job, or in the case of older workers, until they reach retirement age.

The bill requires a layoff or plant closing notification if 50 or more employees, including part-time employees, at a single job site are laid off in a 30-day period. It eliminates a loophole that has allowed employers to avoid giving notices by shifting employees around job sites.

The bill increases notice to employees of a plant closing or mass layoff from 60 to 90 days, and that is very important.

And it also says that TAA-eligible employees can extend their COBRA coverage for as long as they remain TAA-eligible, up to 2½ years. And TAA-eligible employees who are 55 years or older and who have worked for an employer for more than 10 years can extend their COBRA coverage until they are eligible for Medicare at age 65, or covered by another health care plan. The coverage is available to workers today, but only up to 18 months. The bill extends that provision.

This is the most important provision for those workers who lose their income and lose their job, trying to hold their families together, and also see the loss of their health care. COBRA is of no cost to the government. The employee must pay the employer share, the employee share, and the 2 percent administrative cost. Over 40 million Americans have used COBRA coverage. But in any given year, only 2 to 3 million Americans are on the program, and close to 200,000 people are losing that coverage every month. This is an important benefit to these workers and certainly to people who have preexisting conditions and know they will not be able to go in and find insurance that they can afford or that is even available to them.

It is important that we make certain that these older workers are able to bridge the time until they reach Medicare eligibility so they will have continuity of health care.

This is good legislation. I hope my colleagues on the floor will support this legislation.

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Mr. MCKEON. Mr. Speaker, I yield myself such time as I may consume in opposition to this bill.

The legislation before us is supposed to be about reforming the Trade Adjustment Assistance program. As flawed as the underlying TAA provisions are, their weaknesses are amplified by the inclusion of separate, largely unrelated legislation that moved through the Education and Labor Committee.

That bill, which has been folded into the larger TAA package, modifies the WARN Act and COBRA, two statutes that were not even designed to help workers impacted by globalization get the tools and training they needed to get back to work.

We've heard time and again that in order to effectively respond to competitive challenges we need to bolster our education and training systems to better prepare current and future workers for success.

Unfortunately, the provisions inserted into the broader TAA bill take a different approach. Instead of offering proactive solutions that will allow American workers to compete and thrive, these policies do nothing more than layer on additional Federal red tape for employers while offering only incremental provisions for workers that would do nothing to help them adjust to the changing workplace.

The proposal for a massive expansion of the WARN Act would be incredibly burdensome for employers struggling to keep pace with a changing economy. The limitations of this proposal do not match the real-world scenarios in which employers may be shifting their workforce to meet changing needs.

The bill mandates a full 90 days' notice before a plant closure or other mass layoff, requiring employers to remain stagnant for a full fiscal quarter before adjusting their workforce. This, despite the fact that in order to keep and create jobs here at home, employers need a workforce that is flexible and adaptable. Layered on top of that unworkable time frame is a requirement that double damages be paid by any employer unable to comply. This would create a system that is more focused on punishing employers than truly helping workers who lose their jobs.

Similarly, the selective expansion of COBRA availability seems to focus more on compliance and red tape than on offering genuine solutions to workers who need assistance and retraining as a result of globalization. It creates an unfair system in which not all workers who lose their jobs would have access to the same health care options. The bill uses TAA eligibility as a trigger for expanded COBRA coverage but extends the coverage almost indefinitely. This is inconsistent with existing COBRA eligibility and inconsistent with other TAA benefits.

The Education and Labor Committee convened a hearing in March to examine the impact of international trade on American workers. The challenges we considered during that hearing are the same challenges we appear to be attempting to address today. Yet during that hearing, not a single witness suggested or endorsed these bloated, bureaucratic WARN Act and COBRA proposals.

We all know that American companies must be flexible and dynamic in order to keep pace with their competition overseas. These proposals would put American companies at a distinct disadvantage, preventing them from maintaining an agile workforce and undermining efforts to preserve American jobs or create new ones because of the burden and cost of compliance with these new mandates.

If we're serious about assisting dislocated workers and keeping America competitive, the Education and Labor Committee has a crucial role to play. We should be renewing our one-stop job training system authorized under the Workforce Investment Act. Unfortunately, Democrats have stalled our efforts to strengthen and improve job training, failing to even introduce a bill to extend and enhance WIA.

Republicans are committed to keeping America competitive in the global economy. Later today, I will join with Representative McCRERY, the senior Republican on the Ways and Means Committee, to offer a comprehensive approach to assist Americans adversely affected by trade.

The increased employer burdens proposed through an expansion of the WARN Act and COBRA are nothing more than a distraction from the real debate we ought to be having. I oppose these costly, arduous provisions because they move in exactly the wrong direction. Instead of fostering competitiveness and job creation, they will breed litigation and stagnation.

Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, if the President is going to negotiate trade agreements based on the failed NAFTA model, this legislation is the very least that we can do for our workers who lose their jobs because of international trade and globalization.

Mr. Speaker, America faces record high trade deficits and plant closings, and it's our laid-off workers who are the casualties. Strengthening trade adjustment assistance, TAA, isn't the magic pill. It is not the cure-all. It can only be a help by fixing the flawed trade policy. We will do what our workers need, but we owe displaced workers in the meantime, and we owe their communities around the country the chance they need to regain their economic footing with job training, with health care, and they need to know that it's available to them and how to take advantage of these programs.

Mr. Speaker, while the bill will not prevent millions of workers from losing their jobs, it will give them the tools they need and the tools they deserve until they are once again able to compete in the global workforce.

Mr. McKEON. Mr. Speaker, I yield now to the Subcommittee on Health, Employment, Labor and Pensions ranking member, with jurisdiction over COBRA, the gentleman from Minnesota (Mr. KLINE) for such time as he may consume.

Mr. KLINE of Minnesota. Mr. Speaker, I thank the gentleman for yielding.

I rise in opposition to this legislation, Mr. Speaker. I have been and continue to be a major proponent of trade, but this Trade Adjustment Assistance program that we have today has, seems to me, gone astray. There are a number of reasons why I would urge my colleagues to oppose this bill, from the massive expansion of what was intended to be a targeted Trade Adjustment Assistance program to the dramatic increase in litigation and liability employers will face under the WARN Act provisions contained in this bill.

The gentleman from California mentioned COBRA eligibility in his remarks. I'd like to talk about that for just a minute.

Under the law as it stands today, when a worker loses his or her job, he or she is generally able to elect to continue health care coverage under COBRA for 18, or sometimes as long as 36, months. This balances the legitimate need of the workers to obtain gap or bridge health insurance coverage, while recognizing the administrative needs of employers and, in particular, the need for employers who voluntarily offer health benefits to manage costs and risk.

The bill before us dramatically expands COBRA benefits for certain classes of workers potentially at the expense of others. Under the Rangel substitute, a worker who loses his or her job "because of trade" is afforded significantly more COBRA rights than an employee who simply loses his or her job because, for example, his employer closes shop. Indeed, for some of these workers, expansion of COBRA rights can last for decades, plainly not what was intended under the original law.

The bill also includes provisions extending COBRA benefits for PBGC beneficiaries without any regard to the issue of trade. Individuals pay for COBRA, but because of the nature of how this was put together, the provisions are paid for through an increase in the taxpayer-funded health care tax credit, at least through the period of TAA eligibility, again, extending and complicating it in a way that was never intended in the original law.

Just a couple of more things that come under the WARN provision of this. This bill expands the WARN Act coverage to apply to businesses which employ 100 or more employees, including part-time workers. It expands the definitions of plant closures and mass layoffs. It increases the notice requirements so that employers must provide 90 days' notice of an intended plant closure or mass layoff. It expands damages for lost wages and benefits to include double wages, benefits and interest for up to 90 calendar days. It includes new requirements that employers post notice of WARN Act requirements and information on how to file a complaint and provide notice of benefits and services available to employees. It expands enforcement to allow the Secretary of Labor to investigate alleged violations.

Some of these are probably very worthwhile, but clearly, a tremendous expansion and opportunity for almost unlimited litigation, placing a very large burden on employers, and I don't think we want to do that at a time when we're trying to preserve jobs for our employees.

So I oppose this legislation. It reaches too far. It is too complicated. It opens up employers to too much litigation. We can do better than this.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield for the purpose of a unanimous consent request to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding and I rise in support of this important legislation.

Mr. Speaker, I rise in support of H.R. 3920, the Trade Globalization Assistance Trade Act of 2007.

This legislation would overhaul the current Trade Adjustment Assistance, TAA, program to better meet the needs of American workers and communities affected by globalization.

This legislation passed the Ways and Means Committee by the strong bipartisan vote of 26–14 and I hope that we are able to provide a similar bipartisan vote again here today.

After years of trade policies that all too often diminished the importance of our workforce, today's legislation will rightfully support the working men and women in our country.

Specifically, H.R. 3920 would expand Trade Adjustment Assistance coverage to more workers, including service workers, and substantially improve the program's training opportunities and associated health care benefits.

The bill also creates new benefits and tax incentives for industries and communities that have been hit hard by trade.

Finally, the legislation would promote long-needed reforms to the unemployment insurance system, recognizing that all unemployed workers, not just those who lose their jobs because of trade, deserve our support in getting back on their feet.

I congratulate Chairman RANGEL for bringing forth this important legislation and I urge all of my colleagues to support this important legislation.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, I thank my friend for yielding.

So, Mr. Speaker, you're 6 months away from your 58th birthday, and the place where you have worked for 25 years closes and you have no health insurance. So you dip into your savings and you figure out a way to keep yourself in the plan that you were in by paying for it largely with your own money.

Under present law, when you hit your 59th birthday, if you don't have another job with health insurance, you're out, and you have got 6 years to go until you qualify for Medicare. We are changing that in this bill.

Here's what this bill says. That person I just described, if they can figure out a way to stretch their savings and stretch their dollars until they're 65 years old, can enroll in Medicare and never have a gap where their family is left unprotected, with their own money by and large.

Now, the credits that are generously extended here, we wish we could do more, but this is a program that makes common sense for the person who is too young to retire and too old to start all over again. It's the person who's working with a good job and health care and good benefits, who's now working part-time at a retail store because that's the best he or she can do. What is wrong with that?

This is an opportunity for the Members of this Congress to stand up for forgotten Americans who built this country, raised their families and paid their taxes. This should not be a Republican and Democratic issue.

I urge everyone to vote "yes" on this very well-thought-out bill.

Mr. MCKEON. May I inquire of the Speaker what time is left.

The SPEAKER pro tempore. The gentleman from California (Mr. MCKEON) has 2 minutes remaining, and the gentleman from California (Mr. GEORGE MILLER) has 3½ minutes remaining.

Mr. MCKEON. Do you have more speakers?

Mr. GEORGE MILLER of California. Yes.

Mr. MCKEON. Mr. Speaker, I reserve.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. HARE), a member of the committee.

Mr. HARE. Mr. Speaker, I rise today in strong support of H.R. 3920.

In 2004, Maytag Refrigeration Products in Galesburg, Illinois, closed its doors and bolted for Sonora, Mexico, displacing 1,600 workers, all innocent victims of a bad trade policy. I asked my good friend Dave Bevard, a former Maytag employee, to testify before the House Education and Labor Committee about his participation in the TAA program. Dave's testimony revealed a program that was difficult to navigate and plugged with funding shortfalls.

Mr. Speaker, the bill before us today addresses these funding problems and gives trade-impacted workers the resources and tools necessary to successfully compete in the global economy. It provides workers with sufficient notice of mass layoffs, improves the processes by which workers obtain training, and strengthens access to affordable health care.

I'm pleased to see the inclusion of two of my provisions in the bill: one that would require the Department of Labor to inform workers about the availability of counseling and early access to training services, and another to help displaced workers get additional financing aid for training. I'd like to thank Ways and Means Chairman RANGEL and Congressman LEVIN, and my chairman, Mr. MILLER, for their leadership on this issue and for the help their staff provided to include these provisions that will greatly assist dislocated workers.

Mr. Speaker, the current TAA program has not kept pace with globalization, and the bill before us aims to bring the TAA program into the 21st century. I urge my colleagues to vote "yes" on this critical legislation.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

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Ms. KAPTUR. I thank the gentleman, and thank the esteemed chairman, for bringing this bill forward.

Mr. Speaker, the real answer to growing job loss in the United States, the declining value of our dollar and to rising trade deficits is to balance America's trade accounts by renegotiating failed deals like NAFTA and China PNTR, by not passing any more of them, by opening closed markets like Japan's and China's, and Korea's and by stopping unfair trade practices globally.

Meanwhile, our workers continue to take the big hits by losing their jobs and benefits. What this bill does is it gives them increased notice when their plants are going to close, and it also provides a landing pad in the form of training and trade adjustment assistance. I just wish that the jobs they are being trained for would be produced. We know that often is not the case.

This is the absolute least we can do for the people of our country. They have paid the price of our failure here in Washington to produce economic policies that make America's economy robust.

I fear, without our doing that, we are going to lose the industrial and defense prowess that made the United States the leader post-World War II. I just thank the committee for providing this bill which will help the casualties reposition a bit.

The real answer to growing U.S. job loss, the declining value of the dollar, and rising budget and trade deficits is to balance America's trade accounts by renegotiating failed deals like NAFTA and China PNTR and not pass more of them, by opening closed markets like Japan's, China's, and Korea's, and stopping unfair trade practices globally.

Meanwhile, our workers continue to take the big hits—they lose their jobs, they lose their benefits.

This bill gives them some help—by giving them increased notice before their plants are closed, and it revamps trade assistance and training to help them reposition if the jobs exist in the future.

We owe it to our workers and communities to give them a better chance to adjust. They are the casualties of economic policy here in Washington that is not working. This legislation will require employers to provide 90 days of notice in the event of a proposed plant closing or layoff.

Trigger the notification requirements if at least 25 workers lose their jobs during any 30-day period, not 50 workers as in current legislation;

Mandate notice if 100 or more workers are laid off at multiple plants or worksites during any 30-day period;

Cover both full-time and part-time hourly and salaried workers;

Require the Department of Labor to provide model educational information to employers on employer responsibilities and employee rights under WARN, as well as benefits and services available to dislocated workers;

Authorize the Department of Labor to investigate complaints and bring enforcement suits and also to notify Members of Congress who represent the affected areas;

Permit employees to recover back pay and benefits up to 90 days and also liquidated damages (doubling the compensation otherwise available) if an employer fails to give the required notice under the act; and,

Important to note is the legislation's extension of the period for COBRA (comprehensive benefits, including health care) coverage for recipients of trade adjustment assistance. Under current COBRA rules, workers who lose their jobs generally may continue their health benefits for up to 18 months at their own expense. The new legislation would give workers who are 55 years or older and have worked for an employer for 10 or more years the option to elect COBRA coverage until they become Medicare eligible at 65 or until they obtain health coverage through a subsequent employer.

While I support this bill, we must keep in mind that TAA and WARN aren't substitutes for jobs in manufacturing America. An America that does not produce not only loses the most vibrant wealth-producing sector of her economy but her defense and industrial base as well.

TAA and WARN should be used sparingly and for the short term—they are band-aids, not solutions. We need to pass legislation requiring the executive branch to balance our trade accounts, to renegotiate NAFTA/PNTR, and to open closed markets of the world.

It is no secret that we are voting on TAA today, to increase votes for the Peru Free Trade Agreement next week. Our willingness to sell out our Nation's workforce for the consolation prize of trade adjustment assistance promises to damage our country for decades to come.

I have 2 bills—H. Res. 336 and H.R. 169, the Balancing Trade Act, which will get our country back on the right track. By supporting H. Res. 336, we support fair, people-centered principles that promote free trade only among free peoples. The Balancing Trade Act, which already enjoys bipartisan support, demands that the President acknowledge a problem in our trade policy when our deficit with any one country exceeds $10 billion for more than 3 years. I also have a bill (H.R. 1958) to revoke PNTR from China, and I will be introducing a bill to require the President to renegotiate NAFTA. These bills are steps towards correcting our U.S. trade policy to prevent the kinds of layoffs and job loss that these bills merely ice over.

[From the Toledo Blade, July 16, 2007]

TIFFIN WORKERS DISCOVER LIMITS OF WARN ACT

(By Steve Eder and James Drew)

TIFFIN.—Four days after Christmas in 2001, Gene Goshe braved the brisk cold as he walked to his newspaper box and unrolled his copy of the Tiffin Advertiser-Tribune.

"National shutting down," blared the headline in tall letters across the front page.

In seconds, Mr. Goshe's life changed forever.

After devoting 33 years of his life to the National Machinery Co., Mr. Goshe read in the newspaper that morning that the plant had abruptly closed. He didn't get a phone call to let him know he no longer had a job.

"It was like a snowball hit you in the hind end on the first of January," recalled Mr. Goshe, then 58. "This is the way we are going to start the year."

The sudden demise of National Machinery stunned Tiffin, a town of 17,000 about 55 miles southeast of Toledo already reeling from plant closings and layoffs.

The plant, a few blocks from the small downtown, made the machines that made nuts and bolts since the 1880s. But while the products of its machines embodied the ordinary, the storied history of National Machinery was far from typical.

"The National"—as locals affectionately called it—provided a choice working environment for generations in and around Seneca County, a flat, fertile part of northwest Ohio dotted with fields and woodlots.

The company's reputation as an exceptional employer was rooted in its traditions—a club for employees who had worked there at least 25 years, summer picnics at Cedar Point, and Christmas parties at the fancy Ritz Theatre.

National Machinery was like family, workers recalled. Not surprisingly, it was begun by Tiffin's first families—the Frosts and Kalnows, whose ownership dates to the 1880s, when patriarch Meshech Frost convinced the company's original owner to move its operations to Tiffin.

The Frosts, and later the Kalnows, are recognized as Tiffin's leading community boosters, using some of their vast fortune to support local causes and institutions, including the city's Heidelberg College, where the families set up scholarship programs to benefit the children of National Machinery employees.

A FRACTURED BOND

The bond between the privately held company and its workers changed forever on Dec. 28, 2001—the date National shut down.

For most of the 549 National Machinery Co. employees, there was no notice the place where many of them had dedicated their working lives was closing.

Paul Aley, National Machinery's president, explained to workers in a letter dated the day the plant closed that banks cut off the company's money because of its financial troubles. Most employees didn't receive Mr. Aley's letter until they had already read about National's demise in the newspaper or heard about it from friends or co-workers.

In 1988, Congress passed a law requiring business owners to give 60-days notice before a plant closing or mass layoff. If National Machinery Co. had followed the Worker Adjustment and Retraining Notification Act, known as the WARN Act, its employees could have begun looking for new work and putting their finances in order instead of dealing with the shock of suddenly losing their jobs.

There were concerns about the well-being of National Machinery Co. leading up to its closure. Citing financial problems, the company announced some layoffs earlier in 2001 and gave most of its workers the holidays off without pay. But the veteran workers expected business would pick back up as it had many times over the years.

This time wasn't like the others.

HOPING FOR BETTER TIMES

In the weeks and months after National Machinery's shutdown, employees looked to their faith for strength.

Twice a week, employees such as Mr. Goshe, a Vietnam veteran and father of four, would gather outside the plant at noon and form a prayer circle with 50 to 75 people. In the cold January and February air, they would pray for each other and for the future of National Machinery Co.

"Everybody would go around and if anybody had something to say, they'd say it, or they would say a prayer," Mr. Goshe said. "If anybody had anything they wanted to get off their chest, they could get it off their chest."

The workers took pride in their roles in National Machinery's history and held out hope for a return to better times.

"National Machinery had the knowledge in town that they were the best employer in Seneca County," said Mark Griffin, a 38-year employee. "We had some other big employers in Seneca County, but that was the best place to work.

"They took care of their people, they had a fair wage, you worked your overtime, had a great retirement, and they took care of you," Mr. Griffin said.

From its Quarter Century Club, which honored employees of 25 years, to its picnics, baseball leagues, and community service, National Machinery was steeped in tradition.

Its owners, the Frosts and Kalnows, who for decades referred to their employees as "Our people," instilled an unapologetic sense of family in and outside the plant.

They provided quality employment, fair wages, and steady jobs, and in return they expected their workers to live up to National Machinery standards to protect the image of the company. Employees in the 1970s and '80s were expected to be clean-cut and trouble-free. They were forbidden from cashing their checks at local watering holes.

Mr. Griffin said National Machinery employees had enough pride in their work to cash their checks at a bank, not at a bar.

In return, Mr. Griffin said, "If you got into trouble or were a little short, they would always bring the money up ahead of you. They would pick you up and you could pay 'em back later. It was like a family thing."

A TIFFIN INSTITUTION

National Machinery began four generations of ownership by the Frost and then Kalnow families soon after Meshech Frost convinced Bill Anderson to move the company to Tiffin in 1882.

In Tiffin, there is much folklore about National Machinery and its family ownership.

One tale is that Mr. Frost went to New York City to get a loan from financier "Diamond" Jim Brady to help purchase the company.

After his death in 1922, Mr. Frost left the company to his son, Earl Frost, who ran it into the 1950s. Earl Frost's daughter, Jane Frost, who was the heiress to the family fortune, married Carl Kalnow, a banker, and together they owned National Machinery Co.

National Machinery employees still fondly recall the story behind the Frost-Kalnow engagement.

"From what I know, Mr. Kalnow came to town and he got off the train and asked who the richest man in town was and if he had a daughter," Mr. Griffin said. "It was Miss Frost and he ended up marrying her."

The Kalnows had four children—Carl, Andrew, Gertrude, and Loretta—who inherited National Machinery after their mother's death in 1986.

In 1998, the Kalnow siblings—who were raised in Tiffin but had moved away—sold the company for $98 million to Citicorp Venture Capital, a New York-based firm that buys and sells companies as investments.

Within three years, National Machinery rapidly declined from a thriving company to an abruptly shuttered one.

A DIFFERENT COMPANY

After National Machinery closed, the Kalnow siblings—who had kept a seat on the company's board of directors and a 15 percent stake in the business as part of the sale—became the workers' best hope for rescuing the company.

In the weeks after the company closed its doors, the Kalnows, led by Andrew Kalnow, founder of Chicago-based Alpha Capital Partners, a private equity investment firm, began negotiating to buy National Machinery's debt from a consortium of banks holding tens of millions of dollars in notes—the debt taken on to buy the company from him and his family.

In February, 2002, the Kalnows repurchased National Machinery for $16 million, just a fraction of what they had sold it for just three years earlier.

In Tiffin, many employees believed their prayers were answered.

But they soon learned that National Machinery, under its new ownership, would be a far different company than the one they had devoted 20, 30, or even 40 years of their lives.

In a complex business transaction, the Kalnows established National Machinery LLC, or limited liability company, which they used to essentially purchase the property and assets of the former National Machinery Co.

The sale was completed in such a way that the new company would inherit the old company's headquarters in Tiffin, its factory, its machinery, and its customers. But it would have no responsibility to pay the debts of the old company. Those debts included millions of dollars owed to suppliers and $1.5 million more owed to area doctors and health-care facilities for medical services provided to former employees before the plant closed.

Officials of the new company eventually agreed to pay an undisclosed amount toward the $1.5 million in medical bills owed by former plant workers. But the new company said it had no legal obligation to the employees of the "old company," who were left behind when the plant closed in December, 2001.

A spokesman for National Machinery LLC last week said WARN Act issues were handled by the former plant owner and their lawyers.

"Like many other companies today facing the challenge of being successful in a highly competitive world market, National Machinery LLC is leaner and less vertically integrated," said John Bolte, senior vice president of operations and human resources. "Many processes and therefore jobs from the past simply do not exist in our company in order to make us more competitive."

Attempts by The Blade to interview Andrew Kalnow and his siblings were unsuccessful.

In an e-mail from Mr. Kalnow last month, he told The Blade: "It seems like you have a politics agenda in mind that has nothing to do with our business and contribution to the community."

A SENSE OF BETRAYAL

The Kalnows' "new company"—National Machinery LLC—in the spring of 2002 hired nearly 240 full-time employees after it reopened the plant, many of whom worked for the "old company."

But many of National Machinery Co.'s 549 employees, including some of its longest-tenured workers, such as Joe Poignon, never received the call to come back.

"They started it back up, but they excluded us," said Mr. Poignon, a 40-year employee who worked in the company's aftermarket section. "There was people who weren't retired out there who had more than 25 years of service and they were not called back."

Some grew bitter, angry, and depressed as they waited and waited for the call from National Machinery that never came.

"It's the way they treated us," said Mr. Poignon, who tries to avoid Greenfield Street in Tiffin, where National Machinery is located. "Not calling us in to inform us of anything, and not being up front and square with us, and being ostracized after they reopened the plant. None of us deserve that. After we have given our lives to it, our good working years are gone. We can't go out and restart. We gave them all our good working years."

He added, "You feel like you've been betrayed."

DEPRESSION AND ANGER

Several former National Machinery employees fell into depression as they tried to live without the work they had been doing for most of their lives.

Others were angry.

Paul Martorana, a 27-year employee of National Machinery, returned to the company's offices to settle his pension after the new company had taken over. But before he left, he had a request of Anne Martin, the company's secretary.

"Would you do me one favor?" Mr. Martorana recalled asking. "Take my picture off the wall. I don't want anyone to know I was ever associated with this company."

Mr. Martorana wanted his picture taken off the walls of National Machinery Co.'s Quarter Century Club. The club, which had more than 735 members since it was established in 1936, honored the company's most loyal employees.

Many members of that devoted club were among those who were unexpectedly thrown from their jobs, instantly losing health-care coverage, paychecks, accrued vacation time, and the stability of employment.

"A lot of people got hurt, financially and mentally," Mr. Martorana said.

"We didn't know what to do," Mr. Poignon said. "There were people who were scheduled for surgery. They didn't know what to do. They didn't have insurance. Some of them had cancer."

PICKING UP THE PIECES

It was difficult, if not impossible, for some former employees to find reliable work after decades with National Machinery. The employees had no time to plan, find new jobs, or train for new careers.

Out of necessity, some took whatever they could find, accepting steep pay cuts and losing benefits.

"It's basically turned our lives upside down," said Sharon Goshe, who has been married to Gene Goshe for 34 years.

Mr. Goshe said he held out hope for about three months after the plant closed, hoping that he would get a call to return to work. The call never came.

"Once they opened back up and [I'd] seen the ones they were hiring back, I was too old," Mr. Goshe said.

He began applying for nearly "any job that was in the paper," but he didn't have any success and began to suffer from depression.

"The unemployment was running out, and we got the same old stories," he said. "You go out and you look for a job and you get your hopes up, and you hear nothing."

Ten months after National closed, Mr. Goshe took a job for $10 an hour with no benefits at a local lumber yard, a $4 an hour wage cut.

Many employees of National Machinery skipped their paid vacations over the years, believing they had accrued months of paid time off that could be used in the future. When the old company shuttered, employees were not reimbursed for the time.

The workers said they were also owed thousands of dollars in lost wages and unpaid medical bills. But when they went to the plant office and tried to collect from National Machinery LLC, they heard a familiar refrain: "Sue the old company."

But the "old company" no longer existed.

TAKING LEGAL ACTION

On Sept. 11, 2002, three former workers of National Machinery Co.—Chad and Donald Baker and Paul Martorana—filed a class-action lawsuit in federal court in Toledo on behalf of all the workers who lost their jobs.

They sued National Machinery Co., Citicorp Venture Capital, and two related entities claiming the WARN Act was violated when the plant closed without a 60-day notice. They asked for lost wages, vacation pay, and medical expenses they said they were owed, totaling at least $4,000 per worker.

They received a quick education into the limitations and loopholes of the federal law.

But the biggest obstacle they faced was the wall of legal agreements, contracts, and documents set up by a squad of lawyers to make sure that National Machinery LLC was not responsible for the debts and actions of National Machinery Co.

Attorneys for Citicorp Venture Capital argued that their client wasn't the liable employer under the law because even though Citicorp was the majority owner of the "old company," it didn't make business decisions on behalf of National Machinery.

Because the "old company" was now a mere shell, its former employees fell into one of the most prominent pitfalls of the WARN Act—finding someone who could pay the workers what they were owed.

Nearly three years after the company closed, attorneys for the employees and Citicorp Venture Capital agreed to a settlement that would pay $375 per worker before taxes—just pennies on the dollar of what most employees felt they were owed. National Machinery LLC, as a completely new entity, had no obligation to the workers and was not involved in the settlement.

AN "INSULT"

Calling the settlement an "insult" and frustrated with the law, 74 former National Machinery employees wrote the judge to object to the settlement.

"There were a lot of very good employees that were completely devastated when all this happened and some satisfaction needs to be given to all of us," Virginia Coffman wrote. Mrs. Coffman, along with her husband, John Coffman, worked for National Machinery Co. for more than 28 years. "This type of treatment cannot be allowed to go unnoticed and just slide by, it has hurt many responsible people who are still trying to recover."

In a handwritten note, Steven Webster, a former National Machinery employee from Upper Sandusky, Ohio, explained that the company's sudden closing triggered a financial tailspin that caused him to fall behind on child-support payments. Mr. Webster explained that he needed to withdraw from his 401K plan twice to keep banks from foreclosing on his home.

"For the six months I was without a job. I had my water, electric, and gas shut off and had to live with my mother for a while until I got a job because I couldn't afford food or anything," Mr. Webster wrote.

Many of the workers sent copies of their letters to their representatives in Congress and the Statehouse, including U.S. Rep. Paul Gillmor (R., Tiffin), U.S. Sens. George Voinovich and Mike DeWine, then-Gov. Bob Taft, and state Rep. Jeff Wagner (R., Sycamore).

None of them was willing to fight for their constituents, at least on the WARN Act.

On Nov. 15, 2004. a group of former National Machinery Co. employees went to federal court in Toledo to object in person to the proposed settlement.

On their day in court, U.S. District Judge James Carr empathized with the plight of the workers, inviting them to sit in the jury box and address the court. But the judge all but told the workers that his judicial powers were limited by a law with no teeth.

In the end, Judge Carr reluctantly approved the settlement, declaring it a "pittance" and telling angry workers it was the best settlement they could hope for under the weak federal law.

"Most simply put, and most unhappily, you're out of luck," Judge Carr told the workers. "That statute has proven to be no protection to you."

LINGERING BITTERNESS

In Tiffin, more than five years after the "old company" suddenly was closed on a cold December day, time has healed some of the wounds. But there still remains an undercurrent of regret and bitterness.

Today there's a sign outside the headquarters of National Machinery LLC that proudly proclaims it as a 130-year-old company.

The former employees never called back by the "new company" say the sign epitomizes the hypocrisy of what transpired at National Machinery.

"What I've heard is they think they've done great—'they've saved the company,'" Mr. Poignon said. "You don't want to think that the place you've worked your entire life has done something terrible. They didn't fulfill their promises to a lot of people who gave their whole lives to the company."

The laid-off workers have struggled to come to terms with the fact that National Machinery LLC—which conducts its business from the old headquarters of National Machinery Co. in Tiffin, builds the same machines, and serves the same set of clients—wasn't legally required to pay their lost wages and benefits.

Some recognize that Andrew Kalnow may have saved National Machinery, but they question why the rescue couldn't have been performed more humanely, taking into account the loyalty of many of the company's longtime employees.

They believe Meshech Frost and Jane Frost Kalnow would be disappointed.

"It's all about putting money in your pocket," Mr. Poignon said. "Maybe morality has changed. Maybe young people think this is OK. But in our day, this wasn't a moral thing to do. If you look at the business side of it, it looks pretty good.

"But if you look at the human side of it, there's been a lot of damage."

[From the Toledo Blade, Oct. 11, 2007]

HOUSE CHAIRMAN OFFERS A TOUGHER WARN ACT

(By Steve Eder)

The powerful chairman of the House Education and Labor Committee yesterday submitted his proposal to better assure workers are given notice before they lose their jobs in mass layoffs or business shutdowns.

U.S. Rep. George Miller (D., Calif.) became the second member of the U.S. House to introduce legislation to reform the Worker Adjustment and Retraining Notification Act, known as the WARN Act, a 19-year-old federal law that requires many employers to provide 60 days' notice before layoffs.

Mr. Miller's bill was co-sponsored by U.S. Rep. Marcy Kaptur (D., Toledo).

"These are really extraordinary improvements over existing legislation," Miss Kaptur said during an interview yesterday. "There are more teeth in this [bill] to treat the workers with more respect."

After a Blade investigation in July highlighted the WARN Act and its shortcomings, a host of key politicians in Washington have addressed the need to reform the law. Among those who have responded are Democratic U.S. Sens. Sherrod Brown of Ohio, Hillary Clinton of New York, Edward Kennedy of Massachusetts, John Kerry of Massachusetts, Barack Obama of Illinois, former Sen. John Edwards of North Carolina, and U.S. Rep. John McHugh, a Republican from New York.

The Blade's four-part investigation showed that the WARN Act is so full of loopholes and flaws that employers repeatedly skirt it with little or no penalty.

The series showed that in crafting the WARN Act, Congress didn't charge the Department of Labor with enforcing the law. Instead, displaced workers must take their former employers to court to uphold their rights under the law.

An analysis of 226 WARN Act lawsuits filed by employees showed that judges threw out more than half, citing loopholes in the law.

"Everyone on the [House Education and Labor] committee is familiar with the Blade's excellent work on this," Miss Kaptur said yesterday. "The Blade has really done the country a favor in helping to highlight the importance of this legislation and to draw national attention to it."

Mr. Miller's bill—called The Early Warning and Health Care for Workers Affected by Globalization Act—would overhaul the existing WARN Act by increasing the notice period from 60 to 90 days, making the law apply to more employers, increasing financial penalties for violators, and empowering the Department of Labor to bring lawsuits on behalf of employees.

In addition, it covers part-time employees and groups of 100 or more workers laid off by one employer at multiple job sites.

The legislation also extends COBRA health coverage for recipients of trade adjustment assistance, allowing workers who are 55 or older or employees with more than 10 years of service to an employer to use COBRA coverage until they are eligible for Medicare.

Miss Kaptur said Mr. Miller's new proposal has support from the "highest levels" of Congress, including House Speaker Nancy Pelosi (D., Calif.).

"There is a significant amount of momentum that has built for this measure," Miss Kaptur said.

Ms. Pelosi, in a statement yesterday, said: "For too long, the Bush Administration has ignored the needs of workers who are left unemployed through no fault of their own. Chairman Miller and Congresswoman Kaptur have been relentless champions for the cause of working men and women, and the new legislation incorporates those concerns."

Alex Conant, a White House spokesman, had no immediate comment last night on Mr. Miller's WARN Act proposal, but defended the President's record on helping workers.

"The President has aggressively fought for and delivered tax relief for all taxpayers resulting in economic growth and job creation," he said. "The best thing Congress can do to help workers and those seeking work is to keep taxes low to grow our economy and create new jobs."

Mr. Miller's bill shares some characteristics with a bill introduced in the U.S. Senate by Mr. Brown and a bill in the U.S. House by Mr. McHugh.

Mr. Brown's bill is co-sponsored by Ms. Clinton and Mr. Obama, who are vying for the Democratic nomination for president.

The proposals introduced by Mr. Brown and Mr. Hugh, both called the FOREWARN Act, would lengthen the notification period required before a plant closing or mass layoff, increase penalties for violators, require more companies to provide notice before layoffs, and allow the Department of Labor and state attorneys general to represent workers in lawsuits.

Julie Hurwitz, the former executive director of the Sugar Law Center, a Detroit-based nonprofit legal center which advocates for workers in WARN Act cases, said she is "heartened" by the congressional efforts to reform the law.

"These are all sorely needed revisions that have to be made, particularly given the history of those loopholes that have existed in the original statute giving employers all kinds of wiggle room to essentially set their own agendas and still not be held accountable under the original version of the WARN Act," Ms. Hurwitz said.

Still, Ms. Hurwitz wants lawmakers to go a step further and address increasingly common tactics used by employers to evade their WARN Act duties.

"I would love to see somebody grapple with the use of releases or waivers that are now quite frequently used by employers to get out from any WARN Act liability or responsibility," Ms. Hurwitz said.

Mr. McKEON. Mr. Speaker, we know that there have been job losses due to trade, there have been job losses due to technology improvements. There are other different reasons, why jobs are lost, and we all feel the pain of those who have lost their jobs.

Having said that, the answer is not increased bureaucracy and increased problems that employers have to deal with in providing jobs and in coming up with new technology to create new jobs. The answer would be to streamline, to cut back the bureaucracy, yes, to give temporary help to workers that have been displaced, to give them the opportunity to get additional job training so that they can prepare for other occupations, and then to try to spread that pain across the country instead of just having it targeted on those specific plans.

We will offer later an amendment to this bill, a substitute, that will do just that. In the meantime, I encourage all of my colleagues to vote against additional bureaucracy and to vote against expanded government intrusion into the marketplace that causes these disruptions.

Mr. Speaker, I yield back the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman has 1 minute left.

Mr. GEORGE MILLER of California. I would urge my colleagues to support this legislation.

We could leave this to the marketplace, and you could throw your workers out on the street with no notice, no health care, no training, and that's it, and just tell them, welcome to the globalized world.

We thought we would try a different tack. We thought we would give workers notice where it is practical for employers to do so so the worker would have time to deal with the implications of a lost job on their family, to try to save their home, to try to save their kids' education, try to save the automobile, figure out how to get another job or how to get to retirement.

We also know that many workers that are released don't have health care coverage or can't get it in the marketplace. So we extended COBRA. We made that decision many years ago. Forty million people have used that to get them to another health care plan or to hold on to their coverage as long as they possibly could. We said for older workers, you can take it to Medicare. If you are over 55 years old and you have worked there 10 years, you can use COBRA. You pay all the premiums, you pay the administrative cost, but at least you have coverage. For some people, that's absolutely vital, because once they lose coverage, they can't get it again because they can't afford it or because they have preexisting conditions and they won't write that policy for those individuals.

This is just about whether or not we are going to treat Americans with some sense of decency who work all year long, provide for their families, work hard, play by the rules or whether they are just going to have to crash to the street and lose their income, their houses, their cars, their kids' education. That's the choice we get today.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. That portion of time has expired.

The gentleman from Louisiana has 13 minutes left, and the gentleman from Michigan has 16 minutes left.

GENERAL LEAVE

Mr. LEVIN. First, Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3920.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LEVIN. Mr. Speaker, I yield myself 4 minutes.

I would like today to talk about the facts, and next week we will talk about the facts on trade legislation. I think the approval of the U.S.-Peru FTA that came out unanimously from Ways and Means is the antithesis of CAFTA. Let me talk about the facts on TAA, which relates to those who are dislocated.

We received a letter dated October 23, 2007, from the Secretary of Labor, and she said it is important, and I quote, "that the negative impacts that are borne by a few are offset in the form of assistance to persons and firms that may be adversely affected."

I just want to say the facts are very different. It isn't a few. Trade isn't the only source of dislocation, but it is one of those and a substantial source. It's not a few. It's hundreds of thousands of people. We have lost 3 million manufacturing jobs in this country in recent years.

The President, or at least the administration, has sent a letter indicating their strong opposition, and I want to go over the facts quickly. It says, and I quote, that this legislation converts TAA from a trade-related program to a universal income support and training program. That is simply not true, and I will come back to that when I talk about services.

Number two, it says the increased duration of income support under this bill would result in some workers remaining out of the workforce and on assistance for 3 full years. That's really not accurate because the first 26 weeks are usually taken up by unemployment compensation when people are not using TAA directly. And then there are 2 years. In order to receive income support, they have to be in a training program. Now, there is a provision for an additional 6 months, but it applies to a relatively few people. So these facts don't support the strong opposition of the administration.

I am still hoping for bipartisan support. We did accept, voted for three amendments from the minority side in the Ways and Means Committee. We had three votes from the minority side, and I hope for very, very many more here on the House floor.

Next, the administration statement talks about industry-wide eligibility determinations and says that it would include workers not demonstrably affected by trade. It's the Department of Labor that has the ability to determine this, and so that sweeping statement is simply not true. As to the service sector, the administration letter says the bill does not clearly articulate any separation of such workers from their employment, must be attributable to trade. I just ask they read the language in the bill because it talks about articles or services like or directly competitive with articles that are produced or services that are provided by such firm that relate to overseas competition.

Lastly, I want to say a word about health care. Look, we increased it from 65 to 85 percent because 65 percent doesn't work. Only 10 percent of those eligible for TAA now receive health care. We have an obligation in this institution for people who are laid off, who are dislocated, to receive health care for themselves and their family, and 65 to 70 percent isn't going to work. We know it. We know it.

Mr. MCCRERY. Mr. Speaker, before yielding to the gentleman from North Carolina, I was moved by Mr. MILLER's presentation a few minutes ago and would tell the Speaker, if he gets a chance, to tell the gentleman that if they would look at some of the provisions we have in our bill, it would make it, in fact, easier for all those people he is concerned about to get the training and the retraining under TAA, that those changes are not included in H.R. 3920 or in the bill that came out of Education and the Workforce.

With that, I would yield 2 minutes to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I rise in support of H.R. 3920, the Trade and Globalization Assistance Act of 2007. Textile workers in my district in North Carolina have been disproportionately affected by trade and have suffered a number of closings.

I appreciate what Mr. MCCRERY is doing. I wish also that these two bills could have been better combined to take care of the advantages of both.

As many of you know, I have introduced the Trade Adjustment Assistance Reform Act, H.R. 1729, which seeks to expand the current TAA program to give greater resources to displaced workers.

Earlier in the year, I asked Chairman RANGEL to include the provisions in my bill in the comprehensive TAA reauthorization bill. I was pleased to see that many of these provisions made it into the legislation.

Specifically, this bill expands TAA eligibility to include dislocated workers affected by a shift in production in which workers' jobs are moved to nations that have no preferential trade agreement with the U.S., including, particularly, China and others.

It provides a strong increase in the health coverage tax credit. H.R. 3920 increases that credit from 65 to 85 percent. It increases TAA funding authorization from $220 million to $440 million.

I was disappointed to see that H.R. 3920 did not include a key provision to provide automatic eligibility for dislocated textile and apparel workers. However, I was pleased to see that it does include a provision that allows for industry-wide certifications. This bill requires the Secretary of Labor to conduct industry-wide certifications when three petitions from firms in the same industry, such as the textile industry, are certified within a 6-month period. This doesn't provide automatic eligibility for dislocated textile workers, but it is a step in the right direction.

Since I have been in Congress, I have pledged that our office would do all it could to assist displaced workers from the Eighth District in the State of North Carolina. I am pleased that many provisions of the reform act were included in the bill.

Mr. Speaker, I rise in support of H.R. 3920, the Trade and Globalization Assistance Act of 2007.

The Trade Adjustment Assistance program is a good program. I have worked hard to expand this program and make it better in the past, but we must make additional changes to help our manufacturing workers in this increasingly competitive global marketplace. While it is good that these workers are going to get extended unemployment benefits and insured health care, we all know that an unemployment check is no substitute for a paycheck. But when workers are displaced, we want to give them the skills to successfully reenter the workforce.

As many of you know, I have introduced the Trade Adjustment Assistance Reform Act, H.R. 1729, which seeks to expand the current TAA program to give greater resources to displaced workers. Early in the year, I asked Chairman RANGEL to include the provisions in my bill into the comprehensive TAA reauthorization bill. I was pleased to see that many of these provisions made it into this legislation.

Specifically, this bill:

Expands TAA eligibility to include dislocated workers affected by a shift in productions in which the workers' jobs are moved to nations that have no preferential trade agreement with the U.S., including China and others.

Provides a strong increase in the Health Coverage Tax Credit, HCTC. H.R. 3920 increases the tax credit from 65 percent to 85 percent.

Increases TAA funding authorization from $220 million to $440 million.

I was disappointed to see that H.R. 3920 did not include a key provision to provide automatic eligibility for dislocated textile and apparel workers; however, I was pleased to see that it does include a provision that allows for industry-wide certifications. This bill requires the Secretary of Labor to conduct industry wide certifications when three petitions from firms in the same industry, such as the textile industry, are certified within a 6-month period. This doesn't provide automatic eligibility for dislocated textile workers, but it is a step in the right direction.

Mr. Speaker, I have enjoyed working with my good friend and colleague Congressman MIKE MCINTYRE on this bill and North Carolina's Rural Center. The Rural Center is a nonprofit that seeks to promote economic development throughout North Carolina's rural areas, and the Center has been a tremendous advocate for helping dislocated workers throughout the state. This bill resembles many of the recommendations that were published in the Rural Center's report, "Gaining a Foothold—An Action Agenda to Aid North Carolina's Dislocated Workers."

Since I have been in Congress, I have pledged that our office would do all it could to assist displaced workers from the 8th District and the State of North Carolina. I am extremely pleased that many of the provisions of the Trade Adjustment Assistance Reform Act were included in this bill to make it possible for these workers to receive expanded assistance and job training to help them to make a successful change in their career.

I look forward to continuing to work with my colleagues as we debate and develop legislation that seeks to help our Nation's workforce adapt for new careers and opportunities.

Mr. LEVIN. It is my pleasure to yield 2 minutes to a colleague of mine and a member of the Ways and Means Committee, Mr. MCDERMOTT from Washington.

Mr. McDERMOTT. Mr. Speaker, what makes America work is America's workers.

Today, America is going to work harder to protect its workers. We currently have a program that was put together in the middle of the night in 2002 in the midst of the fast track legislation, and it was never intended to work.

This bill provides protection for almost double the number of workers covered by that program. This measure before us also improves a more basic protection for all jobless workers, unemployment insurance. Only one-third of America's unemployed now receive unemployment benefits, and coverage rates for low-wage and part-time workers are considerably lower.

This bill provides up to $7 billion to States implementing specific policies designed to eliminate unnecessary barriers. We ask States to count a worker's most recent wages when determining their eligibility. We ask States to end discrimination against part-time workers. And we ask them not to disqualify workers who must leave work for compelling family reasons like domestic violence or taking care of a sick child or following a spouse whose job has moved.

These are State options. We are not requiring them to do anything. If they don't want it, they don't have to have the money. But we are giving them the opportunity to take care of their unemployed workers. The improvements promise to provide unemployment benefits to over half a million jobless workers if adopted in every State. Women particularly stand to gain from this bill because they are more likely to work in part-time or low-wage jobs and are more likely to leave for family reasons. The cost of supporting these reforms is fully offset by extending an unemployment tax that has been on the books for 30 years, and that President Bush is specifically asking us to continue. Any talk about increasing taxes is simply empty rhetoric from the other side. They know it, because the last time it was extended, they did it on their watch.

Mr. Speaker, a vote in favor of this bill should be the easiest vote that every Member of Congress takes this year.

Mr. McCRERY. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. HERGER), the ranking member of the Trade Subcommittee of the Ways and Means Committee.

Mr. HERGER. Mr. Speaker, losing a job is one of the most disruptive events that can occur to a worker and a family.

We should be helping these individuals to get back to work as soon as possible. That's why I support the trade adjustment assistance and why I introduced a short-term extension of the program to assist workers displaced by trade through December.

□ 1300

Unfortunately, I cannot support today's bill. In addition to expanding the TAA program, which already costs the American taxpayers nearly $1 billion each year, the majority shuts out numerous Republican suggestions that would have instilled accountability and increased flexibility for workers. One provision of their bill eliminates a State's ability to choose the best employees to administer TAA by requiring so-called State merit-based employees to run the program. This means that the 25 States that currently use local employees or outside contractors like nonprofit or community-based groups to operate a more efficient and effective TAA program will no longer be able to do so and will be required to hire more government workers.

I'm also amazed that the majority rejected our proposal to increase accountability by requiring States and organizations that receive TAA to meet performance measures. It should be the goal of all Members to see that taxpayers' dollars are spent wisely, and the lack of such measures is a fundamental shortcoming of the bill. This provision is included in the Republican substitute that we will offer later today.

Far from forcing workers into just any old job, Republicans have worked to find constructive ways to increase TAA program flexibility so workers could have more options to train for a new job and have greater access to employment services. But, again, these suggestions were rejected by the majority.

We all want to help unemployed workers to get back on their feet quickly. But TAA improvement, and especially an expansion of this magnitude, should have been considered in the context of expanding trade opportunities for all Americans through our pending free trade agreements, including Colombia, Panama and South Korea, and reauthorization of the trade promotion authority. Regrettably, we have no commitments from the majority on these important measures, despite months of work.

I urge my colleagues to reject H.R. 3920.

Mr. LEVIN. Mr. Speaker, it is my pleasure to yield 2 minutes to our very, very distinguished colleague from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend and colleague for yielding.

Mr. Speaker, I rise in strong support of H.R. 3920, the Trade and Globalization Assistance Act of 2007.

Under this administration, we have adopted a record 8 free trade agreements. In trade and globalization, there are winners and there are losers.

Mr. Speaker, increasing the funding and efficiency of the trade assistance program is the very least we can do as a Congress.

In my home State of Georgia, we have used more than 125 percent of our allotment. Why? Because agriculture and textile jobs are disappearing. They're leaving the State of Georgia.

These families are struggling just to make ends meet. They want to work. They need to work. How can we oppose, how can we be against investing in our greatest asset, the American workforce?

We can spend hundreds, thousands, millions and billions of dollars on war. Can we spend just a few dollars on the workers of America?

To oppose this bill is heartless, it makes no sense, and it is irresponsible.

So I urge all of my colleagues to vote "yes" for this important bill.

MODIFICATION TO AMENDMENT NO. 1 OFFERED BY MR. MCCRERY

Mr. McCRERY. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 3920, pursuant to House Resolution 781, the amendment printed in part B of House Report 110-417 be modified by the form I've placed at the desk.

The SPEAKER pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 1 offered by Mr. MCCRERY:

In the matter proposed to be inserted, strike section 307(c).

The SPEAKER pro tempore. Without objection, the amendment is modified.

There was no objection.

Mr. McCRERY. Mr. Speaker, may I inquire as to the remaining time for each side.

The SPEAKER pro tempore. The gentleman from Louisiana has 7½ minutes and the gentleman from Michigan has 8½ minutes.

Mr. McCRERY. Mr. Speaker, at this time I would yield to the gentleman from Michigan (Mr. CAMP) for a unanimous consent request.

Mr. CAMP of Michigan. Mr. Speaker, the Trade Adjustment Assistance, TAA, program continues to be an important program to American workers who are left out of a job because of increased imports or jobs moving overseas. When workers need assistance getting back on their feet, the TAA program is there to help them get a new job or new career. It is important for Congress to reauthorize this critical program that right now is helping 15,000 workers in Michigan.

I support the Trade and Globalization Assistance Act. This bill provides more funds for training programs, increases the size of the health care tax credit, and assists workers who are in training programs with additional income support. I wish, however, that Chairman RANGEL would have made the health care tax credit permanent instead of eliminating it after 2 years. That being said, I believe it is important that the bill raises the amount of health insurance assistance from 65 percent to 85 percent. Now, out of work individuals will be better able to afford health insurance while they look for a new job.

In my district, where unemployment rates are higher than the national figures, the TAA program has been an invaluable tool in getting people into the classroom and into new, better paying jobs. The community colleges in my district have done a good job of expanding their curriculum to include new courses tailored to high-paying, expanding industries in Michigan. I remain committed to doing whatever it takes to maximize the Federal assistance available to help these workers and their families. In so doing, I will vote for the bill before us this afternoon.

Mr. McCRERY. Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, now I yield 2 minutes to another distinguished member of this Ways and Means Committee, Mr. NEAL from Massachusetts.

Mr. NEAL of Massachusetts. Mr. Speaker, I want to acknowledge Mr. LEVIN's role, in not only the construction of this legislation, but the role that he's played, I think, in trade issues.

I rise in support of the Trade and Global Assistance Act of 2007. Otherwise known as TAA, this program has been successful in transitioning workers who have been displaced by foreign trade into new jobs. Many workers and businesses in my home district in Massachusetts have already been beneficiaries of assistance provided by TAA.

The bill we're considering today will provide extended and expanded benefits and do so for more workers. It will also expand the critical health care coverage that these displaced workers and their families need.

The bill doubles the current funding amount for retraining of workers for new jobs. But what might be the most exciting new feature in this proposal is the manufacturing and redevelopment zones which are very similar to the popular enterprise and empowerment zones that many American cities have had great success with. These new manufacturing zones will provide businesses with a host of incentives to redevelop in areas that have suffered substantial reductions in manufacturing employment.

TAA extension and expansion should go hand in hand with more free trade agreements. As one who is a supporter of the Peru Free Trade Agreement, which the committee of Ways and Means has just approved, TAA is the safety net we need to enact in a case-by-case opportunity to give benefits to workers and industries who have been displaced or disrupted because of these agreements. Of course, it is our hope and intent that all free trade agreements lift all economies and industries of both participating countries. But if businesses are impacted and workers are impacted, we must have TAA to retrain that workforce for the jobs of the future.

I urge full adoption of this legislation.

Mr. McCRERY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BRADY), a member of the Ways and Means Committee.

Mr. BRADY of Texas. Mr. Speaker, there's no question, we need to do a better job of helping people who are laid off from their jobs. Even though only 3 percent of this country's jobs are affected by trade, if it's your job, it's an important one.

But when workers try to get help, what they find is this program is bureaucratic and inefficient and slow to respond. There's a big mismatch between the skills our workers have and the ready jobs that are available for them. But TAA does not do a good job of matching those skills and those workers. And I think there's been a good-faith effort to try to make this a better program, but, in my view, the underlying bill makes it a bigger program, not necessarily a better one.

TAA is a leaky bucket, and I think we're making the bucket bigger and we're pouring more money into it. I don't think we're fixing the holes that really harm workers.

For example, in the bill today we actually enhance duplication of efforts rather than streamline it. This bill prohibits a worker who's laid off for trade reasons to going to the local job training center to get help. In fact, what we require is a new State-run program that has no track record, has no proven success, and we relegate them to really a second tier training system.

In Houston we have WorkSource. It's at 35 different sites around our region. It helps about 340,000 workers laid off, has put 53,000 back to work at higher than average salaries. It's a great proven product.

Under this bill, a worker can't even go down the street to take advantage of those computers and that networking and that work with businesses, but we set up a less efficient one, unproven for them. It doesn't make sense.

I object to the pay-for as well. We are actually making U.S. companies less competitive as they sell overseas. As you know, today it's not enough to buy American; you have to sell American. We want to sell John Deere tractors and Apple computers around the world, and this bill, unfortunately, actually punishes those companies and hurts the workers for them.

The Republican substitute is more flexible. It's less bureaucratic, and provides some commonsense training programs that will actually get workers back to work at a job they can raise their family on, which is what I think there is bipartisan support for.

Mr. LEVIN. Mr. Speaker, I yield 1½ minutes to another distinguished member of the Ways and Means Committee, Mr. BECERRA from California.

Mr. BECERRA. Ladies and gentlemen, we would not send our troops into battle without the best training, armor or weapons. And in that same vein, in today's hypercompetitive global economy, we must know that our workers are the best trained, equipped with the best tools to challenge and excel in the face of that competition.

You name the time or the place, in a fair fight, give me an American worker at my side, and I know I'll come out okay.

But the tragedy here is that, just as we have learned that too many of our troops deployed to Iraq without sufficient body armor or vehicle protection and too many Iraq soldiers have come home to face deplorable or indifferent health care treatment as veterans, for years, too many Americans, as workers, have faced bureaucratic indifference and roadblocks in securing training and adjustment assistance after losing a job due to expanded trade. Today, we plan to change that.

H.R. 3920 doubles job training opportunities so no American worker will face getting in that line and finding out that when he or she gets up there the money's run out for training.

This bill also includes service employees and public employees in the protection, which we haven't had before. If you're a truck driver who loses a job because your company, that other company tells you, well, we no longer need your trucking services because that company's now moving to another country, you've lost your job because of trade, and you should be included as well. We make sure that that employer who has to begrudgingly tell that employee "I have to let you go," that that employer can make sure that if it's a main customer that went abroad, you will be protected as an employee.

Mr. Speaker, this is a time for us to stand up for American workers. It's not their fault. They should be covered, just as our troops should be covered.

Mr. McCRERY. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, clearly, anyone who loses their job in America due to factors beyond their control deserve help. That's why we have the unemployment insurance program in the first place.

TAA, obviously, goes beyond that and says, if you lose your job because of foreign trade, then you're going to get extra benefits.

I would be even more enthusiastic about the program if I thought there was any agenda to promote trade by the Democrat majority. I see none. They have allowed the fast track to elapse. I have yet to see any trade agreement come to this floor. And I can say in Texas, the State that I hail from, 1 out of 7 jobs is tied to trade. Trade is important. But I see no pro trade agenda here. What I do see is a massive expansion of another government program with a massive tax increase to go along with it.

Now, we know that roughly 3 percent of Americans will have their jobs displaced by trade. We know that trade will create far more jobs.

But again, I might be more enthusiastic about this legislation if I saw the Democrat majority step up to do something about those who lose their jobs due to frivolous litigation. And yet they've excelled at preventing any kind of tort reform in this economy whatsoever.

I might be more enthusiastic about this package if I saw the Democrat majority do anything to address those who lose their jobs due to excess taxation, particularly on small businesses, the job engine of America.

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And yet we know that the distinguished chairman of the Ways and Means Committee just announced "the mother of all tax hikes." Millions and millions of small businessmen all across America could see their taxes increase 25 percent. How many Americans are going to lose their job? Where's the sympathy for those people? Where is their particular special carve-out in the unemployment insurance program? I don't see it.

And yet again another current theme we see in all the Democratic legislation is let's somehow loosen up the standards of who can qualify here. Whether it be for housing benefits and agriculture appropriations, whether it be in SCHIP, what we see is language to make it easier for illegal immigrants to access these benefits. We see it each and every time that the bill comes to the floor. We see it yet again in this legislation. Clearly, the American people reject this. That's why this particular program needs to be rejected.

Mr. LEVIN. I would now like to yield 1¾ minutes to another distinguished member of our committee, Mr. BLUMENAUER from Oregon.

Mr. BLUMENAUER. My good friend from Texas, if he would have bothered to talk to the ranking member of the Ways and Means Committee, who was seated on the floor next to him, would have known that there is a trade bill coming to the floor, passed unanimously, 39–0, that is a reflection of what we were sent here to do, which was to redefine, redirect these policies so that they were win-wins, so that they benefited the economy, not at the expense of working men and women, not at the expense of the environment. And the legislation we have before us here today is an extension of that strategy.

There is a clash of philosophies that you are going to hear in the next hour. We have included a greater scope, including services, as you have talked about. The notion is to expand and enhance, to deal with people who are disadvantaged, in some cases harmed, because of global impacts beyond their control. Our Republican friends would propose to redirect and reduce.

We put more money for more employees with issues of health care. Their proposal, if you look at it carefully, is doing it on the cheap, perhaps with contract employees, capping training assistance at $8,000 over 2 years. Just because you call it a scholarship doesn't mean that it's not going to be a cut for over 25 percent of the workers on the current program in States like Pennsylvania. Even in Nebraska, 80 percent are going to see a 25 percent reduction because they already benefit from more expensive programs.

I hope that as a result of the debate today where people look behind the premises of our friends on the other side of the aisle, the program here, there will be an opportunity to make a judgment about what is the approach. Ultimately I hope we unite behind the approach in the bill before us, and I urge its adoption.

Mr. McCRERY. Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. How much time is remaining?

The SPEAKER pro tempore. The gentleman from Michigan has 3¼ minutes. The gentleman from Louisiana has 3 minutes.

Mr. LEVIN. Mr. Speaker, I now yield 1½ minutes to another very active member of our committee, the Ways and Means Committee, Mr. PASCRELL from New Jersey.

Mr. PASCRELL. Mr. Speaker, to the gentleman from Texas, he obviously didn't read the bill. I recommend that you read the bills before you get up on the floor and make a fool of yourself.

It says right here, section 114, "No benefit allowances, training, or other employment services may be provided under this chapter to a worker who is an alien unless the alien is an individual lawfully admitted for permanent residence to the United States, is lawfully present in the United States, or is permanently residing in the United States under color of the law."

You stoop to conquer. You should be ashamed of yourselves. Every time you get in the corner, you've got to bring up illegal aliens. It says it in the law.

By the way, any law that I know of dealing with people who are out of work deals only with those people who are here legally. Get it? It's easy. It's simple. There are only three words here with more than three syllables. You've got to understand that, instead of coming to this floor and embarrassing yourselves.

We know that the dramatically accelerated pace of globalization is one of the more major phenomena of this era. We accept this. But we also believe that we must help shape globalization and mitigate its negative side effects so that American workers are no longer left behind. Dislocated workers put out of their jobs as a result of trade decisions must be protected. We need to first stop the hemorrhaging of the jobs. Just this morning, we had a 39–0 vote. How dare someone come to the floor and twist the record.

I want his words examined, the gentleman from Texas. I want his words examined. You can't come to the floor and say whatever you want. This is not covered speech.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members that they should address their remarks to the Chair and not to other Members in the second person.

Mr. McCRERY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I understand how people can get emotional about some of the arguments with respect to these bills. My good friend from New Jersey is clearly agitated, and I understand that. But I would tell him that some very good lawyers have looked at the language in the bill, which is different from current law language with respect to providing benefits to illegal immigrants. And categories two and three, which the gentleman cited, "lawfully present in the United States" or "permanently residing in the United States under color of law," do present problems. First, there are multiple definitions of what "lawfully present" means in current law and regulation. Even more fundamentally, literally millions of students and tourists and other "nonimmigrants" are "lawfully present" in the United States each year. The provision in the bill appears intended to make these groups eligible for TAA benefits despite their not being authorized to work in the United States in the first place.

And the category of "permanently residing under color of law" is still more problematic. Even though the welfare reform law sought to do away with this ambiguous category, it continues to be used in some programs. SAA regulations, for example, define PRUCOL, permanently residing in the United States under color of law, to include, among other categories, "aliens living in the United States with the knowledge and permission of the INS/CIS and whose departure that agency does not contemplate enforcing." That is, those who are illegally present and who could be deported but are not. This category could include individuals who were originally authorized to work in the United States for a temporary period of time, lost that job, and under current law were supposed to leave the United States but remained despite the requirement that they leave. It could also include individuals who enter the United States illegally in the first place who are known to the government to be here but who are not being deported.

So, Mr. Speaker, I understand how we can all get emotional about this, but the fact is, at least according to the lawyers that have looked at this information and advised us, the bill does loosen current law with respect to verifying that people who are here illegally are not due the benefits. As the gentleman said, it appears that the intent of the bill is not to qualify those people, but the language of the bill, unfortunately, according to some very good lawyers, might, indeed, allow qualification for those who are here illegally.

Mr. Speaker, I didn't intend to get into all of that. But the fact is that the bill that is before us, I believe, goes way too far in spending, way too far in increasing taxes, and, for those two things alone, should be rejected.

Mr. LEVIN. Mr. Speaker, how much time do I have?

The SPEAKER pro tempore. The gentleman has 1¾ minutes.

Mr. LEVIN. Mr. Speaker, I yield the balance of that to the original sponsor of this legislation going back a number of years, Mr. SMITH of Washington.

Mr. SMITH of Washington. Thank you, Mr. Chairman, for your work on this legislation.

I strongly support expanding trade adjustment assistance for a very simple reason. Workers in our country need help.

We all acknowledge that the economy has changed. And one of the main features of that change is rapid displacement of workers. They have to update their skill. They have to change jobs. It used to be you could get a job for a company that you knew was going to be there and a job that you knew was going to be there, and everybody acknowledges that has changed, primarily because of global competition and because of technology.

So this bill asks one very simple question: Do you think the workers of this country need help in this new environment with all of that rapid change, with all of the displacement that we have heard about from both sides of the aisle today? Do the workers in this country need more help to deal with that? Do they need a bridge between jobs, income support? And do they need training to help them be qualified for new jobs that will be available? And do they need health care support since so many people in this country's health care is dependent upon their jobs?

The answer to all of those questions is obviously yes. That is what this bill does. It expands the number of people who will have access to that desperately needed help. It gives our workers a chance.

We all know that the new economy in globalization is here to stay. We acknowledge that. But what we on this side of the aisle want to do is help our workers deal with that instead of just saying, Good luck. It's changed. You're going to be displaced. We hope it works out for you. Overall, we'll be fine.

We focus on those workers who need help, and this bill gives them more help. It expands the service sector workers, and it expands the number of displaced workers in this country who will get that income support, that job training, and that health care that they so desperately need.

I strongly urge support for this legislation.

Mr. KIND. Mr. Speaker, today I rise in strong support of the Trade and Globalization Assistance Act so that all American workers will be able to realize the benefits of the global economy. H.R. 3920 will update our system of trade adjustment assistance, TAA, to include service sector employees, strengthen benefit levels and duration, improve worker training, and stimulate economic recovery in affected communities. These are needed changes to ensure that workers affected by globalization are taken care of if their job is lost.

International trade is an essential part of the American economy today and in the future. In fact, total U.S. trade of goods and services last year totaled $3.6 trillion. The reduction of trade barriers in recent years has led to a corresponding increase in trade volume, to the benefit of both American businesses and American consumers. Knowing that these benefits do not accrue evenly across all industries, however, Congress established the TAA program to help smooth the transition for workers who have to make the shift to a more competitive field.

The safety net for outsourced jobs, which consists of extended unemployment benefits, worker training, and a health care tax credit, was first enacted in 1962 and updated in 2002. This update, however, did not go far enough to bring the program up to date with current trade and labor realities. For one, the benefits currently extend only to workers in the manufacturing sector, despite the fact that a growing percentage of jobs shifted overseas have been from the services sector, such as telemarketing and financial services. Since the nature of the American economy has moved away from a reliance on manufacturing, it only makes sense that workers in the services sector be eligible for the same support as industrial workers.

The bill makes a number of other changes to strengthen TAA benefits, including an increase in the health care tax credit, an extension of income support and training period, and a large increase in the overall funding level to ensure that no eligible worker is turned away due to lack of program funds.

But H.R. 3920 also takes the TAA program beyond the effects on individual workers by offering new tax incentives for investment in distressed communities that have lost manufacturing jobs. The whole notion of worker assistance is meaningless without creating new jobs for displaced employees. Targeting investment into communities with an available workforce would benefit employers and employees alike and maintain vibrant towns and cities across this Nation.

Finally, this bill considers the needs of the larger Federal-State unemployment insurance (UI) system by dedicating $100 million annually for the States to improve UI administration. Additional funding for this purpose would also be available from Federal unemployment trust funds. This money would be an incentive for States to cover part-time, low-wage, and other workers in State UI laws.

I look forward to passing this bill today in anticipation of also passing pending trade deals in the coming weeks and months. By giving our businesses the freedom they need to sell American goods and services abroad, we are ensuring that the American economy will stay strong and competitive in the future. By assuring our employees that there will always be a place for good American workers, we will ensure a strong labor force capable of evolving along with the global economy.

I support H.R. 3920, and I urge my colleagues to vote for it today.

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I rise today to support much-needed economic redevelopment through the Trade and Globalization Assistance Act. This forwarding-thinking legislation will ensure that America's workers receive the training and assistance they need to compete in the global economy.

Globalization has had a significant impact on the American workforce, but our national policies have not kept pace with international economic changes. Gone are the days when men and women began and ended their careers at a steel or textile mill. Now, even customer service professionals and software engineers are losing jobs to overseas competition.

Thirty years ago, in my district in Bucks County, Pennsylvania, more than 46,000 people were employed in manufacturing jobs. Like many other working-class communities, my district suffered severe job loss when foreign competition forced major employers like US Steel, Jones Apparel and Rohm and Haas to shut-down most of their operations. By 2005, manufacturing employment in Bucks County had fallen 34 percent. The departure of manufacturing jobs resulted in vacant properties, abandoned buildings and contaminated land—and in Bristol, Pennsylvania, crumbling roads and poor drainage put families at risk during a recent flood. But most of all, the decline in manufacturing jobs decline left thousands of middle class workers out of a job.

Mr. Speaker, the Trade and Globalization Assistance Act makes substantial improvements to the Trade Adjustment Assistance Program and gives communities like mine a chance.

Through the Manufacturing Redevelopment Zone Program, this legislation will provide important tax incentives to cities and towns like those in my district that have suffered substantial reductions in manufacturing employment. Communities designated as manufacturing redevelopment zones will have a second-chance to revitalize their economy by attracting new investments that will create family-sustaining jobs. This program will help lift-up some of our Nation's poorest communities, but it is also a chance to demonstrate our commitment to American innovation.

While towns in my district still face many challenges, lower Bucks County has begun to turn the corner. Over the past 5 years, we have worked hard attract new investment, support workforce development and improve infrastructure.

The ongoing redevelopment at a former US Steel site is an outstanding example of my community's potential. Through incentives and a commitment to revitalization, that site is now home to a clean wind power manufacturer that employs over 800 people. More high-tech, green energy companies plan to open facilities in the near future. We have made great progress, but there is more work to be done.

The additional incentives provided under a manufacturing zone designation would allow towns in lower Bucks County to make infrastructure improvements, cleanup brownfields, attract new investments and create jobs. Through ingenuity and good old fashioned American competitiveness we will move even closer to economic revitalization and energy independence.

Mr. Speaker, Lower Bucks County has enormous potential and I pledge to do everything I can to encourage economic growth and support middle class families in my district. Towns in my district are still struggling and I am proud to partner local leaders and the business community to support economic development.

By passing this bill, we give hard working Americans the support they need and strengthen a foundation for economic leadership. I urge my colleagues to support this critical piece of legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 3920, The Trade and Globalization Assistance Act of 2007, introduced by my distinguished colleague from New York, Chairman RANGEL. This important legislation updates and overhauls the antiquated Trade Assistance Act for workers program of 1962.

In today's globalized economy, no worker is untouched by the phenomenon of the global trade market. In 1962, when the Trade Assistance Act was conceived and implemented, the status of American workers was much different than it is today. The existing and outdated legislation is marred with arbitrary eligibility criteria and inconsistencies as well as a lack of coverage for workers in industries that were not yet prominent.

Mr. Speaker, the Trade and Globalization Assistance Act of 2007, integrates all workers whose efforts in building our global economy make our economy flourish within the international system. Coverage will now be granted to workers in the service industry, which had yet to significantly develop in the 1960's, as well as secondary and offshore workers. The bill eliminates restrictions, ensuring that all workers impacted by trade are covered, regardless of where the factory relocated to or where the import competition came from. This legislation will also ensure automatic certification for workers covered by ITC injury determinations, which is a major issue in the current economy in which products and technologies quickly are eclipsed and job security is never ensured. Furthermore, this legislation will work to synchronize the Trade Assistance Act certification process which is currently on a firm-by-firm basis. Consistency in our treatment of workers is absolutely imperative, to ensure we have an equitable system which protects the backbone of our Nation.

The U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations of every size, sector, and region, has urged Congress to pass this legislation. As representatives of America's workers, it is our duty to ensure that they receive all the possible security and benefits of their labor, especially in today's unpredictable global economy. This bill extends TAA job training and health benefits to service workers who lose their jobs due to global trade and covers more manufacturing workers. It also dramatically improves TAA health care benefits and strengthens job training benefits in order to ensure that our workers develop the skills they need to be successful in well paying jobs. This bill further protects American workers by creating new benefits and tax incentives for industries and communities that have experienced manufacturing job losses, promotes long-needed reforms in unemployment benefits, and strengthens notification of workers laid off in plant closing or in mass layoffs.

This Congress has charted a New Direction Congress when it comes to protecting American workers and by passing an increase in the minimum wage. We must also ensure that America remains a competitive economic power. We must ensure that our workforce is adequately skilled and provided for, not just the privileged few who benefit from the prosperity of our nation but also the labor of everyday Americans who ensure the continued growth of our economy.

Mr. Speaker, I feel that as this country moves forward, this bill is an important first step in ensuring that it does not do so at the expense of American workers.

Mr. VAN HOLLEN. Mr. Speaker, I rise today in support of H.R. 3920, the Trade and Globalization Assistance Act of 2007.

Growing global economic integration means the U.S. economy is more protected from domestic economic shocks because more people in more countries are buying American goods and services. But globalization can also produce harmful short term affects—such as when American jobs are lost as a result of trade. That is what H.R. 3920 is about.

H.R. 3920 helps those American workers who lose their jobs by no fault of their own as a result of trade and who need assistance in meeting the new challenges of the changing global economy. The types of assistance provided include additional training, long term education, short term income support, and health care.

The bill expands trade adjustment assistance to service workers including government employees who are laid off because of trade. When trade adjustment assistance started in 1962, U.S. trade in services was not significant. Today, the service sector comprises more than 70 percent of the U.S. economy. H.R. 3920 updates trade adjustment assistance to account for the size and growing significance of the American service sector.

The bill also expands assistance to more manufacturing workers by eliminating restrictions on what country a U.S. factory's jobs are moved to or whether the loss of jobs are "downstream" so that all workers impacted by trade are covered regardless of where the factory relocates or where the import competition came from.

H.R. 3920 also helps American workers adapt to the needs of the changing global economy by enabling them to upgrade their skills. This bill doubles training assistance and provides up to 130 weeks of additional income support for workers who require a longer educational period, such as when finishing a college degree.

Mr. Speaker, today the Peru Free Trade Agreement was reported out of the Ways and Means Committee by a vote of 39–0. Many of us supported the Peru FTA because of the landmark workers rights and environmental provisions negotiated this past May that were inserted in the agreement. They were also influenced and encouraged by H.R. 3920 because they, like myself, feel more confident that American workers harmed by trade will get the assistance they need to meet the new challenges created by a global economy.

I am proud to support H.R. 3920 the Trade and Globalization Assistance Act of 2007, and I encourage my colleagues to do the same.

Mr. ETHERIDGE. Mr. Speaker, I rise today in support of H.R. 3920, the Trade and Globalization Act of 2007.

Mr. Speaker, it has been over two decades since there has been any meaningful updating of this important legislation. Effective job training gives workers the tools they need to make the most of their employment and economic opportunities.

When the first Trade Adjustment Assistance Act was passed in 1962 the job losses addressed by this law were mainly manufacturing jobs; today our economy faces the threat of job losses in the service industry as well.

H.R. 3920 makes important updates to this initiative, including provisions that close outdated loopholes to make anyone who loses a job as a result of a factory moving overseas to be eligible for Trade Adjustment Assistance. The bill doubles the training fund cap to retrain displaced workers from $220 to $440 million dollars, makes more service industry workers such as customer service workers eligible for assistance, and finally, increases the Health Care Tax Credit subsidy for displaced workers who have lost their healthcare coverage to 85 percent.

Mr. Speaker, this is timely and needed legislation. I urge my colleagues to support this bill and vote yes on H.R. 3920.

Ms. SOLIS. Mr. Speaker, I rise today in strong support of H.R. 3920, the Trade and Globalization Assistance Act of 2007. This bill will provide American workers displaced by globalization and trade policy with the necessary tools and assurance to compete in the global economy.

Created in 1962, the Trade Adjustment Assistance (TAA) program offers trade-displaced workers up to two years of job training and income support while they transition to different jobs often in new sectors. Unfortunately, for too long, thousands of our workers have been denied services they are otherwise eligible to receive because of a lack of funding or restrictive interpretations of current law. H.R. 3920 bridges this gap, by not only doubling training funds to $440 million but also by providing states with funds for vital outreach to ensure that our workers are not lost or forgotten in this increasing global age. Eighty percent of all workers in the United States work in the service sector industry and I am proud that for the first time they will be fully eligible for coverage through this legislation.

H.R. 3920 also intends to protect our most vulnerable workers—women and minorities. While Latinos represent 12.6 percent of the total U.S. workforce, they account for 26 percent of textile and apparel industry workers. In California, Latinos make up an estimated 80 percent of the California garment industry, which has been especially hard-hit by NAFTA's impact. As a result, Latino workers have been significantly hurt by poorly crafted trade policy. According to the Department of Labor, 47 percent of individuals that applied for NAFTA's TAA program due to lay offs were Latino.

Unfortunately, President Bush is threatening to veto this legislation, continuing his policy of favoring wealthy Americans over middle-class workers. I believe that it is well past time to acknowledge the hard fact that trade policy has had a negative impact on our nation's workers and it is our job to give them the support they need to be active members of our workforce. I urge my colleagues to support this legislation, so we can provide displaced workers with the tools and resources necessary to compete in the 21st century, and I urge President Bush to reconsider his callous threat and stand with us to support American workers and American jobs.

Mr. AL GREEN of Texas. Mr. Speaker, I support H.R. 3920, The Trade and Globalization Assistance Act of 2007. H.R. 3920 would expand the Trade Adjustment Assistance program, which assists workers who lose their jobs because of foreign trade. Trade Adjustment Assistance, TAA, was first established in 1962, in recognition of the fact that some workers would lose their jobs as a direct result of our national trade policies. The program is designed to assist these trade-dislocated workers by providing them with the opportunity to train for new careers. Although the program currently includes about 80,000 certified workers enrolled in training, there are thousands of other trade-displaced workers who deserve but have been unable to obtain training through the TAA program.

H.R. 3920 makes many long-sought improvements to TAA. The bill allows for industry-wide certification in certain instances, a change that will eliminate the delays and inconsistent results in the current firm-by-firm process. The bill also includes a number of changes that will simplify and improve the process by which eligible workers obtain training.

We must continue to provide our strong support to workers who are faced with the unfortunate event of losing their employment. H.R. 3920 is an excellent bill that will provide much needed and overdue help to displaced and unemployed workers. These programs are essential to the viability and livelihood of thousands of hard-working Americans. As a proud supporter of America's workers, I understand the vital importance of ensuring the social welfare of our labor force. I will continue to work with my colleagues to preserve their social and economic care. America's workers deserve America's support.

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT NO. 1 OFFERED BY MR. MCCRERY, AS MODIFIED

Mr. MCCRERY. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in part B of House Report 110-417 offered by Mr. MCCRERY, as modified:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Helping American Workers Adjust to Globalization and Win Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

Subtitle A—Petitions and Determinations

Sec. 101. Petitions.
Sec. 102. Group eligibility requirements.
Sec. 103. Determinations by Secretary of Labor.
Sec. 104. Benefit information to workers.
Sec. 105. Administrative reconsideration of determinations by Secretary of Labor.

Subtitle B—Program Benefits

CHAPTER 1—TRADE READJUSTMENT ALLOWANCES

Sec. 111. Qualifying requirements for workers.
Sec. 112. Weekly amounts.
Sec. 113. Limitations on trade readjustment allowances.

CHAPTER 2—TRAINING, OTHER REEMPLOYMENT SERVICES, AND ALLOWANCES

Sec. 121. Reemployment services.
Sec. 122. Training.
Sec. 123. Job search allowances.
Sec. 124. Relocation allowances.

Subtitle C—General Provisions

Sec. 131. Agreements with States.
Sec. 132. Authorization of appropriations; incentive payments to States.
Sec. 133. Phase-out of demonstration project for alternative trade adjustment assistance for older workers.
Sec. 134. Wage supplement program.
Sec. 135. Definitions.
Sec. 136. Capacity-building grants to enhance training for workers.

Subtitle D—Effective Date

Sec. 141. Effective date.

TITLE II—OTHER TRADE ADJUSTMENT ASSISTANCE PROGRAMS AND RELATED PROVISIONS

Sec. 201. Technical assistance for firms.
Sec. 202. Extension of trade adjustment assistance for firms.
Sec. 203. Extension of trade adjustment assistance for farmers.
Sec. 204. Judicial review.
Sec. 205. Termination.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Credit reduction for failures relating to co-enrollment of participants and program performance reports.
Sec. 302. TAA wage supplement participants eligibility for credit for health insurance costs.
Sec. 303. Special allocation under new markets tax credit in connection with trade adjustment assistance.
Sec. 304. Expedited reemployment demonstration projects.
Sec. 305. Increase in percentage of TAA and PBGC health insurance tax credit.

Sec. 306. Collection of unemployment compensation debts.
Sec. 307. Offsets.

TITLE IV—WORKFORCE INVESTMENT IMPROVEMENT

Sec. 401. Short title.
Sec. 402. References.

Subtitle A—Amendments to Title I of the Workforce Investment Act of 1998

Sec. 411. Definitions.
Sec. 412. Purpose.
Sec. 413. State workforce investment boards.
Sec. 414. State plan.
Sec. 415. Local workforce investment areas.
Sec. 416. Local workforce investment boards.
Sec. 417. Local plan.
Sec. 418. Establishment of one-stop delivery systems.
Sec. 419. Eligible providers of training services.
Sec. 420. Eligible providers of youth activities.
Sec. 421. Youth activities.
Sec. 422. Comprehensive programs for adults.
Sec. 423. Performance accountability system.
Sec. 424. Authorization of appropriations.
Sec. 425. Job Corps.
Sec. 426. Native American programs.
Sec. 427. Migrant and seasonal farmworker programs.
Sec. 428. Veterans' workforce investment programs.
Sec. 429. Youth challenge grants.
Sec. 430. Technical assistance.
Sec. 431. Demonstration, pilot, multiservice, research and multi-State projects.
Sec. 432. Community-based job training.
Sec. 433. Evaluations.
Sec. 434. National dislocated worker grants.
Sec. 435. Authorization of appropriations for national activities.
Sec. 436. Requirements and restrictions.
Sec. 437. Nondiscrimination.
Sec. 438. Administrative provisions.
Sec. 439. State legislative authority.
Sec. 440. Workforce innovation in regional economic development.
Sec. 441. General program requirements.

Subtitle B—Adult Education, Basic Skills, and Family Literacy Education

Sec. 451. Table of contents.
Sec. 452. Amendment.

Subtitle C—Amendments to the Wagner-Peyser Act

Sec. 461. Amendments to the Wagner-Peyser Act.

Subtitle D—Amendments to the Rehabilitation Act of 1973

Sec. 471. Findings.
Sec. 472. Rehabilitation Services Administration.
Sec. 473. Director.
Sec. 474. Definitions.
Sec. 475. State plan.
Sec. 476. Scope of services.
Sec. 477. Standards and indicators.
Sec. 478. Reservation for expanded transition services.
Sec. 479. Client assistance program.
Sec. 480. Protection and advocacy of individual rights.
Sec. 481. Chairperson.
Sec. 482. Authorizations of appropriations.
Sec. 483. Conforming amendment.
Sec. 484. Helen Keller National Center Act.

Subtitle E—Transition and Effective Date

Sec. 491. Transition provisions.
Sec. 492. Effective date.

TITLE I—TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

Subtitle A—Petitions and Determinations

SEC. 101. PETITIONS.

Section 221(a) of the Trade Act of 1974 (19 U.S.C. 2271(a)) is amended—

(1) in paragraph (1), by striking "simultaneously with the Secretary and with the Governor of the State in which such workers' firm or subdivision is located" and inserting "with the Secretary";

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following new paragraph:

"(2) Upon receipt of a petition filed under paragraph (1), the Secretary shall promptly notify the Governor of the State in which such workers' firm or subdivision is located of the filing of the petition and its contents.";

(4) in paragraph (3) (as redesignated by paragraph (2) of this section), by striking "a petition filed under paragraph (1)" and inserting "a notice under paragraph (2)"; and

(5) in paragraph (4) (as redesignated by paragraph (2) of this section)—

(A) by striking "the petition" and inserting "a petition filed under paragraph (1)"; and

(B) by inserting "and on the Website of the Department of Labor" after "in the Federal Register".

SEC. 102. GROUP ELIGIBILITY REQUIREMENTS.

(a) IN GENERAL.—Subsection (a)(2)(B)(i) of section 222 of the Trade Act of 1974 (19 U.S.C. 2272) is amended by inserting at the end before the semicolon the following: "that contributed importantly to such workers' separation or threat of separation".

(b) ADVERSELY AFFECTED SECONDARY WORKERS.—Subsection (b) of such section is amended—

(1) in paragraph (2), by striking "and" at the end;

(2) by redesignating paragraph (3) as paragraph (4);

(3) by inserting after paragraph (2) the following new paragraph:

"(3) the sales or production, or both, of such firm or subdivision have decreased absolutely; and"; and

(4) in subparagraph (A) of paragraph (4) (as redesignated by paragraph (2) of this subsection), by inserting at the end before the semicolon the following: "and contributed importantly to the workers' separation or threat of separation determined under paragraph (1)".

(c) DEFINITIONS.—Subsection (c) of such section is amended—

(1) in paragraph (3), by striking ", if the certification of eligibility under subsection (a) is based on an increase in imports from, or a shift in production to, Canada or Mexico"; and

(2) by adding at the end the following new paragraphs:

"(5) The term 'article' means—

"(A) a tangible product subject to duty under the Harmonized Tariff Schedule of the United States which is not incidental to the provision of a service; or

"(B) an intangible product, such as a digital product (including computer programs, text, video, image and sound recordings, and similar products), that would be subject to duty under the Harmonized Tariff Schedule of the United States if the intangible product were embodied in a physical medium and which is not incidental to the provision of a service.

"(6) The term 'worker' means—

"(A) with respect to a firm described in subsection (a)—

"(i) an individual directly employed by the firm that produces an article that is the basis for a determination under subsection (a) and who performs tasks relating to the production of the article; or

"(ii) an individual who is under the operational control of the firm that produces an article that is the basis for a determination under subsection (a) pursuant to a contract or leasing arrangement and who performs tasks relating to the production of the article;

"(B) with respect to a firm that is a supplier described in subsection (b)—

"(i) an individual directly employed by the firm that is a supplier and who performs tasks relating to the production of component parts for an article that is the basis for a determination under subsection (a); or

"(ii) an individual who is under the operational control of the firm that is a supplier pursuant to a contract or leasing arrangement and who performs tasks relating to the production of component parts for an article that is the basis for a determination under subsection (a); and

"(C) with respect to a firm that is a downstream producer described in subsection (b)—

"(i) an individual directly employed by the firm that is a downstream producer and who perform tasks relating to the provision of additional, value-added production processes for an article that is the basis for a determination under subsection (a); or

"(ii) an individual who is under the operational control of the firm that is a downstream producer pursuant to a contract or leasing arrangement and who performs tasks relating to the provision of additional, value-added production processes for an article that is the basis for a determination under subsection (a).".

SEC. 103. DETERMINATIONS BY SECRETARY OF LABOR.

(a) WORKERS COVERED BY CERTIFICATION.—Subsection (b) of section 223 of the Trade Act of 1974 (19 U.S.C. 2273) is amended—

(1) in the matter preceding paragraph (1), by striking "under this section" and inserting "under subsection (a) or (d) of this section"; and

(2) in paragraph (2), to read as follows:

"(2) after the earliest of—

"(A) the date that is two years after the date on which certification is granted under subsection (a);

"(B) the date that is two years after the date of the earliest determination, if any, denying certification under subsection (a); or

"(C) the termination date, if any, determined under subsection (e).".

(b) PUBLICATION OF DETERMINATION.—Subsection (c) of such section is amended—

(1) by striking "his determination" and inserting "a determination";

(2) by inserting "and on the Website of the Department of Labor" after "in the Federal Register"; and

(3) by striking "his reasons" and inserting "the Secretary's reasons".

(c) AMENDMENT TO CERTIFICATION.—Such section is further amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

"(d) Whenever the Secretary determines, with respect to any certification of eligibility of the workers of a firm or subdivision of the firm, and subject to such regulations as the Secretary may prescribe, that good cause exists to amend such certification, the Secretary shall amend such certification and promptly publish notice of such amendment in the Federal Register and on the Website of the Department of Labor together with the reasons for making such determination.".

(d) TERMINATION OF CERTIFICATION.—Subsection (e) of such section (as redesignated by subsection (c)(1) of this section) is amended—

(1) by striking "he shall" and inserting "the Secretary shall";

(2) by inserting "and on the Website of the Department of Labor" after "in the Federal Register"; and

(3) by striking "his reasons" and inserting "the Secretary's reasons".

SEC. 104. BENEFIT INFORMATION TO WORKERS.

Section 225(a) of the Trade Act of 1974 (19 U.S.C. 2275(a)) is amended in the fourth sentence by striking "the State Board for Vocational Education or equivalent agency and other public or private agencies, institutions, and employers, as appropriate," and inserting "the appropriate State workforce investment board (established under section 111 of the Workforce Investment Act of 1998 (29 U.S.C. 2821)) and State workforce agency responsible for the administration of the State workforce investment program funded under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)".

SEC. 105. ADMINISTRATIVE RECONSIDERATION OF DETERMINATIONS BY SECRETARY OF LABOR.

(a) IN GENERAL.—Subchapter A of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) is amended by adding at the end the following new section:

"SEC. 226. ADMINISTRATIVE RECONSIDERATION OF DETERMINATIONS BY SECRETARY OF LABOR.

"(a) ADMINISTRATIVE RECONSIDERATION.—

"(1) IN GENERAL.—A worker, group of workers, certified or recognized union or other duly authorized representative of such worker or group of workers, or any of the individuals or entities described in section 221(a)(1)(C), aggrieved (or on behalf of such workers aggrieved) by a determination of the Secretary of Labor under section 223 denying a certification of eligibility, may file a request for administrative reconsideration with the Secretary not later than 60 days after the date on which notice of the determination is published under section 223.

"(2) FAILURE TO MAKE TIMELY REQUEST.—The failure to file a request for administrative reconsideration of a determination denying a certification of eligibility under section 223 within the 60-day period described in paragraph (1) shall be deemed to be a failure to exhaust administrative remedies and such determination shall not be subject to judicial review under section 284.

"(b) NOTICE, REVIEW, AND FINAL DETERMINATION.—

"(1) NOTICE.—If a request for administrative reconsideration of a determination of the Secretary is filed in accordance with the provisions of subsection (a), the Secretary shall promptly publish notice thereof in the Federal Register and on the Website of the Department of Labor.

"(2) REVIEW OF DETERMINATION.—The Secretary shall initiate a review of the determination of the Secretary upon filing of the request for administrative reconsideration under subsection (a) and shall include an opportunity for interested persons to submit additional information.

"(3) FINAL DETERMINATION.—The Secretary shall issue a final determination on the request for administrative reconsideration not later than 60 days after the date on which the Secretary publishes notice of the request for reconsideration pursuant to paragraph (1). Upon reaching a determination on a reconsideration, the Secretary shall promptly publish a summary of the determination in the Federal Register and on the Website of the Department of Labor, together with the reasons for making such determination. The requirements relating to judicial review under section 284 shall apply to any determination made by the Secretary under this subsection.".

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Trade Act of 1974 is amended by inserting after the item relating to section 225 the following:

"Sec. 226. Administrative reconsideration of determinations by Secretary of Labor.".

Subtitle B—Program Benefits

CHAPTER 1—TRADE READJUSTMENT ALLOWANCES

SEC. 111. QUALIFYING REQUIREMENTS FOR WORKERS.

(a) BASIC TRADE READJUSTMENT ALLOWANCE.—Subsection (a) of section 231 of the Trade Act of 1974 (19 U.S.C. 2291) is amended—

(1) in the matter preceding paragraph (1), by striking "60 days" and inserting "40 days";

(2) in paragraph (1), by striking "occurred—" and all that follows and inserting "occurred during the period described in section 223(b)."; and

(3) by striking paragraphs (4) and (5).

(b) PAYMENT OF ADDITIONAL TRADE READJUSTMENT ALLOWANCE.—Such section is further amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection:

"(b) In addition to the payment of a trade readjustment allowance under subsection (a), payment of an additional trade readjustment allowance shall be made to an adversely affected worker who is covered by a certification under subchapter A and who—

"(1) files an application for such allowance for any week of unemployment which begins after the worker has received the maximum amount of trade readjustment allowances payable under subsection (a);

"(2) meets the conditions described in paragraphs (1) through (3) of subsection (a); and

"(3) is either—

"(A) totally unemployed and is enrolled in a full-time training program approved by the Secretary under section 236(a); or

"(B) partially unemployed and is enrolled in a full-time or part-time training program approved by the Secretary under section 236(a).".

(c) WITHHOLDING OF TRADE READJUSTMENT ALLOWANCE PENDING BEGINNING OR RESUMPTION OF PARTICIPATION IN TRAINING PROGRAM; PERIOD OF APPLICABILITY.—Subsection (c) of such section (as redesignated by subsection (b)(1) of this section) is amended to read as follows:

"(c) If the Secretary determines that—

"(1) the adversely affected worker—

"(A) has failed to begin participation in the training program the enrollment in which meets the requirement of subsection (b)(3), or

"(B) has ceased to participate in such training program before completing such training program, and

"(2) there is no justifiable cause for such failure or cessation,

no trade readjustment allowance may be paid to the adversely affected worker under this part for the week in which such failure, cessation, or revocation occurred, or any succeeding week, until the adversely affected worker begins or resumes participation in a training program approved under section 236(a).".

(d) WAIVERS OF TRAINING REQUIREMENTS.—Subsection (d) of such section (as redesignated by subsection (b)(1) of this section) is hereby repealed.

SEC. 112. WEEKLY AMOUNTS.

(a) IN GENERAL.—Subsection (a) of section 232 of the Trade Act of 1974 (19 U.S.C. 2292) is amended—

(1) by striking "(a)" and inserting "(a)(1)";

(2) by inserting "paragraph (2) and" after "Subject to";

(3) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(4) by adding at the end the following new paragraph:

"(2)(A) Notwithstanding section 231(a)(3)(B), if an adversely affected worker who is participating in training qualifies for unemployment insurance under State law, based in whole or in part upon part-time or short-term employment following approval of the worker's initial trade readjustment allowance application under section 231(a), then for any week for which unemployment insurance is payable and for which the worker would otherwise be entitled to a trade readjustment allowance based upon the certification under section 223, the worker shall be paid a trade readjustment allowance in the amount described in subparagraph (B).

"(B) The trade readjustment allowance payable under subparagraph (A) shall be equal to the weekly benefit amount of the unemployment insurance upon which the worker's trade readjustment allowance was initially determined under paragraph (1), reduced by—

"(i) the amount of the unemployment insurance benefit payable to such worker for that week of unemployment for which a trade readjustment allowance is payable under subparagraph (A) of this paragraph; and

"(ii) the amounts described in subparagraphs (A) and (B) of paragraph (1).".

(b) ADVERSELY AFFECTED WORKERS WHO ARE UNDERGOING TRAINING.—Subsection (b) of such section is amended—

(1) by inserting "under section 231(b)" after "who is entitled to trade readjustment allowances"; and

(2) by striking "he is undergoing any such" and inserting "such worker is undergoing".

SEC. 113. LIMITATIONS ON TRADE READJUSTMENT ALLOWANCES.

Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking "The maximum amount" and inserting "Except as provided in paragraph (3), the maximum amount"; and

(ii) by striking "52" and inserting "39"; and

(B) in paragraph (3), by striking "52" each place it appears and inserting "65";

(2) by striking subsection (b);

(3) by redesignating subsections (c) through (g) as subsections (b) through (f), respectively; and

(4) in subsection (f) (as redesignated by paragraph (3) of this section), by striking "section 236(a)(5)(D)" and inserting "section 236".

CHAPTER 2—TRAINING, OTHER REEMPLOYMENT SERVICES, AND ALLOWANCES

SEC. 121. REEMPLOYMENT SERVICES.

(a) IN GENERAL.—Section 235 of the Trade Act of 1974 (19 U.S.C. 2295) is amended—

(1) in the heading, by striking "**EMPLOYMENT**" and inserting "**REEMPLOYMENT**";

(2) by striking "The Secretary" the first place it appears and inserting "(a) The Secretary";

(3) by striking "counseling, testing, and placement services, and supportive and other services" and inserting "career counseling, testing and assessments, and job placement services, and supportive and other services"; and

(4) by adding at the end the following new subsection:

"(b) In order to facilitate the provision of services described in subsection (a), the Secretary shall ensure the effective implementation of the requirements of section 239(e) relating to the co-enrollment of adversely affected workers in the dislocated worker program authorized under chapter 5 of subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2861 et seq.).".

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Trade Act of 1974 is amended by striking the heading relating to part II of subchapter B of chapter 2 of title II of the Trade Act of 1974 and the item relating to section 235 of such Act and inserting the following:

"PART II—TRAINING, OTHER REEMPLOYMENT SERVICES, AND ALLOWANCES

"Sec. 235. Reemployment services.".

SEC. 122. TRAINING.

(a) IN GENERAL.—Section 236 of the Trade Act of 1974 (19 U.S.C. 2296) is amended to read as follows:

"SEC. 236. TRAINING.

"(a) APPROVAL OF TRAINING.—

"(1) IN GENERAL.—If the Secretary determines that an adversely affected worker, including an adversely affected worker who has obtained reemployment subsequent to separation from the adversely affected employment, or an adversely affected incumbent worker, meets the criteria described in paragraph (2), and otherwise meets the requirements described under this section, the Secretary shall approve the training program requested by the worker. Upon such approval, the worker shall be entitled to have payment of the costs of such training (subject to the limitations imposed by this section) paid on the worker's behalf by the Secretary directly or through a voucher system. The costs of such training shall include the costs of tuition, books, required tools, and fees related to education, licensing, or certification.

"(2) CRITERIA FOR APPROVAL OF TRAINING PROGRAM.—For purposes of paragraph (1), training for an adversely affected worker or an adversely affected incumbent worker, shall be approved if the Secretary determines that—

"(A) the worker needs additional marketable skills to obtain or retain employment comparable to the worker's adversely affected employment;

"(B) there is a reasonable expectation of such employment following the completion of the training; and

"(C) the worker is qualified to undertake and complete the training sought.

"(3) ENROLLMENT DEADLINE.—

"(A) IN GENERAL.—In order to receive assistance under this section, a worker shall enroll in a training program approved under paragraph (1) not later than the later of—

"(i) the last day of the 39th week after the worker's most recent separation from adversely affected employment which meets the requirements of paragraphs (1) and (2) of section 231(a); or

"(ii) the last day of the 13th week after the week in which the Secretary issues a certification under subchapter A covering such worker.

"(B) EXTENSION FOR JUSTIFIABLE CAUSE.—The Secretary may grant an extension of the enrollment period described in subparagraph (A) for a worker if the Secretary determines that there is justifiable cause for such an extension.

"(b) FUNDING FOR TRAINING.—

"(1) ANNUAL LIMIT ON AGGREGATE PAYMENTS UNDER PROGRAM.—

"(A) IN GENERAL.—The total amount of payments that may be made under subsection (a)(1) for any fiscal year shall not exceed $220,000,000.

"(B) APPORTIONMENT AMONG STATES.—The Secretary shall establish a method for apportioning among States the funds that are available for training under this chapter in any fiscal year. Such method may include the use of formula allotments and reallotments, and the establishment of a reserve that is used to assist in apportioning funds to those States in need of additional funding during the fiscal year.

"(2) LIMITATIONS APPLICABLE TO WORKERS.—

"(A) DURATION.—Subject to subparagraph (C), the costs of a training program approved under subsection (a)(1) for an adversely affected worker or an adversely affected incumbent worker shall be paid under this section for a period not to exceed four years from the date the worker first enrolled in the training program. A worker may participate in such training program during such period on a full-time or part-time basis. During the period of participation the worker shall make adequate yearly progress, as determined by the Secretary, toward the attainment of a license, certificate, or degree pursuant to such training program in order to remain eligible for assistance under this section.

"(B) AMOUNT.—Subject to subparagraph (C), the payments for a training program under subsection (a)(1) for a worker may not exceed $4,000 for any one-year period, or a total of $8,000 over the maximum four-year period described in subparagraph (A).

"(C) EXCEPTIONS.—

"(i) LITERACY TRAINING AND PREREQUISITES.—If the Secretary determines that an adversely affected worker or an adversely affected incumbent worker needs literacy training, English as a second language instruction, remedial education, educational assistance to obtain a high school diploma or General Equivalency Degree, or prerequisites in order to participate in a training program for occupations in demand, the Secretary shall approve the provision of such activities and provide up to $1,000 in payments for such activities. Such payments shall not be included for purposes of applying the limits on payments described in subparagraph (B).

"(ii) ON-THE-JOB TRAINING.—The provisions of subparagraphs (A) and (B) shall not be applicable to on-the-job training programs, except as provided in subsection (f)(2).

"(3) DUPLICATIVE PAYMENTS PROHIBITED.—No payment may be made under subsection (a)(1) of the costs of training an adversely affected worker or an adversely affected incumbent worker if such costs are payable or have already been paid under any other provision of Federal law.

"(4) REPORT.—

"(A) IN GENERAL.—Not later than May 31 and November 30 of each year, the Secretary shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on—

"(i) the initial allocation among States of funds for training approved under this section;

"(ii) any additional distributions of funds for training approved under this section during the two most recent fiscal quarters and cumulatively during the fiscal year;

"(iii) the amount of funds obligated and expended by the States to provide training approved under this section during the two most recent fiscal quarters and cumulatively during the fiscal year; and

"(iv) the efforts of the Department of Labor to ensure that each State receives an appropriate level of funds during the fiscal year to provide training approved under this section to all eligible workers.

"(B) DEFINITION.—In this paragraph, the term 'fiscal quarter' means any 3-month period beginning on October 1, January 1, April 1, or July 1 of a fiscal year.

"(c) TRAINING PROGRAMS THAT MAY BE APPROVED.—The training programs that may be approved under subsection (a) include—

"(1) employer-based training, including—

"(A) on-the-job training;

"(B) customized training; and

"(C) apprenticeship programs registered under the National Apprenticeship Act (29 U.S.C. 50 et seq.);

"(2) a training program that leads to a license, certificate, or degree and is linked to occupations in demand, which may include training provided in classroom, distance learning, and technology-based learning;

"(3) a training program that has been determined by a State to be eligible to receive payments under section 122 of the Workforce Investment Act of 1998 (29 U.S.C. 2842);

"(4) a program of remedial education that will enable a worker to obtain employment or to enroll in a training program described in paragraph (2) or (3); and

"(5) a training program for which all, or any portion, of the costs of training the worker are paid—

"(A) under any Federal or State program other than this chapter; or

"(B) from any source other than this section.

"(d) SHARING OF COSTS.—

"(1) IN GENERAL.—The Secretary is not required under subsection (a) to pay the costs of any training approved under such subsection to the extent that such costs are paid—

"(A) under any Federal or State program other than this chapter; or

"(B) from any source other than this section.

"(2) COST-SHARING AGREEMENT.—Before approving any training to which paragraph (1) may apply, the Secretary may require that the adversely affected worker or the adversely affected incumbent worker enter into an agreement with the Secretary under which the Secretary will not be required to pay under this section the portion of the costs of such training that the worker has reason to believe will be paid under the program, or by the source, described in subparagraph (A) or (B) of paragraph (1).

"(e) SUPPLEMENTAL ASSISTANCE.—

"(1) IN GENERAL.—The Secretary may, where appropriate, authorize supplemental assistance necessary to defray reasonable transportation and subsistence expenses for separate maintenance when training is provided in facilities that are not within commuting distance of a worker's regular place of residence.

"(2) LIMITATIONS.—The Secretary may not authorize—

"(A) payments for subsistence that exceed whichever is the lesser of—

"(i) the actual per diem expenses for subsistence; or

"(ii) payments at 50 percent of the prevailing per diem allowance rate authorized under the Federal travel regulations; or

"(B) payments for travel expenses exceeding the prevailing mileage rate authorized under the Federal travel regulations.

"(f) PAYMENT OF COSTS OF ON-THE-JOB TRAINING.—

"(1) IN GENERAL.—The Secretary shall pay the costs of any on-the-job training of an adversely affected worker that is approved under subsection (a)(1), but the Secretary may pay such costs, notwithstanding any other provision of this section, only if—

"(A) no currently employed worker is displaced by such adversely affected worker (including partial displacement such as a reduction in the hours of nonovertime work, wages, or employment benefits);

"(B) such training does not impair existing contracts for services or collective bargaining agreements;

"(C) in the case of training which would be inconsistent with the terms of a collective bargaining agreement, the written concurrence of the labor organization concerned has been obtained;

"(D) no other individual is on layoff from the same, or any substantially equivalent, job for which such adversely affected worker is being trained;

"(E) the employer has not terminated the employment of any regular employee or otherwise reduced the work force of the employer with the intention of filling the vacancy so created by hiring such adversely affected worker;

"(F) the job for which such adversely affected worker is being trained is not being created in a promotional line that will infringe in any way upon the promotional opportunities of currently employed individuals;

"(G) such training is not for the same occupation from which the worker was separated and with respect to which such worker's group was certified pursuant to section 222;

"(H) the employer is provided reimbursement of not more than 50 percent of the wage rate of the participant, for the cost of providing the training and additional supervision related to the training;

"(I) the duration of such training does not exceed 1 year; and

"(J) the employer has not received payment under subsection (a)(1) with respect to any other on-the-job training provided by such employer which failed to meet the requirements of subparagraphs (A), (B), (C), (D), (E), and (F).

"(2) SUPPLEMENTARY TRAINING.—An on-the-job training program approved under this section may include, as a component of such program, the provision of training with a provider other than the employer that is not provided on-the-job and is designed to enhance the occupational skills of the worker. The costs of such training shall be subject to the limitation described in subsection (b)(2)(B).

"(g) EFFECT OF APPROVED TRAINING ON ELIGIBILITY FOR UNEMPLOYMENT COMPENSATION.—A worker may not be determined to be ineligible or disqualified for unemployment insurance or program benefits under this subchapter because the individual is in training approved under subsection (a), because of leaving work which is not comparable employment to enter such training, or because of the application to any such week in training of provisions of State law or Federal unemployment insurance law relating to availability for work, active search for work, or refusal to accept work.

"(h) DEFINITION.—In this section, the term 'customized training' means training that is—

"(1) designed to meet the special requirements of an employer or group of employers;

"(2) conducted with a commitment by the employer or group of employers to employ an individual upon successful completion of the training; and

"(3) for which the employer pays for a significant portion of the cost of such training, as determined by the Secretary.".

(b) CONFORMING AMENDMENTS.—Part II of subchapter B of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2295 et seq.) is amended—

(1) in section 237(b)(2), by striking "section 236(b)(1) and (2)" and inserting "section 236"; and

(2) in subsections (b)(1) and (c)(2) of section 238, by striking "section 236(b)(1) and (2)" each place it appears and inserting "section 236".

SEC. 123. JOB SEARCH ALLOWANCES.

Section 237(a)(2) of the Trade Act of 1974 (19 U.S.C. 2297(a)(2)) is amended—

(1) in subparagraph (B), by striking "suitable" and inserting "comparable"; and

(2) in subparagraph (C)(ii), by striking ", unless the worker received a waiver under section 231(c)".

SEC. 124. RELOCATION ALLOWANCES.

Section 238(a)(2) of the Trade Act of 1974 (19 U.S.C. 2298(a)(2)) is amended—

(1) in subparagraph (B), by striking "suitable" and inserting "comparable";

(2) in subparagraph (D)—

(A) in the heading, by striking "SUITABLE" and inserting "OUT-OF-AREA"; and

(B) in clause (i) to read as follows:

"(i) has obtained employment affording a reasonable expectation of long-term duration in the area in which the worker wishes to relocate and which provides wages that are substantially greater than the wages for the employment that is likely to be available to the worker in the area from which the worker would be relocating; and"; and

(3) in subparagraph (E)(ii), by striking ", unless the worker received a waiver under section 231(c)".

Subtitle C—General Provisions

SEC. 131. AGREEMENTS WITH STATES.

(a) IN GENERAL.—Subsection (a) of section 239 of the Trade Act of 1974 (19 U.S.C. 2311) is amended—

(1) in the matter preceding clause (1), by striking "any State agency" and inserting "a State agency";

(2) in clause (2), to read as follows: "(2) in accordance with subsections (e) and (f), will afford adversely affected workers testing and assessments, career counseling, referral to training and job search programs, and job placement services, and";

(3) by striking clause (3); and

(4) by redesignating clause (4) as clause (3).

(b) ADMINISTRATION.—Subsection (e) of such section is amended—

(1) in the first sentence, to read as follows: "Any agreement entered into under this section shall provide for the administration of the provision for reemployment services, training, and supplemental assistance under sections 235 and 236 of this Act by the same State agency responsible for the administration of the State workforce investment program funded under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) and shall include such terms and conditions as are established by the Secretary in consultation with the States and set forth in such agreement.";

(2) in the second sentence, by striking "Any agency" and inserting "The agency"; and

(3) by adding at the end the following new sentence: "The terms and conditions set forth in the agreement shall include at a minimum that—

"(1) adversely affected workers applying for assistance under this chapter shall be co-enrolled in the dislocated worker program authorized under chapter 5 of subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2861 et seq.); and

"(2) the services provided under this chapter shall be administered through the one-stop delivery system established under title I of such Act (29 U.S.C. 2801 et seq.).".

(c) COOPERATING STATE AGENCY.—Subsection (f) of such section is amended—

(1) in paragraph (2), by adding "and" at the end;

(2) by striking paragraph (3);

(3) by redesignating paragraph (4) as paragraph (3); and

(4) in paragraph (3) (as redesignated by paragraph (3) of this subsection), by striking "suitable".

(d) PERFORMANCE ACCOUNTABILITY.—Such section is further amended by adding at the end the following new subsection:

"(h) PERFORMANCE ACCOUNTABILITY.—

"(1) IN GENERAL.—Any agreement entered into under this section shall include performance measures that the cooperating State or State agency is expected to achieve with respect to the program carried out under this chapter. The performance measures shall consist of indicators of performance and levels of performance applicable to each indicator.

"(2) INDICATORS OF PERFORMANCE.—The indicators of performance shall be—

"(A) entry into employment;

"(B) retention in employment;

"(C) average earnings; and

"(D) such other indicators as the Secretary determines are appropriate.

"(3) LEVELS OF PERFORMANCE.—The levels of performance for each State for the indicators of performance described in paragraph (2) shall be determined by the Secretary, after consultation with the State.

"(4) PERFORMANCE REPORTING.—Any agreement shall also include a requirement that the State annually report to the Secretary the level of performance achieved with respect to each indicator under the program carried out under this chapter in the preceding fiscal year, and the State shall submit such additional reports regarding the performance of programs as the Secretary may require. The Secretary shall make the information contained in the annual reports available to the general public through publication on the Website of the Department of Labor and other appropriate methods and shall provide copies of the reports to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate. The Secretary shall also publish on the Website of the Department of Labor a list identifying those States that fail to submit reports to the Secretary on a timely basis or fail to submit accurate reports.".

SEC. 132. AUTHORIZATION OF APPROPRIATIONS; INCENTIVE PAYMENTS TO STATES.

(a) IN GENERAL.—Subsection (a) of section 245 of the Trade Act of 1974 (19 U.S.C. 2317) is amended by striking "December 31, 2007" and inserting "September 30, 2012".

(b) INCENTIVE PAYMENTS TO STATES.—Such section is further amended by adding at the end the following new subsection:

"(c) INCENTIVE PAYMENTS TO STATES.—If, in the last quarter of any fiscal year, the Secretary determines that the amount of funds needed to make payments for the costs of training under this chapter for such fiscal year will not reach the amount of the limitation described in section 236(b)(1)(A) and funds appropriated to make payments for the costs of such training remain available for obligation, the Secretary may use not more than an amount equal to five percent of the amount of the limitation described in such section 236(b)(1)(A) to award funds to States that the Secretary determines have demonstrated exemplary performance in carrying out the program under this chapter with respect to exceeding the performance levels established pursuant to section 239(h) and with respect to such other factors as the Secretary determines appropriate. Such funds shall be available to the States for the purpose of enhancing the administration of the program which may include improvements to management information systems, targeted outreach, staff training, and enhanced services to participants.".

(c) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENT.—Such section is further amended in the heading by inserting before the period at the end the following: "; **INCENTIVE PAYMENTS TO STATES**".

(2) CLERICAL AMENDMENT.—The table of contents in section 1 of the Trade Act of 1974 is amended by striking the item relating to section 245 and inserting the following:

"Sec. 245. Authorization of appropriations; incentive payments to States.".

SEC. 133. PHASE-OUT OF DEMONSTRATION PROJECT FOR ALTERNATIVE TRADE ADJUSTMENT ASSISTANCE FOR OLDER WORKERS.

Section 246(b)(1) of the Trade Act of 1974 (19 U.S.C. 2318(b)(1)) is amended by striking "the date that is 5 years after the date under which such program is implemented by the State" and inserting "September 30, 2008".

SEC. 134. WAGE SUPPLEMENT PROGRAM.

(a) IN GENERAL.—Chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) is amended by inserting after section 246 the following new section:

"SEC. 246A. WAGE SUPPLEMENT PROGRAM.

"(a) ESTABLISHMENT.—Beginning on October 1, 2008, the Secretary shall establish a program to provide the benefits described in subsection (b) to an adversely affected worker who meets the eligibility criteria described in subsection (c), including the requirement that such worker be employed for the minimum number of hours per week described in subsection (c)(3).

"(b) BENEFITS.—

"(1) AMOUNT OF PAYMENTS.—A State shall use the funds provided to the State under section 241 to pay an hourly wage supplement to an eligible adversely affected worker for a period not to exceed 2 years, in an amount equal to the difference, if any (but not less than zero) resulting from subtracting the amount described in paragraph (2)(B) from the amount described in paragraph (2)(A).

"(2) FACTORS.—(A) For purposes of paragraph (1), the amount described in this subparagraph is the sum of—

"(i) whichever is the highest of—

"(I) the hourly minimum wage that is applicable to a worker under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), or if such worker is exempt under section 13 of such Act (29 U.S.C. 213), the hourly minimum wage that would be applicable if section 6(a)(1) of such Act (29 U.S.C. 206(a)(1)) were applied; or

"(II) the applicable State or local hourly minimum wage; and

"(ii) $2.40.

"(B) For purposes of paragraph (1), the amount described in this subparagraph is the hourly wage actually paid to such worker.

"(3) HEALTH INSURANCE ELIGIBILITY.—A worker described in subsection (c) who is participating in the program established under subsection (a) is eligible to receive, for a period not to exceed 2 years, a credit for health insurance costs to the extent provided under section 35 of the Internal Revenue Code of 1986.

"(c) ELIGIBILITY FOR WAGE SUPPLEMENT.—A worker in a group that the Secretary has certified as eligible to apply for adjustment assistance under section 223 may elect to receive the benefits described in subsection (b) if such worker—

"(1) is covered by a certification under subchapter A of this chapter;

"(2) meets the requirements of paragraphs (1) and (2) of section 231(a));

"(3) is employed for an average of at least 30 hours per week, which may include employment as part of an apprenticeship program registered under the National Apprenticeship Act (20 U.S.C. 50 et seq.);

"(4) does not return to the employment from which the worker was separated; and

"(5) has not received any payments under section 246 while covered under the same certification as described in paragraph (1).

"(d) EFFECT ON OTHER BENEFITS.—A worker receiving payments under this section shall not be eligible to receive other benefits under this chapter except for training assistance provided under section 236 (provided that such worker otherwise meets the requirements of section 236) or the assistance described in subsection (b)(3). A worker may receive payments under this section during breaks in training that exceed the period described in section 233(e) if the worker otherwise meets the requirements of this section.".

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Trade Act of 1974 is amended by inserting after the item relating to section 246 the following:

"Sec. 246A. Wage supplement program.".

SEC. 135. DEFINITIONS.

Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended by adding at the end the following new paragraphs:

"(18) The term 'comparable employment' means, with respect to a worker, work of a substantially equal or higher skill level than the worker's past adversely affected employment, and wages for such work at not less than 80 percent of the worker's average weekly wage.

"(19) The term 'adversely affected incumbent worker' means a worker who is a member of a group of workers who have been certified as eligible to apply for adjustment assistance under subchapter A and who has not been separated from adversely affected employment.".

SEC. 136. CAPACITY-BUILDING GRANTS TO ENHANCE TRAINING FOR WORKERS.

(a) IN GENERAL.—Chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) is amended by adding at the end the following new section:

"SEC. 250. CAPACITY-BUILDING GRANTS TO ENHANCE TRAINING FOR WORKERS.

"(a) IN GENERAL.—The Secretary may award grants to eligible entities described in subsection (b) to temporarily increase the capacity of such entities, through the activities authorized under subsection (c), to provide training to workers as provided for in section 236.

"(b) ELIGIBLE ENTITIES.—An eligible entity referred to in subsection (a) is—

"(1) a community college (as such term is defined in section 202(a)(2) of the Carl D. Perkins Vocational and Applied Technology Education Amendments of 1998 (20 U.S.C. 2371(a)(2)) that provides training for occupations in demand; or

"(2) a provider of training for occupations in demand that is eligible to receive funds under section 122 of the Workforce Investment Act of 1998 (29 U.S.C. 2842).

"(c) AUTHORIZED ACTIVITIES.—An eligible entity that is awarded a grant under this section shall utilize funds under the grant to expand available training slots and prepare adversely affected workers and adversely affected incumbent workers under this chapter for occupations in demand by conducting such activities as the Secretary may authorize, including—

"(1) the development of education and training curricula, which may be developed in consultation with employers of incumbent workers, local workforce investment boards (as defined in section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832)), labor organizations that represent individuals currently employed in occupations in demand for the local area, regional economic development agencies, one-stop operators (as defined in section 101(29) of such Act (29 U.S.C. 2801(29)), community-based organizations, or any other public or private entity that is likely to employ or facilitate the employment of adversely affected workers in occupations in demand;

"(2) the hiring of additional faculty and staff;

"(3) the acquisition of new equipment or the upgrading of existing equipment, which shall be necessary to facilitate the teaching of job skills to adversely affected workers and adversely affected incumbent workers; and

"(4) the development of a program to provide on-the-job training experiences for adversely affected workers in coordination with local employers that have committed to employ adversely affected workers following successful completion of the program.

"(d) APPLICATION.—

"(1) REQUESTS FOR APPLICATIONS.—

"(A) BY THE SECRETARY.—In each fiscal year, and at such times as the Secretary may determine, the Secretary may request applications from eligible entities to carry out activities authorized under this section.

"(B) BY AN ELIGIBLE ENTITY.—At any time, and in such form and manner as the Secretary may prescribe, an eligible entity may recommend that the Secretary initiate a request for capacity building grant applications if the eligible entity believes that there has been or will be a sudden and significant shortage of training slots available to adversely affected workers and adversely affected incumbent workers in a local area.

"(2) INFORMATION REQUIRED FOR APPLICATION.—To be eligible to receive a grant under this section, an applicant shall provide to the Secretary the following information in the application:

"(A) A description of the factors in a local area that have resulted or may result in a significant increase in demand for training slots by adversely affected workers and adversely affected incumbent workers, which may include—

"(i) mass layoffs at firms that are believed to employ a large number of adversely affected workers;

"(ii) imminent closure or relocation of facilities that are believed to employ a large number of adversely affected workers; and

"(iii) prevailing labor market conditions that may have an immediate, measurable adverse employment impact on the employment of adversely affected workers.

"(B) A description of the number of training slots currently available to adversely affected workers and adversely affected incumbent workers, and the number of proposed additional slots to be made available using funds under the grant.

"(C) A description of the potential number of adversely affected workers and adversely affected incumbent workers in the local area who would be able to access increased training slots.

"(D) A description of the commitment made by local employers, labor organizations, and other public or private organizations to assist in the development of training and related curricula for the benefit of adversely affected workers and adversely affected incumbent workers.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2008 through 2012.".

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Trade Act of 1974 is amended by inserting after the item relating to section 249 the following:

"Sec. 250. Capacity-building grants to enhance training for workers.".

Subtitle D—Effective Date

SEC. 141. EFFECTIVE DATE.

The amendments made by this title shall take effect beginning 90 days after the date of the enactment of this Act.

TITLE II—OTHER TRADE ADJUSTMENT ASSISTANCE PROGRAMS AND RELATED PROVISIONS

SEC. 201. TECHNICAL ASSISTANCE FOR FIRMS.

Section 253 of the Trade Act of 1974 (19 U.S.C. 2343) is amended by adding at the end the following new subsections:

"(c)(1) Any grant made under subsection (b)(3) shall include performance measures that an intermediary organization is expected to achieve with respect to the program carried out under this chapter. The performance measures shall consist of indicators of performance described in paragraph (2) and levels of performance described in paragraph (3) applicable to each such indicator of performance.

"(2) The indicators of performance referred to in paragraph (1) are the following:

"(A) The extent to which outreach efforts effectively apprise import-impacted firms likely to benefit from the program about resources available under the program.

"(B) The extent to which firms receiving adjustment assistance under section 252 meet or exceed targets to retain or create employment.

"(C) The percentage of workers totally or partially separated from employment that have returned to work or returned to their previous level of employment.

"(D) The extent to which firms receiving adjustment assistance under section 252 meet or exceed targets for maintaining or increasing sales or production.

"(E) Such other indicators of performance as the Secretary may determine are appropriate.

"(3) The levels of performance referred to in paragraph (1) shall be determined by the Secretary, after consultation with the intermediary organization. In reviewing an intermediary organization's levels of performance, the Secretary shall take into consideration economic conditions affecting the region served by the organization that may affect that performance.

"(4)(A) Any grant made under subsection (b)(3) shall also include a requirement that the intermediary organization submit to the Secretary a report on an annual basis on the levels of performance achieved with respect to each indicator of performance under the program carried out under this chapter in the preceding fiscal year, and such additional reports regarding such indicators of performance as the Secretary may require.

"(B) The Secretary shall make the information contained in the reports described in subparagraph (A) available to the general public through publication on the Website of the Economic Development Administration and other appropriate methods. The Secretary shall provide copies of the reports described in subparagraph (A) to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

"(C) The Secretary shall also publish on the Website of the Economic Development Administration a list that identifies those intermediary organizations that fail to submit reports to the Secretary in accordance with subparagraph (A) on a timely basis or fail to submit accurate reports to the Secretary in accordance with subparagraph (A).

"(d) At least once every three years, the Secretary shall provide for an independent evaluation of each intermediary organization receiving assistance under this section to assess the intermediary organization's performance and contribution toward retention and creation of employment. The purpose of the evaluations shall be to determine which intermediary organizations are performing well and merit continued assistance under this section and which intermediary organizations should not receive continued assistance under this section, so that other universities and intermediary organizations that have not previously received assistance under this section may participate in the program carried out under this chapter.".

SEC. 202. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.

Section 256(b) of the Trade Act of 1974 (19 U.S.C. 2346(b)) is amended—

(1) by striking "and $4,000,000" and inserting "$4,000,000"; and

(2) by inserting after "October 1, 2007," the following: "$15,000,000 for the 9-month period beginning on January 1, 2008, and $19,000,000 for each of the fiscal years 2009 through 2012,".

SEC. 203. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.

Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended by adding at the end the following new sentence: "There are authorized to be appropriated to the Department of Agriculture to carry out this chapter $81,000,000 for the 9-month period beginning on January 1, 2008, and $90,000,000 for each of the fiscal years 2009 through 2012.".

SEC. 204. JUDICIAL REVIEW.

(a) IN GENERAL.—Section 284(a) of the Trade Act of 1974 (19 U.S.C. 2395(a)) is amended in the first sentence—

(1) by striking "or authorized representative" and inserting "or other duly authorized representative";

(2) by striking "aggrieved" and inserting ", or any of the individuals or entities described in section 221(a)(1)(C), aggrieved (or on behalf of such workers aggrieved)"; and

(3) by striking "section 223" and inserting "section 226".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect beginning 90 days after the date of the enactment of this Act.

SEC. 205. TERMINATION.

Section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended by striking "December 31, 2007" each place it appears and inserting "September 30, 2012".

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. CREDIT REDUCTION FOR FAILURES RELATING TO CO-ENROLLMENT OF PARTICIPANTS AND PROGRAM PERFORMANCE REPORTS.

(a) IN GENERAL.—Paragraph (3) of section 3302(c) of the Internal Revenue Code of 1986 is amended—

(1) by striking "(3) If" and inserting "(3)(A) Except as provided in subparagraph (B), if",

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and

(3) by adding at the end the following new subparagraph:

"(B) If the Secretary of Labor determines that a State, or State agency, failed to meet the requirements of subsections (e)(1) (relating to the co-enrollment of participants) or (h)(3) (relating to the submission of reports on program performance) of section 239 of the Trade Act of 1974, the Secretary of Labor may direct that, in the case of a taxpayer subject to the unemployment compensation law of such State, the total credits (after applying subsections (a) and (b) and paragraphs (1) and (2) of this section) otherwise allowable under this section for a year during which such State or agency fails to meet those requirements shall (in lieu of reduction under subparagraph (A)) be reduced by 3 percent of the tax imposed with respect to wages paid by such taxpayer during such year which are attributable to such State.".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxable years beginning after September 30, 2008.

SEC. 302. TAA WAGE SUPPLEMENT PARTICIPANTS ELIGIBILITY FOR CREDIT FOR HEALTH INSURANCE COSTS.

(a) ELIGIBILITY.—Paragraph (1) of section 35(c) of the Internal Revenue Code of 1986 is amended by striking "and" at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting ", and" , and by adding after subparagraph (C) the following:

"(D) an eligible TAA wage supplement recipient.".

(b) ELIGIBLE TAA WAGE SUPPLEMENT RECIPIENT DEFINED.—Subsection (c) of section 35 of such Code is amended by adding after paragraph (4) the following:

"(5) ELIGIBLE TAA WAGE SUPPLEMENT RECIPIENT.—The term 'eligible TAA wage supplement recipient' means, with respect to any month, any individual who—

"(A) is a worker described in section 246A(c) of the Trade Act of 1974 who is participating in the wage supplement program established under section 246A(a) of such Act, and

"(B) is receiving a benefit for such month under section 246A(b) of such Act.

An individual shall continue to be treated as an eligible TAA wage supplement recipient during the first month that such individual would otherwise cease to be an eligible TAA wage supplement recipient by reason of the preceding sentence.".

(c) QUALIFIED HEALTH INSURANCE.—Subparagraph (J) of section 35(e)(1) of such Code is amended by striking "or" at the end of clause (ii), by striking the period at the end of clause (iii) and inserting ", or" , and by inserting after clause (iii) the following:

"(iv) in the case of an eligible TAA wage supplement recipient, the benefit described in subsection (c)(5)(B).".

(d) SUBSIDIZED COVERAGE.—Subparagraph (B) of section 35(f)(1) of such Code is amended—

(1) by inserting "or an eligible TAA wage supplement recipient" after "eligible alternative TAA recipient" in the matter preceding clause (i), and

(2) by inserting "OR ELIGIBLE TAA WAGE SUPPLEMENT RECIPIENTS" after "ELIGIBLE ALTERNATIVE TAA RECIPIENTS" in the heading.

(e) ADVANCE PAYMENT OF HCTC.—Paragraph (1) of section 7527(d) of such Code is amended by striking "or an eligible alternative TAA recipient (as defined in section 35(c)(3))" and inserting ", an eligible alternative TAA recipient (as defined in section 35(c)(3)), or an eligible TAA wage supplement recipient (as defined in section 35(c)(5))".

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 303. SPECIAL ALLOCATION UNDER NEW MARKETS TAX CREDIT IN CONNECTION WITH TRADE ADJUSTMENT ASSISTANCE.

(a) IN GENERAL.—Section 45D of the Internal Revenue Code of 1986 is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) the following new subsection:

"(i) SPECIAL ALLOCATIONS IN CONNECTION WITH TRADE ADJUSTMENT ASSISTANCE.—

"(1) ALLOCATIONS.—The new markets tax credit limitation otherwise determined under subsection (f)(1) shall be increased by an amount equal to $500,000,000 for 2008 to be allocated among qualified community development entities to make capital or equity investments in, or loans to, qualified TAA businesses.

"(2) RESTRICTION ON DESIGNATION.—A qualified community development entity receiving an allocation under paragraph (1) may not use such allocation to designate any qualified equity investment under subsection (b)(1)(C) unless substantially all of such investment is used for the purpose described in paragraph (1).

"(3) QUALIFIED TAA BUSINESSES.—For purposes of this subsection—

"(A) IN GENERAL.—The term 'qualified TAA business' means, with respect to any taxable year—

"(i) any qualified active low-income community business (as defined in subsection (d)(2)) which meets the requirements of clause (i) or (ii) of subparagraph (B) for such taxable year, and

"(ii) any specified TAA business.

"(B) SPECIFIED TAA BUSINESS.—The term 'specified TAA business' means, with respect to any taxable year, any corporation (including a nonprofit corporation) or partnership if—

"(i) not less than 40 percent of the individuals hired by such entity during such taxable year were eligible TAA recipients (as defined in section 35(c)(2)) or eligible alternative TAA recipients (as defined in section 35(c)(3)) with respect to any month beginning during the 1-year period ending on the hiring date (as defined in section 51(d)) of such individual,

"(ii) such entity is certified by the Secretary of Commerce as eligible to apply for adjustment assistance under chapter 3 of title II of the Trade Act of 1974 with respect to any portion of the taxable year in which the investment or loan referred to in paragraph (1) is made, and

"(iii) the Secretary determines that such entity will utilize the assistance provided pursuant to this section in a manner consistent with the purposes of subsection (d)(2)(A).

The requirement of clause (i) shall be treated as satisfied for any taxable year if such clause would be satisfied if all individuals hired by such entity during such taxable year and all preceding taxable years which are not before the taxable year in which the investment or loan referred to in paragraph (1) was made were taken into account.

"(4) REALLOCATIONS.—Subsection (f)(3) shall be applied separately with respect to the amount of the increase under paragraph (1).".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to allocations made after December 31, 2007.

SEC. 304. EXPEDITED REEMPLOYMENT DEMONSTRATION PROJECTS.

Title III of the Social Security Act (42 U.S.C. 501 and following) is amended by adding at the end the following:

"DEMONSTRATION PROJECTS

"SEC. 305. (a) The Secretary of Labor may enter into agreements, with States submitting an application described in subsection (b), for the purpose of allowing such States to conduct demonstration projects to test and evaluate measures designed—

"(1) to expedite, such as through the use of a wage insurance program, the reemployment of individuals who establish initial eligibility for unemployment compensation under the State law of such State; or

"(2) to improve the effectiveness of such State in carrying out its State law.

"(b) The Governor of any State desiring to conduct a demonstration project under this section shall submit an application to the Secretary of Labor at such time, in such manner, and including such information as the Secretary of Labor may require. Any such application shall, at a minimum, include—

"(1) a general description of the proposed demonstration project, including the authority (under the laws of the State) for the measures to be tested, as well as the period of time during which such demonstration project would be conducted;

"(2) if a waiver under subsection (c) is requested, the specific aspects of the project to which the waiver would apply and the reasons why such waiver is needed;

"(3) a description of the goals and the expected programmatic outcomes of the demonstration project, including how the project would contribute to the objective described in subsection (a)(1), subsection (a)(2), or both;

"(4) assurances (accompanied by supporting analysis) that the demonstration project would not result in any increased net costs to the State's account in the Unemployment Trust Fund;

"(5) a description of the manner in which the State—

"(A) will conduct an impact evaluation, using a control or comparison group or other valid methodology, of the demonstration project; and

"(B) will determine the extent to which the goals and outcomes described in paragraph (3) were achieved; and

"(6) assurances that the State will provide any reports relating to the demonstration project, after its approval, as the Secretary of Labor may require.

"(c) The Secretary of Labor may waive any of the requirements of section 3304(a)(4) of the Internal Revenue Code of 1986 or of paragraph (1) or (5) of section 303(a), to the extent and for the period the Secretary of Labor considers necessary to enable the State to carry out a demonstration project under this section.

"(d) A demonstration project under this section—

"(1) may be commenced any time after September 30, 2007; and

"(2) may not, under subsection (b), be approved for a period of time greater than 2 years, subject to extension upon request of the Governor of the State involved for such additional period as the Secretary of Labor may agree to, except that in no event may a demonstration project under this section be conducted after the end of the 5-year period beginning on the date of the enactment of this section.

"(e) The Secretary of Labor shall, in the case of any State for which an application is submitted under subsection (b)—

"(1) notify the State as to whether such application has been approved or denied within 90 days after receipt of a complete application, and

"(2) provide public notice of the decision within 10 days after providing notification to the State in accordance with paragraph (1).

Public notice under paragraph (2) may be provided through the Internet or other appropriate means. Any application under this section that has not been approved within such 90 days shall be treated as denied.

"(f) The Secretary of Labor may terminate a demonstration project under this section if the Secretary determines that the State has not complied with the terms and conditions of the project.".

SEC. 305. INCREASE IN PERCENTAGE OF TAA AND PBGC HEALTH INSURANCE TAX CREDIT.

(a) IN GENERAL.—Subsection (a) of section 35 of the Internal Revenue Code of 1986 is amended by striking "65 percent" and inserting "70 percent".

(b) CONFORMING AMENDMENT.—Subsection (b) of section 7527 of such Code is amended by striking "65 percent" and inserting "70 percent".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2007, in taxable years ending after such date.

SEC. 306. COLLECTION OF UNEMPLOYMENT COMPENSATION DEBTS.

(a) IN GENERAL.—Section 6402 of the Internal Revenue Code (relating to authority to make credits or refunds) is amended by redesignating subsections (f) through (k) as subsections (g) through (l), respectively, and by inserting after subsection (e) the following new subsection:

"(f) COLLECTION OF UNEMPLOYMENT COMPENSATION DEBTS.—

"(1) IN GENERAL.—Upon receiving notice from any State that a named person owes a covered unemployment compensation debt to such State, the Secretary shall, under such conditions as may be prescribed by the Secretary—

"(A) reduce the amount of any overpayment payable to such person by the amount of such covered unemployment compensation debt;

"(B) pay the amount by which such overpayment is reduced under subparagraph (A) to such State and notify such State of such person's name, taxpayer identification number, address, and the amount collected; and

"(C) notify the person making such overpayment that the overpayment has been reduced by an amount necessary to satisfy a covered unemployment compensation debt.

If an offset is made pursuant to a joint return, the notice under subparagraph (B) shall include the names, taxpayer identification numbers, and addresses of each person filing such return and the notice under subparagraph (C) shall include information related to the rights of a spouse of a person subject to such an offset.

"(2) PRIORITIES FOR OFFSET.—Any overpayment by a person shall be reduced pursuant to this subsection—

"(A) after such overpayment is reduced pursuant to—

"(i) subsection (a) with respect to any liability for any internal revenue tax on the part of the person who made the overpayment;

"(ii) subsection (c) with respect to past-due support; and

"(iii) subsection (d) with respect to any past-due, legally enforceable debt owed to a Federal agency; and

"(B) before such overpayment is credited to the future liability for any Federal internal revenue tax of such person pursuant to subsection (b).

If the Secretary receives notice from a State or States of more than one debt subject to paragraph (1) or subsection (e) that is owed by a person to such State or States, any overpayment by such person shall be applied against such debts in the order in which such debts accrued.

"(3) NOTICE; CONSIDERATION OF EVIDENCE.—No State may take action under this subsection until such State—

"(A) notifies the person owing the covered unemployment compensation debt that the State proposes to take action pursuant to this section;

"(B) provides such person at least 60 days to present evidence that all or part of such liability is not legally enforceable;

"(C) considers any evidence presented by such person and determines that an amount of such debt is legally enforceable; and

"(D) satisfies such other conditions as the Secretary may prescribe to ensure that the determination made under subparagraph (C) is valid and that the State has made reasonable efforts to obtain payment of such covered unemployment compensation debt.

"(4) COVERED UNEMPLOYMENT COMPENSATION DEBT.—For purposes of this subsection, the term 'covered unemployment compensation debt' means—

"(A) a past-due debt for erroneous payment of unemployment compensation which has become final under the law of a State certified by the Secretary of Labor pursuant to section 3304 and which remains uncollected;

"(B) contributions due to the unemployment fund of a State for which the State has determined the person to be liable; and

"(C) any penalties and interest assessed on such debt.

"(5) REGULATIONS.—

"(A) IN GENERAL.—The Secretary may issue regulations prescribing the time and manner in which States must submit notices of covered unemployment compensation debt and the necessary information that must be contained in or accompany such notices. The regulations may specify the minimum amount of debt to which the reduction procedure established by paragraph (1) may be applied.

"(B) FEE PAYABLE TO SECRETARY.—The regulations may require States to pay a fee to the Secretary, which may be deducted from amounts collected, to reimburse the Secretary for the cost of applying such procedure. Any fee paid to the Secretary pursuant to the preceding sentence shall be used to reimburse appropriations which bore all or part of the cost of applying such procedure.

"(C) SUBMISSION OF NOTICES THROUGH SECRETARY OF LABOR.—The regulations may include a requirement that States submit notices of covered unemployment compensation debt to the Secretary via the Secretary of Labor in accordance with procedures established by the Secretary of Labor. Such procedures may require States to pay a fee to the Secretary of Labor to reimburse the Secretary of Labor for the costs of applying this subsection. Any such fee shall be established in consultation with the Secretary of the Treasury. Any fee paid to the Secretary of Labor may be deducted from amounts collected and shall be used to reimburse the appropriation account which bore all or part of the cost of applying this subsection.

"(6) ERRONEOUS PAYMENT TO STATE.—Any State receiving notice from the Secretary that an erroneous payment has been made to such State under paragraph (1) shall pay promptly to the Secretary, in accordance with such regulations as the Secretary may prescribe, an amount equal to the amount of such erroneous payment (without regard to whether any other amounts payable to such State under such paragraph have been paid to such State).".

(b) DISCLOSURE OF CERTAIN INFORMATION TO STATES REQUESTING REFUND OFFSETS FOR LEGALLY ENFORCEABLE STATE UNEMPLOYMENT COMPENSATION DEBT.—

(1) GENERAL RULE.—Paragraph (3) of section 6103(a) of such Code is amended by inserting "(10)," after "(6),".

(2) DISCLOSURE TO DEPARTMENT OF LABOR AND ITS AGENT.—Paragraph (10) of section 6103(l) of such Code is amended—

(A) by striking "(c), (d), or (e)" each place it appears in the heading and text and inserting "(c), (d), (e), or (f)",

(B) in subparagraph (A) by inserting ", to officers and employees of the Department of Labor and its agent for purposes of facilitating the exchange of data in connection with a request made under subsection (f)(5) of section 6402," after "section 6402", and

(C) in subparagraph (B) by inserting ", and any agents of the Department of Labor," after "agency" the first place it appears.

(3) SAFEGUARDS.—Paragraph (4) of section 6103(p) of such Code is amended—

(A) in the matter preceding subparagraph (A), by striking "(l)(16)," and inserting "(l)(10), (16),";

(B) in subparagraph (F)(i), by striking "(l)(16)," and inserting "(l)(10), (16),"; and

(C) In the matter following subparagraph (f)(iii)—

(i) in each of the first two places it appears, by striking "(l)(16)," and inserting "(l)(10), (16),";

(ii) by inserting "(10)," after "paragraph (6)(A),"; and

(iii) in each of the last two places it appears, by striking "(l)(16)" and inserting "(l)(10) or (16)".

(c) EXPENDITURES FROM STATE FUND.—Section 3304(a)(4) of such Code is amended—

(1) in subparagraph (E), by striking "and" after the semicolon;

(2) in subparagraph (F), by inserting "and" after the semicolon; and

(3) by adding at the end the following new subparagraph:

"(G) WITH RESPECT TO AMOUNTS OF COVERED UNEMPLOYMENT COMPENSATION DEBT (AS DEFINED IN SECTION 6402(F)(4)) COLLECTED UNDER SECTION 6402(F).—

"(i) amounts may be deducted to pay any fees authorized under such section; and

"(ii) the penalties and interest described in section 6402(f)(4)(B) may be transferred to the appropriate State fund into which the State would have deposited such amounts had the person owing the debt paid such amounts directly to the State;".

(d) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 6402 of such Code is amended by striking "(c), (d), and (e)," and inserting "(c), (d), (e), and (f)".

(2) Paragraph (2) of section 6402(d) of such Code is amended by striking "and before such overpayment is reduced pursuant to subsection (e)" and inserting "and before such overpayment is reduced pursuant to subsections (e) and (f)".

(3) Paragraph (3) of section 6402(e) of such Code is amended in the last sentence by inserting "or subsection (f)" after "paragraph (1)".

(4) Subsection (g) of section 6402 of such Code, as redesignated by subsection (a), is amended by striking "(c), (d), or (e)" and inserting "(c), (d), (e), or (f)".

(5) Subsection (i) of section 6402 of such Code, as redesignated by subsection (a), is amended by striking "subsection (c) or (e)" and inserting "subsection (c), (e), or (f)".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to refunds payable under section 6402 of the Internal Revenue Code of 1986 on or after the date of enactment of this Act.

SEC. 307. OFFSETS.

(a) TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.—Subparagraph (B) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 is amended by striking "115 percent" and inserting "127.50 percent".

(b) CUSTOMS USER FEES.—Section 13031(j)(3)(A) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(A)) is amended by striking "October 21, 2014" and inserting "February 17, 2015".

(c) TIMEFRAME FOR MEDICARE PART A AND B PAYMENTS.—Notwithstanding sections 1816(c) and 1842(c)(2) of the Social Security Act or any other provision of law—

(1) any payment from the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i) or from the Federal Supplementary Medical Insurance Trust Fund under section 1841 of such Act (42 U.S.C. 1395t) for claims submitted under part A or B of title XVIII of such Act for items and services furnished under such part A or B, respectively, that would otherwise be payable during the period beginning on September 22, 2012, and ending on September 30, 2012, shall be paid on the first business day of October 2012; and

(2) no interest or late penalty shall be paid to an entity or individual for any delay in a payment by reason of the application of paragraph (1).

TITLE IV—WORKFORCE INVESTMENT IMPROVEMENT

SEC. 401. SHORT TITLE.

This title may be cited as the "Workforce Investment Improvement Act of 2007".

SEC. 402. REFERENCES.

Except as otherwise expressly provided, wherever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the amendment or repeal shall be considered to be made to a section or other provision of the Workforce Investment Act of 1998 (20 U.S.C. 9201 et seq.).

Subtitle A—Amendments to Title I of the Workforce Investment Act of 1998

SEC. 411. DEFINITIONS.

Section 101 (29 U.S.C. 2801) is amended—

(1) by striking paragraphs (13) and (24) and redesignating paragraphs (1) through (12) as paragraphs (3) through (14), and paragraphs (14) through (23) as paragraphs (15) through (24), respectively;

(2) by inserting after "In this title:" the following new paragraphs:

"(1) ACCRUED EXPENDITURES.—The term 'accrued expenditures' means charges incurred by recipients of funds under this title for a given period requiring the provision of funds for goods or other tangible property received; services performed by employees, contractors, subgrantees, subcontractors, and other payees; and other amounts becoming owed under programs assisted under this title for which no current services or performance is required, such as annuities, insurance claims, and other benefit payments.

"(2) ADMINISTRATIVE COSTS.—The term 'administrative costs' means expenditures incurred by State and local workforce investment boards, direct recipients (including State grant recipients under subtitle B and recipients of awards under subtitle D), local grant recipients, local fiscal agents or local grant subrecipients, and one-stop operators in the performance of administrative functions and in carrying out activities under this title which are not related to the direct provision of workforce investment services (including services to participants and employers). Such costs include both personnel and non-personnel and both direct and indirect.";

(3) in paragraph (6) (as so redesignated), by inserting "(or such other level as the Governor may establish)" after "8th grade level";

(4) in paragraph (10)(C) (as so redesignated), by striking "not less than 50 percent of the cost of the training" and inserting "a significant portion of the cost of training, as determined by the local board (or, in the case of an employer in multiple local areas in the State, as determined by the Governor), taking into account the size of the employer and such other factors as the local board determines to be appropriate"; and

(5) in paragraph (11) (as so redesignated)—

(A) in subparagraph (A)(ii)(II), by striking "section 134(c)" and inserting "section 121(e)";

(B) in subparagraph (B)(iii), by striking "intensive services described in section 134(d)(3)" and inserting "work ready services described in section 134(c)(3)(M) through (U)";

(C) in subparagraph (C), by striking "or" after the semicolon;

(D) in subparagraph (D), by striking the period and inserting "; or"; and

(E) by adding at the end the following:

"(E)(i) is the spouse of a member of the Armed Forces on active duty for a period of more than 30 days (as defined in section 101(d)(2) of title 10, United States Code) who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or

"(ii) is the spouse of a member of the Armed Forces on active duty who meets the criteria described in paragraph (12)(B).";

(6) in paragraph (12)(A) (as redesignated)—

(A) by striking "and" after the semicolon and inserting "or";

(B) by striking "(A)" and inserting "(A)(i)"; and

(C) by adding at the end the following:

"(ii) is the dependent spouse of a member of the Armed Forces on active duty for a period of more than 30 days (as defined in section 101(d)(2) of title 10, United States Code) whose family income is significantly reduced because of a deployment (as defined in section 991(b) of title 10, United States Code, or pursuant to paragraph (4) of such section), a call or order to active duty pursuant to a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code, a permanent change of station, or the service-connected (as defined in section 101(16) of title 38, United States Code) death or disability of the member; and";

(7) in paragraph (13) (as so redesignated), by inserting "or regional" after "local" each place it appears;

(8) in paragraph (14) (as so redesignated)—

(A) in subparagraph (A), by striking "section 122(e)(3)" and inserting "section 122"; and

(B) by striking subparagraph (B), and inserting the following:

"(B) work ready services, means a provider who is identified or awarded a contract as described in section 134(c)(3);".

(9) in paragraph (25)—

(A) in subparagraph (B), by striking "higher of—" and all that follows through clause (ii) and inserting "poverty line for an equivalent period;"; and

(B) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively, and inserting after subparagraph (C) the following:

"(D) receives or is eligible to receive free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);";

(10) in paragraph (32) by striking "the Republic of the Marshall Islands, the Federated States of Micronesia,"; and

(11) by striking paragraph (33) and redesignating paragraphs (34) through (53) as paragraphs (33) through (52), respectively.

SEC. 412. PURPOSE.

Section 106 (29 U.S.C. 2811) is amended by inserting at the end the following: "It is also the purpose of this subtitle to provide workforce investment activities in a manner that promotes the informed choice of participants and actively involves participants in obtaining training services that will increase their skills and improve their employment outcomes.".

SEC. 413. STATE WORKFORCE INVESTMENT BOARDS.

(a) MEMBERSHIP.—

(1) IN GENERAL.—Section 111(b) (29 U.S.C. 2821(b)) is amended—

(A) by amending paragraph (1)(C) to read as follows:

"(C) representatives appointed by the Governor, who are—

"(i)(I) the lead State agency officials with responsibility for the programs and activities that are described in section 121(b) and carried out by one-stop partners;

"(II) in any case in which no lead State agency official has responsibility for such a program or activity, a representative in the State with expertise relating to such program or activity; and

"(III) if not included under subclause (I), the director of the State unit, defined in section 7(8)(B) of the Rehabilitation Act of 1973 (29 U.S.C. 705(8)(B)) except that in a State that has established 2 or more designated State units to administer the vocational rehabilitation program, the board representative shall be the director of the designated State unit that serves the most individuals with disabilities in the State;

"(ii) the State agency officials responsible for economic development;

"(iii) representatives of business in the State who—

"(I) are owners of businesses, chief executive or operating officers of businesses, and other business executives or employers with optimum policy making or hiring authority, including members of local boards described in section 117(b)(2)(A)(i);

"(II) represent businesses with employment opportunities that reflect employment opportunities in the State; and

"(III) are appointed from among individuals nominated by State business organizations and business trade associations;

"(iv) chief elected officials (representing both cities and counties, where appropriate);

"(v) one or more representatives of labor organizations, who have been nominated by State labor federations or labor organizations within the State; and

"(vi) such other representatives and State agency officials as the Governor may designate."; and

(B) in paragraph (3), by striking "paragraph (1)(C)(i)" and inserting "paragraph (1)(C)(iii)".

(2) CONFORMING AMENDMENT.—Section 111(c) (29 U.S.C. 2811(c)) is amended by striking "subsection (b)(1)(C)(i)" and inserting "subsection (b)(1)(C)(iii)".

(b) FUNCTIONS.—Section 111(d) (29 U.S.C. 2811(d)) is amended—

(1) in paragraph (2), by striking "section 134(c)" and inserting "section 121(e)";

(2) by amending paragraph (3) to read as follows:

"(3) development and review of statewide policies affecting the integrated provision of services through the one-stop delivery system described in section 121 within the State, including—

"(A) the development of objective criteria and procedures for, and the issuance of, certifications of one-stop centers;

"(B) the criteria for the allocation of one-stop center infrastructure funding under section 121(h), and oversight of the use of such funds;

"(C) policies relating to the appropriate roles and contributions of one-stop partner programs within the one-stop delivery system, including approaches to facilitating equitable and efficient cost allocation in the one-stop delivery system, consistent with section 121;

"(D) strategies for providing effective outreach to individuals and employers who could benefit from services provided through the one-stop delivery system; and

"(E) strategies for technology improvements to facilitate access to services provided through the one-stop delivery system, in remote areas, and for individuals with disabilities, which may be utilized throughout the State;

"(F) identification and dissemination of information on best practices for effective operation of one-stop centers, including use of innovative business outreach, partnerships, and service delivery strategies, including for hard-to-serve populations; and

"(G) carrying out of such other matters as may promote statewide objectives for, and enhance the performance of, the one-stop delivery system;";

(3) in paragraph (4), by inserting "and the development of State criteria relating to the

appointment and certification of local boards under section 117" after "section 116";

(4) in paragraph (5), by striking "128(b)(3)(B) and 133(b)(3)(B)" and inserting "sections 128(b)(3) and 133(b)(3)"; and

(5) in paragraph (8)—

(A) by striking "employment statistics system" and inserting "workforce and labor market information system"; and

(B) by striking "and" after the semicolon;

(6) in paragraph (9)—

(A) by striking "section 503" and inserting "section 136(i)"; and

(B) by striking the period and inserting "; and"; and

(7) by inserting the following new paragraph after paragraph (9):

"(10) reviewing and providing comment on the State plans of all one-stop partner programs, where applicable, in order to provide effective strategic leadership in the development of a high-quality, comprehensive statewide workforce investment system.".

(c) ELIMINATION OF ALTERNATIVE ENTITY AND PROVISION OF AUTHORITY TO HIRE STAFF.—Section 111(e) (29 U.S.C. 2821(e)) is amended to read as follows:

"(e) AUTHORITY TO HIRE STAFF.—The State board may hire staff to assist in carrying out the functions described in subsection (d).".

(d) CONFLICT OF INTEREST.—Section 111(f)(1) (29 U.S.C. 2821(f)(1)) is amended by inserting "or participate in action taken" after "vote".

(e) SUNSHINE PROVISION.—Section 111(g) (29 U.S.C. 2821(g)) is amended—

(1) by inserting ", and modifications to the State plan," after "State plan" ; and

(2) by inserting ", and modifications to the State plan" after "the plan".

SEC. 414. STATE PLAN.

(a) PLANNING CYCLE.—Section 112(a) (29 U.S.C. 2822(a)) is amended by striking "5-year strategy" and inserting "2-year strategy".

(b) CONTENTS.—Section 112(b) (29 U.S.C. 2822(b)) is amended—

(1) by amending paragraph (7) to read as follows:

"(7) a description of the State criteria for determining the eligibility of training providers in accordance with section 122, including how the State will take into account the performance of providers and whether the training programs relate to occupations that are in demand;";

(2) in paragraph (8)—

(A) in subparagraph (A)—

(i) in clause (ix), by striking "and" after the semicolon;

(ii) by adding the following new clause after clause (x):

"(xi) programs authorized under title II of the Social Security Act (42 U.S.C. 401 et seq.) (related to Federal old-age, survivors, and disability insurance benefits), title XVI of such Act (42 U.S.C. 1381 et seq.) (relating to supplemental security income), title XIX of such Act (42 U.S.C. 1396 et seq.) (relating to Medicaid), and title XX of such Act (42 U.S.C. 1397 et seq.) (relating to block grants to States for social services), programs authorized under title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796 et seq.), and programs carried out by State agencies relating to mental retardation and developmental disabilities; and";

(B) by amending subparagraph (B) to read as follows:

"(B) a description of common data collection and reporting processes used for the programs and activities described in subparagraph (A) that are one-stop partners, including assurances that such processes utilize quarterly wage records for performance measures relating to entry into employment, retention in employment, and average earnings that are applicable to such programs or activities, or, if such records are not being used, an identification of the barriers to such use and a description of how the State will address such barriers within one year of the approval of the plan;"; and

(3) in paragraph (11), by inserting ", including controls and procedures to ensure that the limitations on the costs of administration are not exceeded".

(4) in paragraph (12)(A), by striking "sections 128(b)(3)(B) and 133(b)(3)(B)" and inserting "sections 128(b)(3) and 133(b)(3)";

(5) in paragraph (14), by striking "section 134(c)" and inserting "section 121(e)";

(6) in paragraph (17)(A)—

(A) in clause (iii) by striking "and";

(B) by amending clause (iv) to read as follows:

"(iv) how the State will serve the employment and training needs of dislocated workers (including displaced homemakers), low income individuals (including recipients of public assistance), individuals with limited English proficiency, homeless individuals, individuals training for nontraditional employment, and other individuals with multiple barriers to employment (including older individuals); and"; and

(C) by inserting after clause (iv) the following:

"(v) how the State will serve the employment and training needs of individuals with disabilities, consistent with section 188 and Executive Order 13217 (42 U.S.C. 12131 note; relating to community-based alternatives for individuals with disabilities) including the provision of outreach, intake, assessments, and service delivery, the development of performance measures established under section 136, the training of staff, and other aspects of accessibility to program services, consistent with sections 504 and 508 of the Rehabilitation Act of 1973; and";

(7) in paragraph (17)(B), by striking "to the extent practicable" and inserting "in accordance with the requirements of the Jobs for Veterans Act (PL 107–288)";

(8) in paragraph (18)(D), by striking "youth opportunity grants" and inserting "youth challenge grants"; and

(9) by adding at the end the following new paragraphs:

"(19) a description of the process and methodology for determining one-stop partner program contributions for the cost of the infrastructure of one-stop centers under section 121(h)(1) and of the formula for allocating such infrastructure funds to local areas under section 121(h)(3);

"(20) a description of the strategies and programs providing outreach to businesses, identifying workforce needs of businesses in the State, and ensuring that such needs will be met (including the needs of small businesses), which may include—

"(A) implementing innovative programs and strategies designed to meet the needs of all businesses in the State, including small businesses, which may include incumbent worker training programs, sectoral and industry cluster strategies, regional skills alliances, career ladder programs, utilization of effective business intermediaries, and other business services and strategies that better engage employers in workforce investment activities and make the statewide workforce investment system more relevant to the needs of State and local businesses, consistent with the objectives of this title; and

"(B) providing incentives and technical assistance to assist local areas in more fully engaging all employers, including small employers, in local workforce investment activities, to make the workforce investment system more relevant to the needs of area businesses, and to better coordinate workforce investment, economic development, and postsecondary education and training efforts to contribute to the economic well-being of the local area and region, as determined appropriate by the local board;

"(21) a description of how the State will utilize technology to facilitate access to services in remote areas which may be utilized throughout the State;

"(22) a description of the State strategy and assistance to be provided for encouraging regional cooperation within the State and across State borders as appropriate; and

"(23) a description of the actions that will be taken by the State to foster communication and partnerships with non-profit organizations (including community, faith-based, and philanthropic organizations) that provide employment-related, training, and complementary services, in order to enhance the quality and comprehensiveness of services available to participants under this title.".

(c) MODIFICATION TO PLAN.—Section 112(d) (29 U.S.C. 2822(d)) is amended by striking "5-year period" and inserting "2-year period".

SEC. 415. LOCAL WORKFORCE INVESTMENT AREAS.

(a) DESIGNATION OF AREAS.—

(1) CONSIDERATIONS.—Section 116(a)(1)(B) (29 U.S.C. 2831(a)(1)(B)) is amended by adding at the end the following clause:

"(vi) The extent to which such local areas will promote efficiency in the administration and provision of services.".

(2) AUTOMATIC DESIGNATION.—Section 116(a)(2) (29 U.S.C. 2831(a)(2)) is amended to read as follows:

"(2) AUTOMATIC DESIGNATION.—

"(A) IN GENERAL.—Except as provided in subparagraph (B) of this paragraph and subsection (b), the Governor shall approve a request for designation as a local area from—

"(i) any unit of general local government with a population of 500,000 or more; and

"(ii) an area served by a rural concentrated employment program grant recipient that served as a service delivery area or substate area under the Job Training Partnership Act (29 U.S.C. 1501 et seq.),

for the 2-year period covered by a State plan under section 112 if such request is made not later than the date of the submission of the State plan.

"(B) CONTINUED DESIGNATION BASED ON PERFORMANCE.—The Governor may deny a request for designation submitted pursuant to subparagraph (A) if such unit of government was designated as a local area for the preceding 2-year period covered by a State plan and the Governor determines that such local area did not perform successfully during such period.".

(b) SINGLE LOCAL AREA STATES.—Section 116(b) (29 U.S.C. 2831(b)) is amended to read as follows:

"(b) SINGLE LOCAL AREA STATES.—

"(1) CONTINUATION OF PREVIOUS DESIGNATION.—Notwithstanding subsection (a), the Governor of any State that was a single local area for purposes of this title as of July 1, 2007, may continue to designate the State as a single local area for purposes of this title if the Governor identifies the State as a local area in the State plan under section 112(b)(5).

"(2) NEW DESIGNATION.—The Governor of a State not described in paragraph (1) may designate the State as a single local area if, prior to the submission of the State plan or modification to such plan so designating the

State, no local area meeting the requirements for automatic designation under subsection (a) requests such designation as a separate local area.

"(3) EFFECT ON LOCAL PLAN.—In any case in which the local area is the State pursuant to this subsection, the local plan under section 118 shall be submitted to the Secretary for approval as part of the State plan under section 112.".

(c) REGIONAL PLANNING.—Section 116(c)(1) (29 U.S.C. 2831(c)(1)) is amended by adding at the end the following: "The State may require the local boards for the designated region to prepare a single regional plan that incorporates the elements of the local plan under section 118 and that is submitted and approved in lieu of separate local plans under such section.".

SEC. 416. LOCAL WORKFORCE INVESTMENT BOARDS.

(a) COMPOSITION.—Section 117(b)(2) (29 U.S.C. 2832(b)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (i)(II), by inserting ", businesses that are in the leading industries in the local area, and large and small businesses in the local area" after "local area";

(B) by amending clause (ii) to read as follows:

"(ii) a superintendent of the local secondary school system and the president or chief executive officer of a postsecondary educational institution serving the local area (including community colleges, where such entities exist);";

(C) in clause (iii)—

(i) by striking "representatives" and inserting "one or more representatives"; and

(ii) by inserting "or by labor organizations in the local area" after "federations";

(D) in clause (iv)—

(i) by striking "representatives" and inserting "one or more representatives"; and

(ii) by striking the semicolon and inserting "and faith-based organizations; and";

(E) in clause (v) by inserting "one or more" before "representatives"; and

(F) by striking clause (vi); and

(2) in subparagraph (B), by striking the period and inserting "; and"; and

(3) by adding at the end the following subparagraph:

"(C) except for the individuals described in subparagraph(A)(ii), shall not include any individual who is employed by an entity receiving funds for the provision of services under chapters 4 or 5.".

(b) AUTHORITY OF BOARD MEMBERS.—Section 117(b)(3) (29 U.S.C. 2832(b) is amended—

(1) in the heading, by inserting "**AND REPRESENTATION**" after "**MEMBERS**"; and

(2) by adding at the end the following: "The members of the board shall represent diverse geographic sections within the local area.".

(c) FUNCTIONS.—Section 117(d) (29 U.S.C. 2832(d)) is amended—

(1) in paragraph (2)(B), by striking "by awarding grants" and all that follows through "youth council";

(2) by striking paragraph (2)(D) and inserting the following:

"(D) IDENTIFICATION OF ELIGIBLE PROVIDERS OF WORK READY SERVICES.—If the one-stop operator does not provide the work ready services described in section 134(c)(3)(M) through (U) in the local area, the local board shall identify eligible providers of such services in the local area by awarding contracts.";

(3) in paragraph (3)(B) by striking clause (ii) and inserting the following:

"(ii) STAFF.—The local board may employ staff to assist in carrying out the functions described in this subsection.";

(4) in paragraph (4) by inserting ", and ensure the appropriate use and management of the funds provided under this title for such programs, activities, and system" after "area";

(5) in paragraph (6)—

(A) by striking "EMPLOYMENT STATISTICS SYSTEM" and inserting "WORKFORCE AND LABOR MARKET INFORMATION SYSTEM"; and

(B) by striking "employment statistics system" and inserting "workforce and labor market information system";

(6) by amending paragraph (8) to read as follows:

"(8) CONVENING, BROKERING, AND LEVERAGING.—The local board shall support a comprehensive workforce investment system for the local area and promote the participation by private sector employers, service providers, and other stakeholders in such system. The Board shall ensure the effective provision, through the system, of convening, brokering, and leveraging activities, through intermediaries such as the one-stop operator in the local area or through other organizations, to assist such employers in meeting hiring needs. Such activities may include—

"(A) convening private sector employers, including small employers, labor, economic development, and education leaders in the area to align system missions and services, and to identify and meet the employment, education, and skills training needs of the local area in support of regional and local economic growth strategies;

"(B) providing leadership in the design and implementation of a comprehensive workforce development system that extends beyond those programs authorized under title I of this Act (including programs identified in section 121(b)) for the local area;

"(C) brokering relationships and service arrangements across system stakeholders and partners; and

"(D) leveraging resources other than those provided under title I of this Act, including public and private resources, to significantly expand resources available for employment and training activities identified as necessary in the local area.";

(7) by adding at the end the following:

"(9) TECHNOLOGY IMPROVEMENTS.—The local board shall develop strategies for technology improvements to facilitate access to services, in remote areas, for services authorized under this subtitle and carried out in the local area.".

(d) LIMITATIONS.—Section 117(f) (29 U.S.C. 2832(f)) is amended by striking paragraph (2) and inserting the following:

"(2) WORK READY SERVICES, DESIGNATION, OR CERTIFICATION AS ONE-STOP OPERATORS.—A local board may provide work ready services described in section (c)(d)(2) through a one-stop delivery system described in section 121 or be designated or certified as a one-stop operator only with the agreement of the chief elected official and the Governor.".

(e) CONFLICT OF INTEREST.—Section 117(g)(1) (29 U.S.C. 2832(g)(1)) is amended by inserting "or participate in action taken" after "vote".

(f) AUTHORITY TO ESTABLISH COUNCILS AND ELIMINATION OF REQUIREMENT FOR YOUTH COUNCILS.—Section 117(h) (29 U.S.C. 2832(h)) is amended to read as follows:

"(h) ESTABLISHMENT OF COUNCILS.—The local board may establish councils to provide information and advice to assist the local board in carrying out activities under this title. Such councils may include a council composed of one-stop partners to advise the local board on the operation of the one-stop delivery system, a youth council composed of experts and stakeholders in youth programs to advise the local board on activities for youth, and such other councils as the local board determines are appropriate.".

(g) REPEAL OF ALTERNATIVE ENTITY PROVISION.—Section 117 (29 U.S.C. 2832) is further amended by striking subsection (i).

SEC. 417. LOCAL PLAN.

(a) PLANNING CYCLE.—Section 118(a) (29 U.S.C. 2833(a)) is amended by striking "5-year" and inserting "2-year".

(b) CONTENTS.—Section 118(b) (29 U.S.C. 2833(b)) is amended—

(1) by amending paragraph (2) to read as follows:

"(2) a description of the one-stop delivery system to be established or designated in the local area, including a description of how the local board will ensure the continuous improvement of eligible providers of services through the system and ensure that such providers meet the employment needs of local employers and participants;";

(2) in paragraph (4)—

(A) by striking "and dislocated worker"; and

(B) by inserting before the semicolon ", including a description of how the local area will implement the requirements of section 134(c)(4)(G) relating to ensuring that training services are linked to occupations that are in demand";

(3) in paragraph (5), by striking "statewide rapid response activities" and inserting "statewide activities";

(4) in paragraph (9), by striking "; and" and inserting a semicolon; and

(5) by redesignating paragraph (10) as paragraph (13) and inserting after paragraph (9) the following:

"(10) a description of the strategies and services that will be initiated in the local area to more fully engage all employers, including small employers, in workforce investment activities, to make the workforce investment system more relevant to the needs of area businesses, and to better coordinate workforce investment and economic development efforts, which may include the implementation of innovative initiatives such as incumbent worker training programs, sectoral and industry cluster strategies, regional skills alliance initiatives, career ladder programs, utilization of effective business intermediaries, and other business services and strategies designed to meet the needs of area employers and contribute to the economic well-being of the local area, as determined appropriate by the local board, consistent with the objectives of this title;

"(11) a description of how the local board will facilitate access to services provided through the one-stop delivery system involved in remote areas, including facilitating access through the use of technology;

"(12) how the local area will serve the employment and training needs of individuals with disabilities, consistent with section 188 and Executive Order 13217 (42 U.S.C. 12131 *note*) including the provision of outreach, intake, assessments, and service delivery, the development of performance measures, the training of staff, and other aspects of accessibility to program services, consistent with sections 504 and 508 of the Rehabilitation Act of 1973; and".

SEC. 418. ESTABLISHMENT OF ONE-STOP DELIVERY SYSTEMS.

(a) ONE-STOP PARTNERS.—

(1) REQUIRED PARTNERS.—Section 121(b)(1) (29 U.S.C. 2841(b)(1)) is amended—

(A) by striking subparagraph (A) and inserting the following:

"(A) ROLES AND RESPONSIBILITIES OF ONE-STOP PARTNERS.—Each entity that carries out a program or activities described in subparagraph (B) shall—

"(i) provide access through the one-stop delivery system to the programs and activities carried out by the entity, including making the work ready services described in section 134(d)(2) that are applicable to the program of the entity available at the one-stop centers (in addition to any other appropriate locations);

"(ii) use a portion of the funds available to the program of the entity to maintain the one-stop delivery system, including payment of the infrastructure costs of one-stop centers in accordance with subsection (h);

"(iii) enter into a local memorandum of understanding with the local board relating to the operation of the one-stop system that meets the requirements of subsection (c);

"(iv) participate in the operation of the one-stop system consistent with the terms of the memorandum of understanding, the requirements of this title, and the requirements of the Federal laws authorizing the programs carried out by the entity; and

"(v) provide representation on the State board to the extent provided under section 111.";

(B) in subparagraph (B)—

(i) by striking clauses (ii) and (v);

(ii) by redesignating clauses (iii) and (iv) as clauses (ii) and (iii), respectively, and by redesignating clauses (vi) through (xii) as clauses (iv) through (x), respectively;

(iii) in clause (ix) (as so redesignated), by striking "and" at the end;

(iv) in clause (x) (as so redesignated), by striking the period and inserting "; and"; and

(v) by inserting after clause (x)(as so redesignated) the following:

"(xi) programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), subject to subparagraph (C); and

"(xii) programs authorized under section 6(d)(4) of the Food Stamp Act of 1977 (7 U.S.C. 2015(d)(4)), subject to subparagraph (C)."; and

(C) by adding after subparagraph (B) the following:

"(C) DETERMINATION BY THE GOVERNOR.—The program referred to in clauses (xi) and (xii) of subparagraph (B) shall be included as a required partner for purposes of this title in a State unless the Governor of the State notifies the Secretary and the Secretary of Health and Human Services (in the case of the program referred to in clause (xi) of subparagraph (B)), or the Secretary and the Secretary of Agriculture (in the case of the program referred to in clause (xii) of subparagraph (B)) in writing of a determination by the Governor not to include such programs as required partners for purposes of this title in the State.".

(2) ADDITIONAL PARTNERS.—Section 121(b)(2)(B) (29 U.S.C. 2841(b)(2)(B)) is amended to read as follows:

"(B) PROGRAMS.—The programs referred to in subparagraph (A) may include—

"(i) employment and training programs administered by the Social Security Administration, including the Ticket to Work program (established by Public Law 106–170);

"(ii) employment and training programs carried out by the Small Business Administration;

"(iii) programs under part D of title IV of the Social Security Act (42 U.S.C. 451 et seq.) (relating to child support enforcement);

"(iv) employment, training, and literacy services carried out by public libraries;

"(v) programs carried out in the local area for individuals with disabilities, including programs carried out by State agencies relating to mental health, mental retardation, and developmental disabilities, State Medicaid agencies, State Independent Living Councils, and Independent Living Centers;

"(vi) programs authorized under the National and Community Service Act of 1990 (42 U.S.C. 1250 et seq.);

"(vii) cooperative extension programs carried out by the Department of Agriculture; and

"(viii) other appropriate Federal, State, or local programs, including programs in the private sector.".

(b) LOCAL MEMORANDUM OF UNDERSTANDING.—Section 121(c)(2)(A) (29 U.S.C. 2841(c)(2)(A)) is amended to read as follows:

"(A) provisions describing—

"(i) the services to be provided through the one-stop delivery system consistent with the requirements of this section, including the manner in which the services will be coordinated through such system;

"(ii) how the costs of such services and the operating costs of such system will be funded, through cash and in-kind contributions, to provide a stable and equitable funding stream for ongoing one-stop system operations, including the funding of the infrastructure costs of one-stop centers in accordance with subsection (h);

"(iii) methods of referral of individuals between the one-stop operator and the one-stop partners for appropriate services and activities; and

"(iv) the duration of the memorandum of understanding and the procedures for amending the memorandum during the term of the memorandum, and assurances that such memorandum shall be reviewed not less than once every 2-year period to ensure appropriate funding and delivery of services; and".

(c) PROVISION OF SERVICES.—Subtitle B of title I is amended—

(1) in section 121(d)(2), by striking "section 134(c)" and inserting "subsection (e)";

(2) by striking subsection (e) of section 121;

(3) by moving subsection (c) of section 134 from section 134, redesignating such subsection as subsection (e), and inserting such subsection (as so redesignated) after subsection (d) of section 121; and

(4) by amending subsection (e) of section 121 (as moved and redesignated by paragraph (3))—

(A) in paragraph (1)(A), by striking "core services described in subsection (d)(2)" and inserting "work ready services described in section 134(c)(2)";

(B) in paragraph (1)(B)—

(i) by striking "intensive services";

(ii) by striking "paragraphs (3) and (4) of subsection (d)" and inserting "section 134(c)(4)";

(iii) by striking "individual training accounts" and inserting "career enhancement accounts"; and

(iv) by striking "subsection (d)(4)(G)" and inserting "section 134(c)(4)(G)";

(C) in paragraph (1)(C), by striking "subsection (e)" and inserting "section 134(d)";

(D) in paragraph (1)(D), by striking "section 121(b)" and inserting "subsection (b)";

(E) by amending paragraph (1)(E) to read as follows:

"(E) shall provide access to the information described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 491–2(e))."; and

(F) in paragraph (2)(B)(ii)(II), by striking "core services" and inserting "work ready services".

(d) CERTIFICATION AND FUNDING OF ONE-STOP CENTERS.—Section 121 (as amended by subsections (b) and (c)) is further amended by adding at the end the following new subsections:

"(g) CERTIFICATION OF ONE-STOP CENTERS.—

"(1) IN GENERAL.—

"(A) IN GENERAL.—The State board shall establish objective procedures and criteria for periodically certifying one-stop centers for the purpose of awarding the one-stop infrastructure funding described in subsection (h).

"(B) CRITERIA.—The criteria for certification under this subsection shall include minimum standards relating to the scope and degree of service integration achieved by the centers involving the programs provided by the one-stop partners, and how the centers ensure that such providers meet the employment needs of local employers and participants.

"(C) EFFECT OF CERTIFICATION.—One-stop centers certified under this subsection shall be eligible to receive the infrastructure grants authorized under subsection (h).

"(2) LOCAL BOARDS.—Consistent with the criteria developed by the State, the local board may develop additional criteria of higher standards to respond to local labor market and demographic conditions and trends.

"(h) ONE-STOP INFRASTRUCTURE FUNDING.—

"(1) PARTNER CONTRIBUTIONS.—

"(A) PROVISION OF FUNDS.—Notwithstanding any other provision of law, as determined under subparagraph (B), a portion of the Federal funds provided to the State and areas within the State under the Federal laws authorizing the one-stop partner programs described in subsection (b)(1)(B) and participating additional partner programs described in (b)(2)(B) for a fiscal year shall be provided to the Governor by such programs to carry out this subsection.

"(B) DETERMINATION OF GOVERNOR.—

"(i) IN GENERAL.—Subject to subparagraph (C), the Governor, in consultation with the State board, shall determine the portion of funds to be provided under subparagraph (A) by each one-stop partner and in making such determination shall consider the proportionate use of the one-stop centers by each partner, the costs of administration for purposes not related to one-stop centers for each partner, and other relevant factors described in paragraph (3).

"(ii) SPECIAL RULE.—In those States where the State constitution places policy-making authority that is independent of the authority of the Governor in an entity or official with respect to the funds provided for adult education and literacy activities authorized under title II of this Act and for postsecondary career education activities authorized under the Carl D. Perkins Career and Technical Education Act, the determination described in clause (i) with respect to such programs shall be made by the Governor with the appropriate entity or official with such independent policy-making authority.

"(iii) APPEAL BY ONE-STOP PARTNERS.—The Governor shall establish a procedure for the one-stop partner administering a program described in subsection (b) to appeal a determination regarding the portion of funds to be contributed under this paragraph on the basis that such determination is inconsistent with the criteria described in the State plan or with the requirements of this paragraph. Such procedure shall ensure prompt resolution of the appeal.

"(C) LIMITATIONS.—

"(i) PROVISION FROM ADMINISTRATIVE FUNDS.—The funds provided under this paragraph by each one-stop partner shall be provided only from funds available for the costs of administration under the program administered by such partner, and shall be subject to the limitations with respect to the portion of funds under such programs that may be used for administration.

"(ii) FEDERAL DIRECT SPENDING PROGRAMS.—Programs that are Federal direct spending under section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)) shall not, for purposes of this paragraph, be required to provide an amount in excess of the amount determined to be equivalent to the proportionate use of the one-stop centers by such programs in the State.

"(iii) NATIVE AMERICAN PROGRAMS.—Native American programs established under section 166 shall not be subject to the provisions of this subsection. The method for determining the appropriate portion of funds to be provided by such Native American programs to pay for the costs of infrastructure of a one-stop center certified under subsection (g) shall be determined as part of the development of the memorandum of understanding under subsection (c) for the one-stop center and shall be stated in the memorandum.

"(2) ALLOCATION BY GOVERNOR.—From the funds provided under paragraph (1), the Governor shall allocate funds to local areas in accordance with the formula established under paragraph (3) for the purposes of assisting in paying the costs of the infrastructure of One-Stop centers certified under subsection (g).

"(3) ALLOCATION FORMULA.—The State board shall develop a formula to be used by the Governor to allocate the funds described in paragraph (1). The formula shall include such factors as the State board determines are appropriate, which may include factors such as the number of centers in the local area that have been certified, the population served by such centers, and the performance of such centers.

"(4) COSTS OF INFRASTRUCTURE.—For purposes of this subsection, the term 'costs of infrastructure' means the nonpersonnel costs that are necessary for the general operation of a one-stop center, including the rental costs of the facilities, the costs of utilities and maintenance, and equipment (including adaptive technology for individuals with disabilities).

"(i) OTHER FUNDS.—

"(1) IN GENERAL.—In addition to the funds provided to carry out subsection (h), a portion of funds made available under Federal law authorizing the one-stop partner programs described in subsection (b)(1)(B) and participating partner programs described in subsection (b)(2)(B), or the noncash resources available under such programs shall be used to pay the costs relating to the operation of the one-stop delivery system that are not paid for from the funds provided under subsection (h), to the extent not inconsistent with the Federal law involved including—

"(A) infrastructure costs that are in excess of the funds provided under subsection (h);

"(B) common costs that are in addition to the costs of infrastructure; and

"(C) the costs of the provision of work ready services applicable to each program.

"(2) DETERMINATION AND GUIDANCE.—The method for determining the appropriate portion of funds and noncash resources to be provided by each program under paragraph (1) shall be determined as part of the memorandum of understanding under subsection (c). The State board shall provide guidance to facilitate the determination of appropriate allocation of the funds and noncash resources in local areas.".

SEC. 419. ELIGIBLE PROVIDERS OF TRAINING SERVICES.

Section 122 (29 U.S.C. 2842) is amended to read as follows:

"SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF TRAINING SERVICES.

"(a) ELIGIBILITY.—

"(1) IN GENERAL.—The Governor, after consultation with the State board, shall establish criteria and procedures regarding the eligibility of providers of training services described in section 134(c)(4) to receive funds provided under section 133(b) for the provision of such training services.

"(2) PROVIDERS.—Subject to the provisions of this section, to be eligible to receive the funds provided under section 133(b) for the provision of training services, the provider shall be—

"(A) a postsecondary educational institution that—

"(i) is eligible to receive Federal funds under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

"(ii) provides a program that leads to an associate degree, baccalaureate degree, or industry-recognized certification;

"(B) an entity that carries out programs under the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); or

"(C) another public or private provider of a program of training services.

"(3) INCLUSION IN LIST OF ELIGIBLE PROVIDERS.—A provider described in subparagraph (A) or (C) of paragraph (2) shall comply with the criteria and procedures established under this section to be included on the list of eligible providers of training services described in subsection (d)(1). A provider described in paragraph (2)(B) shall be included on the list of eligible providers of training services described in subsection (d)(1) for so long as the provider remains certified by the Department of Labor to carry out the programs described in paragraph (2)(B).

"(b) CRITERIA.—

"(1) IN GENERAL.—The criteria established pursuant to subsection (a) shall take into account—

"(A) the performance of providers of training services with respect to the performance measures described in section 136 and other matters for which information is required under paragraph (2) and other appropriate measures of performance outcomes for those participants receiving training services under this subtitle (taking into consideration the characteristics of the population served and relevant economic conditions);

"(B) whether the training programs of such providers relate to occupations that are in demand,

"(C) the need to ensure access to training services throughout the State, including any rural areas;

"(D) the ability of providers to offer programs that lead to a degree or an industry-recognized certification, certificate, or mastery;

"(E) the information such providers are required to report to State agencies with respect to other Federal and State programs (other than the program carried out under this subtitle), including one-stop partner programs; and

"(F) such other factors as the Governor determines are appropriate to ensure the quality of services provided, the accountability of providers, that the one-stop centers will ensure that such providers meet the needs of local employers and participants, and the informed choice of participants under chapter 5.

"(2) INFORMATION.—The criteria established by the Governor shall require that a provider of training services submit appropriate, accurate, and timely information to the State for purposes of carrying out subsection (d), with respect to participants receiving training services under this subtitle in the applicable program, including—

"(A) information on degrees and industry-recognized certifications received by such participants;

"(B) information on costs of attendance for such participants;

"(C) information on the program completion rate for such participants; and

"(D) information on the performance of the provider with respect to the performance measures described in section 136 for such participants (taking into consideration the characteristics of the population served and relevant economic conditions), which may include information specifying the percentage of such participants who entered unsubsidized employment in an occupation related to the program.

"(3) RENEWAL.—The criteria established by the Governor shall also provide for biennial review and renewal of eligibility under this section for providers of training services.

"(4) LOCAL CRITERIA.—A local board in the State may establish criteria in addition to the criteria established by the Governor, or may require higher levels of performance than required under the criteria established by the Governor, for purposes of determining the eligibility of providers of training services to receive funds described in subsection (a) to provide the services in the local area involved.

"(5) LIMITATION.—In carrying out the requirements of this subsection, no personally identifiable information regarding a student, including Social Security number, student identification number, or other identifier, may be disclosed without the prior written consent of the parent or eligible student in compliance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

"(c) PROCEDURES.—The procedures established under subsection (a) shall identify the application process for a provider of training services to become eligible to receive funds under section 133(b) for the provision of training services, and identify the respective roles of the State and local areas in receiving and reviewing applications and in making determinations of eligibility based on the criteria established under this section. The procedures shall also establish a process for a provider of training services to appeal a denial or termination of eligibility under this section that includes an opportunity for a hearing and prescribes appropriate time limits to ensure prompt resolution of the appeal.

"(d) INFORMATION TO ASSIST PARTICIPANTS IN CHOOSING PROVIDERS.—In order to facilitate and assist participants under chapter 5 in choosing providers of training services, the Governor shall ensure that an appropriate list or lists of providers determined eligible under this section in the State, including information regarding the occupations in demand that relate to the training programs of such providers, is provided to the local boards in the State to be made available to such participants and to members of the public through the one-stop delivery system in the State. The accompanying information shall consist of information provided by providers described in subparagraphs (A) and (C) of subsection (a)(2) in accordance with subsection (b) (including information on receipt of degrees and industry-recognized certifications, and costs of attendance, for participants receiving training services under this subtitle in applicable programs) and such other information as the Secretary determines is appropriate. The list and the accompanying information shall be made available to such participants and to members of the public through the one-stop delivery system in the State.

"(e) ENFORCEMENT.—

"(1) IN GENERAL.—The criteria and procedures established under this section shall provide the following:

"(A) INTENTIONALLY SUPPLYING INACCURATE INFORMATION.—Upon a determination, by an individual or entity specified in the criteria or procedures, that a provider of training services, or individual providing information on behalf of the provider, intentionally supplied inaccurate information under this section, the eligibility of such provider to receive funds under chapter 5 shall be terminated for a period of time that is not less than 2 years.

"(B) SUBSTANTIAL VIOLATIONS.—Upon a determination, by an individual or entity specified in the criteria or procedures, that a provider of training services substantially violated any requirement under this title, the eligibility of such provider to receive funds under the program involved may be terminated, or other appropriate action may be taken.

"(C) REPAYMENT.—A provider of training services whose eligibility is terminated under subparagraph (A) or (B) shall be liable for the repayment of funds received under chapter 5 during a period of noncompliance described in such subparagraph.

"(2) CONSTRUCTION.—Paragraph (1) shall be construed to provide remedies and penalties that supplement, but do not supplant, other civil and criminal remedies and penalties.

"(f) AGREEMENTS WITH OTHER STATES.—States may enter into agreements, on a reciprocal basis, to permit eligible providers of training services to accept career enhancement accounts provided in another State.

"(g) RECOMMENDATIONS.—In developing the criteria, procedures, and information required under this section, the Governor shall solicit and take into consideration the recommendations of local boards and providers of training services within the State.

"(h) OPPORTUNITY TO SUBMIT COMMENTS.—During the development of the criteria, procedures, requirements for information, and the list of eligible providers required under this section, the Governor shall provide an opportunity for interested members of the public, including representatives of business and labor organizations, to submit comments regarding such criteria, procedures, and information.

"(i) ON-THE-JOB TRAINING OR CUSTOMIZED TRAINING EXCEPTION.—

"(1) IN GENERAL.—Providers of on-the-job training or customized training shall not be subject to the requirements of subsections (a) through (g).

"(2) COLLECTION AND DISSEMINATION OF INFORMATION.—A one-stop operator in a local area shall collect such performance information from on-the-job training and customized training providers as the Governor may require, determine whether the providers meet such performance criteria as the Governor may require, and disseminate information identifying providers that meet the criteria as eligible providers, and the performance information, through the one-stop delivery system. Providers determined to meet the criteria shall be considered to be identified as eligible providers of training services.".

SEC. 420. ELIGIBLE PROVIDERS OF YOUTH ACTIVITIES.

(a) ELIGIBLE PROVIDERS OF YOUTH ACTIVITIES.—Section 123 (29 U.S.C. 2843) is amended to read as follows:

"SEC. 123. ELIGIBLE PROVIDERS OF YOUTH ACTIVITIES.

"(a) IN GENERAL.—From the funds allocated under section 128(b) to a local area, the local board for such area shall award grants or contracts on a competitive basis to providers of youth activities identified based on the criteria in the State plan and shall conduct oversight with respect to such providers.

"(b) EXCEPTIONS.—A local board may award grants or contracts on a sole-source basis if such board determines there are an insufficient number of eligible providers of training services in the local area involved (such as rural areas) for grants to be awarded on a competitive basis under subsection (a).".

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) is amended by amending the item related to section 123 to read as follows:

"Sec. 123. Eligible providers of youth activities.".

SEC. 421. YOUTH ACTIVITIES.

(a) STATE ALLOTMENTS.—Section 127 (29 U.S.C. 2852(a)) is amended—

(1) in subsection (a)(1), by striking "opportunity" and inserting "challenge"; and

(2) by striking subsection (b) and inserting the following:

"(b) ALLOTMENT AMONG STATES.—

"(1) YOUTH ACTIVITIES.—

"(A) YOUTH CHALLENGE GRANTS.—

"(i) RESERVATION OF FUNDS.—Of the amount appropriated under section 137(a) for each fiscal year, the Secretary shall reserve 25 percent to provide youth challenge grants under section 169.

"(ii) LIMITATION.—Notwithstanding clause (i), if the amount appropriated under section 137(a) for a fiscal year exceeds $1,000,000,000, the Secretary shall reserve $250,000,000 to provide youth challenge grants under section 169.

"(B) OUTLYING AREAS AND NATIVE AMERICANS.—

"(i) IN GENERAL.—After determining the amount to be reserved under subparagraph (A), of the remainder of the amount appropriated under section 137(a) for each fiscal year the Secretary shall—

"(I) reserve not more than ¼ of one percent of such amount to provide assistance to the outlying areas to carry out youth activities and statewide workforce investment activities; and

"(II) reserve not more than 1 and ½ percent of such amount to provide youth activities under section 166 (relating to Native Americans).

"(ii) RESTRICTION.—The Republic of Palau shall cease to be eligible to receive funding under this subparagraph upon entering into an agreement for extension of United States educational assistance under the Compact of Free Association (approved by the Compact of Free Association Amendments Act of 2003 (Public Law 108–188)) after the date of enactment of the Workforce Investment Improvement Act of 2007.

"(C) STATES.—

"(i) IN GENERAL.—Of the remainder of the amount appropriated under section 137(a) for a fiscal year that is available after determining the amounts to be reserved under subparagraphs (A) and (B), the Secretary shall allot—

"(I) the amount of the remainder that is less than or equal to the total amount that was allotted to States for fiscal year 2007 under section 127(b)(1)(C) of this Act (as in effect on the day before the date of enactment of the Workforce Investment Improvement Act of 2007) in accordance with the requirements of such section 127(b)(1)(C); and

"(II) the amount of the remainder, if any, in excess of the amount referred to in subclause (I) in accordance with clause (ii).

"(ii) FORMULAS FOR EXCESS FUNDS.—Subject to clauses (iii) and (iv), of the amounts described in clause (i)(II)—

"(I) 33⅓ percent shall be allotted on the basis of the relative number of individuals in the civilian labor force who are ages 16 through 19 in each State, compared to the total number of individuals in the civilian labor force who are ages 16 through 19 in all States;

"(II) 33⅓ percent shall be allotted on the basis of the relative number of unemployed individuals in each State, compared to the total number of unemployed individuals in all States; and

"(III) 33⅓ percent shall be allotted on the basis of the relative number of disadvantaged youth who are ages 16 through 21 in each State, compared to the total number of disadvantaged youth who are ages 16 through 21 in all States.

"(iii) MINIMUM AND MAXIMUM PERCENTAGES.—The Secretary shall ensure that no State shall receive an allotment for a fiscal year that is less than 90 percent or greater than 130 percent of the allotment percentage of that State for the preceding fiscal year.

"(iv) SMALL STATE MINIMUM ALLOTMENT.—Subject to clause (iii), the Secretary shall ensure that no State shall receive an allotment under this paragraph that is less than 3⁄10 of 1 percent of the amount available under subparagraph (A).

"(2) DEFINITIONS.—For the purposes of paragraph (1), the following definitions apply:

"(A) ALLOTMENT PERCENTAGE.—The term 'allotment percentage', used with respect to fiscal year 2008 or a subsequent fiscal year, means a percentage of the remainder described in paragraph (1)(C)(i) that is received through an allotment made under this subsection for the fiscal year. The term, with respect to fiscal year 2007, means the percentage of the amounts allotted to States under this chapter (as in effect on the day before the date of enactment of the Workforce Investment Improvement Act of 2007) that is received by the State involved for fiscal year 2007.

"(B) DISADVANTAGED YOUTH.—The term 'disadvantaged youth' means an individual who is age 16 through 21 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the poverty line.

"(3) SPECIAL RULE.—For purposes of the formulas specified in paragraph (1)(C), the Secretary shall, as appropriate and to the extent practicable, exclude college students and members of the Armed Forces from the determination of the number of disadvantaged youth.";

(3) in subsection (c)—

(A) by amending paragraph (2) to read as follows:

"(2) AMOUNT.—The amount available for reallotment for a program year is equal to the amount by which the unexpended balance at the end of the program year prior to the program year for which the determination is made exceeds 30 percent of the total amount of funds available to the State under this section during such prior program year (including amounts allotted to the State in all prior program years that remained available). For purposes of this paragraph, the expended balance is the amount that is the difference between—

"(A) the total amount of funds available to the State under this section during the program year prior to the program year for which the determination is made (including amounts allotted to the State in all prior program years that remained available); and

"(B) the accrued expenditures during such prior program year.";

(B) in paragraph (3)—

(i) by striking "for the prior program year" and inserting "for the program year in which the determination is made"; and

(ii) by striking "such prior program year" and inserting "such program year";

(C) by amending paragraph (4) to read as follows:

"(4) ELIGIBILITY.—For purposes of this subsection, an eligible State means a State which does not have an amount available for reallotment under paragraph (2) for the program year for which the determination under paragraph (2) is made."; and

(D) in paragraph (5), by striking "obligation" and inserting "accrued expenditure".

(b) WITHIN STATE ALLOCATIONS.—

(1) RESERVATION FOR STATEWIDE ACTIVITIES.—Section 128(a) is amended to read as follows:

"(a) RESERVATION FOR STATEWIDE ACTIVITIES.—

"(1) IN GENERAL.—The Governor of a State shall reserve not more than 10 percent of the amount allotted to the State under section 127(a)(1)(C) for a fiscal year for statewide activities.

"(2) USE OF FUNDS.—Regardless of whether the amounts are allotted under section 127(a)(1)(C) and reserved under paragraph (1) or allotted under section 132 and reserved under section 133(a), the Governor may use the reserved amounts to carry out statewide youth activities under section 129(b) or statewide employment and training activities under section 133.".

(2) WITHIN STATE ALLOCATIONS.—Section 128(b) is amended to read as follows:

"(b) WITHIN STATE ALLOCATION.—

"(1) IN GENERAL.—Of the amounts allotted to the State under section 127(a)(1)(C) and not reserved under subsection (a)(1)—

"(A) not less than 80 percent of such amounts shall be allocated by the Governor to local areas in accordance with paragraph (2); and

"(B) not more than 20 percent of such amounts shall be allocated by the Governor to local areas in accordance with paragraph (3).

"(2) ESTABLISHED FORMULA.—

"(A) IN GENERAL.—Of the amounts described in paragraph (1)(A), the Governor shall allocate—

"(i) 33⅓ percent shall be allotted on the basis of the relative number of individuals in the civilian labor force who are ages 16 through 19 in each local area, compared to the total number of individuals in the civilian labor force who are ages 16 through 19 in all local areas in the State;

"(ii) 33⅓ percent shall be allotted on the basis of the relative number of unemployed individuals in each local area, compared to the total number of unemployed individuals in all local areas in the State; and

"(iii) 33⅓ percent on the basis of the relative number of disadvantaged youth who are ages 16 through 21 in each local area, compared to the total number of disadvantaged youth who are ages 16 through 21 in all local areas in the State.

"(B) MINIMUM AND MAXIMUM PERCENTAGES.—The Governor shall ensure that no local area shall receive an allocation for a fiscal year under this paragraph that is less than 90 percent or greater than 130 percent of the allocation percentage of the local area for the preceding fiscal year.

"(C) DEFINITIONS.—

"(i) ALLOCATION PERCENTAGE.—For purposes of this paragraph, the term 'allocation percentage', used with respect to fiscal year 2008 or a subsequent fiscal year, means a percentage of the amount described in paragraph(1)(A) that is received through an allocation made under this paragraph for the fiscal year. The term, with respect to fiscal year 2007, means the percentage of the amounts allocated to local areas under this chapter (as in effect on the day before the date of enactment of the Workforce Investment Improvement Act of 2007) that is received by the local area involved for fiscal year 2007.

"(ii) DISADVANTAGED YOUTH.—The term 'disadvantaged youth' means an individual who is age 16 through 21 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the poverty line.

"(3) YOUTH DISCRETIONARY ALLOCATION.—The Governor shall allocate to local areas the amounts described in paragraph (1)(B) in accordance with such demographic and economic factors as the Governor, after consultation with the State board and local boards, determines are appropriate.

"(4) LOCAL ADMINISTRATIVE COST LIMIT.—

"(A) IN GENERAL.—Of the amounts allocated to a local area under this subsection for a fiscal year, not more than 10 percent of the amount may be used by the local boards for the administrative costs of carrying out local workforce investment activities under this chapter or chapter 5.

"(B) USE OF FUNDS.—Funds made available for administrative costs under subparagraph (A) may be used for the administrative costs of any of the local workforce investment activities described in this chapter or chapter 5, regardless of whether the funds were allocated under this subsection or section 133(b).".

(3) REALLOCATION.—Section 128(c) (29 U.S.C. 2853(c)) is amended—

(A) in paragraph (1), by striking "paragraph (2)(A) or (3) of";

(B) by amending paragraph (2) to read as follows:

"(2) AMOUNT.—The amount available for reallocation for a program year is equal to the amount by which the unexpended balance at the end of the program year prior to the program year for which the determination is made exceeds 30 percent of the total amount of funds available to the local area under this section during such prior program year, (including amounts allotted to the local area in prior program years that remain available). For purposes of this paragraph, the unexpended balance is the amount that is the difference between—

"(A) the total amount of funds available to the local area under this section during the program year prior to the program year for which the determination is made (including amounts allocated to the local area in all prior program years that remained available); and

"(B) the accrued expenditures during such prior program year.";

(C) in paragraph (3)—

(i) by striking "subsection (b)(3)" the first two places it appears and inserting "subsection (b)";

(ii) by striking "the prior program year" and inserting "the program year in which the determination is made";

(iii) by striking "such prior program year" and inserting "such program year"; and

(iv) by striking the last sentence; and

(D) by amending paragraph (4) to read as follows:

"(4) ELIGIBILITY.—For purposes of this subsection, an eligible local area means a local area which does not have an amount available for reallocation under paragraph (2) for the program year for which the determination under paragraph (2) is made.".

(c) YOUTH PARTICIPANT ELIGIBILITY.—Section 129(a) (29 U.S.C. 2854(a)) is amended to read as follows:

"(a) YOUTH PARTICIPANT ELIGIBILITY.—

"(1) IN GENERAL.—The individuals participating in activities carried out under this chapter by a local area during any program year shall be individuals who, at the time the eligibility determination is made, are—

"(A) not younger than age 16 or older than age 24; and

"(B) one or more of the following:

"(i) school dropouts;

"(ii) recipients of a secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities) who are deficient in basic skills and not attending any school;

"(iii) court-involved youth attending an alternative school;

"(iv) youth in foster care or who have been in foster care; or

"(v) in school youth who are low-income individuals and one or more of the following:

"(I) Deficient in literacy skills.

"(II) Homeless, runaway, or foster children.

"(III) Pregnant or parents.

"(IV) Offenders.

"(V) Individuals who require additional assistance to complete an educational program, or to secure and hold employment.

"(2) PRIORITY FOR SCHOOL DROPOUTS.—A priority in the provision of services under this chapter shall be given to individuals who are school dropouts.

"(3) LIMITATIONS ON ACTIVITIES FOR IN-SCHOOL YOUTH.—

"(A) PERCENTAGE OF FUNDS.—For any program year, not more than 50 percent of the funds available for statewide activities under subsection (b), and not more than 50 percent of funds available to local areas under subsection (c), may be used to provide activities for in-school youth meeting the requirements of paragraph (1)(B)(v).

"(B) EXCEPTION.—A State that receives a minimum allotment under section 127(b)(1) in accordance with section 127(b)(1)(C)(iv) or under section 132(b)(1) in accordance with section 132(b)(1)(B)(iv)(II) may increase the percentage described in subparagraph (A) for a local area in the State, if—

"(i) after an analysis of the eligible youth population in the local area, the State determines that the local area will be unable to use at least 50 percent of the funds available for activities under subsection (b) or (c) to serve out-of-school youth due to a low number of out-of-school youth; and

"(ii)(I) the State submits to the Secretary, for the local area, a request including a proposed increased percentage for purposes of subparagraph (A), and the summary of the eligible youth population analysis; and

"(II) the request is approved by the Secretary.

"(C) NON-SCHOOL HOURS REQUIRED.—

"(i) IN GENERAL.—Except as provided in clause (ii), activities carried out under this chapter for in-school youth meeting the requirements of paragraph (1)(B)(v) shall only be carried out in non-school hours or periods when school is not in session (such as before and after school or during recess).

"(ii) EXCEPTION.—The requirements of clause (i) shall not apply to activities carried out for in-school youth meeting the requirements of paragraph (1)(B)(v) during school hours that are part of a program that has demonstrated effectiveness in high school youth attaining diplomas.

"(4) CONSISTENCY WITH COMPULSORY SCHOOL ATTENDANCE LAWS.—In providing assistance under this section to an individual who is required to attend school under applicable State compulsory school attendance laws, the priority in providing such assistance shall be for the individual to attend school regularly.".

(d) STATEWIDE YOUTH ACTIVITIES.—Section 129(b) (29 U.S.C. 2854(b)) is amended to read as follows:

"(b) STATEWIDE ACTIVITIES.—

"(1) IN GENERAL.—Funds reserved by a Governor for a State as described in sections 128(a) and 133(a)(1) may be used for statewide activities including—

"(A) additional assistance to local areas that have high concentrations of eligible youth;

"(B) supporting the provision of work ready services described in section 134(c)(2) in the one-stop delivery system;

"(C) conducting evaluations under section 136(e) of activities authorized under this chapter and chapter 5 in coordination with evaluations carried out by the Secretary under section 172, research, and demonstration projects;

"(D) providing incentive grants to local areas for regional cooperation among local boards (including local boards in a designated region as described in section 116(c)), for local coordination of activities carried out under this Act, and for exemplary performance by local areas on the local performance measures;

"(E) providing technical assistance and capacity building to local areas, one-stop operators, one-stop partners, and eligible providers, including the development and training of staff, the development of exemplary program activities, and the provision of technical assistance to local areas that fail to meet local performance measures;

"(F) operating a fiscal and management accountability system under section 136(f); and

"(G) carrying out monitoring and oversight of activities under this chapter and chapter 5.

"(2) LIMITATION.—Not more than 5 percent of the funds allotted under section 127(b) shall be used by the State for administrative activities carried out under this subsection and section 133(a).

"(3) PROHIBITION.—No funds described in this subsection or in section 134(a) may be used to develop or implement education curricula for school systems in the State.".

(e) LOCAL ELEMENTS AND REQUIREMENTS.—

(1) PROGRAM DESIGN.—Section 129(c)(1) (29 U.S.C. 2854(c) (1)) is amended—

(A) in the matter preceding subparagraph (A), by striking "paragraph (2)(A) or (3), as appropriate, of";

(B) in subparagraph (B), by inserting "are directly linked to one or more of the performance measures relating to this chapter under section 136, and that" after "for each participant that"; and

(C) in subparagraph (C)—

(i) by redesignating clauses (i) through (iv) as clauses (ii) through (v), respectively;

(ii) by inserting before clause (ii) (as so redesignated) the following:

"(i) activities leading to the attainment of a secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities);";

(iii) in clause (ii) (as so redesignated), by inserting "and advanced training" after "opportunities";

(iv) in clause (iii) (as so redesignated), by inserting "that lead to the attainment of recognized credentials" after "learning"; and

(v) by amending clause (v) (as so redesignated) to read as follows:

"(v) effective connections to employers, including small employers, in sectors of the local and regional labor markets experiencing high growth in employment opportunities.".

(2) PROGRAM ELEMENTS.—Section 129(c)(2) (29 U.S.C. 2854(c)(2)) is amended—

(A) in subparagraph (A), by striking "secondary school, including dropout prevention strategies" and inserting "secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities), including dropout prevention strategies";

(B) in subparagraph (I), by striking "and" at the end;

(C) in subparagraph (J), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

"(K) on-the-job training opportunities; and

"(L) financial literacy skills.".

(3) ADDITIONAL REQUIREMENTS.—Section 129(c)(3)(A) (29 U.S.C. 2854(c)(3)(A)) is amended in the matter preceding clause (i) by striking "or applicant who meets the minimum income criteria to be considered an eligible youth".

(4) PRIORITY AND EXCEPTIONS.—Section 129(c) (29 U.S.C. 2854(c)) is further amended—

(A) by striking paragraphs (4) and (5) and redesignating paragraphs (6) through (8) as paragraphs (4) through (6), respectively; and

(B) in paragraph (5) (as so redesignated), by striking "youth councils" and inserting "local boards".

SEC. 422. COMPREHENSIVE PROGRAMS FOR ADULTS.

(a) TITLE AMENDMENT.—

(1) The title heading of chapter 5 is amended to read as follows:

"CHAPTER 5—COMPREHENSIVE EMPLOYMENT AND TRAINING ACTIVITIES FOR ADULTS".

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) is amended by amending the item related to the heading for chapter 5 to read as follows:

"CHAPTER 5—COMPREHENSIVE EMPLOYMENT AND TRAINING ACTIVITIES FOR ADULTS".

(b) GENERAL AUTHORIZATION.—Section 131 (29 U.S.C. 2861) is amended—

(1) by striking "paragraphs (1)(B) and (2)(B) of"; and

(2) by striking ", and dislocated workers,".

(c) STATE ALLOTMENTS.—Section 132 (29 U.S.C. 2862) is amended—

(1) by amending subsection (a) to read as follows:

"(a) IN GENERAL.—The Secretary shall—

"(1) reserve 7.5 percent of the amount appropriated under section 137 for a fiscal year, of which—

"(A) not less than 85 percent shall be used for national dislocated worker grants under section 173;

"(B) not more than 10 percent may be used for demonstration projects under section 171; and

"(C) not more than 5 percent may be used to provide technical assistance under section 170; and

"(2) make allotments from 92.5 percent of the amount appropriated under section 137 for a fiscal year in accordance with subsection (b).";

(2) by amending subsection (b) to read as follows:

"(b) ALLOTMENT AMONG STATES FOR ADULT EMPLOYMENT AND TRAINING ACTIVITIES.—

"(1) RESERVATION FOR OUTLYING AREAS.—

"(A) IN GENERAL.—From the amount made available under subsection (a)(2) for a fiscal year, the Secretary shall reserve not more than ¼ of 1 percent to provide assistance to outlying areas to carry out employment and training activities for adults and statewide workforce investment activities.

"(B) RESTRICTION.—The Republic of Palau shall cease to be eligible to receive funding under this paragraph upon entering into an agreement for extension of United States educational assistance under the Compact of Free Association (approved by the Compact of Free Association Amendments Act of 2003 (Public Law 108–188)) after the date of enactment of the Workforce Investment Improvement Act of 2007.

"(2) STATES.—Subject to paragraph (5), of the remainder of the amount referred to under subsection (a)(2) for a fiscal year that is available after determining the amount to be reserved under paragraph (1), the Secretary shall allot to the States for employment and training activities for adults and for statewide workforce investment activities—

"(A) 26 percent in accordance with paragraph (3); and

"(B) 74 percent in accordance with paragraph (4).

"(3) BASE FORMULA.—

"(A) FISCAL YEAR 2008.—

"(i) IN GENERAL.—Subject to clause (ii), the amount referred to in paragraph (2)(A) shall be allotted for fiscal year 2008 on the basis of allotment percentage of each State under section 6 of the Wagner-Peyser Act for fiscal year 2007.

"(ii) EXCESS AMOUNTS.—If the amount referred to in paragraph (2)(A) for fiscal year 2008 exceeds the amount that was available for allotment to the States under the Wagner-Peyser Act for fiscal year 2007, such excess amount shall be allotted on the basis of the relative number of individuals in the civilian labor force in each State, compared to the total number of individuals in the civilian labor force in all States, adjusted to ensure that no State receives less than 3/10 of one percent of such excess amount.

"(iii) DEFINITION.—For purposes of this subparagraph, the term 'allotment percentage' means the percentage of the amounts allotted to States under section 6 of the Wagner-Peyser Act that is received by the State involved for fiscal year 2007.

"(B) FISCAL YEARS 2009 AND THEREAFTER.—

"(i) IN GENERAL.—Subject to clause (ii), the amount referred to in paragraph(2)(A) shall be allotted for fiscal year 2009 and each fiscal year thereafter on the basis of the allotment percentage of each State under this paragraph for the preceding fiscal year.

"(ii) EXCESS AMOUNTS.—If the amount referred to in paragraph (2)(A) for fiscal year 2009 or any fiscal year thereafter exceeds the amount that was available for allotment under this paragraph for the prior fiscal year, such excess amount shall be allotted on the basis of the relative number of individuals in the civilian labor force in each State, compared to the total number of individuals in the civilian labor force in all States, adjusted to ensure that no State receives less than 3/10 of one percent of such excess amount.

"(iii) DEFINITION.—For purposes of this subparagraph, the term 'allotment percentage' means the percentage of the amounts allotted to States under this paragraph in a fiscal year that is received by the State involved for such fiscal year.

"(4) CONSOLIDATED FORMULA.—

"(A) IN GENERAL.—Subject to subparagraphs (B) and (C), of the amount referred to in paragraph (2)(B)—

"(i) 60 percent shall be allotted on the basis of the relative number of unemployed individuals in each State, compared to the total number of unemployed individuals in all States;

"(ii) 25 percent shall be allotted on the basis of the relative excess number of unemployed individuals in each State, compared to the total excess number of unemployed individuals in all States; and

"(iii) 15 percent shall be allotted on the basis of the relative number of disadvantaged adults in each State, compared to the total number of disadvantaged adults in all States.

"(B) MINIMUM AND MAXIMUM PERCENTAGES.—

"(i) MINIMUM PERCENTAGE.—The Secretary shall ensure that no State shall receive an allotment under this paragraph for a fiscal year that is less than 90 percent of the allotment percentage of the State under this paragraph for the preceding fiscal year.

"(ii) MAXIMUM PERCENTAGE.—Subject to clause (i), the Secretary shall ensure that no State shall receive an allotment for a fiscal year under this paragraph that is more than 130 percent of the allotment of the State under this paragraph for the preceding fiscal year.

"(C) SMALL STATE MINIMUM ALLOTMENT.—Subject to subparagraph (B), the Secretary shall ensure that no State shall receive an allotment under this paragraph that is less than 3/10 of 1 percent of the amount available under subparagraph (A).

"(D) DEFINITIONS.—For the purposes of this paragraph:

"(i) ALLOTMENT PERCENTAGE.—The term 'allotment percentage', used with respect to fiscal year 2008 or a subsequent fiscal year, means a percentage of the amounts described in paragraph (2)(B) that is received through an allotment made under this paragraph for the fiscal year. The term, with respect to fiscal year 2007, means the percentage of the amounts allotted to States under this chapter (as in effect on the day before the date of enactment of the Workforce Investment Improvement Act of 2007) and under reemployment service grants received by the State involved for fiscal year 2007.

"(ii) DISADVANTAGED ADULT.—The term 'disadvantaged adult' means an individual who is age 22 through 72 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the poverty line.

"(iii) EXCESS NUMBER.—The term 'excess number' means, used with respect to the excess number of unemployed individuals within a State, the number that represents the number of unemployed individuals in excess of 4½ percent of the civilian labor force in the State.

"(5) ADJUSTMENTS IN ALLOTMENTS BASED ON DIFFERENCES WITH UNCONSOLIDATED FORMULAS.—

"(A) IN GENERAL.—The Secretary shall ensure that for any fiscal year no State has an allotment difference, as defined in subparagraph (C), that is less than zero. The Secretary shall adjust the amounts allotted to the States under this subsection in accordance with subparagraph (B) if necessary to carry out this subparagraph.

"(B) ADJUSTMENTS IN ALLOTMENTS.—

"(i) REDISTRIBUTION OF EXCESS AMOUNTS.—

"(I) IN GENERAL.—If necessary to carry out subparagraph (A), the Secretary shall reduce the amounts that would be allotted under paragraphs (3) and (4) to States that have an excess allotment difference, as defined in subclause (II), by the amount of such excess, and use such amounts to increase the allotments to States that have an allotment difference less than zero.

"(II) EXCESS AMOUNTS.—For purposes of subclause (I), the term 'excess' allotment difference means an allotment difference for a State that is—

"(aa) in excess of 3 percent of the amount described in subparagraph (C)(i)(II); or

"(bb) in excess of a percentage established by the Secretary that is greater than 3 percent of the amount described in subparagraph (C)(i)(II) if the Secretary determines that such greater percentage is sufficient to carry out subparagraph (A).

"(ii) USE OF AMOUNTS AVAILABLE UNDER NATIONAL RESERVE ACCOUNT.—If the funds available under clause (i) are insufficient to carry out subparagraph (A), the Secretary shall use funds reserved under section 132(a) in such amounts as are necessary to increase the allotments to States to meet the requirements of subparagraph (A). Such funds shall be used in the same manner as the States use the other funds allotted under this subsection.

"(C) DEFINITION OF ALLOTMENT DIFFERENCE.—

"(i) IN GENERAL.—For purposes of this paragraph, the term 'allotment difference' means the difference between—

"(I) the total amount a State would receive of the amounts available for allotment under subsection (b)(2) for a fiscal year pursuant to paragraphs (3) and (4); and

"(II) the total amount the State would receive of the amounts available for allotment under subsection (b)(2) for the fiscal year if such amounts were allotted pursuant to the unconsolidated formulas (applied as described in clause (iii)) that were used in allotting funds for fiscal year 2007.

"(ii) UNCONSOLIDATED FORMULAS.—For purposes of clause (i), the unconsolidated formulas are:

"(I) The requirements for the allotment of funds to the States contained in section 132(b)(1)(B) of this Act (as in effect on the day before the date of enactment of the Workforce Investment Improvement Act of 2007) that were applicable to the allotment of funds under such section for fiscal year 2007.

"(II) The requirements for the allotment of funds to the States contained in section 132(b)(2)(B) of this Act (as in effect on the day before the date of enactment of the Workforce Investment Improvement Act of 2007) that were applicable to the allotment of funds under such section for fiscal year 2007.

"(III) The requirements for the allotment of funds to the States that were contained in section 6 of the Wagner-Peyser Act (as in effect on the day before the date of enactment of the Workforce Investment Improvement Act of 2007) that were applicable to the allotment of funds under such Act for fiscal year 2007.

"(IV) The requirements for the allotment of funds to the States that were established by the Secretary for Reemployment Services Grants that were applicable to the allotment of funds for such grants for fiscal year 2007.

"(iii) PROPORTIONATE APPLICATION OF UNCONSOLIDATED FORMULAS BASED ON FISCAL YEAR 2007.—In calculating the amount under clause (i)(II), each of the unconsolidated formulas identified in clause (ii) shall be applied, respectively, only to the proportionate share of the total amount of funds available for allotment under subsection (b)(2) for a fiscal year that is equal to the proportionate share to which each of the unconsolidated formulas applied with respect to the total amount of funds allotted to the States under all of the unconsolidated formulas in fiscal year 2007.

"(iv) RULE OF CONSTRUCTION.—The amounts used to adjust the allotments to a State under subparagraph (B) for a fiscal year shall not be included in the calculation of the amounts under clause (i) for a subsequent fiscal year, including the calculation of allocation percentages for a preceding fiscal year applicable to paragraphs (3) and (4) and to the unconsolidated formulas described in clause (ii)."; and

(3) in subsection (c)—

(A) by amending paragraph (2) to read as follows:

"(2) AMOUNT.—The amount available for reallotment for a program year is equal to the amount by which the unexpended balance at the end of the program year prior to the program year for which the determination is made exceeds 30 percent of the total amount of funds available to the State under this section during such prior program year (including amounts allotted to the State in all prior program years that remained available). For purposes of this paragraph, the expended balance is the amount that is the difference between—

"(A) the total amount of funds available to the State under this section during the program year prior to the program year for which the determination is made (including amounts allotted to the State in all prior program years that remained available); and

"(B) the accrued expenditures during such prior program year.";

(B) in paragraph (3)—

(i) by striking "for the prior program year" and inserting "for the program year in which the determination is made"; and

(ii) by striking "such prior program year" and inserting "such program year";

(C) by amending paragraph (4) to read as follows:

"(4) ELIGIBILITY.—For purposes of this subsection, an eligible State means a State that does not have an amount available for reallotment under paragraph (2) for the program year for which the determination under paragraph (2) is made."; and

(D) in paragraph (5), by striking "obligation" and inserting "accrued expenditure".

(d) WITHIN STATE ALLOCATIONS.—Section 133 (29 U.S.C. 2863) is amended—

(1) by amending subsection (a) to read as follows:

"(a) RESERVATION FOR STATEWIDE ACTIVITIES.—The Governor of a State may reserve up to 40 percent of the total amount allotted to the State under section 132 for a fiscal year to carry out the statewide activities described in section 134(a).";

(2) by amending subsection (b) to read as follows:

"(b) ALLOCATIONS TO LOCAL AREAS.—

"(1) IN GENERAL.—Of the amounts allotted to the State under section 132(b)(2) and not reserved under subsection (a)—

"(A) 85 percent of such amounts shall be allocated by the Governor to local areas in accordance with paragraph (2); and

"(B) 15 percent of such amounts shall be allocated by the Governor to local areas in accordance with paragraph (3).

"(2) ESTABLISHED FORMULA.—

"(A) IN GENERAL.—Of the amounts described in paragraph (1)(A), the Governor shall allocate—

"(i) 60 percent on the basis of the relative number of unemployed individuals in each local area, compared to the total number of unemployed individuals in all local areas in the State;

"(ii) 25 percent on the basis of the relative excess number of unemployed individuals in each local area, compared to the total excess number of unemployed individuals in all local areas in the State; and

"(iii) 15 percent shall be allotted on the basis of the relative number of disadvantaged adults in each local area, compared to the total number of disadvantaged adults in all local areas in the State.

"(B) MINIMUM AND MAXIMUM PERCENTAGES.—The Governor shall ensure that no local area shall receive an allocation for a fiscal year under this paragraph that is less than 90 percent or greater than 130 percent of the allocation percentage of the local area for the preceding fiscal year.

"(C) DEFINITIONS.—

"(i) ALLOCATION PERCENTAGE.—The term 'allocation percentage', used with respect to fiscal year 2008 or a subsequent fiscal year, means a percentage of the amount described in paragraph (1)(A) that is received through an allocation made under this paragraph for the fiscal year. The term, with respect to fiscal year 2007, means the percentage of the amounts allocated to local areas under this chapter (as in effect on the day before the date of enactment of the Workforce Investment Improvement Act of 2007) that is received by the local area involved for fiscal year 2007.

"(ii) DISADVANTAGED ADULT.—The term 'disadvantaged adult' means an individual who is age 22 through 72 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the poverty line.

"(iii) EXCESS NUMBER.—The term 'excess number' means, used with respect to the excess number of unemployed individuals within a local area, the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in the local area.

"(3) DISCRETIONARY ALLOCATION.—The Governor shall allocate to local areas the amounts described in paragraph (1)(B) based on a formula developed in consultation with the State board and local boards. Such formula shall be objective and geographically equitable and may include such demographic and economic factors as the Governor, after consultation with the State board and local boards, determines are appropriate.

"(4) LOCAL ADMINISTRATIVE COST LIMIT.—

"(A) IN GENERAL.—Of the amounts allocated to a local area under this subsection and section 128(b) for a fiscal year, not more than 10 percent of the amount may be used by the local boards for the administrative costs of carrying out local workforce investment activities under this chapter or chapter 4.

"(B) USE OF FUNDS.—Funds made available for administrative costs under subparagraph (A) may be used for the administrative costs of any of the local workforce investment activities described in this chapter or chapter 4, regardless of whether the funds were allocated under this subsection or section 128(b).";

(3) in subsection (c)—

(A) in paragraph (1), by striking "paragraph (2)(A) or (3) of";

(B) by amending paragraph (2) to read as follows:

"(2) AMOUNT.—The amount available for reallocation for a program year is equal to the amount by which the unexpended balance at the end of the program year prior to the program year for which the determination is made exceeds 30 percent of the total amount of funds available to the local area under this section during such prior program year (including amounts allotted to the local area in prior program years that remain available). For purposes of this paragraph, the unexpended balance is the amount that is the difference between—

"(A) the total amount of funds available to the local area under this section during the program year prior to the program year for which the determination is made (including amounts allocated to the local area in all prior program years that remained available); and

"(B) the accrued expenditures during such prior program year.";

(C) by amending paragraph (3)—

(i) by striking "subsection (b)(3)" the first two places it appears and inserting "subsection (b)";

(ii) by striking "the prior program year" and inserting "the program year in which the determination is made";

(iii) by striking "such prior program year" and inserting "such program year"; and

(iv) by striking the last sentence; and

(D) by amending paragraph (4) to read as follows:

"(4) ELIGIBILITY.—For purposes of this subsection, an eligible local area means a local area which does not have an amount available for reallocation under paragraph (2) for the program year for which the determination under paragraph (2) is made.".

(e) USE OF FUNDS FOR EMPLOYMENT AND TRAINING ACTIVITIES.—

(1) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—Section 134(a) (29 U.S.C. 2864(a) is amended to read as follows:

"(1) IN GENERAL.—

"(A) REQUIRED USE OF FUNDS.—Not less than 60 percent of the funds reserved by a Governor under section 133(a) shall be used to support One-Stop delivery systems and the provision of work ready services, and, in addition, may be used to support the provision of discretionary one-step delivery services, in local areas, consistent with the local plan, through one-stop delivery systems by distributing funds to local areas in accordance with subparagraph (B). Such funds may be used by States to employ State personnel to provide such services in designated local areas in consultation with local boards.

"(B) METHOD OF DISTRIBUTING FUNDS.—The method of distributing funds under this paragraph shall be developed in consultation with the State board and local boards. Such method of distribution, which may include the formula established under section 121(h)(3), shall be objective and geographically equitable, and may include factors such as the number of centers in the local area that have been certified, the population served by such centers, and the performance of such centers.

"(C) OTHER USE OF FUNDS.—Funds reserved by a Governor for a State—

"(i) under section 133(a) and not used under subparagraph (A), may be used for statewide activities described in paragraph (2); and

"(ii) under section 133(a) and not used under subparagraph (A), and under section 128(a) may be used to carry out any of the statewide employment and training activities described in paragraph (3).

"(2) STATEWIDE RAPID RESPONSE ACTIVITIES.—A State shall carry out statewide rapid response activities using funds reserved as described in section 133(a). Such activities shall include—

"(A) provision of rapid response activities, carried out in local areas by the State or by an entity designated by the State, working in conjunction with the local boards and the chief elected officials in the local areas; and

"(B) provision of additional assistance to local areas that experience disasters, mass layoffs or plant closings, or other events that precipitate substantial increases in the number of unemployed individuals, carried out in local areas by the State, working in conjunction with the local boards and the chief elected officials in the local areas.

"(3) STATEWIDE ACTIVITIES.—Funds reserved by a Governor for a State as described in sections 133(a) and 128(a) may be used for statewide activities including—

"(A) supporting the provision of work ready services described in section 134(c)(2) in the one-stop delivery system;

"(B) implementing innovative programs and strategies designed to meet the needs of all businesses in the State, including small businesses, which may include incumbent worker training programs, sectoral and industry cluster strategies and partnerships, including regional skills alliances, sectoral skills partnerships (in which representatives of multiple employers for a specific industry sector or group of related occupations, economic development agencies, providers of training services described in subsection (d)(4), labor federations, and other entities that can provide needed supportive services tailored to the needs of workers in that sector or group, for a local area or region, identify gaps between the current and expected demand and supply of labor and skills in that sector or group for that area or region and develop a strategic skills gap action plan), career ladder programs, micro-enterprise and entrepreneurial training and support programs, utilization of effective business intermediaries, activities to improve linkages between the one-stop delivery system in the State and all employers (including small employers) in the State, and other business services and strategies that better engage employers in workforce investment activities and make the workforce investment system more relevant to the needs of State and local businesses, consistent with the objectives of this title;

"(C) conducting evaluations under section 136(e) of activities authorized under this chapter and chapter 4 in coordination with evaluations carried out by the Secretary under section 172, research, and demonstration projects;

"(D) providing incentive grants to local areas for regional cooperation among local boards (including local boards in a designated region as described in section 116(c)), for local coordination of activities carried out under this Act, and for exemplary performance by local areas on the local performance measures;

"(E) providing technical assistance and capacity building to local areas, one-stop operators, one-stop partners, and eligible providers, including the development and training of staff, the development of exemplary program activities, and the provision of technical assistance to local areas that fail to meet local performance measures;

"(F) operating a fiscal and management accountability system under section 136(f);

"(G) carrying out monitoring and oversight of activities carried out under this chapter and chapter 4;

"(H) implementing innovative programs, such as incumbent worker training programs, programs and strategies designed to meet the needs of businesses in the State, including small businesses, and engage employers in workforce activities, and programs serving individuals with disabilities consistent with section 188;

"(I) developing strategies for effectively serving hard-to-serve populations and for integrating programs and services among one-stop partners; and

"(J) carrying out activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology.

"(4) LIMITATION.—Not more than 5 percent of the funds allotted under section 132(b) shall be used by the State for administrative activities carried out under this subsection and section 128(a).".

(2) LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—Section 134(b) (29 U.S.C. 2864(b)) is amended—

(A) by striking "under paragraph (2)(A)" and all that follows through "section 133(b)(2)(B)" and inserting "under section 133(b)"; and

(B) in paragraphs (1) and (2), by striking "or dislocated workers, respectively".

(3) TECHNICAL AMENDMENT.—Section 134 is further amended by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(4) REQUIRED LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—

(A) ALLOCATED FUNDS.—Section 134(c)(1) (29 U.S.C. 2864(c)(1)) (as redesignated by paragraph (3)) is amended to read as follows:

"(1) IN GENERAL.—Funds allocated to a local area for adults under section 133(b) shall be used—

"(A) to establish a one-stop delivery system as described in section 121(e);

"(B) to provide the work ready services described in paragraph (2) through the one-stop delivery system in accordance with such paragraph;

"(C) to provide training services described in paragraph (4) to adults described in such paragraph; and

"(D) to designate a dedicated business liaison in the local area who may be funded with funds provided under this title or from other sources to establish and develop relationships and networks with large and small employers and their intermediaries.".

(B) WORK READY SERVICES.—Section 134(c)(2) (29 U.S.C. 2864(c)(2)) (as redesignated by paragraph (3)) is amended——

(i) in the heading, by striking "CORE SERVICES" and inserting "WORK READY SERVICES";

(ii) by striking "core services" and inserting "work ready services";

(iii) by striking "paragraph (1)(A)" and inserting "paragraph (1)(A)(i)";

(iv) by striking "who are adults or dislocated workers";

(v) in subparagraph (A), by inserting "and assistance in obtaining eligibility determinations under the other one-stop partner programs through such activities as assisting in the submission of applications, the provision of information on the results of such applications, the provision of intake services and information, and, where appropriate and consistent with the authorizing statute of the one-stop partner program, determinations of eligibility" after "subtitle";

(vi) by amending subparagraph (D) to read as follows:

"(D) labor exchange services, including—

"(i) job search and placement assistance, and where appropriate career counseling;

"(ii) appropriate recruitment services for employers, including small employers, in the local area, which may include services described in this subsection, including information and referral to specialized business services not traditionally offered through the one-stop delivery system; and

"(iii) reemployment services provided to unemployment claimants, including claimants identified as in need of such services under the worker profiling system established under section 303(j) of the Social Security Act (42 U.S.C. 503(j));";

(vii) in subparagraph (I), by inserting "and the administration of the work test for the unemployment compensation system" after "compensation"; and

(viii) by striking subparagraph (H) and inserting the following:

"(H) provision of accurate information, in formats that are usable and understandable to all one-stop center customers, relating to the availability of supportive services or assistance, including child care, child support, medical or child health assistance under title XIX or XXI of the Social Security Act (42 U.S.C. 1396 et seq. and 1397aa et seq.), benefits under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the earned income tax credit under section 32 of the Internal Revenue Code of 1986, and assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and other supportive services and transportation provided through funds made available under such part, available in the local area, and referral to such services or assistance as appropriate;"; and

(ix) by amending subparagraph (J) to read as follows:

"(J) assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under this Act and are available in the local area; and"; and

(x) by redesignating subparagraph (K) as subparagraph (M); and

(xi) by inserting the following new subparagraphs after subparagraph (J)):

"(K) the provision of information from official publications of the Internal Revenue Service, regarding federal tax credits available to individuals relating to education, job training and employment, including the Hope Scholarship Credit and the Lifetime Learning Credit (26 U.S.C. 25A), and the Earned Income Tax Credit (26 U.S.C. 32);

"(L) services relating to the Work Opportunity Tax Credit (26 U.S.C. 51);

"(M) comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include—

"(i) diagnostic testing and use of other assessment tools; and

"(ii) in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;

"(N) development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participation to achieve the employment goals;

"(O) group counseling;

"(P) individual counseling and career planning;

"(Q) case management;

"(R) short-term prevocational services, including development of learning skills, communications skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training;

"(S) internships and work experience;

"(T) literacy activities relating to basic work readiness, information and communication technology literacy activities, and financial literacy activities, if such activities are not available to participants in the local area under programs administered under the Adult Education and Family Literacy Act (20 U.S.C. 2901 et seq.); and

"(U) out-of-area job search assistance and relocation assistance.".

(C) DELIVERY OF SERVICES.—Section 134(c)(3) (29 U.S.C. 2864(c)(3) (as redesignated by paragraph (3) of this subsection) is amended to read as follows:

"(3) DELIVERY OF SERVICES.—The work ready services described in paragraph (M) through (U) shall be provided through the one-stop delivery system and may be provided through contracts with public, private for-profit, and private nonprofit service providers, approved by the local board.".

(D) TRAINING SERVICES.—Section 134(c)(4) (as redesignated by paragraph (3) of this subsection) is amended—

(i) by amending subparagraph (A) to read as follows:

"(A) IN GENERAL.—Funds allocated to a local area under section 133(b) shall be used to provide training services to adults who—

"(i) after an interview, evaluation, or assessment, and case management, have been determined by a one-stop operator or one-stop partner, as appropriate, to—

"(I) be in need of training services to obtain or retain suitable employment; and

"(II) have the skills and qualifications to successfully participate in the selected program of training services;

"(ii) select programs of training services that are directly linked to the employment opportunities in the local area involved or in another area in which the adults receiving such services are willing to commute or relocate;

"(iii) who meet the requirements of subparagraph (B); and

"(iv) who are determined eligible in accordance with the priority system in effect under subparagraph (E).";

(ii) in subparagraph (B)(i), by striking "Except" and inserting "Notwithstanding section 479B of the Higher Education Act of 1965 (20 U.S.C. 1087uu) and except";

(iii) by amending subparagraph (D) to read as follows:

"(D) TRAINING SERVICES.—Training services authorized under this paragraph may include—

"(i) occupational skills training;

"(ii) on-the-job training;

"(iii) skill upgrading and retraining;

"(iv) entrepreneurial training;

"(v) education activities leading to a high school diploma or its equivalent, including a General Educational Development credential, in combination with, concurrently or subsequently, occupational skills training;

"(vi) adult education and literacy activities provided in conjunction with other training authorized under this subparagraph;

"(vii) workplace training combined with related instruction; and

"(viii) occupational skills training that incorporates English language acquisition.";

(iv) by amending subparagraph (E) to read as follows:

"(E) PRIORITY.—

"(i) IN GENERAL.—A priority shall be given to unemployed individuals and employed workers who need training services to retain employment or to advance in a career for the provision of intensive and training services under this subsection.

"(ii) DETERMINATIONS.—The Governor and the appropriate local board shall direct the one-stop operators in the local area with regard to making determinations with respect to the priority of service under this subparagraph.";

(v) in subparagraph (F), by striking clause (iii) and inserting the following:

"(iii) CAREER ENHANCEMENT ACCOUNTS.—An individual who seeks training services and who is eligible pursuant to subparagraph (A), may, in consultation with a case manager, select an eligible provider of training services from the list or identifying information for providers described in clause (ii)(I). Upon such selection, the one-stop operator involved shall, to the extent practicable, refer such individual to the eligible provider of training services, and arrange for payment for such services through a career enhancement account.

"(iv) COORDINATION.—Each local board may, through one-stop centers, coordinate career enhancement accounts with other Federal, State, local, or private job training programs or sources to assist the individual in obtaining training services.

"(v) ENHANCED CAREER ENHANCEMENT ACCOUNTS.—Each local board may, through one-stop centers, assist individuals receiving career enhancement accounts through the establishment of such accounts that include, in addition to the funds provided under this paragraph, funds from other programs and sources that will assist the individual in obtaining training services."; and

(vi) in subparagraph (G)—

(I) in the subparagraph heading, by striking "INDIVIDUAL TRAINING ACCOUNTS" and inserting "CAREER ENHANCEMENT ACCOUNTS";

(II) in clause (i) by striking "individual training accounts" and inserting "career enhancement accounts";

(III) in clause (ii)—

(aa) by striking "an individual training account" and inserting "a career enhancement account";

(bb) in subclause (II), by striking "individual training accounts" and inserting "career enhancement accounts";

(cc) in subclause (II) by striking "or" after the semicolon;

(dd) in subclause (III) by striking the period and inserting "; or"; and

(ee) by adding at the end of the following:

"(IV) The local board determines that it would be most appropriate to award a contract to an institution of higher education in order to facilitate the training of multiple individuals in high-demand occupations, if such contract does not limit customer choice.".

(IV) in clause (iv)—

(aa) by redesignating subclause (IV) as subclause (V) and inserting after subclause (III) the following:

"(IV) Individuals with disabilities.".

(5) PERMISSIBLE ACTIVITIES.—Section 134(d) (as redesignated by paragraph (3)) is amended—

(A) by amending paragraph (1) to read as follows:

"(1) DISCRETIONARY ONE-STOP DELIVERY ACTIVITIES.—

"(A) IN GENERAL.—Funds allocated to a local area under section 133(b) may be used to provide, through the one-stop delivery system—

"(i) customized screening and referral of qualified participants in training services to employers;

"(ii) customized employment-related services to employers on a fee-for-service basis;

"(iii) customer support to navigate among multiple services and activities for special participant populations that face multiple barriers to employment, including individuals with disabilities;

"(iv) employment and training assistance provided in coordination with child support enforcement activities of the State agency carrying out subtitle D of title IV of the Social Security Act (42 U.S.C. 651 et seq.);

"(v) activities to improve services to local employers, including small employers in the local area, and increase linkages between the local workforce investment system and employers;

"(vi) activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology; and

"(vii) activities to carry out business services and strategies that meet the workforce investment needs of local area employers, as determined by the local board, consistent with the local plan under section 118, which services—

"(I) may be provided through effective business intermediaries working in conjunction with the local board, and may also be provided on a fee-for-service basis or through the leveraging of economic development and other resources as determined appropriate by the local board; and

"(II) may include—

"(aa) identifying and disseminating to business, educators, and job seekers, information related to the workforce, economic and community development needs, and opportunities of the local economy;

"(bb) development and delivery of innovative workforce investment services and strategies for area businesses, which may include sectoral, industry cluster, regional skills alliances, career ladder, skills upgrading, skill standard development and certification, apprenticeship, and other effective initiatives for meeting the workforce investment needs of area employers and workers;

"(cc) participation in seminars and classes offered in partnership with relevant organizations focusing on the workforce-related needs of area employers and job seekers;

"(dd) training consulting, needs analysis, and brokering services for area businesses, including the organization and aggregation of training (which may be paid for with funds other than those provided under this title), for individual employers and coalitions of employers with similar interests, products, or workforce needs;

"(ee) assistance to area employers in the aversion of layoffs and in managing reductions in force in coordination with rapid response activities;

"(ff) the marketing of business services offered under this title, to appropriate area employers, including small and mid-sized employers;

"(gg) information referral on concerns affecting local employers; and

"(hh) other business services and strategies designed to better engage employers in workforce investment activities and to make the workforce investment system more relevant to the workforce investment needs of area businesses, as determined by the local board to be consistent with the objectives of this title.

"(B) WORK SUPPORT ACTIVITIES FOR LOW-WAGE WORKERS.—

"(i) IN GENERAL.—Funds allocated to a local area under 133(b) may be used to provide, through the one-stop delivery system and in collaboration with the appropriate programs and resources of the one-stop partners, work support activities designed to assist low-wage workers in retaining and enhancing employment. The one stop partners shall coordinate the appropriate programs and resources of the partners with the activities and resources provided under this subparagraph.

"(ii) ACTIVITIES.—The activities described in clause (i) may include assistance in accessing financial supports for which such workers may be eligible and the provision of activities available through the one-stop delivery system in a manner that enhances the opportunities of such workers to participate, such as the provision of employment and training activities during nontraditional hours and the provision of on-site child care while such activities are being provided."; and

(B) by adding after paragraph (3) the following new paragraph:

"(4) INCUMBENT WORKER TRAINING PROGRAMS.—

"(A) IN GENERAL.—The local board may use up to 10 percent of the funds allocated to a local area under section 133(b) to carry out incumbent worker training programs in accordance with this paragraph.

"(B) TRAINING ACTIVITIES.—The training programs for incumbent workers under this paragraph shall be carried out by the local area in conjunction with the employers of such workers for the purpose of assisting such workers in obtaining the skills necessary to retain employment and avert layoffs.

"(C) EMPLOYER MATCH REQUIRED.—

"(i) IN GENERAL.—Employers participating in programs under this paragraph shall be required to pay a proportion of the costs of providing the training to the incumbent workers of the employers. The State board, in consultation with the local board as appropriate, shall establish the required portion of such costs, which may include in-kind contributions. The required portion shall not be less than—

"(I) 10 percent of the costs, for employers with 50 or fewer employees;

"(II) 25 percent of the costs, for employers with more than 50 employees but fewer than 100 employees; and

"(III) 50 percent of the costs, for employers with 100 or more employees.

"(ii) CALCULATION OF MATCH.—The wages paid by an employer to a worker while they are attending training may be included as part of the requirement payment of the employer.".

SEC. 423. PERFORMANCE ACCOUNTABILITY SYSTEM.

(a) STATE PERFORMANCE MEASURES.—

(1) IN GENERAL.—Section 136(b)(1) (29 U.S.C. 2871(b)(1)) is amended—

(A) in subparagraph (A)(i), by striking "and the customer satisfaction indicator of performance described in paragraph (2)(B)"; and

(B) in subparagraph (A)(ii), by striking "paragraph (2)(C)" and inserting "paragraph (2)(B)".

(2) INDICATORS OF PERFORMANCE.—Section 136(b)(2) (29 U.S.C. 2871(b)(2)) is amended—

(A) in subparagraph (A)(i)—

(i) by striking "(except for self-service and information activities) and (for participants who are eligible youth age 19 through 21) for youth activities authorized under section 129";

(ii) in subclause (II), by striking "6 months after entry into the employment" and inserting "and" after the semicolon; and

(iii) by striking subclause (III), and inserting the following:

"(III) average earnings from unsubsidized employment.";

(B) by striking subclause (IV) of subparagraph (A)(i);

(C) by amending subparagraph (A)(ii) to read as follows:

"(ii) Core Indicators for Eligible Youth.—The core indicators of performance for youth activities authorized under section 129 shall consist of—

"(I) entry into employment, education or advanced training, or military service;

"(II) attainment of secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent or certificate (including recognized alternative standards for individuals with disabilities); and

"(III) literacy or numeracy gains.";

(D) by striking subparagraph (B); and

(E) by redesignating subparagraph (C) as subparagraph (B), and by adding at the end of such subparagraph the following new sentence: "Such indicators may include customer satisfaction of employers and participants with services received from the workforce investment activities authorized under this subtitle.".

(3) Levels of Performance.—Section 136(b)(3)(A) (29 U.S.C. 2871(b)(3)(A)) is amended—

(A) in clause (i), by striking "and the customer satisfaction indicator described in paragraph (2)(B)";

(B) in clause (ii), by striking "and the customer satisfaction indicator of performance, for the first 3" and inserting "for the 2";

(C) in clause (iii)—

(i) in the heading, by striking "**FOR FIRST 3 YEARS**"; and

(ii) by striking "and the customer satisfaction indicator of performance, for the first 3" and inserting "for the 2";

(D) in clause (iv)—

(i) by striking subclause (I);

(ii) by redesignating subclauses (II) and (III) as subclauses (I) and (II), respectively; and

(iii) in subclause (I) (as so redesignated)—

(I) by striking "taking into account" and inserting "which shall be adjusted based on";

(II) by inserting ", such as unemployment rates and job losses or gains in particular industries" after "economic conditions"; and

(III) by inserting ", such as indicators of poor work history, lack of work experience, dislocation from high-wage employment, low levels of literacy or English proficiency, disability status, including the number of veterans with disabilities, and welfare dependency" after "program";

(E) by striking clause (v) and redesignating clause (vi) as clause (v).

(4) Additional Indicators.—Section 136(b)(3)(B) is amended by striking "paragraph (2)(C)" and inserting "paragraph (2)(B)".

(b) Local Performance Measures.—Section 136(c) (29 U.S.C. 2871(c)) is amended—

(1) in paragraph (1)(A)(i), by striking ", and the customer satisfaction indicator of performance described in subsection (b)(2)(B),";

(2) in paragraph (1)(A)(ii), by striking "subsection (b)(2)(C)" and inserting "subsection (b)(2)(B)"; and

(3) by amending paragraph (3) to read as follows:

"(3) Determinations.—In determining such local levels of performance, the local board, the chief elected official, and the Governor shall ensure such levels are adjusted based on the specific economic characteristics (such as unemployment rates and job losses or gains in particular industries), demographic characteristics, or other characteristics of the population to be served in the local area, such as poor work history, lack of work experience, dislocation from high-wage employment, low levels of literacy or English proficiency, disability status, including the number of veterans with disabilities, and welfare dependency.".

(c) Report.—Section 136(d) (29 U.S.C. 2871(d)) is amended—

(1) in paragraph (1), by striking "and the customer satisfaction indicator" in both places that it appears;

(2) in paragraph (2)—

(A) in subparagraph (E), by striking "(excluding participants who received only self-service and informational activities); and" and inserting a semicolon;

(B) in subparagraph (F), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(G) the number of participants who have received services other than followup services, authorized under this title, in the form of work ready services described in section 134(d)(2), and training services described in section 134(d)(4), respectively;

"(H) the number of participants who have received followup services authorized under this title; and

"(I) the cost per participant for services authorized under this title."; and

(3) by adding at the end the following:

"(4) Data Validation.—In preparing the reports described in this subsection, the States shall establish procedures, consistent with guidelines issued by the Secretary, to ensure the information contained in the report is valid and reliable.".

(d) Sanctions for State.—Section 136(g) (29 U.S.C. 2871(g)) is amended—

(1) in paragraph (1)(A), by striking "or (B)"; and

(2) in paragraph (2), by striking "section 503" and inserting "section 136(i)".

(e) Sanctions for Local Areas.—Section 136(h) (29 U.S.C. 2871(h)) is amended—

(1) in paragraph (1), by striking "or (B)"; and

(2) by amending paragraph (2)(B) to read as follows:

"(B) Appeal to Governor.—A local area that is subject to a reorganization plan under subparagraph (A) may, not later than 30 days after receiving notice of the reorganization plan, appeal to the Governor to rescind or revise such plan. In such case, the Governor shall make a final decision not later than 30 days after the receipt of the appeal.".

(f) Incentive Grants.—Section 136(i) (29 U.S.C. 2871(i)) is amended to read as follows:

"(i) Incentive Grants for States and Local Areas.—

"(1) Incentive grants for states.—

"(A) In general.—From funds appropriated under section 174, the Secretary may award incentive grants to States for exemplary performance in carrying programs under chapters 4 and 5 of this title. Such awards may be based on States meeting or exceeding the performance measures established under this section, on the performance of the State in serving special populations, including the levels of service provided and the performance outcomes, and such other factors relating to the performance of the State under this title as the Secretary determines is appropriate.

"(B) Use of funds.—The funds awarded to a State under this paragraph may be used to carry out any activities authorized under chapters 4 and 5 of this title, including—

"(i) activities that provide technical assistance to local areas to replicate best practices for workforce and education programs;

"(ii) activities that support the needs of businesses, especially for incumbent workers and enhancing opportunities for retention and advancement;

"(iii) activities that support linkages between the workforce and education programs, and secondary, postsecondary, or career and technical education programs, including activities under the Carl D. Perkins Career and Technical Education Act (20 U.S.C. 2301 et seq.), the Adult Education and Family Literacy Act (20 U.S.C. 9201 et seq.), and the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

"(iv) activities that support regional economic development plans that support high-wage, high-skill, or high-demand occupations leading to self-sufficiency;

"(v) activities that coordinate the workforce and education programs with other Federal and State programs related to the workforce and education programs;

"(vi) activities that support the development of an integrated performance information system that includes common measures for one-stop partner programs described in section 121;

"(vii) activities that support activities to improve performance in workforce and education programs and program coordination of workforce and education programs; or

"(viii) activities that leverage additional training resources, other than those provided through workforce and education programs, for adults and youth.

"(2) Incentive grants for local areas.—

"(A) In general.—From funds reserved under sections 128(a) and 133(a), the Governor may award incentive grants to local areas for exemplary performance with respect to the measures established under this section and with the performance of the local area in serving special populations, including the levels of service and the performance outcomes.

"(B) Use of funds.—The funds awarded to a local area may be used to carry out activities authorized for local areas under chapters 4 and 5 of this title, the Adult Education and Family Literacy Act, and the Rehabilitation Act of 1973 (referred to in this subsection as 'workforce and education programs'), and such innovative projects or programs that increase coordination and enhance service to participants in such programs, particularly hard-to-serve populations, as may be approved by the Governor, including—

"(i) activities that support the needs of businesses, especially for incumbent workers and enhancing opportunities for retention and advancement;

"(ii) activities that support linkages between the workforce and education programs, and secondary, postsecondary, or career and technical education programs, including activities under the Carl D. Perkins Career and Technical Education Act (20 U.S.C. 2301 et seq.), the Adult Education and Family Literacy Act (20 U.S.C. 9201 et seq.), and the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

"(iii) activities that support regional economic development plans that support high-wage, high-skill, or high-demand occupations leading to self-sufficiency;

"(iv) activities that coordinate the workforce and education programs with other Federal and State programs related to the workforce and education programs;

"(v) activities that support the development of an integrated performance information system that includes common measures for one-stop partner programs described in section 121;

"(vi) activities that support activities to improve performance in workforce and education programs and program coordination of workforce and education programs; or

"(vii) activities that leverage additional training resources, other than those provided through workforce and education programs, for adults and youth.".

(g) USE OF CORE INDICATORS FOR OTHER PROGRAMS.—Section 136 (29 U.S.C. 2871) is further amended by adding at the end the following subsection:

"(j) USE OF CORE INDICATORS FOR OTHER PROGRAMS.—In addition to the programs carried out under chapters 4 and 5, and consistent with the requirements of the applicable authorizing laws, the Secretary shall use the core indicators of performance described in subsection (b)(2)(A) to assess the effectiveness of the programs described under section 121(b)(1)(B) that are carried out by the Secretary.".

(h) REPEAL OF DEFINITIONS.—Sections 502 and 503 (and the items related to such sections in the table of contents) are repealed.

SEC. 424. AUTHORIZATION OF APPROPRIATIONS.

(a) YOUTH ACTIVITIES.—Section 137(a) (29 U.S.C. 2872(a)) is amended by striking "such sums as may be necessary for each of fiscal years 1999 through 2003" and inserting "such sums as may be necessary for each of fiscal year 2008 through 2012".

(b) ADULT EMPLOYMENT AND TRAINING ACTIVITIES.—Section 137(b) (29 U.S.C. 2872(b)) is amended by striking "section 132(a)(1), such sums as may be necessary for each of fiscal years 1999 through 2003" and inserting "section 132(a), such sums as may be necessary for each of fiscal years 2008 through 2012".

(c) DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES.—Section 137 is further amended by striking subsection (c).

SEC. 425. JOB CORPS.

(a) PROGRAM ACTIVITIES.—Section 148(a) is amended by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—Each Job Corps Center shall provide enrollees with an intensive, well organized, and fully supervised program of education, career training, work experience, recreational activities, physical rehabilitation and development, and counseling. Each Job Corps center shall provide enrollees assigned to the center with access to work ready services described in section 134(c)(2).".

(b) INDUSTRY COUNCILS.—Section 154(b) (29 U.S.C. 2894(b)) is amended—

(1) in paragraph (1)(A), by striking "local and distant"; and

(2) by adding after paragraph (2) the following:

"(3) EMPLOYERS OUTSIDE OF LOCAL AREAS.—The industry council may include, or otherwise provide for consultation with, employers from outside the local area who are likely to hire a significant number of enrollees from the Job Corps center.

"(4) SPECIAL RULE FOR SINGLE LOCAL AREA STATES.—In the case of a single local area State designated under section 116(b), the industry council shall include a representative of the State Board.".

(c) INDICATORS OF PERFORMANCE AND ADDITIONAL INFORMATION.—Section 159(c) (29 U.S.C. 2893(c)) is amended—

(1) by amending paragraph (1) to read as follows:

"(1) CORE INDICATORS.—The Secretary shall annually establish expected levels of performance for Job Corps centers and the Job Corps program relating to each of the following core indicators of performance for youth—

"(A) entry into education, employment, military service or advanced training;

"(B) attainment of a secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent; and

"(C) literacy or numeracy gains."; and

(2) in paragraph (2), by striking "measures" each place it appears and inserting "indicators".

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 161 (29 U.S.C. 2901) is amended by striking "1999 through 2003" and inserting "2008 through 2012".

(e) REPEAL OF REQUIREMENT RELATING TO FEDERAL ADMINISTRATION.—Section 102 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006 (Public Law 109–149) is repealed.

SEC. 426. NATIVE AMERICAN PROGRAMS.

(a) ADVISORY COUNCIL.—Section 166(h)(4)(C) (29 U.S.C. 2911(h)(4)(C)) is amended to read as follows:

"(C) DUTIES.—The Council shall advise the Secretary on the operation and administration of the programs assisted under this section.".

(b) ASSISTANCE TO AMERICAN SAMOANS IN HAWAII.—Section 166 (29 U.S.C. 2911) is further amended by striking subsection (j).

SEC. 427. MIGRANT AND SEASONAL FARMWORKER PROGRAMS.

Section 167(d) is amended by inserting "(including permanent housing)" after "housing".

SEC. 428. VETERANS' WORKFORCE INVESTMENT PROGRAMS.

Section 168(a)(3)(C) (29 U.S.C. 2913 (a)(3)(C)) is amended by striking "section 134(c)" and inserting "section 121(e)".

SEC. 429. YOUTH CHALLENGE GRANTS.

(a) IN GENERAL.—Section 169 (29 U.S.C. 2914) is amended to read as follows:

"SEC. 169. YOUTH CHALLENGE GRANTS.

"(a) IN GENERAL.—Of the amounts reserved by the Secretary under section 127(a)(1)(A) for a fiscal year—

"(1) the Secretary shall use not less than 80 percent to award competitive grants under subsection (b); and

"(2) the Secretary may use not more than 20 percent to award discretionary grants under subsection (c).

"(b) COMPETITIVE GRANTS TO STATES AND LOCAL AREAS.—

"(1) ESTABLISHMENT.—From the funds described in subsection (a)(1), the Secretary shall award competitive grants to eligible entities to carry out activities authorized under this section to assist eligible youth in acquiring the skills, credentials and employment experience necessary to succeed in the labor market.

"(2) ELIGIBLE ENTITIES.—Grants under this subsection may be awarded to States, local boards, recipients of grants under section 166 (relating to Native American programs), and public or private entities (including consortia of such entities) applying in conjunction with local boards.

"(3) GRANT PERIOD.—The Secretary may make a grant under this section for a period of 1 year and may renew the grants for each of the 4 succeeding years.

"(4) AUTHORITY TO REQUIRE MATCH.—The Secretary may require that grantees under this subsection provide a non-Federal share of the cost of activities carried out under a grant awarded under this subsection.

"(5) PARTICIPANT ELIGIBILITY.—Youth ages 14 through 19 as of the time the eligibility determination is made may be eligible to participate in activities provided under this subsection.

"(6) USE OF FUNDS.—Funds under this subsection may be used for activities that are designed to assist youth in acquiring the skills, credentials and employment experience that are necessary to succeed in the labor market, including the activities identified in section 129. The activities may include activities such as—

"(A) training and internships for out-of-school youth in sectors of the economy experiencing or projected to experience high growth;

"(B) after-school dropout prevention activities for in-school youth;

"(C) activities designed to assist special youth populations, such as court-involved youth and youth with disabilities; and

"(D) activities combining remediation of academic skills, work readiness training, and work experience, and including linkages to postsecondary education, apprenticeships, and career-ladder employment.

"(7) APPLICATIONS.—To be eligible to receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

"(A) a description of the activities the eligible entity will provide to eligible youth under this subsection and how the eligible entity will collaborate with State and local workforce investment systems established under this title in the provisions of such activities;

"(B) a description of the programs of demonstrated effectiveness on which the provision of the activities under subparagraph (A) are based, and a description of how such activities will expand the base of knowledge relating to the provision of activities for youth;

"(C) a description of the private and public, and local and State resources that will be leveraged to provide the activities described under subparagraph (A) in addition to the funds provided under this subsection and a description of the extent of the involvement of employers in the activities; and

"(D) the levels of performance the eligible entity expects to achieve with respect to the indicators of performance for youth specified in section 136(b)(2)(A)(ii).

"(8) FACTORS FOR AWARD.—

"(A) IN GENERAL.—In awarding grants under this subsection the Secretary shall consider—

"(i) the quality of the proposed activities;

"(ii) the goals to be achieved;

"(iii) the likelihood of successful implementation;

"(iv) the extent to which the proposed activities are based on proven strategies or the extent to which the proposed activities will expand the base of knowledge relating to the provision of activities for eligible youth;

"(v) the extent of collaboration with the State and local workforce investment systems in carrying out the proposed activities;

"(vi) the extent of employer involvement in the proposed activities;

"(vii) whether there are other Federal and non-Federal funds available for similar activities to the proposed activities, and the additional State, local, and private resources that will be provided to carry out the proposed activities;

"(viii) the quality of the proposed activities in meeting the needs of the eligible youth to be served; and

"(ix) the extent to which the proposed activities will expand on services provided under section 127.

"(B) EQUITABLE GEOGRAPHIC DISTRIBUTION.—In awarding grants under this subsection the Secretary shall ensure an equitable distribution of such grants across geographically diverse areas.

"(9) EVALUATION.—The Secretary may reserve up to 5 percent of the funds described in subsection(a)(1) to provide technical assistance to, and conduct evaluations of the projects funded under this subsection (using appropriate techniques as described in section 172(c)).

"(c) DISCRETIONARY GRANTS FOR YOUTH ACTIVITIES.—

"(1) IN GENERAL.—From the funds described in subsection(a)(2), the Secretary may award grants to eligible entities to provide activities that will assist youth in preparing for, and entering and retaining, employment.

"(2) ELIGIBLE ENTITIES.—Grants under this subsection may be awarded to public or private entities that the Secretary determines would effectively carry out activities relating to youth under this subsection.

"(3) PARTICIPANT ELIGIBILITY.—Youth ages 14 through 19 at the time the eligibility determination is made may be eligible to participate in activities under this subsection.

"(4) USE OF FUNDS.—Funds provided under this subsection may be used for activities that will assist youth in preparing for, and entering and retaining, employment, including the activities described in section 129 for out-of-school youth, activities designed to assist in-school youth to stay in school and gain work experience, and such other activities that the Secretary determines are appropriate.

"(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(6) ADDITIONAL REQUIREMENTS.—The Secretary may require the provision of a non-Federal share for projects funded under this subsection and may require participation of grantees in evaluations of such projects, including evaluations using the techniques as described in section 172(c).".

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) is amended by amending the item related to section 169 to read as follows:

"Sec. 169. Youth challenge grants.".

SEC. 430. TECHNICAL ASSISTANCE.

Section 170 (29 U.S.C. 2915) is amended—

(1) by striking subsection (b);

(2) by striking

"(a) GENERAL TECHNICAL ASSISTANCE.—";

(3) by redesignating paragraphs (1), (2), and (3) as subsections (a), (b), and (c) respectively, and moving such subsections 2 ems to the left;

(4) in subsection (a) (as redesignated by paragraph (3))—

(A) by inserting "the training of staff providing rapid response services, the training of other staff of recipients of funds under this title, peer review activities under this title, assistance regarding accounting and program operation practices (when such assistance would not be duplicative to assistance provided by the State), technical assistance to States that do not meet State performance measures described in section 136," after "localities,"; and

(B) by striking "from carrying out activities" and all that follows up to the period and inserting "to implement the amendments made by the Workforce Investment Improvement Act of 2007"; and

(5) by inserting, after subsection (c) (as redesignated by paragraph (3)), the following:

"(d) BEST PRACTICES COORDINATION.—The Secretary shall—

"(1) establish a system through which States may share information regarding best practices with regard to the operation of workforce investment activities under this Act;

"(2) evaluate and disseminate information regarding best practices and identify knowledge gaps; and

"(3) commission research under section 171(c) to address knowledge gaps identified under paragraph (2).".

SEC. 431. DEMONSTRATION, PILOT, MULTISERVICE, RESEARCH AND MULTISTATE PROJECTS.

(a) DEMONSTRATION AND PILOT PROJECTS.—Section 171(b) (29 U.S.C. 2916(b)) is amended—

(1) in paragraph (1)—

(A) by striking "Under a" and inserting "Consistent with the priorities specified in the";

(B) by amending subparagraphs (A) through (D) to read as follows:

"(A) projects that assist national employers in connecting with the workforce investment system established under this title in order to facilitate the recruitment and employment of needed workers and to provide information to such system on skills and occupations in demand;

"(B) projects that promote the development of systems that will improve the effectiveness and efficiency of programs carried out under this title;

"(C) projects that focus on opportunities for employment in industries and sectors of industries that are experiencing or are likely to experience high rates of growth, including those relating to information technology;

"(D) projects carried out by States and local areas to test innovative approaches to delivering employment-related services;";

(C) by striking subparagraph (E);

(D) by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;

(E) in subparagraph (F) (as so redesignated, by striking "; and" and inserting a semicolon;

(F) by inserting after subparagraph (F) (as so redesignated) the following:

"(G) projects carried out by States and local areas to assist adults or out of school youth in starting a small business, including training and assistance in business or financial management or in developing other skills necessary to operate a business;"; and

(G) by amending subparagraph (H) to read as follows:

"(H) projects that focus on opportunities for employment in industries and sectors of industries that are being transformed by technology and innovation requiring new knowledge or skill sets for workers, including advanced manufacturing; and"; and

(2) in paragraph (2)—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraph (C) as subparagraph (B).

(b) MULTISERVICE PROJECTS.—Section 171(c)(2)(B) (29 U.S.C. 2916(c)(2)(B)) is amended to read as follows:

"(B) NET IMPACT STUDIES AND REPORTS.—The Secretary shall conduct studies to determine the net impacts of programs, services, and activities carried out under this title. The Secretary shall prepare and disseminate to Congress and the public reports containing the results of such studies.".

SEC. 432. COMMUNITY-BASED JOB TRAINING.

Section 171(d) is amended to read as follows:

"(d) COMMUNITY-BASED JOB TRAINING.—

"(1) DEMONSTRATION PROJECT.—In addition to the demonstration projects under subsection (b), the Secretary may establish and implement a national demonstration project designed to develop local solutions to the workforce challenges facing high-growth, high-skill industries with labor shortages, and increase opportunities for workers to gain access to employment in high-growth, high-demand occupations by promoting the establishment of partnerships among education entities, the workforce investment system, and businesses in high-growth, high-skill industries.

"(2) GRANTS.—In carrying out the demonstration project under this subsection, the Secretary shall award competitive grants, in accordance with generally applicable Federal requirements, to eligible entities to carry out activities authorized under this subsection.

"(3) DEFINITIONS.—

"(A) ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means a community college or consortium of community colleges that shall work in conjunction with—

"(i) the local workforce investment system; and

"(ii) business or businesses in a qualified industry or an industry association in a qualified industry.

"(B) QUALIFIED INDUSTRY.—In this subsection, the term 'qualified industry' means an industry or economic sector that is projected to experience significant growth, such as an industry and economic sector that—

"(i) is projected to add substantial numbers of new jobs to the economy;

"(ii) has significant impact on the economy;

"(iii) impacts the growth of other industries and economic sectors;

"(iv) is being transformed by technology and innovation requiring new knowledge or skill sets for workers;

"(v) is a new or emerging industry or economic sector that is projected to grow; or

"(vi) has high-skilled occupations and significant labor shortages in the local area.

"(C) COMMUNITY COLLEGE.—As used in this subsection, the term 'community college' means an institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), that provides not less than a 2-year program that is acceptable for full credit toward a bachelor's degree, or is a tribally controlled college or university.

"(4) AUTHORITY TO REQUIRE NON-FEDERAL SHARE.—The Secretary may require that recipients of grants under this subsection provide a non-Federal share, from either cash or noncash resources, of the costs of activities carried out under a grant awarded under this subsection.

"(5) USE OF FUNDS.—Grants awarded under this subsection may be used for—

"(A) the development, by a community college, in consultation with representatives of qualified industries, of rigorous training and education programs related to employment in a qualified industry identified in the eligible entity's application;

"(B) training of adults and dislocated workers in the skills and competencies needed to obtain or upgrade employment in a qualified industry identified in the eligible entity's application;

"(C) disseminating to adults and dislocated workers, through the one-stop delivery system, information on high-growth, high-demand occupations in qualified industries;

"(D) placing, through the one-stop delivery system, trained individuals into employment in qualified industries; and

"(E) increasing the integration of community colleges with activities of businesses and the one-stop delivery system to meet the training needs for qualified industries.

"(6) APPLICATIONS.—To be eligible to receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

"(A) a description of the eligible entity that will offer training under the grant;

"(B) an economic analysis of the local labor market to identify high-growth, high-demand industries, identify the workforce issues faced by those industries, and potential participants in programs funded under this subsection;

"(C) a description of the qualified industry for which training will occur and the availability of competencies on which training will be based and how the grant will help workers acquire the competencies and skills necessary for employment;

"(D) an assurance that the application was developed in consultation with the local board or boards and businesses, including small businesses, in the geographic area or areas where the proposed grant will be used;

"(E) performance measures for the grant, including expected number of individuals to be trained in a qualified industry, the employment and retention rates for such individuals in a qualified industry, and earnings increases for such individuals;

"(F) a description of how the activities funded by the proposed grant will be coordinated with activities provided through the one-stop delivery system in the local area or areas; and

"(G) a description of any local or private resources that will support the activities carried out under this subsection and allow the entity to carry out and expand such activities after the expiration of the grant.

"(7) FACTORS FOR AWARD OF GRANT.—

"(A) IN GENERAL.—In awarding grants under this subsection the Secretary shall consider—

"(i) the extent of public and private collaboration, including existing partnerships among industries, community colleges, and the public workforce investment system;

"(ii) the extent to which the grant will provide job seekers with employment opportunities in high-growth, high-demand occupations;

"(iii) the extent to which the grant will expand the eligible entity and local one-stop delivery system's capacity to be demand-driven and responsive to local economic needs;

"(iv) the extent to which local businesses commit to hire or retain individuals who receive training through the grant; and

"(v) the extent to which the eligible entity commits to make any newly developed products, such as competencies or training curriculum, available for distribution nationally.

"(B) LEVERAGING OF RESOURCES.—In awarding grants under this subsection, the Secretary shall also consider—

"(i) the extent to which local or private resources, in addition to the funds provided under this subsection, will be made available to support the activities carried out under this subsection; and

"(ii) the ability of an eligible entity to continue to carry out and expand such activities after the expiration of the grant.

"(C) DISTRIBUTION OF GRANTS.—In awarding grants under this subsection the Secretary shall ensure an equitable distribution of such grants across geographically diverse areas.

"(8) PERFORMANCE ACCOUNTABILITY AND EVALUATION.—

"(A) PERFORMANCE ACCOUNTABILITY.—The Secretary shall require an eligible entity that receives a grant under this subsection to report to the Secretary on the employment outcomes obtained by individuals receiving training under this subsection using the indicators of performance identified in the eligible entity's grant application.

"(B) EVALUATION.—The Secretary may require that an eligible entity that receives a grant under this subsection participate in an evaluation of activities carried out under this subsection, including an evaluation using the techniques described in section 172(c).".

SEC. 433. EVALUATIONS.

(a) IMPACT ANALYSIS.—Section 172(a)(4) (29 U.S.C. 2917(a)(4)) is amended to read as follows:

"(4) the impact of receiving services and not receiving services under such programs and activities on the community, businesses, and individuals;"; and

(b) TECHNIQUES.—Section 172(c) (29 U.S.C. 2917(c)) is amended to read as follows:

"(c) TECHNIQUES.—Evaluations conducted under this section shall utilize appropriate and rigorous methodology and research designs, including the use of control groups chosen by scientific random assignment methodologies, quasi-experimental methods, impact analysis and the use of administrative data. The Secretary shall conduct an impact analysis, as described in subsection (a)(4), of the formula grant programs under subtitle B not later than 2010, and thereafter shall conduct such an analysis not less than once every four years.".

SEC. 434. NATIONAL DISLOCATED WORKER GRANTS.

(a) IN GENERAL.—Section 173 (29 U.S.C. 2916) is amended—

(1) by amending the designation and heading to read as follows:

"SEC. 173. NATIONAL DISLOCATED WORKER GRANTS.";

and

(2) in subsection (a)—

(A) by striking "national emergency grants" in the matter preceding paragraph (1) and inserting "national dislocated worker grants"; and

(B) in paragraph (1), by striking "subsection (c)" and inserting "subsection (b)".

(3) by striking subsections (b) and (e) and redesignating subsections (c), (d), (f), and (g) as subsections (b) through (e), respectively;

(4) in subsection (b)(1)(B) as so redesignated), by striking ", and other entities" and all that follows and inserting a period; and

(5) in subsection (b)(2)(A) (as so redesignated)—

(A) in clause (iii), by striking "; or" and inserting a semicolon;

(B) in clause (iv)(IV) by striking the period and inserting "; or"; and

(C) by inserting at the end the following:

"(v) is the spouse of a member of the Armed Forces who is on active duty or full-time National Guard duty, or who was recently separated from such duties, and such spouse is in need of employment and training assistance to obtain or retain employment.".

(b) CONFORMING AMENDMENT.—The table of contents in section 1(b) is amended by amending the item related to section 173 to read as follows:

"Sec. 173. National dislocated worker grants.".

SEC. 435. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL ACTIVITIES.

(a) IN GENERAL.—Section 174(a)(1) (29 U.S.C. 2919(a)(1)) is amended by striking "1999 through 2003" and inserting "2008 through 2012".

(b) RESERVATIONS.—Section 174(b) is amended to read as follows:

"(b) TECHNICAL ASSISTANCE; DEMONSTRATION AND PILOT PROJECTS; EVALUATIONS; INCENTIVE GRANTS.—

"(1) DEMONSTRATION AND PILOT PROJECTS.—There are authorized to be appropriated to carry out section 171, such sums as may be necessary for fiscal years 2008 through 2012.

"(2) TECHNICAL ASSISTANCE, EVALUATIONS.—There are authorized to be appropriated to carry out section 170, section 172, and section 136 such sums as may be necessary for each of fiscal years 2008 through 2012.".

SEC. 436. REQUIREMENTS AND RESTRICTIONS.

(a) IN GENERAL.—Section 181(c)(2)(A) (29 U.S.C. 2931(c)(2)(A)) is amended in the matter preceding clause (i) by striking "shall" and inserting "may".

(b) LIMITATIONS.—Section 181(e) (29 U.S.C. 2931(e)) is amended by striking "training for" and inserting "the entry into employment, retention in employment, or increases in earnings of".

(c) SALARY CAP.—Section 181 (29 U.S.C. 2931) is further amended by adding at the end the following new subsection:

"(g) SALARY AND BONUS LIMITATION.—No funds provided under this title shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Level II of the Federal Executive Pay Schedule (5 U.S.C. 5313). This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A-133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer the programs.".

(d) REPORTS TO CONGRESS.—Section 185 (29 U.S.C. 2935) is amended—

(1) in subsection (c)—

(A) in paragraph (2), by striking "and" after the semicolon;

(B) in paragraph (3), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(4) shall have the option to submit or disseminate electronically any reports, records, plans, or any other data that are required to be collected or disseminated under this title."; and

(2) in paragraph (e)(2), by inserting "and the Secretary shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate," after "Secretary,".

SEC. 437. NONDISCRIMINATION.

Section 188(a)(2) (29 U.S.C. 2931(a)(2)) is amended to read as follows:

"(2) PROHIBITION OF DISCRIMINATION REGARDING PARTICIPATION, BENEFITS, AND EMPLOYMENT.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), no individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any such program or activity because of race, color, religion, sex (except as otherwise permitted under title IX of the Education Amendments of 1972), national origin, age, disability, or political affiliation or belief.

"(B) EXEMPTION FOR RELIGIOUS ORGANIZATIONS.—Subparagraph (A) shall not apply to a recipient of financial assistance under this title that is a religious corporation, association, educational institution, or society, with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities. Such recipients shall comply with the other requirements contained in subparagraph (A).".

SEC. 438. ADMINISTRATIVE PROVISIONS.

(a) PROGRAM YEAR.—Section 189(g)(1) (29 U.S.C. 2939(g)(1)) is amended to read as follows:

"(1) IN GENERAL.—Appropriations for any fiscal year for programs and activities carried out under this title shall be available for obligation only on the basis of a program year. The program year shall begin on July 1 in the fiscal year for which the appropriation is made.".

(b) AVAILABILITY.—Section 189(g)(2) (29 U.S.C. 2939(g)(2)) is amended by striking "each State" and inserting "each recipient".

(c) GENERAL WAIVERS.—Section 189(i)(4) (29 U.S.C. 2939(i)(4)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by inserting ", or in accordance with subparagraph (D)" after "subparagraph (B)"; and

(B) by striking clause (ii), the clause (i) designation and the dash preceding such designation, and moving the remaining text flush with the preceding matter; and

(2) by adding the following subparagraph:

"(D) EXPEDITED PROCESS FOR EXTENDING APPROVED WAIVERS TO ADDITIONAL STATES.—In lieu of the requirements of subparagraphs (B) and (C), the Secretary may establish an expedited procedure for the purpose of extending to additional States the waiver of statutory or regulatory requirements that have been approved for a State pursuant to a request under subparagraph (B). Such procedure shall ensure that the extension of such waivers to additional States are accompanied by appropriate conditions relating the implementation of such waivers.".

SEC. 439. STATE LEGISLATIVE AUTHORITY.

Section 191is amended—

(1) in subsection (a), by striking "consistent with the provisions of this title" and inserting "consistent with State law and the provisions of this title"; and

(2) in subsection (a), by striking "consistent with the terms and conditions required under this title" and inserting "consistent with State law and the terms and conditions required under this title".

SEC. 440. WORKFORCE INNOVATION IN REGIONAL ECONOMIC DEVELOPMENT.

(a) WORKFORCE INNOVATION IN REGIONAL ECONOMIC DEVELOPMENT.—Section 192 (29 U.S.C. 2942) is amended to read as follows:

"SEC. 192. WORKFORCE INNOVATION IN REGIONAL ECONOMIC DEVELOPMENT.

"(a) WORKFORCE INNOVATION IN REGIONAL ECONOMIC DEVELOPMENT PLANS.—

"(1) IN GENERAL.—The Secretary, in cooperation with other federal agency heads responsible for the administration of programs included in plans submitted under this subsection, may approve Workforce Innovation in Regional Economic Development (in this subsection referred to as WIRED) plans submitted by a State pursuant to paragraph (2) to support the development of regional economies in order to foster economic development, expand employment, and advancement opportunities for workers and to promote the creation of high-skill and high-wage opportunities.

"(2) CONTENTS OF PLAN.—To have a WIRED plan approved under this subsection, a State and the region or regions identified in subparagraph (A) shall jointly submit a plan to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

"(A) the identification of the multi-county region or regions that is to be the focus of the activities provided under the plan, including identification of the communities in the region that share common characteristics, and a description of why the selected area comprises a regional economy;

"(B) a description of the broad-based regional partnership that has been created for the region identified in subparagraph (A) representing the major assets of the region, consistent with the requirements of paragraph (3), and that will assist in developing the economic vision described in subparagraph (D), the strategies described in subparagraph (E), and provide a forum for regional economic decision-making, including a description of the partnership's involvement, particularly that of representatives of affected local boards and chief elected officials, in the development of the plan;

"(C) a description of the assets of the region identified in subparagraph (A), based on a regional assessment, and identification of the strengths, weaknesses, opportunities, and risks based on those assets;

"(D) a description of an economic vision for the region identified in subparagraph (A), based on the identified strengths and assets described in subparagraph (C), and evidence of support for that vision from the broad-based regional partnership described in subparagraph (B);

"(E) a description of the talent development and related strategies that provide a blueprint for how to achieve the economic vision for the region as described in subparagraph (D), including the activities to be carried out under this subsection, consistent with paragraphs (5) and (6), and the identification of specific goals associated with those strategies;

"(F) information on the workforce development programs to be integrated in the region, in accordance with the requirements of paragraph (4), into an integrated workforce development program, including—

"(i) identification of the programs to be integrated;

"(ii) the amount and proportion of the resources available to the region under each of the integrated programs to carry out the strategies described in subparagraph (E);

"(iii) a description of how these resources will be used to accomplish the vision identified in subparagraph (D), including the services to be provided and how such services will be provided, consistent with clause (iv) and paragraph (5);

"(iv) assurances that in carrying out the wired plan—

"(I) the region, through the integrated workforce development program, will maintain a local workforce investment board, or a regional workforce investment board, that is substantially similar to the local workforce investment boards required under section 117 of this Act, that such board will carry out functions that are substantially similar to those described under section 117(d), and, that such region shall submit to the State for approval a local plan for the region that is substantially similar to the local plans required under section 118 of this Act;

"(II) the region, through the integrated workforce development program, will maintain a one-stop delivery system that is consistent with the requirements of section 121 of this Act;

"(III) the region, through the integrated workforce development program, will serve populations consistent with the populations served by the programs being integrated, and will provide universal access to work ready services as described in section 134(d)(2) of this Act;

"(IV) the region, in carrying out the integrated workforce development program, will comply with the veterans' priority of service requirement under section 4215 of title 38, United States Code;

"(V) of the funds expended under the integrated workforce development program each year, not more than 10 percent of such funds will be expended on the costs of administration (as defined by the Secretary);

"(VI) the services provided under the integrated workforce development program will be coordinated with employment-related programs not included under the integrated workforce program;

"(VII) the region, in carrying out the integrated workforce development program, will comply with requirements under this title relating to wage and labor standards (including nondisplacement provisions), grievance procedures and judicial review, and nondiscrimination;

"(G) an assurance that each local workforce board and chief elected official included in the region that will carry out the integrated workforce development plan has approved the plan;

"(H) information on the community and economic development programs, if any, that will provide a portion of funds that will be integrated to carry out the strategies described in subparagraph (E), in accordance with the requirements of paragraph (6), including—

"(i) identification of the included community and economic development programs;

"(ii) the amount and proportion of the resources available to the State under each such program that will be used in the region to carry out the strategies described in subparagraph (E);

"(iii) a description of how these resources will be used to assist in accomplishing the vision identified in subparagraph (D), including the activities to be carried out;

"(I) in addition to the resources described under subparagraphs (F) and (G), identification of other resources that will be used to support the strategies of the region described in subparagraph (E), from a wide range of sources, including foundations, private investment such as venture capital, and federal, state, and local governments.

"(3) BROAD-BASED REGIONAL PARTNERSHIP.—For purposes of this subsection, a broad-based regional partnership—

"(A) shall include—

"(i) representatives from each of the local workforce investment systems in the region identified under paragraph (2)(A), such as the chairpersons or executive directors of affected local workforce investment boards in such region;

"(ii) representatives of the education system in the region identified under paragraph (2)(A), including representatives from each of the following:

"(I) The K-12 public school systems;

"(II) Community colleges; and

"(III) Four-year educational institutions;

"(iii) representatives of businesses and industry associations in the region identified under paragraph (2)(A);

"(iv) the chief elected officials from each of the affected local areas identified under paragraph (2)(A); and

"(v) representatives of local and regional economic development agencies in the region identified under paragraph (2)(A); and

"(B) may include—

"(i) representatives of the philanthropic community;

"(ii) representatives of postsecondary education and training providers in addition to those described in subparagraph (A)(ii);

"(iii) representatives of private investment entities such as seed and venture capital organizations; investor networks; and entrepreneurs;

"(iv) representatives of faith and community-based organizations; and

"(v) representatives of such other Federal, state or local entities and organizations that may enhance the carrying out of the activities of the partnership.

"(4) INTEGRATION OF WORKFORCE DEVELOPMENT SERVICES AUTHORIZED.—

"(A) AUTHORIZATION FOR INTEGRATION.—In carrying out this subsection, the Secretary of Labor, in cooperation with the federal agency heads responsible for the administration of the workforce development programs described in subparagraph (D) that are included in the WIRED plan submitted by the State, shall, upon the approval of the plan submitted under paragraph (2), authorize the State to integrate programs as described in subparagraph (B).

"(B) INTEGRATION.—The authorization shall give the State the authority to integrate, in accordance with such approved plan, the federally-funded programs described in subparagraph (D) that are included in the approved plan, in a manner that integrates those programs into a single, coordinated, comprehensive workforce development program to achieve the economic vision identified in such plan for the region.

"(C) EFFECT ON PROGRAM REQUIREMENTS.—The provisions of the approved grant application and the requirements of this subsection shall supersede the requirements of the statutes authorizing the programs included for integration in such approved plan, except as otherwise specified in this subsection.

"(D) INCLUDED WORKFORCE DEVELOPMENT PROGRAMS.—

"(i) MANDATORY PROGRAMS.—A WIRED plan authorized under this subsection shall include the workforce investment activities for adults authorized under chapter 5 of subtitle B.

"(ii) ADDITIONAL PROGRAMS.—In addition to the integration of the programs described in clause (i) into a single program, a WIRED plan may include integration of one or more of the following programs as part of such single program—

"(I) the program of workforce investment activities for youth authorized under chapter 4 of subtitle B; or

"(II) any of the other required one-stop partner programs and activities described in section 121(b)(1)(B) of this Act.

"(5) WORKFORCE DEVELOPMENT ACTIVITIES TO BE CARRIED OUT UNDER WIRED PLAN.—The workforce development activities carried out under a WIRED plan may include—

"(A) job training and related activities for workers to assist them in gaining the skills and competencies needed to obtain or upgrade employment in industries or economic sectors projected to experience significant growth in the region identified in paragraph (2)(A), including—

"(i) activities supporting talent development related to entrepreneurship and small business development; and

"(ii) the purchase of equipment to train job seekers and workers for high-growth occupations;

"(B) activities to enhance the training and related activities described in subparagraph (A) and to promote workforce development in the region identified in paragraph (2)(A), including—

"(i) the development and implementation of model activities, such as developing appropriate curricula to build core competencies and train workers in the region;

"(ii) identifying and disseminating career and skill information relating to the region;

"(iii) developing or purchasing regional data tools or systems to deepen understanding of the regional economy and labor market; and

"(iv) integrated regional planning, such as increasing the integration of community and technical college activities with activities of businesses and the public workforce investment system to meet the training needs of high growth industries in the region.

"(C) appropriate employment-related activities and services authorized under the workforce development programs that are integrated under the plan in accordance with paragraphs (2)(F) and (4) that will assist achieving the economic vision described in paragraph (2)(D) and in implementing the strategies described in paragraph (2)(E).

"(6) INTEGRATION OF COMMUNITY AND ECONOMIC DEVELOPMENT FUNDS AUTHORIZED.—

"(A) AUTHORIZATION FOR INTEGRATION OF FUNDS.—In carrying out this subsection, the Secretary of Labor, in cooperation with the federal agency heads responsible for the administration of the community and economic development programs described in subparagraph (D) that are included in the WIRED plan submitted by the State, shall, upon the approval of the plan submitted under paragraph (2), authorize the State to integrate the portion of the funds from such programs to assist in implementing such plans.

"(B) INTEGRATION.—The authorization shall give the State the authority to integrate, in accordance with such approved plan, funds provided under programs identified from subparagraph (D) to carry out the community and economic development activities described in paragraph (2)(G).

"(C) EFFECT ON PROGRAM REQUIREMENTS.—The integrated funds may be used, consistent with the description contained in paragraph (2)(G), to carry out any of the activities authorized under any the programs described in subparagraph (D) that are included in the plan.

"(D) INCLUDED COMMUNITY AND ECONOMIC DEVELOPMENT PROGRAMS.—The funds that may be integrated under this paragraph are funds provided under—

"(i) Community Development Block Grants authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301-5321);

"(ii) grants authorized under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.);

"(iii) Public Works and Economic Development Grants authorized under section 201 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141);

"(iv) Rural Business Enterprise Grants authorized under the Consolidated Farm and Rural Development Act (7 U.S.C. 1932);

"(v) Rural Business Opportunity Grants authorized under section 741(a)(11) of the Federal Agriculture Improvement and Reform Act of 1996 (42 U.S.C. 1926(a)(11);

"(vi) grants authorized under the Brownfields Economic Development Initiative; and

"(vii) Rural Housing and Economic Development grants.

"(7) SPECIAL RULE.—If a State elects not to submit a WIRED plan described in paragraph (2) for approval or does not have a plan approved under paragraph (2), the Secretary may approve a WIRED plan submitted by a local workforce investment board or a regional workforce investment board that serves a region within such State, if the plan meets all other requirements of this section.

"(8) PERFORMANCE MEASURES AND REPORTING.—

"(A) PERFORMANCE MEASURES.—The Secretary shall establish performance measures that will be used to evaluate the effectiveness of activities carried out under this subsection and shall require such entities to report to the Secretary on the employment outcomes obtained by individuals receiving training under this subsection using those core indicators of performance described in section 136(b)(2).

"(B) REPORTING.—Each State with an approved plan under this subsection shall ensure that records are maintained and reports are submitted, in such form and containing such information, as the Secretary may require regarding the performance of programs and activities carried out under this subsection.

"(9) TECHNICAL ASSISTANCE AND EVALUATION.—

"(A) TECHNICAL ASSISTANCE.—The Secretary shall provide such staff training, technical assistance, and other activities as the Secretary deems appropriate to support the implementation of this subsection.

"(B) EVALUATION.—The Secretary may require that States with an approved plan under this subsection to participate in an evaluation of activities carried out under this subsection, including an evaluation using the techniques described in section 172(c).

"(10) PLAN REVIEW.—Upon receipt of a WIRED plan from the Governor, the Secretary shall consult with the Federal agency head responsible for the administration of any of the programs included in the plan pursuant to paragraph (4) or (6).

"(11) FEDERAL RESPONSIBILITIES.—

"(A) INTERAGENCY MEMORANDUM OF UNDERSTANDING.—Within 90 days following the date of enactment of this subsection, the Secretary and the federal agency heads responsible for programs that could be included in a plan approved under this subsection pursuant to paragraph (4) or (6) shall enter into an interdepartmental memorandum of agreement providing for the implementation of WIRED plans with respect to the integration of programs and funds administered by each Secretary.

"(B) INTERAGENCY FUNDS TRANSFERS AUTHORIZED.—The Secretary and the federal agency heads responsible for the programs that are included in a plan approved under paragraph (4) or (6) are authorized to take such action as may be necessary to provide for intra-agency or interagency transfers of funds otherwise available to a State in order to further the purposes of this subsection.

"(12) ADMINISTRATION OF FUNDS.—

"(A) SEPARATE RECORDS NOT REQUIRED.—Nothing in this subsection shall be construed as requiring the region to maintain separate records tracing any services or activities conducted under an approved WIRED plan to the programs under which funds were originally authorized, nor shall the State be required to allocate expenditures among such programs.

"(B) SINGLE AUDIT ACT.—Nothing in this section shall be construed to interfere with the ability of the Secretary to fulfill the responsibilities for the safeguarding of Federal funds pursuant to the Single Audit Act of 1984.

"(b) AUTHORITY TO CARRY OUT ADDITIONAL WIRED ACTIVITIES UNDER WIA.—

"(1) AUTHORIZATION FOR USE OF CERTAIN FUNDS UNDER WIA.—Funds available under sections 128(a), 133(a), 171, and 173 of this Act may be used by recipients and subrecipients of those funds for WIRED activities, as defined in paragraph (2), in addition to the other activities for which such funds are authorized to be used.

"(2) DEFINITION.—For purposes of this subsection, WIRED activities include—

"(A) WIRED planning activities, including—

"(i) defining the regional economy;

"(ii) creating a broad-based regional partnership that assists in developing the economic vision described in clause (iv), the strategies described in clause (v), and that provides a forum for regional economic decision-making;

"(iii) conducting an assessment of the regional economy to map the assets of a region and identify the strengths, weaknesses, opportunities and risks based on those assets;

"(iv) developing an economic vision based on those strengths and assets;

"(v) developing strategies and corresponding implementation plans that identify specific goals and tasks and provides a blueprint for how to achieve the economic vision for the region; and

"(vi) identifying resources to support the plan of the region;

"(B) job training and related activities for workers to assist them in gaining the skills and competencies needed to obtain or upgrade employment in industries or economic sectors projected to experience significant growth in the region, including—

"(i) activities supporting talent development related to entrepreneurship and small business development in the region; and

"(ii) the purchase of equipment to train job seekers and workers for high-growth occupations in the region; and

"(C) activities to enhance training and related activities and to promote workforce development in the region, including—

"(i) the development and implementation of model activities, such as developing appropriate curricula to build core competencies and train workers in the region;

"(ii) identifying and disseminating career and skill information relating to the region;

"(iii) developing or purchasing regional data tools or systems to deepen understanding of the regional economy and labor market; and

"(iv) integrated regional planning, such as increasing the integration of community and technical college activities with activities of businesses and the public workforce investment system to meet the training needs of businesses in the region.".

SEC. 441. GENERAL PROGRAM REQUIREMENTS.

Section 195 (29 U.S.C. 2945) is amended—

(1) in paragraph (7) by inserting at the end the following:

"(D) Funds received by a public or private nonprofit entity that are not described in paragraph (B), such as funds privately raised from philanthropic foundations, businesses, or other private entities, shall not be considered to be income under this title and shall not be subject to the requirements of this section.";

(2) by adding at the end the following new paragraphs:

"(14) Funds provided under this title shall not be used to establish or operate stand-alone fee-for-service enterprises that compete with private sector employment agencies within the meaning of section 701(c) of the Civil Rights Act of 1964 (42 U.S.C. 2000e(c)). For purposes of this paragraph, such an enterprise does not include one-stop centers.

"(15) Any report required to be submitted to Congress, or to a Committee of Congress, under this title shall be submitted to both the chairmen and ranking minority members of the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.".

Subtitle B—Adult Education, Basic Skills, and Family Literacy Education

SEC. 451. TABLE OF CONTENTS.

The table of contents in section 1(b) is amended by amending the items relating to title II to read as follows:

"TITLE II—ADULT EDUCATION, BASIC SKILLS, AND FAMILY LITERACY EDUCATION

"Sec. 201. Short title.
"Sec. 202. Purpose.
"Sec. 203. Definitions.
"Sec. 204. Home schools.
"Sec. 205. Authorization of appropriations.

"CHAPTER 1—FEDERAL PROVISIONS

"Sec. 211. Reservation of funds; grants to eligible agencies; allotments.
"Sec. 212. Performance accountability system.
"Sec. 213. Incentive grants for States.

"CHAPTER 2—STATE PROVISIONS

"Sec. 221. State administration.
"Sec. 222. State distribution of funds; matching requirement.
"Sec. 223. State leadership activities.
"Sec. 224. State plan.
"Sec. 225. Programs for corrections education and other institutionalized individuals.

"CHAPTER 3—LOCAL PROVISIONS

"Sec. 231. Grants and contracts for eligible providers.
"Sec. 232. Local application.
"Sec. 233. Local administrative cost limits.

"CHAPTER 4—GENERAL PROVISIONS

"Sec. 241. Administrative provisions.
"Sec. 242. National Institute for Literacy.
"Sec. 243. National leadership activities.".

SEC. 452. AMENDMENT.

Title II (29 U.S.C. 2901 et seq.) is amended to read as follows:

"TITLE II—ADULT EDUCATION, BASIC SKILLS, AND FAMILY LITERACY EDUCATION

"SEC. 201. SHORT TITLE.

"This title may be cited as the 'Adult Education, Basic Skills, and Family Literacy Education Act'.

"SEC. 202. PURPOSE.

"It is the purpose of this title to provide instructional opportunities for adults seeking to improve their literacy skills, including their basic reading, writing, speaking, and math skills, and support States and local communities in providing, on a voluntary basis, adult education, basic skills, and family literacy education programs, in order to—

"(1) increase the literacy of adults, including the basic reading, writing, speaking, and math skills, to a level of proficiency necessary for adults to obtain employment and self-sufficiency and to successfully advance in the workforce;

"(2) assist adults in the completion of a secondary school education (or its equivalent) and the transition to a postsecondary educational institution;

"(3) assist adults who are parents to enable them to support the educational development of their children and make informed choices regarding their children's education including, through instruction in basic reading, writing, speaking, and math skills; and

"(4) assist immigrants who are not proficient in English in improving their reading, writing, speaking, and math skills and acquiring an understanding of the American free enterprise system, individual freedom, and the responsibilities of citizenship.

"SEC. 203. DEFINITIONS.

"In this title:

"(1) ADULT EDUCATION, BASIC SKILLS, AND FAMILY LITERACY EDUCATION PROGRAMS.—The term 'adult education, basic skills, and family literacy education programs' means a sequence of academic instruction and educational services below the postsecondary level that increase an individual's ability to read, write, and speak in English and perform mathematical computations leading to a level of proficiency equivalent to at least a secondary school completion that is provided for individuals—

"(A) who are at least 16 years of age;

"(B) who are not enrolled or required to be enrolled in secondary school under State law; and

"(C) who—

"(i) lack sufficient mastery of basic reading, writing, speaking, and math skills to enable the individuals to function effectively in society;

"(ii) do not have a secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent and have not achieved an equivalent level of education; or

"(iii) are unable to read, write, or speak the English language.

"(2) ELIGIBLE AGENCY.—The term 'eligible agency'—

"(A) means the primary entity or agency in a State or an outlying area responsible for administering or supervising policy for adult education, basic skills, and family literacy education programs in the State or outlying area, respectively, consistent with the law of the State or outlying area, respectively; and

"(B) may be the State educational agency, the State agency responsible for administering workforce investment activities, or the State agency responsible for administering community or technical colleges.

"(3) ELIGIBLE PROVIDER.—The term 'eligible provider' means—

"(A) a local educational agency;

"(B) a community-based or faith-based organization of demonstrated effectiveness;

"(C) a volunteer literacy organization of demonstrated effectiveness;

"(D) an institution of higher education;

"(E) a public or private educational agency;

"(F) a library;

"(G) a public housing authority;

"(H) an institution that is not described in any of subparagraphs (A) through (G) and has the ability to provide adult education, basic skills, and family literacy education programs to adults and families; or

"(I) a consortium of the agencies, organizations, institutions, libraries, or authorities described in any of subparagraphs (A) through (H).

"(4) ENGLISH LANGUAGE ACQUISITION PROGRAM.—The term 'English language acquisition program' means a program of instruction designed to help individuals with limited English proficiency achieve competence in reading, writing, and speaking the English language.

"(5) ESSENTIAL COMPONENTS OF READING INSTRUCTION.—The term 'essential components of reading instruction' has the meaning given to that term in section 1208 of the Elementary and Secondary Education Act of 1965.

"(6) FAMILY LITERACY EDUCATION PROGRAM.—The term 'family literacy education program' means an educational program that—

"(A) assists parents and students, on a voluntary basis, in achieving the purposes of this title as described in section 202; and

"(B) is of sufficient intensity in terms of hours and of sufficient duration to make sustainable changes in a family, is based upon scientifically based research, and, for the purpose of substantially increasing the ability of parents and children to read, write, and speak English, integrates—

"(i) interactive literacy activities between parents and their children;

"(ii) training for parents regarding how to be the primary teacher for their children and full partners in the education of their children;

"(iii) parent literacy training that leads to economic self-sufficiency; and

"(iv) an age-appropriate education to prepare children for success in school and life experiences.

"(7) GOVERNOR.—The term 'Governor' means the chief executive officer of a State or outlying area.

"(8) INDIVIDUAL WITH A DISABILITY.—

"(A) IN GENERAL.—The term 'individual with a disability' means an individual with any disability (as defined in section 3 of the Americans with Disabilities Act of 1990).

"(B) INDIVIDUALS WITH DISABILITIES.—The term 'individuals with disabilities' means more than one individual with a disability.

"(9) INDIVIDUAL WITH LIMITED ENGLISH PROFICIENCY.—The term 'individual with limited English proficiency' means an adult or out-of-school youth who has limited ability in reading, writing, speaking, or understanding the English language, and—

"(A) whose native language is a language other than English; or

"(B) who lives in a family or community environment where a language other than English is the dominant language.

"(10) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given to that term in section 101 of the Higher Education Act of 1965.

"(11) LITERACY.—The term 'literacy' means an individual's ability to read, write, and speak in English, compute, and solve problems at a level of proficiency necessary to obtain employment and to successfully make the transition to postsecondary education.

"(12) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' has the meaning given to that term in section 9101 of the Elementary and Secondary Education Act of 1965.

"(13) OUTLYING AREA.—The term 'outlying area' has the meaning given to that term in section 101 of this Act.

"(14) POSTSECONDARY EDUCATIONAL INSTITUTION.—The term 'postsecondary educational institution' means—

"(A) an institution of higher education that provides not less than a 2-year program of instruction that is acceptable for credit toward a bachelor's degree;

"(B) a tribally controlled community college; or

"(C) a nonprofit educational institution offering certificate or apprenticeship programs at the postsecondary level.

"(15) READING.—The term 'reading' has the meaning given to that term in section 1208 of the Elementary and Secondary Education Act of 1965.

"(16) SCIENTIFICALLY BASED RESEARCH.—The term 'scientifically based research' has the meaning given to that term in section 9101 of the Elementary and Secondary Education Act of 1965.

"(17) SECRETARY.—The term 'Secretary' means the Secretary of Education.

"(18) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(19) STATE EDUCATIONAL AGENCY.—The term 'State educational agency' has the meaning given to that term in section 9101 of the Elementary and Secondary Education Act of 1965.

"(20) WORKPLACE LITERACY PROGRAM.—The term 'workplace literacy program' means an educational program that is offered in collaboration between eligible providers and employers or employee organizations for the purpose of improving the productivity of the workforce through the improvement of reading, writing, speaking, and math skills.

"SEC. 204. HOME SCHOOLS.

"Nothing in this title shall be construed to affect home schools, whether or not a home school is treated as a home school or a private school under State law, or to compel a parent engaged in home schooling to participate in an English language acquisition program, a family literacy education program, or an adult education, basic skills, and family literacy education program.

"SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this title $590,127,000 for fiscal year 2008 and such sums as may be necessary for fiscal years 2009 through 2012.

"CHAPTER 1—FEDERAL PROVISIONS

"SEC. 211. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE AGENCIES; ALLOTMENTS.

"(a) RESERVATION OF FUNDS.—From the sums appropriated under section 205 for a fiscal year, the Secretary—

"(1) shall reserve up to 1.72 percent for incentive grants under section 213;

"(2) shall reserve 1.75 percent to carry out section 242; and

"(3) shall reserve up to 1.55 percent to carry out section 243.

"(b) GRANTS TO ELIGIBLE AGENCIES.—

"(1) IN GENERAL.—From the sums appropriated under section 205 and not reserved under subsection (a) for a fiscal year, the Secretary shall award a grant to each eligible agency having a State plan approved under section 224 in an amount equal to the sum of the initial allotment under subsection (c)(1) and the additional allotment under subsection (c)(2) for the eligible agency for the fiscal year, subject to subsections (f) and (g).

"(2) PURPOSE OF GRANTS.—The Secretary may award a grant under paragraph (1) only if the eligible agency involved agrees to expend the grant in accordance with the provisions of this title.

"(c) ALLOTMENTS.—

"(1) INITIAL ALLOTMENTS.—From the sums appropriated under section 205 and not reserved under subsection (a) for a fiscal year, the Secretary shall allot to each eligible agency having a State plan approved under section 224—

"(A) $100,000, in the case of an eligible agency serving an outlying area; and

"(B) $250,000, in the case of any other eligible agency.

"(2) ADDITIONAL ALLOTMENTS.—From the sums appropriated under section 205, not reserved under subsection (a), and not allotted under paragraph (1), for a fiscal year, the Secretary shall allot to each eligible agency that receives an initial allotment under paragraph (1) an additional amount that bears the same relationship to such sums as the number of qualifying adults in the State or outlying area served by the eligible agency bears to the number of such adults in all States and outlying areas.

"(d) QUALIFYING ADULT.—For the purpose of subsection (c)(2), the term 'qualifying adult' means an adult who—

"(1) is at least 16 years of age;

"(2) is beyond the age of compulsory school attendance under the law of the State or outlying area;

"(3) does not have a secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent; and

"(4) is not enrolled in secondary school.

"(e) SPECIAL RULE.—

"(1) IN GENERAL.—From amounts made available under subsection (c) for the Republic of Palau, the Secretary shall award grants to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the Republic of Palau to carry out activities described in this title in accordance with the provisions of this title as determined by the Secretary.

"(2) TERMINATION OF ELIGIBILITY.—Notwithstanding any other provision of law, the Republic of Palau shall be eligible to receive a grant under this title until an agreement for the extension of United States education assistance under the Compact of Free Association for the Republic of Palau becomes effective.

"(3) ADMINISTRATIVE COSTS.—The Secretary may provide not more than 5 percent of the funds made available for grants under this subsection to pay the administrative costs of the Pacific Region Educational Laboratory regarding activities assisted under this subsection.

"(f) HOLD-HARMLESS PROVISIONS.—

"(1) IN GENERAL.—Notwithstanding subsection (c), and subject to paragraphs (2) and (3), for fiscal year 2008 and each succeeding fiscal year, no eligible agency shall receive an allotment under this title that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this title.

"(2) EXCEPTION.—An eligible agency that receives for the preceding fiscal year only an initial allotment under subsection (c)(1) (and no additional allotment under subsection (c)(2)) shall receive an allotment equal to 100 percent of the initial allotment.

"(3) RATABLE REDUCTION.—If for any fiscal year the amount available for allotment under this title is insufficient to satisfy the provisions of paragraph (1), the Secretary shall ratably reduce the payments to all eligible agencies, as necessary.

"(g) REALLOTMENT.—The portion of any eligible agency's allotment under this title for a fiscal year that the Secretary determines will not be required for the period such allotment is available for carrying out activities under this title, shall be available for reallotment from time to time, on such dates during such period as the Secretary shall fix, to other eligible agencies in proportion to the original allotments to such agencies under this title for such year.

"SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.

"(a) PURPOSE.—The purpose of this section is to establish a comprehensive performance accountability system, composed of the activities described in this section, to assess the effectiveness of eligible agencies in achieving continuous improvement of adult education, basic skills, and family literacy education programs funded under this title, in order to optimize the return on investment of Federal funds in adult education, basic skills, and family literacy education programs.

"(b) ELIGIBLE AGENCY PERFORMANCE MEASURES.—

"(1) IN GENERAL.—For each eligible agency, the eligible agency performance measures shall consist of—

"(A)(i) the core indicators of performance described in paragraph (2)(A); and

"(ii) employment performance indicators identified by the eligible agency under paragraph (2)(B); and

"(B) an eligible agency adjusted level of performance for each indicator described in subparagraph (A).

"(2) INDICATORS OF PERFORMANCE.—

"(A) CORE INDICATORS OF PERFORMANCE.—The core indicators of performance shall include the following:

"(i) Measurable improvements in literacy, including basic skill levels in reading, writing, and speaking the English language and basic math, leading to proficiency in each skill.

"(ii) Receipt of a secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent.

"(iii) Placement in postsecondary education or other training programs.

"(B) EMPLOYMENT PERFORMANCE INDICATORS.—Consistent with applicable Federal and State privacy laws, an eligible agency shall identify in the State plan the following individual participant employment performance indicators:

"(i) Entry into employment.

"(ii) Retention in employment.

"(iii) Increase in earnings.

"(3) LEVELS OF PERFORMANCE.—

"(A) ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS.—

"(i) IN GENERAL.—For each eligible agency submitting a State plan, there shall be established, in accordance with this subparagraph, levels of performance for each of the core indicators of performance described in paragraph (2)(A) for adult education, basic skills, and family literacy education programs authorized under this title. The levels of performance established under this subparagraph shall, at a minimum—

"(I) be expressed in an objective, quantifiable, and measurable form; and

"(II) show the progress of the eligible agency toward continuously and significantly improving the agency's performance outcomes in an objective, quantifiable, and measurable form.

"(ii) IDENTIFICATION IN STATE PLAN.—Each eligible agency shall identify, in the State plan submitted under section 224, expected levels of performance for each of the core indicators of performance for the first 3 program years covered by the State plan.

"(iii) AGREEMENT ON ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR FIRST 3 YEARS.—In order to ensure an optimal return on the investment of Federal funds in adult education, basic skills, and family literacy education programs authorized under this title, the Secretary and each eligible agency shall reach agreement on levels of student performance for each of the core indicators of performance, for the first 3 program years covered by the State plan, taking into account the levels identified in the State plan under clause (ii) and the factors described in clause (iv). The levels agreed to under this clause shall be considered to be the eligible agency adjusted levels of performance for the eligible agency for such years and shall be incorporated into the State plan prior to the approval of such plan.

"(iv) FACTORS.—The agreement described in clause (iii) or (v) shall take into account—

"(I) how the levels involved compare with the eligible agency's adjusted levels of performance, taking into account factors including the characteristics of participants when the participants entered the program; and

"(II) the extent to which such levels promote continuous and significant improvement in performance on the student proficiency measures used by such eligible agency and ensure optimal return on the investment of Federal funds.

"(v) AGREEMENT ON ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR SECOND 3 YEARS.—Prior to the fourth program year covered by the State plan, the Secretary and each eligible agency shall reach agreement on levels of student performance for each of the core indicators of performance for the fourth, fifth, and sixth program years covered by the State plan, taking into account the factors described in clause (iv). The levels agreed to under this clause shall be considered to be the eligible agency adjusted levels of performance for the eligible agency for such years and shall be incorporated into the State plan.

"(vi) REVISIONS.—If unanticipated circumstances arise in a State resulting in a significant change in the factors described in clause (iv)(I), the eligible agency may request that the eligible agency adjusted levels of performance agreed to under clause (iii) or (v) be revised.

"(B) LEVELS OF EMPLOYMENT PERFORMANCE.—The eligible agency shall identify, in the State plan, eligible agency levels of performance for each of the employment performance indicators described in paragraph (2)(B). Such levels shall be considered to be eligible agency adjusted levels of performance for purposes of this title.

"(c) DEFINITIONS FOR INDICATORS OF PERFOMANCE.—In order to ensure comparability of performance data across States, the Secretary shall issue definitions for the indicators of performance under paragraph (2).

"(d) REPORT.—

"(1) IN GENERAL.—Each eligible agency that receives a grant under section 211(b) shall annually prepare and submit to the Secretary, the Governor, the State legislature, and eligible providers a report on the progress of the eligible agency in achieving eligible agency performance measures, including the following:

"(A) Information on the levels of performance achieved by the eligible agency with respect to the core indicators of performance and employment performance indicators.

"(B) The number and type of each eligible provider that receives funding under such grant.

"(2) INFORMATION DISSEMINATION.—The Secretary—

"(A) shall make the information contained in such reports available to the general public through publication (including on the Internet site of the Department of Education) and other appropriate methods;

"(B) shall disseminate State-by-State comparisons of the information; and

"(C) shall provide the appropriate committees of the Congress with copies of such reports.

"SEC. 213. INCENTIVE GRANTS FOR STATES.

"(a) IN GENERAL.—From funds appropriated under section 211(a)(1), the Secretary may award grants to States for exemplary performance in carrying out programs under this title. Such awards shall be based on States exceeding the core indicators of performance established under section 212(b)(2)(A) and may be based on the performance of the State in serving populations, such as those described in section 224(b)(10), including the levels of service provided and the performance outcomes, and such other factors relating to the performance of the State under this title as the Secretary determines appropriate.

"(b) USE OF FUNDS.—The funds awarded to a State under this paragraph may be used to carry out any activities authorized under this title, including demonstrations and innovative programs for hard-to-serve populations.

"CHAPTER 2—STATE PROVISIONS

"SEC. 221. STATE ADMINISTRATION.

"Each eligible agency shall be responsible for the following activities under this title:

"(1) The development, submission, implementation, and monitoring of the State plan.

"(2) Consultation with other appropriate agencies, groups, and individuals that are involved in, or interested in, the development and implementation of activities assisted under this title.

"(3) Coordination and avoidance of duplication with other Federal and State education, training, corrections, public housing, and social service programs.

"SEC. 222. STATE DISTRIBUTION OF FUNDS; MATCHING REQUIREMENT.

"(a) STATE DISTRIBUTION OF FUNDS.—Each eligible agency receiving a grant under this title for a fiscal year—

"(1) shall use an amount not less than 82.5 percent of the grant funds to award grants and contracts under section 231 and to carry out section 225, of which not more than 10 percent of such amount shall be available to carry out section 225;

"(2) shall use not more than 12.5 percent of the grant funds to carry out State leadership activities under section 223; and

"(3) shall use not more than 5 percent of the grant funds, or $75,000, whichever is greater, for the administrative expenses of the eligible agency.

"(b) MATCHING REQUIREMENT.—

"(1) IN GENERAL.—In order to receive a grant from the Secretary under section 211(b), each eligible agency shall provide, for the costs to be incurred by the eligible agency in carrying out the adult education, basic skills, and family literacy education programs for which the grant is awarded, a non-

Federal contribution in an amount at least equal to—

"(A) in the case of an eligible agency serving an outlying area, 12 percent of the total amount of funds expended for adult education, basic skills, and family literacy education programs in the outlying area, except that the Secretary may decrease the amount of funds required under this subparagraph for an eligible agency; and

"(B) in the case of an eligible agency serving a State, 25 percent of the total amount of funds expended for adult education, basic skills, and family literacy education programs in the State.

"(2) NON-FEDERAL CONTRIBUTION.—An eligible agency's non-Federal contribution required under paragraph (1) may be provided in cash or in kind, fairly evaluated, and shall include only non-Federal funds that are used for adult education, basic skills, and family literacy education programs in a manner that is consistent with the purpose of this title.

"SEC. 223. STATE LEADERSHIP ACTIVITIES.

"(a) IN GENERAL.—Each eligible agency may use funds made available under section 222(a)(2) for any of the following adult education, basic skills, and family literacy education programs:

"(1) The establishment or operation of professional development programs to improve the quality of instruction provided pursuant to local activities required under section 231(b), including instruction incorporating the essential components of reading instruction and instruction provided by volunteers or by personnel of a State or outlying area.

"(2) The provision of technical assistance to eligible providers of adult education, basic skills, and family literacy education programs, including for the development and dissemination of scientifically based research instructional practices in reading, writing, speaking, math, and English language acquisition programs.

"(3) The provision of assistance to eligible providers in developing, implementing, and reporting measurable progress in achieving the objectives of this title.

"(4) The provision of technology assistance, including staff training, to eligible providers of adult education, basic skills, and family literacy education programs, including distance learning activities, to enable the eligible providers to improve the quality of such activities.

"(5) The development and implementation of technology applications or distance learning, including professional development to support the use of instructional technology.

"(6) Coordination with other public programs, including welfare-to-work, workforce development, and job training programs.

"(7) Coordination with existing support services, such as transportation, child care, and other assistance designed to increase rates of enrollment in, and successful completion of, adult education, basic skills, and family literacy education programs, for adults enrolled in such activities.

"(8) The development and implementation of a system to assist in the transition from adult basic education to postsecondary education.

"(9) Activities to promote workplace literacy programs.

"(10) Activities to promote and complement local outreach initiatives described in section 243(7).

"(11) Other activities of statewide significance, including assisting eligible providers in achieving progress in improving the skill levels of adults who participate in programs under this title.

"(12) Integration of literacy, instructional, and occupational skill training and promotion of linkages with employees.

"(b) COORDINATION.—In carrying out this section, eligible agencies shall coordinate where possible, and avoid duplicating efforts, in order to maximize the impact of the activities described in subsection (a).

"(c) STATE-IMPOSED REQUIREMENTS.—Whenever a State or outlying area implements any rule or policy relating to the administration or operation of a program authorized under this title that has the effect of imposing a requirement that is not imposed under Federal law (including any rule or policy based on a State or outlying area interpretation of a Federal statute, regulation, or guideline), the State or outlying area shall identify, to eligible providers, the rule or policy as being imposed by the State or outlying area.

"SEC. 224. STATE PLAN.

"(a) 6-YEAR PLANS.—

"(1) IN GENERAL.—Each eligible agency desiring a grant under this title for any fiscal year shall submit to, or have on file with, the Secretary a 6-year State plan.

"(2) COMPREHENSIVE PLAN OR APPLICATION.—The eligible agency may submit the State plan as part of a comprehensive plan or application for Federal education assistance.

"(b) PLAN CONTENTS.—The eligible agency shall include in the State plan or any revisions to the State plan—

"(1) an objective assessment of the needs of individuals in the State or outlying area for adult education, basic skills, and family literacy education programs, including individuals most in need or hardest to serve;

"(2) a description of the adult education, basic skills, and family literacy education programs that will be carried out with funds received under this title;

"(3) a description of how the eligible agency will evaluate and measure annually the effectiveness and improvement of the adult education, basic skills, and family literacy education programs based on the performance measures described in section 212 including—

"(A) how the eligible agency will evaluate and measure annually such effectiveness on a grant-by-grant basis; and

"(B) how the eligible agency—

"(i) will hold eligible providers accountable regarding the progress of such providers in improving the academic achievement of participants in adult education programs under this title and regarding the core indicators of performance described in section 212(b)(2)(A); and

"(ii) will use technical assistance, sanctions, and rewards (including allocation of grant funds based on performance and termination of grant funds based on nonperformance);

"(4) a description of the performance measures described in section 212 and how such performance measures have significantly improved adult education, basic skills, and family literacy education programs in the State or outlying area;

"(5) an assurance that the eligible agency will, in addition to meeting all of the other requirements of this title, award not less than one grant under this title to an eligible provider that—

"(A) offers flexible schedules and necessary support services (such as child care and transportation) to enable individuals, including individuals with disabilities, or individuals with other special needs, to participate in adult education, basic skills, and family literacy education programs; and

"(B) attempts to coordinate with support services that are not provided under this title prior to using funds for adult education, basic skills, and family literacy education programs provided under this title for support services;

"(6) an assurance that the funds received under this title will not be expended for any purpose other than for activities under this title;

"(7) a description of how the eligible agency will fund local activities in accordance with the measurable goals described in section 231(d);

"(8) an assurance that the eligible agency will expend the funds under this title only in a manner consistent with fiscal requirements in section 241;

"(9) a description of the process that will be used for public participation and comment with respect to the State plan, which process—

"(A) shall include consultation with the State workforce investment board, the State board responsible for administering community or technical colleges, the Governor, the State educational agency, the State board or agency responsible for administering block grants for temporary assistance to needy families under title IV of the Social Security Act, the State council on disabilities, the State vocational rehabilitation agency, other State agencies that promote the improvement of adult education, basic skills, and family literacy education programs, and direct providers of such programs; and

"(B) may include consultation with the State agency on higher education, institutions responsible for professional development of adult education, basic skills, and family literacy education programs instructors, representatives of business and industry, refugee assistance programs, and faith-based organizations;

"(10) a description of the eligible agency's strategies for serving populations that include, at a minimum—

"(A) low-income individuals;

"(B) individuals with disabilities;

"(C) the unemployed;

"(D) the underemployed; and

"(E) individuals with multiple barriers to educational enhancement, including individuals with limited English proficiency;

"(11) a description of how the adult education, basic skills, and family literacy education programs that will be carried out with any funds received under this title will be integrated with other adult education, career development, and employment and training activities in the State or outlying area served by the eligible agency;

"(12) a description of the steps the eligible agency will take to ensure direct and equitable access, as required in section 231(c)(1), including—

"(A) how the State will build the capacity of community-based and faith-based organizations to provide adult education, basic skills, and family literacy education programs; and

"(B) how the State will increase the participation of business and industry in adult education, basic skills, and family literacy education programs;

"(13) an assessment of the adequacy of the system of the State or outlying area to ensure teacher quality and a description of how the State or outlying area will use funds received under this subtitle to improve teacher quality, including professional development on the use of scientifically based research to improve instruction; and

"(14) a description of how the eligible agency will consult with any State agency responsible for postsecondary education to develop adult education that prepares students to enter postsecondary education without the need for remediation upon completion of secondary school equivalency programs.

"(c) PLAN REVISIONS.—When changes in conditions or other factors require substantial revisions to an approved State plan, the eligible agency shall submit the revisions of the State plan to the Secretary.

"(d) CONSULTATION.—The eligible agency shall—

"(1) submit the State plan, and any revisions to the State plan, to the Governor, the chief State school officer, or the State officer responsible for administering community or technical colleges, or outlying area for review and comment; and

"(2) ensure that any comments regarding the State plan by the Governor, the chief State school officer, or the State officer responsible for administering community or technical colleges, and any revision to the State plan, are submitted to the Secretary.

"(e) PLAN APPROVAL.—A State plan submitted to the Secretary shall be approved by the Secretary only if the plan is consistent with the specific provisions of this title.

"SEC. 225. PROGRAMS FOR CORRECTIONS EDUCATION AND OTHER INSTITUTIONALIZED INDIVIDUALS.

"(a) PROGRAM AUTHORIZED.—From funds made available under section 222(a)(1) for a fiscal year, each eligible agency shall carry out corrections education and education for other institutionalized individuals.

"(b) USES OF FUNDS.—The funds described in subsection (a) shall be used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals, including academic programs for—

"(1) basic skills education;

"(2) special education programs as determined by the eligible agency;

"(3) reading, writing, speaking, and math programs; and

"(4) secondary school credit or diploma programs or their recognized equivalent.

"(c) PRIORITY.—Each eligible agency that is using assistance provided under this section to carry out a program for criminal offenders within a correctional institution shall give priority to serving individuals who are likely to leave the correctional institution within 5 years of participation in the program.

"(d) DEFINITIONS.—For purposes of this section:

"(1) CORRECTIONAL INSTITUTION.—The term 'correctional institution' means any—

"(A) prison;

"(B) jail;

"(C) reformatory;

"(D) work farm;

"(E) detention center; or

"(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.

"(2) CRIMINAL OFFENDER.—The term 'criminal offender' means any individual who is charged with, or convicted of, any criminal offense.

"CHAPTER 3—LOCAL PROVISIONS

"SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS.

"(a) GRANTS AND CONTRACTS.—From grant funds made available under section 211(b), each eligible agency shall award multiyear grants or contracts, on a competitive basis, to eligible providers within the State or outlying area that meet the conditions and requirements of this title to enable the eligible providers to develop, implement, and improve adult education, basic skills, and family literacy education programs within the State.

"(b) LOCAL ACTIVITIES.—The eligible agency shall require eligible providers receiving a grant or contract under subsection (a) to establish or operate one or more programs of instruction that provide services or instruction in one or more of the following categories:

"(1) Adult education, basic skills, and family literacy education programs (including proficiency in reading, writing, speaking, and math).

"(2) Workplace literacy programs.

"(3) English language acquisition programs.

"(4) Family literacy education programs.

"(c) DIRECT AND EQUITABLE ACCESS; SAME PROCESS.—Each eligible agency receiving funds under this title shall ensure that—

"(1) all eligible providers have direct and equitable access to apply for grants or contracts under this section; and

"(2) the same grant or contract announcement process and application process is used for all eligible providers in the State or outlying area.

"(d) MEASURABLE GOALS.—The eligible agency shall require eligible providers receiving a grant or contract under subsection (a) to demonstrate—

"(1) the eligible provider's measurable goals for participant outcomes to be achieved annually on the core indicators of performance and employment performance indicators described in section 212(b)(2);

"(2) the past effectiveness of the eligible provider in improving the basic academic skills of adults and, for eligible providers receiving grants in the prior year, the success of the eligible provider receiving funding under this title in exceeding its performance goals in the prior year;

"(3) the commitment of the eligible provider to serve individuals in the community who are the most in need of basic academic skills instruction services, including individuals who are low-income or have minimal reading, writing, speaking, and math skills, or limited English proficiency;

"(4) the program—

"(A) is of sufficient intensity and duration for participants to achieve substantial learning gains; and

"(B) uses instructional practices that include the essential components of reading instruction;

"(5) educational practices are based on scientifically based research;

"(6) the activities of the eligible provider effectively employ advances in technology, as appropriate, including the use of computers;

"(7) the activities provide instruction in real-life contexts, when appropriate, to ensure that an individual has the skills needed to compete in the workplace and exercise the rights and responsibilities of citizenship;

"(8) the activities are staffed by well-trained instructors, counselors, and administrators;

"(9) the activities are coordinated with other available resources in the community, such as through strong links with elementary schools and secondary schools, postsecondary educational institutions, one-stop centers, job training programs, community-based and faith-based organizations, and social service agencies;

"(10) the activities offer flexible schedules and support services (such as child care and transportation) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs;

"(11) the activities include a high-quality information management system that has the capacity to report measurable participant outcomes and to monitor program performance against the performance measures established by the eligible agency;

"(12) the local communities have a demonstrated need for additional English language acquisition programs;

"(13) the capacity of the eligible provider to produce valid information on performance results, including enrollments and measurable participant outcomes;

"(14) adult education, basic skills, and family literacy education programs offer rigorous reading, writing, speaking, and math content that are based on scientifically based research; and

"(15) applications of technology, and services to be provided by the eligible providers, are of sufficient intensity and duration to increase the amount and quality of learning and lead to measurable learning gains within specified time periods.

"(e) SPECIAL RULE.—Eligible providers may use grant funds under this title to serve children participating in family literacy programs assisted under this part, provided that other sources of funds available to provide similar services for such children are used first.

"SEC. 232. LOCAL APPLICATION.

"Each eligible provider desiring a grant or contract under this title shall submit an application to the eligible agency containing such information and assurances as the eligible agency may require, including—

"(1) a description of how funds awarded under this title will be spent consistent with the requirements of this title;

"(2) a description of any cooperative arrangements the eligible provider has with other agencies, institutions, or organizations for the delivery of adult education, basic skills, and family literacy education programs; and

"(3) each of the demonstrations required by section 231(d).

"SEC. 233. LOCAL ADMINISTRATIVE COST LIMITS.

"(a) IN GENERAL.—Subject to subsection (b), of the amount that is made available under this title to an eligible provider—

"(1) at least 95 percent shall be expended for carrying out adult education, basic skills, and family literacy education programs; and

"(2) the remaining amount shall be used for planning, administration, personnel and professional development, development of measurable goals in reading, writing, speaking, and math, and interagency coordination.

"(b) SPECIAL RULE.—In cases where the cost limits described in subsection (a) are too restrictive to allow for adequate planning, administration, personnel development, and interagency coordination, the eligible provider may negotiate with the eligible agency in order to determine an adequate level of funds to be used for noninstructional purposes.

"CHAPTER 4—GENERAL PROVISIONS

"SEC. 241. ADMINISTRATIVE PROVISIONS.

"(a) SUPPLEMENT NOT SUPPLANT.—Funds made available for adult education, basic skills, and family literacy education programs under this title shall supplement and not supplant other State or local public funds expended for adult education, basic skills, and family literacy education programs.

"(b) MAINTENANCE OF EFFORT.—

"(1) IN GENERAL.—

"(A) DETERMINATION.—An eligible agency may receive funds under this title for any fiscal year if the Secretary finds that the fiscal effort per student or the aggregate expenditures of such eligible agency for activities under this title, in the second preceding fiscal year, were not less than 90 percent of the fiscal effort per student or the aggregate expenditures of such eligible agency for adult education, basic skills, and family literacy education programs, in the third preceding fiscal year.

"(B) PROPORTIONATE REDUCTION.—Subject to paragraphs (2), (3), and (4), for any fiscal year with respect to which the Secretary determines under subparagraph (A) that the fiscal effort or the aggregate expenditures of an eligible agency for the preceding program year were less than such effort or expenditures for the second preceding program year, the Secretary—

"(i) shall determine the percentage decreases in such effort or in such expenditures; and

"(ii) shall decrease the payment made under this title for such program year to the agency for adult education, basic skills, and family literacy education programs by the lesser of such percentages.

"(2) COMPUTATION.—In computing the fiscal effort and aggregate expenditures under paragraph (1), the Secretary shall exclude capital expenditures and special one-time project costs.

"(3) DECREASE IN FEDERAL SUPPORT.—If the amount made available for adult education, basic skills, and family literacy education programs under this title for a fiscal year is less than the amount made available for adult education, basic skills, and family literacy education programs under this title for the preceding fiscal year, then the fiscal effort per student and the aggregate expenditures of an eligible agency required in order to avoid a reduction under paragraph (1)(B) shall be decreased by the same percentage as the percentage decrease in the amount so made available.

"(4) WAIVER.—The Secretary may waive the requirements of this subsection for not more than 1 fiscal year, if the Secretary determines that a waiver would be equitable due to exceptional or uncontrollable circumstances, such as a natural disaster or an unforeseen and precipitous decline in the financial resources of the State or outlying area of the eligible agency. If the Secretary grants a waiver under the preceding sentence for a fiscal year, the level of effort required under paragraph (1) shall not be reduced in the subsequent fiscal year because of the waiver.

"SEC. 242. NATIONAL INSTITUTE FOR LITERACY.

"(a) IN GENERAL.—

"(1) PURPOSE.—The purpose of the National Institute for Literacy is to promote the improvement of literacy, including skills in reading, writing, and English language acquisition for children, youth, and adults, through practices derived from the findings of scientifically based research.

"(2) ESTABLISHMENT.—There is established a National Institute for Literacy (in this section referred to as the 'Institute'). The Institute shall be administered under the terms of an interagency agreement entered into, reviewed annually, and modified as needed by the Secretary of Education with the Secretary of Health and Human Services and the Secretary of Labor (in this section referred to as the 'Interagency Group').

"(3) OFFICES.—The Institute shall have offices separate from the offices of the Department of Education, the Department of Health and Human Services, and the Department of Labor.

"(4) ADMINISTRATIVE SUPPORT.—The Department of Education shall provide administrative support for the Institute.

"(5) DAILY OPERATIONS.—The Director of the Institute shall administer the daily operations of the Institute.

"(b) DUTIES.—

"(1) IN GENERAL.—To carry out its purpose, the Institute may—

"(A) identify and disseminate rigorous scientific research on the effectiveness of instructional practices and organizational strategies relating to programs on the acquisition of skills in reading, writing, and English language acquisition for children, youth, and adults;

"(B) create and widely disseminate materials about the acquisition and application of skills in reading, writing, and English language acquisition for children, youth, and adults based on scientifically based research;

"(C) ensure a broad understanding of scientifically based research on reading, writing, and English language acquisition for children, youth, and adults among Federal agencies with responsibilities for administering programs that provide related services, including State and local educational agencies;

"(D) facilitate coordination and information sharing among national organizations and associations interested in programs that provide services to improve skills in reading, writing, and English language acquisition for children, youth, and adults;

"(E) coordinate with the appropriate offices in the Department of Education, the Department of Health and Human Services, the Department of Labor, and other Federal agencies to apply the findings of scientifically based research related to programs on reading, writing, and English language acquisition for children, youth, and adults;

"(F) establish a national electronic database and Internet site describing and fostering communication on scientifically based programs in reading, writing, and English language acquisition for children, youth, and adults, including professional development programs; and

"(G) provide opportunities for technical assistance, meetings, and conferences that will foster increased coordination among Federal, State, and local agencies and entities and improvement of reading, writing, and English language acquisition skills for children, youth, and adults.

"(2) COORDINATION.—In identifying scientifically based research on reading, writing, and English language acquisition for children, youth, and adults, the Institute shall use standards for research quality that are consistent with those established by the Institute of Education Sciences.

"(3) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—

"(A) IN GENERAL.—The Institute may award grants to, or enter into contracts or cooperative agreements with, individuals, public or private institutions, agencies, organizations, or consortia of such individuals, institutions, agencies, or organizations, to carry out the activities of the Institute.

"(B) REGULATIONS.—The Director may adopt the general administrative regulations of the Department of Education, as applicable, for use by the Institute.

"(C) RELATION TO OTHER LAWS.—The duties and powers of the Institute under this title are in addition to the duties and powers of the Institute under subparts 1, 2, and 3 of part B of the Elementary and Secondary Education Act of 1965 (commonly referred to as Reading First, Early Reading First, and the William F. Goodling Even Start Family Literacy Program, respectively).

"(c) VISITING SCHOLARS.—The Institute may establish a visiting scholars program, with such stipends and allowances as the Director considers necessary, for outstanding researchers, scholars, and individuals who—

"(1) have careers in adult education, workforce development, or scientifically based reading, writing, or English language acquisition; and

"(2) can assist the Institute in translating research into practice and providing analysis that advances instruction in the fields of reading, writing, and English language acquisition for children, youth, and adults.

"(d) INTERNS AND VOLUNTEERS.—The Institute, in consultation with the National Institute for Literacy Advisory Board, may award paid and unpaid internships to individuals seeking to assist the Institute in carrying out its purpose. Notwithstanding section 1342 of title 31, United States Code, the Institute may accept and use voluntary and uncompensated services as the Institute determines necessary.

"(e) NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD.—

"(1) ESTABLISHMENT.—

"(A) IN GENERAL.—There shall be a National Institute for Literacy Advisory Board (in this section referred to as the 'Board'), which shall consist of 10 individuals appointed by the President with the advice and consent of the Senate.

"(B) QUALIFICATIONS.—The Board shall be composed of individuals who—

"(i) are not otherwise officers or employees of the Federal Government; and

"(ii) are knowledgeable about current effective scientifically based research findings on instruction in reading, writing, and English language acquisition for children, youth, and adults.

"(C) COMPOSITION.—The Board may include—

"(i) representatives of business, industry, labor, literacy organizations, adult education providers, community colleges, students with disabilities, and State agencies, including State directors of adult education; and

"(ii) individuals who, and representatives of entities that, have been successful in improving skills in reading, writing, and English language acquisition for children, youth, and adults.

"(2) DUTIES.—The Board shall—

"(A) make recommendations concerning the appointment of the Director of the Institute;

"(B) provide independent advice on the operation of the Institute;

"(C) receive reports from the Interagency Group and the Director; and

"(D) review the biennial report to the Congress under subsection (k).

"(3) FEDERAL ADVISORY COMMITTEE ACT.—Except as otherwise provided, the Board shall be subject to the provisions of the Federal Advisory Committee Act.

"(4) APPOINTMENTS.—

"(A) IN GENERAL.—Each member of the Board shall be appointed for a term of 3 years, except that the initial terms for members may be 1, 2, or 3 years in order to establish a rotation in which one-third of the members are selected each year. Any such member may be appointed for not more than 2 consecutive terms.

"(B) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

"(5) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number may hold hearings. A recommendation of the Board may be passed only by a majority of the Board's members present at a meeting for which there is a quorum.

"(6) ELECTION OF OFFICERS.—The Chairperson and Vice Chairperson of the Board shall be elected by the members of the Board. The term of office of the Chairperson and Vice Chairperson shall be 2 years.

"(7) MEETINGS.—The Board shall meet at the call of the Chairperson or a majority of the members of the Board.

"(f) GIFTS, BEQUESTS, AND DEVISES.—

"(1) IN GENERAL.—The Institute may accept, administer, and use gifts or donations of services, money, or property, whether real or personal, tangible or intangible.

"(2) RULES.—The Board shall establish written rules setting forth the criteria to be used by the Institute in determining whether the acceptance of contributions of services, money, or property whether real or personal, tangible or intangible, would reflect unfavorably upon the ability of the Institute or any employee to carry out the responsibilities of the Institute or employee, or official duties, in a fair and objective manner, or would compromise the integrity, or the appearance of the integrity, of the Institute's programs or any official involved in those programs.

"(g) MAILS.—The Board and the Institute may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

"(h) DIRECTOR.—The Secretary of Education, after considering recommendations made by the Board and consulting with the Interagency Group, shall appoint and fix the pay of the Director of the Institute and, when necessary, shall appoint an Interim Director of the Institute.

"(i) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Director and staff of the Institute may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for level IV of the Executive Schedule.

"(j) EXPERTS AND CONSULTANTS.—The Institute may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

"(k) BIENNIAL REPORT.—

"(1) IN GENERAL.—The Institute shall submit a report biennially to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate. Each report submitted under this subsection shall include—

"(A) a comprehensive and detailed description of the Institute's operations, activities, financial condition, and accomplishments in identifying and describing programs on reading, writing, and English language acquisition for children, youth, and adults for the period covered by the report; and

"(B) a description of how plans for the operation of the Institute for the succeeding 2 fiscal years will facilitate achievement of the purpose of the Institute.

"(2) FIRST REPORT.—The Institute shall submit its first report under this subsection to the Congress not later than 1 year after the date of the enactment of the Workforce Investment Improvement Act of 2007.

"(l) ADDITIONAL FUNDING.—In addition to the funds authorized under section 205 and reserved for the Institute under section 211, the Secretary of Education, the Secretary of Health and Human Services, the Secretary of Labor, or the head of any other Federal agency or department that participates in the activities of the Institute may provide funds to the Institute for activities that the Institute is authorized to perform under this section.

"SEC. 243. NATIONAL LEADERSHIP ACTIVITIES.

"The Secretary shall establish and carry out a program of national leadership activities that may include the following:

"(1) Technical assistance, on request, including assistance—

"(A) on request to volunteer community- and faith-based organizations, including but not limited to, improving their fiscal management, research-based instruction, and reporting requirements, and the development of measurable objectives to carry out the requirements of this title;

"(B) in developing valid, measurable, and reliable performance data, and using performance information for the improvement of adult education basic skills, English language acquisition, and family literacy education programs;

"(C) on adult education professional development; and

"(D) in using distance learning and improving the application of technology in the classroom, including instruction in English language acquisition for individuals who have limited English proficiency.

"(2) Providing for the conduct of research on national literacy basic skill acquisition levels among adults, including the number of limited English proficient adults functioning at different levels of reading proficiency.

"(3) Improving the coordination, efficiency, and effectiveness of adult education and workforce development services at the national, State, and local levels.

"(4) Determining how participation in adult education basic skills, English language acquisition, and family literacy education programs prepares individuals for entry into and success in postsecondary education and employment, and in the case of prison-based services, the effect on recidivism.

"(5) Evaluating how different types of providers, including community and faith-based organizations or private for-profit agencies measurably improve the skills of participants in adult education basic skills, English language acquisition, and family literacy education programs.

"(6) Identifying model integrated basic and workplace skills education programs, including programs for individuals with limited English proficiency coordinated literacy and employment services, and effective strategies for serving adults with disabilities.

"(7) Supporting the development of an entity that would produce and distribute technology-based programs and materials for adult education, basic skills, and family literacy education programs using an intercommunication system, as that term is defined in section 397 of the Communications Act of 1934, and expand the effective outreach and use of such programs and materials to adult education eligible providers.

"(8) Initiating other activities designed to improve the measurable quality and effectiveness of adult education basic skills, English language acquisition, and family literacy education programs nationwide.".

Subtitle C—Amendments to the Wagner-Peyser Act

SEC. 461. AMENDMENTS TO THE WAGNER-PEYSER ACT.

The Wagner-Peyser Act (29 U.S.C. 49 et seq.) is amended—

(1) by striking sections 1 through 13;

(2) in section 14 by inserting "of Labor" after "Secretary"; and

(3) by amending section 15 to read as follows:

"SEC. 15. WORKFORCE AND LABOR MARKET INFORMATION SYSTEM.

"(a) SYSTEM CONTENT.—

"(1) IN GENERAL.—The Secretary of Labor, in accordance with the provisions of this section, shall oversee the development, maintenance, and continuous improvement of a nationwide workforce and labor market information system that includes—

"(A) statistical data from cooperative statistical survey and projection programs and data from administrative reporting systems that, taken together, enumerate, estimate, and project employment opportunities and conditions at national, State, and local levels in a timely manner, including statistics on—

"(i) employment and unemployment status of national, State, and local populations, including self-employed, part-time, and seasonal workers;

"(ii) industrial distribution of occupations, as well as current and projected employment opportunities, wages, benefits (where data is available), and skill trends by occupation and industry, with particular attention paid to State and local conditions;

"(iii) the incidence of, industrial and geographical location of, and number of workers displaced by, permanent layoffs and plant closings; and

"(iv) employment and earnings information maintained in a longitudinal manner to be used for research and program evaluation;

"(B) information on State and local employment opportunities, and other appropriate statistical data related to labor market dynamics, which—

"(i) shall be current and comprehensive;

"(ii) shall meet the needs identified through the consultations described in subparagraphs (A) and (B) of subsection (e)(2); and

"(iii) shall meet the needs for the information identified in section 134(d);

"(C) technical standards (which the Secretary shall publish annually) for data and information described in subparagraphs (A) and (B) that, at a minimum, meet the criteria of chapter 35 of title 44, United States Code;

"(D) procedures to ensure compatibility and additivity of the data and information described in subparagraphs (A) and (B) from national, State, and local levels;

"(E) procedures to support standardization and aggregation of data from administrative reporting systems described in subparagraph (A) of employment-related programs;

"(F) analysis of data and information described in subparagraphs (A) and (B) for uses such as—

"(i) national, State, and local policymaking;

"(ii) implementation of Federal policies (including allocation formulas);

"(iii) program planning and evaluation; and

"(iv) researching labor market dynamics;

"(G) wide dissemination of such data, information, and analysis in a user-friendly manner and voluntary technical standards for dissemination mechanisms; and

"(H) programs of—

"(i) training for effective data dissemination;

"(ii) research and demonstration; and

"(iii) programs and technical assistance.

"(2) INFORMATION TO BE CONFIDENTIAL.—

"(A) IN GENERAL.—No officer or employee of the Federal Government or agent of the Federal Government may—

"(i) use any submission that is furnished for exclusively statistical purposes under the provisions of this section for any purpose other than the statistical purposes for which the submission is furnished;

"(ii) disclose to the public any publication or media transmittal of the data contained in the submission described in clause (i) that permits information concerning an individual subject to be reasonably inferred by either direct or indirect means; or

"(iii) permit anyone other than a sworn officer, employee, or agent of any Federal department or agency, or a contractor (including an employee of a contractor) of such department or agency, to examine an individual submission described in clause (i), without the consent of the individual, agency, or other person who is the subject of the submission or provides that submission.

"(B) IMMUNITY FROM LEGAL PROCESS.—Any submission (including any data derived from the submission) that is collected and retained by a Federal department or agency, or an officer, employee, agent, or contractor of such a department or agency, for exclusively statistical purposes under this section shall be immune from the legal process and shall not, without the consent of the individual, agency, or other person who is the subject of the submission or provides that submission, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding.

"(C) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide immunity from the legal process for such submission (including any data derived from the submission) if the submission is in the possession of any person, agency, or entity other than the Federal Government or an officer, employee, agent, or contractor of the Federal Government, or if the submission is independently collected, retained, or produced for purposes other than the purposes of this Act.

"(b) SYSTEM RESPONSIBILITIES.—

"(1) IN GENERAL.—The workforce and labor market information system described in subsection (a) shall be planned, administered, overseen, and evaluated through a cooperative governance structure involving the Federal Government and States.

"(2) DUTIES.—The Secretary, with respect to data collection, analysis, and dissemination of workforce and labor market information for the system, shall carry out the following duties:

"(A) Assign responsibilities within the Department of Labor for elements of the workforce and labor market information system described in subsection (a) to ensure that all statistical and administrative data collected is consistent with appropriate Bureau of Labor Statistics standards and definitions.

"(B) Actively seek the cooperation of other Federal agencies to establish and maintain mechanisms for ensuring complementarity and nonduplication in the development and operation of statistical and administrative data collection activities.

"(C) Eliminate gaps and duplication in statistical undertakings, with the systemization of wage surveys as an early priority.

"(D) In collaboration with the Bureau of Labor Statistics and States, develop and maintain the elements of the workforce and labor market information system described in subsection (a), including the development of consistent procedures and definitions for use by the States in collecting the data and information described in subparagraphs (A) and (B) of subsection (a)(1).

"(E) Establish procedures for the system to ensure that—

"(i) such data and information are timely;

"(ii) paperwork and reporting for the system are reduced to a minimum; and

"(iii) States and localities are fully involved in the development and continuous improvement of the system at all levels.

"(c) NATIONAL ELECTRONIC TOOLS TO PROVIDE SERVICES.—The Secretary is authorized to assist in the development of national electronic tools that may be used to facilitate the delivery of work ready services described in section 134 and to provide workforce information to individuals through the one-stop delivery systems described in section 121 and through other appropriate delivery systems.

"(d) COORDINATION WITH THE STATES.—

"(1) IN GENERAL.—The Secretary, working through the Bureau of Labor Statistics and the Employment and Training Administration, shall regularly consult with representatives of State agencies carrying out workforce information activities regarding strategies for improving the workforce and labor market information system.

"(2) FORMAL CONSULTATIONS.—At least twice each year, the Secretary, working through the Bureau of Labor Statistics, shall conduct formal consultations regarding programs carried out by the Bureau of Labor Statistics with representatives of each of the 6 Federal regions of the Bureau of Labor Statistics, elected (pursuant to a process established by the Secretary) from the State directors affiliated with State agencies that perform the duties described in subsection (e)(2).

"(e) STATE RESPONSIBILITIES.—

"(1) IN GENERAL.—In order to receive Federal financial assistance under this section, the Governor of a State shall—

"(A) be responsible for the management of the portions of the workforce and labor market information system described in subsection (a) that comprise a statewide workforce and labor market information system and for the State's participation in the development of the annual plan;

"(B) establish a process for the oversight of such system;

"(C) consult with State and local employers, participants, and local workforce investment boards about the labor market relevance of the data to be collected and disseminated through the statewide workforce and labor market information system;

"(D) consult with State educational agencies and local educational agencies concerning the provision of employment statistics in order to meet the needs of secondary school and postsecondary school students who seek such information;

"(E) collect and disseminate for the system, on behalf of the State and localities in the State, the information and data described in subparagraphs (A) and (B) of subsection (a)(1);

"(F) maintain and continuously improve the statewide workforce and labor market information system in accordance with this section;

"(G) perform contract and grant responsibilities for data collection, analysis, and dissemination for such system;

"(H) conduct such other data collection, analysis, and dissemination activities as will ensure an effective statewide workforce and labor market information system;

"(I) actively seek the participation of other State and local agencies in data collection, analysis, and dissemination activities in order to ensure complementarity, compatibility, and usefulness of data;

"(J) participate in the development of the annual plan described in subsection (c); and

"(K) utilize the quarterly records described in section 136(f)(2) of the Workforce Investment Act of 1998 to assist the State and other States in measuring State progress on State performance measures.

"(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting the ability of a Governor to conduct additional data collection, analysis, and dissemination activities with State funds or with Federal funds from sources other than this section.

"(f) NONDUPLICATION REQUIREMENT.—None of the functions and activities carried out pursuant to this section shall duplicate the functions and activities carried out under the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.).

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2008 through 2012.

"(h) DEFINITION.—In this section, the term 'local area' means the smallest geographical area for which data can be produced with statistical reliability.".

Subtitle D—Amendments to the Rehabilitation Act of 1973

SEC. 471. FINDINGS.

Section 2(a) of the Rehabilitation Act of 1973 (29 U.S.C. 701(a)) is amended—

(1) in paragraph (5), by striking "and" at the end;

(2) in paragraph (6), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(7) there is a substantial need to improve and expand services for students with disabilities under this Act.".

SEC. 472. REHABILITATION SERVICES ADMINISTRATION.

Section 3(a) of the Rehabilitation Act of 1973 (29 U.S.C. 702(a)) is amended—

(1) by striking "Office of the Secretary" and inserting "Department of Education";

(2) by striking "President by and with the advice and consent of the Senate" and inserting "Secretary, except that the Commissioner appointed under the authority existing on the day prior to the date of enactment of the Workforce Investment Improvement Act of 2007 may continue to serve in the former capacity"; and

(3) by striking ", and the Commissioner shall be the principal officer,".

SEC. 473. DIRECTOR.

(a) IN GENERAL.—The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended—

(1) by striking "Commissioner" each place it appears, except in sections 3(a) (as amended by section 472) and 21, and inserting "Director";

(2) in section 100(d)(2)(B), by striking "commissioner" and inserting "director";

(3) in section 706, by striking "commissioner" and inserting "director"; and

(4) in section 723(a)(3), by striking "commissioner" and inserting "director".

(b) EXCEPTION.—Section 21 of the Rehabilitation Act of 1973 (29 U.S.C. 718) is amended—

(1) in subsection (b)(1)—

(A) by striking "Commissioner" the first place it appears and inserting "Director of the Rehabilitation Services Administration"; and

(B) by striking "(referred to in this subsection as the 'Director')"; and

(2) by striking "Commissioner and the Director" each place it appears and inserting "both such Directors".

SEC. 474. DEFINITIONS.

Section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705) is amended—

(1) by redesignating paragraphs (35) through (39) as paragraphs (36), (37), (38), (40), and (41), respectively;

(2) in subparagraph (A)(ii) of paragraph (36) (as redesignated in paragraph (1)), by striking "paragraph (36)(C)" and inserting "paragraph (37)(C)";

(3) by inserting after paragraph (34) the following:

"(35)(A) The term 'student with a disability' means an individual with a disability who—

"(i) is not younger than 16 and not older than 21;

"(ii) has been determined to be eligible under section 102(a) for assistance under this title; and

"(iii)(I) is eligible for, and is receiving, special education under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.); or

"(II) is an individual with a disability, for purposes of section 504.

"(B) The term 'students with disabilities' means more than 1 student with a disability."; and

(4) by inserting after paragraph (38) (as redesignated by paragraph (1)) the following:

"(39) The term 'transition services expansion year' means—

"(A) the first fiscal year for which the amount appropriated under section 100(b) exceeds the amount appropriated under section 100(b) for fiscal year 2004 by not less than $100,000,000; and

"(B) each fiscal year subsequent to that first fiscal year.".

SEC. 475. STATE PLAN.

(a) COORDINATION WITH EDUCATION OFFICIALS AND ASSISTIVE TECHNOLOGY PROGRAMS.—Section 101(a)(11) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)) is amended—

(1) in subparagraph (D)(i) by inserting ", which may be provided using alternative means of meeting participation (such as video conferences and conference calls)" before the semicolon; and

(2) by adding at the end the following:

"(G) COORDINATION WITH ASSISTIVE TECHNOLOGY PROGRAMS.—The State plan shall include an assurance that the designated State unit and the lead agency responsible for carrying out duties under the Assistive Technology Act of 1998 (29 U.S.C. 3001), as amended, have developed working relationships and coordinate their activities.".

(b) ASSESSMENT AND STRATEGIES.—Section 101(a)(15) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(15)) is amended—

(1) in subparagraph (A)

(A) in clause (i)—

(i) in subclause (II), by striking "and" at the end;

(ii) in subclause (III), by adding "and" at the end; and

(iii) by adding at the end the following:

"(IV) in a transition services expansion year, students with disabilities, including their need for transition services;"; and

(B) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively, and inserting after clause (i) the following:

"(ii) include an assessment of the transition services provided under this Act, and coordinated with transition services under the Individuals with Disabilities Education Act, as to those services meeting the needs of individuals with disabilities;"; and

(2) in subparagraph (D)—

(A) by redesignating clauses (iii), (iv), and (v) as clauses (iv), (v), and (vi), respectively; and

(B) by inserting after clause (ii) the following:

"(iii) in a transition services expansion year, the methods to be used to improve and expand vocational rehabilitation services for students with disabilities, including the coordination of services designed to facilitate the transition of such students from the receipt of educational services in school to the receipt of vocational rehabilitation services under this title or to postsecondary education or employment;".

(c) SERVICES FOR STUDENTS WITH DISABILITIES.—Section 101(a) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)) is further amended by adding at the end the following:

"(25) SERVICES FOR STUDENTS WITH DISABILITIES.—The State plan for a transition services expansion year shall provide an assurance satisfactory to the Secretary that the State—

"(A) has developed and implemented strategies to address the needs identified in the assessment described in paragraph (15), and achieve the goals and priorities identified by the State, to improve and expand vocational rehabilitation services for students with disabilities on a statewide basis in accordance with paragraph (15); and

"(B) from funds reserved under section 110A, shall carry out programs or activities designed to improve and expand vocational rehabilitation services for students with disabilities that—

"(i) facilitate the transition of the students with disabilities from the receipt of educational services in school, to the receipt of vocational rehabilitation services under this title, including, at a minimum, those services specified in the interagency agreement required in paragraph (11)(D);

"(ii) improve the achievement of post-school goals of students with disabilities, including improving the achievement through participation (as appropriate when vocational goals are discussed) in meetings regarding individualized education programs developed under section 614 of the Individuals with Disabilities Education Act (20 U.S.C. 1414);

"(iii) provide vocational guidance, career exploration services, and job search skills and strategies and technical assistance to students with disabilities;

"(iv) support the provision of training and technical assistance to State and local educational agency and designated State agency personnel responsible for the planning and provision of services to students with disabilities; and

"(v) support outreach activities to students with disabilities who are eligible for, and need, services under this title.".

SEC. 476. SCOPE OF SERVICES.

Section 103 of the Rehabilitation Act of 1973 (29 U.S.C. 723) is amended—

(1) in subsection (a), by striking paragraph (15) and inserting the following:

"(15) transition services for students with disabilities, that facilitate the achievement of the employment outcome identified in the individualized plan for employment, including, in a transition services expansion year, services described in clauses (i) through (iii) of section 101(a)(25)(B);";

(2) in subsection (b), by striking paragraph (6) and inserting the following:

"(6)(A)(i) Consultation and technical assistance services to assist State and local educational agencies in planning for the transition of students with disabilities from school to post-school activities, including employment.

"(ii) In a transition services expansion year, training and technical assistance described in section 101(a)(25)(B)(iv).

"(B) In a transition services expansion year, services for groups of individuals with disabilities who meet the requirements of clauses (i) and (iii) of section 7(35)(A), including services described in clauses (i), (ii), (iii), and (v) of section 101(a)(25)(B), to assist in the transition from school to post-school activities."; and

(3) in subsection (b) by inserting at the end, the following:

"(7) The establishment, development, or improvement of assistive technology demonstration, loan, reutilization, or financing programs in coordination with activities authorized under the Assistive Technology Act of 1998 (29 U.S.C. 3001), as amended, to promote access to assistive technology for individuals with disabilities and employers.".

SEC. 477. STANDARDS AND INDICATORS.

Section 106(a) of the Rehabilitation Act of 1973 (29 U.S.C. 726(a)) is amended by striking paragraph (1)(C) and all that follows through paragraph (2) and inserting the following:

"(2) MEASURES.—The standards and indicators shall include outcome and related measures of program performance that—

"(A) facilitate the accomplishment of the purpose and policy of this title;

"(B) to the maximum extent practicable, are consistent with the core indicators of performance, and corresponding State adjusted levels of performance, established under section 136(b) of the Workforce Investment Act of 1998 (29 U.S.C. 2871(b)); and

"(C) include measures of the program's performance with respect to the transition to post-school vocational activities, and achievement of the post-school vocational goals, of students with disabilities served under the program.".

SEC. 478. RESERVATION FOR EXPANDED TRANSITION SERVICES.

The Rehabilitation Act of 1973 is amended by inserting after section 110 (29 U.S.C. 730) the following:

"SEC. 110A. RESERVATION FOR EXPANDED TRANSITION SERVICES.

"(a) RESERVATION.—From the State allotment under section 110 in a transition services expansion year, each State shall reserve an amount calculated by the Director under subsection (b) to carry out programs and activities under sections 101(a)(25)(B) and 103(b)(6).

"(b) CALCULATION.—The Director shall calculate the amount to be reserved for such programs and activities for a fiscal year by each State by multiplying $50,000,000 by the percentage determined by dividing—

"(1) the amount allotted to that State under section 110 for the prior fiscal year, by

"(2) the total amount allotted to all States under section 110 for that prior fiscal year.".

SEC. 479. CLIENT ASSISTANCE PROGRAM.

Section 112(e)(1) of the Rehabilitation Act of 1973 (29 U.S.C. 732(e)(1)) is amended by redesignating subparagraph (D) as subparagraph (E) and inserting after subparagraph (C) the following:

"(D) The Secretary shall make grants to the protection and advocacy system serving the American Indian Consortium to provide services in accordance with this section. The amount of such grants shall be the same as provided to territories under this subsection.".

SEC. 480. PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS.

Section 509(g)(2) of the Rehabilitation Act of 1973 (29 U.S.C. 794e(g)(2)) is amended by striking "was paid" and inserting "was paid, except that program income generated from such amount shall remain available to such system for one additional fiscal year".

SEC. 481. CHAIRPERSON.

Section 705(b)(5) of the Rehabilitation Act of 1973 (29 U.S.C. 796d(b)(5)) is amended to read as follows:

"(5) CHAIRPERSON.—The Council shall select a chairperson from among the voting membership of the Council.".

SEC. 482. AUTHORIZATIONS OF APPROPRIATIONS.

The Rehabilitation Act of 1973 is further amended—

(1) in section 100(b)(1) by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2008 through 2012";

(2) in section 100(d)(1)(B) by striking "fiscal year 2003" and inserting "fiscal year 2012";

(3) in section 110(c) by amending paragraph (2) to read as follows:

"(2) The sum referred to in paragraph (1) shall be, as determined by the Secretary, not less than 1 percent and not more than 1.5 percent of the amount referred to in paragraph (1) for each of fiscal years 2008 through 2012.";

(4) in section 112(h) by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2008 through 2012";

(5) in section 201(a) by striking "fiscal years 1999 through 2003" each place it appears and inserting "fiscal years 2008 through 2012";

(6) in section 302(i) by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2008 through 2012";

(7) in section 303(e) by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2008 through 2012";

(8) in section 304(b) by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2008 through 2012";

(9) in section 305(b) by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2008 through 2012";

(10) in section 405 by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2008 through 2012";

(11) in section 502(j) by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2008 through 2012";

(12) in section 509(l) by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2008 through 2012";

(13) in section 612 by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2008 through 2012";

(14) in section 628 by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2008 through 2012";

(15) in section 714 by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2008 through 2012";

(16) in section 727 by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2008 through 2012"; and

(17) in section 753 by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2008 through 2012".

SEC. 483. CONFORMING AMENDMENT.

Section 1(b) of the Rehabilitation Act of 1973 is amended by inserting after the item relating to section 110 the following:

"Sec. 110A. Reservation for expanded transition services.".

SEC. 484. HELEN KELLER NATIONAL CENTER ACT.

(a) GENERAL AUTHORIZATION OF APPROPRIATIONS.—The first sentence of section 205(a) of the Helen Keller National Center Act (29 U.S.C. 1904(a)) is amended by striking "1999 through 2003" and inserting "2008 through 2012".

(b) HELEN KELLER NATIONAL CENTER FEDERAL ENDOWMENT FUND.—The first sentence of section 208(h) of such Act (29 U.S.C. 1907(h)) is amended by striking "1999 through 2003" and inserting "2008 through 2012".

Subtitle E—Transition and Effective Date

SEC. 491. TRANSITION PROVISIONS.

The Secretary of Labor shall take such actions as the Secretary determines to be appropriate to provide for the orderly implementation of this title.

SEC. 492. EFFECTIVE DATE.

Except as otherwise provided in this title, this title and the amendments made by this title, shall take effect on the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to House Resolution 781, the gentleman from Louisiana (Mr. McCRERY) and a Member opposed each will control 30 minutes.

Mr. LEVIN. Mr. Speaker, I ask that the time in opposition be controlled by the gentleman from Washington (Mr. McDERMOTT).

The SPEAKER pro tempore. Is the gentleman from Washington opposed to the amendment?

Mr. McDERMOTT. Yes.

The SPEAKER pro tempore. The gentleman will control 30 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. McCRERY. Mr. Speaker, the amendment I offer, along with Mr. McKEON, is a substitute for the bill that is before the House this afternoon.

Our amendment would reform and reauthorize for 5 years the Trade Adjustment Assistance program, and we believe our substitute would strengthen and improve not only TAA but the Workforce Investment Act program as well.

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Our bill would better equip workers affected by trade, globalization, and other causes of job loss with the skills needed to adjust to changes in the global economy.

Our Republican alternative consists of four related pieces of legislation separately introduced this year. Some of these are under the jurisdiction of the Ways and Means Committee; others are under the jurisdiction of the Education and Workforce Committee.

Among other things, our bill would provide more flexible training options to get people into training sooner and back to good jobs more quickly. For example, we've heard some discussion about the plant closing notice. The bill before the House this afternoon would expand the amount of time from 60 days to 90 days that a plant company would have to give notice to employees of either plant closure or a substantial layoff at that plant.

Under the current constriction of TAA, a worker in that plant wishing to, perhaps, go to job training at night after he gets off work, waiting for the expiration of the 60-day notice or the 90-day notice could not qualify for TAA training benefits. Our substitute would correct that and allow that worker to take advantage of trade adjustment assistance while he is still working in that plant that he knows is going to be closed and where he would lose his job.

Number two, our bill would continue the health coverage tax credit over our bill's 5-year life and increase the premium subsidy from 65 percent to 70 percent. Mr. LEVIN earlier talked about how the current 65-percent credit has not been enough to entice a high number of laid-off workers under TAA to claim that credit and get their health care, their health insurance through that method, and he is right. The take-up rate on this benefit has been lower than we expected, and so some adjustment is necessary. Whether that adjustment, the appropriate one to provide the right level of enticement, is 70 percent, or in their bill 85 percent, we don't know. We are willing to go up on that. We think it is appropriate to do that. We've included 70 percent in our bill. And the House should know that that means that a person who is laid off and who is eligible for trade adjustment assistance can get, under our substitute, 70 percent of the premium paid by the government. So, that laid-off worker would only have to come up with 30 percent of the premium to continue coverage under COBRA or to get some other qualified insurance plan.

Number three, our bill would convert the wage insurance pilot program for older workers into a transitional wage supplement for all TAA workers, regardless of their age. It would be allowed for any worker who became reemployed at low wages, low wages being defined as minimum wage plus $2.40 an hour, and allow them to obtain, at the same time they were getting this wage supplement, the health care tax credit and additional trade adjustment training, which right now, if a person goes back to work, under TAA he is not eligible for those benefits. So our bill would expand the availability of the health care tax credit and job training under TAA for people who go back to work and who are receiving a wage supplement.

Number four, our bill would require indicators of performance to evaluate the Trade Adjustment Assistance programs and their results. Currently, TAA programs have no measure of performance, no way for us to tell if these programs are being effective or if taxpayer dollars are being wasted. Our bill would put in place those indicators of performance to give us the idea of the efficiency of these programs.

Number five, in provisions affecting the unemployment insurance program, our bill would allow States to apply for cost-neutral waivers of current rules to operate wage insurance and other demonstration programs to better assist unemployed workers in returning to work.

Now, Mr. Speaker, I have heard some in opposition to the Republican substitute say that this would allow States to do away with their unemployment insurance benefits. We certainly didn't intend that in our substitute; we don't think that the language would allow that. But in any event, a State would have to get a waiver from the executive branch to take advantage of these provisions, and I doubt seriously if any executive branch under any President would allow a State to just do away with its unemployment insurance benefits. So, I don't really think that's a valid argument in opposition to this increased flexibility that could assist unemployed workers.

And number six, our bill also creates a new trade-related category for qualification under the new markets tax credit. Businesses and communities experiencing adverse economic effects due to trade would qualify for an additional $500 million of new markets tax credits. These tax credits, we believe, would bring significant amounts of private capital into these economically disadvantaged areas to create jobs to replace those that had been lost due to trade.

Mr. Speaker, we believe this substitute is a much more cost-effective approach than that contained in H.R. 3920 and would help all Americans, not just those who lose jobs to trade, get the skills needed to find productive new jobs.

I urge my colleagues to vote for the substitute.

Mr. Speaker, I reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to commend my Republican colleagues for proposing a substitute today. It's healthy for America to see two different views on how we should help dislocated workers.

Democrats want to help more workers who lose their jobs because of trade, especially workers providing services. The Republican substitute says no to helping those workers.

Democrats want to assure more dislocated workers have an opportunity to receive training. The Republican substitute would, instead, cap the amount of training any worker can receive, not to go on and finish a program.

Democrats want to assure health care coverage is affordable for workers losing their jobs by paying 85 percent of their premium. The Republican substitute said, well, 65 wasn't enough, but we'll give you 70. So again, they cut the workers short.

Democrats want a better wage insurance program to help trade-affected workers who are reemployed in jobs that pay less than their prior employment. The Republican substitute guts the program as it presently exists and instead only provides a benefit to those at the very lowest wage jobs.

Republicans don't care if workers have a chance to get a living-wage job; they want to force people back to minimum-wage jobs. Democrats want to help States improve unemployment insurance for all workers who are denied unfairly their benefits, especially women. The Republican substitute goes in the opposite direction by allowing the administration to approve waivers from States that could deny more jobless workers unemployment insurance.

In short, the Democrats want to help workers navigate the global economy. The Republican substitute, on the other hand, tells workers, well, you're still, more or less, on your own.

After this substitute is defeated, I'm hopeful that some of my colleagues on the other side of the aisle will ultimately join us in passing a bill to assist America's workers when they lose their jobs through no fault of their own.

Mr. Speaker, I reserve the balance of my time.

Mr. McCRERY. Mr. Speaker, before yielding to Mr. McKEON, I want to point out that the underlying bill, as described by my friend from Washington, does, indeed, double, and then even later triples, the TAA training budget when nearly $300 million of the current budget lies unused. That's just an example of how we think the underlying bill that we oppose goes way too far in expanding this program needlessly.

Mr. Speaker, I yield such time as he may consume to the ranking member of the Education and Labor Committee. I'm sorry, I've been calling it the Education and Workforce Committee. My apologies to the chairman and to the members of that committee. It is now the Education and Labor Committee, and Mr. McKEON is the ranking member.

Mr. McKEON. I thank the gentleman for yielding.

You know, it has been 9 years since Congress last reauthorized the Workforce Investment Act, known as WIA. We made dramatic improvements through the last reauthorization, strengthening the nationwide system of one-stop training centers where workers can access a variety of training services.

I remember not too long after we did that, two of the displaced workers in my district, we've lost many jobs for aerospace workers, two of them came up to me and thanked me for having done this because they had been able to go back and get vouchers, receive additional training. One of them was becoming a teacher and one was going to be a computer operator. And we've seen many people benefit from that program. But as yet, it has not been reauthorized this year.

The system has served job seekers well. WIA now integrates employment and training services at the local level in a more unified workforce development system, which it did not do prior to the 1998 reforms. Yet, without renewal today, it cannot possibly keep pace with the rapidly changing needs of workers in a dynamic economy.

Earlier this month, Republicans unveiled a comprehensive road map for reforming both job training and higher education. The Higher Education Act and WIA each play a critical role in keeping Americans competitive by developing the skills and knowledge necessary in a changing economy. Unfortunately, Democrats have not offered proposals to strengthen either of these critical programs.

I am pleased to be joining Representative McCRERY today in offering a proposal that links our job training reforms with the renewal of the Trade Adjustment Assistance program. These proposals work hand in hand to provide dislocated workers the type of responsive, flexible training and assistance they need to get back to work.

Our proposal will strengthen WIA's infrastructure, eliminate duplication and waste, increase accountability, enhance the role of employers, and increase the State and local flexibility. Together, these reforms will ensure the Nation's workforce development system can respond quickly and effectively to the changing needs of job seekers and those in need of training.

The time for job training is long overdue. The Department of Labor has made efforts to allow flexibility and creativity within the existing system, and numerous stakeholders have proposed innovative new strategies. However, this type of reform has been hampered because Congress has failed to act.

One of the most important steps we can take to strengthen our job training system is to increase program efficiency and focus on results. We must eliminate duplication and redundancy and create a more seamless system that can be flexible based on changing needs.

Our amendment will eliminate current barriers to effective programs and services. We will enhance the services offered to job seekers, providing greater flexibility and eliminating arbitrary requirements that prevent some workers from getting the services they need.

We also plan to restore long-standing hiring protections to faith-based organizations in order to ensure that they are able to participate fully in the job training system.

To foster regional economic development, the Republican plan would allow regional areas to integrate workforce development programs, one-stop services, and community and economic development funds into a comprehensive workforce development system.

Finally, our plan would strengthen programs targeted towards specific populations, improving adult education, vocational rehabilitation, and youth programs.

Mr. Speaker, I support trade adjustment assistance, and I support its extension and renewal.

I want to recognize Representative McCRERY for his leadership on this important issue. Our amendment will better integrate TAA with other Federal programs to more effectively equip workers affected by trade, globalization and other causes of job loss with skills they need to adapt to the changing global economy. It will join these TAA improvements to long-overdue job training reforms. We need to update these programs to be competitive worldwide.

I urge my colleagues to join me in voting "yes" on the Republican substitute, which will provide a comprehensive approach to helping keep America competitive.

Mr. McDERMOTT. Mr. Speaker, may I inquire as to how much time is remaining on each side.

The SPEAKER pro tempore. The gentleman from Washington has 28 minutes. The gentleman from Louisiana has 17½ minutes.

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, I rise in support of TAA assistance and therefore oppose this weakening amendment.

But we should recognize that TAA is a Band-Aid on a self-inflicted wound. Our trade policies are gutting the American economy far beyond the ability of TAA to ameliorate the pain.

What is obvious is the loss of individual industrial plants. What is less visible is the increase in our interest rates and a decline in our national industrial base.

Today, let us adopt the Band-Aid, but let us not use the presence of those Band-Aids as an excuse for further self-inflicted wounds.

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Today, we should pass TAA. Tomorrow, let us stop the bleeding. Let us not adopt trade agreements that increase our trade deficit. And let us begin to renegotiate existing trade agreements so that they are based on results rather than based on form.

Let us build an economy where demand for labor is so high that instead of hearing stories of pain from workers, we are hearing from employers fighting for every available employee. Let us hear of a dollar that is more valuable than the Euro and let us have a trade policy that for every dollar of imports, we match it with a dollar of exports. Until then, there are workers who are in pain, who are casualties of our ill-conceived trade policies. They need and deserve our help.

Mr. McDERMOTT. Mr. Speaker, I yield 1½ minutes to Mr. HODES of New Hampshire.

Mr. HODES. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of H.R. 3920 and in opposition to the Republican substitute. Last Tuesday, 303 workers in Groveton, New Hampshire, a small paper mill town, heard over the radio and by newspaper the devastating news that Wausau Paper was closing the mill at the end of the year. On Friday, I sent a letter to Labor Secretary Chao asking for expedited help under the existing TAA, and on Monday I traveled to Groveton and met with a number of the affected workers. It is difficult to describe how devastating this closure is to the town of Groveton, to the families of the workers and to the region. Many of the proud workers of that mill are third and fourth generation. They have got no other skills. This is the life they know.

As I explained on Monday to the workers what kind of help is available in the current TAA, the thought that was going through my mind was that this was not enough. We need to do more. These folks, their family, this community need more and deserve more help from the Federal Government. The ripple effects of this closure are huge. It goes out into the community, to other businesses and vendors. That is why the H.R. 3920 provisions to redevelop communities hit by the loss of manufacturing jobs through the designation of manufacturing redevelopment zones is so important.

We've got more workers who need help. They face harder times and higher costs, especially for health care. We need to expand the TAA. Now is not the time to go backwards. The Republican substitute is no substitute. It takes us backwards. I urge my colleagues to vote against the Republican proposal and support H.R. 3920.

Mr. McDERMOTT. Mr. Speaker, I yield 1½ minutes to Mr. HIGGINS of New York.

Mr. HIGGINS. Mr. Speaker, I represent an area of western New York which includes the Buffalo/Niagara region. Over the past 5 years, that region has lost 25 percent, or 22,000 manufacturing jobs. One of the gentlemen from the other side said that one of the reasons for not updating the program or adjusting it is because there is a $300 million surplus in the program. I would argue that that is the best reason for renewing the program, to include workers who are precluded from benefits today.

I oppose the Republican amendment. The Republican amendment would eviscerate the Trade Adjustment Assistance program and its very purpose. Under the Republican amendment, it would preclude service workers from receiving benefits. Unlike H.R. 3920, the Republican amendment does not cover service workers. Yet according to one study by a leading technology consulting firm, 3.3 million service workers will lose their jobs by 2015.

The Republican amendment would prohibit manufacturing workers whose jobs are offshored to China or India from receiving benefits. Current law precludes those workers from eligibility. 3920 fixes this inequity.

Finally, the Republican amendment would cut worker training benefits. All of the States who have enrolled displaced workers in these programs, the cost exceeds that which is provided in the Republican amendment.

Mr. McCRERY. Mr. Speaker, I yield myself such time as I may consume.

The Republican substitute before the House at this time does not eviscerate anything, much less the TAA program which is reauthorized in the substitute for 5 years exactly as it is. The benefits are the same. The amounts are the same. I don't know where the last speaker got his information, but the substitute certainly does not eviscerate the TAA program. It reauthorizes the existing program for 5 years. Then, in addition, we make some changes in the law that allow those benefits under the TAA to be used in instances where under current law they can't be used, and I have described one of those already in my earlier presentation.

So I hope this House doesn't get the wrong impression about this substitute. It certainly endorses the TAA program. We are for the TAA program. We think it is important. But we think our bill gives a lot more flexibility that is needed in the program and some accountability in the program that is needed. In addition to that, we do provide additional funds in our bill, and it is paid for under the PAYGO rules of the House. I just wanted to make that clear.

I reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. I thank the gentleman for yielding to me and commend him for his leadership on this issue.

Mr. Speaker, I reluctantly rise in opposition to the substitute being offered to us today and in strong support of the Trade and Globalization Assistance Act that we have been debating this afternoon.

I believe that in order to forge a renewed consensus in support of trade in this country, we really need to accomplish three things: One is we need a new template on trade agreements, one that I think will be reflected with the Peru trade agreement that will come to the floor next week that calls for core international labor standards and environmental standards in the bulk of the agreement so we begin to level the trading field.

Another important ingredient is the strong enforcement of trade agreements by this administration and future administrations so that workers and businesses alike know that everyone is playing by the same rules and if they are not, there will be consequences.

Finally, there has to be assurance to the workers of this country that when they do feel the adverse affects of globalization and job displacement or downsizing or outsourcing, there will be adequate programs there to assist them to get on their feet, from job training funding to adequate health care coverage during a very difficult and oftentimes traumatic moment in their lives.

Unfortunately, the substitute falls short in regards to the support mechanism. It precludes service workers from qualifying for these TAA benefits. It prohibits manufacturing workers whose jobs are offshored to China and India from qualifying for these benefits. It also cuts worker training benefits by capping it at $8,000, even though we know that the average State today is spending close to $15,000 for job training benefits.

Finally, they pull up short on the crucial aspect of adequate health care. They move from 60 to 70 percent support for the premiums of workers, whereas we go to 85 percent. And even at 85 percent, that remaining 15 percent can be very, very expensive for the average worker when they have lost their job and they don't have an income. They also don't minimize the gaps in coverage as we do. And they also don't allow the continuation of COBRA coverage for employees as we do in the substitute.

I would encourage my colleagues to support H.R. 3920 and oppose the Republican substitute.

Mr. McCRERY. Mr. Speaker, I reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield 1½ minutes to Mrs. McCARTHY of New York.

Mrs. McCARTHY of New York. Thank you for yielding.

As we have heard today, the TAA program helps hardworking Americans transition to the global economy and adjust to economic changes resulting from the trade policy of the United States. Training and education play a major role in whether workers will have future success on the job. We have seen the dissatisfaction of the American people with the global economy. You have heard from many of my colleagues on how many people have lost jobs. Most of them are manufacturing jobs.

A lot of these people that lose their jobs can be trained. I am happy to say that the Ways and Means Committee worked with me on making sure career and technical schools and colleges have the opportunity to be part of the TAA program. It is important for people to understand when someone is in their late fifties and they lose their job because of the global economy, that they have skills but they need to upgrade those skills for the world that we are seeing in the future. Technical and career colleges offer those particular uses.

I am happy to say that the TAA bill that the Democrats have put forward are going to help our workers throughout this country, and with health care so that they can provide. Our workers are putting in more time than ever before. Our productivity is up. But, again, we have to keep pace with education. I am very happy to say that we are part of that educational system.

This is a good bill. I rise against the Republican substitute because it doesn't fill the bill. We have waited too long to get this done.

Mr. McCRERY. Mr. Speaker, may I inquire as to the time remaining.

The SPEAKER pro tempore. The gentleman from Louisiana has 16 minutes remaining and the gentleman from Washington has 20 minutes remaining.

Mr. McCRERY. I reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. McINTYRE).

Mr. McINTYRE. Mr. Speaker, I oppose the Republican amendment which guts the trade adjustment assistance program's very purpose, which is to be able to help workers affected by trade and globalization get the help they need to get back on their feet and obtain new, good-paying jobs, and I support the underlying bill.

Earlier this year, I joined other members of the North Carolina delegation and introduced a similar bill, H.R. 1729, the Trade Adjustment Assistance Reform Act, whose essential language is mirrored in this bill. The provisions in our original bill were based on the recommendations made by the North Carolina Dislocated Worker Advisory Committee, a group convened by the North Carolina Rural Economic Development Center that included, among others, leaders from the community college system, the Employment Security Commission and the Workforce Development Division of the North Carolina Department of Commerce.

Mr. Speaker, North Carolina's involvement in the TAA debate is important. Why? Because our State has had the most workers covered by TAA certifications, the most workers benefiting from the health coverage tax credit, and one of the highest number of workers enrolled in TAA-sponsored worker training. In fact, as of August 10 of this year, there were 12,693 TAA participants in North Carolina, including over 9,800 enrolled in training. That is why I am very pleased to support the underlying bill and oppose this Republican amendment.

This bill also expands TAA eligibility to include dislocated workers affected by a shift in production in which the workers' jobs are moved to nations with no preferential trade agreements, such as China. It also gives our States the flexibility and increased funding to meet the increasing demand for services and increases the health coverage tax credit to 85 percent of the dislocated workers' health care premiums. It makes changes to simplify the application process for dislocated workers so that they can get help in a timely manner.

In the last 5 years, Mr. Speaker, North Carolina has been hurt by manufacturing layoffs more than any other State. We have had the most demand for trade adjustment assistance. Therefore, I urge the Congress to oppose this substitute amendment. Let's get on to the business at hand, approve this underlying legislation and have the President sign it into law.

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Mr. McCRERY. Mr. Speaker, I yield 4 minutes to the distinguished ranking member of the Trade Subcommittee, the gentleman from California (Mr. HERGER).

Mr. HERGER. Mr. Speaker, I rise in support of an amendment in the nature of a substitute to H.R. 3920 offered by Mr. McCRERY and Mr. McKEON. In particular, I would like to focus on the provisions in this amendment that would provide TAA participants with quicker access and more flexible training options to obtain the skills they need to return to work as quickly as possible.

H.R. 3920 contains some TAA training reform, but it is largely geared towards keeping people in TAA longer, and is costly. In contrast, this amendment provides much greater individual choice and more flexible access to training through a new approach designed to get people into training sooner and better equip them to get back to work more quickly. For example, this amendment would improve TAA participants' access to training and education by: one, providing New Economy Scholarships of up to $8,000 that a participant can use over a 4-year period in a range of training programs; and, secondly, authorizing $50 million for new capacity building grants for community colleges and other training providers to offer enhanced training to more TAA participants.

This amendment also would provide TAA participants with more flexible training options that are not available under current law, including allowing participants to combine full-time work with either full-time or part-time training, or combine part-time work with either full-time or part-time training; and allowing training programs that lead to a license, certificate or community college degree and are linked to a high-demand occupation, as well as apprenticeship programs.

Moreover, this amendment would enable TAA participants to begin training sooner, even prior to layoff. This amendment also allows workers to focus on a job search sooner, while receiving income support, without also having to be in training or obtain a training waiver, which is required today. This amendment also would encourage better allocation of current training funds for the States, which have not been fully used, by requiring the Department of Labor to report to Congress every 6 months on this funding allocation.

Mr. Speaker, I believe this amendment makes meaningful training reforms to TAA that would provide more flexible options to participants and better enable them to gain the skills they need to return to work sooner. I urge my colleagues to support the amendment in the nature of a substitute.

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MEEK).

Mr. MEEK of Florida. Mr. Speaker, it is an honor being here to address this piece of legislation, TAA legislation especially, better known as the Trade and Globalization Assistance Act. It is very, very important to the progress of trade. Also, it is important to many States out there in the Union. I think it is important. I stand to oppose the Republican amendment to this great piece of legislation, because if you adopt their amendment, you're doing less than what we would like to do in the present legislation that is on the floor today.

Mr. Speaker, when it comes down to training funds, this bill doubles the current training funding cap from $220 million to $440 million and increases it to $660 million by 2010. This is music to the ears of so many States and especially individuals that have lost their jobs because of trade, because of globalization.

So we are here on the floor, especially with me being a member of the Subcommittee on Trade, we are here on the floor to promote not only training, but also assisting those States that are led by Democrat and Republican Governors. So I share with all of my colleagues here on the floor: Do what is right. To say that we can cut things in half or keep things at status quo and still do a good job by allowing individuals that have lost their jobs the assistance that they need as relates to training, as it relates to health care, is just not living in the real world.

I encourage the Members to vote against the Republican amendment, oppose it, and support the Trade and Globalization Assistance Act that is brought by the majority. I know that it will be a bipartisan vote in the final analysis.

Mr. McCRERY. Mr. Speaker, unless the cavalry comes riding over the hill, I only have one remaining speaker.

Mr. McDERMOTT. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I rise in opposition to the McCrery amendment in the nature of a substitute. I support the underlying bill, H.R. 3920, which is important to our State of Texas and to our Nation. The Education and Labor Committee, on which I serve, is separately considering the reauthorization for the Workforce Investment Act. The Trade and Globalization Assistance Act is not the appropriate bill for addressing it. Rather than address the root causes of why little actual job training services are provided under WIA, the McCrery substitute gives Governors and not consumers, the American workers, greater control over critical resources.

Mr. Speaker, most alarming is the fact that the minority believes it can simply change the bureaucratic elements of the WIA system and ensure those who need training receive it. Actual job training has fallen 50 percent under WIA, compared to JTPA. Only 200,000 adults and dislocated workers have received training, out of 8 million unemployed individuals. The Department of Labor estimates that less than 50 percent under WIA funds are being used for core, intensive and training services. In real terms, appropriations for WIA have dropped by over $1 billion during this administration's clock in the last 6 years. Just this past year this administration has proposed a cut of $1 billion, including a rescission. Fortunately, our Appropriations Committee has restored this funding.

It should also be noted that WIA expired in 2003, and the minority had ample opportunity to reauthorize WIA but failed to do so. Representative MCKEON only introduced the WIA reauthorization bill earlier this month, essentially with the same proposals that failed to pass the previous two Congresses. Moreover, given the length of time that has transpired from the 108th Congress when the Workforce Investment Act was due to be reauthorized, until today, it is essential that we give this critical piece of legislation a fresh look.

Mr. Speaker, we have a changing economy and labor force, which means that there are new challenges and new opportunities that we should consider. The Education and Labor Committee has actively begun the WIA reauthorization process. The Subcommittee on Higher Education, of which I am the chairman, held two hearings in June and July, and received recommendations from stakeholders on WIA reauthorization. The subcommittee also asked all interested parties to submit proposals to the committee, and the committee staff is reviewing those recommendations that have been submitted by over 2 dozen organizations and continues to meet with interested groups on WIA. Committee staff has offered to work with the minority staff as WIA proceeds through the committee.

Regrettably, WIA programs have suffered funding cuts over the past 7 years, largely because the administration requested the cuts and opposed congressional efforts to approve WIA funding.

Mr. Speaker, I urge my colleagues to reject the substitute amendment and to vote for passage of the underlying bill.

Regrettably, WIA programs have suffered funding cuts over the past 7 years largely because the administration has requested the cuts and opposed congressional efforts to improve WIA funding. It is my hope that we can generate bipartisan support to reverse that trend.

I urge my colleagues to reject the substitute amendment and to vote for passage of the underlying bill.

Mr. McDERMOTT. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I rise in opposition to the McCrery substitute and in support of the Rangel-Levin-McDermott underlying bill.

As we continue to expand and open our markets to new competition, we have an economic and a moral responsibility to ensure that our domestic workers are equipped with the necessary skills and tools to compete in a global market.

I support free trade, which is all the more reason to support the reforms and expansion of a program that will help our workers adversely affected by trade and the globalization of our economy. It is estimated that more than 3 million service workers' jobs will go overseas by 2015, so the expansion of coverage to the service workers section is especially important and appropriate.

But the McCrery substitute will limit trade assistance adjustment by not offering any support to service or public sector workers. The substitute will also set a cap on available training funds, denying many workers the tools and resources to be more competitive in the global economy. And as I read the language of the substitute, for the first time of the 70-year history of the unemployment insurance system, the substitute would allow States to deny unemployment insurance benefits to dislocated workers. The underlying bill provides American workers with the support and tools needed to expand job training opportunities and transition workers into 21st century jobs.

This bill, H.R. 2930, triples the current job training cap to $660 million by 2010 and increases the health care premium subsidy to 85 percent. This is an important investment in the American workforce to enable Americans to remain competitive in the global economy.

So I ask my colleagues to vote against the Republican substitute and vote for H.R. 2930, the McDermott-Rangel-Levin bill.

Mr. McCRERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would point out that service workers today are entitled to unemployment insurance benefits, and that is the primary form of income support under TAA. But to expand to service workers all of the other array of benefits under the TAA may be premature.

In a bill that passed this Congress and was signed by the President earlier this year, there was a mandate for a study to look at service workers and the impact of trade on service workers. We don't yet have, obviously, the results of that study, so it may be premature to just willy-nilly offer all these benefits to service workers.

And while Mr. MORAN spoke about some projection of losses of service worker jobs over the next 10 or so years, in an April 2007 paper, the Peterson Institute for International Economics evaluated data on the extent of the impact of off-shoring on service sector labor markets in the United States, and their review of the data concluded that just under 1 million American service workers lost their jobs from 2004 to 2005 due to mass layoffs of 50 or more employees, while 8 million service sector jobs were created during that time. And of those 1 million jobs lost, only about 4 percent could be attributed to off-shoring or offshore outsourcing.

So I think the question of the impact of trade on the service sector is certainly an open one, and the House may be well advised to wait for the results of the study that we mandated in previous legislation that passed this year.

Mr. Speaker, I reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman for yielding, and I rise in opposition to this substitute and in strong support of the underlying legislation.

I really want to say that I think that this is the bare minimum that a society and a government can do for those members of our society that find themselves in a situation, really through no fault of their own, that they suffer job loss because of a decision that is made to close a facility or to transfer their job overseas.

What we have now seen over the last decade is that there has been a huge impact in families all across this country, in all different parts of the region of this country, that have been economically severely displaced, that have had to scramble to try and get job training, to get health care, to get a new job, to get a new profession, to get a new occupation. At first, people thought it was only limited to those who did hot, heavy, dirty, nasty jobs. But that is not the case. What we see is, with the continued trend toward globalization and outsourcing, that it can impact all different classes of Americans.

But at a minimum, what we ought to do is make sure that those people have some ability to make a transition to that new job, to that new profession, to retirement if they are older workers, and not risk losing everything that they built up during the time that they were holding their jobs. They should not be in a position where they are scrambling to try to find health care, job training, saving their home, maybe their kids' education, and maybe even the car they need to go to work. Too often, that is what happens in this country because of the inadequacies of these underlying laws. Trade assistance over the last decade, WIA over the last decade, have not provided comprehensive services for these workers that they can fully engage in.

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We need these kinds of changes that are presented by the committee bill coming out of Ways and Means. I believe we need the notification provisions that came out of the Education and Labor Committee, and clearly we need an extension of the COBRA benefits for people who find themselves in great jeopardy of not only temporarily losing health care, but very likely permanently losing health care until they are eligible for Medicare because they may have health conditions that are preexisting and it is either so expensive to get an individual policy or people won't write that policy for them, for whatever excuses they have to cover up the idea of a preexisting condition.

So this is a basic fundamental compact between this government that has made a decision, I think properly so, to engage the rest of the world through trade agreements and globalization, but we have to look at what happens here at home. These trade agreements are now being strengthened through the good work of Mr. RANGEL and the committee and Mr. LEVIN and others, to provide for ILO labor standards overseas so we can compete on a fairer basis with workers overseas, with environmental standards so we don't let them subsidize products by just dumping toxins into the rivers and bays and oceans.

This is an important piece of legislation, and I urge my colleagues to support it.

Mr. McDERMOTT. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, my distinguished colleague from Louisiana keeps worrying about the fact that we are mischaracterizing his amendment. I want to take a specific because the whole question of putting a cap on training benefits is a cut in benefits from what we presently have. The unworkable thing that was in the law before, when you cap at $4,000 the amount per year that a worker can get, a total of $8,000 over a 2-year period, in Minnesota and Maine, 50 percent of the workers spend $10,000. Thirty percent of the TAA workers in Pennsylvania spend more than $15,000 over 10 years. Twenty-five percent of the people in South Carolina spend over $15,000. Eighty percent of the workers in Nebraska spend more than $10,000.

Now, when you put that cap on there, you are saying to a 45- or 50-year-old worker who used to make 35, 40, 45, 50, $55,000, we are not going to give you sufficient money to really retrain for a job that you had equivalent in pay before. You are saying whatever you can get for four grand, fine, that's it. But if it takes more than that, well, you're on your own.

This bill is designed to try and help workers who were the middle class in this country, people who were making livable wages. Now, you also say in your bill that your wage insurance, it used to be in the present bill if you were over 50 and your job was making less than $50,000 a year, you could receive up to an additional $5,000 if you took a job that paid less than you were making before.

Now, what you've done in this bill, in this amendment you offer, you say we will give you a minimum wage job, and if you don't make an additional $2.40 above that minimum wage in your State, then we will sort of give you a little cushion up to that $2.40. That is pushing people to low-wage jobs. You are taking those $50,000-a-year people who were working in auto factories and working in manufacturing jobs across this country and you are saying, go out and get yourself a minimum wage job and we'll give you an extra $2.40 an hour. My, aren't we generous.

And you understand why we talk about you gutting what miserable program you put in place in the first place.

This bill that we have put together here today is one that will allow States, and the reason why we put additional money in for training is no one could use it before. They will under our bill.

Mr. McCRERY. Mr. Speaker, in response to the remarks of my friend from Washington, I would point out that using Bureau of Labor statistics, the average cost of training under current law is only $3,000. So the $8,000 New Economy Scholarship in our substitute more than doubles the amount available.

In the case of remedial education, the scholarship amounts to an extra $1,000, nearly tripling the average cost of training.

The most common provider of occupational training is the local community or technical college. The limit of $8,000 over 2 years is significantly greater than the average cost of a 2-year program at a community college, and is similar to limits that apply to other Federal postsecondary assistance.

Under current law, Mr. Speaker, while there is no specific monetary limit, as there is in our substitute, the cost of training must be reasonable and that reasonableness is decided by the various States. So the amount that is available is subject to judgment and to uncertainty. Our substitute removes that uncertainty so that a person knows going in how much he is going to have to spend on training.

Our substitute significantly enhances access to training by removing additional eligibility criteria and allowing people who do get new jobs to use the training benefit unlike current law. So we expand current law in that regard with respect to training benefits.

Mr. Speaker, I hope the gentleman from Washington has listened to my rebuttal and is convinced now that we don't gut the training benefits in TAA. If he is not, though, if he will vote for the substitute, I look forward to working with him to smooth out the complaints that he has.

I reserve the balance of my time.

Mr. McDERMOTT. I wish you and I could have a debate.

Mr. Speaker, I yield 2 minutes to Mr. SESTAK, the gentleman from Pennsylvania.

Mr. SESTAK. Mr. Speaker, I watched the world change during nearly four decades in the Navy, having joined up in 1970. I have been almost everywhere. Several decades ago I went to China and to the United Arab Emirates when they were not the powers they are today.

The strength of our international trade is absolutely crucial to the economic prosperity and global competitiveness of our Nation. But there are consequences of globalization, and we must address them if we are to remain and have a fully skilled workforce that can continue to compete.

This is why trade adjustment assistance is so important. It ensures the transition of the workforce that is negatively impacted by trade to step back and to receive the tools that prepare them to reenter the workforce at a higher, more skilled, competitive level. Good for them. Good for America.

The substitute amendment removes this focus on ensuring a more wealthy economy because of a retrained workforce. It actually caps retraining funding at $8,000, less than all but one State. This, when economists state that if our competitive ability, based on an innovative, skilled workforce, does not change, China will be the number one economy by 2050 and India number two. We will be number three.

As service workers have grown to be a more significant part of the economy than they were when the initial Trade Assistance Act was passed in 1962, it is vitally important that we invest in their retraining also.

The substitute amendment would actually remove these workers, needed to be re-skilled for our economic future, from the bill. And at a time when health care premiums have risen as a not-so-hidden tax, 70 percent in the last 6 years, the substitute amendment does nothing to fix the flaws in the old Trade Assistance Act that precludes families from receiving the health care tax credit for which they are eligible.

In short, having visited the UAE and China decades ago, and seeing them now, there is no question that a small investment in a healthy, educated and retrained workforce is needed to preclude our economy from being number three.

We want the same quality of life our forefathers had when they invested in the GI bill, and this is no different. This is a small investment so we give the quality of life we had to our children.

Mr. McDERMOTT. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. The choice is clear. We have heard your rebuttal. Your bill does really nothing about the problem for people in manufacturing. If there is an outsourcing to China, the workers are out in the cold. That is cold, not like you. But it is cold.

Service employees, why distinguish? It is an increasing part of our economy. You do nothing.

In health care you put a little patch on a big problem, and that is not good health care.

Essentially what you are trying to do with your substitute is to minimize the problem rather than maximizing an effective response. The 3 percent figure as to the impact of trade is really out of thin air. It is surely not true of manufacturing. Not at all true. Some who served in Republican administrations say it has been much more than that.

In the capping of training, we heard the response from the representative of the administration. That $3,000 figure at best is an average, and even that is indefensible. Mr. McDERMOTT read to you the number of States where training is much higher, so you essentially cut the worker off halfway. That's what you are going to do in terms of training.

Seven States ran out of resources in 2007, nine in 2006; you do nothing. We need a new trade policy. We need a new, vigorous TAA. We need more than a pat on the back.

Our bill does what needs to be done. I am afraid the substitute at best is a pat on the back. Let's vote it down. Let's have a bipartisan vote for this TAA. Bipartisan, as we did in the Ways and Means Committee. Bipartisan.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LYNCH). The Chair reminds Members that all remarks in debate are to be addressed to the Chair.

Mr. McCRERY. Mr. Speaker, may I inquire how much time remains on each side.

The SPEAKER pro tempore. The gentleman from Louisiana has 9 minutes remaining and the gentleman from Washington has 2 minutes remaining.

Mr. McCRERY. Mr. Speaker, I yield myself such time as I may consume just one more time to try to rebut the characterization of the other side of our substitute with respect to training.

The information that we have, and we think it is reliable, is that no State ran out of training money, but obviously the majority has different information and at some point during the process we would love to sit down with them and examine their data and our information to see if there is some way to reconcile those and arrive at a conclusion that we both can embrace. We have not had that opportunity other than the limited debate we had in committee and now here on the floor, and we are hearing the same thing on the floor we heard in committee and so we haven't reconciled those differences. But clearly there are differences in the data that each of us thinks is reliable.

Mr. McDERMOTT. Would the gentleman yield?

Mr. McCRERY. I would be happy to yield.

Mr. McDERMOTT. You will concede that the Department of Labor says that no State ran out of money, but that GAO said that nine States ran out of money, that there is an argument about how the States keep their books, will you not?

Mr. McCRERY. Yes. As I said, I think each side has information that it deems reliable, but we have attempted to try to reconcile those two different sets of data. I am hopeful we will do that before this process is over.

Mr. McDERMOTT. I hope you understand we put in more money because we hoped to cover more people.

Mr. McCRERY. Absolutely.

Mr. McDERMOTT. If we change some of the regulations, it will be more accessible to people.

Mr. McCRERY. Absolutely. I do understand that. We, of course, as you know, question the need right now to include all those additional people, as I have talked about before, with respect to services workers.

□ 1430

But our substitute with respect to the universe of people presently covered under law by the Trade Adjustment Assistance, we think the training money in our substitute is more than adequate to cover the needs of that population with respect to training.

Mr. Speaker, I have one remaining speaker. The gentleman from Washington only has 2 minutes remaining, but are you ready to close?

Mr. Speaker, with your permission, I'll close for our side.

Mr. McDERMOTT. Mr. Speaker, do you have the right to close? I think you have the right to close.

The SPEAKER pro tempore. Under the rules of the House, the gentleman opposing the amendment has the right to close, the gentleman from Washington.

Mr. McDERMOTT. We have the right to close?

The SPEAKER pro tempore. You have the right to close, that's correct.

Mr. McCRERY. Oh, well, thank you for the kind offer. I'm happy to close at this time, Mr. Speaker.

I think we've had a good debate today on the different approaches that the majority and minority have at this point on the Trade Adjustment Assistance Act. We certainly understand the importance of providing an array of benefits to people in this country who lose their jobs because of trade, and certainly Chairman RANGEL and I have talked and agreed that it's necessary for Congress to take action and to make sure that people in this country know that as we expand trade, that the benefits of trade expansion will be uneven. And there will be some in this country who will lose their jobs because of that expansion of trade, and we need to be prepared to assure those people that we will help them give them that helping hand to lift them up after they've lost that job and find training, education, whatever is necessary to get them a new job if they desire, and in the meantime give them benefits that will allow them to take care of themselves and their families.

So we agree on the importance of this program. I had hoped we would have had more give-and-take over the last couple of months with respect to crafting a bipartisan approach to reauthorizing the program, not only because the program was originally a bipartisan program, but also because we are trying, some of us on both sides of the aisle are trying to rebuild that bipartisan coalition for the expansion of trade around the world, knocking down trade barriers to our goods and services, to make the playing field more level for United States producers of products and services. And as we attempt to create or recreate that bipartisan coalition for the expansion of trade, we understand that one leg of that effort has got to be reauthorizing and strengthening not only TAA, but perhaps even going beyond the current universe of beneficiaries of a Trade Adjustment Assistance program and looking at enhancing the benefits of all workers who lose their jobs, not just because of trade but perhaps due to things that are more in the rubric of globalization but not specifically trade.

So I'm glad that we have this bill before the House today. I'm hopeful that we can reauthorize in some form this very important program before the end of this year. I regret that I cannot support the majority bill that's on the floor today. I think we have offered a reasonable substitute and I'm hopeful that the House will adopt our substitute, and then as the process moves through the Senate and to the President, we can perhaps refine that product some more and get a bipartisan agreement.

So with that, Mr. Speaker, I urge adoption of the substitute.

Mr. Speaker, I yield back the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield the remaining time that we have to the Speaker of the House, NANCY PELOSI.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and for his important work on keeping America number one.

In recent years, the increasing global market has brought many opportunities but has also created unprecedented challenges as to how we address the increased economic insecurity faced by many of America's working families. For a long time, unfortunately, Mr. Speaker, trade policy has focused more on opening new markets and has dismissed the real consequences of those faced by those who lose their jobs as well as their communities across America that are hard hit.

Democrats recognize that our economic future rests with our ability to open new markets for U.S. goods, especially since our markets are already largely open to our trading partners. However, the status quo is not working, and we must do much more to help American workers compete and thrive in the increasingly competitive global market. That is the purpose of this important legislation before us, the trade adjustment assistance bill.

Mr. Speaker, being from Massachusetts, I'm sure you've read in the history books, for somebody of my age I recall, when President Kennedy called for the, called upon the American people with his challenge to put a man on the Moon and have him safely return within 10 years. It was very, very exciting. It was almost unbelievable, but it did happen. Why I mention it, though, is because in his remarks at that time, President Kennedy said, if we are to honor the vows of our Founders, we must be first, and therefore we intend to be first. For our science and industry, for peace and security, we must be first. And that's what this is about today, how America can continue to be number one.

We have worked together with that Innovation Agenda in that spirit; the Innovation Agenda, much of which has been passed overwhelmingly in a bipartisan way by the Congress and signed into law by President Bush. And it will help promote, will make serious and sustained investments in research and development, help promote the public-private partnerships that will develop high-risk, high-reward ideas into marketable technologies and more jobs for American workers. In other words, we're saying, if we are going to compete successfully, we must innovate, and that innovation begins in the classroom.

So Democrats recognize in the global knowledge-based economy, America's greatest resource for innovation and economic growth resides within America's classrooms, and we have made a new commitment to encouraging students and encouraging highly qualified teachers in the field of math, science and engineering.

We've also made higher education more affordable and accessible. Again, in the strong bipartisan way voted by the House, we passed the College Cost Reduction and Access Act. That was signed into law by the President and has made the largest investment in college affordability since the GI Bill was passed in 1944, a bill that was referenced by our colleague, Mr. SESTAK, earlier.

We've also forged a new approach for free trade agreements where, for the first time, Democrats in Congress and Republicans, working with Mr. McCRERY and Mr. RANGEL, the chairman, working with the administration, were able to forge a new approach. For the first time, enforceable basic labor rights and environmental standards will be included in free trade agreements negotiated by the Bush administration ensuring that our trading partners do not lure American jobs abroad through the use of weak labor laws and lax environmental standards.

Today's bill is the next step in our agenda to expand economic security. It's a departure from the status quo. The current trade adjustment assistance initiative does not do enough to help those who lose their jobs through no fault of their own.

Specifically, as has been mentioned before, the bill will dramatically expand the number of workers who will qualify for TAA benefits. This is very important. It will offer increased funding and options for workers' training so that individuals can pursue substantive training programs that lead to higher paying jobs. It will expand access to health care by strengthening and streamlining the health care tax credit and other health benefits so that workers are not forced to live without health care as they search for a new job. And it will revitalize communities decimated by manufacturing job loss with tax incentives. Those are some of the provisions of this important legislation.

This would represent a huge step forward. This would say to the American people and the American workers who have lost their jobs or are concerned about losing their jobs to trade that they are not alone.

The bill represents a renewed commitment to helping American workers who have lost their job through no fault of their own. Free and fair trade can only thrive if we help those who are facing the downside of a global economy.

In the coming months, Democrats will continue to lay out a positive agenda to ensure economic growth and economic security for America's families. We will continue to pursue a positive agenda to keep America number one. I urge our colleagues to oppose the substitute and to support the underlying legislation.

The SPEAKER pro tempore. Pursuant to House Resolution 781, the previous question is ordered on the bill, as amended, and on the further amendment by the gentleman from Louisiana (Mr. McCRERY), as modified.

The question is on the amendment by the gentleman from Louisiana (Mr. McCRERY), as modified.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. McCRERY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 196, nays 226, not voting 10, as follows:

[Roll No. 1024]

YEAS—196

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Boyd (FL)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Costa
Cramer
Crenshaw
Cuellar
Culberson
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—226

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Clyburn
Cohen
Conyers
Cooper
Costello
Courtney
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Flake
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tancredo
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—10

Alexander
Carson
Cleaver
Cubin
Jindal
Paul
Schiff
Wasserman Schultz
Weller
Wilson (OH)

☐ 1505

Mr. SCOTT of Georgia, Ms. LORETTA SANCHEZ of California, Ms. WATSON, Ms. KAPTUR and Messrs. STARK, STUPAK, MORAN of Kansas and RUSH changed their vote from "yea" to "nay."

Mr. TERRY and Mr. SAXTON changed their vote from "nay" to "yea."

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. POMEROY was allowed to speak out of order.)

IN MEMORY OF THE LATE PETER HOAGLAND

Mr. POMEROY. Mr. Speaker, I have sad news for the House today. Our former colleague and dear friend, Peter Hoagland of Nebraska passed away yesterday in the hospital in Bethesda.

Peter served three terms in the House. Being an at-large Member from North Dakota, as I arrived, I looked to this distinguished gentleman from Omaha to be not just a friend but also a mentor.

During my years in this body, I have never served with anyone who enjoyed service in this Chamber more than Peter Hoagland. And yet, he would lay his tenure right on the line to stand for what he believed in and cast his votes in a way that were an example in high principle.

Peter will be deeply missed by his family; his wife, Barbara Hoagland; five children, Elizabeth, Katherine, Christopher, David and Nick; as well as the countless friends he leaves behind. Our thoughts and prayers are with them at this difficult time.

And I have, for any Member requesting, the information in terms of how to contact the family during this hour of bereavement.

I want to yield a moment to Congressman LEE TERRY, who now represents the seat previously held by Congressman Hoagland. And at the conclusion of Congressman TERRY, if we might rise in a moment of silence.

Mr. TERRY. Mr. Speaker, on behalf of all of my colleagues here and the constituents of the Second Congressional District, our prayers go out to Barbara, his wife, and their five children.

Peter passed away yesterday. He was a mere 66 years old. Many of you know that served with him that he developed Parkinson's the last few years, and it slowly had worsened. But as is typical with Pete, instead of feeling sorry, he went out and became an advocate for those with Parkinson's disease, frequently coming to our office to talk about his advocacy and also about local politics back home.

Pete first ran for the State legislature in Nebraska in 1978, where he became known as this idealistic, principled, yet liberal Member from midtown Omaha, which was surprising because he grew up in a family of pretty hard-core, conservative Republicans.

But I got to know Pete. In fact, Pete even offered me a clerkship in his law office in 1986, and we became fast and good friends.

He then ran for Congress in 1988 where, with the utmost dedication, he represented the people of the Second District of Nebraska, carrying on that principled, idealistic nature that he brought to the Nebraska State legislature.

So on behalf of people of the State of Nebraska and the Second Congressional District, I'll say that we will miss our friend, Pete Hoagland.

At this time, I'd like to yield to my friend from New York.

Mr. ENGEL. I thank my friend from Nebraska, and I too want to rise to pay tribute to my classmate in 1988, Peter Hoagland. Peter and I were best friends, socialized with our wives and our kids many, many times. He was truly a gentleman. Both our colleagues from North Dakota and from Nebraska really epitomized what Peter meant to all of us. His wife, Barbara, and the five children, a wonderful family.

And let me just say that Peter was in public life for all the right reasons. He cared so much about this country. He cared so much about public policy. He cared so much about people.

In all the time I was with Peter, I was with him a lot, I never once heard him utter a negative word about anybody. He really truly respected this institution. He loved our country, and he respected each and every Member in this House, on both sides of the aisle.

It came as quite a shock to me when I found out about his passing, although I had known that he had been ill for a while. Sixty-six is awfully young, too young, when you have such a good person with such a great, keen intellect and a wonderful person.

So I just want to say on behalf of myself, my wife Pat, my family, and our class of 1988, we were 18 Democrats and 15 Republicans that year, we're all going to miss Peter very, very much, and may he rest in peace.

Mr. HOYER. Will my friend yield?

Mr. TERRY. I yield to the gentleman from Maryland.

Mr. HOYER. I thank the gentleman for yielding. I know that Mr. TERRY has spoken for all of us, and Mr. ENGEL, Mr. POMEROY.

For those of us who had the opportunity to serve for an extended period of time with Peter Hoagland, for those of us who knew Peter after he left the Congress of the United States, this is a sad day. It is an appropriate day, however, to remember, as Mr. ENGEL said, a gentleman who had nothing bad to say about any of our Members on either side of the aisle; a Member who was positive in his approach; a Member who was gracious to all; a Member who cared deeply about his country, about his State, and about his service in this institution.

Peter Hoagland was a good and decent man who served his country well, and will be sorely missed by us all.

Mr. POMEROY. At this time, then, Mr. Speaker I'd ask that we might have a moment of silence.

The SPEAKER pro tempore (Mr. LYNCH). A moment of silence has been requested. Will all Members rise.

(By unanimous consent, Mr. SHAYS was allowed to speak out of order.)

IN MEMORY OF THE LATE THOMAS MESKILL

Mr. SHAYS. Mr. Speaker, I rise to eventually ask for a moment of silence for a Member of this Chamber who has passed away; that's Thomas Meskill. He was in the U.S. Air Force and in Korea for 3 years. He was the former mayor of New Britain, Connecticut. He was a Member of Congress for two terms in the Sixth District. He was Governor of the State of Connecticut, and he was judge of the U.S. Court of Appeals, Second Circuit. He was, for a period of time, the chief judge. He was clearly a distinguished member of Connecticut, a very respected elected official, but was most respected for his service as a judge in the Court of Appeals for 30 years.

Before asking for a moment of silence, I would like to yield to Mr. LARSON, who wanted to make sure that this House recognized this distinguished gentleman.

Mr. LARSON of Connecticut. Mr. Speaker, I thank Representative SHAYS for yielding.

This is a very difficult time for the Meskill family, whose husband, father, grandfather served as Governor of the State of Connecticut, was a judge in the Second Circuit, chief judge from 1991 through 1992. He served in this body with distinction. He was the former mayor of New Britain, Connecticut.

☐ 1515

I had the opportunity to work with Governor Meskill, Congressman Meskill, and our hearts and thoughts and prayers go out to Mary, his lovely wife; and his entire family.

With that, I would like to yield to the current Congressman from that district, CHRIS MURPHY.

Mr. MURPHY of Connecticut. I thank the gentleman for yielding and I thank Mr. SHAYS for bringing this before the House.

As the Member of Congress who now has the honor of serving New Britain, Connecticut, I can tell you, as someone who didn't know Governor Meskill and Congressman Meskill personally, that he loved the City of New Britain and the City of New Britain loved him back. He earned the nickname of "Tough Tommy" during his time in the Governor's mansion when he turned a very large deficit into a very large surplus in a short amount of time. As you have heard, there was hardly an office in Connecticut in any of the branches that Governor Meskill did not hold.

New Britain is better off for having him. It bears his stamp. We all stand today to mourn his loss and send our condolences to the family.

Mr. SHAYS. Mr. Speaker, as we rise in silence, if we could remember his wife, Mary; his two daughters, Maureen and Eileen; his three sons, John, Peter, and Thomas; and his seven grandchildren.

The SPEAKER pro tempore (Mr. LYNCH). Members will rise and the House will observe a moment of silence.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. McDERMOTT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 264, nays 157, not voting 11, as follows:

[Roll No. 1025]

YEAS—264

Abercrombie
Ackerman
Aderholt
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean

Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fossella
Frank (MA)
Gerlach
Giffords
Gillibrand
Gonzalez
Goode
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin

Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)

Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Reynolds
Richardson
Rodriguez
Rogers (MI)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walsh (NY)
Walz (MN)
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NAYS—157

Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert

Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono

Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan

Burgess
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cannon
Cantor
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Gohmert
Goodlatte
Granger
Hall (TX)
Hastert
Hastings (WA)
Heller

Herger
Hobson
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Lampson
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul (TX)
McCrery
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Mitchell
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Platts
Poe

Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Walden (OR)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Alexander
Carson
Cubin
Hensarling

Jindal
Paul
Ryan (WI)
Schiff

Wasserman Schultz
Weller
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

☐ 1534

Mr. ROGERS of Alabama changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO GO TO CONFERENCE ON H.R. 3043, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. OBEY. Madam Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 3043) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, with the Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mrs. TAUSCHER). The gentleman from Wisconsin is recognized for 1 hour.

Mr. OBEY. Madam Speaker, I yield 30 minutes to the gentleman from California (Mr. LEWIS) for the purpose of debate only. And I yield myself 30 seconds.

Madam Speaker, the motion is self-explanatory. This will enable us to go to conference with the other body on the Labor, Health and Human Services and Education bill and begin the process by which we can deal with the conference reports on the seven bills so far completed action by the Senate.

Madam Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today to discuss what appears to be one of the most highly unusual decisions made by the leadership of the House by way of combining the Labor, Health and Human Services bill with Military Construction, VA, and all those programs that relate to veterans, and the DOD bills into one package to be sent to the President.

It is my understanding that included in this package may be disaster funding relief that could affect wildfires in the West. There may be other popular items that the majority may attempt to air-drop into conference. In theory, the bill itself is supposed to focus upon health care for our citizens across the country, labor programs and education programs, not defense, not veterans programming or other related programs. This package would exclude any DOD bridged supplemental funding for our troops.

Last year, a bipartisan group of Members demanded that the administration send a full-year supplemental request for activities related to the global war on terror. Now that the administration has provided the full-year request, the House and Senate leadership have refused to provide this critical funding for our troops who are serving in harm's way.

Additionally, instead of moving the Labor-HHS bill, the DOD bill and the MilCon-VA bills through the process by regular order and holding separate conferences, this omnibus package would be carried as part of the Labor-HHS bill.

Frankly, as I talk to my colleagues who know the appropriations process around this place pretty well, they can't quite believe why we're doing this. For each of these bills passed the House separately and individually, they've got programs that are highly supported. There is little doubt that regular order would work if the leadership would allow it to work.

Let me be clear on this. The President has already indicated that he will sign a freestanding MilCon bill, and he will sign a freestanding Defense bill. Especially it's important to note that the MilCon bill includes funding for veterans as well, with a commitment for his signature. By not moving these bills individually, the majority is using our veterans as well as our troops essentially as political pawns.

Yesterday, I had a conversation with the President's Chief of Staff, Josh Bolten. He clearly indicated that if this package makes its way to the White House, it will be vetoed by the President in this form. Apparently the President delivered a similar message to our Members and the press at the White House yesterday morning.

Personally, I think it's outrageous that the majority is proceeding in this way with funding for our troops and our veterans simply to try to push through a 10-plus billion dollar increase in the Labor and Health and Human Services programs. To me, this is nothing more than essentially, at least some would describe it as political blackmail, as well as a poke in the eye to our troops, our veterans, our Members, as well as our President.

To the Democrat majority who conceived this misbegotten, ill-conceived legislative strategy, let me say this: You are not only making a mockery of the legislative process, you are intentionally undermining a strong bipartisan desire to fund our troops, provide medical care for those troops, as well as provide funding for our veterans. This approach is kind of like the SCHIP package on steroids. And I believe that it, too, will fail.

I do not intend to sign the conference report or vote for it when it reaches the floor. I will also be supporting the President's veto, should he decide to veto this package. Clearly, this is in excess, and it's a fundamental violation of what I think should be the tradition of the appropriations process.

Madam Speaker, I reserve the balance of my time.

Mr. OBEY. Madam Speaker, I yield myself 8 minutes.

Madam Speaker, the gentleman is a good friend of mine. And I don't mind his pulling my leg, but from way over there, it's a little bit of a stretch.

Let me simply recite a few facts. If we take a look at the past history to see how these bills have been handled in the past, the gentleman talks about having a separate military construction bill. The fact is, over the last 5 years, when our Republican friends controlled this House, on three occasions they tied the military construction bill to other bills. And on one occasion, they never managed to pass a military construction bill at all. Only once in the past 5 years did they pass a freestanding military construction bill. So, I will stack our record against theirs any time.

There is another substantial difference between us on that score. In the 2007 budget and in the bill before the Congress now, we've added $7 billion in additional funding for veterans health care, money which the administration itself opposed. So, I make no apology for what we have done on that score.

Let me also point out the gentleman is objecting to the possibility that we will combine the labor, health, education bill, the defense bill and the military construction bill into one piece. If we do that, that would mean that 90 percent of the dollars in the bill would be security related. The President has asked us to send him a defense bill and to send him a military construction bill. That is exactly what we would be doing. In addition to that, we would be sending the largest domestic bill, so that together we would be sending, in essence, 71 percent of the appropriation part of the budget down to the White House. I make no apology for that.

I would also point out that, while the gentleman has a newfound objection to omnibus appropriation bills, during the 12 years in which the Republicans controlled this body, 56 times they sent omnibus appropriation bills to the President for his signature.

□ 1545

During the Bush administration, they sent omnibus appropriation bills to the President 27 times. The President had no objection whatsoever when they came from a Republican Congress. I find it interesting that he now professes objection because we are doing what his Republican Party did in spades for so long.

In fact, last year, the other side, when they controlled this House, they avoided sending an omnibus appropriation bill to the President because on the domestic side of the ledger, they didn't bother to send him any at all. So we had to spend the first 6 weeks when we were in control of this body cleaning up last year's Republican business.

I would also point out, lest we take lectures from the administration and OMB, Mr. Nussle, who is the President's new budget director, he was chairman of the Budget Committee for 6 years. Since 1976 when the Budget Act was passed, Congress failed to pass a budget resolution four times. Three of those four times occurred when Mr. Nussle was chairman of the committee. So I don't think I am going to take any lectures about the newfound interest of the new budget director in having timely consideration of any matter related to the budget.

I would also point out that during Mr. Nussle's tenure of 6 years, the Republican Congress passed three omnibus appropriations and one omnibus CR. So it seems to me that this is a debate about, if not nothing, at least very little. I would simply say that what we ought to be looking at is not what kind of a ribbon we have on the package, but we ought to be taking a look at the contents of the package. And I make no apology whatsoever about the contents of this package.

Now, if we take a look at the President's statement, his veto pronouncement yesterday, he says that the Congress has wasted time voting on efforts to change direction in Iraq. I would suggest that the President has wasted 5 years of the country's influence by the way he has handled Iraq in the first place. The President objects to the fact that in all of the domestic appropriation bills, we are some $20 billion above his budget suggestion, about 2 percent. That 2 percent difference is the difference between having a President and having a King. And I would point out, he wants to spend 10 times that much money in Iraq in just 1 year.

The President says that Congress has gone it alone on SCHIP. I would suggest the President has gone it alone in Iraq. He has gone it alone without our allies. He is going it alone now without the support of the American people. So I would be careful, if I were the President, referring to someone "going alone" on anything.

I would also point out that the President says the Labor-H bill is bloated. Well, as a practical matter, if we were to pass the President's budget, we would be cutting vocational education by 50 percent. We would be accepting the idea that we ought to cut the National Institutes of Health grants by 1,100 grants over the past 2 years. We would be accepting the fact that we ought to allow No Child Left Behind to become a hollow shell in terms of financing. The President is, in fact, objecting to our increase for special education, an item which the Republican Party in this House took the lead on in putting in the bill in the first place.

So it seems to me the President, his priorities are not supported by the country. So he is falling back on a process argument. I don't think anybody is going to be especially impressed.

With that, I reserve the balance of my time.

Mr. LEWIS of California. Madam Speaker, I just might mention that during the time that the chairman and I have worked together in the Appropriations Committee, we have talked many a time about process where we both happen to think it is very important. But the fact is that all three of these bills, the Defense bill, the MILCON and veterans bill, indeed, Labor-HHS, all passed this House separately. We could carry these bills in regular order. It is frankly a sham to suggest that it is a requirement to bring these packages together.

Mr. OBEY. Would the gentleman yield if I yield him a minute of my time? I ask unanimous consent to give the gentleman a minute of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LEWIS of California. I yield to the gentleman from Wisconsin.

Mr. OBEY. I would simply ask the gentleman, with the exception of last year when you were chairman, or last term when you were chairman, where were your speeches when your party brought those 56 omnibus appropriation bills to the floor? Where were your objections then?

Mr. LEWIS of California. Mr. OBEY, I know that you speak on the floor a lot more than I do, and I appreciate the talent with which you do it. But in the meantime, we are talking about regular order, trying to change the appropriations process so it makes sense, not destroy our committee. I would suggest we are on a pathway to destroy this committee.

Mr. OBEY. Are you saying that it didn't make sense when your party did what we are doing today 56 times? Is that what you are saying?

Mr. LEWIS of California. What I am suggesting, Mr. OBEY, is that there are, in this place even, there are people who sometimes use data and statistics for their purposes versus other purposes. This is our committee and I would hope we would run it in regular order.

Mr. OBEY. I find the gentleman's conversion interesting.

Mr. LEWIS of California. Madam Speaker, I yield 4 minutes to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. I thank the gentleman for yielding, and I certainly don't intend to lecture my good friend from Wisconsin on this process. He works hard. Between him and Mr. LEWIS, they probably have forgotten more and have also understood more about this process maybe than any other two Members that have ever served. But the fact is when Congressman LEWIS was the chairman, we actually took veterans out of the appropriations bill they had been in for years because we thought they had been used in a way that was not appropriate.

We took veterans out of VA-HUD and made it part of Veterans and Military Quality of Life for the specific reason that we didn't want to see that process that had gone on for too long continue. In 2005, the first year we did that, Chairman LEWIS and his committee brought that bill and every other bill to the floor one bill at a time. In fact, this is the first time since 1987, 20 years ago, that we have been in this part of October without a single appropriations bill having passed the House floor.

Clearly, if we were voting to go to conference on Labor, Health and Human Services, the motion before us, I would have some enthusiasm for getting at least one conference started. I would also be arguing that the conference we should be going on would be the ones for the bills that have been over here the longest, and one of those two bills following Homeland was, I think we call it now Military Construction and Veterans. But it is still a military quality of life bill. It still affects military families. It still affects retirees. It still affects veterans. And it is a bill that not only the President has said he would sign but this House passed 138 days ago. The Senate passed it almost 2 months ago and named their conferees 2 months ago.

This is a bill that does have increases for veterans. Every bill in the 10 years I have been here has had significant increases for veterans, none more so than this, to the point that the increases for veterans and military families and military construction in this bill, about $18.5 million a day, so if today we just multiplied that by 31, that is how much money hasn't been spent in the last month on military families, on military retirees, on military veterans, on people serving that would have been affected by military construction. It's high time we went to conference on that bill.

But what we don't want to start here is a process where we take our veterans and our military families and our retirees and we use them as a vehicle to have another political debate. As I understand, all I know is what I hear on the floor and read in the paper on this, that the plan is to take three bills, two of which almost every Member of this Congress voted for, add to them a bill that was as divisive in floor debate as any bill we debated, and have this three-car pile-on or this three-car pileup, this three-bill pileup that I think sets an unfortunate precedent for how we use veterans and military families.

I wish we were going to conference on a number of bills today, and I wish we were committed to do these bills in the way that both the chairman and the ranking member have argued effectively over years now that we should be doing these bills.

Mr. OBEY. I yield myself 1 minute.

The gentleman says that he finds this a precedent. I repeat, we are doing with Military Construction what the Republicans did in 4 of the last 5 years, considering Military Construction in association with other bills. I do welcome, however, the newfound expression of support for veterans by the now minority party. Over the last 2 years, we had to drag them kicking and screaming into voting for higher funding for budgets for veterans' health care than their own President wanted. In fact, when their committee chairman agreed with us 2 years ago that we needed to add a billion dollars to veterans' health care, they responded by removing that committee chairman from the committee because he wasn't following the party line.

I don't think veterans will have much trouble determining who has been on their side the last 5 years and who hasn't.

With that, I yield 3 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank the distinguished chairman of the Appropriations Committee.

Madam Speaker, this bill does, in fact, combine various other appropriations measures. But those measures in their totality clearly reflect the top priorities of the American people. In fact, every one of those bills separately passed with significant Republican support by significant bipartisan majorities in this House.

The reason that this bill in its totality makes sense and should, with all due respect, attract the support of my friends from the other side of the aisle is because it does, in fact, fund the global war on terror. It funds our defense. It funds military construction. But it also funds America's other priorities. It funds our troops but it also takes care of our veterans, the largest increase in veterans health care in the 77-year history of the VA. It funds our defense with a robust military. But it also funds the war on cancer with increased investments in the NCI and the NIH.

□ 1600

It funds our military so that we can achieve global stability, but it also gives working families and middle-class taxpayers a little bit of a break, actually, more than a little bit of a break, a significant break on their college expenses so that our kids can compete in a globally competitive environment.

I would conclude, Madam Speaker, by suggesting that the differences between where the administration is and where we are should not be minimized. They are significant. As the chairman said, this administration is arguing over a $22 billion increased investment with one hand, and, on the other hand, telling the American people they have to come up with another $200 billion for Iraq. We are spending $12 billion a month in Iraq. The difference between where the administration is and where we are on these other priorities is 2 months in Iraq.

We want $880 million in increased investment for LIHEAP so that senior citizens don't have to shiver in the cold because their heating costs are too high. That is 2½ days in Iraq, that $880 million. If we want to invest $1 billion in medical research for people with cancer, with Alzheimer's, with Parkinson's, that's 3 days in Iraq.

Our $1 billion investment covers an entire year. The administration's strategy covers 3 days in Iraq. We want $1.4 billion for the entire year for improved health care access. With this administration, the equivalent cost is 4 days in Iraq. We want $1.8 billion in increased investments to keep American streets safe with additional law enforcement and additional police. The administration says we can't afford to keep America's streets safe but is willing to spend an equivalent amount over 5 days in Iraq.

Madam Speaker, this bill reflects the priorities of the American people. Separately, the components passed with overwhelming Republican support. This should be a bipartisan effort. It should be a bipartisan effort because, number one, it supports our troops, provides for robust defense, and takes care of our priorities here at home as well.

Mr. LEWIS of California. Madam Speaker, I yield 1 minute to the Republican leader of the House, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Madam Speaker, let me thank my colleague from California for yielding.

Let me say that my colleague from California, the former chairman of the committee, and the current chairman of the committee, Mr. OBEY from Wisconsin, are two Members who spent their entire careers working through this appropriation process. They deserve the thanks and respect of all the Members.

The motion here to go to conference is not about the Labor, Health and Human Services bill. That is not the issue. The issue isn't whether we have omnibus bills. We have had omnibus bills long before I got here and they will be going on long after I have been here. The issue here is the fact that the plan is to move this bill to the Senate to get a conference report, to package the Labor, Health and Human Services bill with the Defense appropriation bill and the Military Quality of Life bill.

Why is this happening? Because our friends in the majority want to continue to play political games here in Washington, DC. We went through political games last week with the SCHIP vote, a bill that there was some attempt to work with us, but not really. No changes were made. We are going through the same process of having this bill vetoed again. Why? Because the majority refused to reach out and work with us in a bipartisan manner to resolve the few differences, the few differences we had in the SCHIP bill. But here we go again. Here we go again.

Madam Speaker, the majority knows and the President has made clear that he will veto this bill. To pass a bloated Labor, Health and Human Services bill on the backs of our troops and our veterans is not the right thing to do. It's a political trick. You're daring the President to veto this bill. Well, guess what? You know and I know that the President is going to veto this bill. Yet, here we go, playing political games once again.

As I said last week, I said last month, and probably the month before that, the American people are tired of all the political games. They want us to find some way to resolve our differences and to deal with the issues that they care about. There are a lot of important issues in the Labor, Health and Human Services bill that are very important to our country. There's a lot of important issues in the Defense appropriation bill. They help fund our troops and give them the tools that they need. Certainly, when it comes to the Military Construction Quality of Life bill, taking care of our veterans is very important. But you know and I know that this is not more than a political trick.

Let me tell you what; it makes me sick, makes me sick to watch this process continue, playing political games, and nothing gets done. Congress is at the lowest approval rating in history, and what is going on? We are continuing to play political games. That is why the American people are sick of this process, and it ought to stop.

Mr. OBEY. Madam Speaker, I yield myself 4 minutes.

Madam Speaker, there was an old comedian who used to say: When somebody says it's not about the money, it's about the money. When the gentleman says it isn't about the Labor, Health and Education bill, it's about the Labor, Health and Education bill.

The gentleman objects to the fact that we are doing what has been done in this institution for many years. We are taking the bills that are finished in both Houses at this time and we are trying to get them to the President in the fastest possible way. And the way to do that is to send them down together.

Now, the President wants to cherry-pick. He wants to pick and choose. He said you have got to send me 11 separate bills. He didn't send us 11 separate bills. The President sends us one omnibus budget. He put all the departments together in one document and sent them down to us. We are sending him back whatever proposals we can put together in the fastest possible time.

Madam Speaker, he says that the Labor-Health bill is bloated. Well, let me compare it to the President's budget. The President says that he is the "great decider" and that he is going to decide how much money is going to be in this bill and we have got to live within that limit or else he's going to veto anything else we send him. If we live under the President's budget, we would cut vocational education by 50 percent. Anybody think that is a good idea? If we live under the President's budget, we would eliminate all student aid but Work-Study and Pell Grants. Anybody here really believe that is a good idea?

In all my years in Congress, I never heard anybody say: OBEY, why don't you guys get together and cut cancer research. Yet, that is what this previous Republican Congress and the President have done the last 2 years; they have cut 1,100 grants out of the National Institutes of Health, medical research grants. If you want to live under the President's budget on law enforcement, we would cut what the committee has in its bill by one-third. The President wants us to cut handicapped kids' education by $300 million. Mr. WALSH, the ranking Republican member of the Labor-Health Subcommittee, led the objection to that, and in fact persuaded the committee to put a higher number in the bill than I had put in in the chairman's mark; yet the President says we ought to follow his budget for Labor-Health. If we do, we will cut rural health by 54 percent.

He also wants us down the line to cut the Clean Water Revolving Fund by 37 percent. He wants us to cut disabled housing assistance by 47 percent. He has ordered his Secretary of Veterans Affairs to send us a letter indicating that they don't want the $4 billion that we have added to veterans health care.

So you don't think this is about priorities? You bet you, it's about priorities. I submit to you, the teachers of this country, the school kids of this country, the parents of this country, and the veterans aren't going to be fooled. Veterans aren't going to be very thrilled if you take care of their needs so long as they are in Iraq, but the minute they get home you forget the help their kid's need to get an education, you forget the help their wife's needs or husband's needs if they run into medical problems.

Veterans are whole people, just like everybody else. This Congress has an obligation to meet all of their needs, not just their needs so long as they are wearing the uniform and then forget them once they take it off. That is not the American way. It shouldn't be the Congress's way. That is why we are proceeding as we are proceeding.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds all Members to address their remarks to the Chair.

Mr. LEWIS of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am going to be calling upon my colleague, who is the ranking member of the MilCon-VA bill in just a second. But I wanted to mention it is very interesting to see my colleague, the chairman, to use statistics and data for his own purposes.

We have, over the last 12 years, had nine omnibus appropriations bills, and where those bills were put together in packages, I objected to that procedure all along the line. But, as a matter of fact, as a matter of fact, negotiations had taken place on the part of both sides of the aisle, and the President signed those bills. He didn't suggest he would be vetoing those bills.

Data can be used for one's purpose, but we ought to be accurate and recognize that facts are facts.

Madam Speaker, it is my pleasure to yield 4 minutes to the gentleman from Mississippi (Mr. WICKER), the ranking member of the MilCon-VA bill.

Mr. WICKER. Madam Speaker, this really is an unprecedented move. We were originally told that it would be scheduled for first thing this morning. Then it was rescheduled for early this afternoon. And once again, the matter was so controversial that it had to be pulled again and we find ourselves discussing it now at this moment.

I frankly wish my friend from Wisconsin would pull the motion again, because there is only one way to understand this process. This is, as the Republican leader said, a political stunt. If it is allowed to proceed, the result will be predictable. The President will veto the product of this conference committee, because it will attempt to spend billions and billions of new dollars on domestic programs we cannot afford, just when a balanced budget is within sight again. The President will veto the bill, the President's veto will be sustained, and we will be back to the drawing board.

While all of this is unfolding, much-needed funds for our veterans clinics and for our servicemembers and their families will be delayed, not to mention essential funding for our Nation's defense in the global war on terror, for our troops in combat in Afghanistan and Iraq who are risking their lives for our country even as we speak. These key national security expenditures will have to wait even longer than they have already waited.

The other result of this process will be just as predictable. Some people in this town, in this very House, will have gotten what they wanted: more political theater, more attempts to link good policy with excessive spending in an attempt to score political points.

Madam Speaker, does the Democratic leadership of this Congress want to pass appropriation bills or do they just want to make new campaign commercials?

Four and one-half months ago the House of Representatives passed the Military Construction-VA bill with an overwhelming 409 votes. The Senate passed its version of MilCon-VA with only one dissenting vote on September 6, 8 weeks ago. The President has expressed his willingness to sign the bill. Mr. EDWARDS and I, along with our subcommittee, have stood ready to go to conference for almost 2 months. Why, other than politics, have these funds for military quality of life and for our Nation's veterans been delayed?

Mr. EDWARDS and I, as chairman and ranking member, have worked along with our Senate counterparts and our staffs to craft a compromise between the two versions of MilCon-VA. Only a few outstanding issues remain. We are ready to go with this essential bill. The same is true for the Defense appropriations bill.

That means we could have bills on the President's desk within a matter of days. Funds for vital infrastructure for our troops, child development centers and veterans programs could be in the pipeline within a matter of days. Do we really want to hold our present and former troops hostage for political games?

So I urge my friends on the other side the aisle to reconsider this unprecedented maneuver. Send the bills by regular order according to the established rules. Let's get the funds to our troops without further delay.

Mr. OBEY. Madam Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Madam Speaker, it is my pleasure to yield 3 minutes to the ranking member of the Armed Services Committee, the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Madam Speaker, I want to thank my friend for yielding.

Madam Speaker, I think this is a sad day for our country, because we put into place several years ago what we called a bridge fund. I call it the ammo, the armor, the equipment fund. That was a fund that we added to the Defense bill to carry our troops over during the winter months before that spring supplemental, before that extra funding came about in the springtime of the next year.

That is important for them, and that gave them a certain confidence level that they were going to be funded without having to take money out of the cash register for the next year, have to delay training exercises, have to delay the equipping of forces back here in the United States.

And you know something? We had a bill that was ready to go here. The Defense appropriations bill is something that clearly would sail through, the President would sign it, and there was no risk in this bill that would fund our operations and our warfighting in Iraq and Afghanistan.

The Democrat leadership now has injected risk, because you have hooked it up with a bill that the President said he is going to veto. That injects risk into this very, very difficult operation.

So what do we have with our soldiers, our sailors, our airmen, our marines in Afghanistan and Iraq? We have got the uncertainties of war, the dangers of war. We have got the uncertainties that attend their families back here in the United States. And now the Democrat leadership has injected another uncertainty, an uncertainty that they will be funded fully in these difficult months.

□ 1615

So you took away this bridge fund, what I call the ammo, the armor, the equipment fund, and the answer you have given us is, well, if the President caves, then the troops will get the money. Holding our troops, our forces, hostage during a time of war is something that this body has never done.

I would hope that the Democrat leadership would make an about-face on this. I would hope you would adopt the great position of Democrat Senator Henry "Scoop" Jackson, who said, "In time of war, the best politics is no politics."

Mr. OBEY. Madam Speaker, I yield myself 1 minute.

I yield myself the time simply to respond to something said by the gentleman from Mississippi (Mr. WICKER). Mr. WICKER implied that the delay that took place in bringing this to the floor today was because of supposedly some turmoil about how this bill was packaged.

In fact, as the gentleman from New York (Mr. WALSH) will tell you, the reason for the delay is because I spent all day defending two Republican amendments to this bill that the Senate wanted to reject. And until I got agreement to quit horsing around with those amendments, I refused to bring this bill to the floor.

And now I yield 3 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. It really is disingenuous when I listen to my colleague from California talk about ammo, armor and equipment from the folks who brought our young men and women into a battle without appropriate ammo, without armor, and without the appropriate equipment that they needed to be able to fight this war from the outset. In fact, it has been the Democratic majority over and over and over again who have increased that funding for our troops in the field.

Let me also say to our distinguished minority leader, and you should not be fooled by the commentary, this issue is about the Labor, Health, Education and Human Services bill. And the folks who are playing games are the minority and the Republicans on that side of the aisle.

This is bill where we know that we will increase funding for veterans health care, offer pay raises for active duty soldiers, provide additional support for military families. Let me just tell you what this President wants to veto: the investment in lifesaving medical research, the investment in increased education funding, and he would like to veto our being able to strengthen job training in this Nation.

Two or three examples, my friends. The President's budget cuts funding for medical research at the National Institutes of Health. He would cut that by $480 million. That is 800 fewer research grants than last year to study deadly diseases like cancer, Alzheimer's, leukemia, Parkinson's, heart disease. We rejected that on our side of the aisle. We invest $1 billion above the President's request or roughly the cost of three days in Iraq. That's what the President wants to veto.

Let's take a look at the Centers for Disease Control. When the chairwoman testified before the committee, she said we face as a nation the issue of the daily health challenges: 4 million seniors living with Alzheimer's, 583 women diagnosed with breast cancer every single day, and 176,000 teens who will struggle their entire lives with diabetes. And so if we fail to pass the Labor-HHS appropriation conference report, we cut that CDC budget by $475 million. The President wants to veto that $475 million for those efforts.

Let's take a look at what he said last month, that is the President: "Don't go backwards when it comes to educational excellence. We have come too far to turn back." Yet he will recall millions in Perkins loans funds and cut the special education program by $291 million. Going backwards is exactly what he is proposing to do.

We invest $5.9 billion in education, the cost of just 18 days in Iraq. What will we do with it? We will benefit 8.5 million students to prepare our Nation for the 21st century economy.

Let's talk about the President last week. An additional $42 billion from Congress for the wars in Iraq and Afghanistan that will in the next decade cost $2.4 trillion, or $8,000 per man, woman and child. Let's fight for people, not dollars, and the people of this Nation understand that.

Mr. LEWIS of California. Madam Speaker, it is my pleasure to yield 2 minutes to the ranking member of the Veterans Committee, STEVE BUYER.

Mr. BUYER. I have come to the floor because what is clear is there are no disagreements with regard to the VA-Milcon appropriations bill. There is no disagreement between the House, the Senate or the White House, which means that weeks ago we should have appointed conferees and we should have voted on this bill if in fact our priority, in a bipartisan way, is clearly that of the troops.

So I come to the well really bothered here today. The word "gamesmanship" has been used. The word "partisanship" has been used. When it comes to funding our troops, those words should never be used. A few years ago, almost 2½ years ago, I met with Republican leadership and I wanted to get politics out of the military health delivery system and the VA. That is when I said get HUD out of VA and let's combine this. So what we have done by doing VA and MilCon, we do this so the authorizers and the appropriators can work together on the seamless transition issues so we get politics out of the arena.

And now to take this bill to which there are no disagreements and to attach it to a vehicle where there are disagreements, the gentleman from California (Mr. HUNTER) is absolutely correct, it places the bill at risk.

The last speaker talked about HHS. I am here to talk about funding veterans and our troops and the dependents and their families. We shouldn't be playing these games with the White House if our priorities are truly with America's most precious assets, and that is the men and women who wear the uniform, and to care for those who keep the watch fires burning and their children. So let's don't play these games.

I have to agree with JOHN BOEHNER. There is a reason the American people look at Congress with a 14 percent approval rating. It is because of these types of games.

We are better than this. We are better than this. So let's come together like we passed this bill 138 days ago and keep our bipartisanship and send this bill to the President.

Mr. OBEY. May I inquire how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from Wisconsin has 9 minutes remaining. The gentleman from California has 11½ minutes.

Mr. OBEY. Madam Speaker, I yield 3½ minutes to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. I thank the gentleman and appreciate the opportunity to make a few remarks here.

Madam Speaker, a lot has been said here. The minority leader came down and said this makes him sick. Another speaker came down and said we are somehow holding the troops hostage. Another Member comes down and says this is a sad day. You know, I think all that rhetoric may be nice, but what we are trying to do here is run the government. As has been stated several times, when the Republicans were in charge, they put bills together and got them passed. And now all of a sudden to take a stand here like this has never happened is, I think, a tad bit disingenuous.

But we have to ask ourselves now that everyone is bringing the troops in here: What are the troops fighting for? They are not fighting for a Defense bill. They are not fighting for a VA bill. They are fighting for our country. And what is our country? Our country is a country that makes investments in its own people. They are fighting for America because it's a great place to live. It's a great place to get educated. It's a great place to get health care. And for us to say somehow they are just fighting for only a portion of our society, I think is a bit disingenuous, too. I bet if we talked to some of the troops and we asked them what it means to be an American, they would say it means to be free and to be able to achieve the American Dream. And you achieve the American Dream by being healthy, by being educated, by having access to this great country. That is what we are trying to do here.

We have a great bill. This Labor-HHS bill is great. It is called the people's bill. Just like the VA bill is the people's bill. This all goes together. This is one cohesive investment that we need to make in our country; and we are asking the Republicans, Madam Speaker, to join us.

You can't hide behind the President. Article I, section 1 creates this body. We are the ones who fund the government. If the President wants to veto this, help us override the veto.

These are all good bills. And when those veterans get home, as Mr. OBEY stated, they need the same exact kind of attention and their families need the same exact kind of attention that every other citizen gets. They want high quality, low-cost education. They want high quality, low cost health care, and they want an opportunity for their kids to live the American Dream. Is that too much to ask? That's the question: Is that too much to ask?

Mr. LEWIS of California. Madam Speaker, it is my pleasure to yield 3 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE), a member of the committee.

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to speak on behalf of our Nation's veterans, more than 100,000 of whom live in my congressional district.

Madam Speaker, 138 days ago, 4½ months ago, this House passed the Veterans-MilCon appropriations bill; and 55 days ago, the Senate passed their version. Since that time the party in control, the Democrats, have sat on their hands refusing to appoint conferees and take action to fund our Nation's heroes. Leader BOEHNER has actually appointed conferees to the conference, and virtually every Republican Member has implored the Speaker to move forward. Our troops are too important to play political games.

Just this past week, I heard from a woman in my district whose son is being treated in the spinal cord injury unit down in Tampa. Let me share with you that she is not a Republican. She is a dyed-in-the-wool Democrat. Her comment to me was that she was ashamed that the increased appropriation that was in the very good bill that we passed here, she was ashamed that those funds have not yet been freed up.

October 1 was the beginning of the Federal year. We have veterans in need of services. We have veterans in need of increased staffing at the various hospitals. Combining these bills clearly is an effort to have people vote on something that will come back and be certainly not what the American public wanted.

You know, when your side won in November, Madam Speaker, I think Americans thought, oh, good, things will be done differently. They are not only not being done differently, they are being done worse than before. That is not what the American public wants.

The American public wants to have our military funded. They want to have our veterans, whether it is from World

War II, Korea, Vietnam, or those currently coming back from OIF and OEF, deserving to have good-quality care at the veterans hospitals. And to have that as a separate bill, not be held hostage.

Mr. OBEY. Does the gentleman have any remaining speakers?

Mr. LEWIS of California. Not on this portion, no.

Mr. OBEY. Then could I ask the gentleman to give his summary remarks. I have only one remaining speaker.

Mr. LEWIS of California. Madam Speaker, I would speak just for a moment by way of saying that I think in many ways we have demonstrated if we are not careful with our rhetoric, we can undermine the opportunity we have for bipartisan consideration of very important work in the House.

One of the most positive experiences I have had as a member of the Appropriations Committee has been to sit in that subcommittee that deals with Labor-HHS. I have been very, very impressed with the amount of nonpartisan, bipartisan support for fundamental research, for example. Earlier it was suggested that there is not that base of support. It is when we get this partisan confrontation on the floor that polarizes us that we tend to become confused about the real work that is positively done within our subcommittees.

☐ 1630

Madam Speaker, I must say I would hope that we can do all that we possibly can to try to bring both sides together relative to those research items that I feel have such high priority.

Beyond that, I'm going to be later raising a question by way of a motion to instruct conferees that would suggest that the Labor-HHS bill ought to be dealt with by itself. Where the members of that subcommittee worked so hard and have such expertise in this arena to set their work out and complicate it with VA-HUD over issues that relate to veterans is absolutely undermining the appropriations process.

So, with that, I yield back the balance of my time.

Mr. OBEY. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman has 6 minutes remaining.

Mr. OBEY. Madam Speaker, I yield myself the remaining time.

Let me state once more that I find somewhat disingenuous concerns expressed about the so-called delay that this process will provide for veterans health care. I would like to know where that same concern was when last year the now-minority party never even passed a Military Construction bill. Last year, they completed their session, they walked out of town, shut the doors and said good-bye, and they never passed any bill whatsoever to provide veterans health care.

So we took over in January, and the very first action we took was to clean up that mess and add over $3 billion to veterans health care. That was our top priority. And then we followed it up in the regular appropriation bill by adding again more than $3 billion. So I will take a backseat to no one in terms of our expression of concern for veterans.

But let me say, we're not just going to take care of veterans as long as they wear the uniform. We're also going to try to take care of their kids' needs for a decent college education. We're going to try to take care of their families' needs in terms of medical research. We're going to try to take care of their housing needs. We're going to try to take care to see that there's decent law enforcement so they can live in communities where kids can actually grow up into adulthood. As the gentleman from Ohio said, we're going to treat veterans as a whole person. That's the purpose of trying to pass all of these bills.

Let me simply say I think these bills have been bipartisan. The Labor-Health-Education bill, one of the speakers indicated that it was the most contentious bill on the floor. We got 53 Republican votes for that bill. I hardly think that we would have done that if it had been a partisan product. In fact, if you average all of the appropriation bills that we passed in this House, we got 65 Republican votes on average for every appropriation bill that passed. That means that we passed these bills on average by exactly two-thirds, which is exactly what it takes to override a Presidential veto.

Now we're simply trying to get these bills to the President as fast as we can and in a way which does not enable him to have an easy time of cherry-picking. That's what we're trying to do.

I sat down with the President's budget director, Mr. Nussle, and I said, Look, why don't we right now, even while the Senate is working, sit down and try to work out a bipartisan compromise for all these bills? He said, Dave, I'm new at the job, but he said, so far I don't find anybody in the White House that has the slightest bit of interest in compromise. I said, Well, that's too bad. I hope that changes. Please call me if it does. But meanwhile, if the President wants to veto something, why don't we at least sit down and try to figure out which bills he wants to veto so maybe we can agree on which ones to send him first. I got no takers on that either.

So we're proceeding the way we're proceeding because we're playing off what the President of the United States has said and done, and so far all we've heard is my way or no way. I don't believe that the Republican Members of this Congress came here to walk in lock step, and certainly we didn't on this side of the aisle. We will find out as the process unravels.

And so with that, I would simply urge that we support this motion.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. OBEY).

The motion was agreed to.

MOTION TO INSTRUCT OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Madam Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Lewis of California moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 3043, be instructed to disagree to any proposition in violation of clause 9 of Rule XXII which:

(1) Includes any additional funding or language not committed to the conference;

(2) Includes matter not committed to the conference committee by either House; or

(3) Modifies specific matter committed to conference by either or both Houses beyond the scope of the specific matter as committed to the conference committee.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. LEWIS of California. Madam Speaker, I can't help but mention that the preceding discussion must be very enlightening to Americans across the country who may be interested in what we have to say here. It's always been my personal belief that the vast percentage of problems that we face as a people have very little to really do with partisan politics if we can get people together at the subcommittee level to really talk with each other about finding solutions, but clearly, clearly, Madam Speaker, it has to be apparent to almost everybody who had listened today that one side of the aisle in this body seems to believe that the only solution to every problem around is to throw more money at it. That clearly is not the case. Many a solution is found by way of people working together, not just throwing money at some wall.

Madam Speaker, in this motion to instruct conferees, I really repeat the point that the subcommittee members who work within the Labor-HHS community have great expertise in the programs within this arena. They spend a lot of energy and time applying themselves to that work.

Today we're in a process where we're going to tie that piece of work to a combination of two other bills. It's totally unnecessary. The Defense bill passed the House by very sizeable bipartisan numbers. Indeed, the MilCon-

VA bill did the same. To suggest that we can't go forward with Labor-HHS as a separate product, I think this is a very unhealthy reflection on the work of that subcommittee.

This motion says the conference can only conference the Labor-HHS bill. They cannot consider adding Defense, MilCon-VA, or other matters outside the scope of the Labor-HHS conference. The Members who serve on the Labor-HHS subcommittee should be making decisions in an open conference regarding the disposition of programs and funding levels in that bill, not other appropriations bills related to the troops, veterans, or other items outside the scope of that conference.

Members serve on subcommittees and have the expertise I suggest because they work within those subcommittees. The people on Labor-HHS, very talented in their work, spend relatively little of their time in the Defense arena, as well as the arena that deals with MilCon and veterans.

To air-drop Defense appropriations conference reports and the MilCon-VA bill into this process is absolutely unprecedented, in my view, and is a disservice to our Appropriations Committee.

Politicizing these bills and circumventing the normal practice of this and other committees does nothing more than undermine the American people's faith in their government.

Let's move beyond purely partisan politics and send the President a freestanding Labor-HHS bill, as well as individual Defense and MilCon-VA appropriations.

Madam Speaker, I reserve the balance of my time.

Mr. OBEY. Is the gentleman sure he doesn't want to yield back? Could I inquire of the gentleman how many speakers he intends to have on this?

Mr. LEWIS of California. I think maybe there are two or three.

Mr. OBEY. All right. We'll try to do the same.

Madam Speaker, I yield myself 5 minutes.

Let me simply say, Madam Speaker, that what the gentleman is saying is that he wants to prevent us from doing something on this bill which his party did 56 times in the time that they controlled this House over the past 12 years, and I don't find that especially persuasive.

He also wants to prevent us from producing more than one bill at a time, and yet the President signed omnibus appropriation bills 27 times since he's been President, when they came from his own party. Now, because one might come from the Democratic Party, he wants to make a Federal case out of it. I don't think people are going to be very impressed with that either.

I find it very interesting that out of all of the motions that the minority could have offered, they haven't offered a single motion, and nothing in this motion today would in any way reduce by one dime any of the funds that we appropriated in the Labor-Health-Education bill. They argue that the bill is bloated, and yet when we give them an opportunity to offer motions to reduce spending for any specific item they don't take advantage of it.

That is exactly the same experience we had when the subcommittee considered the bill, and in fact, virtually every Republican motion and every Republican speech was on behalf of an effort to increase funding for a number of items, whether it be vocational education, which I agree with, or whether it be Pell Grants or whether it be special education.

So I find it interesting that after all of that rhetoric about so-called bloated funding for this bill they choose to argue an arcane process issue.

All they're really saying is, when you consider Labor-Health, don't even think of moving forward with Military Construction, don't even think of moving forward with Defense, don't even think of addressing the problem of California wildfires, don't even think of adding additional funding for MRAPs. Well, if they're comfortable with that, fine. I don't think we ought to let procedural theology get in the way of doing what's needed for American families and American veterans and American fighting men and women.

So, with that, I would simply urge a "no" vote on the motion.

Madam Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Madam Speaker, I'm pleased to yield 3½ minutes to Judge CARTER of Texas, a member of the committee.

Mr. CARTER. Madam Speaker, I thank the gentleman for yielding me this time, and I rise in support of the motion to instruct conferees.

I've been sitting here listening to what's been said here today and trying to figure this all out. I think everybody, I think the American people are trying to figure it all out. It's an interesting process to analyze how the Congress is working on this appropriation process.

But when you really look down as to what we're doing here, we're trying to solve three problems this week on this issue of appropriations. We've got three areas that we're going to look at.

We've got a problem that we want to resolve. We want to fund the Department of Defense and the job that they do defending our Nation, and we've got an appropriations bill that deals with that, deals with protecting our soldiers in the field, getting their mission done and all the things that go attached to the Department of Defense.

We've got a second issue we want to deal with. We want to take care of those veterans that have served us so well and so proudly over the years, make sure that we fund the programs that are necessary for them and to do the necessary military construction of the various bases around the world that is necessary to make sure we're providing for our active duty military what they need. We have those 2 bills that we've got to deal with this week.

☐ 1645

We have a third bill, which is the Labor-HHS bill, that deals with issues of labor, health and human services. All those are important bills. Let's figure out how we can best get this done. The American people gave us a little survey this last week. They told us the one thing they are mad at us about is they say, why don't you just get something done? Why don't you get through the bull and get down to doing the job? That's their number one complaint.

Let's look at this. What's the best way to do this? We've got a Defense bill that there is really no obstacles for that anybody can find. Everybody is pretty much okay on that. We've got a MilCon-Veterans bill. In fact, we made an agreement when we had that little fight over earmarks that we would let those go without even discussing the earmarks, because they were going to go fast track through and be done very quickly. Nobody has got a complaint with that.

Then we have got one bill that a third branch of government has a serious complaint with and has the ability to actually veto. Let's see. Is it an efficient way to do our job this day, to take the two bills we can get done very simply and attach it to a bill that has a major roadblock on it? Is that doing our business efficiently? It seems to be not a good idea to me, but maybe it is. But why would we want to do that? We can pass 2 easily. The third, we're going to have a long discussion about and a fight and maybe a veto. We could get it done if we separated them apart, but we're putting them together. Why do we do that? Maybe it's because they've got people on their side of the aisle that won't vote for the Defense bill. There are 89 of them that said they won't. So maybe this would coerce them to do it. Or maybe they think they can roll over the President and the Republicans on the issue of spending. Who knows. But let's get down and do it efficiently and just deal with Labor-HHS today.

Mr. OBEY. Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank the chairman.

Mr. Speaker, I must say I am hearing some conflicting priorities on the floor today. We have heard that the appropriations process is not moving fast enough, despite the fact that under the leadership of Chairman OBEY in the House, we passed every single one of our appropriations bills, I believe in record time. We are hearing that the appropriations process isn't moving fast enough on the one hand, and now we have a motion to instruct the conferees to actually slow it down, to take pieces out of this bill, to stop it. You can't have it both ways. We are trying to get things done. We are trying to move our priorities forward.

Now, I understand that some of my friends don't want to deal with the labor, health and human services aspects of this bill, and they are concerned with the President's argument that we have plenty of money to fund Iraq but can't afford veterans health care here at home and educational priorities here at home and low-income heating for the elderly here at home.

I understand those arguments, but let me suggest to my colleagues that they read a study that was just released yesterday by Harvard Medical School. That study shows there is, in fact, a critical connection between the VA pieces of this bill and the health and human services aspects of this bill. The two should be considered together. That study found that, today, there are 2 million veterans who have no health insurance. And they aren't eligible for VA benefits. Not eligible for VA benefits and too poor to afford health insurance. The number of uninsured veterans jumped to 1.8 million in 2004, and the population of uninsured veterans is increasing at twice the rate of the general population.

Now, the Labor-H aspects of this bill provides $1.4 billion above the President's request for programs to improve health care access. So taken in its totality, this bill, without segregating the human services components, taken in its totality, this bill protects our troops in the field and also provides access to veterans at home who may not qualify for veterans benefits. As has been stated before, our veterans are a whole. They come back from the war, the last thing they should worry about is not having health insurance. It's the labor, health and human services aspects of this bill that could provide additional access to health care, and that is why this bill ought to be considered as it is.

I would make one other point. We have already considered these bills separately. Each of these components were, in fact, debated, deliberated and passed with overwhelming bipartisan support in the Appropriations Committee and then debated again, deliberated again and passed with significant Republican support on the floor of the House.

There is no reason to move backwards. There is no reason to delay. There is no reason to stop this process. We want to get these bills to the President. We should do so.

Mr. LEWIS of California. Madam Speaker, I yield 3 minutes to the ranking member on the Labor and Education Committee, BUCK MCKEON from California.

Mr. MCKEON. I thank the gentleman for yielding.

Madam Speaker, I rise in support of the motion to instruct conferees. I am disappointed to be standing here under these circumstances.

A full month into the new fiscal year, the Democrats have failed to send a single spending bill to the President for his signature or veto. The President laid out his positions early this year, asking the Congress to adhere to fiscally responsible spending caps.

Democrats have been unwilling or unable to control their spending, passing bills that topped these spending targets by billions of dollars. Now, rather than moving separate bills to support our troops and veterans, Democrats are holding these bills hostage to the swollen Labor, Health and Human Services and Education spending bill.

As the former chairman of the Education Committee, I know firsthand the arguments the other side will make on funding in that bill. So let's focus on the facts. Republicans are strong supporters of programs that support education, health care and workers. Our fiscally responsible spending targets allow significant resources for these programs. Republicans have a strong record when it comes to funding education.

At the same time, we know that the achievement gap in our schools is not caused by a lack of funding, but by a lack of accountability. Throwing money at the problem is not the answer. Our committee is a case study in how the priorities of Democrats diverged from those of the American people.

Democrats have failed to act on the No Child Left Behind, the higher education, and job training bills this year. Yet, they have passed bills to strip workers of the right to a secret ballot election, overturned 6 decades of civil rights law, and created new entitlement spending at the expense of low- and middle-income college students. The worst may be yet to come.

When Democrats finally take up higher education reform, we may see prisoners getting Pell Grants and drug dealers getting Federal aid. The Democrats have, quite simply, got their priorities in the wrong place. It's time to get back to work and fund these three bills separately for our troops, our veterans, and our students.

Mr. OBEY. Madam Speaker, I have only one remaining speaker, so I would ask the gentleman to finish.

Mr. LEWIS of California. Madam Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Wisconsin has 24 minutes. The gentleman from California has 21 minutes.

Mr. LEWIS of California. Madam Speaker, I would yield to my colleague from Florida, former chairman of the Appropriations Committee, BILL YOUNG, for as much time as he may consume.

Mr. YOUNG of Florida. I thank the chairman for yielding me the time.

Madam Speaker, I rise to applaud Chairman OBEY for the statements that he has made since the beginning of this session of Congress that we are going to pass all of the appropriations bills individually, separately, and send them to the President, individually and separately. I think that is a great idea. As a former chairman of this Appropriations Committee, I wish I could have done the same thing.

I understand the frustration that Chairman OBEY has in not being able to move the bills the way that he wants to move them. I experienced the same frustration. Mr. OBEY is right. We did have omnibus bills during the time that we were the majority party. The reason we had the omnibus bills is because our partners in the Senate refused to pass their bills.

Now, Chairman OBEY has said so many times that we just didn't do our job. In the House, we did our job. In the House we passed our appropriations bills just like Chairman OBEY did this year, but it takes two Houses to approve a bill and to send it to the White House.

The frustration is that without appropriations bills, the government shuts down. It's pure and simple. Article I of the Constitution of the United States, section 9, says that the administration can't spend any money that has not first been appropriated by Congress. So in order to meet that constitutional responsibility, we have had, on occasion, the need to create an omnibus appropriations bill because the Senate refused to pass their bills. Now, I will concede that during our chairmanship the Senate was a Republican Senate. It was controlled by the Republicans.

Today, the United States Senate still refuses to pass all of their appropriations bills, and today the Senate is controlled by the Democrats. So it just seems like the Senate is the Senate, no matter who controls them politically. But in the case that we are debating today, there is absolutely no good government reason to combine these three bills. Combining these bills will slow them down.

It has been suggested by some of the speakers we ought to move ahead. The Defense appropriations subcommittee was scheduled to conference tomorrow morning to send the bill to the Senate and to the White House. I understand the Labor-HHS Subcommittee was also scheduled to conference tomorrow. These bills could have been conferenced and, by the way, the Military Construction Veterans' Affairs Committee was also prepared to conference, and the President said that he would sign that bill, he would sign the Defense bill. He expressed his concern about the Labor-H bill.

I voted for all three of them. I voted for the Defense bill, I voted for the Military Construction Veterans Affairs bill, and I also voted for the Labor-HHS bill. I think we ought to handle these bills individually to speed up the process, not to slow it down.

By combining these three bills, we all know that it will slow down the process. How long would it slow it down? I don't know, but I do know this, that there is already talk about conducting the appropriations process on these bills on a continuing resolution if it gets slowed down too much. That's not good.

We have done CRs, and we know that, and we know the reason for them. But there is no good reason to put these bills on a CR. They are ready to conference. They are ready to come back to the House and go to the Senate and go to the White House. They are ready. There would be no delay.

It's just not right because there is no good government reason to do this. It's just not right to do it. I suggest that we should join in supporting Chairman OBEY when he says that these bills should be done individually, separately and sent to the President in that fashion, individually and separately.

I support this motion because, if this motion does not pass, and if we appoint Labor-HHS conferees to conference the Defense bill, I mean, they are all very, very talented members, and they all have great knowledge, but, you know, none of them sat through the hearings. None of them sat through the justifications. None of them sat through the markups.

So to have the Labor-HHS members who are outstanding members on both sides of the aisle, to have them conferencing a large bill as complicated as the Defense bill, that's just not right. It's really interesting that the bills that the leadership would add to the Labor-HHS bill make up 80 percent of the dollars to be appropriated.

□ 1700

The Labor-HHS bill, which becomes the vehicle, is only 20 percent of the appropriations.

This is not right. I'm not going to suggest why the majority leadership made this decision. But I'm going to say, emphatically and without fear of contradiction, there is no good government reason for combining these three bills, because they are ready to be conferenced and sent to the President without any delay whatsoever.

And I thank the gentleman for yielding and for the good job that he does in his role on the Appropriations Committee.

Mr. OBEY. Can I inquire how many speakers the gentleman has remaining.

Mr. LEWIS of California. I have one additional speaker to close.

Mr. OBEY. Just one?

Mr. LEWIS of California. Yes, sir.

Mr. OBEY. Then I'm the last speaker on our side.

How much time remaining?

The SPEAKER pro tempore. The gentleman from Wisconsin has 24 minutes.

Mr. OBEY. I yield myself 5 minutes.

Madam Speaker, I simply want to repeat what the gentleman from Ohio said earlier. We often see politicians try to wrap themselves in the flag, and we often try to see politicians pose for holy pictures every time the issue of veterans comes up. And America's very good at saluting veterans and playing the band when they go off to war. We haven't been as good in dealing with their problems after they come home.

And so what we intend to do in the Military Construction bill, in the Defense bill, in the Labor-Health bill, and in a number of other appropriation bills is we intend to deal with all of the problems faced by veterans and their families and other families in this country.

When veterans come home, they aren't just worried about whether or not they're going to get veterans health care. They also want to know whether the kids are going to be able to go to decent schools, taught by qualified teachers in decent classrooms. So we are going to be trying to see to it that programs such as title I and handicapped education are much more adequately funded than they would be under the President's budget.

Impact Aid, that directly affects many military families. We're trying to make sure that we do a better job funding that program than the President did in his budget.

Medical research, believe it or not, veterans need the results of medical research just as much as and probably more so than many other Americans. We're going to see to it, in our bill, that we don't experience a cutback of 1,100 grants in military research around the country.

I would suggest that this motion simply says that the new minority does not want us to do something which they did 56 times when they ran this House, namely, combine appropriation bills for the purpose either of efficiency or to strengthen our capacity to meet our obligations around the horn.

I also think something else is going on. Under the budget rules of the House, the President does not have the right to veto a budget resolution; he only has the right to veto appropriation bills. But what he is trying to do, by asserting that he, and he alone, will determine what the overall number is for appropriations, he is trying to indirectly position himself so he can veto a budget resolution. He's never had that power. The Congress never gave him that power, and the Constitution certainly doesn't.

So I would suggest that one of the probably unintended consequences of the motion of the gentleman from California is that it would, inadvertently, transfer additional power to the executive branch. I don't think that's wise.

Having said all of that, I want to make one more point. I know the gentleman from Florida would never want to misstate or misquote any other Member, but I was somewhat stunned to hear him suggest that I have said that we must pass these appropriation bills singly. In fact, I have said many times on this floor just the opposite.

I've said that, unlike the previous chairman, who was extremely concerned about passing each of these bills separately, that while I would prefer to do it that way, I would be happy, if that didn't work, to pass them in minibuses or omnibuses or any other kind of bus you can find, so long as we deliver the goods, and so long as the goods are the right goods for the American people. And that's the philosophy I have.

So I would simply suggest, we've had more debate than I'd expected today on procedural niceties. I would suggest that we simply recognize that we've got an obligation to get on with completing our appropriations business. This is the most effective way we can do it.

All three of these bills passed the House on a bipartisan basis, and I have no reason to expect that they won't do the same when they come back from conference.

I do want to say that I agree with not all, but some of the comments made about our esteemed colleagues in the other body, but that's a discussion for another day.

And with that, if the gentleman has one remaining speaker, then I'm prepared to yield back the balance of my time.

Mr. LEWIS of California. Madam Speaker, I yield the balance of my time to the ranking member of the Labor-HHS Subcommittee, JIM WALSH of New York.

Mr. WALSH of New York. I thank my friend from California for yielding time, and I rise in strong support of this motion to instruct conferees.

Before I do that though, I'd like to comment, just make a couple of comments on some of the debate that's occurred, specifically, the notion that the Republican Party, when we were in the majority, did not pass our military quality of life and veterans bills. And I know the chairman knows this, but we did. In the House, we did. We passed our bills overwhelmingly. And we ran into a little problem with the other body. And I know the chairman feels our pain there because he has been and will continue to be running into problems with the other body, and I will work with him on those. But we did conscientiously work to resolve these issues here in the House. And I think historically, at least in my brief time here, we have done that. But the Senate is the Senate, and they do what they do. We do it our own way, and I think we do it very effectively regardless of the party in power in the House.

I would also mention, because the chairman did a little bit of crowing about the things that they are doing in this bill and they've done in the other bills, we passed, year after year after year, record increases in veterans health care spending. And they were needed because we have so many veterans coming back from Iraq and Afghanistan with severe injuries, both physical and mental. But we stepped up to the plate and we did it in a bipartisan way. And we passed record increases. I think, on average, 10 percent increases per year; faster growth than any other budget in the Federal Government. So we are second to none in our support of veterans. And we will continue to support those bills that the other party passes if they are truly bipartisan. And I think this one, the Military Construction and VA bill is.

Back to the motion to instruct the conferees. Quite simply, what this motion says is that the conferees on Labor, Health and Human Services, Education and Related Agencies appropriations bills should not add material to the conference report that was not approved by either House or the Senate. This should not be controversial, but based on what has happened here today, it is.

The reality is that this majority should not be combining a bill that has received a veto threat with two other bills that have not.

I've supported the Labor-H bill throughout this process. Chairman OBEY has been fair, and I've worked with him shoulder to shoulder to bring this bill forward. He has fought for Republican and Democratic initiatives and measures equally, and I thank him, and he has my respect for that. But I was not consulted when it came to putting these three bills together.

I voted for the Military Construction-VA bill. I voted for the defense bill. They are all good bills, in my humble opinion. The Senate has passed all 3 bills, as has the House. There is no reason why these 3 bills cannot be conferenced individually, sent to the President individually and accepted or rejected individually. But most assuredly, by combining them, they are all doomed to fail. If the President vetoes any of the 3 freestanding conference reports, we in the House, and our colleagues in the other body, will have an opportunity to override that veto.

Frankly, I see the effort to attach the Defense and Military Construction-Veterans bills to the Labor-HHS bill as nothing more than posturing and, in fact, brinksmanship.

Madam Speaker, the resulting bill would represent everything that is wrong with Washington. The confusion that will ensue in the country will only serve as a shining example of why this Congress today enjoys its lowest approval ratings in generations.

The people of New York's 25th Congressional District sent me to Washington to represent their interests and to solve problems. This effort to combine these bills creates a problem.

This Congress has produced less than a handful of bills in 10 months, and no appropriations bills to date. We can pass and have signed two bills easily, the Veterans bill and the Defense bill. But instead, by combining these bills to Labor-H, we will bring them all down. It is a plan to fail, just like the SCHIP bill was.

As I said, I support the Labor-HHS bill and I will likely continue to support it as a freestanding bill.

I understand politics and I understand political strategy, but putting funding for veterans health care and our military at risk to score points is beyond the pale.

I know there are some Members of Congress and some individuals in the White House who would like to see this government continue to operate on a continuing resolution as we have this past year. I don't. We can pass these bills stand-alone, but we can't pass them lashed together.

This process hurts the credibility of the Appropriations Committee, a committee that has historically been nonpartisan and task oriented.

Mark my words, if we continue along this path, we will be operating on a CR again in 2008. And for a third year in a row, no Member requests will be honored in the Labor-HHS bill, and for a third year in a row, the Appropriations Committee will fail to meet its responsibilities.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. LEWIS of California. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 191, nays 222, not voting 19, as follows:

[Roll No. 1026]

YEAS—191

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—222

Abercrombie
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)

Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—19

Ackerman
Alexander
Butterfield
Carson
Cubin
Hensarling
Jindal
Latham
LaTourette
McCrery
Miller (NC)
Paul
Ryan (WI)
Schiff
Sestak
Stark
Wasserman Schultz
Weller
Wilson (OH)

☐ 1736

Messrs. KUCINICH, HONDA, WATT, BISHOP of Georgia, SPRATT, KLEIN of Florida, MARSHALL, OBERSTAR, STUPAK and DONNELLY, and Ms. BERKLEY and Ms. MATSUI changed their vote from "yea" to "nay."

Mr. HASTERT changed his vote from "nay" to "yea."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RYAN of Wisconsin. Madam Speaker, I was absent for legislative business conducted after 3 p.m. on October 31, 2007, due to a family matter that required my personal attention. As a result, I missed rollcall votes 1025 and 1026.

Had I been present, I would have voted "nay" on rollcall vote 1025, final passage of H.R. 3920, the Trade Adjustment and Assistance Act of 2007.

In addition, I would have voted "yea" on rollcall vote 1026, a motion to instruct conferees to H.R. 3043, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act of 2008.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 3043:

Mr. OBEY, Mrs. LOWEY, Ms. DELAURO, Mr. JACKSON of Illinois, Mr. KENNEDY, Ms. ROYBAL-ALLARD, Ms. LEE, Mr. UDALL of New Mexico, Mr. HONDA, Ms. MCCOLLUM of Minnesota, Messrs. RYAN of Ohio, MURTHA, EDWARDS, WALSH of New York, REGULA, PETERSON of Pennsylvania, WELDON of Florida, SIMPSON, REHBERG, YOUNG of Florida, WICKER, and LEWIS of California.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON ARMED SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Armed Services:

OCTOBER 31, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
The Capitol, Washington, DC.

DEAR MADAM SPEAKER: This letter is to advise you that, effective today, I am resigning my seat on the House Armed Services Committee. I look forward to resuming my service on the Armed Services Committee when my term on the House Permanent Select Committee on Intelligence expires. I understand that I will retain my seniority on Armed Services for the duration of my leave.

Thank you for your assistance with this matter.

Sincerely,

JAMES R. LANGEVIN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

138 DAYS, NO VETERANS BILL

(Mr. BOOZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOOZMAN. Mr. Speaker, I come here today to continue my call on the leadership to move the Veterans appropriations bill forward.

As of today, we have gone 138 days in this Chamber with no action, no plan of action, and more importantly, no veterans bill. I am concerned that we have a $4.4 billion increase in veterans health care collecting dust on someone's desk in this very building. I suspect that there are many people here today and watching at home who are also troubled as well.

I'm proud that the veterans issues are not partisan. They never should be. I am also proud to be a member of a bipartisan Veterans Committee. I am not proud, however, that we have gone this long into the year without a single appropriations bill.

I call on the leadership of the House to get on the stick, get past whatever reason or strategy that is holding this important bill up, and get a clean bill to the President so we can deliver this money to these heroes to whom we owe so much.

FISA

(Mr. MCDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, we've been here before. In the 1920s, America spied on its citizens and arrested thousands because they advocated for change. In the 1950s, America black-listed innocent Americans whose only crime was to run afoul of Senator Joe McCarthy. In the 1970s, America illegally spied on people in the civil rights and the Vietnam antiwar movements, including Dr. Martin Luther King.

The transgressions were so egregious that a courageous Senator Frank Church from Idaho led a search for truth and affirmation of freedom. In the end, the Congress passed FISA, the Foreign Intelligence Surveillance Act. FISA provides a swift and certain means for America to meet any threat without threatening America's freedoms. But this administration seems it cannot defend America without demolishing America's freedoms.

The President wants the Congress to undermine FISA with new legislation that would make it easy to spy on any American, just like the 1920s, the 1950s and the 1970s. These are not the good old days, and I oppose any attempt to use fear to subvert freedom.

We can keep America safe without sacrificing America in the process. I urge my colleagues to remember why FISA was created and why we should not neuter it in the near future.

TRADE AND GLOBALIZATION ASSISTANCE ACT

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, today the House passed the Trade and Globalization Assistance Act of 2007, and I was very proud to support this legislation. And I thank Chairman RANGEL and, of course, Chairman MILLER for their insight.

A couple of years ago, when we moved on the permanent normal trade relations with China, I worked with the then-Clinton administration to craft an executive order that addressed the question of the loss of jobs when there was a trade bill. We thought that this particular executive order could lay the groundwork for providing for small businesses and those various sectors of the country that would lose their employment or their economic opportunity. Well, look at the trade imbalance now. This is a forthright bill that expands the opportunities for service workers, manufacturers, insists on enrollment opportunities, and it is a good start.

I don't know what the journey will be on future trade bills, but America has to start standing up for its own workers, its own regions, and making sure that small businesses do not lose their economic opportunity simply because we want to engage in globalization. Globalization may be good, but Americans have to be protected, and I was very glad to vote for this legislation today.

☐ 1745

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3920, TRADE AND GLOBALIZATION ASSISTANCE ACT OF 2007

Mrs. McCARTHY of New York. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 3920, to include corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of appropriate headings.

The SPEAKER pro tempore (Mr. YARMUTH). Is there objection to the request of the gentlewoman from New York?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE VIETNAM WAR REDUX

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, the first national protest demonstration against the Vietnam War occurred 40 years ago this month. About 100,000 Americans came to Washington in October 1967 to protest that foreign policy disaster.

Vietnam was a war of choice. We invaded a country that never attacked us. We sent our troops into the middle of a civil war that had nothing to do with us. We went to war in a country whose culture or history we did not understand. We had no exit strategy.

We went to war after Congress authorized the President to do so. We found out later that the congressional resolution was based on false information supplied by the administration.

The Vietnam War divided our people. It led to the deaths of thousands of American troops and countless innocent civilians. It undermined our moral leadership in the world. We went to war alone. We were isolated from our allies. It was a propaganda victory for our enemies.

There is more, Mr. Speaker. We propped up an often corrupt government that couldn't figure out how to rule. We kept waiting for South Vietnamese troops to stand up so we could stand down. The Vietnam War squandered our Nation's treasure. It diverted us from solving our own domestic problems.

We said the war was all about spreading freedom. But the people of the country we invaded saw it as a foreign occupation. The occupation went on year after year. It passed from one administration to another. Our leaders kept telling us victory was just around the corner if we put more troops in. It devastated the country we were trying to save. It was a political, economic and moral catastrophe for America.

That was Vietnam. But it sounds exactly like Iraq. Today we are repeating the same terrible mistakes in Iraq that we made 40 years ago in Vietnam. Some of the Members of this House who support our occupation of Iraq lived through Vietnam. They have had 40 years to think about it. Yet they still miss the point. The doctrine of preemptive war is not suited to America because we are not warmongers. The American people do not believe in shooting first and asking questions later.

There is one other mistake we made back then that I hope we won't repeat, but I am afraid we will. The war in Vietnam spread to another country when we bombed Cambodia. Today, there is growing evidence that the administration is getting ready to spread the war in Iraq to another country. That would be Iran. About a week ago, the administration warned that Iran would face serious consequences if it proceeded on its current course. We all wonder what that means. Does it mean another round of shock and awe? Another country for our reckless leaders to bomb?

But the administration needs to consider the "serious consequences" that America will face if we attack yet another Middle Eastern country. Our occupation of Iraq has produced a fresh new crop of terrorists. Using military force instead of diplomacy to get Iran to act responsibly will certainly do the same.

In 1999, Mr. Speaker, when America was involved in Kosovo, the then-Governor of Texas said, and I quote him, "Victory means exit strategy, and it's important for the President to explain to us what that exit strategy is." That Governor of Texas is now in the White House. But he is not following his own advice.

The administration has no exit strategy for Iraq. So it is up to Congress to provide one. We must use our power, the power of the purse, to defund the war. Then we must fully fund the safe, orderly and responsible redeployment of our troops' withdrawal and the withdrawal of all military contractors. Then we must launch a vigorous regional and international diplomatic effort to bring peace to Iraq and help it rebuild.

A few years ago, the administration called for an initiative to improve Americans' understanding of history. Our leaders in the White House should start by learning the history of Vietnam.

THE RIGHTS OF THE INDIVIDUAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, I think it is wise from time to time that we in this House reflect upon our heritage, who we are and where we get our dignity as individuals in this country. As a former judge in Texas for over 22 years, I like to spend time in our schools, our elementaries, junior highs, high schools and even our law schools, discussing all aspects of the United States and our history. And I would often ask this question to the groups that I was talking to: "Where do we, as Americans, get our rights?"

Sometimes asking that question would cause people some concern that made them somewhat uncomfortable, especially the elites in our law schools. I would ask those questions to not only law professors but justices on our courts throughout the fruited plain.

But the answers would vary from the students. Some would say we get our rights from our parents. Others would say, well, we get our rights from the President. Even one student last week told me we get our rights from Harry Potter. But most of the kids that I would talk to and most of the professors I would talk to say, well, we get our rights as Americans from government.

All of those answers, I submit to you, Mr. Speaker, are wrong because we don't get our rights from any of those entities. We talk about our rights, we claim we have rights, but we never talk about where we get them. I think it would be easier to describe a story that occurred shortly after the Iron Curtain, as Churchill called it, came down, the Berlin Wall, the wall that separated East from West, freedom from slavery. When the wall came down, there were numerous political prisoners in Eastern Europe that were finally freed but put in prison by those oppressive governments for exercising what they believed to be freedoms. One was a Prague, Czechoslovakian student who had gone to prison for 7 years and was serving time because he was reading on the steps of Prague University a forbidden document, a document that that Communist regime said that no one shall read in public.

I would like to read a portion of that document here tonight. He quoted someone from the United States. In that statement where he spent 7 years in prison, he stated, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, the pursuit of Happiness, that to secure these rights, Governments are instituted among Men, deriving the just powers from the consent of the governed."

Yes, Mr. Speaker, that Prague student who spent 7 years in prison understood where his rights came from. It was not from government, but it was from the Almighty, the Creator, as quoted in the Declaration of Independence that he chose to read and cost him 7 years of his freedom, that Declaration of Independence that was written and authored by Thomas Jefferson.

Of course that document was the status and the statement and the indictment against King George, not the people of England, but King George, the Government of England, for why the United States had a right to be a separate and independent nation. It was an indictment stating the causes, and finally the Constitution was the government that we set up to preserve the rights in the Declaration of Independence.

We get our rights from the Creator. Because if we get our rights from government, governments can take those rights away from us at any time government wishes to do so. Mr. Speaker, 49 of the 50 States have in their preambles a reference to the Almighty. Many of those preambles mention the fact that they get their rights in the States from the Creator.

The Bill of Rights in our Constitution limits government. Government does not have rights. Government has power. And government gets power from us when we choose to give up individual liberty and give up individual rights. Government has the power to control us and control our liberties only if we let it. So the Bill of Rights and the Constitution says government was set up to protect the rights that we have, those God-given rights of life, liberty and the pursuit of happiness. In fact, the ninth amendment to the Bill of Rights says there are more rights that aren't even listed in the Bill of Rights that we have.

Mr. Speaker, on the Jefferson Memorial down the street from where we all are is written a quote by Thomas Jefferson which says, "God who gave us Life gave us Liberty. Can the liberties of a nation be secure when we have removed a conviction that these liberties are the gift of God?"

Mr. Speaker, if we fail to acknowledge this legal principle of God-given rights, then we deny our heritage as Americans and our reason to be a free people.

And that's just the way it is.

STATE CONSTITUTIONS—REFERENCES TO GOD

Alabama 1901, Preamble: We the people of the State of Alabama, invoking the favor and guidance of Almighty God, do ordain and establish the following Constitution.

Alaska 1956, Preamble: We, the people of Alaska, grateful to God and to those who founded our nation and pioneered this great land.

Arizona 1911, Preamble: We, the people of the State of Arizona, grateful to Almighty God for our liberties, do ordain this Constitution . . .

Arkansas 1874, Preamble: We, the people of the State of Arkansas, grateful to Almighty God for the privilege of choosing our own form of government . . .

California 1879, Preamble: We, the People of the State of California, grateful to Almighty God for our freedom.

Colorado 1876, Preamble: We, the people of Colorado, with profound reverence for the Supreme Ruler of Universe . . .

Connecticut 1818, Preamble: The People of Connecticut, acknowledging with gratitude the good Providence of God in permitting them to enjoy.

Delaware 1897, Preamble: Through Divine Goodness all men have, by nature, the rights of worshiping and serving their Creator according to the dictates of their consciences.

Florida 1885, Preamble: We, the people of the State of Florida, grateful to Almighty God for our constitutional liberty, establish this Constitution . . .

Georgia 1777, Preamble: We, the people of Georgia, relying upon protection and guidance of Almighty God, do ordain and establish this Constitution . . .

Hawaii 1959, Preamble: We, the people of Hawaii, Grateful for Divine Guidance . . . Establish this Constitution . . .

Idaho 1889, Preamble: We, the people of the State of Idaho, grateful to Almighty God for our freedom, to secure its blessings.

Illinois 1870, Preamble: We, the people of the State of Illinois, grateful to Almighty God for the civil, political and religious liberty which He hath so long permitted us to enjoy and looking to Him for a blessing on our endeavors.

Indiana 1851, Preamble: We, the People of the State of Indiana, grateful to Almighty God for the free exercise of the right to choose our form of government.

Iowa 1857, Preamble: We, the People of the State of Iowa, grateful to the Supreme Being for the blessings hitherto enjoyed, and feeling our dependence on Him for a continuation of these blessings establish this Constitution.

Kansas 1859, Preamble: We, the people of Kansas, grateful to Almighty God for our civil and religious privileges establish this Constitution.

Kentucky 1891, Preamble: We, the people of the Commonwealth are grateful to Almighty God for the civil, political and religious liberties . . .

Louisiana 1921, Preamble: We, the people of the State of Louisiana, grateful to Almighty God for the civil, political and religious liberties we enjoy.

Maine 1820, Preamble: We the People of Maine acknowledging with grateful hearts the goodness of the Sovereign Ruler of the Sovereign Ruler of the Universe in affording us an opportunity . . . And imploring His aid and direction.

Maryland 1776, Preamble: We, the people of the state of Maryland, grateful to Almighty God for our civil and religious liberty . . .

Massachusetts 1780, Preamble: We . . . the people of Massachusetts, acknowledging with grateful hearts, the goodness of the Great Legislator of the Universe . . . In the course of His Providence, an opportunity and devoutly imploring His direction . . .

Michigan 1908, Preamble: We, the people of the State of Michigan, grateful to Almighty God for the blessings of freedom establish this Constitution.

Minnesota 1857, Preamble: We, the people of the State of Minnesota, grateful to God for our civil and religious liberty, and desiring to perpetuate its blessings:

Mississippi 1890, Preamble: We, the people of Mississippi in convention assembled, grateful to Almighty God, and invoking His blessing on our work. . . .

Missouri 1845, Preamble: We, the people of Missouri, with profound reverence for the Supreme Ruler of the Universe, and grateful for His goodness . . . Establish this Constitution.

Montana 1889, Preamble: We, the people of Montana, grateful to Almighty God for the blessings of liberty establish this Constitution.

Nebraska 1875, Preamble: We, the people, grateful to Almighty God for our freedom . . . Establish this Constitution.

Nevada 1864, Preamble: We the people of the State of Nevada, grateful to Almighty God for our freedom establish this Constitution.

New Hampshire 1792, Part I. Art. I. Sec. V. Every individual has a natural and unalienable right to worship God according to the dictates of his own conscience.

New Jersey 1844, Preamble: We, the people of the State of New Jersey, grateful to Almighty God for civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing on our endeavors.

New Mexico 1911, Preamble: We, the People of New Mexico, grateful to Almighty God for the blessings of liberty.

New York 1846, Preamble: We, the people of the State of New York, grateful to Almighty God for our freedom, in order to secure its blessings.

North Carolina 1868, Preamble: We the people of the State of North Carolina, grateful to Almighty God, the Sovereign Ruler of Nations, for our civil, political, and religious liberties, and acknowledging our dependence upon Him for the continuance of those.

North Dakota 1889, Preamble: We, the people of North Dakota, grateful to Almighty God for the blessings of civil and religious liberty, do ordain . . .

Ohio 1852, Preamble: We the people of the state of Ohio, grateful to Almighty God for our freedom, to secure its blessings and to promote our common.

Oklahoma 1907, Preamble: Invoking the guidance of Almighty God, in order to secure and perpetuate the blessings of liberty establish this.

Oregon 1857, Bill of Rights, and Article I. Section 2. All men shall be secure in the Natural right, to worship Almighty God according to the dictates of their consciences.

Pennsylvania 1776, Preamble: We, the people of Pennsylvania, grateful to Almighty God for the blessings of civil and religious liberty, and humbly invoking His guidance.

Rhode Island 1842, Preamble: We the People of the State of Rhode Island grateful to Almighty God for the civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing.

South Carolina 1778, Preamble: We, the people of the State of South Carolina grateful to God for our liberties, do ordain and establish this Constitution.

South Dakota 1889, Preamble: We, the people of South Dakota, grateful to Almighty God for our civil and religious liberties.

Tennessee 1796, Art. XI.III. that all men have a natural and indefeasible right to worship Almighty God according to the dictates of their conscience . . .

Texas 1845, Preamble: We the People of the Republic of Texas, acknowledging, with gratitude, the grace and beneficence of God.

Utah 1896, Preamble: Grateful to Almighty God for life and liberty, we establish this Constitution.

Vermont 1777, Preamble: Whereas all government ought to enable the individuals who compose it to enjoy their natural rights, and other blessings which the Author of Existence has bestowed on man . . .

Virginia 1776, Bill of Rights, XVI Religion, or the Duty which we owe our Creator can be directed only by Reason and that it is the mutual duty of all to practice Christian Forbearance, Love and Charity towards each other.

Washington 1889, Preamble: We the People of the State of Washington, grateful to the Supreme Ruler of the Universe for our liberties, do ordain this Constitution.

West Virginia 1872, Preamble: Since through Divine Providence we enjoy the blessings of civil, political and religious liberty, we, the people of West Virginia reaffirm our faith in and constant reliance upon God . . .

Wisconsin 1848, Preamble: We, the people of Wisconsin, grateful to Almighty God for our freedom, domestic tranquility.

Wyoming 1890, Preamble: We, the people of the State of Wyoming, grateful to God for our civil, political, and religious liberties establish this Constitution.

□ 1800

CAMPAIGN SPENDING DOOMSDAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, for 60 years, the Bulletin of Atomic Scientists has operated the doomsday clock which measures the threat to civilization and counts the minutes under midnight. When it was first introduced in 1947, the doomsday clock measured only the nuclear threat. But now it takes climate change into account as well.

But perhaps we need a different doomsday clock, a clock that will warn us about a different type of arms race that also threatens the future of our Republic. This arms race is not nuclear weaponry but instead uncontrolled escalation in campaign spending. Unbridled campaign spending represents the clearest, most present danger to our democratic ideals as a Republic.

Here is the latest evidence. Just this week, the Center For Responsive Politics released the latest information about campaign spending in the 2008 presidential race.

After 9 months of fundraising, says the Center, "This Presidential money chase seems to be on track to collect an unprecedented $1 billion total. By some predictions, the eventual nominees will need to raise $500 million apiece to compete." $500 million apiece to compete. This is a tremendous amount of throw-weight, to borrow a Cold War term.

"After nine months of fundraising, the candidates for President in 2008 have already raised about $420 million. This Presidential money chase seems to be on track to collect an unprecedented," and I repeat, "$1 billion total". That is probably four to five times as much as was collected just 4 years ago. On the Democratic side, HILLARY CLINTON has raised nearly $100 million. On the Republican side, Mitt Romney is about half that amount, but Rudy Giuliani is just on his tracks. BARACK OBAMA has raised about an equal amount to Senator CLINTON.

The projected Presidential spending will exceed the annual gross domestic product of 25 nations on this planet. Where is all this money coming from? If the Presidential campaign surpasses the $1 billion mark for the first time in our history, who will own the next President? Isn't that what the American people are asking? Will it be middle-class voters, who are holding on for dear life, ordinary working folks trying to pay for gasoline, put food on the table, pay insurance bills, pay utility bills, pay tuition costs, pay taxes? Will they have more influence over the next President of the United States? Or will the big-money special interests have more influence? We all know the answer to that question.

The people are telling us they are deeply troubled. All the polls show the American people feel that Washington is totally out of step with them. It's hard to imagine a Presidential candidate who is not beholden to special interests. It's hard to imagine that a candidate who relies on hedge funds, multinationals and special interests will be able to stand up for the middle class in America. The middle class is asking where is the President, where is the Congress.

What type of legacy is this leaving for our children? Will they not conclude our Republic is owned lock, stock and barrel by the rich and powerful? It sure looks that way. What will they think our Nation, once founded with the high ideals of patriotism, sacrifice and rebellion against entrenched interests? What has happened to that Republic?

The dollar amounts being tossed around in the 2000 Presidential race make it only a matter time before another giant scandal rocks our government and further undermines the confidence in our body politic and our very system of government. We must curb this arms race now before it's too late.

H. Con. Res. 6, which I have introduced, reaffirms that presence of unlimited amounts of money is corrupting our political process in a fundamental manner. I encourage my colleagues to join me in cosponsoring this legislation and for Americans to pay attention and call this important issue to the attention of their representatives and of those Presidential candidates when they whiz through town.

America needs a new declaration of independence to take our politics back from the money handlers, the bundlers, the lobbyists, the spin doctors and the telemarketers, which is what Presidential campaigns have become, telemarketing, with $1 billion being put on television.

Let's return our Republic, if we can, to the American people and, more importantly, a free Republic to our children.

REINTRODUCTION OF LEGISLATION TO SUPPORT THE SCIENTIFIC STUDY OF ANCIENT REMAINS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. HASTINGS) is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, last month the Senate Committee on Indian Affairs approved a bill that included a two-word addition to existing law that effectively blocks the scientific study of ancient skeletal remains discovered on Federal land. This change, tucked into what is being called a technical corrections bill, is very far from a minor "technical correction." It is a fundamental shift in existing law and would overturn a decision of the Ninth Circuit Court, which is second only to the Supreme Court. Such an extreme action should not be hidden within a mostly noncontroversial bill.

In its ruling, the Ninth Circuit Court expressly allowed the research and scientific study of ancient human remains found in the United States. The Senate bill seeks to quietly erase our Nation's ability to study our past and the planet's human history. The Tri-Cities community in my central Washington district needs no introduction to this issue. They experienced firsthand the court battles that ensued after the 9,300-year-old Kennewick Man remains were discovered on the banks of the Columbia River in 1996. These remains are among the oldest found in North America, and the quality of the remains has the potential to yield researchers greater insight into the early history of man in North America.

A full 8 years after the Kennewick Man's discovery, the Ninth Circuit Court ruled in 2004, as I have explained, that the remains were to be studied by scientists. Then, during the last Congress, the Senate first sought its two-word addition in "technical corrections." I introduced a bill to challenge and publicize this action.

Members of the Senate committee decided to try again last month in this Congress. I am forced once again to respond by reintroducing my bill. My bill very simply and plainly ensures the ability for scientific study of truly ancient remains. If this matter is pushed to the Senate, then let us have a full, open and honest debate about what the Senate Indian Affairs Committee would do to scientific study in our country. The effort to quietly slide through such a dramatic change needs to stop. Those who support it should explain why and give a justification.

Mr. Speaker, I hope the introduction of my legislation will help bring balance to what is being done on the other side of the Capitol, and that scientific inquiry is not extinguished through the quiet acts of the United States.

FACTS ABOUT NICS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. McCARTHY) is recognized for 5 minutes.

Mrs. McCARTHY of New York. Mr. Speaker, I would like to respond to some inaccurate information being spread on H.R. 2640, the NICS Improvement Amendments Act. As you know, Federal law prohibits nine groups of individuals from obtaining a firearm. One such group includes individuals who are determined to be mentally ill or who were committed to a mental institution. These determinations and commitments are made in accordance with the State law and always in accordance with due process. One purpose of H.R. 2640 is to ensure that information on these people make it into the Federal gun background check system.

According to officials at the Department of Veterans Affairs, VA officials make no determination or commitment regarding the legal mental health status of any of our veterans. However, some groups continue to believe that the VA is sending data to the NICS system on veterans who do not meet the disqualification of gun rights.

To ensure our veterans are not losing their gun rights, I included several protective provisions in H.R. 2640. These provisions ensure two things. First, the VA will only provide records on veterans determined by the same procedures that apply to nonveterans in regards to mental health. Second, they require that the removal from NICS of a veteran's records that do not meet the law's standards.

The intent and purpose of these sections is clear. NICS should only have information on veterans disqualified because they were legally determined to be mentally ill or involuntarily committed to a mental institution. The VA will not transfer information on veterans who just were treated for posttraumatic syndrome or who have a VA disability rating based on some mental health problem that does not reach the legal threshold of mental illness within the State.

In addition, I recognize that mental illness is not necessarily a permanent impediment. Since the State made the initial determination of mental illness, that State should be able to remove that determination. H.R. 2640 contains a section to address this section.

If a State elects to receive funds authorized by H.R. 2640, it must establish a procedure to review and, if appropriate, reverse mental health status. A veteran or any other individual will be able to apply to a State court, board, commission or any other lawful authority. That authority would review the person's situation. It is up to the State to set up and determine how the procedure will operate in accordance with due process. I expect that a State would use the same process that it uses to make the initial determination or commitment.

H.R. 2640 does not change how a person is found to be disqualified from obtaining or possessing a gun. The language and procedures of the Gun Control Act of 1968 remain in effect. The bill does, however, insist that NICS receives only records on disqualified persons, whether a veteran or nonveteran.

H.R. 2640 would also allow States to establish procedures that permit a person disqualified on the basis of legal mental illness to prove to the State that he or she no longer poses a danger to society.

I believe that H.R. 2640 is fair and it is balanced. I am hoping the other body will soon approve the bill so that the States will be encouraged to provide information that improves the background check system on gun purchases. This was a bill that was worked out together here in the House. It had strong bipartisan support. If the bill had been placed when it was first passed in the year 2002, there is a possibility that Mr. Cho from Virginia Tech would not have been able to obtain a gun and commit the unfortunate murders that he did.

Mr. Speaker, it is common sense that when you work with the NRA, and certainly those that consider me a fair person on reducing gun violence in this country, that we need to get the other body to pass this bill so we can save lives.

MAKING TRADE ADJUSTMENT ASSISTANCE PROGRAMS BETTER FOR THE FUTURE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ENGLISH) is recognized for 5 minutes.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, as the United States enters a new era of trade liberalization, where foreign competition and an evolving international market challenge the historic preeminence of America's manufacturing base, Congress must be vigilant in upholding its commitment to working people and update the safety-net programs that were created to help America's families stay afloat during challenging and troubling economic times.

As the growing global economy continues to reduce barriers to trade, domestic employers are forced to respond to new opportunities and challenges alike. The Trade Adjustment Assistance programs collectively assist in the transition involved in overcoming these challenges.

Today, Mr. Speaker, the House passed landmark legislation to extend these critical safety-net programs to American workers and employers who have suffered from foreign trade. The reauthorization of these programs represents an opportunity for significant reform and enhancement and will serve as one of the milestones that can be a foundation for strengthening U.S. trade policy.

Since 1975, over 3 million American workers have been certified for assistance under the TAA for Workers program, and more than 2 million workers have directly received assistance. In the last 10 years, the TAA for Firms program has saved more than 60,000 jobs. In my district in western Pennsylvania, more than 20 companies have gone through the program and, as a result, have been able to save and even create new jobs for local workers.

Clearly, the TAA programs as a group have an impressive record of success. And the bill that we voted on today, although not designed exactly as I would have preferred, is a strong step forward in strengthening these programs so that they are more efficient, more robust, more flexible and more user friendly.

H.R. 3920 would move to overhaul and reauthorize the TAA for Workers, Firms and Farmers programs for an additional 5 years, through 2012. Importantly, the measure would speed the delivery of benefits by establishing an automatic industry certification system for workers negatively impacted by trade.

As you know, Mr. Speaker, the TAA certification process has been a bureaucratic nightmare of red tape that has plagued the program for a long time. H.R. 3920 would replace the current sluggish and Byzantine system which requires the Department of Labor to individually approve the petitions for assistance for these workers. The establishment of an automatic industry certification alone will be a dramatic improvement on current law.

In addition, the bipartisan measure would extend eligibility to service workers, such as engineers, boost health care benefits, and improve wage insurance programs. In fact, many of these provisions rather closely mirror legislation that I introduced early this year, H.R. 910, the American Competitiveness and Adjustment Act.

As cochair of the TAA Coalition, I have long advocated for the strengthening and streamlining of these critical safety-net programs, and I am proud to have been a part of today's House action, which has been years in the making.

By expanding and clarifying benefits, cutting through mountains of red tape and channeling the right resources toward retraining, H.R. 3920 represents the most important restructuring of TAA since the program's inception. In my view, the Congress has a fundamental obligation to American employers and workers to devote the time necessary to make significant improvements to the program this year.

I look forward to working with my colleagues to advance these commonsense improvements to vastly accelerate and enhance the opportunities afforded workers displaced by trade, as well as augment the competitiveness of American employers before they are forced to furlough workers.

TAA has proven to be a lifeline for American workers displaced by trade. It has prevented thousands of American companies from surrendering to the often increased pressure of the international marketplace, despite their innate ability to compete on a level playing field and to succeed in doing so.

House passage of this bill clears the first hurdle in helping to make TAA better for the future.

Mr. Speaker, I urge the Senate to act swiftly on this critical issue. American workers, employers and indeed our economy cannot wait.

□ 1815

DEMOCRATS HONOR FISCAL RESPONSIBILITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALL) is recognized for 5 minutes.

Mr. HALL of New York. Mr. Speaker, I come to the floor in defense of fiscal responsibility. After 6 years of disastrous management and record deficits, the new Democratic House has restored fiscal sanity to the Federal Government. We have reinstated PAYGO, or pay as you go, and passed a budget that will balance Federal spending.

As the Speaker knows, PAYGO requires the House to live by the same rules that American families live by. Like them, if we want to spend more money on something, we know we have to spend less money on something else. Just as families sit down and make tough choices every day, Congress now has to decide what the government's priorities should be.

And the new Democratic majority has made America's priorities the priorities of this Congress. We have twice passed the SCHIP legislation to provide working families with health care for their children.

We passed the College Cost Reduction Act, the largest investment in college financial aid since the GI bill. This bill increased Pell Grants, provided tuition assistance for future teachers, and enabled loan forgiveness for first responders, law enforcement officers, and fire fighters.

The new Democratic Congress also honored America's promise to our veterans by passing the largest budget increase in the history of the Department of Veterans Affairs.

We have passed appropriations bills that fund the most pressing needs of our country. As the bridge collapse in Minnesota showed, there are serious infrastructure needs throughout the country. In fact, there are 13 deficient bridges alone, according to a study that we were shown today in a Transportation and Infrastructure hearing, in my district, the 19th Congressional District of New York.

The House has increased funding for highway repair by $631 million over the President's request to make these important repairs.

We have provided $400 million extra to improve the quality of teachers in America's schools.

House Democrats provided $1.8 billion above the President's request to invest in renewable energies to save our environment and end our dependence on foreign oil.

Because we have funded these vital needs for America, the President has threatened to veto these bills. After borrowing more money than every other President in history combined, President Bush has decided to pretend to be fiscally responsible. Unfortunately for the President, his Halloween costume just doesn't fit. For as he protests over $22 billion for American needs, he has watched $35 billion in taxpayer money get lost or stolen in Iraq. With the money the President has lost in Iraq, we could pay for all of these important needs with billions left over. The President has spent over $2 billion in Iraq to improve oil production; yet still, production of oil in Iraq remains at below prewar levels.

Now the President threatens to veto the Homeland Security bill because House Democrats have added that same amount to train first responders and protect our ports. It seems that the President believes it is more important to waste money in Iraq than to provide critical equipment and protective gear for 250 fire departments in New York.

The President has stood by while contractors have gone $144 million over budget building the embassy in Iraq. With this $144 million, I believe we should instead provide health care for over 20,000 New York veterans.

The President has paid $2 billion to provide drinking water to the Iraqi people, although fewer Iraqis now have access to drinkable water than before the war. Yet the President threatens to veto $1.2 billion, as compared to $2 billion, for clean drinking water here in America.

Finally, the President stood quietly by as the American government shipped $8.8 billion in cash to Iraq and simply lost it. You heard me correctly, lost it. There are absolutely no records to explain where this money went. It just disappeared into the Iraqi desert.

The new Democratic majority has spent the last year restoring fiscal sanity to the government's budget. We have passed legislation to help middle-class families insure their children and pay for college. We have funded important needs across this country. I am proud of our work and I urge the President to stop playing politics and sign these important bills.

PUBLICATION OF THE RULES OF THE COMMITTEE ON SMALL BUSINESS, 110TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. VELÁZQUEZ) is recognized for 5 minutes.

Ms. VELÁZQUEZ. Mr. Speaker, in accordance with clause 2(a) of rule XI of the Rules of the House of Representatives, I respectfully submit the rules of the Committee on Small Business for printing in the CONGRESSIONAL RECORD. The Committee on Small Business adopted these rules by voice vote, a quorum being present, at our organizational meeting on January 31, 2007.

RULES AND PROCEDURES ADOPTED BY THE COMMITTEE ON SMALL BUSINESS, U.S. HOUSE OF REPRESENTATIVES, 110TH CONGRESS, 2007–2008

1. GENERAL PROVISIONS

The Rules of the House of Representatives, and in particular the committee rules enumerated in rule XI, are the rules of the Committee on Small Business to the extent applicable and by this reference are incorporated. Each subcommittee of the Committee on Small Business (hereinafter referred to as the "committee") is a part of the committee and is subject to the authority and direction of the committee, and to its rules to the extent applicable.

2. REFERRAL OF BILLS BY CHAIRWOMAN

Unless retained for consideration by the committee, all legislation and other matters referred to the committee shall be referred by the Chairwoman to the subcommittee of appropriate jurisdiction within 14 calendar days. Where the subject matter of the referral involves the jurisdiction of more than one subcommittee or does not fall within any previously assigned jurisdictions, the Chairwoman shall refer the matter, as she may deem advisable.

3. DATE OF MEETING

The regular meeting date of the committee shall be the second Thursday of every month when the House is in session. A regular meeting of the committee may be dispensed with if, in the judgment of the Chairwoman, there is no need for the meeting. Additional meetings may be called by the Chairwoman as she may deem necessary or at the request of a majority of the members of the committee in accordance with clause 2(c) of rule XI of the House.

At least 3 days notice of such an additional meeting shall be given unless the Chairwoman determines that there is good cause to call the meeting on less notice.

The determination of the business to be considered at each meeting shall be made by the Chairwoman subject to clause 2(c) of rule XI of the House.

A regularly scheduled meeting need not be held if there is no business to be considered or, upon at least 3 days notice, it may be set for a different date.

4. ANNOUNCEMENT OF HEARINGS

Unless the Chairwoman, with the concurrence of the Ranking Minority Member, or the committee by majority vote, determines that there is good cause to begin a hearing at an earlier date, public announcement shall be made of the date, place and subject matter of any hearing to be conducted by the committee at least 7 calendar days before the commencement of that hearing.

After announcement of a hearing, the committee shall make available as soon as practicable to all Members of the committee a tentative witness list and to the extent practicable a memorandum explaining the subject matter of the hearing (including relevant legislative reports and other necessary material). In addition, the Chairwoman shall make available as soon as practicable to the Members of the committee any official reports from departments and agencies on the subject matter as they are received.

5. MEETINGS AND HEARINGS OPEN TO THE PUBLIC

(A) Meetings: Each meeting of the committee or its subcommittees for the transaction of business, including the markup of legislation, shall be open to the public, including to radio, television and still photography coverage, except as provided by clause 4 of rule XI of the House, except when the committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of the meeting on that day shall be closed to the public because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise would violate any law or rule of the House; Provided, however, that no person other than members of the committee, and such congressional staff and such executive branch representatives as they may authorize, shall be present in any business meeting or markup session which has been closed to the public.

(B) Hearings: Each hearing conducted by the committee or its subcommittees shall be open to the public, including radio, television and still photography coverage, except when the committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of the hearing on that day shall be closed to the public because disclosure of testimony, evidence or other matters to be considered would endanger the national security, would compromise sensitive law enforcement information, or would violate any law or rule of the House; Provided, however, that the committee or subcommittee may by the same procedure vote to close one subsequent day of hearings. Notwithstanding the requirements of the preceding sentence, a majority of those present, there being in attendance the requisite number required under the rules of the committee to be present for the purpose of taking testimony, (i) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information, or violate clause 2(k)(5) of rule XI of the House; or (ii) may vote to close the hearing, as provided in clause 2(k)(5) of rule XI of the House.

All members of the committee shall be able to participate in any subcommittee hearing.

No member of the House may be excluded from non-participatory attendance at any hearing of the committee or any subcommittee, unless the House of Representatives shall by majority vote authorize the committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearing to members by the same procedures designated for closing hearings to the public. Such members who would like to participate shall notify the Ranking Minority Member and submit a request to the Chairwoman one day in advance of such hearing.

6. WITNESSES

(A) Statement of Witnesses: Each witness who is to appear before the committee or subcommittee shall file with the committee at least two business days before the day of his or her appearance 75 copies of his or her written statement of proposed testimony. Each witness shall also submit to the committee a copy of his or her final prepared statement in an electronic format at that time.

At least one copy of the statement of each witness shall be furnished directly to the Ranking Minority Member. In addition, all witnesses shall be required to submit with their testimony a curriculum vitae or other statement describing their education, employment, professional affiliations and other background information pertinent to their testimony unless waived by the Chairwoman. Each witness will complete a disclosure form detailing any contracts or business that they currently have with the federal government.

The committee will provide public access to its printed materials, including the proposed testimony of witnesses, in electronic form.

(B) Interrogation of Witnesses: Whenever any hearing is conducted by the committee or any subcommittee upon any measure or matter, the minority party members on the committee shall be entitled, upon request to the Chairwoman by a majority of those minority members, to call a witness or witnesses selected by the minority to testify with respect to that measure or matter. The minority shall be entitled to a ratio of one-third of the witnesses testifying. For the purposes of determining this ratio, it shall not include testifying government officials. The witnesses requested by the minority shall be invited to testify by the Chairwoman and must furnish at least one copy of his or her statement and any supplementary materials directly to the Chairwoman within one business day before the day of his or her appearance unless waived by the Chairwoman.

Except when the committee adopts a motion pursuant to subdivisions (B) and (C) of clause (2)(j)(2) of rule XI of the rules of the House, committee members may question witnesses only when they have been recognized by the Chairwoman for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The Chairwoman and the Ranking Member shall not be subject to the 5-minute period limitation. For all other Committee Members, the 5-minute period for questioning a witness by any one member can be extended only with the unanimous consent of all members present. The Chairwoman, followed by the Ranking Minority Member and all other members alternating between the majority and minority, shall initiate the questioning of witnesses in both the full and subcommittee hearings. The order for questioning by members of each party shall be determined by the time in which the member arrived at the hearing after the gavel has been struck, with the first arriving having priority over members of his or her party. If members arrive at the same time, then seniority shall dictate the order.

In recognizing members to question witnesses, the Chairwoman may take into consideration the ratio of majority and minority members present in such a manner as not to disadvantage the Members of either party. The Chairwoman, in consultation with the Ranking Minority Member, may decrease the 5-minute time period in order to accommodate the needs of all the Members present and the schedule of the witnesses.

7. SUBPOENAS

A subpoena may be authorized and issued by the committee in the conduct of any investigation or series of investigations or activities to require the attendance and testimony of such witness and the production of such books, records, correspondence, memoranda, papers and documents, as deemed necessary. Such a subpoena shall be authorized by a majority vote of the full committee. The requirement that the authorization of a subpoena require a majority vote may be waived by the Ranking Minority Member. The Chairwoman may issue a subpoena, in consultation with the Ranking Minority Member, when the House is out for more than three legislative days.

8. QUORUM

No measure or recommendation shall be reported unless a majority of the committee was actually present. For purposes of taking testimony or receiving evidence, there shall be one member from the majority and one member from the minority for the purposes of a quorum. Such requirement shall be waived for field hearings. For all other purposes, one-third of the members (or 11 Members) shall constitute a quorum.

9. AMENDMENTS DURING MARK-UP

Any amendment offered to any pending legislation before the committee must be made available in written form when requested by any member of the committee. If such amendment is not available in written form when requested, the Chairwoman shall allow an appropriate period for the provision thereof.

10. POSTPONEMENT OF PROCEEDINGS

The Chairwoman in consultation with the Ranking Minority Member may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairwoman may resume proceedings postponed at any time, but no later than the next meeting day. In exercising postponement authority, the Chairwoman shall take all reasonable steps necessary to notify members on the resumption of proceedings on any postponed recorded vote. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

11. NUMBER AND JURISDICTION OF SUBCOMMITTEES

There will be five subcommittees as follows: Finance and Tax (6 Democratic Members and 5 Republican Members); Contracting and Technology (6 Democratic Members and 5 Republican Members); Regulations, Health Care, and Trade (8 Democratic Members and 7 Republican Members) Rural and Urban Entrepreneurship (7 Democratic Members and 6 Republican Members); Investigations and Oversight (4 Democratic Members and 3 Republican Members).

During the 110th Congress, the Chairwoman and Ranking Minority Member shall be ex officio members of all subcommittees, without vote, and the full committee shall have the authority to conduct oversight of all areas of the committee's jurisdiction. In addition, all members of the committee may participate in hearings of any subcommittee of the committee. In addition to conducting oversight in the area of their respective jurisdiction, each subcommittee shall have the following jurisdiction:

Subcommittee on Finance and Tax

The Small Business Administration (SBA) Lending and Investment programs: Section 7(a) loan program, 504 Certified Development Company program, Small Business Investment Company program, Disaster Loan Assistance programs, and Microloan program; access to capital and finance issues generally; and oversight over tax policy and retirement/pension matters affecting small businesses.

Subcommittee on Contracting and Technology

SBA Contracting programs including the following: Section 8(a) Business Development program, Small Disadvantaged Business SDB certification operated by SBA, Women's Procurement Program, HUBZone program, Surety Bond program, Service-disabled veteran procurement, and Section (7)(j) management and technical assistance program. SBA Technology programs: Small Business Innovation Research (SBIR) program, Small Business Technology Transfer program; oversight of government-wide procurement practices and programs affecting small businesses and oversight of technology and patent issues.

Subcommittee on Regulations, Health Care, and Trade

The Regulatory Flexibility Act, the Small Business Regulatory Enforcement Fairness Act, and the Paperwork Reduction Act; SBA's Office of Advocacy, National Ombudsman, and SBA small business size standards; oversight of regulations and regulatory issues that affect small businesses; oversight of health care coverage issues; oversight over issues affecting small health care providers; and oversight of trade issues, including SBA's Office of International Trade.

Subcommittee on Rural and Urban Entrepreneurship

SBA entrepreneurial development programs: Women's Business Centers, National Veterans Business Development Corporation, Small Business Development Centers, SCORE, Drug Free Workplace program, Office of Women's Business Ownership, and National Women's Business Council (NWBC).

New Markets Venture Capital (NMVC) program, New Markets Tax Credit program, BusinessLINC and the Program for Re-Investment in Micro entrepreneurs.

General oversight of programs targeted toward urban and rural economic growth as well as general federal government entrepreneurial development programs; oversight of agricultural issues; and oversight of energy issues.

Subcommittee on Investigations and Oversight

Oversight of SBA Administration, Management, and Agency Practices.

Oversight of activities by the Office of the Inspector General at SBA.

12. COMMITTEE STAFF

(A) Majority Staff: The employees of the committee, except those assigned to the minority as provided below, shall be appointed and assigned, and may be removed by the Chairwoman. The Chairwoman shall fix their remuneration, and they shall be under the general supervision and direction of the Chairwoman.

(B) Minority Staff: The employees of the committee assigned to the minority shall be appointed and assigned, and their remuneration determined, as the Ranking Minority Member of the committee shall determine.

(C) Subcommittee Staff: The Chairwoman and Ranking Minority Member of the full committee shall endeavor to ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the committee.

13. POWERS AND DUTIES OF SUBCOMMITTEES

Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full committee on all matters referred to it. Subcommittee chairmen shall set meeting and hearing dates after approval of the Chairwoman of the full committee. Meetings and hearings of subcommittees shall not be scheduled to occur simultaneously with meetings or hearings of the full committee.

14. RECORDS

The committee shall keep a complete record of all actions, which shall include a record of the votes on any question on which a record vote is demanded. The result of each subcommittee record vote, together with a description of the matter voted upon, shall promptly be made available to the full committee. A record of such votes shall be made available for inspection by the public at reasonable times in the offices of the committee.

The committee shall keep a complete record of all committee and subcommittee activity which, in the case of any meeting or hearing transcript, shall include a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved.

The records of the committee at the National Archives and Records Administration shall be made available in accordance with rule VII of the Rules of the House. The Chairwoman of the full committee shall notify the Ranking Minority Member of the full committee of any decision, pursuant to clause 3(b)(3) or clause 4(b) of rule VII of the House, to withhold a record otherwise available, and the matter shall be presented to the committee for a determination of the written request of any member of the committee.

15. ACCESS TO CLASSIFIED OR SENSITIVE INFORMATION

Access to classified or sensitive information supplied to the committee and attendance at closed sessions of the committee or its subcommittees shall be limited to members and necessary committee staff and stenographic reporters who have appropriate security clearance when the Chairwoman determines that such access or attendance is essential to the functioning of the committee.

The procedures to be followed in granting access to those hearings, records, data, charts, and files of the committee which involve classified information or information deemed to be sensitive shall be as follows:

(A) Only Members of the House of Representatives and specifically designated committee staff of the Committee on Small Business may have access to such information.

(B) Members who desire to read materials that are in the possession of the committee should notify the clerk of the committee.

(C) The clerk will maintain an accurate access log, which identifies the circumstances surrounding access to the information, without revealing the material examined.

(D) If the material desired to be reviewed is material which the committee or subcommittee deems to be sensitive enough to require special handling, before receiving access to such information, individuals will be required to sign an access information sheet acknowledging such access and that the individual has read and understands the procedures under which access is being granted.

(E) Material provided for review under this rule shall not be removed from a specified room within the committee offices.

(F) Individuals reviewing materials under this rule shall make certain that the materials are returned to the proper custodian.

(G) No reproductions or recordings may be made of any portion of such materials.

(H) The contents of such information shall not be divulged to any person in any way, form, shape, or manner, and shall not be discussed with any person who has not received the information in an authorized manner.

(I) When not being examined in the manner described herein, such information will be kept in secure safes or locked file cabinets in the committee offices.

(J) These procedures only address access to information the committee or a subcommittee deems to be sensitive enough to require special treatment.

(K) If a member of the House of Representatives believes that certain sensitive information should not be restricted as to dissemination or use, the member may petition the committee or subcommittee to so rule. With respect to information and materials provided to the committee by the executive branch, the classification of information and materials as determined by the executive branch shall prevail unless affirmatively changed by the committee or the subcommittee involved, after consultation with the appropriate executive agencies.

(L) Other materials in the possession of the committee are to be handled in accordance with the normal practices and traditions of the committee.

16. OTHER PROCEDURES

The Chairwoman of the full committee may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the committee.

17. AMENDMENTS TO COMMITTEE RULES

The rules of the committee may be modified, amended or repealed by a majority of the members, at a meeting specifically called for such purpose, but only if written notice of the proposed change has been provided to each such member at least 3 days before the time of the meeting.

18. BUDGET AND TRAVEL

(A) From the amount provided to the Committee in the primary expense resolution adopted by the U.S. House of Representatives for the 110th Congress, the Chairwoman, after consultation with the Ranking Minority Member, shall designate one-third of the budget under the direction of the Ranking Minority Member for the purposes of minority staff, travel expenses of minority staff and members, and minority office expenses.

(B) The Chairwoman may authorize travel in connection with activities or subject matters under the general jurisdiction of the Committee.

(C) The Ranking Minority Member may authorize travel for any minority member or minority committee staff member in connection with activities or subject matters under the general jurisdiction of the Committee. Before such travel, there shall be submitted to the Chairwoman in writing the following at least seven calendar days prior: (a) The purpose of the travel; (b) The dates during which the travel is to occur; (c) The names of the States or countries to be visited and the length of time spent in each; and (d) The names of members and staff of the committee participating in such travel.

At the conclusion of such travel, a summary of the activity and its accomplishments shall be provided to the Chairwoman within ten calendar days.

19. COMMITTEE WEBSITE

The Chairwoman shall maintain an official Committee website for the purpose of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee members and other Members of the House. The Ranking Minority Members may maintain a similar website for the same purpose, including communicating information about the activities of the minority to Committee members and other Members of the House.

20. VICE CHAIR

Pursuant to House Rules, the Chairwoman shall designate a member of the majority party to serve as Vice Chairman of the Committee. The Vice Chairman shall preside at any meeting or hearing during the temporary absence of the Chairwoman. If the Chairwoman and Vice Chairman are not present at any meeting or hearing, the ranking member of the majority who is present shall preside at the meeting or hearing.

MILITARY SUCCESS IN IRAQ COMMEMORATION ACT OF 2007

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, today I introduced legislation, with the support of a number of my colleagues, entitled the "Military Success in Iraq Commemoration Act of 2007." This legislation is borne from my deeply held belief that we must commend our military for their exemplary performance and success in Iraq. This legislation recognizes the extraordinary performance of the Armed Forces in achieving the military objectives of the United States in Iraq, encourages the President to issue a proclamation calling upon the people of the United States to observe a national day of celebration commemorating the military success of American troops in Iraq, and provides other affirmative and tangible expressions of appreciation from a grateful Nation to all veterans of the war in Iraq.

Mr. Speaker, as lawmakers continue to debate U.S. policy in Iraq, our heroic young men and women continue to willingly sacrifice life and limb on the battlefield. Our troops in Iraq did everything we asked them to do. We sent them overseas to fight an army; they are now caught in the midst of an insurgent civil war and continuing political upheaval. The United States will not and should not permanently prop up the Iraqi government and military. U.S. military involvement in Iraq will come to an end, and, when U.S. forces leave, the responsibility for securing their nation will fall to Iraqis themselves. However, whether or not my colleagues agree that the time has come to withdraw our American forces from Iraq, I believe that all of us in Congress should be of one accord that our troops deserve our sincere thanks and congratulations.

I very strongly believe that our Nation has a moral obligation to ensure that our veterans are treated with the respect and dignity that they deserve. One reason we are the greatest Nation in the world is because of the brave young men and women fighting for us in Iraq and Afghanistan. They deserve honor, they deserve dignity, and they deserve to know that a grateful Nation cares about them.

The legislation that I introduced today, the Military Success in Iraq Commemoration Act of 2007, pays fitting tribute to the valor, devotion, and heroism of those who fought in Iraq. First, this legislation provides an express acknowledgment by the Congress that the objectives for which the Authorization for Use of Military Force (AUMF) resolution of 2002 authorized the use of force in Iraq were achieved by the Armed Forces of the United States, which performed magnificently in battle. It specifically recounts several notable achievements of the Armed Forces in Operation Iraqi Freedom.

In addition, this legislation authorizes the President to issue a proclamation calling upon the American people to observe a national day of celebration commemorating the Armed Forces' military success in Iraq. This will help ensure that the Iraq War does not suffer the fate of other open-ended engagements like the Korean War, which is often called the "Forgotten War." The soldiers who have served valiantly in Iraq deserve to be recognized and lauded when they return home.

Mr. Speaker, this legislation also authorizes funds to be appropriated and awarded by the Secretary of Defense to State and local governments to assist in defraying the costs of conducting suitable "Success in Iraq" homecoming and commemoration activities and in creating appropriate memorials honoring those who lost their lives in the war. Many of the casualties in the Iraq War come from small towns and villages in rural or economically depressed areas. The local governments are already facing substantial fiscal pressures and need help coming up with the necessary funds.

Finally, my legislation creates a program and authorizes funds to be appropriated pursuant to which the Secretary of Veterans Affairs shall award to each veteran of Operations Iraqi Freedom and Enduring Freedom a grant of $5,000 to facilitate the transition to civilian life. We don't want veterans to end up homeless or unemployed or unable to take their kids on a vacation or start a business. This $5,000 bonus is but a small token of the affection the people of the United States have for those who risked their lives so that we may continue to live in freedom.

Mr. Speaker, outside my office there is a poster-board with the names and faces of those heroes from Houston, Texas who have lost their lives wearing the uniform of our country. To date, the U.S. Department of Defense has confirmed 3838 casualties in Iraq. It is humbling to recognize how lucky we are to live in a Nation where so many brave young men and women volunteer knowing they may be called upon to make the ultimate sacrifice so that their countrymen can enjoy the blessings of liberty. The intent of my legislation is to pay fitting tribute to these great men and women and to let them know they will not be forgotten.

Mr. Speaker, I would like to urge all of my colleagues to join me in recognizing the efforts of our brave men and women in uniform and to ensure that they can successfully transition to civilian with dignity. I urge my colleagues to cosponsor this important legislation.

ACCOMPLISHMENTS OF THE 110TH CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Florida (Mr. KLEIN) is recognized for 60 minutes as the designee of the majority leader.

Mr. KLEIN of Florida. Mr. Speaker, it is a pleasure to be here this evening along with my colleagues from our freshman class. It is Halloween, and we are happy to be here. We know that our friends and neighbors are celebrating the holiday with their families, but we are going to talk about a little trick or treat, if you will, tonight. In addition, we are going to talk about some things that tie into a little bit of a Halloween theme and what is important in America right now. Back on the streets and back in the homes of the families that are very, very concerned about our country and the opportunities that their children have, taking care of their parents and grandparents, these are things that we recognize as all Members of Congress, Democrats and Republicans, that we have a responsibility to work with our businesses and our community leaders and our families to make sure that we make life a little bit better.

Before I get into some of the details, I am going to yield to the president of our freshman class, the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ of Minnesota. Mr. Speaker, it is a pleasure to be here tonight with these great legislators to do several things. One is to reiterate the responsibilities of the first branch, article I of the Constitution, the House of Representatives and the Senate as coequal branches of our government, and also to highlight by the use of finally reinstating after 6 years of capitulation to the administration, finally illustrating to the American people what can be done when there is a coequal branch of government.

As my colleague from Florida was speaking about Halloween, our children are home celebrating Halloween. And the President was very clever today when he talked about a bill that he saw disguised as a trick. This bill he talked about is the SCHIP legislation which has 43 of our Nation's Governors supporting it, 273 Members of the House of Representatives, 68 Senators, and 81 percent of the American public.

What the President does not realize any more is there is a coequal branch of government functioning here. The President also said we have been wasting time. This perception of Congress failing is not something that is done by chance. It is done on message. Many Members know that a former Speaker of this House, Newt Gingrich, when he talked about how to take control of this House, talked about the only way to do so was to destroy the credibility of this institution and to pull Congress down.

Make no mistake, there is very much an idea here of obstructionism, but I want to be very clear: What the President talks about wasting time is things like ensuring the richest, most prosperous nation on Earth provides health care for its most vulnerable citizens, its children. The measure of this society, if it cannot be by what we are willing to do for our children, I am not sure there is another measure. And as we consider ourselves a great Nation, of which we are, the idea that this President would use the idea of fiscal conservativeness, after spending trillions and trillions into debt, and wasting, as you heard one of our previous colleagues speak about, money that disappeared, the money that has disappeared in Iraq and the waste on the contractors alone would pay for this bill. And this President asked us not to ask those questions.

Well, if he thinks that looking for fraud, waste and abuse is wasting time, I guess his definition is correct. I would say it is our constitutional authority.

Making college more affordable for middle-class Americans, making homeownership a reality based on fair lending practices, not predatory lending practices. And making sure we care for our veterans and for our soldiers. Those are the things that this Democratic Congress came here to do. We face massive opposition from a President who never even uttered the word "veto" in his first 6 years, but now utters it every single day on legislation that will improve this country. So I am proud to be part of this new class and I am proud to be part of this movement to once again reassert our authority on this.

The President's definition of wasting time is this country's business that we are doing. He simply dislikes it because, as we all here agree, the President has a very different reality of what makes a great Nation. We would argue a great Nation is one that is founded on those principles that were so critically important to the founding of article I of our Constitution which my colleague is shortly going to discuss. I yield back, and I look forward to a lively conversation here about the real progress that is being made.

Mr. KLEIN of Florida. I thank the gentleman from Minnesota. I think you have provided great leadership for all of us in our freshman class. We are freshmen now for 9 months.

As you said, what the President categorizes as wasting time and the notion that nothing is getting done, well, there are some things that are getting done. Most importantly, there are some things that are on the brink. We will talk about a couple of those things.

Before I turn it over to the gentleman who is going to talk about the balance of power and how we are going to get to where we want to go here, because that is the American value of our democracy, I am going to list a few of the items that we have passed in this Congress with Democrats and Republicans, Democrat leadership but Republicans coming together, many of them, and the President signed them. A couple of things that are very, very important, I know many of these subjects were talked about in our campaigns.

Many people said 9/11. The 9/11 Commission Report, a thorough report that unfortunately most of it was not adopted. It has been adopted by this Congress in full and paid for.

I come from an area in Florida where we have ports, two major seaports in my district, and many airports. Many of you from all over the country have the same thing. It's now fully funded. We are making sure that the cargo is screened and all of the cargo, whether seafaring or air, is moving along.

PAYGO. We all believe in strong fiscal management. You only pay as you go. No more guessing we are going to have all this money in the future. No more taking the war and not even counting it against the national deficit. We now have a standard that was passed unanimously in this Congress. You can only spend what you have, just like you balance your books at home.

We made ethics and lobbying a reform priority. We now have gift bans. I don't need a cup of coffee from a lobbyist. I can buy my own cup of coffee. It is a standard everybody should have, and now it is in place.

We passed America COMPETES which is an innovative agenda supported by Chambers of Commerce all over the country, putting our priorities first in math and science and making sure the high-tech jobs will stay here.

We have lower interest rates for education. We all know the importance of a college education is crucial. Every one of these bills I have ticked off so far, I have listed so far, were passed by this Congress and signed by the President. We are very, very proud of that. Again, we have to talk about it.

There is a water resources bill for those with water projects. In my area, it is the Everglades. Many have polluted rivers and lakes and water issues. That bill was passed overwhelmingly by the Congress. It is on the President's desk. He has said he may veto it. If he does, that may be the first bill that gets overridden because I think there are enough votes.

And we will come back to SCHIP. It is a bipartisan supported bill written by Democrats and Republicans, and it is a wonderful bill. But before we get to SCHIP, I want to turn it over to Mr. YARMUTH of Kentucky to talk about what our democracy is all about and how this balance of power needs to come through.

☐ 1830

Mr. YARMUTH. Mr. Speaker, I thank the gentleman from Florida, and it's a pleasure to be here with my distinguished colleagues from the class of 2006 talking about the issues that confront this Congress and this Nation and also some of the issues that we have in dealing with the basic functioning of government, which is one of the reasons we're here tonight.

And I'm so happy that my colleague from Minnesota mentioned the President's statement that we were wasting time and doing many of these things. I can only think when I heard him make that statement, did he really think that maybe the Founding Fathers were wasting their time when they wrote the Constitution? Because the first thing they did when they wrote the Constitution was write article I, which established the Congress of the United States and vested all legislative powers in the Congress of the United States, not some of them, not those dealing with certain subjects, but all of them in the Congress of the United States.

And the reason they did that was simple. They had escaped. They had revolted to escape a dictatorial form of government when one person was the decider. We've had one person who thinks he's the decider in the White House, and we've had members of both parties who have been in the White House and felt that they were the deciders, but that's not what the Founding Fathers envisioned.

They envisioned a representative democracy in which people that they sent to decide how the government would affect their lives would make those decisions, and that's why they put article I first. That's why they created the executive branch in article II of the Constitution, and that's why when we act, whether it's to provide health insurance for kids, whether it's to provide resources for water projects throughout the country, whether it's to provide for the Defense Department for our soldiers, our brave men and women fighting overseas, for our veterans, whether it's when we try to create a new energy policy for this country, when we try to provide a sound and high-quality education for everyone in this country, that we're doing it pursuant to the powers, and not just the powers but the responsibilities that the Founding Fathers vested in this very body.

So, when the President says we're wasting time, I would beg to differ, because if we're wasting time, then the Founding Fathers wasted time when they wrote the Constitution.

And that's why it's so important that we focus not just on what we do here but why we're doing it and the fact that we are actually realizing the direction and the decisions made by those great men 220 years ago when they formed this Constitution that determines how we operate in this country and that has served this country so well for so long.

So I look forward to the next few minutes of discussion, and once again, I'm so proud to be here talking about how we're putting article I to use for the benefit of the American people.

Mr. KLEIN of Florida. Mr. Speaker, I just want to thank the gentleman from Kentucky for really highlighting the importance of article I. I mean, it's something we all went to elementary school and middle and high school and learned about our Constitution, but it is that balance of power that really sets our country out from any other country in the world, any other democracy.

And I know the gentleman from New Hampshire has also taken a real lead in explaining and talking about the application of this and how the abuses have just been out there. So, if the gentleman from New Hampshire (Mr. HODES), would share some of your thoughts with us.

Mr. HODES. Mr. Speaker, I thank the gentleman for yielding. I'm very glad to be here on this Halloween night. I'd like to think this is a treat for us, a treat for those who are listening to us or watching on television and in the country, although lots of folks are probably out with their kids trick-or-treating tonight.

But it is an absolute honor to be here with the Members of the class of 2006, and many of us are wearing article I buttons. And the importance of those buttons is to raise the awareness in Congress and around the country about the importance of the checks and balances in our system of government.

We spoke last week about some of these issues, and I was flooded with calls not just from my constituents but from people around the country thanking us for talking about the checks and balances in our system and explaining in as clear a way as we could the importance of our system of government and why the Founding Fathers put Congress first.

Many people think that Congress is three coequal branches of government. Many people think that the President and the House of Representatives and the Senate somehow are coequal when actually the Congress, in article I of our Constitution, as the people's House, as the voice of the people, is given preeminence.

It is the Congress that makes the laws, not the President. The President doesn't make the law. He's got to follow the law that Congress makes. It is the Congress that raises the money to run government, to fill the programs, and Congress that spends the money we raise. It is Congress that has the power to assess taxes, levy taxes. It is Congress that has the power to declare war and only Congress that has the power to declare war.

And these days, as we contemplate very difficult issues of war and peace in the Middle East, our involvement in Iraq and around the world, those powers, the war powers of Congress, versus the powers asserted by this President have come into sharp focus and occasional sharp contrast. I believe that we're going to see in the days ahead those kinds of debates in this people's House as we discuss who has the power to take this country into armed conflict, who has the power to declare war or not, are we at war. These are questions that are going to be heard.

There's a very interesting example of the clash between the assertion of Presidential power, which we've seen here, and the real power that Congress has. Right now, as many of my colleagues know, the House Judiciary Committee, as well as the Senate Judiciary Committee, is investigating. These committees are investigating whether there was something amiss in the way the United States Attorney's Office was run, whether there was political interference with United States attorneys. And Congress, the Judiciary Committee, has issued subpoenas.

Subpoenas are the method by which a body that has the power to make witnesses come issues a subpoena that says to a witness, you've got to come and testify under oath. And Congress has issued subpoenas to two members of the White House, who previously were in the White House, Karl Rove and Harriet Miers. They have refused to come to testify before Congress, and a question arises.

Congress can hold them in contempt and then ask the Justice Department to enforce that contempt, and right now we're looking at a new Attorney General possibly for this country. He was asked, this Attorney General who was nominated by the President, he was asked whether or not if Congress holds these witnesses in contempt for not answering the subpoenas, would his Justice Department refer the matter to grand jury for criminal prosecution as Federal law requires. Mr. Mukasey, the nominee for the Attorney General, suggested that his answer would be no.

Now, this is not the law. That is not the proper balance for Congress and the President. He made, in addition, a startling claim. He claimed, this is the possible Attorney General of the United States, that the President of the United States could defy the law as it's written in Congress if he believed that it was his responsibility to defend the country. That is a huge exception to the rule that Congress' laws are supreme and it is Congress that makes the law and the President is to follow them.

So this issue, what is Congress' power, what are the powers given to us by article I and how we assert them, and the clash between congressional power and Presidential power is alive today. It's going on right now, and it's of vital importance to the future of this country as we decide whether we are a Nation of laws or a Nation of men.

Mr. KLEIN of Florida. Mr. Speaker, I thank the Congressman from New Hampshire. I think you bring up something that although back home when people are thinking about these issues, they don't necessarily think about the battle between the President and Congress or the battle between the agency head and Congress.

But I think the bottom line is what you just said. It's about the rule of law. I mean, every American accepts the fact we're a Nation of laws, we live by the rule of law, and there's nobody that gets excepted from that, whether it's someone who's cleaning an office or whether it's someone who's an accountant or whether it's the President of the United States. We're equal, and it doesn't have to mean somebody's been elected or not. We're all under the same law. I think that's the bottom line of this whole consideration.

I now would like to bring into this conversation a colleague of ours from the freshman class, the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I appreciate the recognition. It's a great honor to be a member of this class and a Member of this Congress.

I can testify, having spent really a lifetime in local and State government, about the talent level that exists in this class and, to be honest, this Congress. There are numerous people who are committed to issues and have a wealth of talent and knowledge, and they put that to work on a daily basis to try to come up with the best solutions for the American people for a new direction in this country.

The gentlemen I'm with are four of the leaders in this class and in this Congress. I really want to commend the gentleman from Kentucky (Mr. YARMUTH) for bringing this article I issue to the fore. The op-ed written in the New York Times by Mr. Adam Cohen really brought forth all the points that Congressman YARMUTH thought about when he brought this campaign to our attention and the freshman class adopted it.

Article I does make it clear that Congress makes the laws and Congress is where the power starts. It's really supposed to be the strongest arm of government because it truly represents the people, and this House has 435 Members. Each Member in the history of this House, and there have been about 10,000 people who have served in this House over the history, have been elected. Nobody, if there's a vacancy, gets appointed. In this place, not like the United States Senate or your State legislature, there aren't any interim appointments. Every person is elected by the people at home and they're supposed to represent those people, and I think it happens here.

This House needs to assert its power, and one of the areas where it's been doing it, particularly in the Government Reform Committee which Mr. WAXMAN chairs, and looking into actions of this administration is also the Judiciary Committee, where I'm blessed to be a member with Chairman JOHN CONYERS. We've had the opportunity to look into the Justice Department, which Mr. HODES brought up. The Justice Department we found has politicized that office to the extent that it's really embarrassing I think to us as members of the committee, Members of us particularly who are attorneys and know what the attorneys and judges are supposed to be in terms of being impartial in the way they mete out justice, and I think to the judiciary at large in this country.

The politicization of that office has been greater than I think at anytime in the history of this country. The cases that have been brought we have found have been based, oftentimes, on the politics of who the defendant is.

We had the discussion last week of the case in Mississippi where one gentleman was indicted and another gentleman was not investigated. The gentlemen did the same exact thing. They each guaranteed loans, which was legal in Mississippi, to a justice, a Justice Diaz of the Supreme Court.

One gentleman made contributions that guaranteed a contribution of $65,000. Another gentleman guaranteed contributions of $80,000. The gentleman who guaranteed the $65,000 was indicted and tried in a Federal court. The gentleman that made the $80,000 contribution wasn't indicted or even investigated.

They each loaned a home to Justice Diaz when he had family problems and needed a new place to stay. They were co-owners of the home, Mr. Scruggs and Mr. Minor. The one gentleman who was the man that made the $65,000 loan and was indicted was indicted for loaning his home to the Supreme Court justice. The other gentleman wasn't.

What were the differences in the gentlemen? Well, one man was one of the top ten contributors to John Edwards for President, a Democrat. One man supported Democrats and trial lawyer issues in Mississippi. He was indicted. He was convicted the second time, and he's spending now, started serving 11 years in jail and was fined $4.5 million, 15 times what was recommended.

The other gentleman, man named Dickie Scruggs, is also a trial lawyer. He wasn't even investigated. He did the same exact thing. He donated a half a million dollars to Republican activity, a quarter of a million dollars to the Bush-Cheney reelection effort, and he, for whatever reason, may have nothing to do with it, he happens to be the brother-in-law of one of our colleagues in the Senate, TRENT LOTT.

So if you look at that case, and it's hard for anybody to look at it and think that there wasn't politically selective prosecutions, which makes Lady Justice have to turn her eyes and maybe shed tears at what's happened in Mississippi. That's happened in Alabama where a Governor was indicted and convicted of things that ordinarily wouldn't even be investigated.

We've seen U.S. attorneys, Republicans, appointed by President Bush fired because they didn't go after Democrats or they didn't go after voting actions that people in the Republican Party wanted pursued.

So oversight's real important in the Judiciary Committee. We've seen it. And the Justice Department, I mean, that's an area where Caesar's wife should be beyond reproach. Every area of government should be beyond reproach, but justice first. Justice is supposed to be blind, and justice has not been blind, and the work of Chairman CONYERS and his staff and the members of that committee exposed much of that.

This Congress has done a lot of good. The idea that Mr. YARMUTH brought up from the President where he suggested we've been wasting time, that's ridiculous. The fact he's tried to veto bills or has vetoed bills and threatened vetoes shows we've been doing some things that are effective and good.

□ 1845

The minimum wage should have happened years ago. We finally got a minimum wage. The people at the bottom of the economic ladder needed that step up. We passed the minimum wage.

People that need a step up and to start college educations, they got Pell Grant increases, they got the cost of their loans reduced so they won't be saddled with high interest rates in the future on their loans. To help kids get a start and go to a college and to not, when they get out, have a tremendous debt to pay back is important. To be able to have Pell Grant money to give them a better start is important. These are two of the best initiatives that I think we have seen.

When I was a State Senator I worked on college scholarships, and I worked on minimum wage. I am happy to be in a Congress that have seen both of them effectuated and made a change.

We have looked at global warming, we have passed some bills that require renewable energies, and we have looked at bills that will help clean up our environment, which is definitely in jeopardy. And we have looked at the budget. We have put our future generations in debt, this administration and this Congress, by spending, spending, spending, not having a PAYGO bill.

The future of this country is in jeopardy because of the recklessness of the past Republican Congress and this President for spending too much money, sacrificing our goodwill overseas with a foreign policy that has been reckless after we had a President in Bill Clinton who had a balanced budget, a surplus, in fact, and the respect of the world for this country. We have lost the respect of the world, we have lost our budget surplus, and, finally, we have restored a modicum of fairness by giving an increase in the minimum wage, increases to kids going to college, help with health care and work on the environment.

I am very proud to be a Member of this Congress, this class and this Congress, and the differences you see are healthy and good. Rubber stamp shouldn't exist in government. There should be healthy debate. The conflict of ideas produces better ideas. That's why this Democratic Congress is so important to the future of this country.

Mr. KLEIN of Florida. We are very proud to have the gentleman from Tennessee as one of our colleagues and a great contributor to the freshman class, particularly on accountability. There have been so many members of our class that came in with the criticism of our campaigns that we had heard from so many people back home, who is the check and balance? Who is minding the store? What happened to that $8 billion of cash that disappeared on the streets of Iraq? What's with Blackwater? What's with all these kinds of things? Who is checking what's going on here?

You know, it's one thing to say you are going to run things like a business, it's another to do it. Businesses have known checks and balances, shareholders, managers, things like that. Unfortunately, it wasn't happening with this government. It's now changing.

I am very proud of you and the others. I am very proud to have another gentleman with us, the gentleman from Vermont, who has been at the forefront of the committee itself, working with Mr. WAXMAN. I know you have been very vocal on these issues, so I am going to turn it over to the gentleman, Mr. WELCH, from Vermont.

Mr. WELCH of Vermont. Thank you. I really think that everything that the gentleman from Tennessee said is right.

The question that I ask myself at times is how is it, if we have been doing a good job and accomplishing the things that you recited, so many of the American people think we are not doing much at all, or we are doing a bad job? That is a sentiment that a lot of folks have. It's in conflict, in my view, with many of the concrete things that we have done here in the House.

I will tell you what I think it is. Back in Vermont, people are asking me, when are we going to the stop the war, and when are we going to change the priorities of this country so that we are standing up for the needs of average, middle-income families and not just the wealthy, not just corporations who can get legislation passed.

They are also asking the question that Mr. YARMUTH has presented in very stark form, when are we going to reassert our own constitutional authority and be willing to stand up to the President? I am hearing from people in my State, really good people, real Democrats, real Republicans, and they are saying even when Congress is right, it seems that they are not willing to stand up to the President.

I think some of the frustration is that on the war there has been no change by the President, despite the efforts of many of us in Congress, and that's a fact.

Number two, there has been some sense that even when we are right here in Congress, we are not willing to hold our ground.

I want to address both of those.

First of all, on the war, the bottom line reality is that the President of the United States has an immense amount of power. We have article I power, but he has executive power. Despite the fact that the people of this country voted across the country from Vermont to Ohio to Pennsylvania to California and chose a new Congress, and a clear message of that election and decision by the people was that we wanted a new direction in Iraq, the President ignored that election.

He then ignored that March vote of the House of Representatives where we put a date certain on ending the war, August of 2008. Think about where we would be and what kind of optimism we would have in this country if that legislation was signed by the President instead of vetoed.

Then the President, of course, dismissed the advice of retired generals who are critical of the war, and, of course, paid no attention whatsoever to the Iraq Study Commission. I have come to the conclusion that the President is not at all going to bend, no matter what, and we have to be willing to fight that battle with him day in and day out.

Second, on the priorities, there is good news. I mean, this House, oftentimes with a bipartisan vote, has shifted the priorities to middle-class needs. The minimum wage was raised. The student loan cost of interest was cut in half. Prescription drugs are going to be negotiated, price negotiations so we can lower the cost, make it more accessible to seniors, less costly to taxpayers.

All of this we did by returning to pay-as-you-go principles, so we are not going to bankrupt future generations. The largest increase in the veterans budget in the history of the country.

All of that is important. It reflects that we are actually walking the walk of trying to change priorities. It's not getting out into the public either because it can't get through the Senate or it gets vetoed by the President.

We are going to be talking, I guess, a little bit about children's health care. But that's an example where it was the right thing we did to insure 10 million kids in this country. The President vetoed it. We made some minor adjustments, not nickel and diming about which kids we take off of health care, passed it again, and we will be sending it back to the President. I think that's the type of thing that we need to do.

But I also do believe that any time this Congress has an opportunity to hold its ground and essentially embrace and accept the responsibility that the Constitution gives this Congress under article I, we have to do it, whether it's on war funding, when we believe we are right, we have to be able to weather the storm; whether it's on budgets that are going to get vetoed when those budgets reflect the bipartisan consensus in this body that they meet the needs of average people, and that they comply with our obligation to pay our bill as we go.

There is good news, but we also have to acknowledge that there is much more fighting to be done, and that it's time for us in the right circumstances to hold our ground, to be willing to weather the storm of criticism that will come from the White House machine and to stand up for that change and direction that I believe the people of this country voted for in November.

I thank the gentleman from Florida.

Mr. KLEIN of Florida. And thank you, Mr. WELCH. It really was very well explained and easy to follow. I think what people in this country respect is the fight. The fight is good, but at the end of the days, results. The President has made it very difficult, unfortunately. He has been unwilling to come out of his corner. A lot of alternatives have been offered on the war, a lot of alternatives have been offered on SCHIP which we are going to talk about in a minute, a lot of alternatives.

As we have talked about already, there have been a lot of accomplishments, student loans, minimum wage, people competing in business. We have had a lot of good things so far which the President has signed, which is good. But there is more to do. We need to get him sort of out of the view that it's him versus the Congress, or his ideology versus the rest of the country. People want consensus. They want solutions.

I would like to turn to Mr. Solution himself here, because Mr. ELLISON from Minnesota has really totally been bringing a lot of consensus on a whole lot of issues, from our foreign policy issues to our domestic issues. I want to bring you into this conversation and please add some value to it.

Mr. ELLISON. Thank you, Congressman KLEIN. Whether it be from Colorado to Vermont, from Kentucky to Tennessee, to Minnesota, to Florida, no matter where we come from, this freshman class that we belong to is here to stay and here to say, very clearly, that we are reclaiming the coequal branch of this legislative body in our constitutional framework. We don't have another branch of government which we take orders from. We don't have to prove patriotism by servile behavior towards the executive branch. We stand up with doing our constitutional responsibility, and our only boss is the American people, not the President, not the courts.

Article I states, all legislative power herein granted shall be vested in the Congress of the United States. Part of that power is, of course, passing laws and, of course, all of you, my fine colleagues, have made it clear that we have been productive, we have been busy, we have been putting up the fight, and we have been passing legislation that this President should sign and, in fact, in many cases has signed. But we have also done something else which I am proud of, and that is provided oversight. We have subpoenaed people and made them come to these hearings. We have asked people the questions, the tough questions, and made them give forth the right answer.

Why, on the Judiciary Committee just this week, we had Mr. TANNER, who is the section chief of the voting section. He offered the opinion that, actually I wish I had it written down, because I don't want to get it wrong, but he offered the opinion that voter

ID bills may affect seniors because they live longer, but when it comes to minority seniors they die, so it doesn't really matter for them. Chairman CONYERS issued that request for him to come to that committee, and we asked him questions about voting rights. We asked him about how that department was being run. We asked him the tough questions that Americans expect us to ask.

But that's not all. Chairman NADLER of the committee has had constitutional hearings, and we have had people come in and talk about important issues, and, of course, Representative COHEN has been there as well, on Guantanamo, on habeas corpus. These are the kinds of things that Americans are concerned about because America will never be a place where we give up on our constitutional protections and our civil liberties.

I just want to say that I am so proud to be a Member of this freshman class that is not only passing legislation, not only standing up for its right as a coequal branch of government, but is calling people on the carpet and asking the tough questions as it is our job to do. The American people expect us to say, What's going on? Tell us what's going on. What have you done? Why have you done it?

That is our job, and we will continue to do it, because we don't work for anybody but for the American people. Not the judiciary. Not the executive branch. We are enshrined in article I of the Constitution, coequal branch of government, that branch of government in which all vested power to legislate is inside of us.

Mr. KLEIN, I want to thank you for conducting yet another excellent freshman hour.

Mr. KLEIN of Florida. Thank you, Mr. ELLISON.

Just to follow up on the point, a number of our colleagues have been talking about the idea of oversight and accountability. Well, the simple answer is not just for the exercise of bringing people in by subpoena or asking them to come in and talk, it's to learn from your mistakes.

It's a very simple principle. What do we teach our children? Learn from your mistakes. What do you do in business? You want to learn from your mistakes. That, of course, is what the whole purpose of this is. If we see something has gone wrong, accountability, some bad business practices that the government is involved with or paid for something they shouldn't have paid for, let's not let it happen again. That's the simple bottom line.

I would like to shift, because many of our Members are interested—thank you, Mr. HODES, otherwise known as Vanna White—Mr. HODES is holding up a little poster here which talks about the children's SCHIP plan. The SCHIP plan, as I think everyone is now familiar with, or many people are in our country, or certainly Members of Congress are, it's about making sure that children, low-income children can participate in a health care plan that's private health insurance.

It makes the parents pay on a sliding scale what they can afford. It leverages tax dollars. It does everything it's supposed to do. Our business community back home in my area loves it. It's very popular because instead of kids going to the emergency room, they are going where they should go, and that is to get doctor and preventative health care.

We have had a bipartisan plan that has now been passed twice out of this chamber, and the President vetoed it one time, and I guess he is going to veto it again, but bipartisan, Democrats and Republicans coming together, not everybody, but all the Democrats, I think, just about all, and many Republicans.

In the Senate, I think the Republicans are the ones who helped draft this. It really brings it together. A quick little fun thing on Halloween here, it talks about the trick-or-treat and the Republican plan, we are just sort of joking around a little bit, but we are calling it the trick, and the bipartisan plan the treat.

The Republican plan, which we are calling the trick, covers 8.3 million children. The treat, the plan that most of us are pushing, Democrats and Republicans, covers 10 million. This is an additional number of children that we believe are part of this plan that we want to get covered.

The targeting of low-income kids, in the Republican plan it targets fewer lowest-income children. In the Democratic plan, the one we just passed, it enrolls the lowest-income kids first, a goal that we all want to make sure that we are covering.

□ 1900

And of course there is a cigarette tax in both plans, the exact same cigarette tax to pay for it. The question though is, if the same amount of money is being raised, why are we covering 10 million in the Democratic bipartisan plan and we're only covering 8.3 million in the Republican plan? Where's the money going? So we obviously want to have the lowest taxes possible, but we want to cover the most number of children. And I know that that's something that I know the president of our class has been very interested in.

I know that Mr. PERLMUTTER from Colorado has joined us in our freshman class, has taken a lead in, and I know your experiences in Colorado. Maybe you can share some of your thoughts on the SCHIP plan with our group here in the Chamber today.

Mr. PERLMUTTER. And I thank my friend from Florida. This is a place where the Democrats and Republicans have come together to look after kids from hardworking families across this country. This is not something that is just given out, and it doesn't make any fiscal sense or anything else. This is for people coming from hardworking families where the kids don't have insurance. And instead of going to the doctors, which is the most fiscally prudent way for a kid to be treated, they have to go to the emergency room, and at the emergency room, then, we, the taxpayers, pick up the bill. It's the most expensive form of medical care we could have. So it makes utter sense that we provide insurance to 10 million kids across this country from hardworking families so that they don't have to go to the emergency room, so they can go to their doctor, get proper treatment. But that just doesn't seem to be acceptable to the President of the United States.

Here we are wanting to bring change. We promised our constituents that we were going to change the way this Nation's being run, and one of those places is providing insurance in a prudent fashion for kids from hardworking families. But we have a President who wants the status quo, does not want to assist the hardworking people in the middle, and those are the folks that make up my district. It's not a rich district. It's not poor. Financially, it's right down the middle and people are struggling. And one of the first things to go when you're putting food on the table is insurance. And we want to make sure that 10 million kids have that insurance in this country. We passed it once; we passed it twice. This President says he's going to veto it again. He's about the status quo. He calls himself prudent fiscally, a fiscal conservative. Just the opposite, ladies and gentlemen, just the opposite.

So my friends, you know, we came here to change the direction of this Nation. We passed a stem cell bill which would have provided relief to millions of people across this country or hope for them who have debilitating diseases. We passed the SCHIP bill for 10 million kids.

But this President, he doesn't want change. He wants things as usual. He wants Washington to run as usual. We are going to keep knocking on his door until we change the direction of this Nation. And I'm happy to be part of a class that is going to fight every day to do the right thing for our constituents and for the future of this Nation.

And with that, I'll yield back to my friends from Florida or Minnesota or New Hampshire, although he's not my friend, because I lost a bet on the Boston Red Sox game. But I would yield back to my friends.

Mr. KLEIN of Florida. The Colorado Rockies were playing. That's right.

We're going to turn it back to the gentleman from Minnesota to get some thoughts on SCHIP and other things.

Mr. WALZ of Minnesota. I appreciate it, and I appreciate the passion from my friend from Colorado. And he's exactly right. When we came to this Congress with a debt that was skyrocketed, no accountability, a President who said he was the decider and a Congress here that thought that their job was to just be an echo chamber for this President, much has changed. Unfortunately, the President doesn't realize that yet, and that's why we get a lot of gridlock that's happened.

But the gentleman brought up some very interesting points considering SCHIP and this idea of funding. I think that one of the issues that many of us agree on here is fiscal responsibility is an absolute priority because, unlike the previous Congresses, we understand that there will be a day of reckoning, and it will come for our children and our grandchildren. And it's putting this country in a position where I read an article here out of the Hong Kong Standard talking about where places around the world, when you would travel, and many of us have, where taxi drivers and store owners would take the U.S. dollars, they're no longer taking that. They're saying no because our currency is now seen as something that's not as stable, a nation that's in debt, a nation that's seen as a rogue nation to people. Those are the types of things that this administration did mainly because of what Mr. YARMUTH and the other members of this class have said, we did not exercise our right.

And as far as SCHIP goes, when we create a budget, and we want to balance this budget and we will, we understand it's far more than a fiscal document. It's also a reflection of this Nation's values and morals. And this issue of trying to cover our children, and I've heard my Republican colleagues say this is an attempt to expand coverage, to make it socialized or nationalized medicine.

Well, my colleagues have no real plan how to deal with this. They continue to pull this up. The bottom line here is the richest, most prosperous, greatest Nation this Earth has ever seen is leaving children uncovered. But it gets worse than that.

A Harvard study that recently came out shows one in eight of our veterans are not covered by health care insurance, those who have served this Nation most honorably. This President has decided when he had fiscally irresponsible budgets, we couldn't balance the VA budget, the President simply made a great decision here. He cut off 400,000 veterans, sliced them off the bottom by saying they don't qualify. These could be combat veterans in my district making $27,801. They are not injured in combat and they make too much money. Well, all of us know that's not going to buy you health insurance.

So this issue of SCHIP, this idea of trying to cover our veterans, what this President fails to realize is the values of the vast majority of people in this Nation that sent this class to Congress are not the ones he shares. And the talk of, we can't afford this, while telling our Judiciary Committee and our Oversight Committee that we can't ask questions about no-bid contracts and billions of dollars lost is unacceptable. And it is unacceptable because it stops in this Chamber. We are here to represent the districts of the people that sent us here, and we have an obligation by article I to fulfill those.

So this issue of SCHIP is not the smoke and mirrors you're hearing. It's, bottom line, covering our children. The issue of VA funding is simply, bottom line, X number of veterans, X number of costs this Nation should provide it. If you choose not to do that, then have the courage to tell the American people you are more interested in a tax cut to the top 1 percent than caring for children and veterans. But we won't hear that because this is about elections. This is about a vision of America that extends to next November.

This group gathered here tonight is about a vision of America that extends to the next generation, one that once again puts us in our rightful place.

So I couldn't be more proud. The gentleman from Florida has been a longtime advocate of caring for those in our society, the least fortunate, as well as making a fair society and growing opportunities. It's what we're all about. The old used-up cliches don't resonate with the public anymore. The old used-up cliches are nothing more than a way to try and hold on to a political ideology that is dead in this country, and it's time has passed. And we are once again here to reassert that.

So with that, I yield back to my esteemed colleague from Florida and look forward to the rest of our conversation.

Mr. KLEIN of Florida. Thank you very much, the gentleman from Minnesota.

We have a very, very special guest today, an honorary member of our freshman class, a senior Member of the Congress, the gentlewoman from Texas, Ms. SHEILA JACKSON-LEE, who'd like to join us and add something to our conversation.

Ms. JACKSON-LEE of Texas. Well, my first act is to give my greatest appreciation for this caring and vested freshman class, front liners, front thinkers, front runners running toward the next generation. I cannot thank you enough for joining this Congress with one mission, and that is that we are, servants of America.

And I've asked today, officially, on the record, to get that article I pin, and to reemphasize the language that my good friend has before him by just holding up the Constitution and reinforcing the language that all powers herein granted shall be vested in the Congress of the United States, which shall consist of the Senate and the House.

And I just want to speak, somewhat weaving in to this idea of veterans and the war in Iraq and why we have the ability even to address that question of the Iraq war, because as my colleagues know, there was never a constitutional declaration of war. It was statutory. That was in the fall of 2002 when, by public law, we gave the President simply an opportunity to negotiate and then ultimately, if necessary, to use force.

So I raise the question, because Congress has, in some sense, been stifled by others not thinking the way the American people have asked us to think and act, and that is to focus resources on veterans, on the domestic agenda, and to be able to say that we have, in essence, finished our job in Iraq.

And so I wanted to offer to my good friends H.R. 4020 that the chairman of the Veterans Committee has joined me in offering, or introducing, which calls itself the Military Success Act. And of course all eyebrows will be raised. Sounds conflicted. But I thought and thought about this, and I continue to hear the terminology, cut-and-run, not willing to support the troops. So we went to the Pentagon, and in this legislation we chronicle all of the successes of the United States Military, in particular in Iraq. We do it in Iraq and not Afghanistan because that's an ongoing mission. We know that there's more work to be done there. And we come to a conclusion, and I'll just briefly read this: That the public law that we voted on in 2002 authorized by the President to use military force against Iraq, it goes on to list the indicia or the points of that bill. And it concludes by saying, according to that public law, we believe that, in fact, all of this has been achieved. A simple statement. It doesn't follow up by saying, come home. Of course, that's what I would suggest once you read a statement that says all that you were asked to do, the United States Military, you've achieved it. And we finish this up by calling on America to have days of proclamation and ribbons, and as these soldiers come home, unlike Vietnam, that we actually have days of recognition for those soldiers. And ultimately it finishes, because I heard my distinguished colleague speak of veterans, by giving these returning soldiers a $5,000 stipend.

Now, this does not leave out Afghanistan soldiers. This really appeals or deals with the whole idea of the fact that their mission is completed. We do it in a way to call it a military success. And we know that there are many other things that need to be done. But what that does is it gives Congress the power to make its own statement that the initiative that we voted for, statutory, the public law in 2002 that gave powers is now being brought to an end, that we, as a Congress, are saying that we applaud our military, and those resources that are now being used for the war, $120 billion, can be used for SCHIP, can be used to fix Medicare.

I sat down with some seniors who wanted us to fix the prescription part D. They said, Can you help us? Can you get back in there and help us to understand it?

And then of course, what it does, it honors our soldiers. It dashes this whole cut-and-run, this whole accusation of being nonpatriotic.

And so I thank my colleagues for letting me present H.R. 4020 in conjunction with the recognition of article I. This bill was introduced today. I encourage my colleagues to sign on. We think that it has a very important statement as to the authority of the Congress and the responsibilities of the Congress to control a statute that it gave powers, and seemingly the President is not willing to acknowledge that the task and the job is well done on behalf of the United States Military in Iraq. We can do better, and I think the American people are waiting for the article I-ers to take charge so that we can get back on our agenda of serving the American public.

I thank you for giving me the opportunity to join an important debate. I look forward to the article I pin.

And finally, I hope that the American public will get it, knowing that the Congress has to have the authority to go forward on their behalf.

This legislation, the "Military Success in Iraq Commemoration Act of 2007," recognizes the extraordinary performance of the Armed Forces in achieving the military objectives of the United States in Iraq, encourages the President to issue a proclamation calling upon the people of the United States to observe a national day of celebration commemorating the military success of American troops in Iraq, and provides other affirmative and tangible expressions of appreciation from a grateful nation to all veterans of the war in Iraq.

As I have stated many times, "when our heroic young men and women willingly sacrifice life or limb on the battlefield, the nation has a moral obligation to ensure that they are treated with respect and dignity. One reason we are the greatest nation in the world is because of the brave young men and women fighting for us in Iraq and Afghanistan. They deserve honor, they deserve dignity, and they deserve to know that a grateful nation cares about them."

My legislation, the Military Success in Iraq Commemoration Act of 2007, H.R. 4020 pays fitting tribute to the valor, devotion, and heroism of those who fought in Iraq in the following ways:

A. Provides an express acknowledgment by the Congress that the objectives for which the AUMF resolution of 2002 authorized the use of force in Iraq were achieved by the Armed Forces of the United States, which performed magnificently in battle,

B. Recounts several notable achievements of the Armed Forces in Operation Iraqi Freedom;

C. Authorizes the President to issue a proclamation calling upon the American people to observe a national day of celebration commemorating the Armed Forces' military success in Iraq. This will help ensure that the Iraq War does not suffer the fate of other open-ended engagements like the Korean War, which is often called the "Forgotten War";

D. Authorizes funds to be appropriated and awarded by the Secretary of Defense to state and local governments to assist in defraying the costs of conducting suitable "Success in Iraq" homecoming and commemoration activities and in creating appropriate memorials honoring those who lost their lives in the war. Many of the casualties in the Iraq War come from small towns and villages in rural or economically depressed areas. The local governments are already facing substantial fiscal pressures and need help coming up with the necessary; and

E. Creates a program and authorizes funds to be appropriated pursuant to which the Secretary of Veterans Affairs shall award to each veteran of the Operations Iraqi Freedom and Enduring Freedom a grant of $5,000 to facilitate the transition to civilian life. We don't want veterans to end up homeless or unemployed or unable to take their kids on a vacation or start a business. This $5,000 bonus is but a small token of the affection the people of the United States have for those who risked their lives so that we may continue to live in freedom.

Outside my office there is a poster board with the names and faces of those heroes from Houston, Texas who have lost their lives wearing the uniform of our country. It is humbling to recognize how lucky we are to live in a nation where so many brave young men and women volunteer knowing they may be called upon to make the ultimate sacrifice so that their countrymen can enjoy the blessings of liberty. The intent of my legislation is to pay fitting tribute to these great men and women and to let them know they will not be forgotten. I request and welcome your support in making this message heard.

Mr. KLEIN of Florida. And I thank the gentlewoman from Texas. This is exactly what this Congress is doing. It's coming up with a lot of new ideas that need to be put out there, debated, discussed, and hopefully passed. And I'd like to turn it back over to Mr. Article I himself, the gentleman from Kentucky.

Mr. YARMUTH. I thank the gentleman, and I have a button for the distinguished gentlewoman from Texas, and I look forward to giving it to her. I thank her for endorsing the type of emphasis that we're trying to place on this very important discussion of the balance of powers in this country.

You know, there's another element to this whole question, a balance of powers, and it really is reflected in the debate over the SCHIP program. Because while we debate, on the one hand, the actual legislative powers and how we might enforce those through the courts and so forth, there's another competition going on, and it's the competition that goes on in the media and in the public dialogue. And here is where there is an inherent advantage for the executive branch. And I think part of the reason why, over the last few decades, the executive branch has been able to accumulate far more power than the Constitution and the Founding Fathers envisioned was because it is much easier for the President of the United States to use the bully pulpit, as we call it, and dominate time and the news media and the television, and it's much harder for the Congress to do that since we are a body comprising 535 men and women.

☐ 1915

But what's interesting about it is that when you use the bully pulpit and when the President uses the bully pulpit, you hope that he uses it in an honest way, and, in fact, in this debate what we have seen is a performance that has actually been very insulting to the concept of a pulpit, I think, because what this President has done is used his bully pulpit, his media access, to deceive the American people about what we are doing and what he intends to do.

For instance, he is constantly saying that the proposal, the legislation that we passed would enable families making $83,000 a year to access the SCHIP program. No families making $83,000 were authorized to make it or, in fact, ever found access to the SCHIP program. The only way that a family making more than double the poverty level can get entrance and access to the SCHIP program is if the executive branch gives them a waiver. In fact, the State of New York asked the President for a waiver. He declined it. So for him to then say under this program people making $83,000 would be eligible for SCHIP is not only not true, it is deceitfully dishonest. And, actually, if you talk about what he has done, he has the power, which we delegated to him, he has the power through the executive branch to waive some of these requirements.

And that goes back to the interesting thing about this entire debate. In 2004 during the Presidential campaign, President Bush actually campaigned for an expansion of the SCHIP program. He loved the SCHIP program. He applauded it when he was Governor of Texas and he wanted to expand it. Now what does he do? Because it's not a Congress dominated by his party, he wants to change his perspective. He's changed his perspective as to whether the States should have waiving powers, which he wanted the States to have when the Congress was run by the Republicans. Now that Democrats control the Congress, he wants there to be Federal standards which he controls.

So this is not just a battle of power internally in the Congress and through the courts but also one that we have to fight in the media. We are at a disadvantage, but I hope it is discussions like this and people who are not afraid to be outspoken and point out dishonesty and deceit when they see it that will help us even the playing field in terms of convincing the American people that not only does this Congress have the power, by virtue of article I, to make all legislative decisions, but it also has the moral foundation and the integrity to do what's right for the American people.

Mr. KLEIN of Florida. I thank the gentleman.

We are down to our last couple of minutes, so I'm going to turn it over to Mr. HODES and then Mr. COHEN if you want to wrap it up.

Mr. HODES. Thank you, Mr. KLEIN.

What we are talking about here really is the moral compass of our Nation. We have a stark choice before us. There is a huge difference between what the President values and what the American people value.

To the President and his allies, $190 billion for a failed war is a necessity, but $35 billion to give our kids access to doctors is some kind of extravagance. And that really talks about the values that are at play here. Are we going to value and speak up for the people of this country, or are we going to let the President assert values that we in this country don't agree with because we value kids?

Now, there is a President, a former President who really said it best because we here in Congress are no longer simply going to enable this President to take power which should not be his. We are going to reassert, in these conversations and in our conduct, the power that rightfully belongs to the Congress and to the people. Because as Abraham Lincoln said, when we were engaged in the midst of a great civil war that was to determine the fate of this country, he talked about government of the people, by the people, and for the people.

That's why we are here tonight. That is why we were sent to Congress. To reassert that this government is a government of the people, by the people, for the people. And while we are on this watch, it shall not perish, and we are going to stand up to this President and we are going to have some checks and balances in the United States of America.

Mr. COHEN. Thank you, Mr. KLEIN.

I think when I first addressed this group and, Mr. Speaker, I mentioned how proud I was to be a Member of this body and this class, and I think the people who have listened to this discussion realize why I'm so proud to be a member of the class. The talent is here, as some people have State legislative experience, some come straight from the private sector, and each brings a different perspective but a concern for the people and a concern for change and direction of this country and for the middle class.

Mr. HODES talked about Ms. Miers and Mr. Rove not obeying the subpoena that was issued for them to come to testify before the Congress. This Congress is looking at having a contempt charge brought against them, which I think we should have done earlier. We need to have a contempt charge brought, and we need to have them be punished for their contempt of this Congress, which, in essence, is a contempt of the American people and a contempt of the Constitution and of all things good that the American people stand for.

I am proud to be a member of this class, to support SCHIP, for health care for children and for all Americans.

Mr. KLEIN of Florida. I thank my colleagues for being here this evening.

We do this once a week. We're looking forward to seeing you all next week and having this continuation of discussion. And, of course, we look forward to working with everyone in this country to make sure that we resolve and come to some successful conclusions on some of these issues that are so important to our country.

THE OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore (Mr. ELLISON). Under the Speaker's announced policy of January 18, 2007, the gentleman from Georgia (Mr. PRICE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PRICE of Georgia. Mr. Speaker, it is indeed a great privilege and honor to come back to the floor of the House and present some alternative views, some views that I hope are more grounded in truth as this is another edition of the Official Truth Squad. We've heard some interesting comments over the last hour and over the last few days and weeks and months. So, Mr. Speaker, it is indeed an honor to be designated by our leadership to come and share some words with this Chamber.

I would first comment about the relative tone and the divisiveness of the language that we have just heard. It just astounds me that people think who come to Washington that our constituents want us to be divisive. When I go home, what I hear from folks is that they want us to work together, that they want us to work together positively for solutions. So the class warfare debate that we have just experienced over the last hour is truly remarkable, as one Member talked about the spirit of Lincoln, a proud Republican, and what he brought to our Nation. A government of the people, by the people, and for the people is what he championed. He also championed an end to class warfare. So I would encourage my colleagues to read further in history and to expand their vision of what it is that their constituents truly want. And as I mentioned, Mr. Speaker, my constituents, our constituents, I think, want us to work together.

This is the Official Truth Squad. This is a group of folks who come to the floor and have an opportunity to address our colleagues and hopefully bring, over the course of an hour, a little brighter perspective, a little more upbeat perspective, a little more optimistic perspective, and, hopefully, a little more truthful perspective because so often what happens on the floor of this House during the course of our debates is that the truth tends to be swept away. And, again, that frustrates our constituents. It frustrates my constituents, I know, when they ask why we can't stick to the facts, stick to reason as we try to solve the significant challenges that confront us as a Nation.

I have a number of favorite quotes. One of them is this one from the late United States Senator from New York, Daniel Patrick Moynihan. He said, famously, "Everyone is entitled to their own opinion, but they are not entitled to their own facts." Another one of my favorite quotes is "Imitation is the most sincere form of flattery." So I was so pleased when I heard either the Speaker or the majority leader say just this in a debate recently, and I would ask my colleagues on both sides of the aisle to heed this. Everyone's entitled to their own opinion, and you ought to state so, and that's appropriate. But you're not entitled to your own facts.

So tonight, Mr. Speaker, we're going to share a few facts with our colleagues, and I am going to start by bringing a couple of quotes from a true American institution. Certainly the "Tonight Show" is an American institution. The current host of the "Tonight Show," Jay Leno, oftentimes crystallizes in just a very humorous way what the American people are thinking. So I thought it would be appropriate to share with our colleagues, Mr. Speaker, what Jay Leno has said over the past couple of days. This is about the state of Congress right now. As you know, Mr. Speaker, the numbers for Congress aren't great right now. I would again encourage my colleagues to try to use the sense of what the American people are saying as a positive impetus to have us move forward together in a commonsense, positive, upbeat, principled way that reflects the will of our Nation.

But Jay Leno said the other day, "And our new Democratic Congress, remember, they promised longer workweeks. Well, now they announced they're going to a 4-day workweek. I guess they realized they don't need a full 5 days to do nothing." It was alluding to the fact that really not much has gotten done in these first 10 months of this 110th Congress under the new leadership. And it hasn't for a variety of reasons. We will talk a little bit about that tonight. But I would suggest most clearly, Mr. Speaker, that it hasn't because this new majority seems to be unwilling to work together on behalf of the American people. SCHIP is a classic example, and our colleagues mentioned that, and we will talk a little bit about that tonight.

Jay Leno also said just 2 days ago, "The Democrats in Congress have announced they will now be taking Fridays off. Apparently they were getting worried their approval rating was getting too high." As I mentioned, Mr. Speaker, the approval rating for Congress is not great.

And that troubles me. It should trouble all of us. It troubles me because I think that what the American people are seeing when they look here to Washington, when they look to the Speaker and to the leaders that are running this Congress, they see an institution and they see a group of leaders who are not willing to work with each other. And for those of us who are less than senior Members, certainly in the minority party at this time, it is very distressing because we came here, all of us came here, to solve problems. I oftentimes encourage my colleagues to go back and read their first piece of campaign literature in their first campaign because I think, Mr. Speaker, that speaks to the goals and the vision and the dreams that we all had when we came to Congress.

But as you know, Mr. Speaker, a recent Zogby poll found that for the second month in a row, this Democrat-led Congress's approval rating was 11 percent. Now, why is that? Well, I think if you look at the bills that have been passed through this Congress and signed into law, there have been 107 of them so far, Mr. Speaker, 107 bills. Now, you might think that that would be a grand accomplishment, and I suspect that it is on one measure. This new majority touted the fact that they have had over a thousand votes. What they didn't say is that the vast majority of those were procedural votes. They were determining how the bills ought to move forward, oftentimes in significantly noninclusive ways. But 107 bills have gone through the House and the Senate and signed into law by the President. So I thought it would be helpful to kind of break down those 107 bills. What were they? Were they wonderful solutions, as have been proposed, to children's health insurance? Were they wonderful solutions to health system reform? As a physician myself, I believe so strongly that we need significant, positive, patient-centered health system reform.

□ 1930

Was that one of the bills that was signed? Was controlling the crisis that we have in the area of illegal immigration, was that one of the bills? Well, regretfully, Mr. Speaker, as you well know, it wasn't.

In fact, of 107 bills signed into law, 47 of those bills named post offices, courthouses or roads. Now, those are important things to do, and certainly when we name and honor individuals with the naming of a post office or a courthouse or a road, that's an important thing to do, but it ought not be something that the majority party brings forward and champions as a grand accomplishment. I haven't looked at what the votes were on those 47 bills, but I suspect that, by and large, they were unanimous. I will just take a wild guess, Mr. Speaker; I suspect that the vast majority of those were unanimous.

So, 47 of the 107 bills signed into law were naming post offices or roads or courthouses. Forty-four of the bills were noncontroversial measures that were either sponsored by Republicans or they passed overwhelmingly. And those are the kind of routine things that you've just got to do to keep the trains running on time here.

So, 47 naming post offices or other buildings; 44 were noncontroversial. Fourteen of the remaining 16 were to extend preexisting laws or laws that had been passed during the Republican-led Congress. Now, that means that there were only two left out of that whole 107 bills that were signed into law. In fact, I would suggest, Mr. Speaker, that these were the 2 most important bills. One of them was the extension of the Foreign Intelligence Surveillance Act, and we'll talk a little bit about that. But to keep our Nation safe, one of them was that bill. That passed. But as I note, Mr. Speaker, that passed over the objection of the leadership of the Democrat Party.

So, one of the most important things we've done, in fact, probably one of the two most important things that we've done, passed over the objection of the leadership of the Democrat Party, the majority party. The other bill that passed was the supplemental to provide appropriate resources for our troops.

So, Mr. Speaker, not an opinion, but a fact is that we have, yes, we have, indeed, had over 1,000 votes. And the majority party is very proud of that, and maybe they should be. But when you look at the number of bills that have passed Congress, 107, 47 of those were to name post offices or buildings, 44 were noncontroversial, 14 were to continue previous law, and two, the 2 most important, the Foreign Intelligence Surveillance Act and the appropriate resources for our troops in Iraq and Afghanistan, passed over the objection and the vote of the majority leadership, the majority of the majority leadership.

So, Mr. Speaker, I'm not sure that's something to champion, but I will tell you that I believe that's part of the reason that the American people say, "What's going on? What's going on up there in Washington? Can you all please work together on behalf of the American people?" which is what I believe and my colleagues, I know, believe we ought to do. In fact, many of those things would be very, very humorous if they weren't so doggone serious. We are in challenging times, Mr. Speaker, and I would suggest and encourage my colleagues, frankly, on both sides of the aisle to put positive issues out there and work together as we move forward.

One of the bills that we heard from our good friends on was the SCHIP bill, the State Children's Health Insurance Program, and I will be joined by a number of colleagues tonight to talk about that. I would just like to say that as a physician who practiced in the northern side of Atlanta for over 20 years taking care of kids, I take personal offense to anybody who says that those of us who have not supported so far the State Children's Health Insurance reauthorization bill don't care about kids. Clearly, we care about kids. I spent my entire professional life caring for kids.

The other side says, well, 81 percent of the American people want SCHIP. Well, they do when you ask them the question, do you support the State Children's Health Insurance Program? And I ask that of my folks when I go home and have meetings and talk to Rotary Clubs and other kinds of groups. And I have asked them over the past 2 or 3 months, do you support renewing the State Children's Health Insurance Program? And sure enough, the vast majority of the people raise their hand, and as well they should. And I ask them to keep their hand up. And then I said, now, would you support that bill if you knew that poor kids were not going to be taken care of before kids in wealthier families? Put your hand down if you wouldn't support that bill if you knew that kids from higher income families would get insurance paid for by the taxpayer before lower income kids. And about one-third or so of the hands come down; still a number of hands up there. And I say that because that's what is in the bill that the majority party passed and that was vetoed by the President, and then we sustained that veto.

And then I say, well, now, would you support that State Children's Health Insurance Program if you knew that it also covered childless adults? And a number of other hands come down. And I don't make that up. I ask that question because that's in the bill. Now we've got about one-half or maybe one-third of the folks still raising their hand saying they would support the bill. I say, now, would you support the bill if you knew that 2 million kids would be forced from private personal health insurance onto public, State-run, government-run bureaucratic medicine? And you get almost all of them coming down at that point. They've kind of gotten the clue that in the fine print in the bill, it's not what they've been led to believe.

And then I ask them, well, would you support the bill if you knew that in order to make the funding work, you would have to have 22 million new smokers in America because it's paid for by tobacco tax, would you support it now?

Well, Mr. Speaker, I don't have to tell you the results of this unscientific poll. But the fact of the matter is, not an opinion, but the fact of the matter is when I get through outlining what was in the bill, there isn't a hand left. There isn't a hand still raised that said they would support that bill.

And so, Mr. Speaker, that's why the numbers have come down. In the length of time that the majority party has been demagoguing this issue and trumpeting out their radio ads and their television ads across this Nation, what has happened is that the American people have recognized that the story that they were being told by this majority party, the Democrat leadership, was, in fact, not the truth. It may have been an opinion; it certainly wasn't the truth.

And so now what we see is 55, 60, 60-plus percent of the American people saying yes, we want to help poor kids, absolutely, that's appropriate. And we'll talk tonight about how we should do that, a positive message, an upbeat message, an optimistic message, a message that says, yes, Americans are generous, we know that, and they believe that, in fact, there is a better way, there is a better way to do business here in Washington, hopefully to raise those numbers. There is also a better way to fashion a bill that would provide health insurance for low-income kids.

So I am pleased to be joined tonight by a couple of colleagues, my good friend from New Jersey, who certainly knows fiscal issues as well as the issue of State Children's Health Insurance Program. I look forward to your comments this evening and yield to my good friend Mr. GARRETT.

Mr. GARRETT of New Jersey. I thank the gentleman from Georgia for heading this program tonight to bring about the Truth Squad, which when I'm not here on the floor, I'm in my office turning on C-SPAN to make sure that I can find out the latest of what the actual facts are, because we can't always be assured that we hear them correctly from the other side of the aisle.

Actually, that's where I want to begin on this one. I was tuning in as I was doing some work at my desk for the last 10 or so minutes of the other side of the aisle, and I was a little bit amused by their closing comment. They seem to be chagrinned by the fact that they don't have the opportunity to get the message out, if you were listening to them, that the President seems to be able to have the bully pulpit and be able to get the record straight out to the American public, and they don't. I had to scratch my head at that time because I thought, well, gee, doesn't the Democrat Party now control both this House, isn't NANCY PELOSI now the Speaker of this House? Isn't HARRY REID now the lead in the Senate as well? I thought the Democrat Party was the majority party.

And I know that every time that I leave this Chamber during the day there are microphones out there waiting for speakers to speak. And they're not coming to me to ask for comments; they are looking to the Democrat majority. So I think they were a little bit flippant or disingenuous, if you will, when they're saying that they're not able to get the message out. I think what they are really saying, though, is the message that is getting out is not a truthful message, and some of the points that you've already made.

And if I may just touch upon a point or two here. If you go back in time a little bit to when President Clinton was in office, he laid out the groundwork of what his vision was for health care in this country. He told us where he would like to take this country and maybe where his wife would also like to take this country when it comes to health care. And he said that he wanted government-run healthcare. He wanted universal, socialized, Washington-controlled health care. And how would you get there, he said? Well, he laid it out in plans; he put it out in a book, almost, for us. He said, you get there not overnight, although I guess HILLARY CLINTON tried to do that, but he said, no, you get there incrementally. First what you do is you insure the indigent children, then you will insure all the children, and eventually you will insure all the adults as well. And what does that bring you to? Well, that's socialized, government-run and controlled health care. Now, that may be something that he would like and maybe a small segment of this country would like, but when I go back to my constituents, they remind me that Washington government may not be the most effective and efficient entity in the entire world of delivering services. They remind me of what happened back when Katrina occurred and we had FEMA step in to try to deliver services, and it was abysmal. They remind me continuously, regardless of which party is in control, earmarks, and we can talk about that ad nauseum later on probably, about the waste, fraud and abuse when it comes to spending their hard-earned dollars on earmarks.

They remind me, also, some of them who were trying to leave this country during this past summer for a summertime vacation and they found out that they needed to get a visa in order to do so. And they could not get their visa even though they put in their request one, week, two weeks, three weeks, eight weeks, nine weeks in advance. A very basic function of the U.S. government to supply visas to people, and they couldn't get them on time. They remind me that the government couldn't even do one of their basic functions.

They remind me, finally, when it comes to what is one of the most seminal issues when it comes to any government, and that is to protect your borders, and they say, you know, Congress, here under this majority, can't even get that issue resolved and done. We can't get the money to the border security guards. We can't get that fence built along there. If the government can't do those functions, they ask me, why in the world do we want to turn over our control, life-and-death situations, really, and you're a physician, you know this, to an entity that can't run the functions that they're doing right now.

They tell me, the American public, my constituents tell me that they want to make sure that health care remains in their hands, that health care remains as a private matter in the sense of a doctor-patient relationship. Maybe you want to comment on that at some point, where they're in control of the delivery, of the questions and the asking and what have you and the needs for the services, and the doctor is in control of the services that are being provided. They don't want big brother, if you will, stepping in and saying, well, no, we're going to exclude you, include you and what have you. So they are very hesitant to go down the direction that Bill Clinton wanted this country to go down and now this Democrat majority wants us to go down as well.

And if the gentleman would continue to yield.

Mr. PRICE of Georgia. I would be happy to yield.

Mr. GARRETT of New Jersey. The very definition of a middle-class entitlement, which, as Bill Clinton would say, is the next step to go to socialized, government-run health care, well, the very definition of a middle-class entitlement can be seen in what the Democrats are trying to do right now with SCHIP. Look at the numbers. And I know I don't have a chart behind me like you do to have these numbers right next to me, but let's think of these basic numbers.

Right now the SCHIP program, as originally intended, was to fund indigent care for children, at what level?

Two hundred percent of poverty. Ballpark figure, that's around $42,000 for a family of four; that's what is defined as poverty for that family. The medium income, that's the middle income in this country, for a family of four all across this country on average is about $48,000. So, $48,000 is the middle range. Any time you're going to start spending more, providing a government-run program for somebody making more than the middle by definition now becomes a middle-class entitlement, and that leads us to government-controlled health care.

So, when they're talking about providing services above 200, 250, 300, well, 300 percent of poverty, that would put you at approximately $62,000 for a family of four. In New Jersey, we're at 350 percent of poverty; that puts you around $72,000 for a family of four. So, by definition, they're telling us that they are not trying to create a program for the indigent and the poor in this country. By the very definition of the words they're using and the facts that are out there, they are trying to create an entitlement program for the middle class. And then of course the question is, who is going to pay for that?

Mr. PRICE of Georgia. Would the gentleman yield?

Mr. GARRETT of New Jersey. I will yield.

Mr. PRICE of Georgia. I appreciate your perspective on it and your comments because they ring true. Those are the absolute facts, Mr. Speaker.

And to put a few more numbers on that, at 300 percent of the poverty level, which is about $62,000, $63,000 of income for a family of four, 79 percent of those families already have health insurance. The children have health insurance. And this bill that the President vetoed and the veto that we sustained, this bill would have made it so that those children would have been essentially forced, because the employers would say, well, why should I insure these kids if the government is going to do it, those kids would be forced into government-run medicine.

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At 300 percent of the poverty level, at 62, $63,000, folks who live in families with incomes at that level or below comprise 53 percent of the kids in this Nation, 53 percent of the kids, which means that over half of the kids would be eligible for State-run, government-run bureaucratic health care. And as a physician, I know that whenever the government got involved in the decisions I was trying to make on behalf of my patients, it was even more difficult.

I am pleased to welcome my good friend and physician colleague from Georgia, who understands those issues as well with governmental intervention into the practice of medicine. I appreciate you joining us tonight and look forward to your comments.

Mr. GINGREY. I thank my colleague from Georgia, Dr. PRICE. Certainly the posters that he has got up there, Mr. Speaker, that I call our colleagues' attention to, I might just touch on that issue in regard to the tax on tobacco product, particularly cigarettes, that increase in that tax, just 61 cents a pack, I believe that would bring the Federal tax on cigarettes to a dollar a pack. But the Heritage Foundation and others have looked at that and said, well, how many new smokers would you need to have to raise the $70 billion that would actually not completely pay for this massive expansion of SCHIP that Democrats have recommended? And the number, Mr. Speaker, is 22 million, as Dr. PRICE's poster so vividly points out.

Mr. PRICE of Georgia. I try to bring posters, because when I look at something like this it really drives the issue home and brings it much more clear to me. But this is what you have mentioned that is so true, and the bill that was passed, as you said, would require 22 million new smokers, new smokers, that means from 2010 to 2017, 22 new Americans would have to start smoking. This is the number of folks that would have to begin smoking just in order to pay for the program.

Mr. GINGREY. That's right. And that means the ones that are already addicted, the poor grandparents and parents of these children that can't break that habit, and some of them, Mr. Speaker, and I know my colleagues appreciate this, are the poor members of society, for some reason that have developed that smoking habit. And we are going to put the burden on them, plus 22 million. And some of those 22 million, this is the irony of this pay-for that the Democrats have come up with, some of these very children, maybe some of the 5,000 that I delivered who are old enough to go buy cigarettes, they will have to be addicted to help pay for this massive expansion so that their younger brothers and sisters can get health insurance funded by the Federal Government. It makes absolutely no sense. I really appreciate Dr. PRICE bringing this leadership hour to us as part of the Truth Squad, the ongoing Truth Squad, because the truth just needs to be told. And I think the important thing for our colleagues to understand and anybody within shouting distance to know that Republican Members of this body, and our President, George W. Bush, is all for children and providing health care for children. If he wasn't, would we be spending $35 billion a year on the Medicaid program for children's health insurance? Absolutely we would not. The President even has recommended that because it is estimated that 750,000 children, we cover 6,750,000 in that income bracket that my colleague from New Jersey was talking about, the 100 to 200 percent of the Federal poverty level have fallen through the cracks, so the President said, look, let's increase this spending $25 billion over 5 years, let's increase it 20 percent and a little bit more money in there for inflation. But, instead, the Democrats come with a bill to increase the spending by 140 percent to $60 billion. In fact, in their original bill, the CHAMP Act, they wanted to increase it to $90 billion.

As Dr. PRICE points out, in this new bill the $60 billion version, that is covering 53 percent of all children in this country either on the Medicaid or the SCHIP program. Well, there is something wrong with that. There is no question about it. We don't need to be paying the health insurance for children from families who are making $62,000 a year. In some instances in the State of New York, it may be up to $83,000 a year. That's what we're railing against, this unnecessary, massive expansion. We Republicans and the President want to renew this program. It's a good program. We need to increase the funding. The President possibly would be willing to even go a little more than a 20 percent increase. But the only justification the Democrat majority can have for this type of increase is just what was already alluded to, a march toward a single-payer national health insurance program. In some of their rhetoric in regard to Medicare and wanting to start covering people at age 55, you see where the gap gets smaller and smaller, and then all of a sudden you're covering from cradle to grave everybody in this country run by the government.

So I thank the gentleman from Georgia, my colleague from Georgia, my colleague from Cobb County, for leading this time. I know there are a number of other speakers that are here that want to weigh in on this. We just need to keep fighting. We will get this bill right. But we need to do it in a bipartisan way.

Mr. PRICE of Georgia. Thank you so much. I appreciate my physician colleague pointing out again the number of new smokers needed to pay for it. And the last time I remember, it has been a while since I have been in medical practice, but we used to try to get folks to quit smoking, that is what we tried to get them to do, instead of beginning to smoke to pay for it.

This chart really describes it very, very well, talking about the bait and switch of the funding. In addition to having a tobacco tax pay for it, which is really counterproductive because we want folks to quit smoking, not start smoking, but in addition to that, what happens at 5 years, this is 2008 program, 9, 10, 11, 12, 13, when you get out to this fifth year, what happens in the majority party's bill, the Democrats' bill? The funding drops way off, which means that they weren't sincere about this in the very beginning.

It really isn't about cost. It is about control, about who is going to control health care. Is it going to be patients, individuals, families and doctors? Or is it going to be government? It really is about something as basic as that, a basic question.

I'm so pleased to be joined tonight by my good friend from Florida who has a district that is probably as sensitive to health care as any in this Nation, GINNY BROWN-WAITE. I appreciate so much your joining us and I look forward to your comments.

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman for yielding.

I was sitting in my office calling back some constituents. It was 7:30, and first of all, they were surprised to hear from any Member of Congress calling them back at 7:30, but I am sure everyone here in this chamber does exactly that. And I saw you coming here to inform the American public about the truth. It is long overdue.

Many of us in this Chamber had ads run against us. It was during that 2-week period after the President vetoed the bill. Now, we could have been working on a compromise, but no, there had to be time out there for the operatives to run nasty ads against people who voted to not override the President.

The President was right. This bill, the spending in the bill is out of control. It is out of control, and the American public started to catch on. Because when they started to attack me, you know, I have been called the mother of this bill. I wasn't in Congress at the time. But it was because I was willing to take that very difficult vote to allow for third-party reimbursement to come from the tobacco companies for health care costs that the money came from.

So, Dr. PRICE, your chart there on where the money is coming from is very, very interesting because, as you say, in 2013, if I am reading the chart correctly, that is where the funding drops off. Twenty-two million smokers would be needed to fund this program, which is far, far different from that originally envisioned and that which both sides of the aisle, the Democrats and the Republicans, worked on in 1997 to come up with the SCHIP bill.

So what exactly do we have in the bill that many of us voted against, many of us who fought long and hard for State children's health programs? What is in it? Well, it continues to allow adults to receive health care under various State SCHIP programs. It is interesting that it also will allow more illegals to participate in health care through the SCHIP program. That is not what our constituents wanted.

The Senate received a loud-and-clear message when America finally did wake up to what they were doing on the issue of illegal aliens. They virtually inundated the switchboard of the Senate. People do not want more magnets to attract illegal aliens here. But most of the State health plans, part of the pool of money that the various States got after going after the third-party reimbursement, part of that money was also for education and trying to get people to stop smoking. So isn't it interesting that with this hand we fund programs that are trying to get people to stop smoking, and yet we have a bill here that says, oh, come on, we need some more smokers to pay for this program.

One of the fallacies that people have finally in America begun to realize is that the program, the SCHIP program, was a great program. It should be renewed. It shouldn't be expanded. It should be renewed. And we need to reach out to those that the program hasn't already touched, those low-income children out there. It shouldn't have been, and it was never intended originally to be for adults. But, quite honestly, States gamed the system. And why did they do it? Because they could get 15 percent more funding from the Federal Government than they could with the traditional Medicaid program that adults go into.

In Florida alone, we have right now 62,000 children who should be eligible for KidCare, which is the State program, but they have not signed up for it. So before we go expanding it to middle-income kids, let's capture those children in Florida, and every other State, Dr. PRICE, every other State that has children who still are not covered by the program, the very, very good program. Many of us actually are on the bill that would be a simple extension. And many of us are cosponsors of that which allows the program to continue for 18 months.

I hope that our colleagues on the other side of the aisle realize what America really wants. They want this great program to continue for low-income children.

Dr. PRICE, I appreciate your being here tonight as part of the Truth Squad to bring this information to the American public.

Mr. PRICE of Georgia. Thank you so much, Congresswoman GINNY BROWN-WAITE. We appreciate your perspective. What a moving story about the beginning of the program where you were on the front lines at the beginning. I know of nobody in this Congress who has greater compassion for kids than you. I sincerely appreciate your coming down, sharing that story and trying to bring some truth. That is what we are trying to do, trying to bring some truth and some light to this issue.

When folks at home ask me what the alternative is, because there are alternatives, there are wonderful, positive alternatives, a number of other Members of Congress have introduced bills. I, along with over 60 folks in Congress, have introduced a bill that we call More Children More Choices Act. It would be a bill that would in fact reauthorize SCHIP, State Children's Health Insurance Program, up to 200 percent of the poverty level, that is $42,000 for a family of four. For those kids between $42,000 and $62,000 and their family, we would provide premium assistance, premium support, make it so that all kids can, indeed, get health insurance. But most of those kids would then be able to have health insurance provided in a personal and private way so that their doctors and their families were making health care decisions, not the government.

Ms. GINNY BROWN-WAITE of Florida. Many of the State programs actually had that language in there so that we wouldn't crowd out those who already had insurance and encourage them to get into the program. Many of the States had subsidies, premium subsidies so that people could stay in a family program so you didn't have to have one doctor for perhaps your 12-year-old and another doctor for the mom and dad so that there could be a family, a true family doctor there because they all were covered by the same insurance company. The problem was over time many of the States stopped promoting that. So it was just easier to enroll the children in the State children's health program, and in Florida we call it KidCare. That is an excellent point you bring up.

Mr. PRICE of Georgia. Thank you so much. I appreciate your joining us and providing that perspective.

Again, Mr. Speaker, there are all sorts of alternatives. The alternative we put forward was H.R. 3888. I encourage my colleagues to look at it.

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It's a bill that would reauthorize SCHIP. It would make certain that we had premium assistance or support for those folks in low to middle-income families so that they could make certain that they could own their own personal private health insurance and be able to make health care decisions, with families and doctors being the ones in charge, not State or Federal Government. It would allow States greater flexibility to provide health insurance for their uninsured population.

So I would encourage my colleagues to look at that. I think it is the kind of bill that folks across this Nation I think are clamoring for because it allows us to work together in a positive way and do something that benefits our constituents, does something that benefits the vast majority of Americans. One of the things that benefits the vast majority of Americans is not to have the Federal Government reach into their pockets and destroy their economic well-being.

This Federal Government, under the new leadership here, has shown a penchant for increasing the desire to have this government involved in all sorts of personal decisions, and probably the most personal of decisions is what to do with one's money. When you think about it, tax issues, taxes are, in actuality, the government, either the local or the State or the Federal Government coming into peoples' lives and saying, We know how to spend your money better than you do. We know so well how to spend your money better than you do that we are going to take it from you, because you certainly don't know exactly what you ought to be doing with your money.

This new majority, this new majority has passed all sorts of tax bills, almost at every turn. As we have talked about, Mr. Speaker, they have passed a $392.5 billion tax increase in their budget; $50 billion in new energy taxes; $35 billion in new tobacco taxes; $7.5 billion in new taxes on a farm bill. Hold on to your wallet when you go to the gas tank; a 55 cents per gallon increase in gas taxes for infrastructure and global warming studies; new taxes on homeowners by ending mortgage deductions.

Mr. Speaker, that isn't all, because Congressman RANGEL, chairman of the Ways and Means, you have got to honor him for his candor, because what he says is he is coming with the mother of all tax hikes, the mother of all tax increases, and, Mr. Speaker, this is a $3.5 trillion proposal for a tax increase over the next 10 years, the largest individual tax increase in American history, $3.5 trillion. Mr. Speaker, that is with a T. Only in Washington can we talk in those kind of numbers.

It is very concerting to me, I know to my constituents, and it's concerting to my colleagues who have joined me tonight to talk about the issue of taxes, the issue of money and Washington's appetite for money.

I am pleased to welcome my good friend, the gentleman from California (Mr. MCCARTHY).

Mr. MCCARTHY of California. Mr. Speaker, I thank my good friend for yielding.

Mr. Speaker, it's quite ironic, Mr. Speaker, that Mr. PRICE has this hour tonight. Tonight is Halloween. I will tell you, when I look back at home in California, my kids will be getting ready to go out with their friends. Some of them are going to dress up, some will try to scare one another. But tonight, Mr. Speaker, this is the scariest moment of all. This largest tax increase in American history is going to scare every American there is.

I will tell you that as you study history and study economics, you will see in the last cycle when taxes were lower, we set a record April 15. April 15 was the day people were paying their taxes. With taxes lower, more revenue came into American coffers, government, than ever before in the history of collecting taxes. Why? Because you let people keep more of what they earn. They went out and took their money and invested into capital, invested into businesses. What does this plan do that the Democrats put forward in the Democrat's largest tax increase? It taxes small business, small business at the highest rate. How do you create a big business? I guess you can't under the Democratic plan.

For those that are sitting at home, Mr. Speaker, I want them to think for one moment when you think about taxes, because you always don't realize how much taxes you pay in a day. On an average day, you wake up, you take a shower: do you realize you pay a tax on that water? You go maybe over to Starbucks to get a cup of coffee, you pay a tax on that coffee. You stop off and fill your car up with gas; you pay a gasoline tax. You go into work, and for the first three hours you're just paying taxes before you make any money. You go home, turn on the TV, hopefully you will see yourself on television, you pay cable tax if you're watching this show tonight.

You go out tomorrow, a lot of us are going to fly home, and when we buy that airplane ticket, we're going to pay an airport tax. You rent a car, you pay a rental tax. Somebody stays in a hotel, they pay an occupancy tax. God forbid, you save enough money and unfortunately die, you're going to pay an inheritance tax. On the Democratic plan, it goes to 55 percent.

They think they know what to do with your money. I believe the Republicans know what to do with your money. You keep your money and invest it and build America. The plan has shown that if government continues to grow, they are going to raise your taxes further.

Mr. Speaker, this plan and the appropriations that have gone through on this floor have continued to make government grow, continued to increase. How do they want to feed it? By taking more of what you have.

I want to yield to my good friend from Georgia and thank him for the time that he has put into this, because it is a Truth Squad. It's rather ironic that tonight you're talking about how the Democrats have scared the rest of America. It is scary because they plan to move forward with their plan.

Mr. PRICE of Georgia. I thank my friend from California for outlining what truly is a frightening issue for many Americans. Many folks, especially in the middle class, there has been talk about a war on the middle class. I tell you, Mr. Speaker, the war on the middle class is being fully engaged by this majority party when you think about a $3.5 trillion tax increase.

Congressman RANGEL, again, you have to honor him and commend him for his candor and his honesty. He says, well, look, 90 million Americans will have a tax decrease with his proposal. What that means, Mr. Speaker, is that over 200 million Americans will have their taxes increased. That is where this $3.5 trillion comes from. It comes from anybody who is paying taxes currently to any degree will have their taxes increased. My friend from California outlined so many different ways that we are taxed and taxed and taxed by folks who think they know how to spend our money better. I believe I know that most folks on our side of the aisle believe that individuals know how to spend that money better. I recognize my good friend from Ohio, who believes that sincerely and has great knowledge and acumen about the issue of taxes and financial issues, my good friend, Mr. JORDAN from Ohio.

Mr. JORDAN of Ohio. Mr. Speaker, I thank the gentleman for putting this hour together. I thank my friend from California too for his focus on keeping taxes low, which the gentleman from Georgia made the right point: Whose money is it? Does it belong to the families of this country or does it belong to government?

The families of America know that they can spend their money better than government. They can invest it in their kids, their grandkids, their goals, their dreams, their ideas, their principles. They can do it better than government can. American families know that taxes are too high. Think about the typical family, the typical family in this country. When you factor in local, State and Federal taxes, all those taxes that my friend from California went through that you pay in just a typical day, when you factor that in, the typical American family spends 50 percent of their income, 50 percent of what they make, what they bring in, that they can invest in their kids, their grandkids, their future, they have to give to some level of government.

As the gentleman from Georgia pointed out, when you think about what has happened this year in this Congress, we had a budget bill passed that doesn't extend the 2001 and 2003 tax cuts that have helped our economy, that have helped families have a growing economy, the tax increases in there that result in huge, huge taxes in the future on American families. We had an energy bill that raises taxes on domestic energy companies. We had a farm bill, a farm bill, one of the most bipartisan pieces of legislation that typically moves through the Congress, had a tax increase in it.

We had the SCHIP bill that the gentleman spoke on earlier in this hour which had a tax increase in it. And just this day on the floor we had a Trade Adjustment Assistance Act that also had a tax increase in it. And, as my good friend from Georgia pointed out, we now have what is appropriately called the mother of all tax increases coming, which will raise $3.5 trillion, $3.5 trillion on American families across this country.

It begs the question: Why do politicians want to raise taxes? It is real simple. Because politicians like to spend money. You always hear "tax-and-spend politicians." It is actually the opposite. It is spend-and-tax. Spending always drives the equation.

That is why this summer my good friend and I and several other members of the Republican Party offered a series of amendments which said let's hold the line on spending. Let's do what families have had to do from time to time, what business owners, as my friend from California pointed out, have to do from time to time, what individual taxpayers have to do from time to time. Let's just spend what we spent last year.

After all, if you ask the typical American, do you think government spends a lot of money? Do you think maybe there is just a little bit of waste in the Federal Government? And everyone knows instinctively, of course there is. So we said, let's just spend what we spent last year.

You know what? Right now we are operating in a continuing resolution, which is a fancy way of saying we are living on last year's budget, even though the Congress was supposed to have budgets in place by September 30 and start a new budget. So we are living on last year's spending.

When we argued these amendments this fall, that is what we wanted to do, the other side told us, oh, the sky is going to fall, the world is going to end, all kinds of things are going to happen. You know what? For 4 weeks now we have been doing just what we offered in those amendments, living on last year's budget. And, guess what? Kids are going to school. The government is still running. Nothing terrible has really happened. If we can do it for 4 weeks, we can do it for 4 months, we can do it for the next year.

Here is why this is critical. If we don't begin to get a handle on spending, it hurts us in our economic position around the world. And right now Americans understand this as well. The market is so competitive, we have got to keep taxes low, keep spending under control so our economy can grow.

There was a point in the past, there was a point in the past coming out of World War II where America was uniquely situated; it didn't really matter if elected officials, if politicians did some dumb things. But now it matters. Now the competition is so stiff we have got to get public policy right.

Just think of some of the numbers we have to deal with today. We have 300 million people in this country. We are competing with the Chinese, who have 1.3 billion. It is critical that we do things right so we can remain the economic superpower, because here is the way the world works.

The economic superpower is also the military and diplomatic superpower. Right now there is one country that fits that definition, that is the United States of America, and that is a good thing. The American people recognize instinctively that the world is safer and better when America leads. If in the future that is some other country, that is a scary thought. We want America to lead.

I kind of joke when I say I think the only folks who don't get that concept is the editorial page of the New York Times. But Americans understand that the world is better. I love what Cal Thomas said. He was talking one time about how sometimes the national media doesn't see things the same way that a typical American family does. He had a line when he was talking about the New York Times. He said, "I get up every morning and I read my Bible and the New York Times so I can see what each side is up to." There is certainly some truth in that statement.

It is important for America to lead. The way America can lead economically is to keep taxes low, keep spending under control, and, if we do that, American families, American business owners can create those jobs and make our economy grow so that we have a prosperous future, just like America has always had, and that will allow America to continue to be the greatest country in the world.

So I thank the gentleman for his time tonight and for his focus. He is so right on target. And my good friend from California as well.

Mr. PRICE of Georgia. Thanks so very much for joining us tonight, and for really shedding the truth on issues as they relate to taxes. You are so right about the spending.

That is what we have seen in this Congress, Mr. Speaker, is bill after bill after bill with more spending and more spending and more spending. And it will drive, it has to drive, increased taxes. So what we have seen is a proposal from not just a back-bencher, not just somebody who took some wild hair and decided that they were going to propose a tax increase; the proposal comes from the chairman of the Ways and Means Committee, the tax writing committee. And in fact the Speaker in her first comments about it said she supported it.

Mr. Speaker, on Halloween, you talk about something that is frightening. As my friend from California said, that is frightening, to have the Speaker and the chairman of the Ways and Means Committee supporting a $3.5 trillion tax increase, the largest tax increase in the history of our Nation, on individuals.

My good friend from California, I am pleased to yield.

Mr. McCARTHY of California. My good friend from Georgia, I appreciate your yielding. You are talking about spending and you are talking about how much it has increased.

The American public would say before you raise my taxes, have you cut the waste, the fraud and abuse? You just talked about the chairman of Ways and Means. You look at the tax increase he proposed and you wonder why does he want to increase taxes so much?

I look back and I remember on this floor when we were bringing up the Health and Human Services bill. In there, you thought you were going to talk about the needs and the other things.

There was an amendment in there. I remember the debate on the Republican side, Mr. Speaker, because in there, there was put in what is called an earmark for $2 million for a library which the college didn't ask for to be named after the chairman of Ways and Means. It was interesting to me, I call it "the monument to me," because that is exactly what it is. The American people need their taxes raised so somebody on this floor can name a library after themselves for $2 million? And if you look at the brochure, it says it will be just as nice as President Clinton or President Carter, which I will tell the American people, Mr. Speaker, were paid for by private funds.

When it was challenged on the side of the Republicans to say maybe that earmark is not right because it didn't go through the process, the chairman of Ways and Means came to the floor and defended it and said he deserved it. When someone said, Well, maybe you shouldn't name it after yourself, he talked about it and said, No, I have been able to raise $25 million from corporations to go through it. Then when he sat there and talked and they said, Well, maybe we should name one after ourselves, he said, No, no, you don't deserve it.

But that is the hypocrisy that goes on on this floor of the Congress. When you continue to spend, when you continue to move earmarks and you think you can just tax the American public more and more, they are going to wake up. That is why I appreciate the time you have taken, the Truth Squad, to let people know what goes on on this floor.

□ 2015

Mr. Speaker, I apologize to the American people for scaring them too much, but this is the truth, and I yield back to my good friend from Georgia.

Mr. PRICE of Georgia. I thank the gentleman for those comments, but the truth sometimes is painful. And it is important as leaders in this Nation that we bring the truth to our constituents. And the truth of the tax bill that has been proposed is on this chart right here, Mr. Speaker. This describes the time from 2007 through 2050 and the amount of money that would be raised, the amount of taxes that would be raised by the Democrats is this orange line right here, this top line, and it continues to go up and up and up.

And the reason it is important to appreciate it going up is this ordinate here, the Y axis, has the percent of GDP. That is the entire economy of the United States. And once you get above about 18, 19, 20 at the outside, the economy tends to plummet. You can't run the economy in an aggressive and appropriate way to provide jobs for people when you get above 20 percent.

And the majority's party plan, the plan proposed by the chairman of the Ways and Means Committee and supported by the Speaker of the House in her first comments, what that plan does is move us upwards of 24 percent of gross domestic product. Mr. Speaker, that is a frightening prospect. That is not the kind of leadership, I believe, that the American people bargained for last November. The kind of leadership that they wanted, that they desired, were individuals to work together for solutions.

And the yellow line down here, Mr. Speaker, is a solution. It is called the Taxpayer Choice Act. It is uplifting, optimistic, enthusiastic support of the American people. It says, Mr. and Mrs. American, you know what to do with your money more than we do; and we believe that so strongly, we are not going to increase taxes on you. If you work harder, you will be able to keep more money. You will be able to appreciate the fruits of your labor. Isn't that what America is all about, Mr. Speaker? To be able to reward hard work and reward success and reward entrepreneurship and reward vision? That is what America is all about. That is what my constituents tell me when I go home.

So my constituents are concerned, which is why the numbers for Congress are so very, very low. An 11 percent approval rate of the United States Congress by the American people. Again, that troubles me. This is a wonderful, fine institution. It works best when people work together positively for their constituents.

So I challenge my colleagues on the other side of the aisle, I challenge them to embrace them in the SCHIP arena, embrace a positive bill which provides reauthorization for the bill but ensures that moms and dads and families and kids can be able to make health care decisions with their doctor without the intervention of the Federal or State government.

As a physician, I know oh so well how the intervention of the State and Federal Government into the practice of medicine destroys the ability to take care of people. It makes it so you can't provide quality health care for children and moms and dads.

There are alternatives to that. H.R. 3888, the More Children More Choices Act. More kids being insured, the same number of kids proposed by the other side, but more choices. More personal ownership and more ability to control one's future.

In the area of taxes, Mr. Speaker, the alternative is clear. It is allowing Americans to keep more of their hard-earned money. It is what we have done for the last 6 years. It has resulted in the largest economic boom we have seen in a number of decades. In fact, it has resulted in the largest economic boom that we have seen since taxes were decreased before in the sixties and the eighties under President Kennedy and President Reagan. And what we saw under them was increasing revenues to the Federal Government.

Mr. Speaker, it is an incredible privilege to come to this floor and present ideas and speak on behalf on our constituents in a positive and optimistic and enthusiastic way. I encourage my colleagues to embrace the kind of optimism and enthusiasm we have for America. And if this majority party would do just that, I promise you that the ratings for this Congress would increase. I look forward to joining my colleagues in that positive and upbeat way.

VACATING 5-MINUTE SPECIAL ORDER

The SPEAKER pro tempore (Mr. ARCURI). Without objection, the 5-minute Special Order in favor of the gentleman from Connecticut (Mr. MURPHY) is vacated.

There was no objection.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Connecticut (Mr. MURPHY) is recognized for 60 minutes.

Mr. MURPHY of Connecticut. I thank the Speaker and I thank the Speaker of the House, NANCY PELOSI, for once again allowing the 30-Something Working Group to come to the floor tonight and share with the American people and share with you, Mr. Speaker, some of the most important and pressing issues that are before this Congress right now, and to do that in part from a perspective of some of the hardworking individuals across this country who are looking for help from this Congress, who are looking for a Congress for the first time in a long time to start standing up for average, hardworking, everyday men and women who have been getting the short shrift from this government for a very long time.

I am soon to be joined by some of my colleagues, potentially Mr. RYAN and Mr. MEEK and Mr. ALTMIRE to discuss some of the issues confronting us today.

We will try, on behalf of Mr. ALTMIRE and Mr. MEEK, and certainly Mr. RYAN, to make as few Halloween analogies as potentially positive. We have exhausted that already this evening, and we are guilty on both sides of the aisle, so we won't talk about things being frightening or scary, at least until Mr. RYAN gets here. He may not be able to resist.

It always amuses me when we are down here for one of these 30-Something Working Group hours, and a lot of times we are preceded by The Truth Squad or some of our friends on the Republican side of the aisle. Often their mantra is to preach to the Democratic side of the aisle and preach to the American people the values of fiscal responsibility.

Tonight we heard a little bit about it from our friends from the other side of the aisle chastising Chairman RANGEL and his new very progressive tax cut which will bring tax relief to millions of working-class families. We heard them talk about how it is time this Congress got spending under control as well.

Mr. Speaker, there are short memories on the other side of the aisle, short memories which seems to only go back 10 months. They do not go back 3, or 6 or 12 years ago when Republicans took control of this Congress. If they did, they may have some recollection of the fact that they had 12 years of control. The Republicans had 12 years of responsibility over the Federal budget to get some fiscal sense and some fiscal discipline in the Federal budget.

I stand here as a representative from a pretty fiscally conservative district. I represent northwestern Connecticut which is filled with Democrats and Republicans and Independents alike who care about the management of their Federal budget. They care about what this government does with their Federal dollars.

They may be sort of a more socially liberal or moderate district, but when it comes to dollars and cents, people in my district care about fiscal responsibility. So I think one of the reasons I replaced a 24-year incumbent is because after a while, people in my little corner of Connecticut and from across this country woke up to the fact that while on the floor of the House of Representatives or back in their districts or on the talk shows or the cable news networks, the Republicans said over and over again that they valued fiscal responsibility, but when they had a chance to pass budgets to back up that talk, when they had a chance to get the deficit under control, not only did they not do it, they made it worse.

This President with a Republican-controlled Congress in the House and the Senate, with a Republican-controlled administration inherited a budget surplus and turned that in just a few years into a record budget deficit. A chart that Mr. MEEK and Mr. RYAN have shown on this House floor year after year after year says it pretty well. President Bush during the time he has been in office, all of that, all of those budgets passed with Republican Houses and Republican Senates, in the time he has been in Congress, he has doubled the amount of foreign-held debt, doubled the amount of borrowing we have done which has been bought up by countries other than the United States.

It took 42 Presidents 224 years to build up $1 trillion of foreign debt. And it has taken this President 6 years to go to $1.19 trillion. And this chart is a little old, too. It's even worse than that now. So it amuses me, Mr. Speaker, and a lot amuses me in Washington. As a freshman Member, I find a lot of things to sort of step back and laugh about. But to get lectured by a Republican, now in the minority, about fiscal responsibility, when it was their party in control of this House and in control of the Senate and running the administration that put us in the situation we are in today. So now it is our job to try to clean it up.

When I go back to my district, Mr. Speaker, I have a hard time explaining why some of the simple, commonsense measures that we have undertaken in this Congress weren't done years, decades ago. I use for an example what is called the pay-as-you-go rule. It is kind of the rule that most families and businesses use every day, which is we are only going to spend money that we have. We are going to put money out at the same rate money is coming in.

For some reason when the Republicans were running this House for the last 12 years, that wasn't the rule of the day. In fact, regularly they were spending American taxpayer dollars that they didn't have, that weren't in the bank. That is what rolled up these deficits that were rolling in at about $300 billion a year. It's spending more money than we were taking in that is now responsible for a Federal deficit that balloons over $1.2 trillion.

The majority, I am not sure the majority but a large amount of that deficit, that debt, those notes, those obligations being held by China and Japan and OPEC nations, all of these countries that we are sitting across the negotiating table from, being largely compromised by the fact that we owe a large amount of money that we are asking for policy considerations from.

So we decided, let's do something simple. When Speaker PELOSI came to the Speaker's chair, to the dais you sit on right now, Mr. Speaker, she decided in the first 100 hours we are here, let's say that every obligation that we decide to commit ourselves to, every new spending bill that may come before this House, let's within that bill explain exactly how we are going to pay for it. When I explain that back home, when I go to my Rotary groups or my Chamber of Commerce meetings and I explain that Congress now has decided to only spend what we have, and if we spend anything more in that bill we are going to tell you how we are going to spend it, people look at me with these blank stares saying on the inside and on the outside: Why didn't you do this before?

This Republican Party that told us for years they were the party of fiscal responsibility in fact was running this budget into the ground; and could have, just by adopting a pretty simple pay-as-you-go rule, could have exerted some discipline on this House which was lacking almost completely for 12 years, now finally here.

I am pretty proud of Chairman RANGEL for his frankness as he was sort of mockingly given credit for earlier today, because the bill that he has put before us, the bill that fixes the alternative minimum tax, and I know we will spend some time talking about some really important topics as we head into the holidays regarding food safety and toy safety and drug safety, but first I want to talk about the alternative minimum tax because you didn't hear a word about it, you didn't hear anybody talking about it, at least when I was listening to the other side of the aisle, you didn't hear anybody talking about the very reason Chairman RANGEL and the Ways and Means Committee have dedicated themselves to tax relief because we are on the verge of the biggest tax increase on the middle class in perhaps the history of American tax policy courtesy of President Bush and the previous Republican majority here.

□ 2030

So guess what? Yet again, it's left to this Democratic Congress, the New Direction Congress, to clean up yet another mess that was created by this prior Congress.

We're already trying to do it when it comes to children's health care. We're trying to reorder our energy policy. We're trying to clean up the ethical malaise that has settled on this town. So now we are also going to do it when it comes to this issue as well, to the alternative minimum tax.

In 1969, when the alternative minimum tax was passed by Congress it was pretty simple. They said, listen, with of the different tax loopholes and deductions and credits and offsets that people can take, there's going to be some people who make a lot of money who may be able, through creative tax planning, to avoid paying taxes to the United States Government. That's not right. That's not right.

And so in 1969, they passed a complicated formula called the alternative minimum tax, and in 1970, about 20,000 of the richest Americans paid the alternative minimum tax. Makes sense. Makes sense. Make sure that everybody pays some minimum level of taxation, especially those folks up at the top of the income stratosphere who have creative ways to avoid that tax situation.

Okay. So 20,000 people pay it in 1970, but guess what? Because Congress, after Congress fails to index the alternative minimum tax, in 2006, 3.5 million people end up paying it, and all of the sudden it's not just the tax paid by the really, really rich people. It's a tax that starts to get paid for by people that look and sound and make incomes like you and I, and as we look at what happens in the next couple of years, it gets even worse.

By 2010, if we don't fix the alternative minimum tax, the AMT as people call it around here. I figured out in my short time here that everything has got an acronym, everything; even things where the word itself is shorter than the acronym, that's got an acronym. So this has got an acronym. The alternative minimum tax is called the AMT.

By 2010, just 2½ short years away, if we don't fix this, if we don't clean up the mess that this last Congress created on the AMT, 80 percent of people that make $100,000, in Connecticut that's a middle-income family, 80 percent of people that make $100,000 are going to be paying the alternative minimum tax, and it just gets worse from there.

Mr. ALTMIRE. Mr. Speaker, would the gentleman yield on that?

Mr. MURPHY of Connecticut. I would.

Mr. ALTMIRE. And this is something that's critical to understanding the tax policies that we're going to be considering in the remaining time that we have in the 110th Congress.

The alternative minimum tax, as the gentleman is pointing out, is something that has to be addressed. We simply cannot afford to ignore this issue any longer. We've been in a position where we have been giving 1-year fixes year after year. For 1 year we hold harmless the folks that should qualify for the AMT as it's currently written with that flawed formula, and we push it off another year, and it gets more expensive to fix every time we do that.

And what the gentleman from Connecticut is talking about is it was a flaw. In 1969, they created the alternative minimum tax to prevent people from escaping their tax obligations. They couldn't use deductions and loopholes and whatnot, and they didn't index it for inflation. So now we're 38 years later, and the income of 1969 that was considered rich at that point, due to 38 years of inflation, we have a different outlook on that.

So we have a situation where the alternative minimum tax is spiraling out of control. And you gave numbers, 4 million people affected by it this year. If we do nothing, it is going to be 23 million next year. So we can't ignore the problem, and our friends on the other side of the aisle can pretend like that's not part of the equation and this is not something that we have to deal with or this isn't going to have a cost. And I know this is something you're going to address later in your remarks and we can discuss that, but to say, well, we should just do nothing about this or we should pretend like this isn't going to have a budget impact is just not consistent with the facts.

So the alternative minimum tax is there. It's the reality. It's existed for 38 years. It's spiraling out of control, and we're very close to being in position where if we were to scrap the entire income tax system, that would cost less than to do away with the alternative minimum tax. We're only a few years away from meeting that threshold.

So what do we do? Well, Chairman RANGEL has put forward a plan that is not the only plan that's going to be discussed. It's not the only plan that's going to be offered, but it's the starting point for the discussion, and he has said that this needs to be a permanent fix. And I know in the other body they're having the same discussion, that it needs to be a permanent fix. We can't continue to do this year after year after year, and it just gets more expensive.

So this is the starting point. We have to think about that when we talk about tax policy, that this is unmistakable that we have to deal with the AMT.

Mr. MURPHY of Connecticut. We've got to decide how we're going to fix it. Everybody on this side of the aisle and some of our friends in the Senate can sort of live in this.

Fantasyland where we're just going to do more of the same; let's fix this alternative minimum tax for middle-class taxpayers, and guess what, let's just do it by borrowing more money. That's the way I think a lot of people in the place would like to do, more of the same, borrow money in order to cut taxes.

You can't do that anymore. You can't do that for the next generation is going to end up paying all that money back. You can't do that because you can't exacerbate the existing trend, which has countries like Japan and China and OPEC nations, and Taiwan and Korea and Hong Kong and Germany owning all this American currency.

You've got to stop this. You've got to stop the madness of borrowing. So the way you do that is to be honest about how you pay for the alternative minimum tax, and we're going to have to deal with some choices here.

The Republican Congress for years made this choice. They could have fixed the alternative minimum tax. Instead, they gave away more and more and more tax breaks to their super, ultrarich friends and their oil companies and drug companies and everybody else who did well here. We're going to make some different choices.

We're going to actually balance the Federal budget in 5 years. We're going to give some tax relief, badly needed, to the middle class, and you know what? We're going to stop that policy of giving away tax breaks to folks that don't need it.

Mr. RYAN of Ohio. Mr. Speaker, if I can intervene here, I mean, you look at the money that we're borrowing and then we're giving tax cuts. So it's not that we have the money laying around here and say, boy, we've got a lot of money laying around here, why don't we just give the wealthiest people in our country the money back. We're actually going out to China and OPEC countries and borrowing the money to give tax cuts, and then we borrow the money from OPEC countries to fund the war to get oil from the Middle East.

This is the most convoluted scenario that you almost think you've got to read a Tom Clancy novel to drum it up. And then when you look at the priorities that aren't getting funded here that we're now trying to fund, and on the House floor today we had the minority leader, we had the minority whip, we had all the leadership of the Republican Party tell us how somehow funding education, lowering tuition costs, reducing the amount of student debt that our students are going to have to incur, funding community health clinics is somehow not an important priority, that somehow if we put all these bills together with the defense bill and the veterans bill and education bill and health bill, that somehow those aren't all American priorities, that somehow when these vets get back, that because all these bills are somehow put together in a process that's going to speed this whole thing up, that somehow when those vets get back, they don't need health care, their kids don't need health care. Somehow when the vets get back that they don't need education, they don't need increased Pell Grants to send their kids to school.

Am I missing something here? Like these vets are out fighting for our freedom here, just for a defense bill, or just for a vets bill, that they're somehow not fighting for some of these basic, fundamental American values that we have. And look what's going on back at the ranch when our friends are playing around with the budget, not wanting to pass legislation, passing tax cuts for the top 1 percent, look at the hole we've gotten into.

Now, this is something that is very important to me, and I remember a few weeks ago I was at my brother's house who has two young kids, Dominic and Nicky. One's 1 and one's 2. And my sister-in-law said it's scary about these toys. I remember her saying that.

Here's from 2001, and it goes up as the years come, the amount of imported toys coming from China. Okay. Over here, the yellow line that drops off, that is the number of Consumer Product Safety Commission employees going down. So we only have 400. As the number of imports from China and toys come into our country goes up, the Bush administration has reduced the number of Consumer Product Safety employees to actually monitor these toys. Same thing's going on with food.

So when you look at these mixed priorities, you know, sometimes we think, well, the war's going on in a far-off place or it doesn't affect me. If you've got kids and you've got toys, this irresponsible behavior that we saw in Katrina, we saw with the government contracts in Iraq, comes right into your household because of a lack of investment into the United States.

Mr. ALTMIRE. Just to clarify, as the gentleman from Ohio understands, this was not the reduction that you see there in that chart. This was not a governmentwide reduction in costs where we were tightening our belts and doing the right thing and being fiscally responsible and we happen to lower the costs in the consumer safety section by reducing some payroll over there. This was the biggest spending administration and the biggest spending Congress in the history of the country.

Mr. RYAN of Ohio. Right.

Mr. ALTMIRE. As the gentleman points out, it's a matter of setting priorities. It's not as though they were lowering the cost of government across the board. They picked and chose what they wanted to lower, and one of the issues they thought wasn't important and we didn't need to deal with was consumer safety.

Now, I think we would all agree that consumer safety is incredibly important and especially what's happening with the Chinese imported toys, and to have dramatically less people working in that department this year than we did last year, than we did 5 and 6 and 7 years ago is outrageous.

But I did want to put it in perspective that we are raising the debt incredibly, $3 trillion and counting in the last 7 years of this administration.

Mr. RYAN of Ohio. We haven't borrowed money to make sure that we can hire enough people in the Consumer Product Safety Commission to make sure our toys are safe coming in from China. We're borrowing money to give the top percent a tax break, people making millions and millions and millions of dollars a year, and hey, if you make millions, God bless you, but now we're in a position where we don't have enough employees to monitor the toys coming into the country and we're giving multimillionaires a tax break. We're borrowing the money from China, which is pretty interesting when you think about all these toys coming in from China, that we're borrowing the money to fund the war and the tax breaks from China. So China's now our bank. So now they, of course, want their products coming into the country.

So, now all of the sudden, things like the reduction in employees at the Consumer Product Safety Commission happens because the Republican House and Senate and the White House have got us so dependent.

You mind if I go through here? I don't even know what these toys are. I see them on my brother and sister-in-law's floor. You'll know soon. You're newly wed.

The football bobblehead cake decoration. Okay. These are toys that have been recalled due to lead. This has a Patriots bobblehead.

Mr. MURPHY of Connecticut. That was not me. I'm a Giants fan. That's hard to explain.

Mr. RYAN of Wisconsin. We've got a Rudy Guiliani situation here.

Purple Halloween pails with witch decorations. We've got the Sponge Bob Square Pants Address Book and Journal. We've got the Thomas and Friends Wooden Railway toys. We've got the Go Diego Go Animal Rescue Boats. Very Cute Expressions. Children's toys gardening tools and the Robbie Ducky Kids watering can.

Mr. ALTMIRE. I have two little girls, 8 and 6, Natalie and Grace, and I have in my home some of those toys. I can tell you as a parent these are not toys that are fringe. You talk about Sponge Bob Square Pants and Dora and Thomas the Tank Engine, those are mainstream toys. Those are in families and houses all across this country. And to think that the Consumer Product Safety Commission doesn't have the resources to adequately monitor these toys coming in with exaggerated levels of lead, dangerous levels of lead from the Chinese, as a parent it makes me very angry, but as an American it makes me angry because I know all across the country there's kids right now that are playing with those very toys.

Mr. MURPHY of Connecticut. I really appreciate the analogy Mr. RYAN makes about the choices we're making. We don't want to borrow any money. We want to actually be honest about how you spend. I think it's a great point to make again that this administration and the Congress that used to control this body was making this choice.

□ 2045

You sort of put it to the average American living in Ohio or suburban Pennsylvania or Connecticut that if you had a choice to spend money and give an extra $100,000 to that really rich guy who lives up on the hill or you could spend that money to make sure that the Sponge Bob toys that your kid is playing with don't have levels of lead 100 times over the Federal standard, I mean, that's kind of a laughable question, like the premise, you know, you would be laughed out of the room by most parents for that. Of course you should put more testers and more product safety employees in the Federal Government.

What we find out, when the head of this organization, when the director of the Consumer Product Safety Commission comes and testifies about what's going on, why do we have 20 million toys manufactured in China that were recalled this summer? Why do we have that long list that Mr. RYAN puts up? Why do we have just recently a press release dated today from the Consumer Product Safety Commission calling for a recall of these fake teeth that kids use, and a lot of them use on Halloween. Well, it turns out that about 43,000 of these fake teeth that kids are using out there have levels of lead that might be as much as 100 times over the Federal standard.

I mean, this is dangerous stuff.

So Ms. Nord comes before the Congress to be held accountable, first time that's ever happened on this issue, I mean, finally we are bringing these bureaucrats in front of Congress to ask these questions, and she says that she doesn't have the resources to do her job and that there is one, quote, lonely toy tester in her office, one lonely toy tester who is responsible for the flood of millions, probably hundreds of millions of toys coming in from China.

When you think of the choices that have been made to give these massive tax breaks to the wealthy, to oil companies, to put our troops in harm's way in Iraq for a policy that's making this country less safe, not more safe, and what we got for all of that was one person who is charged with making sure that our kids don't get poisoned by toys over here, it boggles the mind.

Mr. RYAN of Ohio. When you think about hundreds of millions of dollars worth of trailers sitting in the gulf coast that never got used for Katrina, when you think about all the wasted, unbid contracts through FEMA, to Halliburton, and in the war, I mean, hundreds, hundreds of millions of dollars, billions of dollars.

Then all of a sudden we find that we have these regulatory issues, this is security, this is economic security. This is family security, when you hear Democrats talking about securing the country, it doesn't mean we want to start a war, it means we want to protect the homeland, and border security, family security, food safety, toy safety, product safety, these are things that it is our responsibility, as Members of Congress, to take care of. You have people sitting in towns and cities and counties all over the United States that are very, very concerned with this issue.

To have a person who is in charge of these kinds of things say we only have one person who is in charge of toy inspection, and we don't need any more money to do it is a complete dereliction of duty, of our responsibility here.

When you look at what we are trying to do at every single turn, from raising the minimum wage to reducing college costs, to ensuring product safety, to ensuring food safety, this is about economic security. This is about homeland security. You know, 50,000 new cops on the beat, first responder funding. I mean, these are all things that we have been pushing and our friends, many of them on the other side, are obstructing this from getting done.

Mr. ALTMIRE. I wanted to do a couple of things. I wanted to talk about that one lonely toy inspector.

Mr. RYAN of Ohio. Do it.

Mr. ALTMIRE. I know the gentleman didn't have the number in front of him when he was talking about it, the number of toys just from China that were recalled last year. This is this year, the number of toys that we imported, this is the number of toys that were recalled, is 20 million, 20 million toys just from China that were recalled this year, and we have one employee at the Consumer Product Safety Commission that's reviewing those toys.

But we may have people out there that are watching us tonight that say, well, I don't have kids, I don't have toys. It doesn't affect me. Let me tell you, it does affect you. Let's talk about food safety and let's talk about what's happening right now with regard to that.

Just with China, recalls this past year ranged from bag spinach and peanut butter to contaminated wheat flour, all from China. That has brought fear to the Nation's kitchen tables. We have tainted food coming in from China as well.

I am not going to test my friends from Ohio and Connecticut, but I will tell you up front, less than 1 percent of our food imports are inspected. That is a shocking number. That surprised me.

Mr. RYAN of Ohio. How about the President the other day? This drove me crazy. He says, Congress is wasting their time with all these hearings. It ceases to amaze me anymore that we try to pass children's health care, and the President says, well, they can go to the emergency room. We are trying to have oversight so that we can have real product safety, safeguards up for food, and you are having all these hearings. We are trying to oversee what's going on in Iraq so we can, A, fix the problems we are having, but, B, finding all of these billions of dollars that have been going to these nonbid contracts and the jobs are not actually getting done. Then he said, oh, you are having all these hearings.

Then he said today, about the SCHIP bill, I don't know if you heard this, but he said, Congress is trying to pass this health care bill for kids, but it's really a trick. He said it was a trick. This is not a trick. This is us trying to pass health care for kids. He thinks it is somehow cute to say that on Halloween that this is somehow a trick.

Mr. ALTMIRE. I appreciate that. I want to talk about one of those hearings that we are talking about, the oversight hearings the President says is a waste of time.

Well, I would ask the American people if they think that the House Homeland Security Subcommittee on Emerging Threats has a hearing to investigate the Federal Government's efforts to protect our food supply chain, and the issue that I talked about where 1 percent of our food imports are inspected, I don't think that's a waste of our time. I don't think the gentleman thinks that's a waste of our time.

Mr. MURPHY of Connecticut. Let me give you a quote that comes out in one of these oversight hearings.

Mr. ALTMIRE. I yield to the gentleman from Connecticut, the New York Giants fan.

Mr. MURPHY of Connecticut. I will explain this to you later. It's very complicated. I reject the notion that just because a team calls itself after a big geographical area that I have to reform. I live in Connecticut, just because they call themselves the New England Patriots, but that's for another time.

Mr. RYAN of Ohio. We should have a hearing on that.

Mr. MURPHY of Connecticut. Let me give you a quote that comes from one of these hearings and you decide, we will let the public decide and our colleagues decide whether or not this is good information that maybe we should have out there.

David Kessler, who is the former FDA official and one of the acknowledged experts on food safety in this country, Kessler says, "We have no structure," in this country, "for preventing food-borne illness. The reality is that there is currently no mandate, no leadership, no resources, nor scientific research base for prevention of food safety problems."

I think that's probably information that we should know, that one of the leading officials, one of the leading experts on food safety and food regulation in this country believes that we have absolutely no ability to control the quality of food coming into this country.

He knows what we know, the amount of inspections has dropped precipitously. We did about 50,000 food inspections in 1972. We do 5,000 now in 2000. We have dropped by 90 percent over the last 30 years the amount of food inspections we do.

We have these experts out there who had these opinions that they couldn't share because Congress wasn't doing oversight. Congress wasn't bringing before it the people who knew what was going on out there, knew the risk that the American public was being put at, they weren't being asked to come here and express those opinions to Congress. We are getting them now.

Mr. RYAN of Ohio. We are getting them now, and, of course, it's important to recognize that you probably can't monitor every piece of corn that's coming into the country or every product that's coming into the country. But what happens is if you do have a significant presence, one is in random inspections, there will be a general consensus among people shipping food into your country that there will be inspections, and they may get caught if they do not keep meeting the standards.

But at the same exact time, what this does here is if people are getting busted for sending food in from China, then all of a sudden you are going to see production increases here in the United States, whether it's toys being manufactured or maybe something else. So it's very important.

This is about safety. This is about protecting our kids. This is about making sure that our families have, when they are having Thanksgiving dinner, have a lot of knowledge and confidence in how the government is administering these programs.

Mr. MURPHY of Connecticut. Now that we are starting to shed some light on what's going on out there, the charts that you put up about the amount of imports into this country for unsafe toys and the incredibly quick decline and the amount of people that are charged with inspecting those toys, I mean, that's out there now. You would think that now that we finally shed some sunlight on the issue of unsafe toys and unsafe food and the number of people that are at risk and the problems with our current regulatory processes, that we could all come together and work on this now.

But what happens? Yet more obstinacy from this administration, yet more closing of their eyes and their ears to this problem. The Senate and the House are both working on reform pieces of legislation that will give new powers, new duties and new resources to these commissions, in particular to the Consumer Product Safety Commission.

That same director that we are talking about, the person that runs the Consumer Product Safety Commission, came and testified before Congress that she doesn't want any more powers. She doesn't want any more protection that she can afford the consumers, that she would rather see the status quo, effectively, is what her testimony is. Even now that the American public has awoken to this problem, that this Congress finally is talking about it, we still have an administration that says, I don't want to do anything more. I don't want any more power. I don't want any more resources. I just want things to be as they are. I want to close my eyes and my ears and hope the problem goes away. That can't be how we do things going forward.

Mr. ALTMIRE. I want to put this in perspective. I would like to bring this down to the level of the average family and what they are consuming when we are talking about some of these recalls with regard to food safety, and so people can understand at home what we are talking about.

I have a list in front of me, and I won't read through it all, because it's an incredibly long list, unfortunately, the recalls that have taken place just this year. Just this year. We are at the end of October, the last day of October, today.

But a couple of the big ones that stand out, I am sure everybody remembers back in February the peanut butter recall due to salmonella contamination, huge issue, people were sickened all across the country. The level of that recall, 326 million pounds of peanut butter across the country, and that, primarily, would affect children, children eating their peanut butter.

We had a 55,000 cantaloupe recall. Now, that came from Costa Rica, because of salmonella, just to show you how across the board this is. We had 9.5 million bottles of Listerine that were recalled due to a microbial contamination, and that was in April.

Throughout this list, month after month, there are multiple recalls involving millions of pounds of ground beef for a variety of illnesses that it caused, so ground beef, and from a number of different countries that we are talking about importing.

We have food recalls involving apple juice, 113,000 units of apple juice were recalled in August.

Then, lastly, everything up through pot pies, we just had this month, they were recalling pot pies due to salmonella contamination. So when we talk about 1 percent of the food imports into this country are inspected, it affects our entire food supply. Yes, this is a health issue, but this is also a national security issue. That's why we are having some of these hearings that we are talking about.

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And I'm very grateful that we have been joined by the distinguished colleague of ours from Florida, Miami, Mr. KENDRICK MEEK; and I would, at this time, yield to him.

Mr. MEEK of Florida. Thank you so very much, Mr. ALTMIRE. I was very pleased to have had the first half of this hour to trick-or-treat with my kids. We had a great time. And my daughter was some very scary—I don't know what her, she couldn't quite explain to me what she was, but I asked what, I mean, What are you? She said, I'm your daughter. So that was like, okay, I won't ask any more questions. My son was a Secret Service Agent, so I was well protected.

Let me just say, gentlemen, and I think it's important for the Members to pay very close attention to what we've shared with them, and I'm so glad that we are heading towards safer toys, safer food, safer medicine. Too many times in the news we hear about how loose we are with other countries being able to not have standards and quality control in place, and it ends up affecting everyday Americans, and it disrupts business. We have rumors about things being unsafe, and it's making Americans feel more uneasy about it. And Mr. ALTMIRE, I'm not one to make a, you know, start fire alarms and carrying on and scaring people, but it is pretty scary, the fact that we do have, in some cases, as it relates to those that certify the toys that can come in and out the United States of America as relates to safety and setting requirements for children, it's just one person running that office. And we're the biggest democracy or one of the superpowers of the world, one of the biggest democracies. And I think it's important that we shed light on this. The people count on this Congress to govern. I think the reason why it hasn't happened to this point, of the cozy relationship that the previous Congress has had with the business community, even when those that are in the business community will fare far better if we were to have the kind of standards and controls as it relates to the importation of toys and food and medicine. I look forward to the debate.

It's very unfortunate, and let me just say something, because I know Mr. MURPHY said something a little earlier about, you know, now we're moving in this direction, we're hearing some push back from the administration. I'm not a black man with a conspiracy theory, but I will say that there's, I think there's a push out of the administration to see the Democratic Congress not be as successful and not heading in a new direction as the American people voted for. I think some politics has something to do with this. It's very unfortunate, especially when we're looking at this kind of legislation, Mr. ALTMIRE and Mr. RYAN. I think it's important that everyone pay very close attention to the new direction agenda, that this card continues to get more and more on it as it relates to accomplishment. And, Mr. Speaker, it's a bipartisan accomplishment. That's the good thing about it. We have Republicans voting for Democratic bills. They would have voted for it all along if the Republican leadership allowed that legislation to come to the floor.

So I think it's important, Members, that we continue to push on, that we continue to encourage our colleagues on the other side of the aisle to join us in accomplishing what the American people wanted us to accomplish. Independent voters, Republican voters, Democratic voters, reform party, what have you, they're looking for results. They're not looking for back-and-forth on my idea is better than yours and nothing ever happens. So I'm just honored to be down on the floor with you Members here.

Mr. RYAN, I'm honored always to be here with you, sir. I mean, a very important member of the Appropriations Committee, he had a couple of bills pass off the floor today. It's great.

Mr. RYAN of Ohio. Well, you know, one of the things we talked about while you were out trick-or-treating was the connection between the money that has been borrowed by the past three Congresses and the administration from China, that's now our bank, and how their exports have been facilitated into this country, in this instance, the toys. So it's very difficult, I think, from a perspective of someone who's borrowing money from a country to say, hey, wait a minute; we've got some real issues with doing business with you. It becomes very difficult. And so I think our position with China, borrowing the money, the OPEC countries and many, many others, has put us at a significant position of weakness in dealing with a variety of foreign policy issues, but also dealing with issues like this.

Now, I showed this chart earlier, Mr. MEEK, and I know, I think this was your idea to get it. But this is the chart of the number of toys being imported into the country and the number of employees that are assigned to protect the consumer. And so, much of this, much of these imports have been from China, and I don't think it's a coincidence that we want to somehow facilitate business with this country, which is fine. We know we have to do business in a global economy. But you don't do it at the expense of the health, safety and welfare of your own citizens.

Mr. MEEK of Florida. I'm sorry. Will the gentleman yield real quick?

Mr. RYAN of Ohio. I would be happy to yield.

Mr. MEEK of Florida. You know, Mr. RYAN, again, I don't have a conspiracy theory, but, hold that chart. Don't do away with that chart. You can pass it over here. I just want to make a point here.

It's interesting that everything seems to have happened in 2000. Look where it was in 2000 and look what happened since then. I wonder who's been in charge of the country starting in 2000. I mean, we're not speaking, I'm not, you know, I'm not trying to say anything. I'm not talking about anybody. I'm just talking about what I'm talking about. And the real issue here is the fact that, I said that, it made as much sense as this chart is making sense right now, but the real issue is that it's been an ongoing issue. A lack of regulation, a lack of, I mean, more freedom as it relates to China doing what it wants, what it would like to do.

The TAA bill passed off the floor today to give U.S. workers an opportunity to be retrained, which was very, very important. It was important to the States, and it's important that we bring some sort of balance back to this. It's nothing wrong with a global economy. But it's everything wrong when we allow other countries to have the upper hand on U.S. companies and also U.S. workers, and we have to have the standards in place.

But thank you, sir. This wasn't my idea to do this chart. I will not take credit for it. But I just wanted to let you know.

Mr. RYAN of Ohio. Well, I know you have a lot of good ideas.

Mr. MEEK of Florida. I have a lot of great ideas.

Mr. MURPHY of Connecticut. Let me read, Mr. MEEK, to you from a, you guys all say third-party verifiers, right? Validators. Kind of means the same thing. Half a dozen, six. So this is from a report called Toxic Trade done by the Campaign for America's Future, and we'll go back to this problem that we have at the CPSC regarding toy testers. It says this: The agency's toy testing department, it's lab hasn't been modernized since 1975, and the department consists of one man who drops toys on the floor in his office to see if they'll break. I mean, that's it. There you go. I mean, that's the toy testing regimen of the United States Government is a guy, and I'm sure he's a wonderfully nice guy. But he sits in his office at his desk and he takes toys and he drops them on the floor to see if they'll break. I mean, that's what we got now. That's what you got for these record deficits, for all the spending in Iraq, for breaks for oil companies and drugs companies. You've got one guy who drops toys from his desk and sees if they'll break.

Mr. RYAN of Ohio. We just need to, I think, look back, and I say this with the utmost respect, Mr. Speaker, because the President basically, yesterday, in his press conference, I think it was yesterday or maybe today, in his press conference basically was making fun of Congress for holding hearings, making fun of us. But when you look at what we're holding hearings on, we're trying to fix problems that we have in the country. So we're having hearings on FEMA and the disaster that we all saw on TV at the gulf coast. We're having hearings on Iraq, the unbid contracts, the problems that we're having there, the wasteful spending, the billions of dollars that the Pentagon doesn't know where it is. We're trying to have hearings to find out what's going on. Hearings on toys. I mean, we're trying to figure out how do we fund this, how do we have enough consumer product safety workers here in the country to make sure that our people are safe when you're dealing with products or food. I mean, when the administration then continues to make light of these very serious concerns, it's troubling to us to somehow say that we're holding hearings, which is our constitutional duty. Article I, section 1 of the Constitution created this body.

So, again, we have Katrina, we have the war, we have toys, we have passports, FEMA, we have all of these issues that we're dealing with in this country. I'm sorry if we're trying to solve these problems.

I yield to my friend.

Mr. ALTMIRE. I thank the gentleman from Ohio. I have people all the time in my district, Mr. Speaker, that come up to me and talk about that passport issue that Mr. RYAN mentioned. We had hundreds and hundreds of travelers over the summer months that needed the help through our office, and I'm sure you had the same experience because of that 500,000-case backlog at the State Department. They were unable to deal with it. They put forward this regulation. They didn't have the resources to deal with it, very similar to what we're talking about with the Product Safety Commission. These are the types of things that we are holding hearings on. We're trying to get to the bottom of it. And when the President talks about, well, we're wasting our time by holding our hearings, I'm not sure what his inference is. I'm not sure what he would have us be doing, because it's not as though we haven't been doing our work here in this Chamber, because tomorrow, we begin the 11th month of the year, and through the first 10 months, as the gentleman knows, this Congress, the 110th Congress, compared to any other Congress in the history of the country, the 109 that came before us, through this date and time, this Congress has met more often and taken more votes than any Congress in the history of the country, bar none. So for the President to insinuate that we're holding these hearings and doing nothing else, again, it's inconsistent with the facts.

Mr. RYAN of Ohio. If the gentleman would yield, it's, I mean, we're obviously in a very complicated world. We're trying to solve some very complicated problems. And the frustrating part is when you have the President of the United States have a series of comments throughout his administration that have basically, you know, simplified all of these issues. You know, after 9/11 the big great challenge he gave us, Mr. Speaker, was to go shopping. You know, we try to pass children's health care and he says, well, you can get health care at the emergency room. And then, Mr. MEEK, at his press conference today, he said that our whole children, SCHIP, trying to cover 10 million people program was a trick on the American people. These are, you know, we're wasting time holding hearings.

There are very serious issues that our families are dealing with, and to have the President of the United States, the most powerful man in the free world, someone who is able to stop children's health care from being administered in this country to 10 million kids, someone who's able to veto bills, and you need to rally, you know, a lot more Members of Congress in order to pass something, to try to simplify and make light, and I like to have as much fun as anybody else and we have our share of fun here, but we're dealing with some pretty serious issues. That the President's behavior and tone and temperament and comments on these issues becomes very frustrating.

I yield to my friend.

Mr. MEEK of Florida. Thank you, Mr. RYAN. Personally, I'm just kind of glad that the President's criticizing the Congress for doing what we should do. The American people voted for a new direction. We have the fruits of the new direction here in these very new Members of Congress as it relates to the majority makers giving us, empowering those of us that have been here, and they're bringing ideas to the table as it relates to moving in a new direction. If I was the President, I would try to, you know, shut off the light bill over here at the Capitol so that we can stop working so that we can stop uncovering half of what's going on.

I mean, Mr. RYAN, you gave one, you have one of the best clips on YouTube saying this is the same administration, and he goes down the line because someone on the floor, I think, last year or the year before last criticized Democrats for questioning the President. And Mr. RYAN said, I'm sorry, but this is the same administration that told us that we had to go to war, weapons of mass destruction. This is the same administration that outed a CIA agent. I mean, this is proven stuff. This is not fiction. This is fact. And I always say, gentlemen and ladies, that when people look back on this period, they're going to see who was actually about the solution and who was actually validating what the administration has been doing. And I think that it's important for us to have this balance. And I think it's important for us because we, the four of us here on this floor right now, we're just like every other Joe and Sue out there. I mean, I was a skycap once upon a time and a State trooper. And you know, I carried luggage, "Yes, sir," "No, sir." I went out and patrolled the highways and byways in the State of Florida and offered myself to be a State Representative.

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I had a district office right there and went to Tallahassee and did what I had to do. Many of you, the same track as it relates to the State legislature or local elected officials, and we heard this. So now we're the same old Joe that left our local districts. Now we are in Congress, and we are going to ask the questions that the people that we represent will ask us. When I go home and I go to the grocery store, people ask me, What is going on? What do you mean? The President doesn't want it to happen. I said, it's not about the President's standing against children's health care insurance; it's about enough Republicans on the other side of the aisle that are standing with him, and that's what it's about.

And so I think it's important, gentlemen, that we look at it from that standpoint. The President is not running for reelection, but there are Members of Congress that are running for reelection. And it should not be a secret that come next November on a Tuesday morning or before as it relates to early voting, absentee voting, people will be able to stand in judgment of the individuals that are validating what the President is saying.

So it's really like which side of the ball are you on? Are you on the side of fiction or are you on the side of fact? The fact is about accomplishing things with the Democratic majority and some Republicans joining us in that effort, which I enjoy because we talk about bipartisanship and we are actually doing it, or those that are saying we have to stand in the way because we can't allow the American people to see a Congress that's functioning and questioning the executive branch.

Mr. RYAN of Ohio. Can I make a point too? And I want to say this because we all have a lot of good friends who are on the other side who have voted for the Labor-Health-Education appropriations bill, voted for defense, voted for the vets; and the argument being made today was that somehow this was unique that we are putting several appropriations bills together. If you ask people in our districts, the whole process is foreign to them anyway. It's just get the job done. And when we look back at our Republicans friends, Mr. Speaker, when they were in charge, on 59 different occasions, had put bills together like we're trying to do. And so I think it's important. We are trying to get the job done. But this is not every Republican. This is, in my estimation, some very fringe, extreme members of the Republican Party who are basically backing the President on these things, and he has just enough Members on the Republican side to sustain a veto.

Mr. MEEK of Florida. In the House.

Mr. RYAN of Ohio. In the House.

Mr. ALTMIRE. I know we're very short on time; so we'll turn it over to Mr. MURPHY shortly to close out.

But you talked about combining these appropriations bills and the criticism that we received from the other side. I wanted to remind my colleagues of the last time that this happened. It was very recently. We shouldn't need to remind them. It was just in February. And the reason we had to combine nine appropriations bills from last year in this session of Congress was because, after the outcome of the elections in 2006, the Republican Congress said, I'm done, I'm going home. I don't care about these nine appropriations bills. We'll leave it for the next group to fix. And that is what we had to deal with when we came in, nine appropriations bills that were not completed from the previous fiscal year. We were in the current fiscal year doing last year's work. So I couldn't believe what I was hearing today on the floor when we were being criticized for combining three appropriations bills in the current fiscal year when they left us with nine bills incomplete that we had to deal with.

Mr. RYAN of Ohio. It's the same disjointed kind of argument that the President, Mr. Speaker, has given us on the SCHIP bill. This is 10 million kids, $35 billion over 5 years. We could pay for these 10 million kids to get health care for a whole year for 40 days in Iraq. And the President, who has run up $3 trillion in debt, borrowed it from China, raised the debt limit five times, is now going to draw the line in the sand on fiscal responsibility on 40 days in Iraq to provide health care for 10 million kids. I mean, there are so many disjointed arguments and floating pieces that are going around here that just don't make a whole lot of sense to many of us.

I hope that we can try to continue to push to get more Members on the other side of the aisle to join with us to do some pretty basic things that the American people want us to do.

Mr. MURPHY of Connecticut. Thank you, Mr. RYAN.

I have to say, Mr. Speaker, it has been an honor to stand in the shoes of Mr. MEEK and get to anchor this hour today. I feel like a better person, a better man for it.

Mr. MEEK of Florida. If the gentleman will yield, I wear a size 15. I don't think that you probably can stand in my shoes with your shoes on.

Mr. MURPHY of Connecticut. It would be pretty tight.

With that, Mr. Speaker, we thank Speaker PELOSI for allowing us this time. We can always be found at 30-Something Working Group on the Speaker's Web site, www.speaker.gov.

WHAT IS CONGRESS' PLAN FOR AFFORDABLE ENERGY?

The SPEAKER pro tempore (Mr. ARCURI). Under the Speaker's announced policy of January 18, 2007, the gentleman from Pennsylvania (Mr. PETERSON) is recognized for 60 minutes.

Mr. PETERSON of Pennsylvania. Mr. Speaker, I rise tonight to talk about a different subject than you've been hearing about, one that I think should be talked about in the halls of Congress here: What is Congress doing about available, affordable energy for America?

I know it's Halloween, but when we find out the price of oil today on the market, we are all going to think it's a Halloween joke.

First, I want to show the record of oil prices, of how they have been rising. Now, this doesn't show the spikes up and down all along. These are annual average prices.

Just last week I was here speaking and we were at $90. But today I think we're off this chart because at the close of business on Wall Street today, oil was $94.53 a barrel.

I don't know about you, but that puts fear in my heart. The winter season is coming. People are going to need to keep their homes heated. People are going to need fuel to drive their cars. The American economy is going to need affordable energy to compete in the global economy. On October 31, 2007, oil closed at $94.53.

Now, 6 years ago, it doesn't show it on the chart, but 6 years ago, natural gas was $2 a thousand; now it's $8. Oil was $16. This is a 600 percent increase in oil prices in just 6 years.

Is it an issue? It hasn't been mentioned here today. It wasn't mentioned here yesterday. It wasn't debated last week. We are going to have record high home heating oil prices for those heating their homes, record high diesel prices for those who are transporting our goods up and down the highways, and so I guess the fair question is, what is Congress's plan for affordable energy for America?

Months ago I was down here on the floor and debated the House bill. The House passed a bill. We'll talk about it later in content. And simultaneously a little later, and the Senate is usually a little behind, they passed a bill. Now, you would think with energy prices spiking to record levels, there would be some sense of urgency in Congress. There would be some sense of urgency to get the Senate bill and the House bill together and get it on the floor to help Americans meet their energy needs.

Now, we have had some interesting things happen here. Speaker PELOSI forced the curator, those who run the Capitol here, to switch from coal to gas so we could lessen our carbon imprint. Now, that's going to cost the taxpayers $3 or $4 million because gas is the clean, green fuel and she thought it was better that we heat the Capitol with gas and not coal. Now, what is interesting is it would seem like we should be about conserving. I haven't seen a dollar appropriated to put double-pane windows in all of the Capitol complex. Most of them are single-pane glass. Now, most of us at home have done better than that. My office building, single-pane glass. On a cold winter day it frosts right up. It transmits lots of heat out, lots of heat in. Depending on where the heat is, it goes right through single-pane glass. But wouldn't it make more sense to conserve energy in the Capitol complex and do energy efficient windows and doors? No, we just switched fuels and spent an extra $4 million so our carbon imprint was less.

Now, we have also mandated that all government agencies, including ourselves, use those little round fluorescent screw-in light bulbs. I have some at home. My wife doesn't like them. I don't like them if it's a reading light. At least they vary. They are not the same quality of the incandescent bulb we are used to. We're spoiled. But we have mandated those in every appropriations bill this year, and what's disappointing, though, is that they are all made in China. We are mandating that our light bulbs come from China.

Now, while we talk about energy, we can talk about why we have such high prices. I want to switch charts here. And here we have a chart of the percentage of imports for America. Now, this chart is a little behind. It actually is almost up to 70 now. Every year we increase dependence on foreign, unstable countries by 2 percent. That's in the last decade. Every year. I think that number is going to increase, and I will explain to you why later, that it may even go up faster.

Now, while we are becoming more and more dependent on foreign oil, we have countries like China and India, and this is one of the reasons for high energy prices today. We have always been the only big user. We have always been the big dog economically. Well, we're one of the pack now. There are a lot of big dogs out there. China and India's energy use is increasing between 15 and 20 percent a year. They are building a coal plant in China every 5 days. They are opening a new nuclear plant for electricity every month. They are building the largest hydrodams ever known in the world routinely. They are buying up oil and gas reserves and making deals with other countries all over the globe so that China has the energy it needs to run its country. What is America doing? We will talk about that.

America does not have an adequate sense of urgency about providing energy for America, affordable energy for America. We passed a bill in 2005 that had a lot of positive incentives. But the problem is when you pass a bill, it's years before you have production of energy. And many of the incentives that were in that bill, many of the things that were helping us produce more energy are now being tried to be rolled back by the Democrat bills that are going to come before us, that have come before us, and will come back before us again in a conference report, and we will talk about that in more detail.

What does America want us to do? Well, the Americans I talk to, they want to be able to afford to heat their homes and drive a decent car. They'd like to be able to afford to buy food and other things after they pay their energy bills.

Now, these energy bills that have been passed some months ago have been languishing. I haven't heard much discussion. In fact, I haven't heard of a conference committee meeting.

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It doesn't seem like 3 weeks ago when we had $80 oil; that was enough sense of urgency. It doesn't seem like last week when we had $90 oil; that was enough sense of urgency. And here we are at $94.53 oil, and that doesn't seem like enough sense of urgency. Now, reading the Wall Street Journal today, the article was scary, it said, "We don't expect oil to stop at 100."

Now, I expected energy to get expensive this year. I've been predicting it. And I had someone say, How did you know that? And I said, You've just got to be watching what's going on. There's an oil shortage in the world. There is tremendous demand because all the developing countries are now driving cars and have factories and are using energy. And specifically the big ones, like China and India, their economies are growing at record paces, are consuming a lot of energy. And we're going to be competing with them down the road.

What scares me, and I'm going to put $94.53 back up here, because that's correct. Here is what's scary about $94.53 oil. We, for the first time in many years, have not had a storm in the gulf. Every time we have a major storm in the gulf, it reduces supply of oil and gas; about 40 percent of our energy comes from the gulf. So when a storm like Katrina or Rita hits the gulf, or even one not as severe as them, it shuts in a lot of oil for weeks and months, and any damage that's done to rigs or refineries or pipelines or processing stations for the gas, it just shuts down capacity. We get a lot less energy after a Katrina. Some of those were not repaired for 9 months to a year, and that energy is just lost. You just don't get it because you have to keep producing every day.

Now, we have not had, for the first time in years, a storm in the gulf that has disrupted any amount of supply. That's a record. We always have at least one storm. And we still have a few weeks left, but the season is getting short. We have not had an unstable country. And the fact that's scary with $94.53 oil is that now about 90 percent of the oil in the world, of known reserves, is not owned by companies, but is owned, produced, refined and marketed by dictator, unstable, unfriendly governments. So a majority of the energy in the world is controlled by unfriendly, dictator-type governments. And if one of those tips over and their 3 million barrel a day is disrupted, where will the price go?

I asked one of the large energy producers this week in my office, I said, what if we have a storm in the gulf? $120 oil in 2 days, a serious storm. And this company knows because they produce there; they produce about one-third of the gulf. What if a terrorist struck a sending port or a ship or a major pipeline or a major refinery? Where will energy prices be? These are all potentials.

And I have been predicting this, and I have energy experts tell me I'm probably not wrong, we will read in the paper one of these days where China has purchased the total supply of some country that normally sold us oil, and that oil will no longer be available to us.

And on gasoline, we don't produce enough in this country. We don't have enough refining capacity. Twenty percent of our gasoline comes from Europe because when they switched to diesel, they have excess gasoline capacity, so they sell us gasoline. And this spring, when we had abnormally high gasoline prices, we had 60-some-dollar oil and we had $3 gasoline. And I was shaking my head, what's going on here? That's not normal. But that's what was happening. And so I checked, and here Europe was short on gasoline. They didn't have enough to sell us. And so there was a shortage in the marketplace, and of course Wall Street ran it up, abnormally high prices.

Now, today, with $94.53 oil, or more than $90 all week, if that translated into a market gasoline price, we're probably talking somewhere between $3.39 a gallon for gasoline and $3.59 a gallon of gasoline, depending on where you're at in the country. That's a long ways above the $3 price that we're approaching right now. And that's going to come because 80-something-dollar oil will put us at $3.19, $3.29 gasoline; $90 oil is going to push us up into the mid $3. And it's just a matter of time because, at the end of the summer driving season, when we switch the refineries over to make it home heating oil, there was a little surplus of gasoline in the marketplace, and so it has held the price down. And when that burns off and there is none of that left, we will be paying a lot higher prices to drive our cars because the truck people, the fuel oil is already up there. It's already higher, much higher. And home heating oil is much higher. Those who didn't fill their tank early this year for home heating have missed that opportunity because those high prices are already there.

The question I ask, I was concerned, and there are those who I've talked with that know a lot more than I felt that $75 oil for any period of time would put America into a recession. Now, that didn't happen, because we've had higher than 75 now for quite a while. What figure can the American economy absorb and not go into recession? All of our recessions have been energy driven, almost all of them. I think maybe there was one that wasn't, one or two. Every time we've had a recession in this country, and they last for years, a lot of people lose their jobs, employment slips, tax revenues are down, the government doesn't have enough money to pay its bills, a lot of Americans are hurting, unemployment rates go up. What figure can America absorb and not have a recession? Well, I don't think we have any wiggle room. I don't personally think we can handle this for a very long period of time. I'm not the expert, but a lot of people agree with me.

And I want to tell you, it's almost guaranteed that this is not the ceiling. See, we don't have a spike here because of a Katrina, a country tipping over, or some terrorist attack in the supply line system. Things are kind of going along. Now, there is a lot of instability in the world, but there is always lots of instability in the Middle East, so those little tremors come and go. So, what price can the American economy absorb? I don't think much higher.

The other thing that we don't talk about is natural gas prices a lot because people don't realize that natural gas prices are not like oil. This is a world price. Natural gas prices are country by country. And for 6 years now America has had one of the highest natural gas prices in the world, and that puts all of the manufacturers in this country who use it for heat and who use it as an ingredient, and we will talk a little more about that later, are at a tremendous disadvantage because of our continued very high natural gas prices.

Yes, it wasn't very long ago, just 6 years, that we had $2 gas and $16 oil, and today, we have $94.53 oil. And our dependency is at 66 and will soon be 70. America should be concerned about that.

I remember people talking that, when oil was cheap and gas was cheap, use foreign oil. We will use theirs while it's cheap, and we will use ours when it's expensive. Well, theirs is expensive, but we're not using ours.

Here is the map that's interesting. These red circles are areas loaded with natural gas and oil, and they're off limits to production. We're the only country in the world that says our Outer Continental Shelf, that's around the edges, 85 percent of it, is not open to production. Canada produces there, Great Britain produces there, Norway, Sweden, Denmark, New Zealand, Australia. Now those are all environmentally sensitive countries; they all produce there. Norway has become a rich country because of their offshore oil finds.

And a lot of people talk about Brazil being energy independent because of ethanol. Ethanol was just a piece of the pie. Brazil also went offshore and produced their energy. America, for 26 years, a combination of Presidential and congressional moratoriums from producing energy on the Outer Continental Shelf, and many parts of the Midwest like this one are locked up, too. And the legislation that's coming before us will lock it up some more.

Now, I don't understand that. I don't understand where a six-inch hole in the ground with a steel casing producing oil or gas, and specifically clean natural gas, is a threat to our environment. All the studies show that offshore, the majority of the oil that's found is from leakage of ships or natural seeps, because when oil is under high pressure underground, it will find its way to the surface. In fact, I come from Titusville, Pennsylvania, the home of the first oil well, Drake Well. We're all very proud of that. It changed the world, it started the Industrial Revolution. It started the new transportation system. Oil that was transportable, refinable, and it developed this country into the power it is today.

And it has the potential today of making us a second-rate nation because we refuse to use our own energy and we're forcing ourselves to purchase from unstable, undependable countries around the world. And their $95 oil, they're going to own us.

We just heard people talking here about them buying our debt. Yeah. Because we're spending so much of our resources purchasing energy that we have, but we've locked it up. I just find it amazing.

Now we're going to look at the legislation that should be coming, but there doesn't seem to be any sense of urgency. This is sort of a compilation of the energy bills that have passed both the House and the Senate and have not been conferenced on.

Now, first what we're going to talk about is it locks up 9 trillion cubic feet of American natural gas. It cuts off production from the Roan Plateau, a huge clean natural gas field in Colorado that was set aside as a national oil reserve in 1912 because of its rich energy resources for our future. This means that 9 trillion cubic feet of natural gas, more than all the natural gas the OCS bill that passed last Congress was put off limits.

Roan Plateau has already gone through NEPA. That's the environmental assessment that says it's safe to do it, all done. It is ready for lease sale. The provision was not in the original bill when it came out of the Resource Committee, but was added almost with no debate, no hearings, and no real serious discussion. Make sense? No.

The next part here locks up 18 percent of our Federal onshore production of American natural gas. It cuts the categoric exclusion provision. And I will explain that a little in my terms. I helped put that in in the 2005 energy bill.

Redundant NEPAs allowed the anti-energy people from allowing the Americans to produce energy. So, land would be leased in the West, mostly in the West, and 5 or 6 years later, after they purchased the rights to it, they still weren't producing it because they were required to do multiple NEPAs. They do a NEPA on the original plan. Then they have to do a NEPA for the road plan. Then they have to do a NEPA for every site. And then for putting in the production equipment, another NEPA. So year after year after year, a NEPA study takes about a year. So years later, they still didn't have any production.

And so we said that one NEPA that covers all the aspects of producing energy in that area should be done, and that should pass the test. And we shouldn't do redundant NEPAs. But now they want to go back.

It locks up, this is huge, the third one, 2 trillion barrels of American oil from western oil shale. Now, western oil shale, everybody knows, is a huge oil reserve, and the underground can be tricky. We have oil companies on some of the private land they own there trying to release this, and they think they have a way to do it. It is somewhat similar to the Canadian tar sands. The Canadian tar sands have been around since I was a kid. In fact, I have a neighbor who bought rights to them many, many years ago, and he's now laughing because everybody wants to buy them at huge prices. And I don't know whether he has sold them yet or not, but I was kind of stunned that he was smart enough 30, 40 years ago to buy tar sands in Canada as an investment. And today they're producing 1.5 million barrels a day there. It's just over the American border into Canada. And their goal is to be up to 4 to 5 million barrels a day down the road. And fortunately for America, most of that's coming here. Our biggest supplier of energy is Canada, our good friend.

Now, Canadians are a little frustrated with us because they produce their energy resources. They're offshore, they're onshore, they're tar sands, and we keep locking ours up. Thus, North America has the highest natural gas prices because of us. If we produced equal to Canada, North America would have reasonable natural gas prices, not the highest in the world. But they keep selling to us.

Now, this 2 trillion, this bill stops the leasing program for oil shale reserves on Federal lands that will hold enough oil to supply us for 228 years. Now, that's a study. If it's half that, if it's a third of that, it's huge, and it could eliminate our dependence on, and that's the only reserve that I know of, that if we learn how to release it, could eliminate our foreign dependence on energy. But that's the only way.

□ 2145

But that is the only way. This is more oil than the entire world has used since oil was discovered at Drake well in my district 150 years ago. Meanwhile, in China, they are busily developing their oil shale fields.

The next one here locks up 10 million barrels of oil from the National Petroleum Reserve in Alaska. That is, again, an area that was set aside for production, set aside in 1923 for production of future energy needs in America. Then the next one breaches legitimate legal offshore energy contracts, and I have had several of those companies come in to me and say, hey, this is a contract. If Congress changes that, we are going to win in the Supreme Court because Congress doesn't have the right. I am not saying I agree with these leases and how they were done. They were done in the Clinton administration, but we have this legislation coming that is going to override those. It won't work. It will just delay the process. I am hoping that we can continue to negotiate these leases and have them out of the way.

The next one is really foolhardy. There are a lot of Members of Congress who hate oil companies. This inflicts a $15 billion tax increase on the American oil and gas industry. Seventy-five to 80 percent of the energy in this country is not produced by Big Oil. It is produced by little companies. I have two refineries in my district who will now pay a higher tax than any other company in Pennsylvania if this bill becomes law because we are going to tax the production of energy with an added tax over any other business.

Now, when you are short on something, and the prices are high, if you want to get less of it and make the prices higher, the sure remedy is to tax it. Well, they are going to tax it. I am not going to, but they are going to tax it.

Now, the next one down here, I am a big proponent of offshore drilling, and I will talk about that later, but I am also a big proponent of using coal, to gasify it, to make electricity, and that is called clean coal, and make liquids out of it. Penn State has a process to make jet fuel out of coal. The Air Force is in the process of trying to figure out how to have 60 percent of their jet fuel available from nonimport sources. They are working with natural gas right now. They are doing other studies, too, but they are working with natural gas now. If they are successful, and they get 60 percent of their 3 billion gallon a day, they are going to inflate gas prices even more, which will make it harder to heat our homes. I will talk more about that later. But coal to liquids should be getting the same treatment as cellulytic ethanol. I am for cellulytic ethanol, and this administration is funding six plants. It is still in the test tube. We are still working at it in the university laboratories, but I am for building those plants and streamlining this process. I think one plant is going to try to make it out of garbage, another switchgrass, another cornstalks, another one is woody biomass, but we need to be doing all those things. But to be not having an equal emphasis on coal to liquids, I fault this administration, and I fault this Congress. Because that is the largest energy source we have. We need to figure out how to use it cleanly. We need to be developing, and again, curtail our dependence on foreign countries.

Now, we also have in the legislation a false expectation by mandating a 15 percent of renewables to make electricity. I wish that were doable. I would vote for it if it was. I didn't vote for that. I voted against that amendment. I fought against that amendment. We currently make 3 percent of electricity with renewables because they will not count hydro, only the new hydro, and there is not much new hydro coming down the line. So to go from 3 percent, they are going to allow cost savings of 4 percent, so that gets us to 7, but the growth of wind and solar is nowhere near enough in the next decade or two to get us to 15 percent.

Now, what we are going to do is we are going to force those companies to pay fines. Do you know who is going to pay the fines? The electric rate users. Some States will come close because they have a lot of wind, and there are States that have solar. But most States will not. It should be an incentive-type program. It should be a carrot, not a stick. We should be incentivizing renewables for electricity. But when you mandate 15 percent, and I have charts and graphs to show that. I don't have them with me tonight. But there is no way to get there in the time frame they are asking.

I am going to change charts here and talk just a little bit about current energy use in America. These don't change a lot. I have been watching them for a long time. Currently, petroleum is 40 percent of our energy needs, and 66 percent of it comes from foreign, unstable countries. That number is going to escalate if we lock up the Roan Plateau. It is going to escalate if we lock up shale oil. It is going to escalate if we tax energy production and make it more expensive. Natural gas is 23. Now, this is a growing figure. It is interesting because about 12 or 13 years ago now, Congress removed the prohibition of making electricity with gas. That is when gas ceased to be cheap. We have always had $1.80, $2 gas, and it would go up a little, down a little, maybe up to $3 a year, $3-½ or $4. I remember some of those years in the seventies when it was a lot more costly to heat our homes. But it would come back to $2 or $1.80. It never went much above $2. Now, it is way above. It is $8 and something right now, and we are still not into the high season. The average price for the year is somewhere between 9 and 10, and then when you get transmission costs and storage costs, we, as consumers, are going to be paying $13, $14, $15 for gas.

I believe that clean, green natural gas is really our best hope. But we have to drill for it. And people in this Congress are just as much against drilling a gas well as they are against drilling an oil well. And I think they are wrong on both. But there is no good argument. There has never been a beach dirtied by a gas well. There has never been an environmental threat by a gas well. It is the cleanest fuel we have. There is no NO_X, no SO_X, and a third of the CO_2 if that is keeping you awake at night.

Now, coal is 23 percent. Coal has great potential for liquid or gas. But there is a real push around here against coal. I think it is a mistake. It is the one we have the most of. If we continue that, gas will be the winner, and gas prices will continue to rise. And if we continue to have the highest gas prices in the would, we just won't be a competitive country. Nuclear is at 8 percent. From the 2005 bill, we have a lot of companies going in for permits now. We need all 35 that are starting the process to be completed in a very short period of time if we don't want this figure to go down, because the energy electric use in this country is rising fast and nuclear is about 20 percent of it. But that figure will drop because nuclear has not grown. We haven't built a nuclear plant in a long time. The interesting part is, as we attempt to build nuclear plants, the shroud, which is the big steel casing that they use, we don't make them in America. The companies that are that far along in the permit process are buying them from Japan. I find that unfortunate, and someone told me an awful lot of the components are going to be purchased in Germany because we don't have the capacity because we have done so little with nuclear in the last decade.

Hydroelectric, a figure that continues to decline. Biomass is the fastest growing figure. That is wood waste. A lot of it is being used. There's a million Americans heating their homes with pellet stoves. That is compressed wood waste. We have power plants that are using it to top the coal load so that they can slide under the environmental standards because it burns a lot cleaner than coal. We have a lot of companies in the wood business and around where there is wood waste using it to heat their factories. Most of the dry kilns drying wood are now biomass burners. So biomass has just been sort of growing on its own because sawdust used to be a commodity. I remember in Pennsylvania when I was in State government, they were trying to make it a hazardous waste. I fought that because it is not a hazardous waste. And now it's a commodity that sells. People want it.

Geothermal, a nice way to heat your homes if you are not in zero climate. In a mild climate, it is a good exchange of using underground water, whether you have a loop system where you have a big piping system with water or whether you drill into the aquifers and use that water, you take heat out of it in the wintertime to warm your home, and you take cold out of it in the summertime to cool your home. But, again, it is an investment up front. I know people who have it. If they build a second home, they usually put it in unless they are in a high zero where there is a lot of cold weather. It has its limitations when the weather is zero.

Wind and solar, this is the part that I find scary. Too many Americans think that wind and solar are prepared to become major energy sources. You can see the numbers, 0.06, 0.12. If we double those numbers, they are still a pretty small fraction, and it will take years to do that. But, unfortunately, an awful lot of Americans want this group right here to be our major energy source. I wish there was a way to do that. There are an awful lot of Members of Congress who think petroleum, gas and coal are just evil and we shouldn't do any more production of it, and they won't vote for a bill to lease land. They won't vote for a bill to open up areas. Some of them are against nuclear. Some aren't. That is a mixed bag. But, folks, this is the major part of America's energy production. It is 94 percent of our energy production, nuclear, coal, gas and petroleum. And it will be a major part of our energy portfolio for a long time whether we like it or not because none of these are prepared to take over. I wish they were.

Now, there's a lot of creative things. But they are little niche players. They are little niche markets. They are not huge volumes. So it is important that Americans understand that whether we like it or not, fossil fuels are going to be our major energy source a lot longer than we want them. If we continue to not produce our own, then we are going to have to buy them from foreign countries.

Now, I want to talk about natural gas a little bit. This is America's gem. We have lots of natural gas. And I find it astounding that so many Members of Congress and three administrations in a row have locked up our Outer Continental Shelf, which has huge reserves of clean, green natural gas. I don't understand it. I don't know what they are thinking about. I don't know what their hopes are or dreams are, because, folks, we can't afford to continue to do that. Natural gas is a far more bigger part of our life than most people realize. Now, you see all of these products here. They are all made with natural gas. Not only as a heat source, but as an ingredient. Somewhere here you will find soaps and skin lotions and skin softeners. Yes, ladies, the skin softeners that you love and we all like that keep our skin soft are a direct derivative of natural gas stock. Polyurethane, plastics, petrochemicals, fertilizer, all made, fertilizer that we grow corn with to produce ethanol, 70 percent of the cost is natural gas. It is the reason in how we make all of these products. And yet we lock it up and treat it like it is something evil. I just plain don't understand that.

We have a bill that opens up the Outer Continental Shelf. Now, we are only doing it for natural gas. I think it should be for both because every other part of the world produces both. But I have not been able to get natural gas here. Now, we passed a good bill last session in the House that opened up gas and oil both. But we didn't get any action in the Senate. So we are going at it cautiously this time, just natural gas. This bill is very States' rights oriented. We will lock up the first 25 miles, can't produce it, that is out of sight. Eleven miles is sight line. The second 25 miles, States have a right to open up if they want to just by passing a State law. We will repeal the moratorium, but it doesn't repeal unless the States pass a bill. Now, the second 50 miles will be open unless the State passes a law and this gives States rights for 100 miles to close it. Now, this is much more conservative than I would like, but we are trying to get some natural gas for America to stop a calamity of starving our industry and our homeowners from affordable natural gas. Now, the second 100 miles would be open, period.

□ 2200

Those who produce natural gas say this would help immensely because clean, green natural gas can be our bridge to renewables. To make ethanol, we use a huge amount of natural gas. If we go to a hydrogen society, the only good way right now of making hydrogen quickly is natural gas. Natural gas is used to make biodiesel. Natural gas heats 50 some percent of our homes; 58 percent, I believe. It runs our major industries. It's the major feedstock for the polymers and plastic and fertilizer and petrochemical. We use huge amounts of it to make bricks and glass and steel and aluminum and to bend metal and to treat products, heat-treat things.

In my district, we have the powdered metal industry. They use huge amounts of natural gas to make that new powdered metal product that has brought the price of cars and vehicles and all kinds of moving parts down because it's so much less expensive than the old machining and forging of parts. Powdered metals. But they heat treat it with clean, green natural gas.

Natural gas is the fuel that should bridge us to where some kind of new energy, whether when we learn how to release hydrogen from water and then learn how to transport hydrogen safely, it takes years to develop all of the facets of an industry so that it becomes our stable fuel source of the future. We need to be doing everything we can do in America for renewables. But we need to have adequate fossil fuels, and, specifically, natural gas.

Now, my bill rewards some people. The States would get up to $150 billion in royalties because States would get 30 some percent. There would be $100 billion left over in the Treasury of money we wouldn't have to pay in taxes because we could get the royalty off the gas, not oil. Now we have some cleanup funds here that I think are pretty unique: $32 billion for renewable energy research. That is real money to allow us to develop the fuels of the future. We have $32 billion for carbon capture and sequestration research so we can learn how to take the CO_2 from coal plants and the CO_2 from any fuel we burn and utilize it somehow, or sequester it. We have $20 billion to clean up the Chesapeake Bay, exactly what they need; $20 billion for the Great Lakes restoration, exactly what their program needs; $12 billion for the Everglades restoration; $12 billion for the Colorado River basin restoration; $12 billion for the San Francisco Bay restoration; and $10 million for LIHEAP and weatherization to help the poorest among us make their homes energy efficient and make energy affordable by helping pay their energy bills.

America is at a crossroads. We have been the big giant of a Nation, the powerful Nation all of our lifetimes. You know, it makes me sad to think that this Congress and administrations were unwilling to in totality agree and deal with the energy issue, making sure that America has available, affordable energy. Folks, that's doable.

I know there are people who talk on this floor about energy independence. That is really not doable. The only way we can be energy independent is if we got oil from the shale rock in large quantities over a period of time and where we no longer had to import oil. We import 17 percent of our natural gas today. If we opened up the gas field, we wouldn't need to import any. We would have lots of gas.

This is an interesting point about natural gas. We could fuel a third of our auto fleet. One of the problems with using gas in a vehicle is you can't go as far. You can't put a big enough tank in there. But we have lots of vehicles that don't go anywhere. We have all the service vehicles that are out servicing our homes, whether they are heating contractors or air conditioning contractors or lawn services, they could fuel up every night. In fact, they are developing ways you can fuel up from your gas line in your house if you have gas in your home. They are working on a way to fuel a car.

Every construction vehicle could be on natural gas because they already are fueled by a truck that comes up to the construction site and fills up the tractors and fills up the Caterpillars and all the heavy equipment and the trucks. Every taxicab could be on natural gas because they don't go big distances. Every school bus, every local person who doesn't drive a long distance could fuel their vehicle with clean, green natural gas.

If we opened up the gas fields that are really available to us, it could be a whole lot cheaper than oil. A whole lot cheaper and a whole lot cleaner. No knocks, a third of the CO_2. I don't understand why we haven't embraced natural gas as our bridge fuel to the future, as I said previously.

But, folks, America better think very seriously in the weeks ahead. We don't have a long time to wait. Energy prices are going to continue to skyrocket because we are competing the whole world for the energy because we are buying it from them. If we produced our own, we don't have to worry about that.

I understand the complacency when it was $2 for gas and $10 for oil and it was so cheap. But, folks, it's not cheap today and it is never going to be cheap again. Now we do need to use less, we do need to conserve, we do need to keep continuing to research how to produce things with less fuel, heat our homes more efficiently, make them more energy efficient. We, in the meantime, need a strong, viable source of energy for America, and clean green, natural gas is the bridge to our future.

I hope and pray that this Congress will suddenly get a sense of urgency about the energy problems in this country.

Mr. Speaker, $94.53 oil should scare us into movement. We should have fear in our hearts, because this isn't the ceiling, as I started out at the beginning. There is no storm in the Gulf, no countries tipped over, no terrorist threat that has taken out supply. If they all happened simultaneously, only God knows what energy would be. It is imperative. Congress is the reason we have high energy prices, because they have locked it up.

There is also a lot in Alaska. There are huge reserves in Alaska that are not shown on this map. Congress has locked up this energy and three administrations have supported the moratorium for twenty-six years.

We are the only country in the world to lock up our own resources and force ourselves to buy from unstable countries who will own us. They are going to have the resources to literally buy every good, profitable business in this country. They are going to buy whatever they want to, because we are going to be forced to sell it to them, because when you are paying $95.43 for a barrel of oil that it costs them a dollar or two to lift in their country, they have nothing but riches.

Americans are going to have nothing but tragic situations, where our businesses can no longer afford to be here. We won't manufacture anything in this country of substance, and Americans will struggle to heat their homes and afford to travel around this beautiful land.

Energy affordability, available, affordable energy for America, should be the cry of this Congress. And if this Congress doesn't do that, if the energy bills when they come out that the House and Senate have now are not altered and talk about opening up energy, about increasing supply, that is the only thing that brings down prices.

Folks, we need to conserve, but we can't conserve our way out of this problem. As a country, we are demanding more energy every day as we grow, as our number of people grow, as the number of people that drive cars grows, as our population grows.

Folks, available, affordable energy is the issue that can bring this great country down to where it is a second-rate nation. I don't want that to happen, and I hope Americans will push their Congress Members into making available, affordable energy the number one issue in this Congress before we adjourn the 110th Congress, and that we deal with this issue, because we can deal with it.

This is an issue we can change. It won't change quickly, but we can make a lot of right moves. We can deal with all of the different forms of energy. We can open up supply for gas and oil. We can do coal-to-liquids, coal-to-gas. We can give nuclear another push. We can promote all the renewables and look for new transportation fuels to blend with our current fuels.

Ethanol has potential. Corn ethanol has limited potential, but there are problems with it. The biggest problem with ethanol, and I am not against it because it is made out of American products, but it is competing with our food supply. And ethanol does not go in the pipeline. The majority of our gas stations deliver by pipelines, and you can't put it in the pipeline. Already, with the ethanol plants we have, we have distribution problems, because you need a blending station to blend it and then need to haul it by truck or trailer. That is a system not in place adequately around the country.

We have as many ethanol plants under construction as we have producing ethanol today. I am not saying that is bad, but it is not a situation without problems and great challenges. Ethanol takes a tremendous amount of natural gas to make it. In Pennsylvania they are talking of doing a couple plants with coal. Many States would reject that. I commend the Pennsylvania government for going in that direction, using waste coal to make it so it doesn't further strain our natural gas supply.

But as we look at this map and think about Alaska, America can be far more self-sufficient with available, affordable energy if we just have the desire and the willingness to produce more of our own. I believe we must if we want to compete in the global economy.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ALEXANDER (at the request of Mr. BOEHNER) for today and the balance of the week on account of personal reasons.

Mr. RYAN of Wisconsin (at the request of Mr. BOEHNER) for today after 3 p.m. on account of family reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. MCCARTHY of New York) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. MURPHY of Connecticut, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Ms. VELÁZQUEZ, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, November 7.

Mr. JONES of North Carolina, for 5 minutes, November 7.

Mr. MORAN of Kansas, for 5 minutes, November 5.

Mr. MCCOTTER, for 5 minutes, November 1.

Mr. ENGLISH of Pennsylvania, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. HALL of New York, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 294. An act to reauthorize Amtrak, and for other purposes; to the Committee on Transportation and Infrastructure.

S. 2198. An act to require the Architect of the Capitol to permit the acknowledgment of God on flag certificates; to the Committee on House Administration.

S. 2265. An act to extend the existing provisions regarding the eligibility for essential air service subsidies through fiscal year 2008; to the Committee on Transportation and Infrastructure.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on October 25, 2007 she presented to the President of the United States, for his approval, the following bills:

H.R. 327. Joshua Omvig Veterans Suicide Prevention Act.

H.R. 995. To amend Public Law 106-348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

H.R. 1284. Veterans' Compensation Cost-of-Living Adjustment Act of 2007.

H.R. 3233. To designate the facility of the United States Postal Service located at Highway 49 South in Piney Woods, Mississippi, as the "Laurence C. and Grace M. Jones Post Office Building".

Lorraine C. Miller, Clerk of the House reports that on October 30, 2007 she presented to the President of the United States, for his approval, the following bills:

H.R. 3678. Internet Tax Freedom Act Amendments Act of 2007.

ADJOURNMENT

Mr. PETERSON of Pennsylvania. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 12 minutes p.m.), the House adjourned until tomorrow, Thursday, November 1, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3942. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Spa Creek and Severn River, Annapolis, MD [Docket No. CGD05-07-063] (RIN: 1625-AA08) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3943. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Winnetka Fireworks, Lake Michigan, Winnetka, IL. [CGD09-06-116] (RIN: 1625-AA00) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3944. A letter from the Chief, Regulations and Administrative Law, Department of

Homeland Security, transmitting the Department's final rule — Security Zone; M/V Odyssey III, Global Air Chiefs Conference, Upper Potomac River, Washington, DC [Docket No. CGD05-07-080] (RIN: 1625-AA87) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3945. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Escorted Vessels in the Captain of the Port Jacksonville Zone [COTP JACKSONVILLE 07-163] (RIN: 1625-AA87) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3946. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Major League Baseball All-Star Game, San Francisco Bay, CA [COTP San Francisco Bay 07-012] (RIN: 1625-AA87) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3947. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Amendments [USCG-2001-10881] (RIN: 1625-AA36) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3948. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Vessel Documentation: Lease Financing for Vessels Engaged in the Coastwise Trade [USCG-2005-20258] (RIN: 1625-AA95) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3949. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Transportation Worker Identification Credential (TWIC) Implementation in the Maritime Sector; Hazardous Materials Endorsement for a Commercial Driver's License [Docket Nos. TSA-2006-24191; USCG-2006-24196] (RIN: 1652-AA41) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3950. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Red Dog, AK [Docket No. FAA-2006-26396; Airspace Docket No. 06-AAL-40] received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3951. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Philipsburg, KS [Docket No. FAA-2006-25943; Airspace Docket No. 06-ACE-13] received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3952. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Thedford, NE [Docket No. FAA-2006-25942; Airspace Docket No. 06-ACE-12] received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3953. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E5 Airspace; Potosi, MO [Docket No. FAA-2006-25944; Airspace Docket No. 06-ACE-14] received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3954. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Peru, IL [Docket No. FAA-2007-27110; Airspace Docket No. 07-AGL-1] received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3955. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Creston, IA [Docket No. FAA-2006-25941; Airspace Docket No. 06-ACE-11] received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3956. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Hayward, WI [Docket No. FAA-2006-25436; Airspace Docket No. 06-AGL-5] received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3957. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, PHMSA, Department of Transportation, transmitting the Department's final rule — Hazardous Materials Regulations: Transportation of Compressed Oxygen, Other Oxidizing Gases and Chemical Oxygen Generators on Aircraft [Docket No. RSPA-04-17664 (HM-224B)] (RIN: 2137-AD33) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3958. A letter from the Senior Counsel for Dispute Resolution, OST, Department of Transportation, transmitting the Department's final rule — Standard Time Zone Boundary in Southwest Indiana [OST Docket No. 2007-28746] (RIN: 2105-AD71) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3959. A letter from the Paralegal, FTA, Department of Transportation, transmitting the Department's final rule — Buy America Requirements; End Product Analysis and Waiver Procedures [Docket No. FTA-2005-23082] (RIN: 2132-AA90) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3960. A letter from the FMSCA Regulatory Ombudsman, Department of Transportation, transmitting the Department's final rule — Amendments To Implement Certain Provisions of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (RIN: 2126-AA96) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3961. A letter from the Acting Regulations Officer, FHWA, Department of Transportation, transmitting the Department's final rule — Crash Test Laboratory Requirements for FHWA Roadside Safety Hardware Acceptance [FHWA Docket No. FHWA-2006-26501] (RIN: 2125-AF21) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANTOS: Committee on Foreign Affairs. H.R. 3890. A bill to amend the Burmese Freedom and Democracy Act of 2003 to waive the requirement for annual renewal resolutions relating to import sanctions, impose import sanctions on Burmese gemstones, expand the number of individuals against whom the visa ban is applicable, expand the blocking of assets and other prohibited activities, and for other purposes; with an amendment (Rept. 110–418 Pt. 1). Ordered to be printed.

Mr. FRANK: Committee on Financial Services. H.R. 3355. A bill to ensure the availability and affordability of homeowners' insurance coverage for catastrophic events, with an amendment (Rept. 110–419). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII, the Committee on the Judiciary discharged from further consideration of H.R. 3890.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following aciton was taken by the Speaker:

H.R. 3890. Referral to the Committee on Ways and Means extended for a period ending not later than November 16, 2007.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. ROYBAL-ALLARD (for herself and Mr. Poe):

H.R. 4014. A bill to prohibit discrimination in insurance coverage to victims of domestic violence, dating violence, sexual assault, or stalking; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROYBAL-ALLARD (for herself and Mr. Poe):

H.R. 4015. A bill to provide job protection for victims of domestic violence, dating violence, sexual assault, or stalking; to the Committee on Education and Labor, and in addition to the Committees on Oversight and Government Reform, the Judiciary, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROYBAL-ALLARD (for herself and Mr. Poe):

H.R. 4016. A bill to provide unemployment insurance to those who are separated from their employment as a result of domestic violence, dating violence, sexual assault, or stalking; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself, Mrs. Davis of California, Mr. Rohrabacher, Mr. Towns, Mr. Hunter, Mr. ISSA, and Mr. CAMPBELL of California):

H.R. 4017. A bill to authorize the Secretary of the Treasury to provide that, in the case of leave-based donation programs with respect to the California wildfires, cash payments made by employers to qualifying charities in exchange for forgone employee leave will not be treated as income to participating employees and will be deductible by the employers as business expenses or charitable contributions; to the Committee on Ways and Means.

By Mr. PORTER (for himself and Mr. HELLER):

H.R. 4018. A bill to authorize the conveyance of certain parcels of public land in Clark County, Nevada, to the City of Mesquite, Nevada, and the Virgin Valley Water District, and for other purposes; to the Committee on Natural Resources.

By Mr. BACA:

H.R. 4019. A bill to amend the Truth in Lending Act to enhance disclosure of the terms of home mortgage loans, and for other purposes; to the Committee on Financial Services.

By Ms. JACKSON-LEE of Texas (for herself, Mr. FILNER, and Mr. HASTINGS of Florida):

H.R. 4020. A bill to recognize the extraordinary performance of the Armed Forces in achieving the military objectives of the United States in Iraq, to encourage the President to issue a proclamation calling upon the people of the United States to observe a national day of celebration commemorating military success in Iraq, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Foreign Affairs, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER:

H.R. 4021. A bill to authorize Federal payment to emergency ambulance and medical services providers for the cost of uncompensated care of aliens aided by the border patrol or other Federal immigration officials; to the Committee on Energy and Commerce.

By Mr. FILNER:

H.R. 4022. A bill to amend the Immigration and Nationality Act to restore certain provisions relating to the definition of aggravated felony and other provisions as they were before the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

By Mr. FILNER (for himself, Mr. TIM MURPHY of Pennsylvania, and Mr. LATOURETTE):

H.R. 4023. A bill to amend title 38, United States Code, to improve the collective bargaining rights and procedures for review of adverse actions of certain employees of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOOZMAN:

H.R. 4024. A bill to amend title 10, United States Code, to increase the number of outpatient visits for mental health care that do not require preauthorization for dependents of certain members of the Armed Forces; to the Committee on Armed Services.

By Mrs. BOYDA of Kansas (for herself, Mr. TIAHRT, Mr. MORAN of Kansas, Mr. MOORE of Kansas, and Mr. BOSWELL):

H.R. 4025. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to clarify the minimum distribution under that Act to certain States and Indian tribes; to the Committee on Natural Resources.

By Mr. ELLISON (for himself, Mr. CONYERS, Mr. LEWIS of Georgia, Mr. MCDERMOTT, Ms. SCHAKOWSKY, Ms. MOORE of Wisconsin, Ms. LEE, Mr. SCOTT of Virginia, Mr. WATT, Mr. JOHNSON of Georgia, Ms. MCCOLLUM of Minnesota, Mr. NADLER, Mr. JACKSON of Illinois, Ms. WATERS, and Mr. KUCINICH):

H.R. 4026. A bill to prohibit election officials from requiring an individual to provide a photo identification as a condition for voting in an election for Federal office; to the Committee on House Administration.

By Mr. HASTINGS of Washington:

H.R. 4027. A bill to amend the Native American Graves Protection and Repatriation Act so that it will be interpreted in accordance with the original intent of Congress to require a significant relationship be found between remains discovered on Federal lands and presently existing Native American tribes for those remains to be applicable under the Native American Graves Protection and Repatriation Act; to the Committee on Natural Resources.

By Ms. HERSETH SANDLIN:

H.R. 4028. A bill to reauthorize the Mni Wiconi Rural Water Supply Project; to the Committee on Natural Resources.

By Mr. HOLT (for himself, Mr. EMANUEL, Ms. GIFFORDS, Mr. CARNEY, Ms. SHEA-PORTER, Mr. HALL of New York, Mr. PERLMUTTER, Mr. LAMPSON, Mr. RODRIGUEZ, Mr. VAN HOLLEN, Ms. BERKLEY, Mr. SESTAK, and Mr. COURTNEY):

H.R. 4029. A bill to amend the Internal Revenue Code of 1986 to provide an additional standard deduction for real property taxes for nonitemizers; to the Committee on Ways and Means.

By Ms. HOOLEY (for herself, Ms. SOLIS, and Mr. MARKEY):

H.R. 4030. A bill to prohibit the manufacture, sale, or distribution in commerce of certain children's products and child care articles that contain phthalates; to the Committee on Energy and Commerce.

By Mr. KING of New York:

H.R. 4031. A bill to establish a United States Boxing Commission to administer the Act, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHENRY:

H.R. 4032. A bill to reduce temporarily the duty on PHBA; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 4033. A bill to authorize the Secretary of the Interior to enter into a long-term ground lease for the operation and maintenance of Rock Creek, Langston, and East Potomac as golf courses, and for other purposes; to the Committee on Natural Resources.

By Mr. PEARCE:

H.R. 4034. A bill to provide for a land exchange involving State land and Bureau of Land Management land in Chaves and Dona Ana Counties, New Mexico, and to establish the Lesser Prairie Chicken National Habitat Preservation Area, and for other purposes; to the Committee on Natural Resources.

By Mr. PETRI:

H.R. 4035. A bill to study, pilot, and implement a comprehensive, structural, market-based reform to the Federal Family Education Loan Program to reduce costs to taxpayers and improve program efficiency; to the Committee on Education and Labor.

By Mr. ROSKAM (for himself and Mr. CASTLE):

H.R. 4036. A bill to amend title 31, United States Code, to save the American taxpayers money by immediately altering the metallic composition of the 1-cent coin, to require a prompt review and report, with recommendations, for cost-saving changes in the metallic content of other circulating United States coins, and for other purposes; to the Committee on Financial Services.

By Mr. HIGGINS (for himself and Ms. KAPTUR):

H.J. Res. 61. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; to the Committee on the Judiciary.

By Mr. GENE GREEN of Texas (for himself, Mr. CONAWAY, Mr. ARCURI, Ms. BEAN, Mr. BERRY, Mr. BONNER, Mr. BOOZMAN, Mr. BROWN of South Carolina, Mr. CAMP of Michigan, Mr. CARDOZA, Mr. CARTER, Mr. CHABOT, Mr. COLE of Oklahoma, Mr. CRENSHAW, Mr. DAVIS of Kentucky, Mr. DENT, Mr. ELLSWORTH, Mrs. EMERSON, Mr. GARRETT of New Jersey, Mr. GOODE, Ms. GRANGER, Mr. GRAVES, Mr. AL GREEN of Texas, Mr. HOEKSTRA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JONES of North Carolina, Mr. KIND, Mr. KINGSTON, Mr. LAMPSON, Mr. MANZULLO, Mr. MCHENRY, Mr. MOORE of Kansas, Mr. MURPHY of Connecticut, Mr. NEUGEBAUER, Mr. ORTIZ, Mr. PEARCE, Mr. PENCE, Mr. POE, Mr. POMEROY, Mr. RAHALL, Mr. RAMSTAD, Mr. ROGERS of Alabama, Mr. ROGERS of Michigan, Mr. RUPPERSBERGER, Mr. RYAN of Ohio, Mr. SESSIONS, Mr. SHULER, Mr. SHUSTER, Mr. SOUDER, Mr. TURNER, Mr. WICKER, Mr. WILSON of South Carolina, and Mr. WYNN):

H. Con. Res. 244. Concurrent resolution supporting the Local Radio Freedom Act; to the Committee on the Judiciary.

By Mr. GINGREY (for himself, Mr. HUNTER, Mr. BUYER, Mr. LEWIS of California, Mr. WICKER, Mr. BLUNT, Mr. GERLACH, Mr. CHABOT, Mr. BURTON of Indiana, Mr. FEENEY, Mr. BROUN of Georgia, Mr. MCKEON, Mr. BILIRAKIS, Mr. BUCHANAN, Mr. DAVID DAVIS of Tennessee, Mr. FRANKS of Arizona, Mrs. DRAKE, Mr. GARRETT of New Jersey, Mr. POE, Mr. JONES of North Carolina, Mr. BISHOP of Utah, Mr. BONNER, Mr. WALBERG, Mr. BILBRAY, Mr. KING of Iowa, Mr. WAMP, Mr. PEARCE, Mr. ENGLISH of Pennsylvania, Mr. BOOZMAN, Mr. MCCOTTER, Mr. KUHL of New York, Mr. HULSHOF, Mr. PETERSON of Pennsylvania, and Mr. AKIN):

H. Res. 786. A resolution amending the Rules of the House of Representatives to require that general appropriations for military construction and veterans' affairs be considered as stand-alone measures; to the Committee on Rules.

By Mr. CLYBURN (for himself, Mr. BARRETT of South Carolina, Mr. BISHOP of Georgia, Mr. BROWN of South Carolina, Mr. BUTTERFIELD, Mr. CAPUANO, Ms. CASTOR, Mr. CHANDLER, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. COBLE, Mr. COHEN, Mr. COOPER, Mr. COSTA, Mr. COSTELLO, Mr. COURTNEY, Mr. CUELLAR, Mr. DAVIS of Illinois, Mr. LINCOLN DAVIS of Tennessee, Mrs. DAVIS of California, Ms. DEGETTE, Mr. DINGELL, Mr. ELLSWORTH, Mr. EMANUEL, Mr. ENGEL, Mr. ETHERIDGE, Mr. FILNER, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Ms. HARMAN, Mr. HAYES, Mr. HIGGINS, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOLT, Ms. HOOLEY, Mr. INGLIS of South Carolina, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Georgia, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KENNEDY, Mr. KIND, Mr. PAYNE, Mr. RYAN of Ohio, Mr. SALAZAR, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Mr. SPRATT, Mr. TOWNS, Ms. WASSERMAN SCHULTZ, Mr. WATT, Mr. WILSON of South Carolina, Mr. WYNN, Ms. ESHOO, and Ms. HIRONO):

H. Res. 787. A resolution expressing the support and sympathy of the House of Representatives and the people of the United States for the victims of the tragic fire that occurred in Ocean Isle Beach, North Carolina, on October 28, 2007; to the Committee on Oversight and Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FILNER:

H.R. 4037. A bill for the relief of Francisco Rivera and Alfonso Calderon; to the Committee on the Judiciary.

By Mr. FILNER:

H.R. 4038. A bill for the relief of Adrian Rodriguez; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 17: Mr. Fattah.

H.R. 39: Mr. KIND.

H.R. 89: Mr. WHITFIELD.

H.R. 139: Mr. NEUGEBAUER.

H.R. 160: Mr. PATRICK MURPHY of Pennsylvania.

H.R. 538: Mr. GRIJALVA.

H.R. 699: Mr. CONAWAY.

H.R. 715: Mr. HARE and Mr. AL GREEN of Texas.

H.R. 819: Mr. MURPHY of Connecticut.

H.R. 866: Mr. NEUGEBAUER and Mr. SMITH of Nebraska.

H.R. 971: Mr. ENGLISH of Pennsylvania and Mr. MCNERNEY.

H.R. 1008: Ms. HERSETH SANDLIN.

H.R. 1014: Mr. PICKERING and Mr. ELLSWORTH.

H.R. 1064: Mr. LATOURETTE.

H.R. 1070: Mrs. MCCARTHY of New York.

H.R. 1076: Mr. BUTTERFIELD.

H.R. 1078: Mr. HARE.

H.R. 1102: Ms. PRYCE of Ohio.

H.R. 1127: Mr. KLINE of Minnesota.

H.R. 1198: Mr. ISRAEL, Mr. BOUCHER, Mr. KNOLLENBERG, and Mr. SERRANO.

H.R. 1279: Mr. HINOJOSA and Ms. SHEA-PORTER.

H.R. 1295: Mr. BURTON of Indiana.

H.R. 1352: Ms. DEGETTE.

H.R. 1354: Ms. SLAUGHTER.

H.R. 1355: Mr. GOODE.

H.R. 1363: Mr. HALL of New York and Mr. ALTMIRE.

H.R. 1399: Mrs. WILSON of New Mexico.

H.R. 1459: Mr. COLE of Oklahoma.

H.R. 1512: Mr. MORAN of Virginia.

H.R. 1553: Mr. DOGGETT, Mr. COLE of Oklahoma, and Mr. MATHESON.

H.R. 1609: Ms. ROYBAL-ALLARD, Mrs. BOYDA of Kansas, Mr. BURTON of Indiana, Mr. MAHONEY of Florida, and Mr. RANGEL.

H.R. 1726: Mr. HOLT.

H.R. 1738: Mr. SESSIONS.

H.R. 1845: Mr. KING of New York and Mr. WHITFIELD.

H.R. 1927: Mr. SAXTON.

H.R. 1937: Mr. COLE of Oklahoma and Mr. DAVID DAVIS of Tennessee.

H.R. 1940: Mr. TAYLOR.

H.R. 1951: Mr. HILL.

H.R. 1969: Mr. WEXLER.

H.R. 1971: Mr. UDALL of New Mexico.

H.R. 2032: Mr. LYNCH.

H.R. 2049: Mr. MICHAUD.

H.R. 2075: Mr. WILSON of Ohio and Mr. RYAN of Ohio.

H.R. 2125. Mr. PERLMUTTER.

H.R. 2160: Mr. BISHOP of New York.

H.R. 2236: Mrs. CAPPS.

H.R. 2265: Mr. LANGEVIN.

H.R. 2307: Ms. CASTOR.

H.R. 2320: Mr. HASTINGS of Florida.

H.R. 2327: Ms. DELAURO.

H.R. 2392: Mr. WYNN.

H.R. 2477: Mr. RYAN of Ohio.

H.R. 2489: Ms. WATERS, Mr. ISRAEL, Mr. SESTAK, Mr. DANIEL E. LUNGREN of California, and Ms. JACKSON-LEE of Texas.

H.R. 2604: Ms. WOOLSEY.

H.R. 2702: Mr. WEXLER.

H.R. 2711: Mr. ALEXANDER.

H.R. 2744: Mr. KILDEE, Ms. ROS-LEHTINEN, Mr. SHULER, Mr. PATRICK MURPHY of Pennsylvania, Mr. ALLEN, and Mr. OBERSTAR.

H.R. 2842: Mr. HARE.

H.R. 2857: Mr. ANDREWS.

H.R. 2880: Mr. MARKEY.

H.R. 2910: Mr. LANGEVIN and Mr. CARNAHAN.

H.R. 2933: Mr. BOUSTANY and Mr. HOLDEN.

H.R. 2994: Ms. ZOE LOFGREN of California and Mr. GENE GREEN of Texas.

H.R. 3010: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BAIRD, Mr. HIGGINS, Mr. KANJORSKI, Ms. CARSON, Ms. DEGETTE, and Mr. DUNCAN.

H.R. 3016: Mr. ALLEN and Mr. LEWIS of Georgia.

H.R. 3053: Mr. GENE GREEN of Texas.

H.R. 3058: Mr. HINOJOSA and Mr. MCNERNEY.

H.R. 3099: Mr. DAVID DAVIS of Tennessee and Mr. LANGEVIN.

H.R. 3132: Ms. SCHAKOWSKY.

H.R. 3140: Mr. MEEKS of New York, Mr. SMITH of Nebraska, Mr. MURTHA, Mr. MCINTYRE, Mr. ABERCROMBIE, and Mr. MCHUGH.

H.R. 3145: Mr. ALEXANDER.

H.R. 3168: Mr. PAYNE.

H.R. 3191: Mr. SHULER and Ms. GIFFORDS.

H.R. 3195: Mr. YARMUTH, Mr. LIPINSKI and Mr. GONZALEZ.

H.R. 3256: Mrs. NAPOLITANO and Mr. ENGLISH of Pennsylvania.

H.R. 3257: Mr. MCNERNEY.

H.R. 3273: Mr. SESTAK.

H.R. 3326: Mr. JEFFERSON.

H.R. 3331: Mr. BAIRD.

H.R. 3355: Mr. KENNEDY.

H.R. 3372: Mr. GUTIERREZ and Mr. BOUCHER.

H.R. 3374: Ms. KAPTUR.

H.R. 3453: Mr. FILNER.

H.R. 3461: Ms. HERSETH SANDLIN, Mrs. MCCARTHY of New York, Mr. DOYLE, and Ms. BERKLEY.

H.R. 3495: Mr. DUNCAN.

H.R. 3508: Mr. SOUDER, Mr. MILLER of Florida, Mr. KING of Iowa, Mr. BURTON of Indiana, Mr. MARIO DIAZ-BALART of Florida, Mr. BARTON of Texas, and Mr. CONAWAY.

H.R. 3513: Mr. BLUMENAUER.

H.R. 3533: Mr. CRAMER and Mr. MCHENRY.

H.R. 3544: Mr. RUSH, Mr. LATOURETTE, and Mr. MARKEY.

H.R. 3547: Mr. FARR.

H.R. 3548: Mr. BOSWELL.

H.R. 3558: Mr. HARE and Mr. SOUDER.

H.R. 3577: Mr. REHBERG.

H.R. 3582: Mr. HARE and Mr. PAYNE.

H.R. 3605: Ms. ROYBAL-ALLARD.

H.R. 3645: Mr. FILNER.

H.R. 3660: Mr. LATHAM and Mr. WALZ of Minnesota.

H.R. 3691: Mr. GUTIERREZ, Mr. KANJORSKI, Mr. LEVIN, Mr. FATTAH, and Mr. HOLT.

H.R. 3700: Mr. GORDON and Mr. MCHUGH.

H.R. 3738: Mr. BROUN of Georgia and Mr. ROSKAM.

H.R. 3774: Mr. HINOJOSA.

H.R. 3779: Mr. MANZULLO.

H.R. 3781: Mr. MCDERMOTT.

H.R. 3782: Mr. PAYNE.

H.R. 3783: Mr. SCHIFF and Ms. DELAURO.

H.R. 3793: Mr. SCHIFF, Ms. SLAUGHTER, Mr. HINOJOSA, Mr. KAGEN, Ms. GIFFORDS, Mr. SPACE, Ms. SCHAKOWSKY, Mr. BOREN, Mr. JEFFERSON, Mr. DAVIS of Alabama, Mr. HELLER, Mr. FILNER, Mr. DAVID DAVIS of Tennessee, and Mr. ROSS.

H.R. 3797: Mr. GILCHREST, Mr. FILNER, Mr. COSTA, and Mr. MURTHA.

H.R. 3825: Mr. RAMSTAD, Mr. SCHIFF, Ms. SCHAKOWSKY, Mr. SPRATT, Mr. FATTAH, Mr. GORDON, Mr. MCNULTY, Mr. PASTOR, Mr. LARSON of Connecticut, Mr. ARCURI, and Mr. HINOJOSA.

H.R. 3837: Mr. HOLDEN.

H.R. 3842: Mr. REYES and Mr. GRIJALVA.

H.R. 3851: Mrs. MYRICK, Mr. NEUGEBAUER, Mr. WAMP, and Mr. MCCAUL of Texas.

H.R. 3865: Mr. LATOURETTE.

H.R. 3873: Mr. BACA.

H.R. 3874: Ms. KAPTUR, Mr. WALZ of Minnesota, and Mr. MCNERNEY.

H.R. 3882: Mr. SPACE, Mr. SMITH of Nebraska, Mr. KINGSTON, Mr. ELLSWORTH, and Mr. MITCHELL.

H.R. 3887: Mr. PETERSON of Minnesota, Mr. DELAHUNT, Mr. PENCE, Mr. MORAN of Virginia, Mr. MCCOTTER, Mr. ALLEN, and Mr. SIMPSON.

H.R. 3890: Mr. MCCOTTER.

H.R. 3915: Mr. COHEN.

H.R. 3928: Mr. CUMMINGS, Ms. DELAURO, Mr. COURTNEY, and Mr. TOWNS.

H.R. 3934: Mr. CLEAVER, Mrs. EMERSON, Mr. KIRK, Mr. RAMSTAD, and Mr. KUHL of New York.

H.R. 3951: Mr. MCINTYRE.

H.R. 3953: Mr. HALL of New York.

H.R. 3965: Mr. BACA.

H.R. 3971: Ms. JACKSON-LEE of Texas.

H.R. 3979: Mrs. MCCARTHY of New York.

H.R. 3987: Mr. BILBRAY, Ms. ZOE LOFGREN of California, Mr. SCHIFF, Ms. RICHARDSON, Mr. DANIEL E. LUNGREN of California, Mr. DOOLITTLE, Mrs. TAUSCHER, Mr. HONDA, Mr. FARR, Mr. MCCARTHY of California, Mrs. CAPPS, Mr. GALLEGLY, Mr. MCKEON, Mr. SALAZAR, Mr. MACK, Ms. SOLIS, Ms. WATSON, Ms. ROYBAL-ALLARD, Mr. ROYCE, Mr. LEWIS of California, Mr. CALVERT, Mrs. BONO, Mr. ROHRABACHER, Mr. ISSA, and Mrs. DAVIS of California.

H.R. 3990: Ms. SCHAKOWSKY and Mr. BISHOP of New York.

H.R. 3995: Mr. CAPUANO and Mr. MORAN of Virginia.

H.R. 3999: Mr. ELLISON.

H.R. 4001: Mr. MELANCON.

H. Con. Res. 33: Mr. DELAHUNT and Mr. SIRES.

H. Con. Res. 176: Mr. ALEXANDER.

H. Con. Res. 202: Mr. HONDA.

H. Con. Res. 224: Mr. WYNN.

H. Con. Res. 237: Mr. SHAYS and Mr. SMITH of New Jersey.

H. Con. Res. 239: Ms. PRYCE of Ohio.

H. Res. 111: Mr. MACK, Ms. BEAN, Mr. BRADY of Texas, Mr. GALLEGLY, and Mr. KUHL of New York.

H. Res. 259: Mr. HINCHEY and Ms. FOXX.

H. Res. 335: Mr. DINGELL, Mr. BLUMENAUER, Mr. GORDON of Tennessee, Ms. ESHOO, Mr. STUPAK, Mr. DOYLE, Ms. HOOLEY, Mr. MATHESON, Mr. BUTTERFIELD, and Mr. MELANCON.

H. Res. 695: Mr. DAVIS of Kentucky, Mr. SMITH of New Jersey, Mr. FILNER, Mr. GERLACH, Mr. SOUDER, and Mr. JORDAN of Ohio.

H. Res. 731: Mr. ABERCROMBIE, Mr. ALTMIRE, Mr. BACA, Ms. BEAN, Mr. BISHOP of New York, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. CARDOZA, Mr. CARNAHAN, Mr. CROWLEY, Ms. DELAURO, Mr. DOYLE, Mr. FATTAH, Mr. GUTIERREZ, Mr. HOBSON, Mr. HOLDEN, Mr. INSLEE, Mr. JACKSON of Illinois, Mr. JORDAN of Ohio, Mr. KANJORSKI, Ms. KAPTUR, Mr. KIND, Mr. KUCINICH, Mr. LAHOOD, Mr. LANTOS, Mr. LARSON of Connecticut, Mr. MCGOVERN, Mr. MEEK of Florida, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. MURPHY of Connecticut, Mr. MURTHA, Mr. PASCRELL, Mr. RAHALL, Mr. RUPPERSBERGER, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mrs. SCHMIDT, Mr. SHUSTER, Mr. SPACE, Mr. STUPAK, Ms. SUTTON, Mr. TANNER, Mr. TIBERI, Mr. TIERNEY, Mrs. JONES of Ohio, Mr. UDALL of Colorado, Mr. VISCLOSKY, Mr. WILSON of Ohio, and Mr. YARMUTH.

H. Res. 744: Mr. FILNER.

H. Res. 770: Ms. GRANGER, Mr. BRADY of Pennsylvania, and Mr. MCINTYRE.

H. Res. 772: Mr. PETRI.

H. Res. 777: Mr. MCGOVERN and Ms. FOXX.

H. Res. 783: Mr. CHABOT, Mr. COBLE, Mr. KNOLLENBERG, Mr. SHULER, Mr. PORTER, Mr. ISSA, Mr. CANNON, Mr. HAYES, Mr. GERLACH, Mr. STEARNS, Mrs. BOYDA of Kansas, Mr. LOBIONDO, Mr. CONAWAY, Mr. SULLIVAN, Mr. SOUDER, Mr. CARNEY, Ms. FOXX, Mr. BUCHANAN, Mr. DAVID DAVIS of Tennessee, Mr. KINGSTON, and Mr. HENSARLING.

H. Res. 784: Mr. BOOZMAN, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CONAWAY, Ms. FALLIN, Mr. HUNTER, Mr. MCKEON, Mr. MILLER of Florida, Mr. SENSENBRENNER, and Mr. SHAYS.

H. Res. 785: Mr. BACA, Mr. BECERRA, Ms. BORDALLO, Mr. BARTLETT of Maryland, Mr. SKELTON, and Mr. COSTELLO.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Res. 106: Mr. Fortuño.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. SHUSTER. Madam Speaker, on rollcall No. 1014 taken on Tuesday, October 30, 2007, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. FRANKS of Arizona. Madam Speaker, on rollcall No. 1001, I was unavoidably detained and missed the vote. Had I been present, I would have voted "yes."

CRISIS IN DARFUR

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. RANGEL. Madam Speaker, I rise today in support of resolutions H. Res. 573, H. Res. 726, and H. Res. 740, which are all related to the situation in Darfur. The continuing genocide in Darfur is an attack on humanity and I would like to take this moment to urge my colleagues in Congress and in the International Community to support ending this genocide.

I am in support of H. Res. 573. This resolution calls for recognizing and commending the efforts of the United States public and advocacy groups to raise awareness about and help end the worsening humanitarian crisis and genocide in Darfur, Sudan. If it were not for the U.S. public and advocacy groups that have brought awareness of the violence and displacement that has occurred in Darfur, this horrific conflict might have gone unnoticed. Experts estimate some 400,000 people have died and over 2.5 million people within the Darfur region have been made homeless since this conflict began in 2003. Too many people of Darfur are in extreme poverty and they rely heavily on international aid for survival. Refugee camps have experienced atrocities, rape, and physical violence, which is making these supposedly safe havens unsafe. Even humanitarian groups are suffering from deteriorating conditions and attacks, which has caused several NGOs to leave.

I agree with H. Res. 726, which calls on the President of the United States and the international community to take immediate steps to respond to and prevent acts of rape and sexual violence against women and girls in Darfur, Sudan, eastern Chad and the Central African Republic. During war women are too often the victims of rape and sexual violence, which is often used systematically as a weapon of intimidation, humiliation, terror and ethnic cleansing. Being a victim of rape or sexual violence is one of the worst human rights violations there is. Women in these areas can hopefully be protected if the President of the United States develops within the United States Department of State and the United States Agency for International Development a Women and Girls of Darfur Initiative to improve assistance to victims and potential victims of rape and sexual violence in the areas called for by the resolution.

I fully support H. Res. 740. This resolution condemns in the strongest terms the attacks on African Union peacekeepers that occurred in Haskanita, Darfur, Sudan on September 29, 2007. This ambush by Darfur rebels killed ten peacekeepers; 7 Nigerian peacekeepers and 3 other soldiers from Mali, Senegal and Botswana. Several other soldiers were wounded and 50 soldiers are still missing. This attack is considered the worst on AMIS peacekeepers since the deployment in July 2004. It is time to hold the perpetrators of these hateful acts accountable for their inhumane actions.

Madam Speaker, I support these bills because the people of Darfur need help. Too many lives have been taken; too many women have been sexually violated. These bills help send a clear message to the Sudanese government and the Darfur rebel groups that we will not continue to allow these crimes to happen on our watch. It is time to end this genocide.

TRIBUTE TO VELMA ALLEN

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. KILDEE. Madam Speaker, I rise today to pay tribute to Dr. Velma Allen as she retires from Mott Children's Health Center. Dr. Allen is the President and Chief Executive Officer and will retire on December 31. A dinner in her honor will be held on November 8 in Flint, MI.

Dr. Allen began her career as an English teacher in Mississippi. She moved to Michigan and became the Supervisor of Secondary Special Education with the Grand Rapids School System. She served as the Director of Special Education with the Lansing Schools from 1977 through 1981. She moved to Flint and was program officer for the C.S. Mott Foundation from 1981 to 1984. After serving as the Superintendent of the Michigan School of the Blind, Velma started to work at the Mott Children's Health Center. She has spent the last 17 years working to improve the care for the children of Genesee County who have special health or developmental problems.

Under her leadership, the C.S. Mott Children's Health Center has expanded its role in Genesee County. Working with the Genesee Intermediate School District, the Center has implemented four school-based health centers offering multiple services to elementary, middle school, and high school students and offer dental health screening and prevention in elementary schools. The Center works with the Cedar Street Children's Center and the Child Welfare Society of Flint to offer mental health prevention services. She has added a fifth pediatric dental resident and partnered with the University of Michigan Dental School to offer an Advanced Education in General Residency resident. The Center also has implemented a child obesity prevention program and offers a 2-week summer camp.

Working with community allies she has advocated on behalf of children at both the state and national level. Recognizing that the life of the larger community has an affect on children, Dr. Allen works with various organizations to improve the quality of life. She is a Commissioner with the Michigan Commission for the Blind, a Board Member for the Michigan Council for Maternal and Child Health, a Member of the Genesee County Community Collaborative, a Board Member of the "Ready, Set, Grow!" Passport Program, a Board Member of Priority Children, the Vice Chair of the Community Foundation of Greater Flint, a member of the Flint Journal Community Advisory Committee, a Board Member of United Way of Genesee County, and a member of Alpha Kappa Alpha Sorority, Inc.

Madam Speaker, I ask the House of Representatives to join me in congratulating Dr. Velma Allen for her work on behalf of the children in Genesee County. I wish her the best as she retires from the C.S. Mott Children's Health Center.

PERSONAL EXPLANATION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. SHUSTER. Madam Speaker, on rollcall No. 1013 taken on Tuesday, October 30, 2007, had I been present, I would have voted "nay."

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

PERSONAL EXPLANATION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. SHUSTER. Madam Speaker, on rollcall No. 1012 taken on Monday, October 29, 2007, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. FRANKS of Arizona. Madam Speaker, on rollcall No. 1002, I was unavoidably detained and missed the vote. Had I been present, I would have voted "yes."

HONORING DR. HESHAM GAYAR

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. KILDEE. Madam Speaker, I ask the House of Representatives to join me in honoring Dr. Hesham Gayar, the outgoing President of the Genesee County Medical Society. Dr. Gayar is to be honored at the annual President's Ball this Saturday, November 3rd.

Dr. Gayar studied medicine at the Alexandria Medical School. He completed residency at St. Vincent's Hospital and Medical Center in New York, and M.D. Anderson in Houston, where he was chief resident from 1985 to 1986. He completed a Fellowship in Clinical Oncology and Pediatric Oncology at Ohio State University Hospital. Relocating to Michigan, Dr. Gayar currently serves as the Chair of the Department of Radiation Oncology at McLaren Regional Medical Center and the Medical Director of Radiation Oncology at Owosso Memorial Cancer Center.

Over the years Dr. Gayar has served as a delegate to the Michigan State Medical Society from the Genesee County Medical Society, and as the Chair of the Board of the Community Wide Hospital Oncology program. He is the principal investigator for the Radiation Therapy Oncology group, works with the Southwest Oncology group, and the National Surgical Adjuvant Breast and Bowel project. He is also the former President of the Islamic Medical Association.

Dr. Gayar is committed to improving the quality of life in the larger community. Governor Granholm appointed him to the Board of the Commission of Arab Chaldean American Affairs. He serves on the Board of the American Arab Heritage Council of Flint, the Flint Islamic Center, and the Grand Blanc Islamic Center, he is the former Chair of the Genesee Academy Board of Directors, and is a former board member of the Islamic American University. In 2006 the American Arab Heritage Council named him "Physician of the Year." Dr. Gayar is married to Randa and they have four children, Omar, Adam, Lena and Kareem.

Madam Speaker, I ask the House of Representatives to join me in applauding Dr. Hesham Gayar for his leadership to the Genesee County Medical Society. Both physicians and patients have benefited from his compassion and steadfastness. He brings empathy, dignity, and responsibility to every role he assumes. I wish him the best as he continues his service to the Flint community.

PERSONAL EXPLANATION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. SHUSTER. Madam Speaker, on rollcall No. 1011 taken on Monday, October 29, 2007, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. FRANKS of Arizona. Madam Speaker, on rollcall No. 1003, I was unavoidably detained and missed the vote. Had I been present, I would have voted "no."

TRIBUTE TO DR. RUTH L. GOTTESMAN

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mrs. LOWEY. Madam Speaker, I rise today to recognize the accomplishments of Dr. Ruth L. Gottesman and to congratulate her on becoming the first woman and the first faculty member to be elected Chairperson of the Albert Einstein College of Medicine's Board of Overseers.

As a premiere institution for medical education, basic research and clinical investigation, the Albert Einstein College of Medicine has produced more than 7,000 of our Nation's foremost clinicians, biomedical scientists, and medical educators. Among its pioneering educational initiatives, Einstein was among the first of the major medical schools to integrate bedside experience with learning, bringing first-year students into contact with patients and linking classroom study to case experience.

Dr. Ruth Gottesman has served as a distinguished faculty member of the Albert Einstein College of Medicine for over 30 years. In addition, Dr. Gottesman was a founding director of the Fisher Landau Center for the Treatment of Learning Disabilities, a division of Einstein's Children's Evaluation and Rehabilitation Center established to provide interdisciplinary services to individuals of all ages. Her exemplary effort on behalf of those with learning disabilities has earned her the respect and admiration of colleagues and friends alike. In her career, she serves the most vulnerable in our society with the highest level of compassion and commitment.

Dr. Gottesman has balanced this distinguished career with an equally impressive family life. Married to David for 57 years, she has also been a loving mother to 3 children—Bob, Alice, and Bill—and grandmother to 7 grandchildren—Ben, Sarah, Alan, Clara, Zachary, Eleanor, and Jessica. While she and her family share a passion for traveling and learning about other people and places, Dr. Gottesman remains committed to a variety of causes in her own community including various charitable organizations, schools, and museums.

Madam Speaker, I am proud to recognize my good friend Dr. Ruth Gottesman for an unparalleled career fighting for those who are unable to fight for themselves, and I urge my colleagues to join me in honoring her tremendous accomplishments.

IN APPRECIATION OF THE LIFE AND WORK OF THE HILL'S JOSEPH CRAPA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. RANGEL. Madam Speaker, I rise today in remembrance of a true patriot and committed public servant, the late Joseph Crapa. He boasted a litany of high posts and honors to his name, but it was as Chief of Staff to Senator CHARLES SCHUMER that he so ably served my native New York. Staffers like Mr. Crapa are the backbone of Capitol Hill, the too-often unsung movers and shakers who work feverishly on behalf of the American people.

Known as a fast-talking guy from Brooklyn, Mr. Crapa's magnetism drew a series of glowing compliments—solid, wise, shrewd. He loved politics and government, but remained loyal to his unwavering moral core. He was an intellectual powerhouse, relentless in his defense of the little guy, but with the practical political know-how to get things done. As the executive director of the U.S. Commission on International Religious Freedom, his last post, he agitated for a cause near and dear to his heart: the battle for religious freedom worldwide.

He is today—and always—remembered and appreciated as a man of conviction and a wealth of knowledge.

"SALT-OF-THE-EARTH" STAFFER CRAPA MOURNED ON HILL

Joseph Crapa, the executive director of the U.S. Commission on International Religious Freedom, died Thursday from cancer at the age of 63.

Crapa, who had led the commission since 2002, previously worked for 25 years in various Capitol Hill-related jobs, including House committee offices, Member offices and in the Congressional relations shops of several executive branch agencies.

Immediately before coming to the commission, Crapa worked as chief of staff to Sen. Charles Schumer (D–N.Y.).

"Joe was a pure salt-of-the-earth human being," Schumer wrote in an e-mail. "To know him was to love him."

Sen. Hillary Rodham Clinton (D-N.Y.) noted in a statement that she knew Crapa during his service in the Senate and the Clinton administration. She lauded Crapa's "indomitable spirit and determination" during the fight to secure funding for New York in the aftermath of the Sept. 11, 2001, terrorist attacks.

Crapa also served as counsel and staff director in the office of Rep. David Obey (D-Wis.) for 10 years, before leaving in 1997 to become associate administrator for congressional and intergovernmental affairs at the Environmental Protection Agency.

Obey said he was dubious when he first interviewed Crapa for a job in 1987.

"I thought, 'There's no way in God's green earth I can work with this fast-talking guy from Brooklyn," Obey said. "He was about three times as intense as I was. But his solidity, wisdom, and shrewdness came through, and we ended up not only working together for 10 years, but becoming close friends."

Obey said Crapa was a "superb example" of the importance of the role staffers play on the Hill.

"There are a lot of people who never serve in elected office—staffers and people in various agencies—who love this country, are dedicated to doing things right and to advancing the cause of regular people," Obey said. He said Crapa "loved politics, he loved government, he had a moral core to everything he did. He was an intellectual and, at the same time, a hard-nosed practicing pol in the best sense of the word."

In a statement released by USCIRF on Thursday, Chairman Michael Cromartie said Crapa "had an unwavering, principled commitment to . . . protecting religious freedom worldwide." He and Vice Chairwoman Preeta Bansal both commented on Crapa's "sharp political instincts," which Barisal said were "crucial to him in this sensitive area."

Over the course of his career, Crapa worked as the top congressional relations official at the EPA, the Department of Agriculture and the U.S. Agency for International Development, and in the No. 2 spot in the Department of Commerce's congressional relations office.

He also spent time at the Democratic Congressional Campaign Committee, where he was the executive director of the Speaker's Club, and as vice president at lobby shop Dutko and Associates. For 6 years during his time in Obey's office and at the EPA, Crapa taught part-time as adjunct professor of government at Georgetown University. He was a John C. Stennis Congressional fellow in 1995–1996.

Crapa was born Dec. 16, 1943, in Brooklyn, N.Y. He received his bachelor's degree from St. John's University in New York City and went on to receive a master's degree from Duke and a Ph.D. from the University of Arizona; all three degrees were in British and American literature. He married Barbara Vaskis in 1967; the couple had one son, Judd, and two grandsons, Sebastian and Baird.

A memorial service for Crapa is scheduled for 1 p.m. today at St. Peter's Church on Capitol Hill.

JAMES P. CHEEVER 100TH BIRTHDAY TRIBUTE

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. MEEK of Florida. Madam Speaker, I rise to honor and congratulate James P. Cheever, who will be celebrating his 100th birthday on Sunday, November 4, 2007, at Tony Reception Palace, in Hialeah, FL. Many of his family, friends, and church friends will be in attendance to celebrate this momentous occasion. He was born on November 7, 1907, in Sylvania, Georgia. He is the middle child of 6 siblings, with 1 remaining sister, Ruby Cheever.

He was educated in the Sylvania school system. At the age of 22, he met and married Edna Mae Striggles. They were married on December 22, 1929. They shared 58 years of marriage until her death in 1987. Their union was blessed with 4 children, James P. Cheever, Jr., Henry Richmond Cheever, and Margie Beatrice Mayes. Their daughter Fronita Cheever, died at a very young age.

He has 10 grandchildren, Gregory Cheever, Gail Washington, Glenda Jimeson, Anthony Cheever, Aundrea Mayes, Carey Cheever, LaEatrice McMurray, Laketia Cheever, Vincent Cheever and Tonya Linde. He has 25 great-grandchildren and 7 great-great grandchildren.

As many others did during the early 1900s, he earned a living by farming land in Georgia. Although farming provided a modest living, he and his wife wanted a better quality of life for their family. In November of 1947, he moved his family to Miami, Florida.

After arriving in Miami, he worked several odd jobs to support his family and he started working for a major construction firm, Benidick and Jordan Construction Company, in 1950. He was the only African-American man hired at that time to tie steel for the company and became the top man for the construction company.

In 1962, he left the construction field to work for the Dade County Public School system. During his employment with DCPS, he worked as Lead Custodian at Brownsville Junior High School and Carol City Elementary. He retired from DCPS in June of 1973. After retirement, he launched his own Lawn Service and was known by many for the meticulous lawn care he provided his customers.

James is a God-fearing man who dedicated is life to the Lord at a very young age. While living in Georgia he was a member of Lawton Grove Missionary Baptist Church. When he relocated to Miami, he moved his membership to New Hope Missionary Baptist Church in Liberty City, where he became a deacon on January 14, 1954, under the leadership of Rev. James E. Brown.

Several years later he moved his membership to become a founding member of Greater New Macedonia Missionary Baptist Church, located in Brownsville, under Pastor Rosco Jackson. He still attends services regularly and currently serves as the oldest deacon on the deacon board, under the leadership of Rev. Sherman Mungin.

James and his wife bought their first home in Florida, in what was known as Brownsville, in 1956. The property was acquired by the County, to build a public park, in 1969. They then bought and moved to the home in which he still resides, located at 3801 N.W. 186th Street, Miami Gardens, Florida.

As the patriarch of his family, he loves attending family functions to see the four generations of his children. He is still very active, he enjoys fishing at the lake, vegetable gardening and watching baseball games. He always has a quick smile and something witty to say. He is a man of good report, full of spirit and the wisdom of years.

Madam Speaker and my colleagues, I ask that you join me in honoring James P. Cheever today. I hope we all have the good fortune to live such a full life as he has. He is a great man and his family and friends are very proud of all of these achievements.

IN RECOGNITION OF THE DISTINGUISHED CAREER OF JACK FUCHS

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. MITCHELL. Madam Speaker, I rise today to recognize long-time Tempe resident, chemistry professor, professional tympanist and friend: Jack Fuchs.

Jack Fuchs is a remarkable person with a lifetime of achievements. He recently retired after 55 years of teaching at my alma mater, Arizona State University. Those of us in the ASU community believe that he is the longest-serving faculty member in the history of the university.

After serving in Europe during World War II, he arrived back in the States 62 years ago today. Jack wasted no time in pursuing a doctoral degree at the University of Illinois, which he earned in 1950. Two short years later, he packed up his car and set out for a teaching job in Tempe, which was located in foreign territory for an Illinois native—the deserts of Arizona.

Rather than returning home, the Fuchs thrived and put down roots. In addition to his teaching duties, Jack played professionally as the principal tympanist with the Phoenix Symphony for 25 years. He shared the stage with the likes of Jack Benny, Pablo Casals and Andres Segovia, just to name a few. He extended his musical career by performing with the Sun Cities Symphony Orchestra for almost 20 years more, until just 5 years ago.

Jack also managed to keep his friends and fellow faculty members on their toes with a mean game of tennis. Playing with legendary coaches like Frank Kush, Bobby Winkles and Ned Wulk did not dim his competitive drive to win.

These other accomplishments might give the impression that his professional life took a back seat. Nothing could be further from the truth. Among other posts, Jack served as executive officer of the chemistry department for 14 years, as well as national president of the Society for Applied Spectroscopy.

But as a fellow teacher, I know Jack's true love was being in the classroom. Every year for almost 40 years he offered summer programs to young students to share with them the love and excitement of chemistry he discovered himself as a young boy. Who wouldn't love to spend their summers exploring the wonders of infrared and ultraviolet absorption spectroscopy or modern industrial spectroscopy?

Even today, after 55 years in the classroom, Jack maintains an office at the university and can be found, as always, involved with students 2 to 3 days a week.

I offer my sincere thanks and congratulations on a job well done.

TRIBUTE TO THE ASIAN-AMERICAN MEDICAL ASSOCIATION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. VISCLOSKY. Madam Speaker, it is with sincere admiration that I recognize the Asian-American Medical Association, which will be hosting their 31st annual dinner and charity ball on Saturday, November 3, 2007, at the Avalon Manor in Hobart, Indiana. Each year, the Asian-American Medical Association pays tribute to prominent, outstanding citizens and organizations for their contributions to the community. In recognition of their efforts, these honorees are awarded the prestigious Crystal Globe Award each year at this annual banquet.

The Asian-American Medical Association has always been a great asset to northwest Indiana. Its members have selflessly dedicated themselves to providing quality medical service to the residents of Indiana's First Congressional District, and they have always demonstrated exemplary service through their many cultural, scholastic, and charitable endeavors.

At this year's charity ball, the Asian-American Medical Association will present the Crystal Globe Award to the Indiana University School of Medicine—Northwest. Founded in 1972, the Indiana University School of Medicine—Northwest, which began with only four faculty members, has become the largest regional campus of the Indiana University School of Medicine outside of Bloomington and Indianapolis. Located on the campus of Indiana University—Northwest in Gary, Indiana, the school has received acclaim for its curriculum and innovation on a local, national, and international level. In particular, the Problem Based Learning Curriculum, which uses patient case studies as their primary educational tool, has received numerous accolades for the university since its inception in 1990. Since its founding in 1972 under the leadership of Dr. Panayotis Iatridis, the contributions of the Indiana University School of Medicine—Northwest, both in the education of its students and its commitment to the future, have been a source of pride and hope for the First Congressional District.

While the past 35 years have shown immense advancements in the school's curriculum, the future appears even brighter for the Indiana University School of Medicine—Northwest. Under the leadership of Dr. Patrick Bankston, the school has made plans to expand class size and to add the final two years of medical education to the curriculum. Once this plan becomes a reality, which may occur as early as 2011, northwest Indiana will, for the first time, allow students to complete their medical education within the region.

Madam Speaker, I ask that you and my other distinguished colleagues join me in commending the Asian-American Medical Association, as well as this year's Crystal Globe Award recipient, the Indiana University School of Medicine—Northwest, for their outstanding contributions to medicine and to the community. Their members' unwavering commitment to improving the quality of life for the people of northwest Indiana and throughout the world is truly inspirational. For these reasons, they are to be praised, and I am proud to serve as their Representative in Washington, DC.

SUPPORT OF INTERNATIONAL EDUCATION WEEK

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. HOLT. Madam Speaker, I rise today in support of International Education Week, which is sponsored by the Departments of Education and State. International Education Week reminds us of the value of learning foreign languages and learning about foreign cultures and traditions.

In an increasingly interdependent global community, it is important for America's students to be students of the world, and to have the opportunity to study abroad. While such cultural exchanges benefit the individual, they are equally important for America's international competitiveness and national security. Still, a survey from the Institute of International Education shows that during the 2004/2005 school year, fewer than one percent of American undergraduates studied abroad. This event reminds us that we can and must do better.

This week also reminds us of the importance of foreign language study. Studies have shown that early exposure to foreign language education in elementary school has been found to improve children's thinking processes, which help student achievement across all subject areas.

It is my great hope that this year, from November 12 through November 16, all those who recognize the importance of American involvement in the world will take part in International Education Week.

IN RECOGNITION OF RON MAY

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. LAMBORN. Madam Speaker, I rise today to recognize State Senator Ron May and the contributions he has made to my hometown of Colorado Springs and the State of Colorado during his 27 years as a public servant. Senator May, who has honorably represented the 10th Senate District of Colorado since 2001, will officially step down today, Wednesday, October 31, 2007. A principled, capable legislator and a likeable, good-natured man, Senator May will be sincerely missed by those who served with him in the State Capital, including myself, and the residents of Colorado Springs.

Senator May's lifelong dedication to public service began when he joined the Air Force in 1953. During his twenty-year military career, Senator May gained extensive knowledge in the areas of computer programming and technology. This training shaped his post-military career as he was a charter member of the United States Internet Council, and served on Colorado's Information Management Commission as well as the Multi-Use Network Service.

In the State legislature, Senator May's technological expertise was invaluable, as was his dedication to transportation infrastructure. Senator May worked tirelessly to create funding within the budget that was devoted solely to Colorado roadways, an action that demonstrated his commitment to responsible government spending.

Today I honor Senator May's selfless career and express my gratitude, as a resident of Colorado Springs, for the positive things he has done for our city, county, and State. He was a reliable vote for and a proponent of the conservative values upon which our country was founded. Although I am sad to see his public career come to an end, I know that we will continue to benefit from Senator May's legacy. I wish him and his wife, Onella, their fine children, and grandchildren, all the best in his new career and life.

HONORING FIRE CHIEF LUTHER FINCHER

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mrs. MYRICK. Madam Speaker, Charlotte, NC is losing one of its most dedicated public servants with the retirement of Fire Chief Luther Fincher after 45 years. I have personally known and worked with Luther for over 24 years. His professional achievements are many—including managing our Homeland Security Programs and the Urban Area Security Initiative. Luther was instrumental in the development of our ALERT team and led it with distinction. It was his dedication and experience that made it a reality and has helped Charlotte to be recognized as the third most prepared city in the country for emergency management.

He is a charter member and past president of the International Association of Fire Chiefs and has represented this organization all over the world, as well as playing a role in passing significant fire legislation on a federal level. He was also instrumental in establishing the four-year program on Fire Engineering Technology at UNC-Charlotte.

His awards and accomplishments are many, but I am most proud of the fact that Luther Fincher is one of the most loyal, sincere, family-oriented men I have ever known. I am proud to call him friend.

He is retiring as Fire Chief, but I know he will continue to lend his expertise to our city and the Nation.

RECOGNIZING NATIONAL SPINA BIFIDA MONTH

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. SMITH of New Jersey. Madam Speaker, as Co-Chair of the Congressional Spina Bifida Caucus I rise today to recognize October as National Spina Bifida Month. Currently, more than 70,000 people in the United States live with Spina Bifida, the Nation's most common permanently disabling birth defect. Each October we honor these Americans during National Spina Bifida Month, but we must be steadfast in our efforts year round to prevent and reduce suffering from this devastating birth defect.

Spina Bifida is a neural tube defect that occurs in the first month of pregnancy when the spinal column does not close completely. An average of eight babies a day are born with Spina Bifida or a similar birth defect of the brain and spine. Currently, approximately 3,000 pregnancies each year are affected by Spina Bifida; however, the Centers for Disease Control and Prevention, CDC, estimates that up to 70 percent of Spina Bifida and other neural tube defects could be prevented if all women of childbearing age consumed 400 micrograms of folic acid daily, prior to becoming pregnant.

Fortunately, the CDC's National Spina Bifida Program—which I helped to create with my colleague and caucus co-chair Representative BART STUPAK—plays a critical role in addressing both sides of the Spina Bifida equation—preventing the birth defect and providing support and quality-of-life enhancement for people living with it. I am proud that the National Spina Bifida Program—in its more than 4 years of existence—is making a significant difference in the lives of people with Spina Bifida. Now patients, parents, health professionals, and caregivers have the information and resources they need to ensure that quality-of-life is maximized for all who live with this condition and that we are doing our best to reduce the number of Spina Bifida affected pregnancies through education and awareness of women about the importance of their consumption of folic acid prior to becoming pregnant.

I want to express my deep gratitude to my colleagues on the House Appropriations Committee who allocated $5.535 million for the National Spina Bifida Program in the FY 2008 Labor-Health and Human Services-Education, LHHS, bill. As members of the House and Senate LHHS Subcommittees work to reconcile the differences between their hills, I urge my colleagues to cede to the House allocation and help ensure that the National Spina Bifida Program receives adequate funding in the final FY 2008 LHHS measure so it can sustain and expand its important initiatives.

In addition, I hope my colleagues will support the report language from the Senate FY 2008 Agriculture Appropriations measure which urges the FDA to review—and hopefully expand—current folic acid fortification standards so that we can continue to make strides in reducing the number of preventable neural tube defects.

Lastly, I wish to thank the Spina Bifida Association, SBA, for playing a critical role in helping those living with and affected by this debilitating birth defect. Founded in 1973, SBA is the nation's only organization solely dedicated to advocating on behalf of the Spina Bifida community. Through its nearly 60 chapters in more than 125 communities, the SBA brings expectant parents together with those who have a child with Spina Bifida. This interaction helps to answer questions and concerns, but most importantly it lends much needed support and provides hope and inspiration.

I thank the SBA for its partnership and its commitment to ensuring that we are doing all that we can to reduce and prevent suffering from Spina Bifida. I encourage my colleagues to join with me in recognizing October as National Spina Bifida Month and in educating our constituents about the importance of folic acid consumption among women of child-bearing age. Together, with the SBA, we can help prevent Spina Bifida.

A TRIBUTE TO ELIZABETH SHELL CARR

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to an exceptional and caring woman on this day of her retirement, Elizabeth Shell Carr. Elizabeth Carr, a New York licensed Clinical Social Worker, spent her first years in Virginia with the Harlem Veteran's Center as a Military Sexual Trauma Counselor for combat and non-combat veterans.

Elizabeth Carr recalls one of her most gratifying experiences as the organizer of a successful SPA Treatment Day which included breakfast, lunch, and the dissemination of information by the Mayor's Office of Veteran Affairs. Nearly 50 women attended, each of them receiving a gift, as well as a certificate of appreciation from New York State Senator Velmanette Montgomery for their service to our country.

For the past 2 years, Elizabeth Carr enjoyed working closer to home at Brooklyn's VA Medical Center. She is a former member of the Social Work Education committee, assisted with annual programs for "Women in Government" and Black History Month at the VA. She received a monetary performance award for her outstanding contribution to the Employee Assistance Program.

Elizabeth Carr is a clinician with more than 25 years experience in health and mental health. She was previously employed with St. Luke's Roosevelt Medical Center and was also an adjunct professor of Graduate Social Work at both Columbia University and New York University.

Elizabeth Carr is a long time resident of the Willoughby Walk Cooperative Apartments in Brooklyn. She is proud of her close knit community and is actively involved. She has served many years as floor captain within the co-op. She is also active in her church, Emmanuel Baptist. She was co-editor of the church newspaper, member and chairperson for the Missions and Benevolence Ministry, and committee member for the church and cooperative's commemorative anniversaries in both 2006 and 2007.

Elizabeth Carr has many plans for this new phase of her life including completing a journal and a book of poetry, visiting family and friends, and traveling.

Madam Speaker, Elizabeth Shell Carr has given a lot to America's veterans, her church, and her community. I would like to recognize all of her accomplishments and achievements and congratulate her on her retirement.

Madam Speaker, I urge my colleagues to join me in paying tribute to this wonderful woman.

TRIBUTE TO DEXTER AND BIRDIE YAGER

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mrs. MYRICK. Madam Speaker, I rise today to honor a great couple who are a wonderful example of what is right with America. Dexter and Birdie Yager are celebrating their 50th wedding anniversary. Sadly, in America, it has become a rare thing for 2 people to stay together this long.

They are the proud parents of seven kids. The Yager family is extremely close—even working in a very successful business together. They exemplify achieving the American dream through hard work, and they demonstrate the love of a strong family who are there to help each other and others daily. I wish them many more happy years!

INTRODUCTION OF THE STUDENT LOAN AUCTION MARKET (SLAM) ACT OF 2007

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. PETRI. Madam Speaker, today, I am introducing the Student Loan Auction Market, SLAM, Act to continue the process of comprehensive, structural reform of the guaranteed student loan program. I believe this legislation would mark a critical step towards full market-based reform of the program and build on the reforms incorporated in the bipartisan College Cost Reduction and Access Act, which was recently signed into law by President Bush.

Specifically, the SLAM Act would further efforts to study and pilot several market-based reforms, including auction and asset-backed securities models. The politically-set subsidy rate to lenders is a fundamental flaw in the archaic structure of the guaranteed loan program. I believe we can all agree that some type of comprehensive, market-based reform will be necessary to ensure the long-term viability of the guaranteed loan program and ensure taxpayers' interests are better served.

My proposal would require the Secretaries of Education and the Treasury, in conjunction with the Government Accountability Office, GAO, the Office of Management and Budget, OMB, and the Congressional Budget Office, CBO, to conduct a joint planning study to determine which market-mechanism model for determining lender returns on guaranteed loans would best serve borrowers and taxpayers. This study would allow the experts to weigh the pros and cons of each proposal and determine which option would be most favorable for trial in the pilot program.

The pilot model will be selected by the Secretaries based on key criteria, such as ensuring sufficient loan availability to all participating institutions, minimizing administrative complexity to borrowers and lenders, and reducing the Federal cost if used on a program-wide basis. Within 6 months of enactment of this legislation, the study group would report its findings to Congress and begin implementation of a voluntary pilot program.

The voluntary, 2-year pilot program will begin in July 2008 and incorporate up to 10 percent of the guaranteed loan portfolio, increasing up to 20 percent in 2009. To encourage meaningful college participation in the pilot, any savings from the increased efficiency in the market model will be returned to the institution in the form of supplemental, need-based grant aid. Finally, GAO would conduct an independent evaluation of the pilot program and report its findings to Congress and the Secretaries within 120 days after termination of the pilot.

I believe that both the study and the pilot will provide critical and necessary information to Congress on how market-based reforms will impact the guaranteed loan program, before such reforms are implemented on a program-wide basis. This is a measured and responsible proposal that is based on voluntary participation by both colleges and lenders. It is something that both supporters and skeptics of the guaranteed loan program should embrace.

Although a much narrower and prescriptive auction pilot was included in the College Cost Reduction and Access Act, it has raised significant concerns among reform advocates, the Administration, and lenders about its feasibility and efficacy. My bill would not alter the Senate pilot that was agreed to in conference, but would require a second pilot by which to compare outcomes between the 2 models. It is a responsible and pragmatic addition to the current auction pilot.

I encourage my colleagues to support this legislation to further our understanding of market-based reform options. Congress should always encourage innovation in the administration of our student loan programs and continually strive to better serve students and taxpayers.

HONORING THE 80TH ANNIVERSARY OF THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, OFFICE OF STRUCTURE MAINTENANCE AND INVESTIGATIONS

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. THOMPSON of California. Madam Speaker, I rise today to pay tribute to the dedicated professionals of the California Department of Transportation's (Caltrans) Office of Structure Maintenance and Investigations, (SM&I), which is marking its 80th anniversary of service to the people of the Golden State.

In 1927, while Babe Ruth swatted 60 home runs and Charles Lindbergh crossed the Atlantic Ocean solo, the State of California showed the wisdom and foresight to create a special branch of engineering experts to ensure the safety and reliability of its State highways and bridges.

Babe Ruth's home run mark fell in 1961 to the bat of Roger Maris and air travel over the "pond" became a routine occurrence. All the while, California's bridge maintenance program has stood the test of time and continues to deliver on its mission of providing Californians with a safe and dependable network of bridges carrying traffic and pedestrians over rivers, canyons, railroads, highways and city streets all across the Golden State.

That effort is still paying dividends for California and the Nation. More than 24,000 State and local agency bridges in California reliably serve millions of travelers and billions of dollars of commerce because of the ongoing care provided by Structure Maintenance and Investigations staff. These structures run the gamut from the majestic San Francisco-Oakland Bay and San Diego-Coronado bridges to the historic arch spans along the scenic Monterey Coast and the tens of thousands of unassuming concrete, steel and timber bridges dotting the California landscape. The safety and reliability of California's bridges has been instrumental in fueling one of the world's largest economies. More than 160 million vehicle trips are recorded on California's transportation system each day.

Caltrans Structure Maintenance and Investigations engineering personnel have conducted more than 650,000 routine inspections and thousands of special hydraulic, steel and underwater bridge inspections since 1927. They look for any signs of deterioration, fatigue or distress in bridge decks, superstructures and substructures, and the office has initiated tens of millions of dollars in repairs to ensure the safety and structural integrity of each public agency bridge in California.

Thanks to the ongoing dedication of the Structure Maintenance and Investigations professionals, no public agency bridge in California has ever collapsed due to neglect. The bridge inspection program pioneered by Structure Maintenance & Investigations has become the model for transportation agencies around the Nation and the world.

As part of its ongoing bridge maintenance program, Structure Maintenance and Investigations maintains a library of more than one million documents, some dating back more than 100 years, documenting the history of each public agency bridge in California.

Structure Maintenance and Investigations personnel have responded in a timely and heroic fashion to a myriad of natural and manmade disasters to protect public safety and complete any needed repairs to California's transportation system. While their efforts have been well chronicled in major disasters such as the 1989 Loma Prieta and 1994 Northridge earthquakes, SM&I personnel routinely answer the call to protect public safety. Such a case occurred last year in California's Sonoma County where two engineers risked their own safety to inspect the Highway 128 bridge over the rampaging Russian River near Geyserville. The engineers determined that the floodwaters had compromised the integrity of the bridge. They closed the structure and initiated a project that resulted in construction of a new bridge.

Madam Speaker and colleagues, it is appropriate for us to convey to all the dedicated professionals at the California Department of Transportation's Office of Structure Maintenance and Investigations the thanks of a grateful State for years of dedicated service ensuring the safety and reliability of California's transportation system.

RECOGNIZING THE SUBURBAN CHAMBER OF COMMERCE OF SUMMIT, NEW PROVIDENCE, AND BERKELEY HEIGHTS, NEW JERSEY

HON. MIKE FERGUSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. FERGUSON. Madam Speaker, I rise to recognize the Suburban Chamber of Commerce of Summit, New Providence, and Berkeley Heights, New Jersey as it celebrates its 90th Anniversary Gala this evening.

Since 1917, the Suburban Chamber of Commerce has been serving local business interests in and around the city of Summit. The Chamber is a fixture in the community, serving the interests of a wide variety of businesses and professionals, and providing valuable help to charitable organizations.

For the past 25 years the Chamber has overseen the Suburban Chambers Foundation, a charitable organization whose most important projects include scholarships for graduates of Summit, New Providence and Berkeley Heights high schools, and the Vest-A-Cop program which helps pay the costs of bullet-proof vests for local police officers.

The Chamber plays a key role in developing and bringing the community together. Each year it promotes numerous local events and charities, including the Summit Summer Street Fair, Santa's Arrival, First Night® Summit, the New Providence Christmas Walk, the Berkeley Heights Fall Festival, and May is Pride in Berkeley Heights.

I am proud that the 7th District that I represent is home to a fine organization so dedicated to fostering community, and I am pleased to honor the Chamber's 90th anniversary today.

TRIBUTE TO RANDOLPH AIR FORCE BASE IN SAN ANTONIO, TEXAS

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. SESSIONS. Madam Speaker, I rise today to congratulate Randolph Air Force Base in San Antonio, Texas for its innovation in water conservation. Roger Kiker, a civil engineer at the base, and his staff have saved taxpayers hundreds of thousands of dollars with their water conservation efforts. Their ingenuity in implementing an automatic meter reading (AMR) system and other infrastructure improvements have relieved some drought concerns in the San Antonio area, which relies solely on the Edwards Aquifer for water.

Mr. Kiker and the Randolph Air Force Base have proven to be leaders in water conservation and environmental protection. Randolph Air Force Base has reduced its water consumption by 6.1 percent and saved over 117,000,000 gallons of water this year by reusing water, planting drought tolerant landscaping, and fixing leaky meter infrastructure.

This week, Mr. Kiker and Randolph Air Force Base will receive a 2007 Presidential Award for Leadership in Federal Energy Management for water conservation. I commend them for their success in this project and hope others will follow suit in preserving our precious natural resources.

90TH ANNIVERSARY OF THE 147TH FIGHTER WING ELLINGTON FIELD, TEXAS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. POE. Madam Speaker, in the United States, we have an incredible history, especially when it comes to our Armed Forces. Today, I want to recognize one of Houston's own, the 147th Fighter Wing/111th Fighter Squadron Texas Air National Guard out of Ellington Field, Texas. Their distinguished accomplishments during times of war and peace have made them well-known not only in Texas, but across the globe.

The 111th Aero Squadron met its beginnings at Kelly Field on Aug. 14, 1917. However, it was not until June 29, 1923, that the Squadron moved to its current location, Ellington Field. During the same year, they were designated a part of the Texas National Guard under the title of the 111th Observation Squadron, 36th Division.

Their emblem, which is one of the oldest in the United States Air Force, known as the Ace-In-The-Hole, signifies their interconnectedness to the State of Texas. Its immortal stance in Texas culture results from the grandfathering of the insignia at its inception. This motion works to prevent any future alteration to the historical design.

On Sept. 25, 1940, as the country was on the brink of World War II, the 111th became part of the federal war effort. Soon thereafter, the Squadron was reintroduced as part of the 68th Observation Group.

Following a short assignment protecting the U.S. border, they began preparations for overseas combat. During the war, their initial deployments led the Squadron to the Algerian beaches, in Operation Torch. In 1943, the 111th was chosen to take part in the Tunisian Campaign of the Army's II Corps. Later, assigned to the 7th Army in Sicily, they served as the aerial support to allied troops until the end of the war.

Respectably, this famed crew flew 3,840 missions from 1943 to 1945. While serving as the eyes of the military, they destroyed 44 enemy aircraft, damaged 20 and had 12 probable kills. Because of their valor, the 111th received eight Battle Stars, the Presidential Unit Citation as well as recognitions from the French Government.

In December 1945, they returned to Texas as the 111th Fighter Squadron. On Oct. 10, 1950, the 111th returned to battle for the Korean War. Throughout this 22-month theater, they became attached to the 136th Fighter Group. The Squadron again performed gallantly and destroyed 1,343 railroad cars, 1,943 buildings, 88 bridges, 126 gun emplacements, 89 boats, 2 MIG–15 fighters and participated in activities that resulted in 5,578 enemy troop casualties.

When foreign disagreements subsided, they were assigned to Air Defense Command on U.S. soil. Later, pilots from the Fighter Wing provided aerial support for American troops during the Vietnam Conflict from 1968–1970.

Following the events of September 11, 2001, the newly renamed 147th escorted President George W. Bush and his father onboard Air Force One back to Washington, DC. Later that year, they were deployed within the United States in support of Operation Noble Eagle.

The 147th was deployed in 2005 for Operation Iraqi Freedom and the Global War on Terror. Continuing the Squadron's noted performance during previous conflicts, pilots of the Fighter Wing flew 462 sorties, with 100 percent maintenance delivery, 100 percent mission effectiveness along with 100 percent weapons employment hits while under extremely challenging combat conditions.

Although the list of overseas wartime accomplishments for the 111th are many, so is the impact and assistance provided by the same men and women on a national level to local issues. Since 1989 the Fighter Wing pilots have utilized the C–26 Merlin to conduct counter-drug law enforcement missions throughout the area. Most recently, in response to Hurricanes Katrina and Rita, the Squadron came to aid those in this area who needed it most. These fine Americans have and continue to provide tremendous service to the United States, the State of Texas and to the communities surrounding Ellington Field.

I am proud to recognize the many accomplishments of this great group of Texas patriots. On the 90th anniversary, I would like to recognize these brave men and women for their service to the United States. I am also privileged to have served at Ellington Field in the United States Air Force Reserve, 704th TAS, 924th Troop Carrier Group, 446th Troop Carrier Wing from 1970–1976.

And that's just the way it is.

IN HONOR OF SHREVE "MAC" ARCHER III

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2007

Mr. FARR. Madam Speaker, I rise today to honor the memory and many accomplishments of Shreve "Mac" Archer III, pediatrician, race driver, inventor, and my cousin. He passed away in June, 2007 after a long battle with leukemia.

Mac was born in St. Paul, MN, in September, 1948. He moved to California and attended the University of California at Santa Cruz and Claremont Men's College, finally obtaining his medical degree in 1979 at the University of Miami, Florida. As a pediatrician in Carmel, CA, he specialized in learning disabilities, attention deficit disorder, and behavioral problems. He was well known for treating, studying, and funding programs for shaken baby syndrome and traumatic brain and spinal injuries.

My cousin was equally well known on the racing circuit as a professional motorcycle racer, and later as a vintage car racer for 20 years in his beloved "Old Bertha," a bright red Cobra 427. Steve Earle, who founded the Monterey Historic Races 34 years ago, said of Mac: "He always drove as competitively as possible, but without losing his manners. He was a gentleman and a great guy, and everyone admired his driving."

Mac combined his knowledge of medicine and racing in a most creative way. His business, Entropy Racing and Impact Medical Technologies, created safety products for cars, motorcycles, and jets. He and his longtime friend Eric Bernhard designed such items as a helmet for the U.S. Air Force that lessens the impact experienced when ejecting from jets. They patented the idea of flexible armor and created a back protector that cushions the spinal cord, which is now standard gear for motorcycle racers and is being used more and more by street riders. They designed an air bag for motorcycle helmets that stabilizes the neck in a crash, and helped to design the extractable seat now used in Formula 1 racecars. At the time of his death he was working on a child's safety car seat that would move on tracks to reduce the g-load during a crash and also protect the head.

Madam Speaker, I honor the life of Shreve "Mac" Archer III, a man who combined his work and play in such a way as to make the world a better place for all of us. I know I speak for every Member of Congress in offering our condolences to his wife, Kim, and their sons Damon and Shreve IV. His passing leaves us sad for our own loss, but grateful for the life he shared with us.

GOLF COURSE PRESERVATION AND MODERNIZATION ACT OF 2007

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, October 31, 2007

Ms. NORTON. Madam Speaker, today, I introduce the Golf Course Preservation and Modernization Act to renovate and modernize the three National Park Service, NPS, golf courses in the District of Columbia. Several years of research, investigation and consulting on ways to improve these courses demonstrate this bill is necessary to turn around the deterioration of these unique and valuable Federal assets. Langston Golf Course, Rock Creek Golf Course, and East Potomac Golf Course are in desperate need of capital investment to maintain and preserve their historic features and to reverse decades of deterioration.

East Potomac Golf Course was built in 1920 and included three courses that accommodated all levels of play, with an 18-hole tournament level course and 2 9-hole practice courses. East Potomac was initially segregated, with African Americans permitted to play only on Mondays. The course was desegregated in 1941 by the Secretary of the Interior, Harold Ickes, following pressure from an African American women golfers club, the Wake Robin Golf Club. Rock Creek Golf Course opened in 1923 as a 9-hole golf course and an additional 9 holes were added to make Rock Creek an 18-hole tournament level course in 1926. Langston Golf Course opened in 1939 as a segregated golf facility for African Americans and is listed in the National Register of Historic Places. Langston was the home course to the Royal Golf Club and the Wake Robin Golf Club, the Nation's first clubs for African American men and women golfers respectively. Langston was named for John Mercer Langston, the first African American Congressman from Virginia elected in 1888. Originally a 9-hole course, Langston's expansion to an 18-hole course began in 1955, but was not completed until the mid-1980s.

The courses were built and have been administered by the NPS since the early 20th century for the enjoyment of the general public. However, despite their best efforts, NPS has had a constant struggle to maintain the courses. None has been modernized and all three courses have fallen into disrepair and lack the amenities necessary to serve the public today. As a result, they are underused considering their value to the public.

NPS was created by Congress to ". . . conserve the scenery and the natural and historical objects and the wild life therein, and to provide for the enjoyment of the same in such a manner and by such means as will leave them unimpaired for the enjoyment of future generations." (16 U.S.C. 1) However, NPS's own backlog of repairs, its chronic funding limitations, and the continuing use of concession contracts that are inappropriate for the unique capital investment required for golf courses militate against appropriate maintenance, historic preservation and the NPS mission "to leave them unimpaired for the public enjoyment." This bill will restore the original intent of Congress, consistent with this important NPS mission.

The three courses together constitute an undervalued public asset that, if appropriately funded, could be renovated and modernized, facilitating affordable recreation, attracting significantly more golfers, and perhaps producing new revenue for the United States Treasury. Unlike other NPS facilities, golf courses require unique and continuing significant capital investment to keep them not only maintained but operational. As a result for nearly 100 years, the courses have had problems associated with upkeep and insufficient capital investment. Without a ready source for capital investment, apart from appropriations, NPS has continuously struggled to manage and maintain each of these courses since their inception. There is no prospect that the necessary Federal funds for capital investment and improvement of golf will be available today or in the future. Moreover, the current fee to play at the golf courses, as established in the concessions contract process, must remain affordable and cannot generate sufficient revenue for NPS or the concessioners to keep the courses properly maintained, or to make the capital investment required for a golf course today. In fact, NPS owes millions of dollars to the concessioner of the golf courses for necessary improvements.

General Services Administration land and real estate professionals and other experts advise that the best option consistent with Federal law and practices is to create a long-term ground lease that bundles all 3 of the courses into a single contract and then to request proposals that allow for response with ideas and alternatives for modernization and maintenance consistent with anticipated use and affordability. This bill requires that historic features of the courses be preserved and that two of the three courses remain affordable to the general public.

The confines of Federal concession law inhibited NPS and the concessioner from making improvements to the courses because Federal concession laws are incompatible with golf course operations. Historically, the constrictions of NPS concessions law have been a direct cause of disrepair and capital disinvestment, reducing the quality of play and jeopardizing the historic preservation of the courses. However, the NPS is attempting to join two of the three golf courses together for the next 7 years under a proposed concession contract that was issued on October 23, 2007. The draft contract requires only that the next concessioner be able to perform routine repair and maintenance consistent with NPS practice and the limits imposed by concession law. The draft contract does not and could not impose any requirement that capital improvements be made to the courses, usually guaranteeing that these courses will stay in the same poor condition until 2015. East Potomac was excluded from the proposed concession contract because its concession contract expires next year, not for any reason associated with maintaining and improving the courses for public use. This separates East Potomac, the only financially viable golf course from Langston and Rock Creek, the 2 that need subsidy for their operations. The effect will leave Langston and Rock Creek worse off then they are today.

This bill would exempt these golf courses from concession law and bind the three courses into one contract. This approach applies another vehicle commonly used by the Federal Government to allow for more creative solutions consistent with the NPS mission to preserve general public access and preserve the historic qualities of the courses. The single long-term ground lease for all 3 courses, designed outside of the constraints of concession law, provided by this bill would encourage private investment in these courses, improve the quality of the courses, ensure affordable play, and preserve their historic nature.

I urge my colleagues to support this legislation.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, November 1, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 5

3 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine the twenty-first century security in the Organization for Security and Co-operation in Europe (OSCE) region, focusing on challenges among member states, protracted and unresolved conflicts, shifting political and military alliances, while still confronting the threat of terrorism.

2212–RHOB

NOVEMBER 6

10 a.m.

Energy and Natural Resources

To hold hearings to examine the efficacy of the domestic energy industry, focusing on its available workforce to meet our nation's growing needs.

SD–366

Judiciary

Business meeting to continue consideration of the nomination of Michael B. Mukasey, of New York, to be Attorney General.

SD–226

2:30 p.m.
Finance
Social Security, Pensions and Family Policy Subcommittee
To hold hearings to examine the Government Pension Offset (GPO), and the Windfall Elimination Provision (WEP), focusing on policies affecting pensions from work not covered by Social Security.
SD-215

NOVEMBER 7

9:30 a.m.
Small Business and Entrepreneurship
Business meeting to markup an original bill entitled, "Small Business Contracting Revitalization Act of 2007".
SR-428A

Veterans' Affairs
To hold an oversight hearing to examine the performance and structure of the United States Court of Appeals for Veterans.
SD-562

10 a.m.
Judiciary
To hold hearings to examine the United States government enforcement of intellectual property rights.
SD-226

Rules and Administration
To hold hearings to examine the Government Accountability Office report focusing on funding challenges and facilities maintenance at the Smithsonian Institution.
SR-301

1:30 p.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine sovereign wealth fund acquisitions and other foreign government investments in the United States, focusing on economic and national security implications.
SD-538

NOVEMBER 8

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine ways to protect the employment rights of those who protect the United States.
SD-430

Joint Economic Committee
To hold hearings to examine the employment-unemployment situation for November 2007.
SH-216

2:30 p.m.
Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine S. 86, to designate segments of Fossil Creek, a tributary to the Verde River in the State of Arizona, as wild and scenic rivers, S. 1365, to amend the Omnibus Parks and Public Lands Management Act of 1996 to authorize the Secretary of the Interior to enter into cooperative agreements with any of the management partners of the Boston Harbor Islands National Recreation Area, S. 1449, to establish the Rocky Mountain Science Collections Center to assist in preserving the archeological, anthropological, paleontological, zoological, and geologic artifacts and archival documentation from the Rocky Mountain region through the construction of an on-site, secure collections facility for the Denver Museum of Nature and Science in Denver, Colorado, S. 1921, to amend the American Battlefield Protection Act of 1996 to extend the authorization for that Act, S. 1941, to direct the Secretary of the Interior to study the suitability and feasibility of designating the Wolf House, located in Norfolk, Arkansas, as a unit of the National Park System, S. 1961, to expand the boundaries of the Little River Canyon National Preserve in the State of Alabama, S. 1991, to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of extending the Lewis and Clark National Historic Trail to include additional sites associated with the preparation and return phases of the expedition, S. 2098, to establish the Northern Plains Heritage Area in the State of North Dakota, S. 2220, to amend the Outdoor Recreation Act of 1963 to authorize certain appropriations, and H.R. 1191, to authorize the National Park Service to pay for services rendered by subcontractors under a General Services Administration Indefinite Deliver Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park.
SD-366

NOVEMBER 13

2:30 p.m.
Energy and Natural Resources
To hold an oversight hearing to examine the Surface Mining Control and Reclamation Act (Public Law 95-87), focusing on policy issues thirty years later.
SD-366

HOUSE OF REPRESENTATIVES—*Thursday, November 1, 2007*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEINER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 1, 2007.

I hereby appoint the Honorable ANTHONY D. WEINER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Around Your seat of judgment, Lord God, stand our former colleagues. They are brothers and sisters to us and the Founders of this Nation. God-fearing persons, they were called by You to this place and were called "Honorable" during life here because of their public commitment to uphold the Constitution and serve the people of this Nation.

They lay the foundation upon which we build. Their heritage defines our work today. We, and the whole Nation, are indebted to their contributions that have outlived them. Now they share in the resurrected life of Your glory.

We pray that all our former Members who have completed the course, kept the faith, now receive the reward of the just.

As they believed in You and placed their trust in You to help them solve the problems and concerns of the past, so we now ask You to help us fulfill all their hopes and dreams for this Nation today and in the future.

Blessed are You, Lord God, in Your angels and in Your saints now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. HULSHOF. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HULSHOF. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Michigan (Mrs. MILLER) come forward and lead the House in the Pledge of Allegiance.

Mrs. MILLER of Michigan led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1808. An act to designate the Department of Veterans Affairs Medical Center in Augusta, Georgia, as the "Charlie Norwood Department of Veterans Affairs Medical Center".

H.R. 2779. An act to recognize the Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national museum of Navy SEALs and their predecessors.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five 1-minute requests on each side.

REAL SOLUTIONS FOR IRAN

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, 45 years ago, President Kennedy compelled the Soviet Union to remove offensive missiles from Cuba without a shot being fired. The Soviet missiles represented a true threat, but President Kennedy knew that the consequences of war were severe and that there was a viable option short of direct military confrontation.

The Iranian threat, while certainly a continuing and growing concern, cannot be compared to the danger of Soviet efforts during the Cold War. The President's perceived rush toward the possibility of military conflict with Iran highlights the executive's inability to find real solutions to preventing Iran from developing nuclear weapons or supplying weapons to our adversaries in Iraq. We must exhaust every economic and diplomatic opportunity before even considering a military response.

This administration has reduced our leverage around the world, but there is still time to build an international consensus around this issue. Congress has a constitutional responsibility in this debate. I hope Members will urge the President to take the moral high ground and deal with Iran through international pressure, not unilateral action.

KEEP OUR CAMPUSES SAFE

(Mr. TIM MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, this week Education Secretary Spellings released guidelines to clarify the Family Educational Rights and Privacy Act, but the current law does not go far enough to keep our campuses safe. Schools need to be able to talk with parents when they think a student is at risk for violence without fear that they are going to be sued. That is why I introduced H.R. 2220, the Mental Health Security for Families and Education, or the Mental Health SAFE Act, to allow universities to notify parents if a student is at risk of suicide or homicide or assault, while holding schools harmless if they act in good faith. Schools should be focused on the safety of students, not fear of being sued if they do take action or sued if they don't take action. We need a law to protect students and parents.

It is too late for Virginia Tech; it is too late for the many students who commit suicide or homicidal acts each year. It is not too late for other campuses. I ask my colleagues to please cosponsor the Mental Health SAFE Act. Let's work together to save lives.

ACCOMPLISHMENTS IN THIS CONGRESS

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute.)

☐This symbol represents the time of day during the House proceedings, e.g., ☐1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to set the record straight. This administration has accused Congress of being a "failure," and that is simply not true. I think the President has this Congress confused with last year's "Do-Nothing Congress." This Congress has successfully passed numerous pieces of legislation that have been supported by the majority of the American people and the President has signed into law.

We passed, for example, H.R. 1, to implement the 9/11 Commission recommendations and to provide greater protection for first responders and security for our country. We have raised the minimum wage, improved our economic competitiveness, and enacted the College Cost Reduction Act. I am particularly proud of this law, which increases funding for Federal Pell Grants by more than $11 billion and will make college more affordable for low-income students.

And then of course there is SCHIP. This Congress has bent over backwards to address concerns about the legislation, and yet this administration continues to oppose health care for our Nation's most vulnerable children. I am proud to go home this weekend and tell my constituents about what this Congress has done.

A SAFER WORKPLACE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, Secretary of Labor Elaine Chao recently announced that the rate of workplace injuries and illnesses declined in 2006. This marked the fourth consecutive year America has seen a decrease in injuries.

The decline in injury and illness comes as we continue to see an increase in the number of American workers. Even with an increase in the number of opportunities for potential accidents, we have seen a decline.

I want to commend the Occupational Safety and Health Administration, in particular my long-time friend and fellow South Carolinian, OSHA Director Ed Foulke, for the great strides they have made in ensuring that American employers and employees can do their jobs safely.

We must remain vigilant to potential workplace dangers. A safe and healthy workplace not only protects America's hardworking men and women; it also supports our strong and growing economy by creating more efficient and productive industries.

In conclusion, God bless our troops, and we will never forget September 11th.

COMMENDING DANIEL JACOB WOODHEAD

(Mr. SMITH of Nebraska asked and was given permission to address the House for 1 minute.)

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to commend an outstanding student athlete, Daniel Jacob Woodhead, senior tailback for the Chadron State College Eagles, who shattered the NCAA all-division record for career rushing yards on October 6, 2007. On that day, Danny carried the ball 34 times for 208 yards, bringing his career rushing total to 7,441 yards, and has added 114 yards since.

He also holds the NCAA all-division record for most rushing yards in a season at 2,756 in 2006 and has 19 games in which he gained 200 yards rushing or more, a record in itself.

Danny is a First Team Academic All-American, a consensus All-American, and recipient of the Harlon Hill Trophy, awarded to the outstanding player of the year in NCAA Division II football.

I commend Daniel Jacob Woodhead who, through his outstanding achievements of distinction, has brought great honor to himself, his family, his coaches and teammates, Eagles fans, Chadron State College, and the State of Nebraska.

LOW WATER LEVELS IN THE GREAT LAKES

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute.)

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to call the attention of the Congress to a very serious problem that is affecting our magnificent Great Lakes, and that is historic low lake levels.

Just as we are seeing low lake and water levels around other parts of the country, the Great Lakes, which, remember, comprise actually one-fifth or fully 20 percent of the fresh water supply of the entire world, are losing water at alarming rates. And these low lake levels are having a significantly negative impact on millions that live in the Great Lakes Basin who make their living on the lakes or simply use them to recreate on.

For example, millions of recreational boaters are running aground or they can't keep their boats in marinas. Lake freighters are not being able to load up the way that they need to because the low lake levels are causing untold millions of dollars of losses for the shipping industry, and the very fragile environmental habitats of many species of fish and waterfowl and other species have been negatively impacted as well.

Mr. Speaker, much of what is happening to the Great Lakes can be attributed certainly to weather changes. We have had some warmer winters. Therefore, you have less ice cover so evaporation is occurring all year long.

As this Congress considers funding for other national environmental treasures, let us remember our magnificent Great Lakes.

RETAIN FUNDING FOR THE COMMODITY SUPPLEMENTAL FOOD PROGRAM

(Mrs. MUSGRAVE asked and was given permission to address the House for 1 minute.)

Mrs. MUSGRAVE. Mr. Speaker, because it is taking longer than it should to complete the people's business and the Agriculture appropriations bill is getting further delayed by political wrangling, I am compelled to petition Speaker PELOSI to focus on a Federal food bank program that is very important to my Colorado district.

I have asked the Speaker to retain funding for the Commodity Supplemental Food Program. This program was established in the 1960s and effectively and efficiently provides low-income elderly individuals and pregnant women basic food assistance. However, in recent years, Presidents Clinton and Bush have proposed the elimination of this program, despite the objections of many, including me.

The importance of the Commodity Supplemental Food Program funding was made clear to me during the August work period when I visited the Weld County Food Bank. This food bank is one of seven in Colorado that utilizes this funding, and it serves nearly 20,000 residents in my district.

This food bank program and the Agriculture appropriations bill are vital to Colorado. Please retain funding for this program, and do so without further delay.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 24, 2007.

Hon. NANCY PELOSI,
The Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 24, 2007, at 7:49 pm:

Appointments: United States Commission on International Religious Freedom and Advisory Committee on Student Financial Assistance.

With best wishes, I am,
Sincerely,
LORRAINE C. MILLER,
Clerk of the House.

□ 1015

PROVIDING FOR CONSIDERATION OF H.R. 2262, HARDROCK MINING AND RECLAMATION ACT OF 2007

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 780 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 780

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2262) to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 2262 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 hour.

Ms. MATSUI. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. MATSUI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 780.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 780 provides for consideration of H.R. 2262, the Hardrock Mining and Reclamation Act, under a structured rule. The rule provides 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. It also makes in order an amendment in the nature of a substitute reported by the Natural Resources Committee.

Mr. Speaker, I rise today in support of this rule and the underlying legislation. My home State of California is what it is today because of the business of mining. When James Marshall discovered gold in the American River in my area more than two centuries ago, California was not yet a State.

The economic boom that followed the discovery of gold helped to remake the West. It infused our young Nation with renewed energy and capital. It began one of the most well-known episodes in our country's history: the Gold Rush.

Without mining, the City of Sacramento, which I represent proudly, would probably not be the capital of the largest State in the Union. Without mining, States like Nevada and Utah would be without the economic basis upon which they are now growing. Without mining, the western half of the United States would be a different place.

But in the West, Mr. Speaker, we have more than hardrock minerals. We also have rivers, streams, mountain ranges, and millions upon millions of people. These are natural resources just like gold and silver, and they must be protected from environmental harm.

Unfortunately, the law that currently governs mining operations is extremely outdated. It was signed by President Ulysses S. Grant. This was during the time when miners used shovels and pickaxes. Now, huge machines and industrial equipment are the tools of the mining trade.

Times have changed, Mr. Speaker. In the year 2007, we recognize that the term "natural resources" includes more than what we extract from the Earth. Its definition now encompasses the whole environment in which we live, from the water we drink, to the land we farm, to the air we breathe.

All Americans have a stake in preserving this environment, Mr. Speaker, and mining companies should contribute their fair share. However, they currently enjoy access to Federal land that no other industry does, not natural gas, not oil shale, not coal.

Under the 1872 law, mining companies pay next to nothing to extract metal from publicly owned lands. American taxpayers foot the bill for the extensive environmental remediation that many abandoned mines require.

Other old mines simply never get cleaned up. They sit empty and vacant, leaching chemicals into groundwater, polluting watersheds, and posing safety hazards for the public. After 135 years' worth of this subsidy, it is long past time for mining companies to pay their fair share.

This bill received 3 subcommittee hearings and a full committee hearing that stretched over 2 days. The rule makes in order 7 total amendments, 5 of which are Republican.

This legislation has been considered and debated in the best tradition of the U.S. Congress. It is good environmental policy in the very same tradition. It is also good social policy. The bill also takes into account industry concerns and provides economic assistance to mining communities. One-third of the revenue created by this bill will go to a community assistance fund to help mitigate the social and economic impacts of the legislation.

Mr. Speaker, my hometown of Sacramento grew up around a place called Sutter's Fort. It was originally built to be a base for agricultural trade. The discovery of gold in the foothills northeast of Sutter's Fort changed its history and the history of our Nation forever. Because of gold, what was once Mexican territory soon became our 31st and most prosperous State.

Mining has left a permanent imprint on this country. Yes, it has led to increased economic gain and the development of the western United States. At the same time, it has had negative impact on our public lands. As Members of Congress, we are stewards of this Federal land. We have the responsibility to update our laws so that the mining industry helps ensure that our public lands and natural resources are preserved for future Americans.

I urge my colleagues to support the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to this rule and to the underlying legislation which imposes an 8 percent gross tax on all new mining claims made on Federal lands and will cause a significant reduction in domestic mineral production and future mining investments in the United States of America.

I do appreciate the lip service that the Democrat majority regularly pays to making America the top-ranked nation in the world on a number of fronts. However, after managing over what will surely rank as the least effective Congress in recent memory, I am surprised that there isn't more disappointment on their side of the aisle with this legislation because this bill fails to set new global standards for the highest tax on mining on the planet; it merely matches Germany's, which already holds the world record for the highest mining tax at 8 percent of gross receipts. Once again we see the new Democrat majority trying to equal what is done in the United Kingdom and across Europe, including Germany.

In the Committee on Natural Resources hearing held on this matter on October 2, James Cress testified: "I am only aware of a single royalty that is as high as the royalty proposed in this bill, just one in my 20 years of practice. An 8 percent royalty would really be ruinous."

I suppose that neither Mr. Cress nor anyone watching this debate should be surprised, though. In what will surely go down as the least-productive Congress in recent history, this new Democrat majority has failed for the first time since 1987 to even send a single appropriations bill to the President for his approval by this point in the year.

This is the same Democrat majority that recently set another record of dubious distinction, a record for the most legislative "busy work" with the least amount to show for it. Since the beginning of this Congress, Members of this House have voted on over 1,000 roll call votes with just barely a tenth of those bills having been signed into law.

And of the 106 bills that have actually made it to the President's desk, 46 named post offices, courthouses, or roads; 44 bills were noncontroversial measures sponsored by Republicans or passed with overwhelming GOP support; and 14 bills extended preexisting public laws or laws passed during the Republican-led Congress.

Mr. Speaker, I understand that with a track record as abysmal as this, the Democrat majority is eager to put just about anything on the floor in the hopes of claiming any kind of legislative victory. Unfortunately, the policies included in this legislation are quite simply wrong for America that will jeopardize the current and future domestic sourcing of minerals that are critical to our Nation's economic wellbeing and security.

In addition to imposing the world's highest royalty on mineral production, this legislation would also retroactively levy a 4 percent gross royalty on existing mines where business plans and investments have already been made without accounting for this after-the-fact cost. This provision, which is of doubtful legality but is doubtlessly unfair, is the legislative equivalent of one party changing the terms of a contract after it has already been signed. I believe that the Federal Government abusing its power to change the negotiated terms of these agreements is simply unfair, and I oppose it.

I also disagree with the inclusion of several provisions in this legislation that would empower political appointees to stop new mining projects even after these projects have met all applicable environmental and legal requirements.

No industry can or should be expected to operate with such regulatory uncertainty, and the net effect of all of these provisions will simply be to encourage companies to take their business overseas.

Mr. Speaker, I oppose this rule and the underlying legislation that harms the domestic American mining industry.

Mr. Speaker, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 6 minutes to the gentleman from California (Mr. COSTA), the Energy and Mineral Resources Subcommittee chairman.

Mr. COSTA. I thank the gentlewoman from California (Ms. MATSUI) for yielding me the time.

Mr. Speaker, let me first thank the Rules Committee for their cooperation and assistance in bringing this bill to the floor today. Mr. Speaker, I think there are many reasons why we should support the rule proposed for H.R. 2262. Most important among them is what I believe is a sound, solid legislative process that has led to the amended version of H.R. 2262 that we have before us today.

Now, with deference to my colleague who just spoke, let me be clear that the process has worked. Proper order has been followed. We have worked on this issue for most of the last 10 months with the subcommittee that I chair, the Subcommittee on Energy and Minerals on Public Lands.

The Subcommittee on Energy and Minerals on Public Lands has the jurisdiction to provide a balance. This balance we talk about often in the subcommittee. It is a challenging balance because on the one hand we are to protect and preserve the natural heritage of our Nation's public lands for all of our citizens to enjoy in perpetuity, and to ensure that those public lands remain available for all generations of future Americans to benefit from.

□ 1030

There are many numerous ways in which we benefit from them. We know historically that those public lands have played a very meaningful role in our Nation's development, and it's that balance.

In this case, the subcommittee knows that the energy and the mineral developments that took place in the 19th and the 20th century were key and critical to the development, economically, of our Nation, and they also had obviously a very important role in the social development as well because if it were not for the discovery of gold in the 19th century in California and the opportunities that discovery brought forth, as in all the other minerals and energy that have been discovered on public lands in the 19th and 20th century, we would not have seen the opening of the West.

So, therefore, our subcommittee and the members on the subcommittee are very mindful of the fact that we have this dual role: balancing the resources that provide important energy and minerals to our Nation's wealth and at the same time preserving and protecting those same public lands to ensure that, in fact, they will be available for future generations of Americans to come.

And, yes, one other thing, when those public lands are being used in that dual role, since they belong to all Americans, that, in fact, all Americans are able to derive some benefit of the wealth that is derived from the utilization of those public lands for either mineral resource or for energy development because, remember, these lands belong to all Americans, unlike private holdings.

So when I took over the subcommittee chairmanship early this year, this issue clearly was going to be one of the issues that Chairman RAHALL wanted to address. Why? Well, for two decades, Chairman RAHALL has attempted to reform this law. This is not a new issue. Let's be clear about this. This is no rush to judgment of some issue for the sake of having an issue on the floor.

The mining law that was put together in 1872, signed by then-President Ulysses S. Grant, has not been changed, modified in shape or form since President Ulysses Grant signed it into law in 1872.

Back in the late 1970s and 1980s, Chairman RAHALL, Congressman RAHALL from West Virginia, a person who has a great deal of mining that takes place in his own district, came to this issue and wanted to make necessary changes for all the right reasons. As I took over the subcommittee chairmanship early this year, we decided we would build on that record and that effort of Chairman RAHALL.

In response to complaints, the minority has raised about having more hearings on this measure, let me tell you about the good work that the subcommittee and the committee has done.

The Subcommittee on Energy and Minerals, we've held four hearings this year on H.R. 2262, the 1872 mining law. Two of them, one in Elko, Nevada, with Members of both parties well-represented and Senator REID, the other one in Tucson, Arizona, provided valuable opportunities for local input from community citizens. In total, we have heard from over 33 witnesses in two field hearings and a multitude of hearings here in our Nation's Capital. We have done what you're supposed to do in the process. We've listened. We've made changes.

Those hearings led to significant improvements in the bill, improvements supported by both the conservation community as well as the mining industry. That's not to say that everybody has gotten everything they want because, of course, that never happens in this process. No bill will ever be perfect on all sides, but this is a bill that has had thorough vetting and due, some would say past due, for all the attention this matter has gotten over two decades.

I would also note that there's a long history as it relates to the mining law reform, the history that really predates this legislation, as I noted.

So I think it's important to understand that we have taken into account over the last two decades hearings that have been held in the following States: Nevada, Colorado, Washington, Oregon, Idaho, and Alaska, all States in which mining is of critical importance.

In short, the need for mining law reform is not a new issue. It's one that has extensive legislative history. The flaws of the current law are well-debated and analyzed.

I appreciate the leadership's interest in H.R. 2262 and Chairman RAHALL's leadership and look forward to the debate on the amendments before us.

Mr. SESSIONS. Mr. Speaker, at this time I yield 6 minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, I come from northern Illinois, an area that has over 2,500 factories. I've spent about three-fourths of my time in Congress dealing with manufacturing issues and traveled the world working on different projects that have different processes, and this bill is really, really bad for people who are interested in keeping manufacturing jobs in the United States. Therefore, I rise in opposition to the rule governing the Hardrock Mining and Reclamation Act of 2007.

Twenty-six amendments from both Democrats and Republicans were submitted, but only 7 were approved for the House for debate for 10 minutes apiece. The bill proposes to make huge changes to an important sector of our economy, and the bill, therefore, deserves more than a little over 2 hours of debate.

If the underlying bill is enacted as currently drafted, it poses an unacceptable threat to the health of our manufacturing and defense industrial base. Without agriculture, mining and manufacturing, we become a Third World Nation.

U.S. mining operations provide approximately 50 percent of the metals needed by American manufacturers. Everybody in Congress, Mr. Speaker, interested in manufacturing needs to listen to this, because if this bill passes, this makes us more dependent upon China to get our minerals for manufacturing.

Many of these minerals, gold, silver, copper, platinum, molybdenum, beryllium, titanium, zinc, magnesium and nickel are used in manufacturing applications from industrial motors to satellites. Thus, the core of our industrial minerals is what we're discussing today. Over the past few years, the cost of these raw materials has gone through the roof. We're putting the viability of our manufacturers in America at stake.

When I chaired the Small Business Committee, I held two historic hearings on the spike in metal prices and what it means for manufacturers, both large and small. No one recommended at those hearings that we should make it more difficult, and thus more expensive, to mine in the United States.

Many of the alternative sources of these minerals are also located in countries that are not close allies of us. Many of these minerals are also critical for the production of defense equipment. I'm concerned that we may find that just as America's energy security is largely dependent on the goodwill of OPEC, our national security will be largely dependent on China's goodwill as we compete for the metals and rare Earth minerals that feed our defense industrial base.

Over half of the high-end magnet production that contains aluminum, nickel, and cobalt comes from China, and 100 percent of the rare Earth minerals used in magnets is found in China. The magnets are used in advanced missile guidance systems such as JDAM.

I'm not aware of anybody that has claimed that the increased regulatory burden, an 8 percent gross income royalty interest in new production and a 4 percent increase on retroactive production, will help to improve the domestic supply of minerals or help lower their costs.

Our manufacturing workers are the best and most productive workers in the world. They have been beset by cheap labor overseas, rising energy costs, unfair trade practices. And now this Congress, this Congress, Mr. Speaker, will make it more difficult for the American worker to keep his job in manufacturing because this Congress will make the raw materials so expensive that what will happen, the U.S. mining companies may go out of business, and then we will be totally dependent on foreign countries to keep up the mineral supply for our manufacturing base.

This is an issue that if you vote "yes" on this rule, if you vote "yes" on the bill, it will destroy America's manufacturing jobs. Maybe I get too passionate when it comes to protecting America's manufacturing jobs. I've visited hundreds and hundreds of factories throughout the world to make sure that the United States is way out front in technology and innovation, and in fact, when I hear so much talk going on on the other side of the aisle about innovation, about competitiveness, then you come right back and the very feedstock for American manufacturing you want to tax out of business.

Mr. Speaker, this is a bad bill for American workers. This is a bad bill for American workers. This is a bad bill for American workers because it says let's just tax the minerals you need to make things that go out the door out of business. You might as well put another tax on natural gas. In fact, the Democrats did the same thing by taking away the tax break for exploration of natural gas, which is 80 percent of the feedstocks for plastics.

And so here we are again, this Congress destroying American manufacturing jobs. Vote "no" on the rule and "no" on the bill.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Arizona (Ms. GIFFORDS).

Ms. GIFFORDS. Mr. Speaker, I rise today in strong support of the Hardrock Mining Reclamation Act. Long overdue, the time for mining law reform has finally arrived.

The 1872 mining law was enacted 40 years before Arizona was even a State. At that time, it encouraged the development and the expansion of the American West. My district of southern Arizona had a town of Bisbee that during the turn of the century actually had its own stock exchange and was the largest community from St. Louis to San Francisco. The copper star on the State of Arizona's flag symbolized the importance when we achieved statehood of the copper industry.

However, times have changed. Today's West now depends on the health, as well as the conservation, of our fragile environment as much as it relies on mining.

H.R. 2262 is a solid first step. It provides impact assistance to mining communities and establishes a practical and a modern approach to reclaiming and restoring the land as well as water resources.

As this legislation progresses, I further encourage Members to look specifically at the royalty provisions. We do not want to undermine the financial viability of U.S. mining. Our modern, high-tech economy continues to depend on minerals, and this is the importance of making sure that we have a hardrock mining industry that is strong and able to supply all of these minerals.

I commend Chairman RAHALL for his work. I commend Chairman COSTA for crafting a new mining law that reflects modern values, as well as goals that benefit taxpayers, the public lands, as well as the mining industry.

This is an important piece of legislation, long overdue; and I encourage Members on both sides of the aisle to support it.

Mr. SESSIONS. Mr. Speaker, you know, we hear it here again, every single member of the new Democrat majority talking about their desire to tax, a new tax of 8 percent on this industry which has been described as the final death nail which will disseminate the remnants of an already sadly diminished domestic mining industry, and here we go, tax them at 8 percent, put the death nail in.

Mr. Speaker, I yield 5 minutes to the gentleman from Nevada (Mr. HELLER).

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Mr. HELLER of Nevada. Mr. Speaker, I rise today in opposition to the rule for H.R. 2262.

The State of Nevada is the fourth largest gold producer in the world, ranking behind South Africa, Australia and China.

But this bill is bad for Nevada, bad for this important industry, and bad for the families that I represent. Who here doesn't think that China wouldn't love to immediately see these jobs moved overseas? Who doesn't think that South Africa would like to see these foreign investments moved to their country, and who here in these Chambers doesn't think that Australia would love to see mineral exploration move from the United States to their country?

This legislation hurts, perhaps even kills, the domestic mining industry and, with it, the towns and communities in northern Nevada and western rural America.

The proposed royalty structure, this new tax, would levy a new 8 percent gross royalty payment to this industry, all this despite the fact that not one witness testified before the House Natural Resources Committee in favor of it. Let me repeat that. Not one witness came before the committee to testify in favor of it.

This untried, untested, new tax would hardly bring funds to the Federal Treasury, because when mining communities are decimated, there will be no royalties to collect. Everybody knows that 8 percent of nothing is still nothing.

I offered an amendment at the Rules Committee that was ruled out of order because of fuzzy math that my colleagues used to enforce PAYGO. That amendment replaced the 8 percent gross royalty tax with a more modest 5 percent net proceeds of royalty. This amendment is good for three reasons.

First, the net proceeds system is modeled after Nevada's proven and successful program. Why reinvent the wheel and ignore a model that encourages production rather than jeopardizes it?

Second, a net proceeds system provides flexibility for the mining operation when commodity prices are down. This protects the good jobs in rural communities like Elko, Eureka, Lander, Humboldt, White Pine and other counties in Nevada.

Third, my amendment would help prevent significant revenue and job losses for States. Their proposed 8 percent gross royalty, this new tax, will cripple States like California, Nevada, Arizona, Colorado, New Mexico, in addition to exporting our jobs overseas.

But somehow, CBO scoring my amendment at zero somehow runs afoul of PAYGO rules. The majority party seems to want to waive this in every other circumstance.

This bill, this rule, is simply bad policy, unless you want the mining industry to suffer. If passed into law, the effect will be to hurt the mining industry in the same way we have hurt the automobile industry, the same way we have hurt the steel industry, the same way we have hurt the seafood industry in coastal regions or, perhaps, the textile operations in the Southeast.

I urge my colleagues to oppose destroying State budgets, oppose job loss in rural communities, and oppose the decimation of our domestic mining industries.

Oppose the rule on H.R. 2262.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Speaker, having, as I said, held extensive hearings on this issue over the last 10 months, I think it's important that we respond to the comments that were made from my good friend, the gentleman from Nevada.

We did have witnesses who testified on the issue of royalty. We had several witnesses that indicated that an 8 percent royalty would not be unreasonable, some even said perhaps too low.

Taxpayers for Common Sense actually urged a higher rate. James Otto, a royalty consultant to governments around the world, stated that he would normally counsel a country to impose a gross royalty of between 2 and 5 percent. However, he did say that a proposed 8 percent might not necessarily be too high. Why? Because a depletion allowance, depletion allowance, which is a tax break, enjoyed by the hardrock mining industry in the United States is significant.

Mr. Otto pointed out that the depletion allowance works like a negative royalty. Perhaps only four countries in the world offer such a lucrative tax break, in this case, to our mining industry. This would be offset by a potential 8 percent.

A Congressional Research Service witness indicated that royalties for oil and gas and coal operators in the United States, and we want to keep these oil and gas and coal operators doing their good work, is 8 percent and more in some cases. Therefore, the fact that no royalty is charged, I think, needs to be taken into account. After all, these are public lands. No one wants to put the hardrock mining industry out of business. Nevada does a wonderful job, and we want to keep all those operations that are good stewards of the land in business.

This is fair, it's equitable, and it's what's taking place in other countries. I think it's important that we note that.

Mr. SESSIONS. Mr. Speaker, day after day we come down to the floor and we hear about all the new taxes, all the new rules and regulations, all the things that have to take place by this new Democrat majority, but I think we fail to recognize that what happens is that when you tax something, you get less of it. When you put more rules and regulations on something, less good things happen.

In this case, we are going to have an 8 percent tax on the industry; 4 percent tax on the new operations, 4 percent tax on the existing operations. The overwhelming indication that we have is that it will make us look more like Europe, and we are told that's a good thing, I guess.

The bottom line is that we spend a lot of time gnashing our teeth together trying to talk about jobs in country. Just yesterday, the Rules Committee, after we had done this bill, we had a trade adjustment assistance bill. We tried to bend over backwards, which some of it I do support, trying to make sure that those workers who have lost their jobs as a result of world competition in trade and manufacturing, that we do all we can do to help these employees who lost their job.

Yet the very next bill is this bill that literally will decimate workers' jobs in the West. I am sure what we will do is in a few years we will come back and say, oh, my gosh, we just can't compete. Let's now give them what we just did yesterday, trade adjustment assistance. It just keeps going on and on and on.

I suggested yesterday, will suggest today, let's not tax this. Let's not tax this industry for the benefit of the government. Let's let the industry be healthy. Let's let the industry compete globally. Let's let this industry provide those necessary and needed resources, precious metals and precious resources to the development and the benefit of the United States of America, including our United States military.

Let's not tax this at 8 percent so that we allow manufacturing not to have to go overseas to get those precious, hard metal products that they need to ensure that manufacturing is taken care of in this country. Let's not tax this industry to where it decimates it, to where there are no jobs in this country, to where America has to seek these precious metals and hard metals overseas.

We believe that what you have got today is a circumstance where the new Democrat majority can't wait to tax this industry at 8 percent, which will see the industry go into demise. We think that is an obvious plan that they have had. They didn't just pull this out. This is something that they have had, been working on a long time.

The Republican Party opposes this new tax. We oppose the diminishment of the industry. We oppose what will eventually happen as a result of American manufacturers having to go overseas to seek new markets, many times countries which are not close friends and allies of the United States. We see a day when we will not only lose jobs but will be held hostage for the precious minerals that we need, which will provide not only our country the things it needs but perhaps the military and our industrial complex with the things that will keep America strong.

We oppose this bill. I believe that what you have heard today is not only Members state that equivocally, but we will continue to say to the Members who are listening to this argument, please vote "no" on the rule, and please vote "no" on the bill.

Mr. Speaker, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 6 minutes to the gentleman from West Virginia, chairman of the Committee on Natural Resources, Mr. RAHALL.

Mr. RAHALL. I first thank the gentlelady from California (Ms. MATSUI) and the Rules Committee for fashioning a rule today which provides for a free and open debate on a historic measure, refining the Mining Law of 1872.

I thank the gentleman from California (Mr. COSTA) who has so ably taken the reins of leadership on the Subcommittee on Mines and Minerals, a subcommittee I once chaired over 20 years ago. We had extensive hearings at that time across the country, including in Alaska. And the gentleman from California has conducted himself in the same fashion and with the same knowledge of this bill. I certainly thank him for his help.

This legislation, it should be noted, is sponsored by, or, rather, enjoys the support of a number of Members from both sides of the aisle and from all political persuasions. It should be noted that Members from mining States affected by this legislation support this bill, including the gentlelady from Arizona (Ms. GIFFORDS), who just spoke.

The rule does make a number of amendments sponsored by Members from the other side of the aisle in order that touch upon key features of the legislation. Indeed, the Rules Committee was very generous, extremely generous to the other side.

We are going to have a vote on the amendment today that will continue the 19th century practice, for example, of giving away mineral-rich public lands, the deed of which lies with all American citizens, for $2.50 an acre. That is an amendment that we will debate at the proper time. I say to my colleagues that this is not a Democrat or a Republican issue. It is a nonpartisan issue. It is bipartisan. Indeed, similar legislation has passed this body, not this Congress, but previous Congresses, by large, overwhelming margins.

We are dealing with a law that has been relatively unchanged that was enacted when Ulysses S. Grant resided in the White House. Union troops still occupied the South. The invention of the telephone and Custer's stand at Little Bighorn were still 4 years away.

In 1872, Congress passed a law that allowed people to go on to public lands in the West, stake mining claims, and if any gold or silver were found, mine it for free or to purchase those claim mine lands for as little as $2.50 an acre.

Let me speak for a moment on the process leading up to our consideration of this matter; a fair process, I might add. The genesis of H.R. 2262 dates back to 1879, 7 years after the enactment of the mining law of 1872. At that time, Congress created the first major public land commission to investigate land policy in the West. One of its major recommendations included a thorough rewrite of the 1872 law, which, even then, was believed by many to undermine efficient mineral development.

Several decades later, in 1908, President Roosevelt created the National Conservation Commission to study Federal land policy in the West, and it, too, made a number of recommendations for reforming the mining law.

Again, in 1921, a committee appointed by the Director of the Bureau of Mines recommended a series of reforms developed in concert with mining industry representatives interested in improving the mechanics of the law. Following this effort, the next call for reform came at the onset of World War II, when then Secretary of the Interior, Harold Ickes, endorsed a leasing system for hardrock mining.

In 1949, the Hoover Commission recommended a series of changes to the mining law. This effort was succeeded by the President's Materials Policy Commission in 1952, which also recommended revisions, including placing hardrock minerals under a leasing system.

Once again, the criticism centered on inefficiencies in mineral development caused by the law. Beginning in 1964 and 1977, Congress went through another period of debate on the mining law reform until 1977, when efforts collapsed.

In 1985, this gentleman from West Virginia became Chair of the Subcommittee on Mining and Natural Resources, and delved into the matter. I conducted a large number of hearings, including in four western States. It was not until 1992 that I brought a bill to the House floor for consideration.

Following that effort, on November 18, 1993, the House passed my bill by a vote of 316–108. Unfortunately, during that 103rd Congress, a House-Senate conference committee on mining law reform was unable to reach a final agreement.

We were then shut out, locked down on the consideration of any meaningful mining law reform during the 12 years of a Republican majority in this body. This Congress, the gentleman from California (Mr. COSTA) became the chairman of the subcommittee that I once chaired and took up the reform banner. He held a number of hearings, took testimony from 33 witnesses, and subsequently, the Committee on Natural Resources marked up H.R. 2262.

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Subsequently the Committee on Natural Resources marked up H.R. 2262 over one 2-day period and considered countless Republican amendments. Nobody was denied their ability to offer amendments. I repeat: Nobody was denied their ability to offer amendments.

The legislation considered at the time was offered to Members and their staffs well ahead of time for ample dissection. I will stack this record up to anyone's with respect to the consideration of the bill by this body. Again, I defend our process as fair, as accountable and as transparent as a process can be in the House of Representatives, just as this legislation is worked and drafted in the same manner.

I urge adoption of this rule and the underlying bill.

Mr. SESSIONS. Mr. Speaker, we understand this meaningful reform that's going on, a new 8 percent tax on the industry. We get that. The Republican Party understands that there will be a loss of jobs, loss of manufacturing base in the United States of America. And we know that that's part of the meaningful reform that the new Democrat majority wants and expects. This is not a new subject: taxation, spending at record levels that are taking place by this new Congress, combined with an incredibly poor record on efficiency for the bills that will be signed into law.

That's why the President of the United States has issued his administrative policy from OMB that says they're not going to sign this bill; they're not going to sign this into law because of the loss of industry jobs, the lack of competitiveness that the United States of America will have with hard metals, and the high taxation that would be imposed that will kill the industry.

We get it. Perhaps that's meaningful reform to the Democrat Party. That's loss of jobs, lack of ability for America to be competitive with the world and high taxation. And that's not our idea of good reform.

Mr. Speaker, at this time I would like to notify the gentlewoman from California that I have no additional speakers at this time, and so I will reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Mr. Speaker, I rise today in support of the rule for H.R. 2262 and the underlying legislation in hopes of reforming the 1872 Mining Law.

Chairman RAHALL has been working toward this goal for many years, and I have tremendous respect for the expertise and dedication he has brought to this effort. I offer this support, though, with some reservations about the bill.

I favor cleaning up abandoned old mines, and we have more than our fair share in Colorado. And we need funding to achieve this worthwhile goal.

But I am concerned that generating this revenue by an 8 percent royalty may defeat the purpose of the bill. If mining moves offshore, which some economists tell us could happen, we won't have any mining from which to collect the royalties.

And I'm also concerned about the thousands of jobs, of high-paying manufacturing jobs, that are generated by mining.

We need to reform this old law. It's way overdue. I reiterate my support for this legislation, which has many, many positive attributes and is a good step towards reforming the law. But let's be sure we don't create one problem while we are solving another.

I urge my colleagues to support this bill.

Mr. SESSIONS. Mr. Speaker, we will continue to reserve our time.

Ms. MATSUI. Mr. Speaker, I'm the last speaker on this side, so if the gentleman would like to close.

Mr. SESSIONS. Mr. Speaker, I appreciate not only the debate that's taken place today, but also your demeanor in this wise consideration. I appreciate the gentleman from New York very much.

Mr. Speaker, what we're debating here today is yet another opportunity for the new Democrat majority to raise taxes in this country, to put consumers at a disadvantage, and to raise more money for their Big Government plans and programs that they have.

New taxation is not something that is new to the Democrat Party. That's their mission: grow the size of government, to tax people.

What's interesting today is the debate that has taken place about the words "meaningful reform" that were necessary to justify the taxation that will take place.

The Republican Party opposes this bill. The Republican Party opposes new taxation. The Republican Party recognizes again today that we know that market forces will come into play yet again today, not only to further diminish this industry, which, by and large, is located in the west of our country, which means a loss of jobs in the west, which means that it will diminish, not only the few jobs that remain, but will make America in a less competitive circumstance as related to the marketplace of the world.

But what we've heard today that has been just very interesting were remarks by the gentleman from Illinois (Mr. MANZULLO) where he talked about his knowledge of what the manufacturing base of this country needs, and that is, many times, the hard minerals that are directly affected by what this bill will do.

Raising taxes means that there will be less opportunity for people to go and mine these operations because the cost efficiency as it relates to the world marketplace will not be available to those companies. So what will happen is there will be a new taxation, this 8 percent tax. There will be a diminishment of the mining industry in America, and then there will be those people who utilize those raw materials, they still have a need to produce the products which they need, which many times are not only in the best interest of the United States of America, but also to produce products that will help the United States military and our infrastructure who now will have to go overseas to do business with countries that are not exactly our closest of friends and buy their products.

So once again, what we see is a philosophy that is followed by the Democrat Party, not just the new majority of the Democratic Party, but an old philosophy that, let's go and find a way to reform an industry and to tax them out of existence, to lose jobs in this country to where we have to come down to the floor and beg for further government assistance to take care of people, and then we whine and moan about the jobs that have been lost overseas and how this had something to do with trade.

Well, Mr. Speaker, yesterday in the Rules Committee, we had an opportunity, the gentleman, Mr. DREIER from California; the gentleman, Mr. DIAZ-BALART from Florida; the gentleman, Mr. HASTINGS from Washington; and myself and we said, why don't we do something that would be proactive to keep jobs in this country. Like, let's not do things that would put us at a disadvantage. Like, let's do things like lower taxation, for instance, with depreciation policies, tax policies that would allow us to be on an even footing with other countries who we compete with.

That fell on deaf ears, Mr. Speaker. It fell on deaf ears because, really, what this is about is getting more money to run this Big Government policy that the new Democratic majority wants to put in place.

We recognize that what's happening is that at this time we have a log jam of all these bills as they try and get to the President's desk.

Mr. Speaker, I will be asking Members to oppose the previous question so that I may amend the rule to have Speaker PELOSI, in consultation with Republican Leader BOEHNER, immediately appoint conferees and move forward on H.R. 2642, the Military Construction and Veterans Affairs appropriations bill for 2008.

This week, a number of news publications, including the National Journal, reported that the Democrat leadership intends to play political games and to send a three-bill pile-up consisting of Labor-HHS, Defense and Veterans funding bills to President Bush so that they can try and leverage strong Republican support for the military and veterans funding to sneak a bloated Labor-HHS bill that proposes an 8 percent increase in spending over current funding past President Bush and this Congress. Once again, not just more taxation, more spending.

While the House Democrat leadership plays politics, however, our Nation's veterans are paying the price. The Senate has already done its work and appointed conferees for the Veterans appropriations bill. And for every day that House Democrats allow the veterans funding to languish without conferees for their own political advantage, our Nation's veterans lose $18.5 million that could be put to bear to help them for the intended reason why we're spending the money. That would be used for veterans housing, veterans health care, and other important veterans support activities.

The American Legion and the VFW have already made multiple requests, along with Republican Members from this House, urged Speaker PELOSI and Democrat Senate Majority Leader REID to end their PR campaign and begin work on this conference report for veterans funding. Unfortunately, it appears as though all these commonsense requests have fallen on deaf ears and our Nation's veterans are being forced to pay the price for continued Democrat partisanship and lack of leadership on this issue.

I ask all of my colleagues to support this motion to defeat the previous question so that we can put partisanship aside and move this important legislation forward without any further games or gimmicks. I know that this is a bold idea that hasn't yet been focused directly by Democrat pollsters or agreed to by moveon.org, but I think our veterans deserve nothing less.

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material appear in the

RECORD just prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. I yield back the balance of my time.

Ms. MATSUI. Mr. Speaker, first of all, I'd like to say that we are discussing H.R. 2262, and it's about more than protecting water quality and preserving the environment, which it does. It also takes into account industry concerns and provides economic assistance from mining communities. One-third of the revenue created by this bill will go to a community assistance fund to help mitigate the social and economic impacts of this legislation.

Both the Rules and Natural Resources Committees held hearings on this bill, during which time Republicans and Democrats were given the opportunity to offer amendments to the bill. In fact, the Natural Resources Committee held four hearings on this bill that stretched over five different days. During this time, they adopted a bipartisan set of amendments.

After the bill made its way through the legislative process and maintained bipartisan support, the Rules Committee allowed for seven amendments to be considered on the floor. These seven amendments address major issues in the bill. This will give opponents the opportunity to debate on the floor the merits of key issues of the bill. Of the seven amendments allowed under this rule, more than half, five, are Republican amendments.

Mr. Speaker, we all know that this bill is long overdue. It should have been passed decades ago. But it's never too late to strengthen current law so that it preserves the environment, protects communities, and addresses public safety. This legislation does all three.

I commend Chairman COSTA and Chairman RAHALL on crafting a balanced and bipartisan bill. This legislation is proof that we can reap the benefits of our Nation's abundant natural resources while also preserving them for future generations.

Metals like gold, silver and copper help make this country what it is, Mr. Speaker. How we manage these resources going forward will make us what we are in the future.

With that in mind, I urge a "yes" vote on the previous question and on the rule.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 780 OFFERED BY MR. SESSIONS

At the end of the resolution, add the following:

SEC. 3. The House disagrees to the Senate amendment to the bill, H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, and agrees to the conference requested by the Senate thereon. The Speaker shall appoint conferees immediately, but may declare a recess under clause 12(a) of rule I for the purpose of consulting the Minority Leader prior to such appointment. The motion to instruct conferees otherwise in order pending the appointment of conferees instead shall be in order only at a time designated by the Speaker in the legislative schedule within two additional legislative days after adoption of this resolution.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. MATSUI. I yield back the balance of my time and move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of H. Res. 780, if ordered; and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 194, not voting 17, as follows:

[Roll No. 1027]

YEAS—221

Abercrombie
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Capps
Capuano
Cardoza
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)

Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NAYS—194

Aderholt
Akin
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Herger
Hill
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—17

Ackerman
Alexander
Berry
Butterfield
Buyer
Carnahan
Carson
Cubin
Gohmert
Hensarling
Hunter
Jindal
Moran (VA)
Paul
Skelton
Weller
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining.

☐ 1140

Mr. KINGSTON changed his vote from "yea" to "nay."

Mr. GUTIERREZ and Mr. OBERSTAR changed their vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SESSIONS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 224, noes 195, not voting 13, as follows:

[Roll No. 1028]

AYES—224

Abercrombie
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Capps
Capuano
Cardoza
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NOES—195

Aderholt
Akin
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi

Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Ackerman
Alexander
Butterfield
Carnahan
Carson
Cubin
Gohmert
Hensarling
Jindal
Paul
Pence
Weller
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are 2 minutes remaining on this vote.

☐ 1149

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SMITH of Nebraska. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 187, answered "present" 1, not voting 17, as follows:

[Roll No. 1029]

AYES—227

Abercrombie
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Capps
Capuano
Cardoza
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Emanuel
Engel
Eshoo
Etheridge
Fattah
Filner
Frank (MA)
Gerlach
Gillibrand
Gonzalez
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (FL)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuster
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Sutton
Tanner
Tauscher
Taylor
Thompson (MS)
Tierney
Towns
Tsongas
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield
Wilson (NM)
Woolsey
Wu
Wynn
Yarmuth

NOES—187

Aderholt
Akin
Altmire
Bachmann
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gilchrest
Gingrey
Goode
Granger
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
LaHood
Lamborn
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Wamp
Weldon (FL)
Westmoreland
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

ANSWERED "PRESENT"—1

Tancredo

NOT VOTING—17

Ackerman
Alexander
Bachus
Butterfield
Carnahan
Carson
Castor
Cubin
Farr
Gohmert
Hensarling
Jindal
Paul
Pence
Pickering
Weller
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

☐ 1156

So the Journal was approved.

The result of the vote was announced as above recorded.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3547

Mr. COHEN. Mr. Speaker, I would like to seek unanimous consent to withdraw as a sponsor on H.R. 3547.

The SPEAKER pro tempore (Mr. WEINER). Is there objection to the request of the gentleman from Tennessee?

There was no objection.

ELECTING A MEMBER TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. RAHALL. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 788) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 788

Resolved, That the following named Member be, and is hereby, elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON ARMED SERVICES.—Ms. Tsongas (to rank immediately after Ms. Giffords).

(2) COMMITTEE ON THE BUDGET.—Ms. Tsongas (to rank immediately after Mr. McGovern).

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING FURTHER PROCEEDINGS TODAY

Mr. RAHALL. Mr. Speaker, I ask unanimous consent that, during further proceedings today in the House and in the Committee of the Whole, the Chair be authorized to reduce to 2 minutes the minimum time for electronic voting on any question that otherwise could be subjected to 5-minute voting under clause 8 or 9 of rule XX or under clause 6 of rule XVIII.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

GENERAL LEAVE

Mr. RAHALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 2262.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

HARDROCK MINING AND RECLAMATION ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 780 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2262.

☐ 1158

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2262) to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes, with Mr. SERRANO in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from West Virginia (Mr. RAHALL) and the gentleman from New Mexico (Mr. PEARCE) each will control 30 minutes.

The Chair recognizes the gentleman from West Virginia.

☐ 1200

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, over 135 years after President Ulysses S. Grant signed the Mining Law of 1872 into law, I bring before this body legislation to drag it into the 21st century. This legislation at long last provides badly needed fiscal and environmental reforms of mining for valuable minerals in the 11 western States and Alaska.

In bringing this measure before the House, I am pleased to have the strong support of our colleague from California (Mr. COSTA), who chairs the Subcommittee on Energy and Mineral Resources of the Natural Resources Committee. JIM chairs the subcommittee that I chaired 20 years ago when I first began this effort to reform the Mining Law of 1872. I am honored that he has taken up the mantle as well.

The Mining Law of 1872 is the last of the frontier-era legislation to remain on the books, with the Homestead Act having long been repealed, not to mention laws regarding carrying your six-gun into a saloon or allowing a posse to hang horse thieves. The basic goal of this law, almost free land and free minerals to help settle the West, has long been achieved. While the minerals produced under this law remain in demand, mining under an archaic 19th century regime is not compatible with modern land use philosophies or social values. This threatens mining, and mining jobs, and is one reason this law must be brought into the 21st century.

Today, as in the 1800s, the Mining Law allows claims to be staked on Federal lands in the West for valuable hardrock minerals such as gold, silver, and copper. No royalty is paid to the true owners of these lands, the American people, from the production of their minerals. Except by dint of an annual appropriations rider, the claims can be sold to multinational mining conglomerates for $2.50 or $5 an acre.

Now, some listening to what I just said may think I am making this up. Free gold and land for $2.50 an acre? That sounds like a fairy tale. My friends, ladies and gentlemen, I am not making it up. This is no fairy tale. This is a pirate story, with the public lands profiteers robbing the American public blind.

Mr. Chairman, billions of dollars' worth of gold, silver, and copper have been produced from American soil without a royalty paid to the true owners of the land, the American people. Those that will recall history will know that the largest bank heists in the world have been the $900 million stolen from the Central Bank of Iraq in 2003; the $72 million stolen from Knightsbridge Security Deposit in England in 1987; and the $65 million stolen from the Banco Central in Brazil in 2005. But, my colleagues, those figures are chump change, chump change compared to the estimated $300 billion in valuable minerals given away for free from America's public lands under the Mining Law of 1872. Incredible. Simply incredible. But, it gets worse.

Being a 19th-century law, it contains no mining and reclamation standards. The result is a legacy of toxic streams, scarred landscapes, and health and safety threats to our citizens from abandoned mined lands. The mayor of Boise, Idaho, and let me restate that State, Idaho, wrote a letter to me recently to state that the city is powerless to protect the integrity of its source of drinking water, which is threatened by a cyanide heap-leach gold mining facility proposed by a Canadian, and I repeat that, a Canadian-based company.

This last September, a 13-year-old girl tragically plunged to her death in an Arizona mine shaft. In reference to an area pocketed with abandoned mine sites, an Arizona mine inspector was quoted as saying: "It's just a death trap out there."

The Mining Law of 1872 is the Jurassic Park of all Federal laws. It requires an extreme makeover. Environmental safeguards must be supersized. Federal lands must stop being given away for fast-food hamburger prices. The robbery of America's gold and silver must stop.

Mr. Chairman, the bill I am bringing before the House today would make commonsense reforms by imposing a royalty on the production of these hardrock minerals. Bear in mine that coal, oil, and gas produced from Federal lands have long paid these royalties. The legislation would also put a permanent end to what is known as patenting, the sale of mining claims for the price of a snack at Taco Bell.

Further, it would provide for statutory mining and reclamation standards that are performance-based rather than prescriptive. As well, this would establish a special fund to reclaim abandoned hardrock mines, address the health and human safety they propose, and provide for community impact assistance.

This is a historic debate, a debate that is long overdue. Those who support this legislation, the countless locally elected public officials across the West, concerned citizens across the West, sportsmen and -women across the West, taxpayer advocates across America, bring with them the new-century conviction that corporate interests can no longer have an unfettered ability to reap America's mineral wealth with no payment in return. There must be parameters set and rules to which industry must comply.

I am here to suggest that if we continue under the current regime, that if we do not make corrections, the ability of the mining industry to continue to operate on public domain lands in the future is questionable. The other side will bring up jobs, they will bring up the health of the industry that might be decimated by this legislation. I say we are here to protect mining jobs and to protect the health of the industry and to provide some certainty in the making of financial decisions by the mining industry.

While the Mining Law of 1872 over the years has helped develop the West and cause needed minerals to be extracted from the Earth, we have long passed the time when this 19th-century law can be depended upon to serve the country's 21st-century mineral needs, and do so in a manner accepted by society. Reform of the Mining Law of 1872, I tell my colleagues, is a matter of the public interest, the interest of the American taxpayer, the interest of all Americans who are true owners of these public lands. The name of every American is on the deed of these lands. I urge approval of this legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. PEARCE. Mr. Chairman, I yield myself such time as I may consume.

I thank the chairman for his work on this bill and rise in opposition against that bill. There are no Third World countries. There are simply overregulated countries; there are overregulated economies. The debate that Members of this House are about to engage in will be passionate because the positions that we are fighting over are polarizing.

Mr. Chairman, it did not have to be this way. We all agree on the same principles, hardrock mining on Federal land should pay a royalty, should continue to operate in the most environmentally responsible manner in the world, and protect the health and financial security of the miners who bring the world's minerals to the surface.

As I mentioned earlier, if given a fair hearing, we would have agreed on these goals. Instead, right now at this moment the stock market is plunging in this country because of the rising energy prices. Oil hit $94. Our stock market is reacting. The price of our dollar has fallen. We are doing things in this body that will punish domestic jobs and domestic industries. They will not touch the mining industry outside of this country. Outside countries will have better access to our markets because of the things that are occurring in this legislation.

So, yes, we are passionate about our position, and, no, we do not listen to the arguments, no matter how well-conceived from the other side, because they are simply arguments; they are not truths. We are here to fight against a bill brought forth by the chairman which will send some of the highest paying jobs in the West overseas by making mining in the U.S. uneconomic.

Members from western States, like mine, will fight fiercely to keep these jobs because the West cannot survive off tourism alone.

I have a chart here that shows the relative wages in the mining industry. We have had hearings about the evolving West and what they hope the West looks like, but we in the West want these good, high-paying union jobs that exist now in the mines. The jobs in tourism do not pay nearly as much. That is what we are fighting for today.

By making mining in the U.S. uneconomic, the chairman's bill will give competitive advantage to countries like China and India. We Members who like the U.S. being number one and who don't like the current value of the dollar are fighting against that. I favor American exceptionalism.

By making mining in the U.S. uneconomic, the chairman's bill will compromise the readiness of our military because the military will have to further import the strategic minerals and materials it needs from hostile nations. It would be a sick twist of fate if the U.S. had to start importing uranium from Iran.

In order to defend the bill against job loss, the economic security and military security, you are going to hear some rhetoric that simply amounts to whoppers, the whoppers about the 1872 mining law on the House floor today, and I think it is important to set the record straight.

First, you will hear the law was passed in 1872, and at 135 years old it needs modernizing. I wonder where the chairman is when it comes time to modernize Yellowstone National Park, which was also created in that same year. But I will tell you that the chairman would be the first to argue against any changes in the acts that created our national parks, and Yellowstone in particular. Maybe the leaders back then believed that we needed to protect areas, but we also needed to use some of our lands to supply the materials for a growing Nation, because they understood we needed those materials. Maybe our politicians of today do not care if America's economy grows or not.

Secondly, you will hear that the law allows public lands to be purchased for $2.50 an acre, the "price of a snack," I think were the words that were used. And yet I do not see any of our people in this Chamber or across the Nation standing up to say let me have some of that land for $2.50 an acre. Because the truth is that you have to mine that land to get it for $2.50 an acre. Maybe it is just not that easy to prove up on the mineral assets, on the mineral claims, as the chairman caused us to believe here.

Third, you will hear that energy companies pay 12 percent or more in royalties for coal, oil and gas on Federal lands; mineral mining companies don't.

Now, that seems fair, doesn't it? But you have to understand that many of our energy companies also tried to buy mining claims and tried to do mining, and they gave up on it because they simply could not do it. They did not have the economics right. They didn't understand how to do it. And no more than you and I can buy a claim for $2.50 and make a mining claim work, even our biggest oil companies could not do it. And these are the kinds of misinformation points that we are asked to believe today on the floor of the House of Representatives.

I tell you, please, my friends, do not believe it, because we are about to export these jobs, these good high-paying jobs. We are going to export jobs.

Fourth, you are going to hear that the Mining Law needs modern environmental laws. The mining industry today is well regulated. The mining industry itself, the BLM, the regulatory agencies used to have mines that looked like this top chart; and this mine under current law, under current environmental regulations, has now looked like this. We had testimony to this in our committee, but the majority just decided that they didn't need to listen to what is going on already. They wanted to create new overlapping legislation.

Currently, the Clean Water Act, the Clean Air Act, the Safe Drinking Water Act, and all other Federal regulations apply to the mining industry. But you would believe, if you heard our friends on the other side of the aisle, that we are simply out here digging holes in the ground and we are polluting the streams with no oversight. It is just not true.

So, my friends, as we engage in this argument, listen to the passion from the West, because you will know that our jobs are at stake, our livelihoods are at stake. There are people who want to make the West simply the vacation ground for the rest of the country. And I am saying from the West, we just want jobs, good jobs. We want not only jobs, but careers for our families. We want careers for our kids. And the legislation today here is designed to take away the careers from the West.

Look at it very carefully, because today the stock market is plunging amid fears of high energy prices and unavailable access, no access to drilling lands to increase the supply; and our dollar is falling because the world believes that we are going to give away our economy.

Mr. Chairman, I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. WEINER).

Mr. WEINER. Mr. Chairman, I want to congratulate my friend, the gentleman from West Virginia, on his legislation that substantially reforms the governance of hardrock mining on public lands.

Abandoned mine sites pose serious environmental and safety hazards. Currently, there are more than 80 hardrock abandoned mines or mine-related sites on the EPA's Superfund National Priorities List. Polluters should pay to clean up the pollution they leave behind.

I would like to have a colloquy with the gentleman from West Virginia to clarify the use of federally appropriated funds from the Hardrock Reclamation Account under sections 411, 412 and 413 of the bill.

Does the gentleman from West Virginia agree that moneys in the Hardrock Reclamation Account shall not be provided in a manner that reduces the financial responsibilities of any party that is responsible or potentially responsible for contamination on any real property?

Mr. RAHALL. Yes.

Mr. WEINER. Does the gentleman also agree that the provision of assistance pursuant to this act or section shall not in any way relieve any part of liability with respect to such contamination, including liability for removal and remediation costs?

Mr. RAHALL. Yes.

Mr. WEINER. I thank the chairman. I urge passage of this bill.

Mr. RAHALL. Mr. Chairman, I include for the RECORD at this point a letter to me from Chairman JOHN DINGELL of the Energy and Commerce Committee, and a letter in response from myself to Chairman DINGELL of the Energy and Commerce Committee.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, October 29, 2007.
Hon. NICK J. RAHALL II,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR MR. CHAIRMAN: I write with regard to H.R. 2262, the "Hardrock Mining and Reclamation Act of 2007". I know it is your wish for the bill to be considered on the House floor as soon as possible.

Some of the provisions in the bill establish requirements for the Environmental Protection Agency and concern the Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Those provisions are within the jurisdiction of the Committee on Energy and Commerce. I am not, however, raising the issue with the Speaker because it is my understanding that you have agreed that the referral and consideration of the bill do not in any way serve as a jurisdictional precedent as to our two committees.

Further, as to any conference on the bill, the Committee on Energy and Commerce reserves the right to seek the appointment of conferees for consideration of any portions of the bill that are within the Committee's jurisdiction. It is my understanding that you have agreed to support a request by the Committee with respect to serving as conferees on the bill (or similar legislation).

I request that you send to me a letter confirming our agreements and that our exchange of letters be inserted in the Congressional Record as part of the consideration of the bill.

Please do not hesitate to contact me if you wish to discuss this matter further.

Sincerely,
JOHN D. DINGELL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, October 30, 2007.
Hon. JOHN DINGELL,
Chairman, Committee on Energy and Commerce,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding the jurisdictional interest of the Committee on Energy and Commerce over H.R. 2262, the Hardrock Mining and Reclamation Act. As you know, some sections of H.R. 2262 as reported by the Committee on Natural Resources relate to the application of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), and others establish requirements for the Environmental Protection Agency, both of which fall under the jurisdiction of the Committee on Energy and Commerce.

It is my understanding that you will not seek a sequential referral of H.R. 2262 based on the inclusion of these provisions in the bill. Of course, this waiver is not intended to prejudice any future jurisdictional claims over these sections or similar language. Furthermore, I agree to support your request for appointment of conferees from the Committee on Energy and Commerce if a conference is held on this matter.

Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees. At your request, I will include this exchange of letters in the Congressional Record as part of consideration of the bill.

With warm regards, I am

Sincerely,
NICK RAHALL,
Chairman.

☐ 1215

Mr. PEARCE. Mr. Chairman, I yield 9 minutes to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, I rise in strong opposition to what could have been responsible bipartisan legislation. I have a great deal of respect for the chairman of the committee; he is a good friend of mine. But this is a bad bill.

As the gentleman on our side, the ranking member, Mr. PEARCE, has done an outstanding job, he mentioned in his statement to listen to the chairman of the committee and those who are promoting this bill that the mining industry has no regulations, no laws, they just run rampant, which is pure nonsense. We are not really addressing an 1872 mining law here. It is not about the royalty. They offered the chairman if he would strike title III, we might be able to work a bill, and he turned it down.

This is about driving our industry, our mining industry overseas and away from our shores. This bill will do it. Just as I have heard in the past about legislation from that side of the aisle when you were in power that we are not trying to stop the logging industry in Alaska, we are just trying to make sure that we get our fair share. We went from 15,000 jobs down to less than 300 jobs. That was from the previous chairman.

I also heard all the time about how when they were in power, how we were going to be energy independent. And now we are paying $93 a barrel for oil, $93 a barrel, because you have not acted and we didn't do also. But we didn't try to stop the mining industry in this country as this bill will do.

This is not just about mining; this is about national security. Where do you think the metals come from to build our airplanes? Right now we are probably importing most of it. And I guarantee you, we will import all of it under this bill. We know, Mr. RAHALL, this doesn't affect West Virginia. It doesn't affect his coal mines or any of the east coast States. But it does affect public lands in the West where our minerals are derived from.

I say wake up, Mr. and Mrs. America and my colleagues. Wake up. China has gone into Chile now, and they control the copper that we must have for our hybrid cars.

Yes, all of you, as I watch my good friend there working his BlackBerry, where do you think the metals and minerals came from for this? As we vote electronically today, the metals and minerals make that electronic system work.

We are not talking about the royalty, here; although, I do think it is unconstitutional as the bill came out of committee because you rewrote the contract under the bill. It will be taken to court and that part of the bill will be struck. It will be struck. I tried to say that. But no, again this is not a bipartisan bill. This is a bill that was written primarily by the leadership of this House that in reality takes away the ability for the western States to produce the minerals that are needed. That is what this bill does.

It does affect my State probably more than any other bill that has come out other than the Alaskan National Lands Act that put 147 million acres of land off limits. What remaining BLM land we have where we are trying to develop a mining industry will be precluded, taking away the benefit of the mining industry in the State of Alaska as it does in the western States. But it affects my State more, probably.

Yes, we probably could have written a bill that would have recovered the dollars necessary to straighten out hardrock mining. But no, we have a bill that stops the ability of this Nation to be self-sufficient in minerals. Later on you will see a display about just how dependent we have become.

I am hoping that this bill will be killed in the Senate, as most bills will be killed from the House side because no one wants to work with the Republicans at all. That is why you have an 11 percent rating of favorability. No ability to work across the aisle and say what will work and what are we trying to achieve. What are we trying to achieve?

If you were looking for money from royalties, we could have talked about that; prospective, not retroactive, because that will go to court. But that didn't happen, and you left title III in, which requires so much impossibility of achieving a mining claim that they will go abroad. They will go abroad, and that's not right for this country.

I have said all along, and I am going to be around here a lot longer than most people expect, and most of you probably don't like that, but I will be here just to say "I told you so" like I have done with the logging, what you did in my State and the logging industry and the west coast and on public lands. There is no timber industry. We are now importing our timber with no regulations. We have private timber in the eastern States, but not in the western States.

I listen to you. We just voted on a bill yesterday to help out people who are going to be displaced because of losing jobs overseas, and you voted for that. And that is what this bill does. It will drive the industry out of the United States of America and we will be dependent upon China and Russia and all of the other countries for the metals and minerals we must have in our Nation to make sure we are economically strong, and then we cannot become strong.

So as much as I love you, Mr. Chairman, this is a bad piece of legislation. I have been told don't worry about it, we will take care of it later on down the line. Well, I have been down that road before, too.

So I am asking my colleagues on my side of the aisle and anybody that is thinking on that side of the aisle to vote against this legislation if you believe in this Nation. If you believe in this Nation being strong, if you believe in jobs in our country and not abroad, then you will vote "no" for this bill.

If you don't believe that, then vote "yes" for the bill. And then go home and say, "I repealed the 1872 mining law. Look what I did for you, Mr. Backpacker." But think of our country and our Nation. Think of our future. Vote "no" on this bill.

Mr. RAHALL. Mr. Chairman, I yield 5 minutes to the distinguished chairman of the subcommittee, Mr. COSTA from California.

Mr. COSTA. Thank you very much, Mr. Chairman, for all your hard work on this issue, not just this year, but for the last two decades. I also want to thank the ranking Republican member, the gentleman from Alaska (Mr. YOUNG), and the ranking member of our subcommittee, the gentleman from New Mexico (Mr. PEARCE), for all of their hard work over the last 10 months.

Mr. Chairman, this is an important piece of legislation and it provides a balanced approach to public lands. It recognizes that hardrock minerals to our lives are important, but they are also important as a public trust that belong to all Americans.

During this process over the last 10 months, we held numerous hearings at which over 33 witnesses testified. For example, in Pima County, Arizona, earlier this year, we had local government and citizens talk about the important values, as well as the impacts to water, wildlife and recreational opportunities. We also listened to State and local government and tribes and gave them the option to close sensitive lands which are critical to their communities, or to have restraint. Lands that provide, in fact, drinking water supplies.

In Elko, Nevada, the subcommittee received additional testimony from people to understand how important the mining is to those communities in those towns. Let's make it clear. We do not want to put those mining operations out of business. They provide a viable industry to this Nation which has already been substantiated. We gained a better understanding on the ways that industry strives, and they are doing a marvelous job for the most part in being responsible and following regulations which they must comply with.

Many States have already taken initiatives. The committee listened. We have taken amendments which make mineral exploration provisions to benefit an important part of the industry to keep the momentum and the motivation there. We also took changes in title III to set forth strong national standards for mining but make sure that we are not duplicating existing State law and regulations. The subcommittee hearings in Washington also focused on the issue of royalties, which has been much talked about.

Let me address some of those criticisms at this time about it decimating the mining industry. Some of us are old enough to remember Sergeant Friday from Dragnet. Remember what he used to say: "Just the facts, ma'am." Well, the facts are this: These are multinational companies that mine in areas throughout the world, and they pay royalties in those countries. They pay royalties in those countries, and they are existing and doing fine, as they are doing fine in this country.

The Congressional Budget Office estimated that the total income subject to the proposed royalty, which I would submit is a work in progress, would average roughly $1 billion a year. These are public lands. We require the same for oil and gas production. It is a relatively small number when you take into account that the total U.S. mining industry produces $23 billion each year.

The Congressional Budget Office also estimates that the cost of this legislation, should it become law, would approximately be, with this royalty, $200 million over a period of 5 years. That is $200 million over a period of 5 years, a $23 billion a year industry in this country. We think that is a fair shake for these lands that are owned by all Americans, and it makes a serious opportunity to resolve something that has been contentious for two decades.

The industry will tell you that they want certainty. They don't want the vagaries from administration to administration. They know this is a work in process. They know the issue of royalties are subject to negotiation between us and the Senate as this measure moves on.

So let's be clear about it. This measure, in short, I think reflects a thoughtful and informed process. Did everybody get everything they wanted? No. Is the process still moving along? Yes. We will continue to work with our colleagues of the loyal opposition as we try to endeavor to create a bill that reflects the best interests of America.

Let me quickly respond to the issue of the precious metals. This chart explains it very clearly. The U.S. Geologic Survey ranks the import reliance for nonfuel mineral materials. According to the USGS, there are 30 nonfuel minerals on which we are 80 to 100 percent reliant on imports. Simply put, we almost completely import these minerals, as has been stated, rather than produce them domestically.

Now, that sounds worrisome, and the Republicans have noted that. But it is important that we realize that 19 of these 30 minerals, two-thirds of them, are not "locatable" and therefore are not subject to the 1872 mining law. So the reform of this law will have no effect on the production or the imports of those minerals. They will not be subject to the royalty we propose or the environmental standards.

Of the other 11, all but one are simply not available in terms of commercially marketable quantities in the United States. We depend on imports of these minerals. Ones like graphite and rare earths do not exist in deposits where it is economical to produce them or they don't exist on public lands, so they are not subject to the legislation.

So if it ain't here, you can't mine it.

The only mineral among those 30 that are 100 percent import reliant into this country and impacts both the 1872 mining law and that are "locatable" minerals, the only one that is actually located in deposits large enough to be economically produced is fluorspar. Fluorspar. We are dependent upon fluorspar. Now let me tell you what we use fluorspar for: Toothpaste. We get fluorspar from China, Mexico, South Africa and Mongolia. We don't need to worry that the cleanliness of our teeth is in jeopardy because of this mining law.

☐ 1230

The last time I checked, tooth decay, while distasteful, is not a national security issue. I ask that we support this measure.

The CHAIRMAN. The Chair will note that the gentleman from New Mexico has 16 minutes remaining and the gentleman from West Virginia has 15½ minutes remaining.

Mr. PEARCE. Mr. Chairman, my good friend from California said we want to get the facts right; and if I heard him correctly, he said this bill is a work in progress. Now, we've had 135 years, according to him, to work on this bill, and we're going to rush it while it is still in progress. I really don't understand why we're going to take such a serious step as risking all the jobs in mines with work in progress. I think those were the words used and the facts used.

The truth is we have a severe difference of opinion. I will quote from the chairman of the committee: No reason, no reason whatsoever why good public land law should be linked to the gross national product. That was in our markup hearing, and yet I would submit that energy production, timber production, water production, mineral production, they all affect the gross domestic product, and they are public land law.

So I really just believe that we have a complete disconnect in the committee between the majority and minority.

Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. DAVIS).

Mr. DAVIS of Kentucky. Mr. Chairman, I have great respect and admiration for my neighbor, the chairman from West Virginia, for work that we've done in our river industries and supporting local industries; but I have to rise in objection to this bill. I think in some ways we might entitle it the Exporting America's Jobs Overseas Act.

I grew up around the American mining industry at the working-class end and got to see it from that side, one of the great transformations that took place during the 1960s, 1970s and 1980s; and I think there are three core issues.

The law needs to be reformed, I agree, to adapt it to a 21st-century economy within which we live. However, the issue of competitiveness, the issue of American jobs and the issue of fundamental social justice all militate against this bill.

First of all, for the Democratic Caucus, from my friends on the other side who are committed to protecting jobs, I think it's amazing that we want to raise taxes on a core industry that's important to our supply chain, for our technology industry, to drive jobs overseas. It's going to increase material costs, increase our dependency on foreign hardrock minerals which has doubled over the last 10 years according to the U.S. Geological Survey.

Secondly, there is a significant impact on jobs. Mining jobs and the mining support and supply chain jobs and industries that support that cannot be replaced by hospitality jobs. That is a flawed logic, in my mind; and it's very critical that we maintain the robustness of this industry as a strategic asset and a strategic resource.

For our future in energy, our future in manufacturing, we have to use the resources that we have in an environmentally friendly way to not only protect our jobs but to grow their jobs.

Finally, I think the one thing I found in trade agreements through the years here in the House, there's always the discussion about a social justice component in establishing trade agreements with countries that may have sweatshops, may abuse men, women and especially children. In this case, I would point out that areas where we get strategic materials now that will increase their industry are abusive of children. Specifically, you can see a picture here of a child who's a Peruvian miner, children who are Colombian miners, and a Ugandan miner, all of whom are young children, all of whom are having their futures closed down because of this.

I oppose this bill. I ask that we yield back to the principles expounded by the gentleman from New Mexico and the gentleman from Alaska.

Mr. RAHALL. Mr. Chairman, I yield myself 1½ minutes.

I say to my colleague from across the river from me in Kentucky that, as he knows, jobs in both our hardrock mining industry and our coal industry are on the decline already. Those jobs have been declining; and as the gentleman so well knows, as well as my colleagues on the minority side, these jobs are declining today because of the technologies that are coming in place.

Look at our coal industry. We're mining more coal as we're producing more hardrock minerals, but with less man and woman power because of the technologies that are replacing man and woman power. It's that simple.

So while the jobs may be on the decline, the production is on the upswing.

I would say as well to my colleagues who raise the specter of here the Democrats go raising taxes again, note this week in the Wall Street Journal, this week the administration, the administration, not the Congress, announced that it's raising the royalty rates for oil and gas from the Gulf of Mexico to 18.75 percent from 16.67 percent for offshore leases to be offered next year. Even with this increase, the gulf will remain one of the lowest tax oil basins in the world.

So let's put this proposed 8 percent royalty on hardrock mining in perspective, please. It's less than half. Let's also keep in mind that hardrock mining is the only industry that pays no royalty on public lands, and all other countries and all States, for that matter, charge a royalty. Companies impose royalties and private agreements on hardrock mines. Let's keep in perspective what we're doing here; and, remember, it was the administration this week that raised royalties on Gulf of Mexico leases.

Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. I thank the gentleman for yielding.

I rise in support of H.R. 2262 so we can, after 135 years, update the 1872 Mining Law. Since Ulysses S. Grant's administration in 1872, the Mining Law has governed hardrock mining on our public lands, public lands. Those are lands which you, the taxpayers, own.

For nearly 100 years, those lands have been debated in Congress about changing policies that give away public resources and leave each new generation with a larger legacy of unreclaimed lands and degraded streams.

Debate has continued. It's continued while northern California's Iron Mountain spewed nearly a quarter of the copper and zinc discharged by industries to the Nation's surface waters; during the decades of efforts to control acidic, metal-laden discharges from old sulfur mines southeast of Lake Tahoe; as historic lands of the Indian Pass in the area of Southern California in the desert area faced destruction from the proposed Glamis mine; and as California cities spend millions of dollars to treat hazardous mine discharges and fight giant mining corporations in court.

Like the pollution problems it creates, the 1872 Mining Law persists, but that will now change with passage of this bill, and we owe that hard work to Chairman RAHALL and to my colleague JIM COSTA from California.

While this congressional debate has continued after all these years, we've allowed mining companies to take billions of dollars' worth of gold, silver, and other minerals from our public lands for free. However, we will no longer treat that as we have not treated oil, coal, natural gas. So they will all now have to pay.

While countless hearings have been held, nearly 3.5 million acres of public lands have been deeded to mining claim holders for as little as $2.50 an acre. We've had to buy back some of this land to protect the unique ecological, recreational and cultural values, paying prices much higher than those set in the Mining Law.

And during our long deliberation, the price tag for mining cleanup has risen astronomically. Since the House last acted on reform legislation, more than 20 mines and mills have been added to the infamous Superfund National Priority List, and the EPA Inspector General has warned that nearly $24 billion in cleanup costs from mine sites now exists, some of which will require treatment in perpetuity.

However, this is about to change. For today, the Hardrock Mining Reclamation Act of 2007 will do what it should have done years ago. I urge the passage of this important legislation.

Mr. PEARCE. Mr. Chairman again, the gentleman from California said let's talk about the facts. He said we do not have rare Earth. We do have rare Earth minerals; we don't have rare Earth mines. Those were shut down by the EPA due to lawsuits. U.S. companies developed the uses for rare Earths, and now we import them.

Mr. Chairman, I yield 3½ minutes to the gentleman from Idaho (Mr. SALI) who has done great work on this bill.

Mr. SALI. Mr. Chairman, I rise in strong opposition to the bill before us.

Plain and simple, this bill is bad for America because it is bad policy. My concern centers around the long-lasting impacts that this bill will have on the First District of Idaho and on America's future.

The bill imposes a royalty that will threaten the existence of domestic mineral production. Please note that mining is already one of the most regulated industries in the United States. Everyone believes that we need safe, productive, and environmentally responsible mineral development and that there needs to be a logical and efficient way to deal with abandoned mines. We all agree on those goals. But this bill takes an environmental cause, like abandoned mines, and uses it as a cover for a tax hike that will accomplish nothing less than outsourcing our domestic mining industry. That is bad policy.

Hardrock mining is dangerous. It takes a lot of grit to engage in it. Today, hardworking professionals do it here in the United States. This bill, however, will send American production overseas, where there are limited or no environmental standards and where child labor is used.

As the gentleman from Kentucky before me mentioned, H.R. 2262 makes America more dependent on child miners from around the world for our minerals and metal needs. The International Labor Organization estimates there are over 1 million children that are working in mines and quarries around the world. This bill will not only ship our mining industry jobs overseas; it will ensure that American mineral needs are satisfied by child labor. That is just plain wrong; it is bad policy.

My colleagues across the aisle have made a commitment to the American people to combat global warming. This bill will ensure that they cannot meet that commitment. How are they going to combat global warming if they do not have the very minerals that they need to do it? Alternative energy is dependent on minerals that we mine here in the U.S. For instance, copper is used for wind, solar power, and fuel cells, just to name a few items. Currently, domestic production cannot meet domestic demand. This is kind of like having the Democrats promise us sand castles but banning domestic sand. They're cutting off the domestic supply of minerals that they need to deliver on their commitment to fight global warming. Once again, H.R. 2262 is bad policy.

Mining industry jobs are important in the First District in Idaho. H.R. 2262 will outsource these good-paying jobs that America and Idaho needs. H.R. 2262 will take these jobs away from hardworking American professionals and force them on child laborers. Once again, H.R. 2262 is bad policy.

My final point is this: Our national defense depends on minerals mined in America. This bill will result in an importation of the very minerals we need to keep America safe from every unfriendly country from which we are protecting ourselves. Yes, that is right, we'll be asking our enemies to supply us with the minerals used for the very weapons we will be using to defend ourselves from them. Once again, H.R. 2262 is bad policy.

I urge my colleagues to vote "no."

Mr. RAHALL. Mr. Chairman, I yield 3½ minutes to the distinguished chairman of our Subcommittee on National Parks, Forests and Public Lands, my good friend, the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Chairman, I rise today in strong support of H.R. 2262.

It is an understatement to say that the West has changed dramatically since 1872, but this law that we are reforming today has not kept pace. Those of us from the West need this legislation to pass to protect the health of our communities, our scarce water supplies and our public lands, which are under continuing threat from an outdated mining law.

In my home State of Arizona, hardrock mining has left behind a legacy of contaminated lands and rivers, abandoned mines leaching poisonous metals into groundwater and other hazards to the public, with hundreds upon hundreds of millions of dollars to reclaim and cleanup the mess left behind.

Only a few months ago, a young girl was killed when she and her sister drove their vehicle into a mine shaft that had been left exposed after the site was abandoned. The mine shaft was hidden by brush, had no signs or barriers to warn anyone about the danger. The younger sister was trapped overnight with her sister's body before rescuers found them the next morning.

This is just one heartbreaking example of the impacts of a law left over from another era, an era when the West was not populated and when our value system was far different from what it is now.

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The law simply must be updated to today's modern-day values and environmental standards. The issue of employment has been raised over and over again, exporting our jobs and importing our vital metals. I agree, mining jobs are good jobs, but I would suggest they are not the only jobs in the West. We need to have a diversified workforce, and that workforce needs what the population needs, diversified opportunities.

Chairman RAHALL's bill puts standards in place, requiring cleanup and reclamation of mining sites. This bill makes certain that lands are off limits to mining, as they should be, but it also ends the free-for-all that this law has created over the years, where companies have used a patenting process to purchase inholdings within national forests and other public lands for a few dollars per acre, only to have the Federal Government later buy them out for millions of dollars when they threaten to develop the land.

The Federal Government has spent billions of dollars over the years rebuying patented mining lands, and taxpayers' are served much better for their money. They deserve a fairness and an equitable return for their tax dollars.

I strongly support the balanced approach that the chairman has taken with this bill. I am also pleased that the committee approved amendments I offered to allow Native American tribes to petition the Secretary to withdraw from mining lands of cultural, historic or religious importance to them. Tribes have been just as impacted as other communities by the impacts of mining and should be able to weigh in on these important matters.

There is an urgency here that cannot be understated. I hope my colleagues on both sides of the aisle will vote for this bill.

Mr. PEARCE. Mr. Chairman, I would recognize the comments by the gentleman from West Virginia earlier about the administration, and I appreciate his praise.

Although I don't always agree with the administration, I would say that the same administration he was praising has issued a veto threat because there is a constitutional abridgement that's possible in this bill, a takings violation, from the royalty structure. That would be a violation of the fifth amendment of the Constitution.

I believe that this work in progress should be sent back to the committee.

Mr. Chairman, I yield 5 minutes to the gentleman from Nevada (Mr. HELLER) who has done great work on the bill.

Mr. HELLER of Nevada. I want to thank the ranking member for his hard work the last 10 months.

I also want to thank the chairman of the committee, Mr. RAHALL, for his efforts on the bill. He was very patient, very respectful. I appreciate his time and energy. We may disagree, but I certainly do appreciate him listening to my concerns and oppositions to this particular bill, so thank you so much.

Also, I thank the subcommittee chairman for a field hearing in Elko, Nevada. I certainly do appreciate that also, giving them a chance to be heard. I know that was appreciated.

Mr. Chairman, mining is the second largest industry in the State of Nevada, which employs approximately 32,000 Nevadans, supporting, obviously, countless numbers of families. These high-paying jobs and their related services are the backbone of the rural community in our State and other rural economies.

I would take, for example, a couple, Larry and Vickie Childs of Spring Creek, Nevada. Larry retired from the mining industry approximately 25 years ago and subsequently went to work for a company in Elko, Nevada, providing miners the tools and equipment that they need. Vickie works at a health clinic for miners and their families provided by the two largest mining companies in the area.

Vickie's clinic employs two pharmacists, four doctors, physician's assistants, nurses, lab technicians, maintenance and clerical people. Larry and Vickie raised four children in Elko, Nevada, one of whom currently today works in the mining industry.

When this bill closes down the local mining operations, the equipment suppliers and the health care clinics will have layoffs, and, obviously, close their doors. The Childs family will begin to lose their homes. The mining industry will join other domestic industry crushed by foreign competition and overregulation.

Despite opposition to this bill in Elko, one of the most affected communities by this bill, the new excessive taxes and burdensome regulations of this bill will kill this industry, and with that industry will go the towns and families that depend upon it.

Clearly, this was not the result of the field hearing that the community had hoped for. All of these measures, many of the supporters will say, are in the name of fairness.

The question is, fairness to whom? Fairness to Nevada? Fairness to New Mexico? Arizona? I know that China thinks it's fair. I would guess that South Africa thinks that this is a fair bill. I would probably even guess that Australia thinks it is a fair bill.

But do you think it's a fair bill to the Childs family in Spring Creek and the many thousands like them? I don't think so.

But just like this bill ignores the futures of the families in Nevada, H.R. 2262 also fails to embrace the realities of the future of our Nation. India and China, with their State-funded purchases of global mineral commodities, should make us consider the long-term ramifications of the health of the domestic mining industry. Also, the technological advances we all want in our future, such as alternative energy, rely heavily on minerals and metals. A hybrid car, for example, requires twice as much copper as a traditional SUV today.

Our national defense will rely on foreign sources of minerals to build our military equipment. Frankly, I don't want to rely on China when we are in a war-time situation.

I urge my colleagues to support rural communities, urge them to support our domestic mining industry for the sake of our families, our economy, and our national security by voting against H.R. 2262.

Mr. RAHALL. Mr. Chairman, I yield 1½ minutes to our distinguished subcommittee Chair on Insular Affairs, the gentlelady from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Mr. Chairman, I rise in strong support of H.R. 2262, the Hardrock Mining and Reclamation Act of 2007.

In doing so, I want to congratulate its lead sponsor, the chairman of the Committee on Natural Resources, NICK RAHALL. For 20 years now, NICK has led the effort to reform mining laws which have been unchanged since 1872.

It is high time that the 19th century mining law be updated to reflect our 21st century needs and goals. The current law was enacted before the invention of the telephone and was designed to promote mineral development in the age of the pick-and-shovel prospector.

Unlike virtually any other use of public lands, the 1872 mining law allows mining on public lands for hardrock minerals such as gold and copper without any compensation or royalty. It is time that this law be changed to reflect modern mining technologies and newer social values that question whether mineral extraction is always the best or highest use of the land.

As a long-term member of the Natural Resources Committee, I want to once again commend Chairman RAHALL for his commitment to mining reform, and he and Mr. COSTA for producing a balanced bill which benefits American taxpayers who own the land, the environment and the mining industry.

I urge my colleagues to support H.R. 2262.

Mr. PEARCE. Mr. Chairman, in order to, again, stick with facts that I think one of my colleagues mentioned we should, I would note that when we just heard the comment that no fees or dollars were taken from the mining industry, actually, $55 million was paid in claim maintenance fees.

But if we are to have this discussion about what effect this royalty is going to have, I think we should look at other circumstances. Again, these facts were presented in committee, in the committee hearings, but, somehow they did not get integrated into the bill, the knowledge, and again, it's the reason that we are passionate here on the floor about our points of view.

We had testimony from British Columbia that instituted a 2.5 percent royalty. Now we are looking at an 8 percent, almost three times as much.

Now, if, as our opponents claim, there is no effect, that we can expect nothing, then you would think nothing happened in British Columbia. Yet, after they instituted, in 1 year, 1 year, revenues from the mines didn't increase because of this royalty; it decreased from 28 to 15, almost a 50 percent decrease.

Exploration, likewise, fell dramatically from 38 to 15, far more than a 50 percent drop. That was in 1 year. The tax was repealed the next year because they found out exactly what we are claiming, that jobs were lost, 6,000 jobs were lost in 1 year. In 1972, the number of claims fell by 85 percent.

So when our opponents say there is not going to be any effect here, it's only right, we are asking them to pay the same amount that you pay for a snack at the grocery store. British Columbia did one-third of the tax that we are proposing. British Columbia found that they had to undo the tax because it was so destructive to the industry.

Mr. Chairman, I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT), a valued member of our Committee on Natural Resources.

Mr. HOLT. I thank the chairman and commend my colleague from West Virginia for bringing this legislation to the floor.

Mr. Chairman, we are doing a good thing here. The Mining Act of 1872 is as archaic and as deserving of updating as the name suggests. It was written at a time of manifest destiny, the belief of our predecessors, who held that we should expand from coast to coast and that mining was recognized as one of the best uses of public lands when the country seemed so vast that no one could imagine that human actions would affect the world.

Many things have changed over 135 years. Our Nation is settled. We have come to realize the worth of our natural environment. We have come to comprehend the effects of human actions on the resources that we will pass down to future generations.

This legislation is governing hardrock mining, an industry that's remained exempt from environmental regulations despite the fact that the U.S. EPA's toxic release inventory has determined that hardrock mining is a primary source of toxic pollution in the United States.

I am pleased that in committee we have included language, important language, I would say, to restrict permits for activities that would harm national parks and national monuments. There are thousands of claims and could be thousands more in the close environment of national parks and national monuments, some of our most treasured lands. This legislation will provide vital protection for those lands.

We all know well the costs to American taxpayers of refusing to look after the environment. This language about national parks, I think, will also save the taxpayer money, because we will have to spend hundreds of millions of dollars to clean up damage to water supplies and so forth.

I commend the chairman for bringing such a good bill forward and urge its passage.

Mr. PEARCE. Mr. Chairman, might I inquire how much time is remaining?

The CHAIRMAN. The gentleman from New Mexico has 3 minutes left. The gentleman from West Virginia has 4 minutes remaining.

Mr. PEARCE. Mr. Chairman, again, just sticking with the facts, we had one of my colleagues talk about fluorspar, that's what's used to make toothpaste, as if there were no strategic minerals; yet when I look at the list of imported minerals, I see that we import 72 percent of titanium, which is used in jet aircraft, fighter jet aircraft, 72 percent.

I think when we are discussing these facts, we should be talking about the critical facts, as I am sure that the gentleman was correct that we do import fluorspar, and it probably is used on toothpaste, but we probably should be talking about the domestic security, about the security of our Nation, about the willingness of our industry and the capability of our industry to provide the instruments to defend this country.

We are at a time when terrorists are trying to overcome us, al Qaeda, radical jihad. The terrorists are trying every way they can, and we are going to put the source of critical minerals that are necessary for our Nation's offense outside the Nation's borders. It simply doesn't make sense. It actually does feel like a work in progress. It feels like we should have done more.

Mr. Chairman, I reserve the balance of my time.

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Mr. RAHALL. Mr. Chairman, I would ask the gentleman from New Mexico if he has any additional speakers, because I am prepared to close, as I have the right to close.

Mr. PEARCE. I have no additional speakers. I will close if the gentleman is ready to close.

Mr. Speaker, when I look on the walls of this Chamber, I see the quote by Daniel Webster up above the Speaker's chair, and it says: "Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also, in our day and generation, may not perform something worthy to be remembered."

Worthy to be remembered. I think our Founding Fathers had it right. They visualized a nation of tremendous promise, where the wealth of the Nation and the protection of the Nation would come together in the production of its resources and in the taking care of its land.

I don't find it unusual at all that the same generation protected Yellowstone and yet gave us the capability to create these mines, which take billions of dollars to promote and to produce. I don't find that unusual at all.

But what I do find unusual is that our friends on the other side of the aisle are not listening to their own testimony coming in their own hearings. We heard testimony from both Democrat and Republican witnesses alike saying 8 percent royalties are unprecedented. They are damaging, destructive, they will hurt. Those are the things that we heard in the committee.

I would suggest that we send this work in progress back to the committee and finish our work before we try to change 135-year-old policy.

Mr. Chairman, I include a letter for the RECORD from Governor Palin of Alaska, the U.S. Chamber of Commerce, the National Mining Association, and others, all in opposition to the legislation proposed here.

DEPARTMENT OF NATURAL RESOURCES,
Anchorage, AK, September 28, 2007.

Hon. NICK RAHALL,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR CHAIRMAN RAHALL: The State of Alaska has completed a review of H.R. 2262, the Hardrock Mining and Reclamation Act of 2007. I attach the resulting position paper for your consideration.

While we acknowledge the need to revise some of the same federal laws that H.R. 2262 modifies, we believe the legislation would unjustifiably harm the domestic mining industry, and the Alaska mining industry in particular.

Our state produced almost $3 billion of minerals last year, four percent of the nation's total. We can continue and even expand this contribution indefinitely, but not without predictable access, on reasonable fiscal terms, to the federal domain in Alaska.

Your legislation, H.R. 2262, would create several obstacles to such access and terms. Specifically:

Prohibiting mining exploration and development on lands identified in the 2001 Forest Service "roadless rule" and in other "special areas" would place millions of acres off limits. These prohibitions are far too broad, particularly in Alaska where the federal government owns so much land, yet already offers so little of it to mineral exploration.

A flat royalty on gross revenues will cause unnecessary mine shutdowns and job losses during periods of low prices. The government should adopt a flexible royalty that adjusts for high and low returns.

The proposed new permitting system would unnecessarily duplicate existing laws while also creating great uncertainty and thus great risk for mineral exploration and development. We believe it could end exploration and mining on federal lands.

Thank you for considering these views and the attached position paper as Congress works to reform the nation's mining laws.

Sincerely,

TOM IRWIN,
Commissioner.

NATIONAL MINING ASSOCIATION,
Washington, DC, October 29, 2007.

Hon. NEIL ABERCROMBIE,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN ABERCROMBIE: The National Mining Association (NMA) supports updating the Mining Law in a manner that produces a fair and predictable public policy capable of sustaining a healthy domestic hard rock mining industry and providing a fair return to the taxpayer for the use of federal lands. House members will soon be asked to vote on the "Hardrock Mining and Reclamation Act of 2007" (H.R. 2262). NMA opposes H.R. 2262 because it jeopardizes current and future sources of domestic minerals that are critical to our nation's economic well-being and security.

NMA believes that the Mining Law can be responsibly updated in way that does not sacrifice American jobs or endanger the nation's security. Our domestic mineral and mining industry supports 169,500 direct and indirect jobs, produces metals valued at more than $16 billion and pays direct personal and payroll taxes totaling $830 million.

NMA finds the following features of H.R. 2262 particularly objectionable.

Excessive Royalty (Tax): The bill would impose the world's highest royalty on mineral production—a new tax on America's minerals that are critical to our economic vitality and national security. The tax would take the form of an 8 percent gross royalty, which would cause a significant reduction in mineral and mining investments. NMA supports a fair return to the public in the form of a net income production payment for minerals produced from new mining claims on federal lands.

Retroactive Levy on Existing Mines: The bill would retroactively levy a 4 percent gross royalty on existing mines where business plans and investments were implemented without this significant cost in mind. Apart from the doubtful legality of such a levy, it virtually guarantees the closure of some mines and the export of high-paying mining-related jobs.

Confiscation of Investments: Several provisions of H.R. 2262 would empower political appointees to stop new mining projects even when such projects have met all applicable environmental and legal requirements. No business can attract the necessary capital or operate with such regulatory uncertainty and, as you would expect, those investments and projects will move overseas.

Our country is becoming increasingly dependent on foreign sources of minerals critical to virtually every sector of our economy. Our national minerals policy should support, not destroy, the investments, jobs and infrastructure necessary to supply our domestic mineral needs. We urge you to oppose H.R. 2262 so a more balanced measure can be developed.

Sincerely yours,

KRAIG R. NAASZ,
President & CEO.

NATIONAL ASSOCIATION OF MANUFACTURERS,
October 30, 2007.

DEAR REPRESENTATIVES: On behalf of the National Association of Manufacturers (NAM), the nation's largest industrial trade association representing small and large manufacturers in every industrial sector and in all 50 states, I urge vou to oppose H.R. 2262, the Hardrock Mining and Reclamation Act of 2007.

The U.S. mining industry currently provides about 50 percent of the metals American manufacturers need to operate, including iron ore, copper, gold, phosphate, zinc, silver and molybdenum. The U.S. has become increasingly dependent upon foreign sources of minerals for products that are strategically important to both our national and economic security.

Rather than encouraging environmentally safe mineral development, H.R. 2262 would impose new taxes on the mining industry, including an eight percent royalty on new mining and a retroactive four percent royalty on existing mining operations. The bill would also establish new prohibitions on future mining on certain public lands and set highly prescriptive environmental standards that sometimes conflict with existing state and federal regulations.

Not only would the bill seriously impact the U.S. mining industry, it would increase the cost of raw materials for U.S. manufacturers, make our products less competitive in global markets and adversely affect thousands of high-paying manufacturing jobs. Moreover, we remain concerned that this sets an unwise precedent in targeting specific industries with new and burdensome tax increases.

The NAM's Key Vote Advisory Committee has indicated that votes on H.R. 2262 will be considered for designation as Key Manufacturing Votes in the 110th Congress.

Thank you for your consideration.

Sincerely,

JAY TIMMONS,
Senior Vice President for Policy and Government Relations.

CHEVRON MINING INC.,
Englewood, CO, October 30, 2007.

DEAR CONGRESSMEN: as an operator of two domestic metal mines with over 500 employees, I would like to urge you to vote "NO" on the "Hardrock Mining and Reclamation Act of 2007" (H.R. 2262). As longstanding members of the mining community in the United States, we are concerned that H.R. 2262 as it currently stands will negatively affect domestic supply of the metals and minerals needed to ensure our future economic prosperity. The new taxes imposed, and more importantly, the retroactive taxes proposed, will have a chilling effect on our industry. The uncertainty of mining rights will make domestic investment in new mines difficult, undoubtedly increasing our dependence on foreign minerals and eliminating countless jobs in the US.

Today, American hard rock miners are the highest paid in the world earning excellent salaries and receiving unmatched benefits. Congress will drive these jobs overseas if it approves H.R. 2262, which impose the highest minerals tax in the world!

We are dedicated to reforming Mining Law to ensure a fair return to taxpayers and allow businesses to stay open, preserve high-wage American jobs and prevent further increases in our dependence on foreign minerals.

On behalf of our 500 employees, I urge you to vote "NO" on the Hardrock Mining and Reclamation Act of 2007.

Very truly yours,

MARK A. SMITH,
President and CEO.

AMERICAN COPPER POLICY COUNCIL,
Washington, DC, October 30, 2007.

Hon. NEIL ABERCROMBIE,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN ABERCROMBIE: I am writing on behalf of the members of the American Copper Policy Council (ACPC) to indicate our opposition to H.R. 2262, the Hardrock Mining and Reclamation Act of 2007. Reform of the mining law is long overdue, but this legislation in its present form would impose new costs and regulatory burdens that would make the U.S. mining industry uncompetitive in the world marketplace. In addition to stifling new mining investment, H.R. 2262 would increase our domestic manufacturing sectors dependence on imported raw materials, particularly from manufacturing economies such as China. In the case of copper, this could discourage the use of a valuable material that positively contributes to green construction and improved energy efficiency.

ACPC members are involved in all facets of copper mining, production, fabrication and distribution and as such play a critical role in nearly all domestic manufacturing, which is vital to the national economy and defense. Mining law amendments must recognize the need to strike a balance between providing a fair return to the public for minerals extracted on federal lands and ensuring that our U.S. mining industry can continue to compete and provide our industrial base with a reliable supply of domestic minerals.

H.R. 2262 would impose a royalty that is higher than any other mining country in the world. A royalty is imposed on new mines and also retroactively on existing mines on federal lands. The bill fails to provide assurances that significant investments on public lands will not be placed at risk by arbitrary and capricious restrictions by regulators, and it imposes redundant and conflicting environmental standards on mining contrary to a finding by the National Research Council that current laws protect the environment.

We support reform but let's make sure it is good reform. At a time when our manufacturing base is struggling to compete in a world marketplace that is not always level, we need to consider the ramifications of legislation on our industrial base.

Thank you for your consideration of our concerns.

Sincerely,

LINDA D. FINDLAY,
Chair, American Copper Policy Council.

The American Copper Policy Council's members include the Copper Development Association, the Copper and Brass Fabricators Council, the Copper and Brass Servicenter Association, the International Copper Association, the National Electrical Manufacturers Association, Rio Tinto, and Freeport McMoRan Copper & Gold, Inc.

I yield back the balance of my time, Mr. Chairman.

Mr. RAHALL. Mr. Chairman, on January 28, 1872, Representative Sergeant brought to the House floor from the Committee on Mines and Mining H.R. 1016, the bill that was to be enacted as the Mining Law of 1872. He noted that debate had taken place whether it was worthwhile for the government to sell the mineral lands of the United States, some thought, on some idea of a royalty belonging to the government.

Instead, the Members debating that measure decided to allow for the patenting of mining claims for $2.50 or $5 an acre, depending on whether it was allowed to place their claim because, in the words of Representative Sergeant, "We are inducing miners to purchase their claims so that large amounts of money are thereby brought into the Treasury of the United States."

Well, now, perhaps back then $2.50 an acre represented a large amount of money. But I submit it does not today. And the royalty debated back when this law was passed is what, ironically, we are debating today.

Now, the gentleman from New Mexico has said that in order to pay that $2.50 an acre you have to mine the land. I would say that that is an inaccurate description of current law. You do not necessarily have to mine the land. You have to show that there's a valuable mineral that exists therein, which is not a very hard proposition to show these days.

With that noted, let me state that I've engaged in the effort to reform the Mining Law of 1872 these past many years, not just for the apparent reasons, valuable minerals mined for free, the threats to health and human safety from abandoned mine lands, but also because I am pro-mining, I come from a coal mining State, because I no longer believe that we can expect a viable hardrock mining industry to exist on public domain lands in the future if we do not make corrections to the law today.

I do so because there are provisions of the existing law which impede efficient and serious mineral exploration and development. And I do so because of the unsettled political climate governing this activity. With reform, if not coming in a comprehensive fashion, certainly it will continue to come on a piecemeal basis.

As my colleagues come to the floor to vote on this issue, I hope they will ask their staffs just how many letters from how many mining groups have they received in opposition to the pending bill. I hope they'll bring those letters to the floor with them, because I submit there will not be many. And I submit the reason may be, using my intuition, could the responsible segments of the hardrock mining industry, which is the majority, could the responsible segment of that hardrock mining industry want to end the uncertainty that exists over this industry? Could it be that they want a finality to the arguments surrounding their industry? Could it be that they want a basis upon which to make business and future investment decisions?

And hardly today are they screaming pauper. Look at this week's Wall Street Journal headline: "Gold Rush of 2007. Mining Mergers."

The price is pretty well up there these days. I think these companies are doing quite well, and they would like to have some finality on this issue. I believe that, with enough courage, as we've seen from elected officials, hunters, sportsmen, fishermen from across the West, we can continue to address the problems facing mining and dovetail our need for minerals with the necessity of protecting our environment.

For at stake here in this debate over the Mining Law of 1872 is the health, welfare, and environmental integrity of our people and on our Federal lands. At stake is the public interest of all Americans. And at stake is the ability of the hardrock mining industry to continue to operate on public domain lands in the future to produce those minerals that are necessary to maintain our standard of living.

I urge the adoption of this legislation.

Mr. GEORGE MILLER of California. I rise in very strong support of H.R. 2262, and I congratulate its sponsor, Chairman NICK RAHALL.

The Hardrock Mining and Reclamation Act of 2007 will finally end the give-away of our public lands and minerals. The bill secures a fair return for taxpayers on minerals taken from public lands, and it will provide for environmental standards and cleanup for hardrock mining.

For 135 years, American hardrock mining policy has given away public resources, and it has left each new generation a larger legacy of unreclaimed lands and degraded streams.

The 1872 mining law is long overdue for comprehensive reform.

The American taxpayers deserve an updated mining policy, and so does our natural environment.

Chairman RAHALL and I have been striving to update this antiquated law for decades, and thanks to his leadership, we are closer today to success than we have ever been.

The Natural Resources Committee's effort to reform mining law began in the early 1990s, when I chaired the committee, but we were derailed by the Republican rule.

Chairman RAHALL has spent 20 years introducing bills in this House to get to this point. He has persevered against indifference, opposition, and intensive lobbying.

Today, he has brought a bill to the floor of the House that takes a major step towards reform after many long years of struggle.

The 1872 mining law allows mining companies to take billions of dollars worth of gold, silver and other minerals from public lands for free.

We no longer treat any other resource that way—not coal, oil, or gas—yet under the archaic mining law, we still give away gold with no compensation to the taxpayers who own it.

And over the years, the price tag for mining cleanup has risen astronomically. Since the House last acted on reform legislation, more than 20 mines and mills have been added to the Superfund National Priority List.

The EPA Inspector General has warned of nearly $24 billion in cleanup costs for mine sites, some of which will require treatment "in perpetuity."

The 1872 law's failings have had a serious impact on California and the West. The mining law has remained in effect while Northern California's Iron Mountain mine spewed out nearly a quarter of the copper and zinc discharged by industries to the Nation's surface waters; as historic lands of the Indian Pass area in the southern California desert faced destruction from the proposed Glamis mine; during decades of efforts to control acidic, metal-laden discharges from an old sulfur mine southeast of Tahoe; and as the city of Grass Valley spends millions to treat hazardous mine discharges and fight a giant mining corporation in court.

The bill that is before us today, the Hardrock Mining and Reclamation Act of 2007, will: put certain irreplaceable public lands off limits to mining, secure a fair return for taxpayers with a royalty on minerals taken from public lands, halt the sale of public lands to mining claimholders, adopt modern environmental standards for hardrock mining; and establish a program to clean up abandoned mines.

I congratulate the chairman of the Natural Resources Committee, NICK RAHALL, and Energy Subcommittee Chairman JIM COSTA, our California colleague, for their leadership on this issue.

I also want to commend the staff of the Natural Resources committee for their years of hard work to get us to this point.

I urge all of my colleagues to support this major legislative accomplishment, which will be celebrated by future generations of Americans.

Mr. UDALL of Colorado. Mr. Chairman, I rise in strong support of this important legislation.

As a proud cosponsor of the bill, I want to begin by congratulating Chairman RAHALL, the lead sponsor of H.R. 2262 and our leader on the Natural Resources Committee, for all he has done to make it possible for the House to consider the bill today.

For many years, he has worked to replace the ancient mining law of 1872 with a statute more attuned to this era than to the days of the Grant administration—a worthy task that remains unfinished through no fault of his.

For him, it is personal. And it is personal for me as well.

My uncle, Stewart Udall, had the honor of serving as Secretary of the Interior during the administrations of Presidents Kennedy and Johnson. During his tenure, he accomplished a great deal, but he wanted to do more. He has often said that reform of the mining law of 1872 was the biggest unfinished business on the Nation's natural resources agenda, and has never let me forget that one of his final actions as Secretary was to send to Congress proposed legislation to accomplish that goal.

And, as Chairman RAHALL has reminded us all, my father, Representative Morris K. Udall, recognized the need for legislation such as the bill before us today. As chairman of what was then the Committee on Interior and Insular Affairs, he also accomplished a great deal, but he did not live to see that need fulfilled through its enactment.

So, I consider myself very fortunate to have the opportunity to join in supporting this bill and, by so doing, helping to accomplish what both my father and uncle recognized as a long-overdue step to provide the American people—owners of the Federal lands—with a fair return for development of "hardrock" minerals and to establish a better balance between the development of those minerals and the other uses of those lands.

Those are the purposes of this bill, and I think it is well designed to accomplish them.

Its enactment will replace the mining law of 1872 with a new statutory framework for the development of hardrock minerals on Federal lands.

Perhaps most notably, it will impose a royalty on gross income from hardrock mining on Federal land. Under current law, those who mine gold, silver, platinum, or other hardrock minerals from those lands pay no royalties at all—unlike those who extract oil, natural gas, or other minerals covered by the Mineral Leasing Act.

The royalty rate would be 8 percent of "net smelter return" for new mines and mine expansions, and a 4 percent net smelter rerun for production from existing mines. Those royalties, to the extent they exceed the costs of administering the new law, would go into a special fund in the Treasury and, along with certain administrative fees, would be available, subject to appropriation, to support reclamation programs and to provide assistance to State, local, and tribal governments.

I consider the establishment of this "abandoned hardrock mine reclamation fund" one of the most important features of the bill.

It is very important for Colorado because while mining brought many benefits to our State, it has also left us with too many worked-out and abandoned mines. Some of them are mere open pits or shafts that endanger hunters, hikers, or other visitors. And too many are the source of pollution that contaminates the nearby land and nearby streams or other bodies of water, and so are threats to public health as well as to the ranchers and farmers who depend on water to make a living and the fish and wildlife for whom it is life itself.

In fact, I have seen credible estimates indicating that the Western States have as many as 500,000 abandoned hardrock mines, and that just in Colorado there are over 20,000 old mines, shafts, and exploration holes.

In short, Mr. Chairman, there is an urgent need to clean up and reclaim these abandoned mines. But there are two major obstacles to progress toward that goal.

One is a lack of funds for cleaning up sites for which no private person or entity can be held liable. The reclamation fund established by this bill will be a major step toward remedying that problem.

The other obstacle is the fact that while many people would like to undertake the work of cleaning up abandoned mines, these would-be "good Samaritans" are deterred because they fear that under the Clean Water Act or other current law someone undertaking to clean up an abandoned or inactive mine will be exposed to the same liability that would apply to a party responsible for creating the site's problems in the first place.

Because that obstacle is not addressed by this bill, I have introduced a separate measure—H.R. 4011—that does address it. That bill, similar to ones I introduced in the 107th, 108th and 109th Congresses, reflects valuable input from representatives of the Western Governors' Association and other interested parties, including staff of the Transportation and Infrastructure Committee and the Environmental Protection Agency. It represents years of effort to reach agreement on establishing a program to advance the cleanup of polluted water from abandoned mines. It is cosponsored by our colleague from New Mexico, Representative PEARCE, whose help I greatly appreciate, and I will be seeking to have it considered as soon as practicable.

Another important aspect of the bill before us is the way it would modify the administrative and judicial procedures related to mining activities, including establishing a means for local governments to petition for withdrawal of Federal land from the staking of new mining claims.

That will enable local governments all over Colorado to have a much greater voice regarding activities that could have the potential to cause problems for their residents and for them to seek protection for such resources and values as watersheds and drinking water supplies, wildlife habitats, cultural or historic resources, scenic areas. In addition, Indian tribes will be able to seek protections for religious and cultural values.

I recognize that not everyone supports the bill as it stands. The Colorado Mining Association has informed me that while its members support reforming the 1872 mining law, they think the royalty rate that the bill would apply to new production is too high, and that they consider application of even a lower rate to existing production is unfair. I respect their views—although I don't think it is accurate to describe the royalty on existing production as "retroactive," because it will not apply to any production occurring prior to the bill's enactment—and I am ready to consider supporting changes in the royalty rates as the legislative process continues.

In conclusion, Mr. Chairman, this is a good bill, one that deserves our support. In the words of a recent editorial in the Daily Sentinel newspaper of Grand Junction, CO, it is "long-overdue and much-needed legislation." I urge its passage, and for the benefit of all our colleagues I attach the complete text of the Daily Sentinel's editorial.

[From the (Grand Junction, CO) Daily Sentinel, Oct. 18, 2007]

ARCHAIC MINING LAW NEEDS 21ST-CENTURY UPDATE

The mining industry that transformed huge swaths of western Colorado's landscape in the latter part of the 19th century was given a considerable boost by the 1872 Mining Law. And that legal antique continues to transform public lands in the state today.

However, long-overdue and much-needed legislation to finally reform the 135-year-old law is to be marked up in the House Natural Resources Committee today.

The mining legislation signed into law by President Ulysses S. Grant was adopted when most Americans enthusiastically supported both the development of the largely unpopulated West by white settlers and full exploitation of its natural resources. Along with laws such as the Homestead Act and the Timber and Stone Act, the 1872 Mining Law helped drive that effort.

Over time, however, public-lands laws passed in the late 19th century have been eliminated or superseded. Only the 1872 Mining Law remains in largely its original form, allowing companies and individuals to stake mining claims on federal lands and eventually purchase those lands for as little as $5 an acre.

In Colorado since 1980, 17 companies and 40 individuals have obtained mineral rights and deeds to more than 84,000 acres of once-public land under the 1872 law, according to a study by the Environmental Working Group. Four more applications are pending to acquire deeds to mining claims in Colorado.

Moreover, unlike companies that lease the rights to recover coal, oil and gas from public lands, those who obtain gold, silver and other precious metals under the 1872 law contribute nothing to the federal treasury through leasing or royalty payments. And because there were no environmental requirements in the law, U.S. taxpayers are footing the bill to clean up thousands of old mine sites around the West.

The legislation before the committee would end the practice of selling federal lands for hard-rock mining. People could lease lands for mining—as they do with coal, oil and gas—but they could not gain ownership of them, often for a tiny fraction of their current value.

Additionally, the bill to reform the 1872 Mining Law would establish an 8 percent royalty for new mines. It would improve environmental rules, create reclamation bonding requirements for mines and give federal land managers more authority to balance hard-rock mining with other public-lands activity. Not surprisingly, industry lobbyists are trying to water it down.

Western Colorado's two House members, Mark Udall and John Salazar, support the bill. Others should, too. It's long past time this 19th century relic was revamped to reflect the new realities of the 21st century.

Mr. DEFAZIO. Mr. Chairman, I rise today to speak in favor of H.R. 2262, the Hardrock Mining and Reclamation Act of 2007, introduced by my good friend, Chairman RAHALL. In 1991, I introduced the Mining Law Reform Act of 1991, which was very similar to the legislation that we are considering today. The following year, I introduced an amendment to another mining reform bill—also introduced by Chairman RAHALL—that would have put a 12.5 percent royalty on hardrock minerals mined on Federal public lands. It is beyond belief that for the past 135 years, the law has allowed these minerals to be extracted with no royalty paid to the American people, unlike the royalties paid by oil, gas, and coal developers.

So, I am very familiar with the issues involved in hardrock mining and the efforts to reform the antiquated 1872 mining law.

Unfortunately, none of these previous measures became law. Today, however, we have a real chance at mining reform. I am glad for that.

H.R. 2262 is a vast improvement over the 1872 mining law that currently guides mineral development on our public lands. Still, it could be improved further.

In the markup of this bill held by the Natural Resources Committee, I offered an amendment that would have clarified that the royalty provisions of H.R. 2262 do not apply to small miners, many of whom reside in my district in Oregon. The Bureau of Land Management estimates that there are approximately 3,400 small miners in Oregon that hold 10 or fewer claims, who engage in casual use of the public lands for hand panning, nonmotorized sluicing, and other small, recreational mining activities. Unfortunately, my amendment was not approved by the committee, although Chairman RAHALL agreed to work with me to address my concerns.

I intended to offer the same amendment to H.R. 2262 here today on the floor, to do just that. The Rules Committee, however, did not make my amendment in order. Therefore, I rise today to speak on this issue.

I am told by Chairman RAHALL and his staff that the underlying bill does not apply to recreational miners, or those miners engaged in casual use of the public lands; i.e., those mining activities that do not ordinarily result in any disturbance of public lands and resources. Sections 302 and 304 of H.R. 2622 indicate that miners engaged in casual use do not have to get a permit to mine, and section 103 states that miners who hold less than 10 claims are exempt from paying the maintenance fee required under the act.

I am told that this language, combined with existing regulations, means that recreational miners are not subject to the royalty provisions of H.R. 2622. I remain unconvinced that this is the case, which is why I wanted to offer my amendment. If it is true that small miners are not covered by this legislation, then adding clarifying language should not have been a problem. If the bill is in fact unclear, my amendment would have clarified it. In addition, my amendment would have addressed concerns raised by Chairman RAHALL that exempting small miners from royalty payments was a slippery slope, and that the exemption would have reduced revenues to the Federal Government. Nevertheless, I was not permitted to offer my amendment.

Therefore, let me be clear now, it is not my intention that the royalty provisions of H.R. 2622—specifically, section 102 of the legislation—apply to small recreational miners engaged in casual use of the public lands for mining. Hand panning, the use of hand tools, and other similar activities that work public lands for enjoyment or to supplement one's income is a time-honored tradition in this country, and explicitly anticipated by a variety of Federal laws governing the multiple use of these lands. While a revamp of the 1872 mining law is more than overdue, including placing royalties on the minerals extracted from Federal lands, we must ensure that small, recreational mining opportunities are not lost. My amendment would have guaranteed protection for small miners. I am disappointed that I was unable to offer it today.

I have made my concerns known to my colleagues in the Senate, and have provided them with copies of my amendment. When this legislation reaches their Chamber, I will call on them to ensure that small miners are not subject to the royalty provisions of this bill. Until then, I will reserve my judgment on whether I will support a final conference report on mining reform.

Mr. PASTOR. Mr. Chairman, I rise today to applaud and congratulate my good friend, Chairman RAHALL for his efforts to bring this legislation to the House floor. He has worked over many years to reform the mining law and because of his persistence, we have a better chance of finally securing reform than we ever have. Reform is long overdue.

I am supporting this legislation, but I wish to continue to work with the chairman and follow the actions of the Senate to make sure final legislation does not inadvertently create a system that makes our domestic industry unable to compete in the world marketplace. Mining has a long and colorful history in the State of Arizona and it provides great benefit to the State's economy. I believe we can have reform and also preserve a healthy industry.

I know the chairman shares that objective, and again I applaud him and his staff for making this issue a priority.

Mr. KING of Iowa. Mr. Chairman, I rise today in opposition to H.R. 2262, the Hardrock Mining and Reclamation Act of 2007.

H.R. 2262 will put new royalty rates on production from hardrock mining. For the other side, of course, royalty rates is a fun, new catchword meaning taxes. But, unlike the coal and petroleum industry who are taxed on production of product, H.R. 2262 will place the tax on the amount of material extracted. For example, if "Joe Voter Mining" moves 1 cubic yard of rock weighing in the neighborhood of 800 pounds to retrieve 1/10th or 1 ounce of gold, Joe would not be taxed on the gold recovered, but on the amount of rock moved. By raising taxes like this, the bill will cripple American production.

Since the 110th Congress convened, the PELOSI-led majority has been talking about the need for "renewable" energy.

The energy bills, that were rammed through the House and put large tax increases on the oil and natural gas industries placed a large emphasis on renewable energy; wind and solar. So why would this bill punish renewable energy?

Now, western Iowa does not have a hardrock mining industry. Thankfully for our farmers, we don't have much hardrock in western Iowa. But what we do have is large-scale production of renewable energy. The Fifth District of Iowa is the leader in production of BTU's of renewable energy: Ethanol, biodiesel, and wind. However, this bill will put a cramp on further production of renewable energy. I want to let my colleagues on the other side of the aisle in on a little secret, those ethanol and biodiesel plants require steel and copper. Those wind chargers that produce clean, renewable electricity from the air sit on large steel columns. The electricity that is produced by wind chargers and solar panels is transported via copper wires.

Mr. Chairman, steel and copper come from the ground. So I want to try and figure out the Democrat logic. They are going to tax the raw resources that are used by the renewable industry to make a product the Democrats want to see more of? That doesn't sound like sound logic to me. I would just hope that what my Democrat colleagues realize is that which you tax, you get less of. If they want less renewable energy, then taxing the resources used in its production is a sure way to make that happen.

Mr. Chairman, today, oil is over $90 a barrel and natural gas is over $8 per million cubic feet because of Democrat energy policies. And in an absurd response, the Democrats aim to crush the renewable industry by raising the rates on the materials the renewable energy industry is built on. I urge my colleagues to oppose H.R. 2262, the Hardrock Mining and Reclamation Act of 2007.

Mr. UDALL of New Mexico. Mr. Chairman, I rise today to mark the passage of H.R. 2262, the Hardrock Mining and Reclamation Act. H.R. 2262 takes long overdue action to reform the 1872 Mining Act. That law, the General Mining Act of 1872, was written to encourage westward expansion and to generate the supply of minerals needed in our Nation. Back in 1872, a charge of $5 an acre to mine hard rock minerals in remote areas of the undeveloped west was probably a pretty fair price. The fact that the price is still the same today is simply ludicrous.

As a result, private companies, both domestic and foreign, have been able to profit handsomely by mining on public lands without the need to pay the American people any royalties or to even clean up the messes they leave behind. By some estimates, the antiquated 1872 Mining Act has allowed over $245 billion worth of minerals to be extracted from more than 3.4 million acres of public lands without returning to the American people, the owners of those lands, a single cent in royalties. Today, we took a necessary step toward bringing this policy into the modern era.

H.R. 2262, introduced by Representative NICK RAHALL, the chairman of the Natural Resources Committee, requires mining companies to pay royalties to the American people for the minerals they mine from public lands and to properly reclaim lands damaged by mining. It also allows for the prohibition of mining on environmentally sensitive lands, and it creates a fund to begin the clean up of nearly a half million abandoned mine sites.

I sincerely hope that the Hardrock Mining and Reclamation Act sees swift passage in the other Chamber so we can send it to the President to be signed into law. Even though we have already waited 135 years to take action on this matter, time is truly of the essence. In 1872, hardrock mining mostly took place in the middle of vast undeveloped lands. Today, however, with over 375,000 mining claims spread throughout the rapidly developing West, some of our last pieces of unspoiled lands are threatened. According to the New York Times, many of those 375,000 claims are within 5 miles of 11 major national parks, including Death Valley and the Grand Canyon.

Over 89,000 of those claims were staked in 2006, largely due to the renewed interest in nuclear energy and the concomitant increase in the price of uranium. In New Mexico alone, almost 2,000 claims were staked in 2006. Many New Mexicans, most particularly members of the Navajo Nation, have already suffered devastating injuries from uranium mining in the past. H.R. 2262 will bring some much needed balance to the use of our public lands and, in so doing, help protect the health of our citizens. I am proud to support Chairman RAHALL's efforts and I encourage our colleagues in the other Chamber to do the same.

Mr. SHULER. Mr. Chairman, I rise today in support of H.R. 2262, the Hardrock Mining and Reclamation Act, which will reform the General Mining Law of 1872 and provide a fair return to the American taxpayer of publicly owned minerals on Federal lands.

By charging a royalty for publicly owned minerals, the American taxpayer will no longer have to bear the cost of reclaiming and restoring abandoned hardrock mines. H.R. 2262 will assure that future mines operate in a manner that conserves the environment and our valuable natural resources, including fish and wildlife habitats.

H.R. 2262 addresses the financial needs of our Nation. By charging a royalty fee on existing and future mining operations, along with filing and maintenance fees, the Congressional Budget Office has determined this legislation would reduce our country's deficit, which has spiraled out of control under the current administration.

Mr. Chairman, I urge my colleagues today to update the 1872 Mining Law for the 21st century and vote for this important legislation.

Mr. STARK. Mr. Chairman, I rise today in support of reforming one of the most antiquated laws still on the books. The General Mining Law of 1872 has remained essentially unchanged since Ulysses S. Grant was President. Originally intended to spur westward expansion, the law has become an environmental and fiscal train wreck. Today we have a chance to reform this relic by passing the Hardrock Mining and Reclamation Act of 2007 (H.R. 2262).

Back in 1872 individual miners used hand tools to look for gold and silver; now multi-national corporations blast the tops off of mountains and produce chemicals such as cyanide, arsenic, and mercury that leach into streams and groundwater long after mining operations cease. Much has changed, but the law has not.

For 135 years, mining companies have been the beneficiaries of public largesse that would make even Haliburton blush: Over $245 billion worth of minerals have been removed from public lands virtually free of charge. Taxpayers have then been expected to foot the bill for the massive cleanup of abandoned mines to the tune of at least $30 billion. Under the 1872 law, mining takes precedence over ever other concern—environmental protection, recreation, or safety. The mining industry, which is responsible for more Federal Superfund sites than any other industry, pays no royalties on extracted metals. In addition, through the "patent" process, companies can force the sale of public lands for as little as $2.50 per acre. Patenting has resulted in the sale of over 3 million acres of public property at far below market value.

In my home State of California, a recent study found over 21,000 existing mining claims within 10 miles of national parks, monuments, and wilderness areas. The 285 claims within 10 miles of Yosemite threaten one of the Nation's most visited and spectacular parks.

The bill before us protects sensitive lands in California and throughout the West by creating environmental safeguards, transparency, and public participation. Some lands, such as wilderness study areas, would be completely off-limits. In other areas, new mines would be permitted only after a showing that they are not environmentally destructive. Local governments can also challenge new projects. The bill restores fiscal sanity by ending the practice of "patenting" and requiring that new mines pay an 8 percent royalty and existing mines pay 4 percent, both reasonable rates and well below what the coal and oil industries pay. These royalties are then put into a fund to pay for the cleanup of old mines.

It is time to fix a law that deserves to disappear into the dustbin of history. I urge all of my colleagues to vote for reform.

Mr. KIND. Mr. Chairman, I rise today in strong support of H.R. 2262 because it will finally compensate American taxpayers for the minerals that are extracted from public federal lands and, at the same time, dedicate this revenue to restoring wildlife habitat, drinking water supplies, and other natural resources that have been ruined by mining operations. Mr. Chairman, these changes are long overdue, and I commend Chairman RAHALL for bringing this bill to the floor today.

The importance of mining to the settlement and development of the West and to western economies today cannot be overstated. Therefore, this bill does not seek to destroy the U.S.

mining industry, but to bring it out of the 19th century and into the 21st. The Hardrock Mining and Reclamation Act at long last will force U.S. law to recognize that our public lands belong to all U.S. citizens, and any activities or industries that utilize those lands must do so for the benefit of all Americans. This bill will hold the mining industry responsible for the public minerals it extracts and for the environmental consequences of their operations.

For the past 135 years, the mining industry has had easy access to federal lands and was free to take what it wanted and then leave the lands in whatever condition they chose. The American taxpayer gave up their rights to these minerals and then took up the bill for cleaning up lands polluted with toxic chemicals. H.R. 2262 rightfully imposes a royalty fee on mining companies, similar to that paid by oil, coal, and natural gas companies who drill and mine on federal lands, which the Department of the Interior will use to fund environmental restoration and reclamation of abandoned mines. It is only fair that the mining industry pay to repair the damage it has done to natural resources, including drinking water supplies and prime habitat for wildlife and outdoor recreation.

This last point is very important to me. As an avid hunter and outdoorsman, it is critically important to me that we maintain our Nation's natural heritage for current and future generations. Federal lands harbor some of the most important fish and wildlife habitat and provide some of the finest hunting and angling opportunities in the country. For example, public lands contain more than 50 percent of the Nation's blue-ribbon trout streams and are strongholds for imperiled trout and salmon in the western United States. More than 80 percent of the most critical habitat for elk is found on lands managed by the Forest Service and the BLM, alone. Pronghorn antelope, sage grouse, mule deer, salmon and steelhead, and countless other fish and wildlife species are similarly dependent on public lands.

That is why sportsmen's organizations around the country support reform of the Mining Law of 1872. By passing this bill today, we will ensure the continued viability of wildlife habitat and the continued ability of hunters, anglers, and outdoor enthusiasts to pursue and pass on our sporting heritage.

Mr. Chairman, H.R. 2262 just makes good sense. By holding the mining industry accountable for its own actions and making it live up to certain basic environmental standards, this bill will protect the rights of all American citizens while ensuring that mining will continue in a balanced and responsible manner. I support H.R. 2262, and I urge my colleagues to vote for its passage today.

Mr. LEVIN. Mr. Chairman, I rise in strong support of H.R. 2262, the Hardrock Mining and Reclamation Act. Reform of this 135-year-old law is long overdue, and I am proud to be a cosponsor of this needed legislation.

In 1872, President Ulysses S. Grant signed the General Mining Law. The intention of the law was to promote the settlement of the American West. Under the 1872 law, mining companies do not pay any royalties for the publicly-owned "hardrock" minerals mined on federal lands. Over the years, mining companies have been able to extract hundreds of billions of dollars in gold, silver, platinum, copper, and uranium without paying royalties.

It is time to overhaul this archaic law. Let me be clear that this bill does not affect privately-owned land, but rather federal lands that belong to all Americans. The American people deserve a fair return for the minerals extracted from the lands they own. By comparison, the coal, oil, and gas companies already pay royalties for their operations on federal lands. Why should hardrock mining be any different? Virtually every other nation that allows mining on public lands imposes some form of royalty.

Opponents of this bill claim that charging an 8 percent royalty on new hardrock mines and setting some basic environmental standards will devastate the domestic mining industry and send mining jobs overseas. I read in the paper this morning that the price of gold hit just hit a 27-year high of $800 an ounce. Platinum is now selling for $1,447 an ounce. The worldwide demand for copper is so high that thieves have taken to stealing phone lines in some areas so they can sell the copper at recycling yards. Yet, in the face of these facts, opponents of the bill implausibly argue that the mining industry in this country will collapse if we don't continue to give away publicly-owned minerals for free.

I urge all my colleagues to join me in voting to bring this 19th century mining law into the 21st century.

Mr. SHAYS. Mr. Chairman, I urge my colleagues to support H.R. 2262, the Hardrock Mining and Reclamation Act, which requires hardrock mining companies to pay the government royalties for their operations on federal land.

Currently, the General Mining Law of 1872 allows mining companies to stake claims on public lands without paying royalties to the government. Claimholders are able to purchase public lands where their mines are located for as little as $2.50 an acre.

The bottom line is that there is no good reason that hardrock mining companies should be exempt from royalties for using land that belongs to all Americans. It is time we treat the hardrock mining industry just as we do coal, oil, and gas companies who operate on public lands.

For example, miners of coal on public lands pay 8 percent on underground deposits and 12.5 percent on surface deposits. Drillers of oil and natural gas pay 8 percent to 16.7 percent.

The Congressional Budget Office estimates that $1 billion in hardrock minerals are extracted annually from federal lands. Under this bill, future mine operations would pay an 8 percent royalty and existing mines would pay a 4 percent royalty. It would also end the "patenting" practice, allows claimholders to purchase public lands where their mines are located for as little as $2.50 an acre.

The Environmental Protection Agency, EPA, has identified hardrock mining as a leading source of toxic pollution in the United States.

According to the EPA, it will cost approximately $50 billion to clean up abandoned hardrock mines, and 40 percent of the headwaters of western watersheds have been polluted by mining.

Mining practices have changed since 1872. Today, mining companies often dig holes over one mile in diameter and 1,000 feet deep, using cyanide and other chemicals to extract metals from tons of low-grade ore. These chemicals and the toxic metals they dissolve from the rocks can leach into water sources. Acid mine drainage filled with heavy metals is difficult and expensive to clean up. When spills occur, taxpayers bear the brunt of cleaning them up.

The royalties collected under this bill would be directed towards much needed environmental protection measures. Two-thirds of the royalties, fees, and penalties paid by hardrock mining companies would help to mitigate the harmful effects of past mining activities on water supplies and public health. The funds would be used to restore land, water, and wildlife harmed by mining, and to clean up the abandoned mines and toxic waste materials.

The remaining one-third would go to assist states and localities impacted by hardrock mining to provide public facilities and services.

H.R. 2662 also expands the types of land on which mining would be prohibited to include wilderness areas, wild and scenic rivers, and certain roadless areas in national forests, adding necessary protections to some of our national treasures.

H.R. 2262 brings much needed reforms to hardrock mining operations. The bill ends priority status for mining interests, and ensures that mining on public lands takes place in a manner that protects taxpayers and the environment, and I urge its support.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 2262

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Hardrock Mining and Reclamation Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions and references.
Sec. 3. Application rules.

TITLE I—MINERAL EXPLORATION AND DEVELOPMENT

Sec. 101. Limitation on patents.
Sec. 102. Royalty.
Sec. 103. Hardrock mining claim maintenance fee.
Sec. 104. Effect of payments for use and occupancy of claims.

TITLE II—PROTECTION OF SPECIAL PLACES

Sec. 201. Lands open to location.
Sec. 202. Withdrawal petitions by States, political subdivisions, and Indian tribes.

TITLE III—ENVIRONMENTAL CONSIDERATIONS OF MINERAL EXPLORATION AND DEVELOPMENT

Sec. 301. General standard for hardrock mining on Federal land.

Sec. 302. Permits.
Sec. 303. Exploration permit.
Sec. 304. Operations permit.
Sec. 305. Persons ineligible for permits.
Sec. 306. Financial assurance.
Sec. 307. Operation and reclamation.
Sec. 308. State law and regulation.
Sec. 309. Limitation on the issuance of permits.

TITLE IV—MINING MITIGATION

Subtitle A—Locatable Minerals Fund

Sec. 401. Establishment of Fund.
Sec. 402. Contents of Fund.
Sec. 403. Subaccounts.

Subtitle B—Use of Hardrock Reclamation Account

Sec. 411. Use and objectives of the Account.
Sec. 412. Eligible lands and waters.
Sec. 413. Expenditures.
Sec. 414. Authorization of appropriations.

Subtitle C—Use of Hardrock Community Impact Assistance Account

Sec. 421. Use and objectives of the Account.
Sec. 422. Allocation of funds.

TITLE V—ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS

Subtitle A—Administrative Provisions

Sec. 501. Policy functions.
Sec. 502. User fees.
Sec. 503. Inspection and monitoring.
Sec. 504. Citizens suits.
Sec. 505. Administrative and judicial review.
Sec. 506. Enforcement.
Sec. 507. Regulations.
Sec. 508. Effective date.

Subtitle B—Miscellaneous Provisions

Sec. 511. Oil shale claims subject to special rules.
Sec. 512. Purchasing power adjustment.
Sec. 513. Savings clause.
Sec. 514. Availability of public records.
Sec. 515. Miscellaneous powers.
Sec. 516. Multiple mineral development and surface resources.
Sec. 517. Mineral materials.

SEC. 2. DEFINITIONS AND REFERENCES.

(a) IN GENERAL.—As used in this Act:

(1) The term "affiliate" means with respect to any person, any of the following:

(A) Any person who controls, is controlled by, or is under common control with such person.

(B) Any partner of such person.

(C) Any person owning at least 10 percent of the voting shares of such person.

(2) The term "applicant" means any person applying for a permit under this Act or a modification to or a renewal of a permit under this Act.

(3) The term "beneficiation" means the crushing and grinding of locatable mineral ore and such processes as are employed to free the mineral from other constituents, including but not necessarily limited to, physical and chemical separation techniques.

(4) The term "casual use"—

(A) subject to subparagraphs (B) and (C), means mineral activities that do not ordinarily result in any disturbance of public lands and resources;

(B) includes collection of geochemical, rock, soil, or mineral specimens using handtools, hand panning, or nonmotorized sluicing; and

(C) does not include—

(i) the use of mechanized earth-moving equipment, suction dredging, or explosives;

(ii) the use of motor vehicles in areas closed to off-road vehicles;

(iii) the construction of roads or drill pads; and

(iv) the use of toxic or hazardous materials.

(5) The term "claim holder" means a person holding a mining claim, millsite claim, or tunnel site claim located under the general mining laws and maintained in compliance with such laws and this Act. Such term may include an agent of a claim holder.

(6) The term "control" means having the ability, directly or indirectly, to determine (without regard to whether exercised through one or more corporate structures) the manner in which an entity conducts mineral activities, through any means, including without limitation, ownership interest, authority to commit the entity's real or financial assets, position as a director, officer, or partner of the entity, or contractual arrangement.

(7) The term "exploration"—

(A) subject to subparagraphs (B) and (C), means creating surface disturbance other than casual use, to evaluate the type, extent, quantity, or quality of minerals present;

(B) includes mineral activities associated with sampling, drilling, and analyzing locatable mineral values; and

(C) does not include extraction of mineral material for commercial use or sale.

(8) The term "Federal land" means any land, and any interest in land, that is owned by the United States and open to location of mining claims under the general mining laws and title II of this Act.

(9) The term "Indian lands" means lands held in trust for the benefit of an Indian tribe or individual or held by an Indian tribe or individual subject to a restriction by the United States against alienation.

(10) The term "Indian tribe" means any Indian tribe, band, nation, pueblo, or other organized group or community, including any Alaska Native village or regional corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 and following), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(11) The term "locatable mineral"—

(A) subject to subparagraph (B), means any mineral, the legal and beneficial title to which remains in the United States and that is not subject to disposition under any of—

(i) the Mineral Leasing Act (30 U.S.C. 181 and following);

(ii) the Geothermal Steam Act of 1970 (30 U.S.C. 1001 and following);

(iii) the Act of July 31, 1947, commonly known as the Materials Act of 1947 (30 U.S.C. 601 and following); or

(iv) the Mineral Leasing for Acquired Lands Act (30 U.S.C. 351 and following); and

(B) does not include any mineral that is subject to a restriction against alienation imposed by the United States and is—

(i) held in trust by the United States for any Indian or Indian tribe, as defined in section 2 of the Indian Mineral Development Act of 1982 (25 U.S.C. 2101); or

(ii) owned by any Indian or Indian tribe, as defined in that section.

(12) The term "mineral activities" means any activity on a mining claim, millsite claim, or tunnel site claim for, related to, or incidental to, mineral exploration, mining, beneficiation, processing, or reclamation activities for any locatable mineral.

(13) The term "National Conservation System unit" means any unit of the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, or National Trails System, or a National Conservation Area, a National Recreation Area, a National Monument, or any unit of the National Wilderness Preservation System.

(14) The term "operator" means any person proposing or authorized by a permit issued under this Act to conduct mineral activities and any agent of such person.

(15) The term "person" means an individual, Indian tribe, partnership, association, society, joint venture, joint stock company, firm, company, corporation, cooperative, or other organization and any instrumentality of State or local government including any publicly owned utility or publicly owned corporation of State or local government.

(16) The term "processing" means processes downstream of beneficiation employed to prepare locatable mineral ore into the final marketable product, including but not limited to smelting and electrolytic refining.

(17) The term "Secretary" means the Secretary of the Interior, unless otherwise specified.

(18) The term "temporary cessation" means a halt in mine-related production activities for a continuous period of no longer than 5 years.

(19) The term "undue degradation" means irreparable harm to significant scientific, cultural, or environmental resources on public lands that cannot be effectively mitigated.

(b) TITLE II.—

(1) VALID EXISTING RIGHTS.—As used in title II, the term "valid existing rights" means a mining claim or millsite claim located on lands described in section 201(b), that—

(A) was properly located and maintained under this Act prior to and on the applicable date; or

(B)(i) was properly located and maintained under the general mining laws prior to the applicable date;

(ii) was supported by a discovery of a valuable mineral deposit within the meaning of the general mining laws on the applicable date, or satisfied the limitations under existing law for millsite claims; and

(iii) continues to be valid under this Act.

(2) APPLICABLE DATE.—As used in paragraph (1), the term "applicable date" means one of the following:

(A) For lands described in paragraph (1) of section 201(b), the date of the recommendation referred to in paragraph (1) of that section if such recommendation is made on or after the date of the enactment of this Act.

(B) For lands described in paragraph (1) of section 201(b), if the recommendation referred to in paragraph (1) of that section is made before the date of the enactment of this Act, the earlier of—

(i) the date of the enactment of this Act; or

(ii) the date of any withdrawal of such lands from mineral activities.

(C) For lands described in paragraph (3)(B) of section 201(b), the date of the enactment of this Act.

(D) For lands described in paragraph (3)(A) or (3)(C) of section 201(b), the date of the enactment of the amendment to the Wild and Scenic Rivers Act (16 U.S.C. 1271 and following) listing the river segment for study.

(E) For lands described in paragraph (3)(B) of section 201(b), the date of the determination of eligibility of such lands for inclusion in the Wild and Scenic River System.

(F) For lands described in paragraph (4) of section 201(b), the date of the withdrawal under other law.

(c) REFERENCES TO OTHER LAWS.—(1) Any reference in this Act to the term general mining laws is a reference to those Acts that generally comprise chapters 2, 12A, and 16, and sections 161 and 162, of title 30, United States Code.

(2) Any reference in this Act to the Act of July 23, 1955, is a reference to the Act entitled "An Act to amend the Act of July 31, 1947 (61 Stat. 681) and the mining laws to provide for multiple use of the surface of the same tracts of the public lands, and for other purposes" (30 U.S.C. 601 and following).

SEC. 3. APPLICATION RULES.

(a) IN GENERAL.—This Act applies to any mining claim, millsite claim, or tunnel site claim located under the general mining laws, before, on, *or after the date of enactment of this Act, except as provided in subsection (b).*

(b) PREEXISTING CLAIMS.—(1) Any unpatented mining claim or millsite claim located under the general mining laws before the date of enactment of this Act for which a plan of operation has not been approved or a notice filed prior to the date of enactment shall, upon the effective date of this Act, be subject to the requirements of this Act, except as provided in paragraphs (2) and (3).

(2)(A) If a plan of operations is approved for mineral activities on any claim or site referred to in paragraph (1) prior to the date of enactment of this Act but such operations have not commenced prior to the date of enactment of this Act—

(i) during the 10-year period beginning on the date of enactment of this Act, mineral activities at such claim or site shall be subject to such plan of operations;

(ii) during such 10-year period, modifications of any such plan may be made in accordance with the provisions of law applicable prior to the enactment of this Act if such modifications are deemed minor by the Secretary concerned; and

(iii) the operator shall bring such mineral activities into compliance with this Act by the end of such 10-year period.

(B) Where an application for modification of a plan of operations referred to in subparagraph (A)(ii) has been timely submitted and an approved plan expires prior to Secretarial action on the application, mineral activities and reclamation may continue in accordance with the terms of the expired plan until the Secretary makes an administrative decision on the application.

(c) FEDERAL LANDS SUBJECT TO EXISTING PERMIT.—(1) Any Federal land shall not be subject to the requirements of section 102 if the land is—

(A) subject to an operations permit; and

(B) producing valuable locatable minerals in commercial quantities prior to the date of enactment of this Act.

(2) Any Federal land added through a plan modification to an operations permit on Federal land that is submitted after the date of enactment of this Act shall be subject to the terms of section 102.

(d) APPLICATION OF ACT TO BENEFICIATION AND PROCESSING OF NON-FEDERAL MINERALS ON FEDERAL LANDS.—The provisions of this Act (including the environmental protection requirements of title III) shall apply in the same manner and to the same extent to mining claims, millsite claims, and tunnel site claims used for beneficiation or processing activities for any mineral without regard to whether or not the legal and beneficial title to the mineral is held by the United States. This subsection applies only to minerals that are locatable minerals or minerals that would be locatable minerals if the legal and beneficial title to such minerals were held by the United States.

TITLE I—MINERAL EXPLORATION AND DEVELOPMENT

SEC. 101. LIMITATION ON PATENTS.

(a) MINING CLAIMS.—

(1) DETERMINATIONS REQUIRED.—After the date of enactment of this Act, no patent shall be issued by the United States for any mining claim located under the general mining laws unless the Secretary determines that, for the claim concerned—

(A) a patent application was filed with the Secretary on or before September 30, 1994; and

(B) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims were fully complied with by that date.

(2) RIGHT TO PATENT.—If the Secretary makes the determinations referred to in subparagraphs (A) and (B) of paragraph (1) for any mining claim, the holder of the claim shall be entitled to the issuance of a patent in the same manner and degree to which such claim holder would have been entitled to prior to the enactment of this Act, unless and until such determinations are withdrawn or invalidated by the Secretary or by a court of the United States.

(b) MILLSITE CLAIMS.—

(1) DETERMINATIONS REQUIRED.—After the date of enactment of this Act, no patent shall be issued by the United States for any millsite claim located under the general mining laws unless the Secretary determines that for the millsite concerned—

(A) a patent application for such land was filed with the Secretary on or before September 30, 1994; and

(B) all requirements applicable to such patent application were fully complied with by that date.

(2) RIGHT TO PATENT.—If the Secretary makes the determinations referred to in subparagraphs (A) and (B) of paragraph (1) for any millsite claim, the holder of the claim shall be entitled to the issuance of a patent in the same manner and degree to which such claim holder would have been entitled to prior to the enactment of this Act, unless and until such determinations are withdrawn or invalidated by the Secretary or by a court of the United States.

SEC. 102. ROYALTY.

(a) RESERVATION OF ROYALTY.—

(1) IN GENERAL.—Except as provided in paragraph (2) and subject to paragraph (3), production of all locatable minerals from any mining claim located under the general mining laws and maintained in compliance with this Act, or mineral concentrates or products derived from locatable minerals from any such mining claim, as the case may be, shall be subject to a royalty of 8 percent of the gross income from mining. The claim holder or any operator to whom the claim holder has assigned the obligation to make royalty payments under the claim and any person who controls such claim holder or operator shall be liable for payment of such royalties.

(2) ROYALTY FOR FEDERAL LANDS SUBJECT TO EXISTING PERMIT.—The royalty under paragraph (1) shall be 4 percent in the case of any Federal land that—

(A) is subject to an operations permit on the date of the enactment of this Act; and

(B) produces valuable locatable minerals in commercial quantities on the date of enactment of this Act.

(3) FEDERAL LAND ADDED TO EXISTING OPERATIONS PERMIT.—Any Federal land added through a plan modification to an operations permit on Federal land that is submitted after the date of enactment of this Act shall be subject to the royalty that applies to other Federal land that is subject to the operations permit before that submission under paragraph (1) or (2), as applicable.

(4) OTHER APPLICATION PROVISION NOT EFFECTIVE.—Section 3(c) of this Act shall have no force or effect.

(5) DEPOSIT.—Amounts received by the United States as royalties under this subsection shall be deposited into the account established under section 401.

(b) DUTIES OF CLAIM HOLDERS, OPERATORS, AND TRANSPORTERS.—(1) A person—

(A) who is required to make any royalty payment under this section shall make such payments to the United States at such times and in such manner as the Secretary may by rule prescribe; and

(B) shall notify the Secretary, in the time and manner as may be specified by the Secretary, of any assignment that such person may have made of the obligation to make any royalty or other payment under a mining claim.

(2) Any person paying royalties under this section shall file a written instrument, together with the first royalty payment, affirming that such person is responsible for making proper payments for all amounts due for all time periods for which such person has a payment responsibility. Such responsibility for the periods referred to in the preceding sentence shall include any and all additional amounts billed by the Secretary and determined to be due by final agency or judicial action. Any person liable for royalty payments under this section who assigns any payment obligation shall remain jointly and severally liable for all royalty payments due for the claim for the period.

(3) A person conducting mineral activities shall—

(A) develop and comply with the site security provisions in the operations permit designed to protect from theft the locatable minerals, concentrates or products derived therefrom which are produced or stored on a mining claim, and such provisions shall conform with such minimum standards as the Secretary may prescribe by rule, taking into account the variety of circumstances on mining claims; and

(B) not later than the 5th business day after production begins anywhere on a mining claim, or production resumes after more than 90 days after production was suspended, notify the Secretary, in the manner prescribed by the Secretary, of the date on which such production has begun or resumed.

(4) The Secretary may by rule require any person engaged in transporting a locatable mineral, concentrate, or product derived therefrom to carry on his or her person, in his or her vehicle, or in his or her immediate control, documentation showing, at a minimum, the amount, origin, and intended destination of the locatable mineral, concentrate, or product derived therefrom in such circumstances as the Secretary determines is appropriate.

(c) RECORDKEEPING AND REPORTING REQUIREMENTS.—(1) A claim holder, operator, or other person directly involved in developing, producing, processing, transporting, purchasing, or selling locatable minerals, concentrates, or products derived therefrom, subject to this Act, through the point of royalty computation shall establish and maintain any records, make any reports, and provide any information that the Secretary may reasonably require for the purposes of implementing this section or determining compliance with rules or orders under this section. Such records shall include, but not be limited to, periodic reports, records, documents, and other data. Such reports may also include, but not be limited to, pertinent technical and financial data relating to the quantity, quality, composition volume, weight, and assay of all minerals extracted from the mining claim. Upon the request of any officer or employee duly designated by the Secretary conducting an audit or investigation pursuant to this section, the appropriate records, reports, or information that may be required by this section shall be made available for inspection and duplication by such officer or employee. Failure by a claim holder, operator, or other person referred to in the first sentence to cooperate with such an audit, provide data required by the Secretary, or grant access to information may, at the discretion of the Secretary, result in involuntary forfeiture of the claim.

(2) Records required by the Secretary under this section shall be maintained for 7 years after release of financial assurance under section 306 unless the Secretary notifies the operator that the Secretary has initiated an audit or investigation involving such records and that such records must be maintained for a longer period.

In any case when an audit or investigation is underway, records shall be maintained until the Secretary releases the operator of the obligation to maintain such records.

(d) AUDITS.—The Secretary is authorized to conduct such audits of all claim holders, operators, transporters, purchasers, processors, or other persons directly or indirectly involved in the production or sales of minerals covered by this Act, as the Secretary deems necessary for the purposes of ensuring compliance with the requirements of this section. For purposes of performing such audits, the Secretary shall, at reasonable times and upon request, have access to, and may copy, all books, papers and other documents that relate to compliance with any provision of this section by any person.

(e) COOPERATIVE AGREEMENTS.—(1) The Secretary is authorized to enter into cooperative agreements with the Secretary of Agriculture to share information concerning the royalty management of locatable minerals, concentrates, or products derived therefrom, to carry out inspection, auditing, investigation, or enforcement (not including the collection of royalties, civil or criminal penalties, or other payments) activities under this section in cooperation with the Secretary, and to carry out any other activity described in this section.

(2) Except as provided in paragraph (3)(A) of this subsection (relating to trade secrets), and pursuant to a cooperative agreement, the Secretary of Agriculture shall, upon request, have access to all royalty accounting information in the possession of the Secretary respecting the production, removal, or sale of locatable minerals, concentrates, or products derived therefrom from claims on lands open to location under this Act.

(3) Trade secrets, proprietary, and other confidential information protected from disclosure under section 552 of title 5, United States Code, popularly known as the Freedom of Information Act, shall be made available by the Secretary to other Federal agencies as necessary to assure compliance with this Act and other Federal laws. The Secretary, the Secretary of Agriculture, the Administrator of the Environmental Protection Agency, and other Federal officials shall ensure that such information is provided protection in accordance with the requirements of that section.

(f) INTEREST AND SUBSTANTIAL UNDERREPORTING ASSESSMENTS.—(1) In the case of mining claims where royalty payments are not received by the Secretary on the date that such payments are due, the Secretary shall charge interest on such underpayments at the same interest rate as the rate applicable under section 6621(a)(2) of the Internal Revenue Code of 1986. In the case of an underpayment, interest shall be computed and charged only on the amount of the deficiency and not on the total amount.

(2) If there is any underreporting of royalty owed on production from a claim for any production month by any person liable for royalty payments under this section, the Secretary shall assess a penalty of not greater than 25 percent of the amount of that underreporting.

(3) For the purposes of this subsection, the term "underreporting" means the difference between the royalty on the value of the production that should have been reported and the royalty on the value of the production which was reported, if the value that should have been reported is greater than the value that was reported.

(4) The Secretary may waive or reduce the assessment provided in paragraph (2) of this subsection if the person liable for royalty payments under this section corrects the underreporting before the date such person receives notice from the Secretary that an underreporting may have occurred, or before 90 days after the date of the enactment of this section, whichever is later.

(5) The Secretary shall waive any portion of an assessment under paragraph (2) of this subsection attributable to that portion of the underreporting for which the person responsible for paying the royalty demonstrates that—

(A) such person had written authorization from the Secretary to report royalty on the value of the production on basis on which it was reported,

(B) such person had substantial authority for reporting royalty on the value of the production on the basis on which it was reported,

(C) such person previously had notified the Secretary, in such manner as the Secretary may by rule prescribe, of relevant reasons or facts affecting the royalty treatment of specific production which led to the underreporting, or

(D) such person meets any other exception which the Secretary may, by rule, establish.

(6) All penalties collected under this subsection shall be deposited in the Locatable Minerals Fund established under title IV.

(g) DELEGATION.—For the purposes of this section, the term "Secretary" means the Secretary of the Interior acting through the Director of the Minerals Management Service.

(h) EXPANDED ROYALTY OBLIGATIONS.—Each person liable for royalty payments under this section shall be jointly and severally liable for royalty on all locatable minerals, concentrates, or products derived therefrom lost or wasted from a mining claim located under the general mining laws and maintained in compliance with this Act when such loss or waste is due to negligence on the part of any person or due to the failure to comply with any rule, regulation, or order issued under this section.

(i) GROSS INCOME FROM MINING DEFINED.—For the purposes of this section, for any locatable mineral, the term "gross income from mining" has the same meaning as the term "gross income" in section 613(c) of the Internal Revenue Code of 1986.

(j) EFFECTIVE DATE.—The royalty under this section shall take effect with respect to the production of locatable minerals after the enactment of this Act, but any royalty payments attributable to production during the first 12 calendar months after the enactment of this Act shall be payable at the expiration of such 12-month period.

(k) FAILURE TO COMPLY WITH ROYALTY REQUIREMENTS.—Any person who fails to comply with the requirements of this section or any regulation or order issued to implement this section shall be liable for a civil penalty under section 109 of the Federal Oil and Gas Royalty Management Act (30 U.S.C. 1719) to the same extent as if the claim located under the general mining laws and maintained in compliance with this Act were a lease under that Act.

SEC. 103. HARDROCK MINING CLAIM MAINTENANCE FEE.

(a) FEE.—

(1) Except as provided in section 2511(e)(2) of the Energy Policy Act of 1992 (relating to oil shale claims), for each unpatented mining claim, mill or tunnel site on federally owned lands, whether located before, on, or after enactment of this Act, each claimant shall pay to the Secretary, on or before August 31 of each year, a claim maintenance fee of $150 per claim to hold such unpatented mining claim, mill or tunnel site for the assessment year beginning at noon on the next day, September 1. Such claim maintenance fee shall be in lieu of the assessment work requirement contained in the Mining Law of 1872 (30 U.S.C. 28 et seq.) and the related filing requirements contained in section 314(a) and (c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(a) and (c)).

(2)(A) The claim maintenance fee required under this subsection shall be waived for a claimant who certifies in writing to the Secretary that on the date the payment was due, the claimant and all related parties—

(i) held not more than 10 mining claims, mill sites, or tunnel sites, or any combination thereof, on public lands; and

(ii) have performed assessment work required under the Mining Law of 1872 (30 U.S.C. 28 et seq.) to maintain the mining claims held by the claimant and such related parties for the assessment year ending on noon of September 1 of the calendar year in which payment of the claim maintenance fee was due.

(B) For purposes of subparagraph (A), with respect to any claimant, the term "all related parties" means—

(i) the spouse and dependent children (as defined in section 152 of the Internal Revenue Code of 1986), of the claimant; or

(ii) a person affiliated with the claimant, including—

(I) a person controlled by, controlling, or under common control with the claimant; or

(II) a subsidiary or parent company or corporation of the claimant.

(3)(A) The Secretary shall adjust the fees required by this subsection to reflect changes in the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor every 5 years after the date of enactment of this Act, or more frequently if the Secretary determines an adjustment to be reasonable.

(B) The Secretary shall provide claimants notice of any adjustment made under this paragraph not later than July 1 of any year in which the adjustment is made.

(C) A fee adjustment under this paragraph shall begin to apply the calendar year following the calendar year in which it is made.

(4) Monies received under this subsection shall be deposited in the Locatable Minerals Fund established by this Act.

(b) LOCATION.—

(1) Notwithstanding any provision of law, for every unpatented mining claim, mill or tunnel site located after the date of enactment of this Act and before September 30, 1998, the locator shall, at the time the location notice is recorded with the Bureau of Land Management, pay to the Secretary a location fee, in addition to the fee required by subsection (a) of $50 per claim.

(2) Moneys received under this subsection that are not otherwise allocated for the administration of the mining laws by the Department of the Interior shall be deposited in the Locatable Minerals Fund established by this Act.

(c) CO-OWNERSHIP.—The co-ownership provisions of the Mining Law of 1872 (30 U.S.C. 28 et seq.) will remain in effect except that the annual claim maintenance fee, where applicable, shall replace applicable assessment requirements and expenditures.

(d) FAILURE TO PAY.—Failure to pay the claim maintenance fee as required by subsection (a) shall conclusively constitute a forfeiture of the unpatented mining claim, mill or tunnel site by the claimant and the claim shall be deemed null and void by operation of law.

(e) OTHER REQUIREMENTS.—

(1) Nothing in this section shall change or modify the requirements of section 314(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(b)), or the requirements of section 314(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(c)) related to filings required by section 314(b), which remain in effect.

(2) Section 2324 of the Revised Statutes of the United States (30 U.S.C. 28) is amended by inserting "or section 103(a) of the Hardrock Mining and Reclamation Act of 2007" after "Act of 1993,".

SEC. 104. EFFECT OF PAYMENTS FOR USE AND OCCUPANCY OF CLAIMS.

Timely payment of the claim maintenance fee required by section 103 of this Act or any related *law relating to the use of Federal land, asserts the claimant's authority to use and occupy the Federal land concerned for prospecting and exploration, consistent with the requirements of this Act and other applicable law.*

TITLE II—PROTECTION OF SPECIAL PLACES

SEC. 201. LANDS OPEN TO LOCATION.

(a) LANDS OPEN TO LOCATION.—Except as provided in subsection (b), mining claims may be located under the general mining laws only on such lands and interests as were open to the location of mining claims under the general mining laws immediately before the enactment of this Act.

(b) LANDS NOT OPEN TO LOCATION.—Notwithstanding any other provision of law and subject to valid existing rights, each of the following shall not be open to the location of mining claims under the general mining laws on or after the date of enactment of this Act:

(1) Wilderness study areas.

(2) Areas of critical environmental concern.

(3) Areas designated for inclusion in the National Wild and Scenic Rivers System pursuant to the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), areas designated for potential addition to such system pursuant to section 5(a) of that Act (16 U.S.C. 1276(a)), and areas determined to be eligible for inclusion in such system pursuant to section 5(d) of such Act (16 U.S.C. 1276(d)).

(4) Any area identified in the set of inventoried roadless areas maps contained in the Forest Service Roadless Area Conservation Final Environmental Impact Statement, Volume 2, dated November 2000.

(c) EXISTING AUTHORITY NOT AFFECTED.—Nothing in this Act limits the authority granted the Secretary in section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714) to withdraw public lands.

SEC. 202. WITHDRAWAL PETITIONS BY STATES, POLITICAL SUBDIVISIONS, AND INDIAN TRIBES.

(a) IN GENERAL.—Any State or political subdivision of a State or an Indian tribe may submit a petition to the Secretary for the withdrawal of a specific tract of Federal land from the operation of the general mining laws, in order to protect specific values identified in the petition that are important to the State or political subdivision or Indian tribe. Such values may include the value of a watershed to supply drinking water, wildlife habitat value, cultural or historic resources, or value for scenic vistas important to the local economy, and other similar values. In the case of an Indian tribe, the petition may also identify religious or cultural values that are important to the Indian tribe. The petition shall contain the information required by section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714).

(b) CONSIDERATION OF PETITION.—The Secretary—

(1) shall solicit public comment on the petition;

(2) shall make a final decision on the petition within 180 days after receiving it; and

(3) shall grant the petition unless the Secretary makes and publishes in the Federal Register specific findings why a decision to grant the petition would be against the national interest.

TITLE III—ENVIRONMENTAL CONSIDERATIONS OF MINERAL EXPLORATION AND DEVELOPMENT

SEC. 301. GENERAL STANDARD FOR HARDROCK MINING ON FEDERAL LAND.

Notwithstanding section 302(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(b)), the first section of the Act of June 4, 1897 (chapter 2; 30 Stat. 36 16 U.S.C. 478), and the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.), and in accordance with this title and applicable law, unless expressly stated otherwise in this Act, the Secretary—

(1) shall ensure that mineral activities on any Federal land that is subject to a mining claim, millsite claim, or tunnel site claim is carefully controlled to prevent undue degradation of public lands and resources; and

(2) shall not grant permission to engage in mineral activities if the Secretary, after considering the evidence, makes and publishes in the Federal Register a determination that undue degradation would result from such activities.

SEC. 302. PERMITS.

(a) PERMITS REQUIRED.—No person may engage in mineral activities on Federal land that may cause a disturbance of surface resources, including but not limited to land, air, ground water and surface water, and fish and wildlife, unless—

(1) the claim was properly located under the general mining laws and maintained in compliance with such laws and this Act; and

(2) a permit was issued to such person under this title authorizing such activities.

(b) NEGLIGIBLE DISTURBANCE.—Notwithstanding subsection (a)(2), a permit under this title shall not be required for mineral activities that are a casual use of the Federal land.

(c) COORDINATION WITH NEPA PROCESS.—To the extent practicable, the Secretary and the Secretary of Agriculture shall conduct the permit processes under this Act in coordination with the timing and other requirements under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

SEC. 303. EXPLORATION PERMIT.

(a) AUTHORIZED EXPLORATION ACTIVITY.—Any claim holder may apply for an exploration permit for any mining claim authorizing the claim holder to remove a reasonable amount of the locatable minerals from the claim for analysis, study and testing. Such permit shall not authorize the claim holder to remove any mineral for sale nor to conduct any activities other than those required for exploration for locatable minerals and reclamation.

(b) PERMIT APPLICATION REQUIREMENTS.—An application for an exploration permit under this section shall be submitted in a manner satisfactory to the Secretary or, for National Forest System lands, the Secretary of Agriculture, and shall contain an exploration plan, a reclamation plan for the proposed exploration, and such documentation as necessary to ensure compliance with applicable Federal and State environmental laws and regulations.

(c) RECLAMATION PLAN REQUIREMENTS.—The reclamation plan required to be included in a permit application under subsection (b) shall include such provisions as may be jointly prescribed by the Secretary and the Secretary of Agriculture.

(d) PERMIT ISSUANCE OR DENIAL.—The Secretary, or for National Forest System lands, the Secretary of Agriculture, shall issue an exploration permit pursuant to an application under this section unless such Secretary makes any of the following determinations:

(1) The permit application, the exploration plan and reclamation plan are not complete and accurate.

(2) The applicant has not demonstrated that proposed reclamation can be accomplished.

(3) The proposed exploration activities and condition of the land after the completion of exploration activities and final reclamation would not conform with the land use plan applicable to the area subject to mineral activities.

(4) The area subject to the proposed permit is included within an area not open to location under section 201.

(5) The applicant has not demonstrated that the exploration plan and reclamation plan will be in compliance with the requirements of this Act and all other applicable Federal requirements, and any State requirements agreed to by the Secretary of the Interior (or Secretary of Agriculture, as appropriate).

(6) The applicant has not demonstrated that the requirements of section 306 (relating to financial assurance) will be met.

(7) The applicant is eligible to receive a permit under section 305.

(e) TERM OF PERMIT.—An exploration permit shall be for a stated term. The term shall be no greater than that necessary to accomplish the proposed exploration, and in no case for more than 10 years.

(f) PERMIT MODIFICATION.—During the term of an exploration permit the permit holder may submit an application to modify the permit. To approve a proposed modification to the permit, the Secretary concerned shall make the same determinations as are required in the case of an original permit, except that the Secretary and the Secretary of Agriculture may specify by joint rule the extent to which requirements for initial exploration permits under this section shall apply to applications to modify an exploration permit based on whether such modifications are deemed significant or minor.

(g) TRANSFER, ASSIGNMENT, OR SALE OF RIGHTS.—(1) No transfer, assignment, or sale of rights granted by a permit issued under this section shall be made without the prior written approval of the Secretary or for National Forest System lands, the Secretary of Agriculture.

(2) Such Secretary shall allow a person holding a permit to transfer, assign, or sell rights under the permit to a successor, if the Secretary finds, in writing, that the successor—

(A) is eligible to receive a permit in accordance with section 304(d);

(B) has submitted evidence of financial assurance satisfactory under section 306; and

(C) meets any other requirements specified by the Secretary.

(3) The successor in interest shall assume the liability and reclamation responsibilities established by the existing permit and shall conduct the mineral activities in full compliance with this Act, and the terms and conditions of the permit as in effect at the time of transfer, assignment, or sale.

(4) Each application for approval of a permit transfer, assignment, or sale pursuant to this subsection shall be accompanied by a fee payable to the Secretary of the Interior in such amount as may be established by such Secretary. Such amount shall be equal to the actual or anticipated cost to the Secretary or the Secretary of Agriculture, as appropriate, of reviewing and approving or disapproving such transfer, assignment, or sale, as determined by the Secretary of the Interior. All moneys received under this subsection shall be deposited in the Locatable Minerals Fund established under title IV of this Act.

SEC. 304. OPERATIONS PERMIT.

(a) OPERATIONS PERMIT.—(1) Any claim holder that is in compliance with the general mining laws and section 103 of this Act may apply to the Secretary, or for National Forest System lands, the Secretary of Agriculture, for an operations permit authorizing the claim holder to carry out mineral activities, other than casual use, on—

(A) any valid mining claim, valid millsite claim, or valid tunnel site claim; and

(B) such additional Federal land as the Secretary may determine is necessary to conduct the proposed mineral activities, if the operator obtains a right-of-way permit for use of such additional lands under title V of the Federal Land Policy and Management Act of 1976 (43

U.S.C. 1761 et seq.) and agrees to pay all fees required under that title for the permit under that title.

(2) If the Secretary decides to issue such permit, the permit shall include such terms and conditions as prescribed by such Secretary to carry out this title.

(b) PERMIT APPLICATION REQUIREMENTS.—An application for an operations permit under this section shall be submitted in a manner satisfactory to the Secretary concerned and shall contain site characterization data, an operations plan, a reclamation plan, monitoring plans, long-term maintenance plans, to the extent necessary, and such documentation as necessary to ensure compliance with applicable Federal and State environmental laws and regulations. If the proposed mineral activities will be carried out in conjunction with mineral activities on adjacent non-Federal lands, information on the location and nature of such operations may be required by the Secretary.

(c) PERMIT ISSUANCE OR DENIAL.—(1) After providing for public participation pursuant to subsection (i), the Secretary, or for National Forest System lands the Secretary of Agriculture, shall issue an operations permit if such Secretary makes each of the following determinations in writing, and shall deny a permit if such Secretary finds that the application and applicant do not fully meet the following requirements:

(A) The permit application, including the site characterization data, operations plan, and reclamation plan, are complete and accurate and sufficient for developing a good understanding of the anticipated impacts of the mineral activities and the effectiveness of proposed mitigation and control.

(B) The applicant has demonstrated that the proposed reclamation in the operation and reclamation plan can be and is likely to be accomplished by the applicant and will not cause undue degradation.

(C) The condition of the land, including the fish and wildlife resources and habitat contained thereon, after the completion of mineral activities and final reclamation, will conform to the land use plan applicable to the area subject to mineral activities and are returned to a productive use.

(D) The area subject to the proposed plan is open to location for the types of mineral activities proposed.

(E) The proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area.

(F) The applicant will fully comply with the requirements of section 306 (relating to financial assurance) prior to the initiation of operations.

(G) Neither the applicant nor operator, nor any subsidiary, affiliate, or person controlled by or under common control with the applicant or operator, is ineligible to receive a permit under section 305.

(H) The reclamation plan demonstrates that 10 years following mine closure, no treatment of surface or ground water for carcinogens or toxins will be required to meet water quality standards at the point of discharge.

(2) With respect to any activities specified in the reclamation plan referred to in subsection (b) that constitutes a removal or remedial action under section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 and following), the Secretary shall consult with the Administrator of the Environmental Protection Agency prior to the issuance of an operations permit. The Administrator shall ensure that the reclamation plan does not require activities that would increase the costs or likelihood of removal or remedial actions under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 and following) or corrective actions under the Solid Waste Disposal Act (42 U.S.C. 6901 and following).

(d) TERM OF PERMIT; RENEWAL.—

(1) An operations permit—

(A) shall be for a term that is no longer than the shorter of—

(i) the period necessary to accomplish the proposed mineral activities subject to the permit; and

(ii) 20 years; and

(B) shall be renewed for an additional 20-year period if the operation is in compliance with the requirements of this Act and other applicable law.

(2) Failure by the operator to commence mineral activities within 2 years of the date scheduled in an operations permit shall require a modification of the permit if the Secretary concerned determines that modifications are necessary to comply with section 201.

(e) PERMIT MODIFICATION.—

(1) During the term of an operations permit the operator may submit an application to modify the permit (including the operations plan or reclamation plan, or both).

(2) The Secretary, or for National Forest System lands the Secretary of Agriculture, may, at any time, require reasonable modification to any operations plan or reclamation plan upon a determination that the requirements of this Act cannot be met if the plan is followed as approved. Such determination shall be based on a written finding and subject to public notice and hearing requirements established by the Secretary concerned.

(3) A permit modification is required before changes are made to the approved plan of operations, or if unanticipated events or conditions exist on the mine site, including in the case of—

(A) development of acid or toxic drainage;

(B) loss of springs or water supplies;

(C) water quantity, water quality, or other resulting water impacts that are significantly different than those predicted in the application;

(D) the need for long-term water treatment;

(E) significant reclamation difficulties or reclamation failure;

(F) the discovery of significant scientific, cultural, or biological resources that were not addressed in the original plan; or

(G) the discovery of hazards to public safety.

(f) TEMPORARY CESSATION OF OPERATIONS.—(1) An operator conducting mineral activities under an operations permit in effect under this title may not temporarily cease mineral activities for a period greater than 180 days unless the Secretary concerned has approved such temporary cessation or unless the temporary cessation is permitted under the original permit. Any operator temporarily ceasing mineral activities for a period greater than 90 days under an operations permit issued before the date of the enactment of this Act shall submit, before the expiration of such 90-day period, a complete application for temporary cessation of operations to the Secretary concerned for approval unless the temporary cessation is permitted under the original permit.

(2) An application for approval of temporary cessation of operations shall include such information required under subsection (b) and any other provisions prescribed by the Secretary concerned to minimize impacts on the environment. After receipt of a complete application for temporary cessation of operations such Secretary shall conduct an inspection of the area for which temporary cessation of operations has been requested.

(3) To approve an application for temporary cessation of operations, the Secretary concerned shall make each of the following determinations:

(A) A determination that the methods for securing surface facilities and restricting access to the permit area, or relevant portions thereof, will effectively ensure against hazards to the health and safety of the public and fish and wildlife.

(B) A determination that reclamation is in compliance with the approved reclamation plan, except in those areas specifically designated in the application for temporary cessation of operations for which a delay in meeting such standards is necessary to facilitate the resumption of operations.

(C) A determination that the amount of financial assurance filed with the permit application is sufficient to assure completion of the reclamation activities identified in the approved reclamation plan in the event of forfeiture.

(D) A determination that any outstanding notices of violation and cessation orders incurred in connection with the plan for which temporary cessation is being requested are either stayed pursuant to an administrative or judicial appeal proceeding or are in the process of being abated to the satisfaction of the Secretary concerned.

(g) PERMIT REVIEWS.—The Secretary, or for National Forest System lands the Secretary of Agriculture, shall review each permit issued under this section every 10 years during the term of such permit, shall provide public notice of the permit review, and, based upon a written finding, such Secretary shall require the operator to take such actions as the Secretary deems necessary to assure that mineral activities conform to the permit, including adjustment of financial assurance requirements.

(h) TRANSFER, ASSIGNMENT, OR SALE OF RIGHTS.—(1) No transfer, assignment, or sale of rights granted by a permit under this section shall be made without the prior written approval of the Secretary, or for National Forest System lands the Secretary of Agriculture.

(2) The Secretary, or for National Forest System lands, the Secretary of Agriculture, may allow a person holding a permit to transfer, assign, or sell rights under the permit to a successor, if such Secretary finds, in writing, that the successor—

(A) has submitted information required and is eligible to receive a permit in accordance with section 305;

(B) has submitted evidence of financial assurance satisfactory under section 306; and

(C) meets any other requirements specified by such Secretary.

(3) The successor in interest shall assume the liability and reclamation responsibilities established by the existing permit and shall conduct the mineral activities in full compliance with this Act, and the terms and conditions of the permit as in effect at the time of transfer, assignment, or sale.

(4) Each application for approval of a permit transfer, assignment, or sale pursuant to this subsection shall be accompanied by a fee payable to the Secretary of the Interior, or for National Forest System lands, the Secretary of Agriculture, in such amount as may be established by such Secretary, or for National Forest System lands, by the Secretary of Agriculture. Such amount shall be equal to the actual or anticipated cost to the Secretary or, for National Forest System lands, to the Secretary of Agriculture, of reviewing and approving or disapproving such transfer, assignment, or sale, as determined by such Secretary. All moneys received under this subsection shall be deposited in the Locatable Minerals Fund established under title IV.

(i) PUBLIC PARTICIPATION.—The Secretary of the Interior and the Secretary of Agriculture shall jointly promulgate regulations to ensure transparency and public participation in permit decisions required under this Act, consistent with any requirements that apply to such decisions under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

SEC. 305. PERSONS INELIGIBLE FOR PERMITS.

(a) CURRENT VIOLATIONS.—Unless corrective action has been taken in accordance with subsection (c), no permit under this title shall be issued or transferred to an applicant if the applicant or any agent of the applicant, the operator (if different than the applicant) of the claim concerned, any claim holder (if different than the applicant) of the claim concerned, or any affiliate or officer or director of the applicant is currently in violation of any of the following:

(1) A provision of this Act or any regulation under this Act.

(2) An applicable State or Federal toxic substance, solid waste, air, water quality, or fish and wildlife conservation law or regulation at any site where mining, beneficiation, or processing activities are occurring or have occurred.

(3) The Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 and following) or any regulation implementing that Act at any site where surface coal mining operations have occurred or are occurring.

(b) SUSPENSION.—The Secretary, or for National Forest System lands the Secretary of Agriculture, shall suspend an operations permit, in whole or in part, if such Secretary determines that any of the entities described in subsection (a) were in violation of any requirement listed in subsection (a) at the time the permit was issued.

(c) CORRECTION.—(1) The Secretary, or for National Forest System lands the Secretary of Agriculture, may issue or reinstate a permit under this title if the applicant submits proof that the violation referred to in subsection (a) or (b) has been corrected or is in the process of being corrected to the satisfaction of such Secretary and the regulatory authority involved or if the applicant submits proof that the violator has filed and is presently pursuing, a direct administrative or judicial appeal to contest the existence of the violation. For purposes of this section, an appeal of any applicant's relationship to an affiliate shall not constitute a direct administrative or judicial appeal to contest the existence of the violation.

(2) Any permit which is issued or reinstated based upon proof submitted under this subsection shall be conditionally approved or conditionally reinstated, as the case may be. If the violation is not successfully abated or the violation is upheld on appeal, the permit shall be suspended or revoked.

(d) PATTERN OF WILLFUL VIOLATIONS.—No permit under this Act may be issued to any applicant if there is a demonstrated pattern of willful violations of the environmental protection requirements of this Act by the applicant, any affiliate of the applicant, or the operator or claim holder if different than the applicant.

SEC. 306. FINANCIAL ASSURANCE.

(a) FINANCIAL ASSURANCE REQUIRED.—(1) After a permit is issued under this title and before any exploration or operations begin under the permit, the operator shall file with the Secretary, or for National Forest System lands the Secretary of Agriculture, evidence of financial assurance payable to the United States. The financial assurance shall be provided in the form of a surety bond, a trust fund, letters of credits, government securities, certificates of deposit, cash, or an equivalent form approved by such Secretary.

(2) The financial assurance shall cover all lands within the initial permit area and all affected waters that may require restoration, treatment, or other management as a result of mineral activities, and shall be extended to cover all lands and waters added pursuant to any permit modification made under section 303(f) (relating to exploration permits) or section 304(e) (relating to operations permits), or affected by mineral activities.

(b) AMOUNT.—The amount of the financial assurance required under this section shall be sufficient to assure the completion of reclamation and restoration satisfying the requirements of this Act if the work were to be performed by the Secretary concerned in the event of forfeiture, including the construction and maintenance costs for any treatment facilities necessary to meet Federal and State environmental requirements. The calculation of such amount shall take into account the maximum level of financial exposure which shall arise during the mineral activity and administrative costs associated with a government agency reclaiming the site.

(c) DURATION.—The financial assurance required under this section shall be held for the duration of the mineral activities and for an additional period to cover the operator's responsibility for reclamation, restoration, and long-term maintenance, and effluent treatment as specified in subsection (g).

(d) ADJUSTMENTS.—The amount of the financial assurance and the terms of the acceptance of the assurance may be adjusted by the Secretary concerned from time to time as the area requiring coverage is increased or decreased, or where the costs of reclamation or treatment change, or pursuant to section 304(f) (relating to temporary cessation of operations), but the financial assurance shall otherwise be in compliance with this section. The Secretary concerned shall review the financial guarantee every 3 years and as part of the permit application review under section 304(c).

(e) RELEASE.—Upon request, and after notice and opportunity for public comment, and after inspection by the Secretary, or for National Forest System lands, the Secretary of Agriculture, such Secretary may, after consultation with the Administrator of the Environmental Protection Agency, release in whole or in part the financial assurance required under this section if the Secretary makes both of the following determinations:

(1) A determination that reclamation or restoration covered by the financial assurance has been accomplished as required by this Act.

(2) A determination that the terms and conditions of any other applicable Federal requirements, and State requirements applicable pursuant to cooperative agreements under section 308, have been fulfilled.

(f) RELEASE SCHEDULE.—The release referred to in subsection (e) shall be according to the following schedule:

(1) After the operator has completed any required backfilling, regrading, and drainage control of an area subject to mineral activities and covered by the financial assurance, and has commenced revegetation on the regraded areas subject to mineral activities in accordance with the approved plan, that portion of the total financial assurance secured for the area subject to mineral activities attributable to the completed activities may be released except that sufficient assurance must be retained to address other required reclamation and restoration needs and to assure the long-term success of the revegetation.

(2) After the operator has completed successfully all remaining mineral activities and reclamation activities and all requirements of the operations plan and the reclamation plan, and all other requirements of this Act have been fully met, the remaining portion of the financial assurance may be released.

During the period following release of the financial assurance as specified in paragraph (1), until the remaining portion of the financial assurance is released as provided in paragraph (2), the operator shall be required to comply with the permit issued under this title.

(g) EFFLUENT.—Notwithstanding section 307(b)(4), where any discharge or other water-related condition resulting from the mineral activities requires treatment in order to meet the applicable effluent limitations and water quality standards, the financial assurance shall include the estimated cost of maintaining such treatment for the projected period that will be needed after the cessation of mineral activities. The portion of the financial assurance attributable to such estimated cost of treatment shall not be released until the discharge has ceased for a period of 5 years, as determined by ongoing monitoring and testing, or, if the discharge continues, until the operator has met all applicable effluent limitations and water quality standards for 5 full years without treatment.

(h) ENVIRONMENTAL HAZARDS.—If the Secretary, or for National Forest System lands, the Secretary of Agriculture, determines, after final release of financial assurance, that an environmental hazard resulting from the mineral activities exists, or the terms and conditions of the explorations or operations permit of this Act were not fulfilled in fact at the time of release, such Secretary shall issue an order under section 506 requiring the claim holder or operator (or any person who controls the claim holder or operator) to correct the condition such that applicable laws and regulations and any conditions from the plan of operations are met.

SEC. 307. OPERATION AND RECLAMATION.

(a) GENERAL RULE.—(1) The operator shall restore lands subject to mineral activities carried out under a permit issued under this title to a condition capable of supporting—

(A) the uses which such lands were capable of supporting prior to surface disturbance by the operator, or

(B) other beneficial uses which conform to applicable land use plans as determined by the Secretary, or for National Forest System lands, the Secretary of Agriculture.

(2) Reclamation shall proceed as contemporaneously as practicable with the conduct of mineral activities. In the case of a cessation of mineral activities beyond that provided for as a temporary cessation under this Act, reclamation activities shall begin immediately.

(b) OPERATION AND RECLAMATION STANDARDS.—The Secretary of the Interior and the Secretary of Agriculture shall jointly promulgate regulations that establish operation and reclamation standards for mineral activities permitted under this Act. The Secretaries may determine whether outcome-based performance standards or technology-based design standards are most appropriate. The regulations shall address the following:

(1) Segregation, protection, and replacement of topsoil or other suitable growth medium, and the prevention, where possible, of soil contamination.

(2) Maintenance of the stability of all surface areas.

(3) Control of sediments to prevent erosion and manage drainage.

(4) Minimization of the formation and migration of acidic, alkaline, metal-bearing, or other deleterious leachate.

(5) Reduction of the visual impact of mineral activities to the surrounding topography, including as necessary pit backfill.

(6) Establishment of a diverse, effective, and permanent vegetative cover of the same seasonal variety native to the area affected by mineral activities, and equal in extent of cover to the natural vegetation of the area.

(7) Design and maintenance of leach operations, impoundments, and excess waste according to standard engineering standards to achieve and maintain stability and reclamation of the site.

(8) Removal of structures and roads and sealing of drill holes.

(9) Restoration of, or mitigation for, fish and wildlife habitat disturbed by mineral activities.

(10) Preservation of cultural, paleontological, and cave resources.

(11) Prevention and suppression of fire in the area of mineral activities.

(c) SURFACE OR GROUNDWATER WITHDRAWALS.—The Secretary shall work with State and local governments with authority over the allocation and use of surface and groundwater in the area around the mine site as necessary to ensure that any surface or groundwater withdrawals made as a result of mining activities approved under this section do not cause undue degradation.

(d) SPECIAL RULE.—Reclamation activities for a mining claim that has been forfeited, relinquished, or lapsed, or a plan that has expired or been revoked or suspended, shall continue subject to review and approval by the Secretary, or for National Forest System lands the Secretary of Agriculture.

SEC. 308. STATE LAW AND REGULATION.

(a) STATE LAW.—(1) Any reclamation, land use, environmental, or public health protection standard or requirement in State law or regulation that meets or exceeds the requirements of this Act shall not be construed to be inconsistent with any such standard.

(2) Any bonding standard or requirement in State law or regulation that meets or exceeds the requirements of this Act shall not be construed to be inconsistent with such requirements.

(3) Any inspection standard or requirement in State law or regulation that meets or exceeds the requirements of this Act shall not be construed to be inconsistent with such requirements.

(b) APPLICABILITY OF OTHER STATE REQUIREMENTS.—(1) Nothing in this Act shall be construed as affecting any toxic substance, solid waste, or air or water quality, standard or requirement of any State, county, local, or tribal law or regulation, which may be applicable to mineral activities on lands subject to this Act.

(2) Nothing in this Act shall be construed as affecting in any way the right of any person to enforce or protect, under applicable law, such person's interest in water resources affected by mineral activities on lands subject to this Act.

(c) COOPERATIVE AGREEMENTS.—(1) Any State may enter into a cooperative agreement with the Secretary, or for National Forest System lands the Secretary of Agriculture, for the purposes of such Secretary applying such standards and requirements referred to in subsection (a) and subsection (b) to mineral activities or reclamation on lands subject to this Act.

(2) In such instances where the proposed mineral activities would affect lands not subject to this Act in addition to lands subject to this Act, in order to approve a plan of operations the Secretary concerned shall enter into a cooperative agreement with the State that sets forth a common regulatory framework consistent with the requirements of this Act for the purposes of such plan of operations. Any such common regulatory framework shall not negate the authority of the Federal Government to independently inspect mines and operations and bring enforcement actions for violations.

(3) The Secretary concerned shall not enter into a cooperative agreement with any State under this section until after notice in the Federal Register and opportunity for public comment and hearing.

(d) PRIOR AGREEMENTS.—Any cooperative agreement or such other understanding between the Secretary concerned and any State, or political subdivision thereof, relating to the management of mineral activities on lands subject to this Act that was in existence on the date of enactment of this Act may only continue in force until 1 year after the date of enactment of this Act. During such 1-year period, the State and the Secretary shall review the terms of the agreement and make changes that are necessary to be consistent with this Act.

SEC. 309. LIMITATION ON THE ISSUANCE OF PERMITS.

No permit shall be issued under this title that authorizes mineral activities that would impair the land or resources of the National Park System or a National Monument. For purposes of this section, the term "impair" shall include any diminution of the affected land including its scenic assets, its water resources, its air quality, and its acoustic qualities, or other changes that would impair a citizen's experience at the National Park or National Monument.

TITLE IV—MINING MITIGATION

Subtitle A—Locatable Minerals Fund

SEC. 401. ESTABLISHMENT OF FUND.

(a) ESTABLISHMENT.—There is established on the books of the Treasury of the United States a separate account to be known as the Locatable Minerals Fund (hereinafter in this subtitle referred to as the "Fund").

(b) INVESTMENT.—The Secretary shall notify the Secretary of the Treasury as to what portion of the Fund is not, in the Secretary's judgment, required to meet current withdrawals. The Secretary of the Treasury shall invest such portion of the Fund in public debt securities with maturities suitable for the needs of such Fund and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketplace obligations of the United States of comparable maturities.

SEC. 402. CONTENTS OF FUND.

The following amounts shall be credited to the Fund:

(1) All moneys collected pursuant to section 506 (relating to enforcement) and section 504 (relating to citizens suits).

(2) All permit fees and transfer fees received under section 304.

(3) All donations by persons, corporations, associations, and foundations for the purposes of this subtitle.

(4) All amounts deposited in the Fund under section 102 (relating to royalties and penalties for underreporting).

(5) All amounts received by the United States pursuant to section 101 from issuance of patents.

(6) All amounts received by the United States pursuant to section 103 as claim maintenance and location fees.

(7) All income on investments under section 401(b).

SEC. 403. SUBACCOUNTS.

There shall be in the Fund 2 subaccounts, as follows:

(1) The Hardrock Reclamation Account, which shall consist of ⅔ of the amounts credited to the Fund under section 402 and which shall be administered by the Secretary acting through the Director of the Office of Surface Mining and Enforcement.

(2) The Hardrock Community Impact Assistance Account, which shall consist of ⅓ of the amounts credited to the Fund under section 402 and which shall be administered by the Secretary acting through the Director of the Bureau of Land Management.

Subtitle B—Use of Hardrock Reclamation Account

SEC. 411. USE AND OBJECTIVES OF THE ACCOUNT.

(a) IN GENERAL.—The Secretary is authorized, subject to appropriations, to use moneys in the Hardrock Reclamation Account for the reclamation and restoration of land and water resources adversely affected by past mineral activities on lands the legal and beneficial title to which resides in the United States, land within the exterior boundary of any national forest system unit, or other lands described in subsection (d) or section 412, including any of the following:

(1) Protecting public health and safety.

(2) Preventing, abating, treating, and controlling water pollution created by abandoned mine drainage.

(3) Reclaiming and restoring abandoned surface and underground mined areas.

(4) Reclaiming and restoring abandoned milling and processing areas.

(5) Backfilling, sealing, or otherwise controlling, abandoned underground mine entries.

(6) Revegetating land adversely affected by past mineral activities in order to prevent erosion and sedimentation, to enhance wildlife habitat, and for any other reclamation purpose.

(7) Controlling of surface subsidence due to abandoned underground mines.

(b) PRIORITIES.—Expenditures of moneys from the Hardrock Reclamation Account shall reflect the following priorities in the order stated:

(1) The protection of public health and safety, from extreme danger from the adverse effects of past mineral activities, especially as relates to surface water and groundwater contaminants.

(2) The protection of public health and safety, from the adverse effects of past mineral activities.

(3) The restoration of land, water, and fish and wildlife resources previously degraded by the adverse effects of past mineral activities.

(c) HABITAT.—Reclamation and restoration activities under this subtitle, particularly those identified under subsection (a)(4), shall include appropriate mitigation measures to provide for the continuation of any established habitat for wildlife in existence prior to the commencement of such activities.

(d) OTHER AFFECTED LANDS.—Where mineral exploration, mining, beneficiation, processing, or reclamation activities have been carried out with respect to any mineral which would be a locatable mineral if the legal and beneficial title to the mineral were in the United States, if such activities directly affect lands managed by the Bureau of Land Management as well as other lands and if the legal and beneficial title to more than 50 percent of the affected lands resides in the United States, the Secretary is authorized, subject to appropriations, to use moneys in the Hardrock Reclamation Account for reclamation and restoration under subsection (a) for all directly affected lands.

(e) RESPONSE OR REMOVAL ACTIONS.—Reclamation and restoration activities under this subtitle which constitute a removal or remedial action under section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601), shall be conducted with the concurrence of the Administrator of the Environmental Protection Agency. The Secretary and the Administrator shall enter into a Memorandum of Understanding to establish procedures for consultation, concurrence, training, exchange of technical expertise and joint activities under the appropriate circumstances, that provide assurances that reclamation or restoration activities under this subtitle shall not be conducted in a manner that increases the costs or likelihood of removal or remedial actions under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 and following), and that avoid oversight by multiple agencies to the maximum extent practicable.

SEC. 412. ELIGIBLE LANDS AND WATERS.

(a) ELIGIBILITY.—Reclamation expenditures under this subtitle may only be made with respect to Federal lands or Indian lands or water resources that traverse or are contiguous to Federal lands or Indian lands where such lands or water resources have been affected by past mineral activities, including any of the following:

(1) Lands and water resources which were used for, or affected by, mineral activities and abandoned or left in an inadequate reclamation status before the effective date of this Act.

(2) Lands for which the Secretary makes a determination that there is no continuing reclamation responsibility of a claim holder, operator, or other person who abandoned the site prior to completion of required reclamation under State or other Federal laws.

(3) Lands for which it can be established that such lands do not contain locatable minerals which could economically be extracted through the reprocessing or remining of such lands, unless such considerations are in conflict with the priorities set forth under paragraphs (1) and (2) of section 302(b).

(b) SPECIFIC SITES AND AREAS NOT ELIGIBLE.—The provisions of section 411(d) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240a(d)) shall apply to expenditures made from the Hardrock Reclamation Account.

(c) INVENTORY.—The Secretary shall prepare and maintain a publicly available inventory of abandoned locatable minerals mines on public lands and any abandoned mine on Indian lands that may be eligible for expenditures under this subtitle, and shall deliver a yearly report to the Congress on the progress in cleanup of such sites.

SEC. 413. EXPENDITURES.

Moneys available from the Hardrock Reclamation Account may be expended for the purposes specified in section 411 directly by the Director of the Office of Surface Mining Reclamation and Enforcement. The Director may also make such money available for such purposes to the Director of the Bureau of Land Management, the Chief of the United States Forest Service, the Director of the National Park Service, or Director of the United States Fish and Wildlife Service, to any other agency of the United States, to an Indian tribe, or to any public entity that volunteers to develop and implement, and that has the ability to carry out, all or a significant portion of a reclamation program under this subtitle.

SEC. 414. AUTHORIZATION OF APPROPRIATIONS.

Amounts credited to the Hardrock Reclamation Account are authorized to be appropriated for the purpose of this subtitle without fiscal year limitation.

Subtitle C—Use of Hardrock Community Impact Assistance Account

SEC. 421. USE AND OBJECTIVES OF THE ACCOUNT.

Amounts in the Hardrock Community Impact Assistance Account shall be available to the Secretary, subject to appropriations, to provide assistance for the planning, construction, and maintenance of public facilities and the provision of public services to States, political subdivisions and Indian tribes that are socially or economically impacted by mineral activities conducted under the general mining laws.

SEC. 422. ALLOCATION OF FUNDS.

Moneys deposited into the Hardrock Community Impact Assistance Account shall be allocated by the Secretary for purposes of section 421 among the States within the boundaries of which occurs production of locatable minerals from mining claims located under the general mining laws and maintained in compliance with this Act, or mineral concentrates or products derived from locatable minerals from mining claims located under the general mining laws and maintained in compliance with this Act, as the case may be, in proportion to the amount of such production in each such State.

TITLE V—ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS

Subtitle A—Administrative Provisions

SEC. 501. POLICY FUNCTIONS.

(a) MINERALS POLICY.—Section 101 of the Mining and Minerals Policy Act of 1970 (30 U.S.C. 21a) is amended—

(1) in the first sentence by inserting before the period at the end the following: "and to ensure that mineral extraction and processing not cause undue degradation of the natural and cultural resources of the public lands"; and

(2) by adding at the end thereof the following: "It shall also be the responsibility of the Secretary of Agriculture to carry out the policy provisions of paragraphs (1) and (2) of this section.".

(b) MINERAL DATA.—Section 5(e)(3) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1604(e)(3)) is amended by inserting before the period the following: ", except that for National Forest System lands the Secretary of Agriculture shall promptly initiate actions to improve the availability and analysis of mineral data in public land use decisionmaking".

SEC. 502. USER FEES.

(a) IN GENERAL.—The Secretary and the Secretary of Agriculture may each establish and collect from persons subject to the requirements of this Act such user fees as may be necessary to reimburse the United States for the expenses incurred in administering such requirements. Fees may be assessed and collected under this section only in such manner as may reasonably be expected to result in an aggregate amount of the fees collected during any fiscal year which does not exceed the aggregate amount of administrative expenses referred to in this section.

(b) ADJUSTMENT.—(1) The Secretary shall adjust the fees required by this section to reflect changes in the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor every 5 years after the date of enactment of this Act, or more frequently if the Secretary determines an adjustment to be reasonable.

(2) The Secretary shall provide claimants notice of any adjustment made under this subsection not later than July 1 of any year in which the adjustment is made.

(3) A fee adjustment under this subsection shall begin to apply the calendar year following the calendar year in which it is made.

SEC. 503. INSPECTION AND MONITORING.

(a) INSPECTIONS.—(1) The Secretary, or for National Forest System lands the Secretary of Agriculture, shall make inspections of mineral activities so as to ensure compliance with the requirements of this Act.

(2) The Secretary concerned shall establish a frequency of inspections for mineral activities conducted under a permit issued under title III, but in no event shall such inspection frequency be less than one complete inspection per calendar quarter or, two per calendar quarter in the case of a permit for which the Secretary concerned approves an application under section 304(f) (relating to temporary cessation of operations). After revegetation has been established in accordance with a reclamation plan, such Secretary shall conduct annually 2 complete inspections. Such Secretary shall have the discretion to modify the inspection frequency for mineral activities that are conducted on a seasonal basis. Inspections shall continue under this subsection until final release of financial assurance.

(3)(A) Any person who has reason to believe he or she is or may be adversely affected by mineral activities due to any violation of the requirements of a permit approved under this Act may request an inspection. The Secretary, or for National Forest System lands the Secretary of Agriculture, shall determine within 10 working days of receipt of the request whether the request states a reason to believe that a violation exists. If the person alleges and provides reason to believe that an imminent threat to the environment or danger to the health or safety of the public exists, the 10-day period shall be waived and the inspection shall be conducted immediately. When an inspection is conducted under this paragraph, the Secretary concerned shall notify the person requesting the inspection, and such person shall be allowed to accompany the Secretary concerned or the Secretary's authorized representative during the inspection. The Secretary shall not incur any liability for allowing such person to accompany an authorized representative. The identity of the person supplying information to the Secretary relating to a possible violation or imminent danger or harm shall remain confidential with the Secretary if so requested by that person, unless that person elects to accompany an authorized representative on the inspection.

(B) The Secretaries shall, by joint rule, establish procedures for the review of (i) any decision by an authorized representative not to inspect; or (ii) any refusal by such representative to ensure that remedial actions are taken with respect to any alleged violation. The Secretary concerned shall furnish such persons requesting the review a written statement of the reasons for the Secretary's final disposition of the case.

(b) MONITORING.—(1) The Secretary, or for National Forest System lands the Secretary of Agriculture, shall require all operators to develop and maintain a monitoring and evaluation system that shall identify compliance with all requirements of a permit approved under this Act. The Secretary concerned may require additional monitoring to be conducted as necessary to assure compliance with the reclamation and other environmental standards of this Act. Such plan must be reviewed and approved by the Secretary and shall become a part of the explorations or operations permit.

(2) The operator shall file reports with the Secretary, or for National Forest System lands the Secretary of Agriculture, on a frequency determined by the Secretary concerned, on the results of the monitoring and evaluation process, except that if the monitoring and evaluation show a violation of the requirements of a permit approved under this Act, it shall be reported immediately to the Secretary concerned. The Secretary shall evaluate the reports submitted pursuant to this paragraph, and based on those reports and any necessary inspection shall take enforcement action pursuant to this section. Such reports shall be maintained by the operator and by the Secretary and shall be made available to the public.

(3) The Secretary, or for National Forest System lands the Secretary of Agriculture, shall determine what information shall be reported by the operator pursuant to paragraph (3). A failure to report as required by the Secretary concerned shall constitute a violation of this Act and subject the operator to enforcement action pursuant to section 506.

SEC. 504. CITIZENS SUITS.

(a) IN GENERAL.—Except as provided in subsection (b), any person may commence a civil action on his or her own behalf to compel compliance—

(1) against any person (including the Secretary or the Secretary of Agriculture) who is allged to be in violation of any of the provisions of this Act or any regulation promulgated pursuant to this Act or any term or condition of any permit issued under this Act; or

(2) against the Secretary or the Secretary of Agriculture where there is alleged a failure of such Secretary to perform any act or duty under this Act, or to promulgate any regulation under this Act, which is not within the discretion of the Secretary concerned.

The United States district courts shall have jurisdiction over actions brought under this section, without regard to the amount in controversy or the citizenship of the parties, including actions brought to apply any civil penalty *under this Act. The district courts of the United States shall have jurisdiction to compel agency action unreasonably delayed, except that an action to compel agency action reviewable under section 505 may only be filed in a United States district court within the circuit in which such action would be reviewable under section 505.*

(b) EXCEPTIONS.—(1) No action may be commenced under subsection (a) before the end of the 60-day period beginning on the date the plaintiff has given notice in writing of such alleged violation to the the alleged violator and the Secretary, or for National Forest System lands the Secretary of Agriculture, except that any such action may be brought immediately after such notification if the violation complained of constitutes an imminent threat to the environment or to the health or safety of the public.

(2) No action may be brought against any person other than the Secretary or the Secretary of Agriculture under subsection (a)(1) if such Secretary has commenced and is diligently prosecuting a civil or criminal action in a court of the United States to require compliance.

(3) No action may be commenced under paragraph (2) of subsection (a) against either Secretary to review any rule promulgated by, or to any permit issued or denied by such Secretary if such rule or permit issuance or denial is judicially reviewable under section 505 or under any other provision of law at any time after such promulgation, issuance, or denial is final.

(c) VENUE.—Venue of all actions brought under this section shall be determined in accordance with section 1391 of title 28, United States Code.

(d) COSTS.—The court, in issuing any final order in any action brought pursuant to this section may award costs of litigation (including attorney and expert witness fees) to any party whenever the court determines such award is appropriate. The court may, if a temporary restraining order or preliminary injunction is sought, require the filing of a bond or equivalent security in accordance with the Federal Rules of Civil Procedure.

(e) SAVINGS CLAUSE.—Nothing in this section shall restrict any right which any person (or class of persons) may have under chapter 7 of title 5, United States Code, under this section, or under any other statute or common law to bring an action to seek any relief against the Secretary or the Secretary of Agriculture or against any other person, including any action for any violation of this Act or of any regulation or permit issued under this Act or for any failure to act as required by law. Nothing in this section shall affect the jurisdiction of any court under any provision of title 28, United States Code, including any action for any violation of this Act or of any regulation or permit issued under this Act or for any failure to act as required by law.

SEC. 505. ADMINISTRATIVE AND JUDICIAL REVIEW.

(a) REVIEW BY SECRETARY.—(1)(A) Any person issued a notice of violation or cessation order under section 506, or any person having an interest which is or may be adversely affected by such notice or order, may apply to the Secretary, or for National Forest System lands the Secretary of Agriculture, for review of the notice or order within 30 days after receipt thereof, or as the case may be, within 30 days after such notice or order is modified, vacated, or terminated.

(B) Any person who is subject to a penalty assessed under section 506 may apply to the Secretary concerned for review of the assessment within 45 days of notification of such penalty.

(C) Any person may apply to such Secretary for review of the decision within 30 days after it is made.

(D) Pending a review by the Secretary or resolution of an administrative appeal, final decisions (except enforcement actions under section 506) shall be stayed.

(2) The Secretary concerned shall provide an opportunity for a public hearing at the request of any party to the proceeding as specified in paragraph (1). The filing of an application for review under this subsection shall not operate as a stay of any order or notice issued under section 506.

(3) For any review proceeding under this subsection, the Secretary concerned shall make findings of fact and shall issue a written decision incorporating therein an order vacating, affirming, modifying, or terminating the notice, order, or decision, or with respect to an assessment, the amount of penalty that is warranted. Where the application for review concerns a cessation order issued under section 506 the Secretary concerned shall issue the written decision within 30 days of the receipt of the application for review or within 30 days after the conclusion of any hearing referred to in paragraph (2), whichever is later, unless temporary relief has been granted by the Secretary concerned under paragraph (4).

(4) Pending completion of any review proceedings under this subsection, the applicant may file with the Secretary, or for National Forest System lands the Secretary of Agriculture, a written request that the Secretary grant temporary relief from any order issued under section 506 together with a detailed statement giving reasons for such relief. The Secretary concerned shall expeditiously issue an order or decision granting or denying such relief. The Secretary concerned may grant such relief under such conditions as he or she may prescribe only if such relief shall not adversely affect the health or safety of the public or cause imminent environmental harm to land, air, or water resources.

(5) The availability of review under this subsection shall not be construed to limit the operation of rights under section 504 (relating to citizen suits).

(b) JUDICIAL REVIEW.—(1) Any final action by the Secretaries of the Interior and Agriculture in promulgating regulations to implement this Act, or any other final actions constituting rulemaking to implement this Act, shall be subject to judicial review only in the United States Court of Appeals for the District of Columbia. Any action subject to judicial review under this subsection shall be affirmed unless the court concludes that such action is arbitrary, capricious, or otherwise inconsistent with law. A petition for review of any action subject to judicial review under this subsection shall be filed within 60 days from the date of such action, or after such date if the petition is based solely on grounds arising after the 60th day. Any such petition may be made by any person who commented or otherwise participated in the rulemaking or any person who may be adversely affected by the action of the Secretaries.

(2) Final agency action under this subsection, including such final action on those matters described under subsection (a), shall be subject to judicial review in accordance with paragraph (4) and pursuant to section 1391 of title 28, United States Code, on or before 60 days from the date of such final action. Any action subject to judicial review under this subsection shall be affirmed unless the court concludes that such action is arbitrary, capricious, or otherwise inconsistent with law.

(3) The availability of judicial review established in this subsection shall not be construed to limit the operations of rights under section 504 (relating to citizens suits).

(4) The court shall hear any petition or complaint filed under this subsection solely on the record made before the Secretary or Secretaries concerned. The court may affirm or vacate any order or decision or may remand the proceedings to the Secretary or Secretaries for such further action as it may direct.

(5) The commencement of a proceeding under this section shall not, unless specifically ordered by the court, operate as a stay of the action, order, or decision of the Secretary or Secretaries concerned.

(c) COSTS.—Whenever a proceeding occurs under subsection (a) or (b), at the request of any person, a sum equal to the aggregate amount of all costs and expenses (including attorney fees) as determined by the Secretary or Secretaries concerned or the court to have been reasonably incurred by such person for or in connection with participation in such proceedings, including any judicial review of the proceeding, may be assessed against either party as the court, in the case of judicial review, or the Secretary or Secretaries concerned in the case of administrative proceedings, deems proper if it is determined that such party prevailed in whole or in part, achieving some success on the merits, and that such party made a substantial contribution to a full and fair determination of the issues.

SEC. 506. ENFORCEMENT.

(a) ORDERS.—(1) If the Secretary, or for National Forest System lands the Secretary of Agriculture, or an authorized representative of such Secretary, determines that any person is in violation of any environmental protection requirement under title III or any regulation issued by the Secretaries to implement this Act, such Secretary or authorized representative shall issue to such person a notice of violation describing the violation and the corrective measures to be taken. The Secretary concerned, or the authorized representative of such Secretary, shall provide such person with a period of time not to exceed 30 days to abate the violation. Such period of time may be extended by the Secretary concerned upon a showing of good cause by such person. If, upon the expiration of time provided for such abatement, the Secretary concerned, or the authorized representative of such Secretary, finds that the violation has not been abated he or she shall immediately order a cessation of all mineral activities or the portion thereof relevant to the violation.

(2) If the Secretary concerned, or the authorized representative of the Secretary concerned, determines that any condition or practice exists, or that any person is in violation of any requirement under a permit approved under this Act, and such condition, practice or violation is causing, or can reasonably be expected to cause—

(A) an imminent danger to the health or safety of the public; or

(B) significant, imminent environmental harm to land, air, water, or fish or wildlife resources; such Secretary or authorized representative shall immediately order a cessation of mineral activities or the portion thereof relevant to the condition, practice, or violation.

(3)(A) A cessation order pursuant to paragraphs (1) or (2) shall remain in effect until such Secretary, or authorized representative, determines that the condition, practice, or violation has been abated, or until modified, vacated or terminated by the Secretary or authorized representative. In any such order, the Secretary or authorized representative shall determine the steps necessary to abate the violation in the most expeditious manner possible and shall include the necessary measures in the order. The Secretary concerned shall require appropriate financial assurances to ensure that the abatement obligations are met.

(B) Any notice or order issued pursuant to paragraphs (1) or (2) may be modified, vacated, or terminated by the Secretary concerned or an authorized representative of such Secretary. Any person to whom any such notice or order is

issued shall be entitled to a hearing on the record.

(4) If, after 30 days of the date of the order referred to in paragraph (3)(A) the required abatement has not occurred, the Secretary concerned shall take such alternative enforcement action against the claim holder or operator (or any person who controls the claim holder or operator) as will most likely bring about abatement in the most expeditious manner possible. Such alternative enforcement action may include, but is not necessarily limited to, seeking appropriate injunctive relief to bring about abatement. Nothing in this paragraph shall preclude the Secretary, or for National Forest System lands the Secretary of Agriculture, from taking alternative enforcement action prior to the expiration of 30 days.

(5) If a claim holder or operator (or any person who controls the claim holder or operator) fails to abate a violation or defaults on the terms of the permit, the Secretary, or for National Forest System lands the Secretary of Agriculture, shall forfeit the financial assurance for the plan as necessary to ensure abatement and reclamation under this Act. The Secretary concerned may prescribe conditions under which a surety may perform reclamation in accordance with the approved plan in lieu of forfeiture.

(6) The Secretary, or for National Forest System lands the Secretary of Agriculture, shall not cause forfeiture of the financial assurance while administrative or judicial review is pending.

(7) In the event of forfeiture, the claim holder, operator, or any affiliate thereof, as appropriate as determined by the Secretary by rule, shall be jointly and severally liable for any remaining reclamation obligations under this Act.

(b) COMPLIANCE.—The Secretary, or for National Forest System lands the Secretary of Agriculture, may request the Attorney General to institute a civil action for relief, including a permanent or temporary injunction or restraining order, or any other appropriate enforcement order, including the imposition of civil penalties, in the district court of the United States for the district in which the mineral activities are located whenever a person—

(1) violates, fails, or refuses to comply with any order issued by the Secretary concerned under subsection (a); or

(2) interferes with, hinders, or delays the Secretary concerned in carrying out an inspection under section 503.

Such court shall have jurisdiction to provide such relief as may be appropriate. Any relief granted by the court to enforce an order under paragraph (1) shall continue in effect until the completion or final termination of all proceedings for review of such order unless the district court granting such relief sets it aside.

(c) DELEGATION.—Notwithstanding any other provision of law, the Secretary may utilize personnel of the Office of Surface Mining Reclamation and Enforcement to ensure compliance with the requirements of this Act.

(d) PENALTIES.—(1) Any person who fails to comply with any requirement of a permit approved under this Act or any regulation issued by the Secretaries to implement this Act shall be liable for a penalty of not more than $25,000 per violation. Each day of violation may be deemed a separate violation for purposes of penalty assessments.

(2) A person who fails to correct a violation for which a cessation order has been issued under subsection (a) within the period permitted for its correction shall be assessed a civil penalty of not less than $1,000 per violation for each day during which such failure continues.

(3) Whenever a corporation is in violation of a requirement of a permit approved under this Act or any regulation issued by the Secretaries to implement this Act or fails or refuses to comply with an order issued under subsection (a), any director, officer, or agent of such corporation who knowingly authorized, ordered, or carried out such violation, failure, or refusal shall be subject to the same penalties as may be imposed upon the person referred to in paragraph (1).

(e) SUSPENSIONS OR REVOCATIONS.—The Secretary, or for National Forest System lands the Secretary of Agriculture, shall suspend or revoke a permit issued under title III, in whole or in part, if the operator—

(1) knowingly made or knowingly makes any false, inaccurate, or misleading material statement in any mining claim, notice of location, application, record, report, plan, or other document filed or required to be maintained under this Act;

(2) fails to abate a violation covered by a cessation order issued under subsection (a);

(3) fails to comply with an order of the Secretary concerned;

(4) refuses to permit an audit pursuant to this Act;

(5) fails to maintain an adequate financial assurance under section 306;

(6) fails to pay claim maintenance fees or other moneys due and owing under this Act; or

(7) with regard to plans conditionally approved under section 305(c)(2), fails to abate a violation to the satisfaction of the Secretary concerned, or if the validity of the violation is upheld on the appeal which formed the basis for the conditional approval.

(f) FALSE STATEMENTS; TAMPERING.—Any person who knowingly—

(1) makes any false material statement, representation, or certification in, or omits or conceals material information from, or unlawfully alters, any mining claim, notice of location, application, record, report, plan, or other documents filed or required to be maintained under this Act; or

(2) falsifies, tampers with, renders inaccurate, or fails to install any monitoring device or method required to be maintained under this Act,

shall upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this subsection, punishment shall be by a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both. Each day of continuing violation may be deemed a separate violation for purposes of penalty assessments.

(g) KNOWING VIOLATIONS.—Any person who knowingly—

(1) engages in mineral activities without a permit required under title III, or

(2) violates any other requirement of a permit issued under this Act, or any condition or limitation thereof,

shall upon conviction be punished by a fine of not less than $5,000 nor more than $50,000 per day of violation, or by imprisonment for not more than 3 years, or both. If a conviction of a person is for a violation committed after the first conviction of such person under this subsection, punishment shall be a fine of not less than $10,000 per day of violation, or by imprisonment of not more than 6 years, or both.

(h) KNOWING AND WILLFUL VIOLATIONS.—Any person who knowingly and willfully commits an act for which a civil penalty is provided in paragraph (1) of subsection (g) shall, upon conviction, be punished by a fine of not more than $50,000, or by imprisonment for not more than 2 years, or both.

(i) DEFINITION.—For purposes of this section, the term "person" includes any officer, agent, or employee of a person.

SEC. 507. REGULATIONS.

The Secretary and the Secretary of Agriculture shall issue such regulations as are necessary to implement this Act. The regulations implementing title II, title III, title IV, and title V that affect the Forest Service shall be joint regulations issued by both Secretaries, and shall be issued no later than 180 days after the date of enactment of this Act.

SEC. 508. EFFECTIVE DATE.

This Act shall take effect on the date of enactment of this Act, except as otherwise provided in this Act.

Subtitle B—Miscellaneous Provisions

SEC. 511. OIL SHALE CLAIMS SUBJECT TO SPECIAL RULES.

(a) APPLICATION OF SECTION 511.—Section 511 shall apply to oil shale claims referred to in section 2511(e)(2) of the Energy Policy Act of 1992 (Public Law 102–486).

(b) AMENDMENT.—Section 2511(f) of the Energy Policy Act of 1992 (Public Law 102–486) is amended as follows:

(1) By striking "as prescribed by the Secretary".

(2) By inserting before the period the following: "in the same manner as if such claim was subject to title II and title III of the Hardrock Mining and Reclamation Act of 2007".

SEC. 512. PURCHASING POWER ADJUSTMENT.

The Secretary shall adjust all location fees, claim maintenance rates, penalty amounts, and other dollar amounts established in this Act for changes in the purchasing power of the dollar no less frequently than every 5 years following the date of enactment of this Act, employing the Consumer Price Index for All-Urban Consumers published by the Department of Labor as the basis for adjustment, and rounding according to the adjustment process of conditions of the Federal Civil Penalties Inflation Adjustment Act of 1990 (104 Stat. 890).

SEC. 513. SAVINGS CLAUSE.

(a) SPECIAL APPLICATION OF MINING LAWS.—Nothing in this Act shall be construed as repealing or modifying any Federal law, regulation, order, or land use plan, in effect prior to the date of enactment of this Act that prohibits or restricts the application of the general mining laws, including laws that provide for special management criteria for operations under the general mining laws as in effect prior to the date of enactment of this Act, to the extent such laws provide for protection of natural and cultural resources and the environment greater than required under this Act, and any such prior law shall remain in force and effect with respect to claims located (or proposed to be located) or converted under this Act. Nothing in this Act shall be construed as applying to or limiting mineral investigations, studies, or other mineral activities conducted by any Federal or State agency acting in its governmental capacity pursuant to other authority. Nothing in this Act shall affect or limit any assessment, investigation, evaluation, or listing pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 and following), or the Solid Waste Disposal Act (42 U.S.C. 3251 and following).

(b) EFFECT ON OTHER FEDERAL LAWS.—The provisions of this Act shall supersede the general mining laws, except for those parts of the general mining laws respecting location of mining claims that are not expressly modified by this Act. Except for the general mining laws, nothing in this Act shall be construed as superseding, modifying, amending, or repealing any provision of Federal law not expressly superseded, modified, amended, or repealed by this Act. Nothing in this Act shall be construed as altering, affecting, amending, modifying, or changing, directly or indirectly, any law which refers to and provides authorities or responsibilities for, or is administered by, the Environmental Protection Agency or the Administrator

of the Environmental Protection Agency, including the Federal Water Pollution Control Act, title XIV of the Public Health Service Act (the Safe Drinking Water Act), the Clean Air Act, the Pollution Prevention Act of 1990, the Toxic Substances Control Act, the Federal Insecticide, Fungicide, and Rodenticide Act, the Federal Food, Drug, and Cosmetic Act, the Motor Vehicle Information and Cost Savings Act, the Federal Hazardous Substances Act, the Endangered Species Act of 1973, the Atomic Energy Act, the Noise Control Act of 1972, the Solid Waste Disposal Act, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the Superfund Amendments and Reauthorization Act of 1986, the Ocean Dumping Act, the Environmental Research, Development, and Demonstration Authorization Act, the Pollution Prosecution Act of 1990, and the Federal Facilities Compliance Act of 1992, or any statute containing an amendment to any of such Acts. Nothing in this Act shall be construed as modifying or affecting any provision of the Native American Graves Protection and Repatriation Act (Public Law 101-601) or any provision of the American Indian Religious Freedom Act (42 U.S.C. 1996), the National Historic Preservation Act (16 U.S.C. 470 et seq.), and the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.).

(c) PROTECTION OF CONSERVATION AREAS.—In order to protect the resources and values of National Conservation System units, the Secretary, as appropriate, shall utilize authority under this Act and other applicable law to the fullest extent necessary to prevent mineral activities that could have an adverse impact on the resources or values for which such units were established.

SEC. 514. AVAILABILITY OF PUBLIC RECORDS.

Copies of records, reports, inspection materials, or information obtained by the Secretary or the Secretary of Agriculture under this Act shall be made immediately available to the public, consistent with section 552 of title 5, United States Code, in central and sufficient locations in the county, multicounty, and State area of mineral activity or reclamation so that such items are conveniently available to residents in the area proposed or approved for mineral activities and on the Internet.

SEC. 515. MISCELLANEOUS POWERS.

(a) IN GENERAL.—In carrying out his or her duties under this Act, the Secretary, or for National Forest System lands the Secretary of Agriculture, may conduct any investigation, inspection, or other inquiry necessary and appropriate and may conduct, after notice, any hearing or audit, necessary and appropriate to carrying out his or her duties.

(b) ANCILLARY POWERS.—In connection with any hearing, inquiry, investigation, or audit under this Act, the Secretary, or for National Forest System lands the Secretary of Agriculture, is authorized to take any of the following actions:

(1) Require, by special or general order, any person to submit in writing such affidavits and answers to questions as the Secretary concerned may reasonably prescribe, which submission shall be made within such reasonable period and under oath or otherwise, as may be necessary.

(2) Administer oaths.

(3) Require by subpoena the attendance and testimony of witnesses and the production of all books, papers, records, documents, matter, and materials, as such Secretary may request.

(4) Order testimony to be taken by deposition before any person who is designated by such Secretary and who has the power to administer oaths, and to compel testimony and the production of evidence in the same manner as authorized under paragraph (3) of this subsection.

(5) Pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States.

(c) ENFORCEMENT.—In cases of refusal to obey a subpoena served upon any person under this section, the district court of the United States for any district in which such person is found, resides, or transacts business, upon application by the Attorney General at the request of the Secretary concerned and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and produce documents before the Secretary concerned. Any failure to obey such order of the court may be punished by such court as contempt thereof and subject to a penalty of up to $10,000 a day.

(d) ENTRY AND ACCESS.—Without advance notice and upon presentation of appropriate credentials, the Secretary, or for National Forest System lands the Secretary of Agriculture, or any authorized representative thereof—

(1) shall have the right of entry to, upon, or through the site of any claim, mineral activities, or any premises in which any records required to be maintained under this Act are located;

(2) may at reasonable times, and without delay, have access to records, inspect any monitoring equipment, or review any method of operation required under this Act;

(3) may engage in any work and do all things necessary or expedient to implement and administer the provisions of this Act;

(4) may, on any mining claim located under the general mining laws and maintained in compliance with this Act, and without advance notice, stop and inspect any motorized form of transportation that such Secretary has probable cause to believe is carrying locatable minerals, concentrates, or products derived therefrom from a claim site for the purpose of determining whether the operator of such vehicle has documentation related to such locatable minerals, concentrates, or products derived therefrom as required by law, if such documentation is required under this Act; and

(5) may, if accompanied by any appropriate law enforcement officer, or an appropriate law enforcement officer alone, stop and inspect any motorized form of transportation which is not on a claim site if he or she has probable cause to believe such vehicle is carrying locatable minerals, concentrates, or products derived therefrom from a claim site on Federal lands or allocated to such claim site. Such inspection shall be for the purpose of determining whether the operator of such vehicle has the documentation required by law, if such documentation is required under this Act.

SEC. 516. MULTIPLE MINERAL DEVELOPMENT AND SURFACE RESOURCES.

The provisions of sections 4 and 6 of the Act of August 13, 1954 (30 U.S.C. 524 and 526), commonly known as the Multiple Minerals Development Act, and the provisions of section 4 of the Act of July 23, 1955 (30 U.S.C. 612), shall apply to all mining claims located under the general mining laws and maintained in compliance with such laws and this Act.

SEC. 517. MINERAL MATERIALS.

(a) DETERMINATIONS.—Section 3 of the Act of July 23, 1955 (30 U.S.C. 611), is amended as follows:

(1) By inserting "(a)" before the first sentence.

(2) By inserting "mineral materials, including but not limited to" after "varieties of" in the first sentence.

(3) By striking "or cinders" and inserting in lieu thereof "cinders, and clay".

(4) By adding the following new subsection at the end thereof:

"(b)(1) Subject to valid existing rights, after the date of enactment of the Hardrock Mining and Reclamation Act of 2007, notwithstanding the reference to common varieties in subsection (a) and to the exception to such term relating to a deposit of materials with some property giving it distinct and special value, all deposits of mineral materials referred to in such subsection, including the block pumice referred to in such subsection, shall be subject to disposal only under the terms and conditions of the Materials Act of 1947.

"(2) For purposes of paragraph (1), the term 'valid existing rights' means that a mining claim located for any such mineral material—

"(A) had and still has some property giving it the distinct and special value referred to in subsection (a), or as the case may be, met the definition of block pumice referred to in such subsection;

"(B) was properly located and maintained under the general mining laws prior to the date of enactment of the Hardrock Mining and Reclamation Act of 2007;

"(C) was supported by a discovery of a valuable mineral deposit within the meaning of the general mining laws as in effect immediately prior to the date of enactment of the Hardrock Mining and Reclamation Act of 2007; and

"(D) that such claim continues to be valid under this Act.".

(b) MINERAL MATERIALS DISPOSAL CLARIFICATION.—Section 4 of the Act of July 23, 1955 (30 U.S.C. 612), is amended as follows:

(1) In subsection (b) by inserting "and mineral material" after "vegetative".

(2) In subsection (c) by inserting "and mineral material" after "vegetative".

(c) CONFORMING AMENDMENT.—Section 1 of the Act of July 31, 1947, entitled "An Act to provide for the disposal of materials on the public lands of the United States" (30 U.S.C. 601 and following) is amended by striking "common varieties of" in the first sentence.

(d) SHORT TITLES.—

(1) SURFACE RESOURCES.—The Act of July 23, 1955, is amended by inserting after section 7 the following new section:

"SEC. 8. This Act may be cited as the 'Surface Resources Act of 1955'.".

(2) MINERAL MATERIALS.—The Act of July 31, 1947, entitled "An Act to provide for the disposal of materials on the public lands of the United States" (30 U.S.C. 601 and following) is amended by inserting after section 4 the following new section:

"SEC. 5. This Act may be cited as the 'Materials Act of 1947'.".

(e) REPEALS.—(1) Subject to valid existing rights, the Act of August 4, 1892 (27 Stat. 348, 30 U.S.C. 161), commonly known as the Building Stone Act, is hereby repealed.

(2) Subject to valid existing rights, the Act of January 31, 1901 (30 U.S.C. 162), commonly known as the Saline Placer Act, is hereby repealed.

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110-416. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. RAHALL

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110-416.

Mr. RAHALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. RAHALL:

Amend section 2(b) to read as follows:

(b) VALID EXISTING RIGHTS.—As used in this Act, the term "valid existing rights" means a mining claim or millsite claim located on lands described in section 201(b), that—

(1) was properly located and maintained under the general mining laws prior to the date of enactment of this Act;

(2) was supported by a discovery of a valuable mineral deposit within the meaning of the general mining laws on the date of enactment of this Act, or satisfied the limitations under existing law for millsite claims; and

(3) continues to be valid under this Act.

In section 3(c)(1), strike the matter preceding subparagraph (A) and insert "Any Federal land shall be subject to the requirements of section 102(a)(2) if the land is—".

In section 3(c)(2), strike "section 102" and insert "section 102(a)(3)".

Amend section 102(a)(3) to read as follows:

(3) FEDERAL LAND ADDED TO EXISTING OPERATIONS PERMIT.—Any Federal land added through a plan modification to an operations permit that is submitted after the date of enactment of this Act shall be subject to the royalty that applies to Federal land under paragraph (1).

Strike section 102(a)(4) (and redesignate the subsequent paragraph accordingly).

Amend section 103(a)(4) to read as follows:

(4) Moneys received under this subsection that are not otherwise allocated for the administration of the mining laws by the Department of the Interior shall be deposited in the Locatable Minerals Fund established by this Act.

In section 202(a), strike "Any State" and insert "Subject to valid existing rights, any State".

In section 202(b)(3), after "petition" insert "subject to valid existing rights,".

In section 303(g)(4), strike "All moneys" and all that follows through the end of the sentence.

In section 304(h)(4), strike "All moneys" and all that follows through the end of the sentence.

In section 309, strike "the National Park System" and insert "a National Park".

In section 309, strike "including its scenic assets, its water resources, its air quality, and its acoustic qualities, or other changes" and insert "including wildlife, scenic assets, water resources, air quality, and acoustic qualities, or other changes".

Amend section 402(2) to read as follows:

(2) All fees received under section 304(a)(1)(B).

Amend section 402(6) to read as follows:

(6) All amounts received by the United States pursuant to section 103 as claim maintenance and location fees minus the moneys allocated for administration of the mining laws by the Department of the Interior.

In section 504(a)(1), strike "allged" and insert "alleged".

In section 504(a)(1), strike "pursuant to this Act" and insert "pursuant to title III of this Act".

In section 504(a)(1), strike "under this Act" and insert "under title III of this Act".

Amend section 511 to read as follows (and conform the table of contents in section 1(b)):

SEC. 511. OIL SHALE CLAIMS.

Section 2511(f) of the Energy Policy Act of 1992 (Public Law 102-486) is amended as follows:

(1) By striking "as prescribed by the Secretary".

(2) By inserting before the period the following: "in the same manner as required by title II and title III of the Hardrock Mining and Reclamation Act of 2007".

At the end of section 513, add the following:

(d) SOVEREIGN IMMUNITY OF INDIAN TRIBES.—Nothing in this section shall be construed so as to waive the sovereign immunity of any Indian tribe.

MODIFICATION TO AMENDMENT NO. 1 OFFERED BY MR. RAHALL

Mr. RAHALL. Mr. Chairman, I ask unanimous consent to modify the amendment by the form that I have placed at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 1 offered by Mr. RAHALL:

In the instruction relating to section 202(b)(3), insert before the word "insert" the following phrase: "in the first place it appears".

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. Pursuant to House Resolution 780, the gentleman from West Virginia (Mr. RAHALL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. Mr. Chairman, following 2 days of committee consideration of the bill during which the committee debated 25 amendments, we continued a dialogue with several members of the committee, both sides of the aisle, Democrat and Republican, in order to further perfect the underlying legislation and to keep the fairness of the process open.

This manager's amendment is a result of those deliberations. In summary, the manager's amendment would, one, clarify that valid existing rights associated with existing mining claims would be protected under the act.

Number two, this amendment clarifies that, in addition to paying a 4 percent royalty, existing operations would still need to come into compliance with the act within 10 years.

Number three, this amendment clarifies that the claim maintenance and location fees currently allotted to the administration of the mining claims will continue to be so allotted with the balance going to cleanup of abandoned hardrock mines.

In addition, in this amendment, as requested by the gentleman from Colorado (Mr. LAMBORN), user fees assessed by the BLM to process mining permit applications would be used for administration of the mining law program.

The manager's amendment would further limit the purview of section 504 citizen suits to permits issued pursuant to title III of the act as suggested by Mr. CANNON of Utah.

The manager's amendment would clarify that nothing under this act will affect the sovereign immunity of any Indian tribe.

That concludes the summary explanation of the manager's amendment.

Mr. Chairman, I urge an "aye" vote. I reserve the balance of my time.

Mr. PEARCE. Mr. Chairman, we have no objection to the amendment and would yield back our time.

Mr. RAHALL. I yield back the balance of my time, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia (Mr. RAHALL), as modified.

The amendment, as modified, was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. PEARCE

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110-416.

Mr. PEARCE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. PEARCE:

In section 2(a), strike paragraph (19).

The CHAIRMAN. Pursuant to House Resolution 780, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chairman, this amendment is actually quite simple. It deletes the new definition for "undue degradation."

H.R. 2262 changes the current standard contained in the Federal Land Policy and Management Act from unnecessary and undue degradation to just undue degradation, which is defined to mean "irreparable harm to significant, cultural or environmental resources on public lands that cannot be effectively managed."

The new definition is dramatically different from the existing regulatory definition of unnecessary and undue. Under current law, unnecessary and undue degradation means impacts greater than those that would normally be expected from an activity being accomplished in compliance with current standards and regulations based on sound practices, including use of the best reasonable and available technology.

The definition now in this H.R. 2262 reinstates a Clinton-era change to regulations governing hardrock mining on Federal lands that was rescinded in 2001 after a very open, public review of the Clinton regulatory scheme.

The Clinton-era definition for undue degradation was specifically rejected. It was rejected by the Bureau of Land Management Environmental Impact Statement that reviewed the Clinton regulations and declared it to be too vague and too subjective. The BLM EIS process included scoping for the EIS, which included a formal 81-day comment period and 19 public meetings in 12 cities; placing the proposed regulations, draft EIS and related documents on BLM's Internet Web site; and finally, two public comment periods for the EIS, including 29 public hearings in 16 cities.

After this very thorough process, the BLM found that this definition was, essentially, an opportunity for the Secretary of the Interior to deny a mining company an operating permit, even though the proposed mining operation would be in full compliance with Federal and State laws govern hardrock mining. This is what some people refer to as the "mine veto."

The BLM found that the requirement to avoid irreparable harm to significant resources values which cannot be effectively mitigated has the greatest potential for affecting mining activities, both large and small. In some cases this provision could preclude operations altogether.

The Clinton-era regulations were spearheaded by Secretary of the Interior Bruce Babbitt and Solicitor John Leshy. During the Elko, Nevada, field hearings this past summer, majority leader, Senator HARRY REID, made the following statements regarding the outcome of the changes to the regulation: "Bruce Babbitt is a friend of mine. But for the mining he was awful." That's what HARRY REID said this year. It was in one of the hearings that we've referred to today.

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"He had people there that—John Leshy . . . He tried to destroy mining. Really . . . he didn't believe in it. He wanted it gone. And that created uncertainty."

This new definition for "undue regulation" is a lawyer's dream creating ambiguity fighting about whether we mine instead of how we mine. We don't need more litigation; we need more common sense.

This definition brings so much uncertainty to the regulatory process that we will see a further decline in investments and the exploration and development of our domestic mineral resources. And there is a potential when mines that are in production today transition into the new system outlined in title III or are in the permitting process to expand their operations that those operations could be denied a license to operate, leaving billions of dollars of infrastructure idle.

I can guarantee you that the coal industry, which has played such an important role in the economic well-being of the chairman's district, would not be able to operate under this definition.

This definition alone will drive more companies offshore, making us more dependent on foreign sources of mineral resources and adversely impacting the economic vitality of mining-dependent communities in the West, like Silver City, New Mexico.

Keep in mind that the mining industry pays the highest nonsupervisory wages in the country. It provides benefits including health care, retirement programs, college scholarships, and assistance for employees and their families. Tourism and recreation jobs cannot compete with these high-paying family-wage jobs.

I would urge you to vote "yes" on this amendment, keeping the current standard, protecting American jobs and access to domestic mineral resources.

Mr. Chairman, I yield back the balance of my time.

Mr. RAHALL. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. Mr. Chairman, I would agree with my friend from New Mexico in only the first three words of the statement he just made, and that being it's a simple amendment. Yes, it's a simple amendment. It helps liberate, it eradicates, it eliminates, it erases, it simply guts the fundamental environmental safeguard of this legislation.

We have struggled for many years to find a statutory standard by which hardrock mining on Federal lands must comply with. This bill states that mining must prevent "undue degradation of public lands and resources." That term is defined as "irreparable harm to significant scientific, cultural, or environmental resources on public lands that cannot be effectively mitigated."

And let me stress the use of the words "that cannot be effectively mitigated." It is common practice in this country to mitigate developments, whether it be the construction of a highway, a dam, or a mine. But under this bill, if a mining operation could not be configured under any circumstance to effectively mitigate irreparable harm to save the water supply of a major city, then the Interior Department would have the ability to just say no. The gentleman from New Mexico's amendment would strike the definition in the bill of this term. The amendment would continue a 19th century view that was fashioned in an era when there was no major metropolises in the West. The amendment harkens back to an era that no longer exists. This is a defining moment. This is what we are talking about in the overall thrust of the pending legislation.

Under this bill, we will continue to have mining on Federal lands. I personally believe it will flourish. But the bad actors in the industry, the minority, and I will be the first to readily admit it is a minority, will no longer be allowed on the stage. The responsible industries should be against this amendment because they are the ones, as I said earlier, that want some certainty to their planning decisions so that they can make the investment decisions necessary to run a responsible mining operation with the jobs attendant thereto.

I therefore would urge opposition to the gentleman from New Mexico's amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. PEARCE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. MATSUI

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110-416.

Ms. MATSUI. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. MATSUI:

In section 411—

(1) in subsection (a)(2), before the period insert ", including in river watershed areas"; and

(2) in subsection (b)(3), before the period insert ", which may include restoration activities in river watershed areas".

The CHAIRMAN. Pursuant to House Resolution 780, the gentlewoman from California (Ms. MATSUI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MATSUI. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer an amendment to this much-needed legislation. My amendment clarifies that river watersheds will be eligible to receive some of the cleanup funding that will be generated by this bill.

Watersheds are crucial for the health of our Nation. They help move our goods, preserve our ecosystems, and protect our communities from flooding. Managing our Nation's watersheds in a holistic and responsible way is essential. If we do not protect and maintain them, we jeopardize critical parts of our environment that support commerce and recreation.

In arid States like California, Nevada, and Utah, river watersheds are even more important to economic and environmental health. Watersheds support a variety of agricultural, economic, and recreational activities. In my home State of California, for example, the Sacramento River Watershed forms the basis for fertile farmland, thriving urban areas, and outdoor recreational opportunities.

However, many watersheds are located near active and abandoned mines. Years ago rivers represented great economic opportunity. Rivers are where many precious metals are located. But the drive for these minerals has left a negative environmental legacy.

In Nevada, more than 7,000 tons of mercury were deposited into the Carson River Watershed during the quest for silver. In the California foothills, tens of thousands of mines were dug for the gold that was discovered in the watershed running through my district. More than 4,000 of these abandoned mines pose environmental hazards.

We must protect these river watersheds that are vital to our way of life. That is why my amendment is needed. It does not change the underlying structure of this very good bill. But it does make it crystal clear that cleaning up watersheds affected by mining is a priority.

Mr. Chairman, mining impacts water all across the West. Our river watersheds feel the effects of mining to a great degree. Addressing these impacts requires a comprehensive management approach. My amendment is crafted, and offered today, with this in mind. And it acknowledges that good watershed management is a critical tool of maintaining our natural resource. It recognizes that by protecting watersheds, we are investing in a public good that all Americans use. And it ensures that this public good will be maintained for future generations.

I urge all Members to support my amendment.

Mr. RAHALL. Mr. Chairman, will the gentlewoman yield?

Ms. MATSUI. I yield to the gentleman from West Virginia.

Mr. RAHALL. I thank the gentlewoman from California for yielding and for offering this very important amendment that does improve and enhance our ability to restore abandoned mine lands and waters.

The underlying legislation would establish an abandoned hardrock mining reclamation fund which would be financed by the royalties that were imposed on operations under the mining law of 1872. The gentlewoman's amendment makes it clear that remedial activities could be done on a river watershed basis.

Again, I commend her for offering this amendment, and we are truly ready to accept it.

Ms. MATSUI. I thank the chairman.

Mr. Chairman, I reserve the balance of my time.

Mr. PEARCE. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New Mexico is recognized for 5 minutes.

Mr. PEARCE. Mr. Chairman, I appreciate the gentlewoman's comments.

Again, speaking today, we are wondering if the bill that we are talking about has an effect in all districts. And I would say we have a chart here which shows that rising commodity prices are driving people to stealing copper, stealing our minerals, and it is occurring in many of the districts, including the gentlewoman's district in California, where there has been a prosecution. And we have got 80 of these. We have a chart, but I won't show that.

The concept of cleaning up abandoned mine lands is one that we are deeply encouraged by and associate ourselves with, and especially as it affects watersheds. Nowhere are watersheds more important than in the West, and especially New Mexico, because so little water exists throughout the West. Anything we can do to clean up watersheds in general, but, again, the abandoned mine lands is something that we are very supportive of from this side. It relates back to the comments that we have made in our opening statement that I don't think that on the core issues that we are very far apart at all, that we could have gotten where we all would agree with the bill. So we would accept the amendment and congratulate the gentlewoman for her work on this in abandoned mine lands and watersheds in general.

I yield back the balance of my time.

Ms. MATSUI. I thank the gentleman.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MATSUI).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. HELLER OF NEVADA

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110-416.

Mr. HELLER of Nevada. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. HELLER of Nevada:

In section 411(b), amend the matter preceding paragraph (1) to read as follows:

(b) ALLOCATION.—Of the amounts deposited into the Hardrock Reclamation Account, 50 percent shall be allocated by the Secretary among the States within the boundaries of which occurs production of locatable minerals from mining claims located under the general mining laws and maintained in compliance with this Act, or mineral concentrates or products derived from locatable minerals from mining claims located under the general mining laws and maintained in compliance with this Act, as the case may be, in proportion to the amount of such production in each such State. Expenditures of the remainder of such amounts shall reflect the following priorities in the order stated:

The CHAIRMAN. Pursuant to House Resolution 780, the gentleman from Nevada (Mr. HELLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nevada.

Mr. HELLER of Nevada. Mr. Chairman, more hardrock mining occurs in my district than in any other State; therefore, the remediation of abandoned mine lands is very important to my constituents.

As many of us are aware, abandoned mine lands are the unfortunate legacy of the irresponsible mining practices of the past. Fortunately, mining operations today are held accountable for their practices. So with bad practices of the past ended, we have an opportunity to focus on cleaning up the abandoned mine lands. And the amendment I am offering will do just that.

My amendment will direct half of the revenues deposited in the hardrock reclamation fund to States for the purposes of abandoned mine land remediation, while preserving the Federal Government's ability to fund the national priorities in the bill. My amendment allows the Federal Government to distribute half of the funds as it sees fit. The other half of the funds would go proportionately to States where production is occurring to fund in-place, successful AML programs.

In multiple committee hearings, we heard that States currently do a great job of remediating abandoned mine land sites. They often are only limited by their available resources to conduct remediation projects. To give some of you perspective of how effective State programs are, Nevada has identified more than 20,000 AML sites in need of remediation and is still in the process, of course, of identifying more. The good news is that to date we have secured more than 9,000 of those sites.

Likewise, in Colorado it is estimated that there are about 23,000 abandoned mines. More than 6,000 have been made safe by the State Division of Reclamation Mining and Safety.

So in an effort to get money on the ground to remediate abandoned land mine sites quickly and efficiently, a portion of these funds needs to be dedicated to States where production is occurring. Given that many States have already prioritized their AML needs, we should get funding to them as directly as possible, as quickly as possible. This amendment will expedite the cleanup process that we all want.

My amendment bolsters the ability of States to continue their good work on the ground while providing a way to remediate historic hardrock sites in States where mineral production will not generate sufficient funds to deal with current abandoned mine land issues.

I would urge support of the Heller amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I rise only to claim the time in opposition.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. Mr. Chairman, during debate in committee over this legislation, the gentleman from Nevada conducted himself in a manner which I highly commend. He offered amendments that were aimed at addressing the concerns and interests of his State and his district. And, frankly, I recognize he has the most at stake here, representing Nevada, the largest gold-producing State in the Nation.

The gentleman offered two amendments. The one he is offering today was one of those amendments. In committee, I could not accept it because we had no discussions on it prior to its appearing as an amendment. But we did offer to continue to work with the gentleman from Nevada, as we have done.

And after having some time to consider the subject matter of his amendment, I am going to accept it, and I would urge my colleagues to do likewise.

This amendment would allocate 50 percent of the revenues received from the proposed new abandoned hardrock reclamation fund back to the States where those revenues were generated.

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There is precedent for this arrangement in the Abandoned Mine Reclamation Fund established for coal back in 1977 which so vitally affects my State. The other 50 percent of the revenues would be used by the Federal Government for national priorities.

So, in conclusion, I say to the gentleman from Nevada, you are looking out for your State. I appreciate that; I commend you for it. And I appreciate the manner in which you have approached this overall issue of mining law reform, and I accept your amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. HELLER of Nevada. I want to express my appreciation to the chairman of the Natural Resources Committee, again thanking him for his respect and efforts on this particular bill and hard work, and giving me time and efforts for my comments and concerns that I shared during the committee.

I want to thank him for accepting this amendment.

Mr. RAHALL. Will the gentleman yield?

Mr. HELLER of Nevada. Yes, I will.

Mr. RAHALL. And I say I accept your amendment without soliciting a pledge for your vote on final passage.

Mr. HELLER of Nevada. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nevada (Mr. HELLER).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. CANNON

The CHAIRMAN. The Chair understands that amendment No. 5 will not be offered.

Therefore, it is now in order to consider amendment No. 6 printed in House Report 110-416.

Mr. CANNON. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

> Amendment No. 6 offered by Mr. CANNON:
> Strike section 517.

The CHAIRMAN. Pursuant to House Resolution 780, the gentleman from Utah (Mr. CANNON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. CANNON. Mr. Chairman, I yield myself 3 minutes.

I would like to begin by thanking the chairman of the full committee. We have worked on this bill or ideas surrounding this bill for, I think, over 10 years now. It is now on the floor. It has been done with grace and with dignity, and I appreciate the gentleman's approach.

We come from very, very different districts. About two-thirds of my State is public lands, very little of the gentleman's State is public lands. And so we differ. We have a different approach, and I think that's very appropriate, just as the gentleman pointed out with regard to Mr. HELLER and his district.

So we have differences, and we come at these things differently. And in that context, I hope that the gentleman will consider accepting my amendment. On the other hand, our colleagues here today will recognize the importance of this amendment.

My amendment would strike section 517 of the bill before us. The amendment is necessary so common consumer products remain affordable. If section 517 is not stricken, Americans will see an increase in the cost of everyday products, such as glass, ceramics, paper, plastics, rubber, detergents, insulation, cosmetics and pharmaceuticals, to name just a few.

Section 517 deals with common varieties of industrial minerals. Unfortunately, this provision would put industrial minerals that are clearly identifiable as unique, and thus "locatable," under the mining law into this category despite existing law that has labeled them as locatable.

Industrial minerals have been classified as locatable since 1872 under the General Mining Law. These minerals were never intended to be included in the Mineral Materials Act. The Mineral Materials Act was designed to deal with bulk sales of common deposits of sand and gravel. Moving industrial minerals into the Mineral Materials Act would make it impossible for these operations to continue to extract these unique industrial minerals.

Industrial minerals should not be treated the same as rocks and sand and gravel that can be loaded in the back of a truck and hauled away. Yet section 517 would do just that. Under the Mineral Materials Act, minerals are disposed of by non-competitive processes for small quantities and by competitive bidding contracts for terms of 10 years or less. However, it can take 50 years to extract industrial minerals, and the investment for doing that tends to be in the 50 to $100 million range.

Competitive bidding contracts of a maximum term of 10 years will remove any incentive by industrial mineral companies to research and explore for new reserves.

After spending resources to discover reserves; and if also awarded the contract, the company will not be guaranteed the necessary time to actually extract the minerals and develop the resource. This will force our mining industry to move overseas and will result in the loss of thousands of high-paying jobs here in America.

Not only will section 517 create uncertainty for mine operators but will also impose a significant administrative burden on BLM.

I urge my colleagues to support my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. Mr. Chairman, I appreciate very much the gentleman from Utah's concern and his deep involvement in this legislation. What worries me with his pending amendment is the myriad of unintended consequences that may occur.

In 1947, and again in 1955, Congress took out from the operation of the Mining Law of 1872 mineral materials such as sand, stone, and gravel on Federal lands and provided that they could be sold under contracts. However, a loophole was inserted into the law. Under this loophole, if the sand, stone, or gravel was an uncommon variety, it would remain under the Mining Law of 1872.

Now, determining just what an "uncommon variety" is has since cost the American taxpayers countless millions of dollars in litigation. The legislation before us today eliminates the distinction and confusion. And we would make all of these mineral materials available through sales contracts. The gentleman's amendment would strike that provision.

In essence, the gentleman's amendment would continue to allow uncommon varieties of mineral materials to be claimed under the Mining Law as revised by this legislation.

I'm not sure the sponsor of the amendment realizes what the result would be for these uncommon variety mining claims to be then subject to the bill's royalty regime and the bill's environmental standards. As such, if we adopted the gentleman's amendment, an 8 percent royalty would then be slapped on any future production from these uncommon variety claims.

Be that as it may, I oppose this amendment. First, the American people receive a return from the disposition of mineral materials through the sales contract. Moreover, this distinction between uncommon and common varieties of sand, stone, and gravel is nothing but a scam. I well recall, as does the gentleman from Oregon, our colleague, PETER DEFAZIO, the "great sand scam" at the Oregon Dunes National Recreational Area. I conducted a subcommittee hearing in Oregon on this issue. One person plastered mining claims over 780 areas of the recreation area where the hearing was held claiming the sand was uncommon. As I recall, his contention was that it had unique silica virtues for making glass. He then demanded $11 million from the Federal Government to buy him out.

I well recall the "stone-washed jeans scam," where this guy located mining claims for pumice in a wild scenic river in New Mexico. He claimed that the pumice was an uncommon variety because you could produce stone-washed jeans with it. Give me a break. I think the gentleman gets the idea.

And just because some special interests lobbyists got this loophole inserted into Federal law in 1955 does not mean it should be condoned today. I view it as a scam, a rip-off. I urge defeat of this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CANNON. Mr. Chairman, I yield myself the remainder of my time.

In the first place, I believe that what the gentleman was just talking about was metallurgical-grade silica and different from the summary we've just had.

I think, though, in response to his main argument, it is an amazing comment on the bulk of this bill that the producers of industrial minerals prefer to be under the new regime than to be under the uncertainty that would be created. They need certainty to develop minerals over 50 years instead of 10 years. And so while the gentleman's comment is well taken, I would suggest to him that the industry actually prefers my amendment, regardless of the fact that it incurs these other burdens.

And, finally, I would take exception to the reference of this as a scam. The fact that we don't have tax dollars coming to the Treasury based upon reserves that are being developed does not mean that Americans aren't better off because they have lower prices for paper, which requires kaolin, a locatable clay that makes paper cheaper.

So this is a matter of policy; it is not a matter of scams. And I urge my colleagues to recognize that, to recognize the burdens that this would create on very common products that we produce with these locatable minerals, and to vote in support of my amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield myself the balance of my time and merely would restate what I said earlier about the millions of dollars in litigation that the American people have shelled out to determine just what uncommon varieties are. And, therefore, the gentleman from Utah's amendment would merely continue allowing, without royalties being paid and allow being mined for free, these uncommon varieties of sand, stone and gravel being mined from Federal lands.

So I would urge opposition to the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Utah (Mr. CANNON).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CANNON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Utah will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. PEARCE

The CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 110–416.

Mr. PEARCE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. PEARCE:

Add at the end the following:

TITLE ____—MINERAL COMMODITY INFORMATION ADMINISTRATION

SEC. _01. SHORT TITLE.

This title may be cited as "Resources Origin and Commodity Knowledge Act".

SEC. _02. FINDINGS, PURPOSE, AND POLICY.

(a) FINDINGS.—The Congress finds the following:

(1) Mineral commodities are essential to the United States economy.

(2) The United States is the world's leading user of mineral commodities.

(3) Mineral commodities processed domestically accounted for $478,000,000,000 in the United States economy in 2005.

(4) The value of imports of raw and processed mineral commodities totaled $103,000,000,000 in 2005.

(5) The Board of Governors of the Federal Reserve uses mineral commodity information data and reports to calculate the indexes of industrial production, capacity, and capacity utilization, which are among the most widely followed monthly indicators of the United States economy.

(6) Manufacturers and consumers of mineral commodities in the United States depended on foreign countries for 100 percent of 16 mineral commodities and for more than 50 percent of 42 mineral commodities that are critical to the United States economy.

(7) The Department of Defense requires mineral commodity information on strategic minerals to manage the National Defense Stockpile.

(8) Mineral specialists assist the Department of State fulfill United States obligations under the Clean Diamond Trade Act (19 U.S.C. 3901 et seq.) and as a signatory to the Kimberly Process Certification Scheme, which is a multinational effort to stop the flow of conflict diamonds.

(9) New and innovative uses of minerals are vital to maintaining the high quality of both the natural environment and human environment in the United States.

(10) Knowledge and understanding of mineral mining, processing, and usage, both domestically and internationally, is important for maintaining the national security and economic security of the United States.

(b) PURPOSES.—The purpose of this title is to create the Mineral Commodity Information Administration to ensure information vital to the United States economy, domestic security, and the high quality of life enjoyed by all residents of the United States continues to be provided to the many customers that rely upon the data.

(c) POLICY.—The Congress declares that—

(1) it is in the national interest to maintain and disseminate information on domestically produced mineral commodities, regardless of ownership of the reserves and resources involved; and

(2) it is in the national interest to maintain and disseminate information on international mineral commodities, reserves, and resources, international mineral industry activities, and international mineral commodity markets.

SEC. _03. ESTABLISHMENT OF MINERAL COMMODITY INFORMATION ADMINISTRATION.

(a) ESTABLISHMENT.—There is established the Mineral Commodity Information Administration, which shall be under the general direction and supervision of the Secretary of the Interior and shall not be affiliated with or be within any other agency or bureau of the Department of the Interior.

(b) ADMINISTRATOR.—The management of the Administration shall be vested in an Administrator, who shall be appointed from by the President, by and with the advice and consent of the Senate, from among individuals who have outstanding qualifications with a broad background and substantial experience in the mineral industries and in the management of mineral resources.

(c) OTHER OFFICIALS AND EMPLOYEES.—

(1) IN GENERAL.—There shall be in the Administration an Associate Administrator and 4 Assistant Administrators who shall perform, in accordance with applicable law, such functions as the Administrator shall assign to them in accordance with this title. The functions the Administrator shall assign to the Assistant Administrators shall include the following functions:

(A) Commodity information and analysis, including development and maintenance of—

(i) historical and current mineral commodity information, including the degree of import dependence of the United States;

(ii) international mineral commodity, reserve, and resource information;

(iii) domestic mineral commodity, reserve, and resource information by State, county, and region;

(iv) material flow and recycling analysis, showing disposition in the United States of mined materials into stocks in use, waste, and residuals; and

(v) ongoing analysis of United States mineral commodity exports, and analysis of imports of mineral commodities and processed materials of mineral origin that are destined for consumption in the United States, categorized by the country of origin.

(B) Global mineral supply analysis for critical commodities of greatest long-term concern, including collecting and developing—

(i) location, reserve, resource, technology, and economic data for major discovered deposits;

(ii) engineering and cost, mini-feasibility studies on the most significant deposits; and

(iii) supply analyses combining the engineering and economic data on groups of deposits.

(C) Mineral materials technology assessment including tracking worldwide research, development, and utilization of advanced technologies that will permit discovery of new deposits, mining and processing of minerals from lower-grade deposits, and recovery of minerals from waste streams.

(D) Mineral industry analysis, including the continuing assessment and analysis of events, trends, and issues affecting the minerals sector of the domestic economy, including exploration spending and activity, mineral production trends, mineral stocks and inventories, merger and acquisitions activity, and labor and workforce trends.

(E) Data acquisition and analysis, including management of data collection, statistical analysis, analytical forecasting and modeling, and regular data quality assessments.

(F) Information systems and services, including information technology management, publications and production dissemination, and library services.

(G) External affairs, including congressional and legislative liaison, communications, and public affairs, and international and intergovernmental affairs.

(H) Budget, financial, and human resource management, including budget and financial management, human capital management, employee training, professional development, procurement and contract management, and small business support.

(2) TRANSFER OF EXISTING POSITIONS.—Within 30 days after the date of the enactment of this Act, the Secretary of the Interior shall transfer to the Administrator the following positions:

(A) UNITED STATES GEOLOGICAL SURVEY.—From the United States Geological Survey, not less than 200 full-time equivalent positions, including all filled and unfilled commodity and country specialists within the United States Geological Survey Minerals Information Team immediately before the enactment of this Act.

(B) DEPARTMENT OF INTERIOR, GENERALLY.—From the Department of the Interior generally not less that 100 full time equivalent positions of an administrative nature, including communications and public affairs specialists, congressional and legislative liaison specialists, human resources personnel, librarians, administrative assistants, information technology management specialists, publication service specialists, and budget analysts.

(3) SUBSEQUENT APPOINTMENTS.—The Administrator may appoint such employees as may be necessary to positions that are transferred under paragraph (2), but vacant on the date of the transfer of the positions. Such appointments shall be subject to the provisions of title 5, United States Code, governing appointments in the competitive service. Such positions shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(d) WRITTEN AND ELECTRONIC MATERIALS.—The Secretary of the Interior shall transfer to the Administrator all existing written and electronic materials under the control of the Department pertaining to mineral commodities and mineral resources, including mineral commodity time series data, library materials, maps, unpublished data files, and existing mineral commodity reports prepared or held by the United States Geological Survey and its predecessor agency, the Bureau of Mines.

SEC. _04. DUTIES OF THE ADMINISTRATOR.

(a) MINERAL COMMODITY DATA AND INFORMATION PROGRAM.—The Administrator shall carry out a central, comprehensive, and unified mineral commodity data and information program to collect, evaluate, assemble, analyze, and disseminate data and information regarding mineral resources and reserves, mineral commodity production, consumption, and technology, and related economic and statistical information, that is relevant to the adequacy of mineral resources to meet demands in the near term and longer term future for the Nation's economic and social needs.

(b) MINERAL COMMODITY DATA TIME SERIES.—

(1) IN GENERAL.—The Administrator shall continue to maintain all existing mineral commodity data time series maintained by the Department of the Interior immediately before the enactment of this Act, and shall develop such new mineral commodity data time series as the Administrator finds useful and proper after consulting with other Federal and State agencies and the public.

(2) PUBLIC COMMENT.—The Administrator shall—

(A) provide for public review and comment regarding all mineral commodity data time series maintained by the Department of the Interior immediately before the enactment of this Act, by not later than 15 years after such date of enactment; and

(B) seek public comments on a continuing basis on the adequacy and accuracy of any time series added after the date of the enactment of this Act, not later than 5 years after the inception of such new series.

(c) PROJECTIONS OF SUPPLY AND USAGE PATTERNS.—

(1) IN GENERAL.—The Administrator shall—

(A) not later than 3 years after the date of the enactment of this Act, prepare and make available to the public an analysis of projected mineral commodity supply and usage patterns by the United States at 10, 25, and 50 year intervals following such date of enactment; and

(B) update such analysis and make it publicly available every 5 years thereafter.

(2) CONSIDERATIONS.—In preparing such analyses, the Administrator shall take into consideration—

(A) market trends;

(B) geopolitical considerations; and

(C) the reasonably foreseeable advances in basic industries, high technology, material sciences, and energy usage.

(d) ANNUAL REPORT.—The Administrator shall annually publish and submit to the Congress a report on the state of the domestic mining, minerals, and mineral reclamation industries, including a statement of the trend in utilization and depletion of the domestic supplies of mineral commodities.

(e) MINERAL COMMODITY REPORTS.—The Administrator—

(1) shall continue to prepare and distribute all series of mineral commodity reports prepared and published by the Bureau of Mines and the United States Geological Survey as of the date of the enactment of this Act, including—

(A) all volumes of the Minerals Yearbook;

(B) Mineral Commodity Summaries;

(C) Mineral Industry Surveys;

(D) Metal Industry Indicators;

(E) Nonmetallic Mineral Product Industry Indexes;

(F) minerals supply analyses for selected commodities;

(G) material flow studies and recycling reports; and

(H) Historical Statistics for Mineral and Material Commodities;

(2) may develop, prepare, and publish additional reports related to mineral commodities as the Administrator considers appropriate.

(f) ANALYSIS WITH RESPECT SUSTAINING ENERGY USAGE.—

(1) IN GENERAL.—The Administrator of the Mineral Commodity Information Administration shall, in 2007 and each year thereafter, following the issuance of the Annual Energy Outlook analysis prepared by the Administrator of the Energy Information Administration, prepare and publish an analysis of the foreign and domestic mineral commodities that will be required by the United States to sustain the energy supply, demand, and prices projected by such Annual Energy Outlook analysis.

(2) JOINT AGREEMENT.—The Administrator of the Energy Information Agency and the Administrator of the Mineral Commodity Information Administration may, at their sole discretion, enter into a joint agreement for preparation of a unified analysis to meet the requirements of this paragraph.

(g) OTHER APPROVAL NOT REQUIRED.—The Administrator—

(1) shall not be required to obtain the approval of any other officer or employee of the United States in connection with the collection or analysis of any information; and

(2) shall not be required, prior to publication, to obtain the approval of any other officer or employee of the United States with respect to the substance of any analytical studies, statistical, or forecasting technical reports that the Administrator has prepared in accordance with law.

SEC. _05. EXCEPTIONS TO INFORMATION AVAILABILITY.

(a) IN GENERAL.—Notwithstanding section 552 of title 5, United States Code, and except as provided in subsection (b), data and information provided to the Administrator by persons or firms engaged in any phase of mineral or mineral-material production or large-scale consumption shall not be disclosed outside of the Administration in a nonaggregated form in such a manner as may disclose data and information supplied by an individual or other person, unless such person authorizes such disclosure after the person is provided notice and an opportunity to object.

(b) DISCLOSURE TO FEDERAL DEFENSE OR HOMELAND SECURITY AGENCIES.—The Administrator may disclose nonaggregated data and information to any agency of the Department of Homeland Security or the Department of Defense, upon written request by the head of the agency for appropriate purposes.

SEC. _06. ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the

Administrator shall establish an advisory committee to be known as the Mineral Commodity Advisory Committee.

(b) FUNCTIONS.—The Advisory Committee—

(1) shall respond to all questions referred to it by the Administrator regarding any matter related to the activities authorized by this title;

(2) shall undertake such studies and inquiries as are necessary to provide answers, advice, and recommendations on matters referred to it by the Administrator; and

(3) in carrying out such studies, may seek information from individuals, business enterprises, colleges, universities, and any State or Federal agency.

(c) PARTICIPATION IN REVIEWS OF MATERIALS.—The Administrator shall invite the Advisory Committee to participate in any public review of materials prepared pursuant to section _04.

(d) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Committee—

(A) shall consist of 15 individuals appointed in accordance with paragraph (2); and

(B) shall include—

(i) one representative from each of a mineral exploration company, a metallic mineral producer, an industrial mineral producer, and an aggregate producer;

(ii) one representative from each of the State geologists, mining labor organizations, and the mining finance industry;

(iii) two representatives from small businesses;

(iv) three representatives from manufacturing industries; and

(v) three purchasing professionals.

(2) APPOINTMENT.—The Administrator shall appoint the members of the Advisory Committee from among individuals who—

(A) are not officers or employees of the Federal Government; and

(B) are United States citizens.

(3) TERM.—Each member of the Advisory Committee shall be appointed to serve a term of 4 years.

(e) ORGANIZATION AND MEETINGS.—The Advisory Committee—

(1) shall select a Chairman and Vice-Chairman from among its members;

(2) shall organize itself into such subcommittees as the members determine to be necessary; and

(3) shall meet not less than 2 times each year.

(f) COMPENSATION AND EXPENSES.—Subject to the availability of appropriations, each member of the Advisory Committee—

(1) shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Advisory Committee; and

(2) shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the member's home or regular place of business in the performance of services for the Committee.

(g) SUPPORT AND RECORDS MAINTENANCE.—The Administrator—

(1) shall provide administrative and technical support for the Advisory Committee; and

(2) shall maintain the records of the Advisory Committee.

(h) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Advisory Committee only to the extent that the provisions of such Act do not conflict with the requirements of this section.

SEC. _07. DEFINITIONS.

In this title:

(1) ADMINISTRATION.—The term "Administration" means the Mineral Commodity Information Administration established by this title.

(2) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Administration.

(3) ADVISORY COMMITTEE.—The term "Advisory Committee" means the Mineral Commodity Advisory Committee established by this title.

SEC. _08. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Administrator to carry out this title $30,000,000 for each of the fiscal years through 2008 through 2018.

The CHAIRMAN. Pursuant to House Resolution 780, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I would like to start talking about first what this amendment is not. First of all, it is not a cost increase. CBO has said there will be no cost associated with it. Also, it is not an effort to reestablish the Bureau of Mines at the Department of the Interior. Congress abolished the Bureau of Mines before I came to Congress; but a key component of that agency, the Minerals Information Team, was entrusted to the U.S. Geological Service. Unfortunately, USGS has not recognized the critical nature of this program or the importance of the information the MIT produces.

Today, at USGS, the Mineral Commodity Function is five steps below the USGS Director, and eight steps below the Secretary of the Interior. In contrast, the Energy Information Administrator is only one step below the Secretary of Energy. At DOI Minerals Information, it's just about like being a janitor; you have about that much access into the system.

The Resource Origin and Commodity Knowledge, ROCK, Act, takes the mineral commodity information function away from USGS and creates and funds a stand-alone agency using DOI resources. It restores and funds the function Congress sought to retain and protect in 1995.

Mr. Chairman, I would reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. Mr. Chairman, this is an amendment that the gentleman continues to push. We had it offered in full committee markup, had debate on it at that time.

When it was offered in committee, I advised him that it did not belong in this bill and perhaps should be considered as a stand-alone piece of legislation after the subject of a hearing. We have not conducted that hearing yet on this matter.

As I said in committee, I do remind my colleagues on the other side that when Newt Gingrich and Company issued their Contract with America, one of its tenets was to reduce the Federal bureaucracy. What the Republican majority ultimately achieved in this regard was the elimination of two Federal entities, the ICC, the Interstate Commerce Commission, which was then recreated as the STB within the Transportation Department. And the other Federal entity that the then-Republican majority eliminated was the Bureau of Mines at the Interior Department.

Now, in a stunning reversal, the Bureau of Mines would essentially be recreated under the guise of a Mineral Commodity Information Agency, I guess you would call that, MCIA. It would enlarge the bureaucracy and increase Federal spending. I repeat, it would enlarge the Federal bureaucracy and increase spending. I keep looking around for my colleague from Arizona (Mr. FLAKE). Where are you when we need you?

The gentleman's amendment would authorize $30 million a year for this new bureaucracy that the then-Republican majority eliminated when they ran the Congress. This new bureaucracy would have an associated administrator; it would have four assistant administrators; there would be an external affairs office, a public affairs office, even an international affairs office, and who knows how many other offices here and there.

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The budget, financial, human resources offices, the human capital management office, the professional development office, the contract management office, yadda, yadda, yadda, I think you get the picture. So this is a whole lot of bureaucracy that would be created based on a proposal that never had a hearing and that was rejected by the Republicans when they were in the majority.

I urge the defeat of the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. PEARCE. Mr. Chairman, the hearings did occur last year on this bill, and I would remind the gentleman from West Virginia that existing resources inside DOI would be used. That is the reason the CBO said that no additional cost would be required.

I yield 2 minutes to the gentlewoman from Virginia (Mrs. DRAKE).

Mrs. DRAKE. Mr. Chairman, I rise today to support the Pearce amendment to H.R. 2262, which establishes the Minerals Commodity Information Administration at the Department of the Interior. The MIT collects and disseminates data on virtually every commercially important nonfuel mineral commodity produced worldwide, information that is critical to businesses, the government, and importantly, the Department of Defense to help manage the National Defense Stockpile. Due to the importance of the data, the MIT should be an independent agency reporting to the Secretary of the Interior.

This information from the MIT is critical to the effective use of the Nation's natural resources and for accurate forecasting. Without a reliable source of worldwide commodity information, the U.S. would be blind to any impending supply shortages.

One of the most fundamental functions of the Federal Government is to provide for the common defense. There is an undeniable nexus between our Nation's minerals policy and national security policy. Currently, 24 strategic and critical military materials are imported at no less than 40 percent from our foreign trading partners. For example, the U.S. imports 54 percent of its magnesium. This mineral is vitally important in constructing airplanes and missiles. Requiring our military to import the strategic and critical minerals it needs from foreign nations, some of whom may be hostile, puts our military at a significant disadvantage and weakens our ability to adequately sustain our national defense.

At a time when defense needs are determined in terms of capabilities-based planning instead of threat-based planning, an accurate assessment of our Nation's minerals is vitally important. The Pearce ROCK Act amendment is a means to that end.

I urge my colleagues to support the Pearce ROCK Act amendment.

Mr. RAHALL. Mr. Chairman, I have the right to close, do I not?

The CHAIRMAN. Yes.

Mr. RAHALL. May I inquire as to the time remaining.

The CHAIRMAN. The gentleman from West Virginia has 2 minutes remaining. The gentleman from New Mexico has 1½ minutes remaining.

Mr. RAHALL. I reserve the balance of my time.

Mr. PEARCE. Mr. Chairman, it is interesting that we did get into the discussion of the CBO here and the additional cost that would be implemented under this act. The underlying act actually has been scored at $441 million by CBO over 5 years, almost $100 million a year. I share the gentleman's concern about increasing expenditures, increasing bureaucracy, and would again request that we reconsider the entire thing. But at the moment I would suggest that we do want to realize that two recent National Research Council reports stress that we are increasingly dependent on foreign nations for minerals critical to America and that we need to have an independent agency as called for in this ROCK Act amendment.

My amendment will establish the independent Minerals Commodity Information Administration and the Minerals Information Team to collect, analyze and disseminate information on the domestic and international supply of and demand for minerals, materials critical to the U.S. economy, and our national security.

U.S. businesses operate in a global economy, and virtually every manufacturing sector from aviation to textiles relies on the unbiased, comprehensive data reported by the MIT. This information enables American companies to use domestic resources effectively, forecast worldwide market conditions, develop informed strategic business plans, and respond effectively to short-term fluctuations and long-term trends in minerals prices, and I urge the adoption of the amendment.

Mr. RAHALL. Mr. Chairman, I yield the balance of my time to the distinguished chairman of the subcommittee on Interior appropriations and my fellow classmate, Mr. DICKS of Washington.

Mr. DICKS. Mr. Chairman, I rise in opposition to this amendment. This amendment is unnecessary. The country does not need a new bureau to create minerals information. The current situation in which the U.S. Geologic Survey administers the minerals information works perfectly fine.

As chairman of the Interior and Environment Appropriations Subcommittee, I have examined the Bush administration proposals to eliminate funding for the USGS minerals information function. Even during these difficult budgetary times, our subcommittee has appreciated the important function of the minerals assessment team at the USGS and refused the administration's recommendation to eliminate its funding.

The Pearce amendment would nearly double the size of the new agency. It would create a new bureaucracy with at least 300 staff and a yearly cost of $30 million or more. So please join me in rejecting this amendment.

I yield to the former chairman of the Interior subcommittee, Mr. REGULA from Ohio.

Mr. REGULA. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong opposition to this. When I was chairman of the committee, we eliminated the Bureau of Mines in 1995. Nobody missed it. The functions are carried on by the USGS very effectively. It is just one of those things that is not needed. I think it would be a big mistake to put it back in place.

The amendment provides for 200 employees out of USGS. Why take them away from where they are doing a good job? The mining programs have worked very effectively since 1995, the time at which we eliminated this. It saves about $100 million. I think it would be a big mistake to put another, put it back in place.

I hope that the Members will join me in opposing this amendment.

Mr. Chairman, I rise in opposition to the Pearce amendment. This amendment would simply re-create an agency that was dismantled in 1995. As Chairman of the House Interior Appropriations Subcommittee at that time, I worked to close the Bureau of Mines which the proposed amendment's agency resembles, in an effort to balance the budget through smaller, more effective government. With its closure, almost $100 million, or 66 percent, of the Bureau of Mines' 1995 programs ceased. However, certain critical minerals information activities moved to the US Geological Survey. This meant we receive the needed information on our mineral resources using far less money than in the past.

Since taking over the minerals information functions, the USGS has done an excellent job of producing critical minerals information and in fact has broadened the role of the minerals information group by providing vital statistics and insight to help commerce, industry, and security.

The USGS is the sole provider of mineral resource assessments and information in the federal government. To fragment this program once again by creating a new bureaucracy in government would not improve its functionality or serve American taxpayers' interests.

Mr. Chairman, this amendment does not create anything new that is substantive. The only thing the amendment will create is a title of new agency, move some people around, and employ 100 new bureaucrats in administrative positions. Why do we need 100 administrative positions to oversee 200 scientists who were already working effectively at the USGS?

Further, the amendment proposes a $30 million budget, which is more than double the current funding for this function. In our current budget climate, it makes no sense to add this new agency burden to government when the work this agency is proposed to do is already being done at the USGS effectively, with less expense to the taxpayer.

This amendment will only fracture our current system of attaining knowledge on our country's mineral resources, create a new bureaucracy and waste tax dollars. I urge a "no" vote on the amendment.

Mr. DICKS. I appreciate the gentleman's comment.

I want to congratulate the chairman for doing an outstanding job as one of my classmates.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The amendment was rejected.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 110-416 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. PEARCE of New Mexico.

Amendment No. 6 by Mr. CANNON of Utah.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. PEARCE

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Mexico (Mr. PEARCE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 173, noes 244, not voting 20, as follows:

[Roll No. 1030]

AYES—173

Aderholt
Akin
Bachmann
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Berkley
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cuellar
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortuño
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Herger
Hobson
Hoekstra
Hulshof
Issa
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—244

Abercrombie
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Capps
Capuano
Carnahan
Carney
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fortenberry
Frank (MA)
Frelinghuysen
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Regula
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—20

Ackerman
Alexander
Bachus
Burgess
Butterfield
Cardoza
Carson
Cubin
Davis, Tom
Faleomavaega
Gohmert
Hensarling
Hunter
Jindal
Jones (OH)
Paul
Shadegg
Shuler
Weller
Wilson (OH)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains in this vote.

☐ 1416

Messrs. LARSON of Connecticut, ABERCROMBIE, TAYLOR, LYNCH and Ms. HIRONO changed their vote from "aye" to "no."

Mr. TANCREDO and Mr. BISHOP of Utah changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. CANNON

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Utah (Mr. CANNON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 240, not voting 22, as follows:

[Roll No. 1031]

AYES—175

Aderholt
Akin
Bachmann
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Berkley
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Perlmutter
Peterson (PA)
Petri
Pickering

Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—240

Abercrombie
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Capps
Capuano
Carnahan
Carney
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fortenberry
Fortuño
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—22

Ackerman
Alexander
Bachus
Burgess
Butterfield
Cardoza
Carson
Cubin
Davis, Tom
Faleomavaega
Gohmert
Hensarling
Hunter
Jindal
Lowey
McNerney
Paul
Saxton
Shadegg
Shuler
Weller
Wilson (OH)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute is left in this vote.

☐ 1421

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ROSS) having assumed the chair, Mr. SERRANO, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2262) to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes, pursuant to House Resolution 780, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. PEARCE

Mr. PEARCE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. PEARCE. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Pearce moves to recommit the bill H.R. 2262 to the Committee on Natural Resources with instructions to report the same back to the House promptly with the following amendments:

At the end of section 102(a) add the following:

(6) LIMITATION ON APPLICATION.—No royalty under this section shall apply to any mineral that is used in the manufacture of any technology used for the production of solar energy or nuclear energy.

At the end of the bill add the following:

SEC. ___. EFFECTIVE DATE.

This Act shall take effect on the date the Secretary of the Interior, in consultation with the heads of other appropriate Federal agencies, certifies that nothing in this Act would result in a loss of jobs in the United States associated with mining-related activities to which this Act applies.

Mr. PEARCE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The SPEAKER pro tempore. The gentleman from New Mexico is recognized for 5 minutes.

Mr. PEARCE. Mr. Speaker, this is an honest, straightforward and commonsense motion which should be accepted unanimously. Its acceptance would help restore America's confidence in this body.

This motion addresses two issues Americans expect their elected representatives to address. Americans want more alternative energy sources so we are not dependent on people who hate us for our energy supplies. Americans want to make sure that their government does not take actions which destroy American jobs. The supporters of this bill promise it will not hurt jobs. My motion guarantees it will not hurt jobs.

They constantly promise that they want more clean energy to reduce our dependence on foreign supplies. My motion guarantees this clean energy.

Much of the controversy about this bill is about the importance of minerals and the jobs they support. Some say the bill will cost the kind of jobs this country needs and leave us begging other nations for the minerals necessary to produce cleaner energy right here at home. Others argue that it doesn't. My amendment resolves that question.

If adopted, my motion would ensure that the government is not taxing American production of important minerals used for solar power and nuclear power.

That makes sense. The government should not be taxing our efforts to produce more clean domestic energy. The last thing that we need to do is become more dependent on others for energy sources we plan to use to get off of dangerous foreign energy supplies. That's just common sense.

Secondly, my motion applies the "first, do no harm" standard to this bill as it relates to jobs.

As we have said here today, minerals mining jobs are the best nonsupervisory jobs available in the country today, according to government reports. This motion says that the government has to certify that this bill will not cost American jobs before it goes into effect. That's the least this country can do for working Americans, make sure that we don't lose their jobs because of our actions.

The supporters of this bill say it will not cost jobs. This gives them a chance to vote to ensure that it doesn't.

Mr. Speaker, we have heard today on the House floor that this is a work in progress, that H.R. 2262 is a work in progress. I am saying that the Nation's security depends on our good work today and we should not submit a work in progress to the other Chamber. I hope that the supporters of this bill will take this olive branch and guarantee jobs to Americans, not just make more promises to Americans.

We have heard promises this bill won't hurt jobs; this motion guarantees it. We hear promises about more clean energy to reduce our dependence on foreign supplies. This motion guarantees it.

My motion turns a promise into a legal guarantee. I urge its adoption by all Members of the Chamber.

Mr. Speaker, I yield back the balance of my time.

Mr. RAHALL. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. Mr. Speaker, this is the day after Halloween and I recognize fully there are still tricks in the air, and this is another trick by the minority in this body. The amendment says report back to the House promptly. I am pretty sure that every Member of this body recognizes what the word "promptly" means. It is an amendment by the minority to substantially delay, if not outright kill, the pending legislation. So Members are well aware of this trick, and I urge defeat of this attempt to thwart passage by the House today of bipartisan legislation that has broad support at the local, State and Federal level.

In addition, Mr. Speaker, the effect of this motion would also be to reduce the amount of royalties owed the American people under this bill, under the guise of advocating nuclear energy for that matter, and I see no relationship here. I urge defeat of this motion which would reduce the amount of royalties that would come in to the American taxpayers under this bill.

Now to the segment about loss of jobs.

□ 1430

Due to changes in demands today, it's every Member of this body's knowledge that we may see a decline in the hardrock mining industry and the demand for jobs because of the technology, because of the technologies that are coming online. There's not a one of us who is against those technologies. In many cases, they're cleaner. In many cases, they're safer and they're healthier for our workforce. But that technology does displace man and woman power. It's a fact of our economic realities today.

So the gentleman's motion to recommit is based on unfounded premises, scare tactics, and tricks that we should not adopt; and I would urge defeat of the gentleman's motion to recommit.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. PEARCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 170, nays 240, not voting 22, as follows:

[Roll No. 1032]

YEAS—170

Aderholt
Akin
Bachmann
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Goode
Goodlatte
Granger
Graves
Hastert
Hastings (WA)
Hayes
Heller
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—240

Abercrombie
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Capps
Capuano
Carnahan
Carney
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Frank (MA)
Frelinghuysen
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson

Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—22

Ackerman
Alexander
Bachus
Boehner
Burgess
Butterfield
Cardoza
Carson
Cubin
Davis, Tom
English (PA)
Gohmert
Hensarling
Jindal
McNulty
Myrick
Paul
Pryce (OH)
Shadegg
Shuler
Weller
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

☐ 1447

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. PEARCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 244, nays 166, not voting 22, as follows:

[Roll No. 1033]

YEAS—244

Abercrombie
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Capps
Capuano
Carnahan
Carney
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fortenberry
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Regula
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NAYS—166

Aderholt
Akin
Bachmann
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Berkley
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Sali
Schmidt
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOT VOTING—22

Ackerman
Alexander
Bachus
Burgess
Butterfield
Cardoza
Carson
Cubin
Davis, Tom
Frank (MA)
Gohmert
Hastert
Hensarling
Jindal
Kaptur
McNulty
Myrick
Paul
Shadegg
Shuler
Weller
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

☐ 1454

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SHULER. Mr. Speaker, on Thursday, November 1, I was unable to vote on rollcall votes Nos. 1030, 1031, 1032, and 1033 due to a prior commitment in my district. Had I been present I would have voted "no" on rollcall votes Nos. 1030, 1031 and 1032, and "yea" on rollcall vote No. 1033.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2262, HARDROCK MINING AND RECLAMATION ACT OF 2007

Mr. RAHALL. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 2262, to include corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of appropriate headings.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. BLUNT asked and was given permission to address the House for 1 minute.)

Mr. BLUNT. Mr. Speaker, I yield to my friend, the majority leader, for information about next week's schedule.

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, on Monday the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business, with votes rolled until 6:30 p.m.

We will consider several bills under suspension of the rules. A list of those bills will be announced by the close of business tomorrow.

On Tuesday the House will meet at 9 a.m. for morning-hour debate and 10 a.m. for legislative business. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business and 9 a.m. on Friday.

We expect to consider H.R. 3688, the United States-Peru Trade Promotion

Agreement Implementation Act; H.R. 3355, the Homeowners' Defense Act of 2007; and H.R. 3996, Temporary Tax Relief Act of 2007; the conference report on the fiscal year 2008 Labor-HHS appropriations bill. If the President vetoes the WRDA bill, we will expect to take up that veto as well.

Also, Members should note on Wednesday, President Sarkozy of France will address a joint meeting of the House and Senate. I would like to say to all the Members who are listening, I would hope that they would make a special effort to be here for the address of President Sarkozy.

I would make the observation that the new President of France is someone who, I think, holds great promise for partnership with the United States. I think he has expressed that inclination. I think that is a very significant, positive step forward, and I hope that most of us that will be able to, within the framework of legislative business, be here to hear his address.

Mr. BLUNT. I appreciate my friend's comment there, and I agree totally that a leader of France who has been so open and receptive to America as an ally and a friend deserves that kind of welcome in the joint session of Congress next week. I hope we have the kind of presence here that would indicate our opportunity and our optimism about the Sarkozy government.

On appropriations, I wonder if you have any update on the Labor-HHS conference and the conference report, if you have any sense of that yet.

Mr. HOYER. As I said in my announcement, it is my expectation that the Labor-HHS conference report will be on the floor next week. I don't know whether it will be Wednesday or Thursday of next week, but I expect it to be on the floor next week.

The conference, much of the work of the conference, as I indicated last week, the preconferencing was occurring, both parties were involved in that preconferencing, and hopefully that has led to what will be a relatively brief conference. I do not have information whether or not they were able to conclude today. I know they met this morning and into this afternoon. I don't know whether they have concluded.

Mr. BLUNT. The press reports today were that that conference would not likely include the elements of the Defense appropriations but still would include the Veterans and the Military Construction appropriations bill.

Is that my friend's sense of where they are headed on that bill?

Mr. HOYER. My sense is those were the press reports.

I can neither confirm nor deny, as they say, that that is the case.

Mr. BLUNT. Well, of course the stated goal of the majority earlier this year to move these bills one at a time would be my preference, and if Defense is not part of that conference report, it seems to me it's only one bill away from being done the right way. I would have preferred to see it the other way.

□ 1500

Mr. HOYER. Will my friend yield?

Mr. BLUNT. I would.

Mr. HOYER. I thank my friend for yielding.

And I know that point has been made, but I want to tell you, very honestly, I hear you make the point, but not only did you package almost all, the majority of bills in 2005 and 2006, but you packaged them in the calendar year, that is to say, 3 months from today, before they were passed. And so that, although that is your desire, and it is my desire, we share that view, you're absolutely right. These bills ought to be considered individually, one at a time, on their merits, sent to the President, and he ought to have the opportunity to veto them or sign them individually.

But I would remind the gentleman that in fiscal year, I believe, I may be wrong on the fiscal year, fiscal year 2005, it was not until February 2005 that that bill was passed, with eight or nine of the bills incorporated in an omnibus. And in either the year before that, or the year after that, in January, eight bills were sent.

Now, I may be off one or two bills on the numbers, but my point is, the gentleman is correct. Unfortunately, that has not been the practice, either under your leadership or our leadership. And I think it's unfortunate, personally. But we're going to move these bills, as I said last week, hopefully as quickly and effectively as possible; and, hopefully, the President will sign them. They've passed with an average of 285 votes, some closer, some different than that. Averages lie in that respect. But they have passed pretty handily both Houses of the Congress. In the Senate every one has passed with a veto-proof majority. That's not true in the House. But we're hopeful that we can get these bills to the President and signed by the President, whether they're individually or in packages.

Mr. BLUNT. I thank my friend.

Looking backwards at this, I think that my friend is right that there was a pattern that developed with the bill that included the Veterans bill that we didn't like. And so in the Congress that started in 2005, we tried to restructure that so that that would not happen in the future. We were trying to break that pattern, and, in fact, we did. And in 2005, that bill passed individually, as did every other bill.

In 2006, unfortunately, that was not the case, and there was a penalty to be paid for that, and I guess we paid it. But we were trying to break that pattern of coupling veterans benefits with something that was much more controversial than veterans benefits. It was part of at that time Veterans Administration and Housing and Urban Development, and so we took Veterans and put them with the Military Construction so that military families, military personnel, veterans and retirees would all be in a bill that we hoped would be the least controversial of all bills and not be the subject of that packaging to get those most controversial things done. Frankly, I think the 2005 experience showed that we were on the way to achieving that.

My concern on this would be exactly that, that the pattern of using the veterans benefit bill, to couple that with bills that are less popular, and not only appropriations bills, but I can certainly see, even in this Congress, that bill becoming the host for authorizing bills that are not popular, I think is a very unfortunate development and I regret it. I wish that we could have stayed with the pattern that we tried to create in the last Congress and successfully did create in the first year of the last Congress. Again, as we look back on history, this is the first time in 20 years that not a single bill has passed now.

Also, when we coupled bills together in the 10 years I was here, we coupled those bills together to try to get a signature rather than anticipating a veto, and we got those signatures.

Mr. HOYER. Is there any doubt that that's what we're trying to do?

Mr. BLUNT. I think there is. Well, we'll see. We'll see if that's what happened.

I have a couple more questions, but I would yield on that point.

Mr. HOYER. On that point, because I think it's important for our Members to understand and for the public to understand what's going on. The gentleman is correct. You took the Veterans bill out of the Housing bill. We think you liked the Veterans bill. We're not sure you liked the Housing bill, and so you took them apart so you could pass what you liked and leave what you didn't like alone.

As you know, the first 2 months that we came in, we dealt with the eight bills that you had not passed. They were all domestic bills. You passed the Defense bill, the MilCon bill, Homeland Security bill, all of that, broad bipartisan support on our side, your side. Education was left on the table. Health was left on the table. Environment, left on the table. Space, left on the table. Law enforcement, left on the table.

We understand the decoupling. Decoupling is to put us in a position where we don't have any options. You'll take what was passed with 409 votes in this House. It was $4 billion over what the President requested, billions of dollars under what the veterans said they needed.

And now the President says he is going to sign that bill. Why is he going to sign that bill? Because I think he believes it's politically feasible to do it.

It's $4 billion over what the President asked for, and he said we shouldn't ask for more than he asked for. We asked for $4 billion more than he asked for for veterans, and he's going to sign it. Overwhelmingly supported here in the House, and we would override his veto. He knows that, so I don't think he's given us much, very frankly.

And we are trying to figure out how we can get Education signed by the President, funding No Child Left Behind signed by the President, NIH, cancer research, heart, lung and blood research, diabetes research signed by the President.

So very frankly, your decoupling was to make sure that you got the bill you liked signed. Our coupling may be to ensure that we get the bill that we like signed. So very frankly, the efforts, I think, are the same. The priorities just may be different.

Mr. BLUNT. Well, if we want to try to determine the motives of each other, which is, I suppose, what we do in this place, that's one thing. But you're the one that started that.

What we were trying to do, I'll advance again, was to take the Veterans bill out of the tug of war that always went on over the Housing bill, and that's what we did.

Now, your assertion that that's because we didn't like Housing, I don't agree with that. I do agree with the idea that we thought that the Veterans bill did not need to be needlessly held back by a bill that was assured to always be intensely debated. And that's why we did that. And that's why we passed the bill. And that's why if we would have passed this bill 60 days ago when it came over from the Senate, military families and veterans would have $18.5 million every day that they haven't had the last 32 days now.

On the other issue, I don't have any reason to believe that the President is not for all of those health care issues you talked about. That's not what this veto will be about. I know I'm for advancing all of those, partly because I've benefited from research in some of those.

But I think you said at the first of the year, and you were right when you said it, that the best way to advance these bills is one at a time. Now, I think I'm hearing a different argument than that today. But I agree with your first-of-the-year view of this; and I would hope, after this process, we can get back to that.

Another thing I wanted to ask about, I read in one of the Capitol Hill newspapers this week that the majority continues to look at the possibility of limiting the minority's right, and it has been a right of the minority since 1822, to have the opportunity to have a motion to recommit at the end of the bill.

I will point out, I believe yesterday, on the bill we dealt with yesterday, the first substitute that the minority had been allowed in this entire Congress, the last day of the 10th month of the Congress, we finally get a substitute.

No question, we've had to maximize our use of the motion to recommit because, while we appreciate the amendments we had on the bill today, we haven't had many amendments before today. And while we appreciate the substitute we had yesterday, we had had no substitutes before yesterday.

I'm wondering if the gentleman will want to talk a little bit about any discussions going on, the majority has going on, about limiting the 1822 right of the motion to recommit.

And I would yield.

Mr. HOYER. I thank the gentleman.

I don't have the figure in front of me, but I will find it out. I believe, very frankly, very few substitutes have been brought to the Rules Committee by your side. But that aside, I will get that number so we will know it.

But I take your point. That aside, I take your point.

Let me say that what we intend to do is continue to try to facilitate the work of this House, facilitate passing legislation, and we will continue to try to do that.

Mr. BLUNT. Well, I would only say my concern on that would be when the majority says "facilitate the work of the House," that may mean to further restrict the ability of the minority; and, of course, we would object strenuously to that.

Another topic that, I don't believe, it may or may not have been mentioned, was the AMT patch topic. Did you mention that as something you expect to come up next week?

Mr. HOYER. Yes, I think I mentioned that.

Mr. BLUNT. I thought maybe you did. Does the gentleman have any more information about that than he has already given?

Mr. HOYER. No, I don't know whether it will be Wednesday, Thursday or Friday; but it will be one of those three days is my expectation. I know Mr. RANGEL wants to move the AMT patch. I'm for moving the AMT patch. I'm for paying for it. But I'm for moving it. The Temporary Tax Relief Act.

Mr. BLUNT. So that would be the AMT patch?

Mr. HOYER. Yes, that's what we're referring to. So the answer is, yes, we intend to move that next week.

Mr. BLUNT. And the amount of money involved there?

Mr. HOYER. I don't have that dollar amount, but I know that it's in the $50 billion category to do a temporary patch, which we have done over the last few years. We borrowed the money each time we've done that, but it's about $50 billion. We intend to pay for it.

Mr. BLUNT. And your intention is for that to be under the PAYGO rule to be paid for.

Mr. HOYER. As you know, we have followed the PAYGO rules since we adopted them, and we intend to hew to that practice. And we think it's the appropriate practice, rather than borrow $50 billion today to give taxpayers relief so that our children can pay for that tax relief in the future. We feel strongly about that and we intend to do that.

Mr. BLUNT. I think the view of that, if we were debating the bill, which we won't do, I assure you, would be that this kind of tax relief actually produces tax revenue. But in a static scoring model you don't see that revenue.

Do you have any more information about November's schedule? I know next week. You said you anticipated we would work Friday of next week.

Mr. HOYER. We anticipate Friday of next week. And I'm not yet anticipating the 16th, which is Friday, because I'm not sure exactly. The continuing resolution ends on the 16th of November. It is my expectation that we will do another continuing resolution while we continue to try to pass the balance of the appropriation bills, and I expect to do that earlier than the 16th, but we can't give away the 16th at this point in time because we have no intention of shutting down the government and, therefore, we're going to make sure that we provide for making sure the government stays in operation. But if we can conclude our work by the 15th, I'm sure the Members will be happy. But the 16th is still on the schedule.

Mr. BLUNT. I appreciate that information. I'm sure that we would be, at least I'm confident we would be more than happy to work with the majority so that we don't run into a needless last-minute crisis on the 16th in the almost unavoidable circumstance now that we don't have all of the appropriations bills done by then, and I would think the earlier that process starts, the better off we are.

And I would yield.

Mr. HOYER. I thank the gentleman for yielding one more time.

I have not mentioned something, but I do want to mention, so the House knows and, frankly, the public knows as well. As you know, we have been working very hard on the Children's Health Insurance Program, trying to get as many children as possible covered by children's health. I want to thank the whip. I had the opportunity of meeting with Mr. BOEHNER. Their staffs have been engaged. Our staffs have been engaged. Senate Democratic and Republican staff and Members have been engaged. We're still working on that.

□ 1515

As you know, Senator REID attempted to get a delay in the consideration of the bill on the Senate floor. That was objected to by Mr. McCONNELL, or actually Mr. LOTT on behalf of

Mr. McCONNELL, and they took it up today. Mr. REID asked for another extension. That was objected to by Mr. McCONNELL this time. So they considered it today.

But I want the whip to know that we are intending to continue to pursue discussions. Obviously the Senate has to send the bill back here. But we want to continue to pursue these discussions to see whether or not we can come to agreement so that we can send a bill to the President that, hopefully, he would sign but, if he doesn't sign, that two-thirds of us on this side of the Capitol and two-thirds on the other side of the Capitol would be prepared to see it move forward.

Mr. BLUNT. If I could ask a question in that regard, do you anticipate some changes in the Senate bill so that it comes back here? I was assuming, based on your other information, that if the Senate passed the same bill the House had passed, it would go directly to the President.

Mr. HOYER. Well, they have to send it back here as the House of origin, I believe. I'm not sure that it has to be sent back. I may be incorrect in that. But I am not sure how soon the Senate will send the bill down.

Mr. BLUNT. We will be glad to continue work on that. And in regard to the failure to provide time on the Senate side, it seems to me that's a very interesting contradiction to our desire to provide time over here to change the bill. I will assure my friend we are working in good faith to try to address the less than a handful of issues, though they are all important, that we think need to be addressed, from who benefits from this program to how you determine your eligibility and legal presence in the country to benefit, to how you work effectively to see that adults are moved off the program. We are more than willing to work on that. We have been trying to work on that all week.

And, of course, our request just a few days ago was the reverse of the problem that now we see is a problem in the Senate, which was give us some time to work this out. We were denied time on this side. Apparently the Senate has also been denied time to work this out. And, once again, I think we have headed toward a needless conclusion to this debate that could have been prevented if we would have all engaged more effectively before we sent the bill to the Senate.

Mr. HOYER. Will the gentleman yield?

Mr. BLUNT. I yield to the gentleman.

Mr. HOYER. I thank the gentleman for yielding.

Frankly, we have a disagreement on whether you were denied time. We did pass the bill, but we have been pursuing, as the gentleman observed, and I appreciate the participation of those Republicans, one of whom is sitting on the floor, who have participated in numerous meetings, whether or not we can accommodate the interests of both sides in passing legislation to include the children, expanding it to 10 million. But notwithstanding the fact that we passed it, as I explained to the House, we wanted to get that bill to the Senate so that they could have it ready for consideration.

We were in agreement that it ought to be moved over until next week. Senator REID asked for that so we could continue to work. As I advised Senator REID, the leader, I advised him that I thought there were good-faith discussions going on. I thought there was an opportunity to move forward. I am still hopeful that that is the case. And as a result, I am hopeful that we will take the additional time, the next day, tomorrow, Saturday, Sunday, Monday, to try to see if we can come to agreement.

As you know, you, Mr. BOEHNER and I met, and Mr. BOEHNER's observation was there may be significant numbers that could accrue as a result of the discussions and negotiations. We're hopeful that that is the case. If that's the case, then we would be successful in adding the 4 million children that we seek to add to the President's 6 million plus.

What I wanted to indicate before we close this colloquy is that I am hopeful we will still take that time, and I have indicated to a number of people that I want to pursue, we want to pursue, those discussions with the opportunity to perhaps take some additional action if agreement is possible.

Mr. BLUNT. I thank the gentleman for that.

And, Mr. Speaker, I will just say we are continuing to be more than willing to be helpful, the minority is, I am individually, to try to solve these problems.

I want to repeat one more time, I think we would have been better off if we had taken these 2 days that we now would have liked to have had before we voted instead of now being at the mercy of the Senate to decide whether they are going to give us time to negotiate with each other or not. But we haven't, and, hopefully, we can continue to work for a good conclusion.

ADJOURNMENT TO MONDAY, NOVEMBER 5, 2007

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate.

The SPEAKER pro tempore (Mr. SIRES). Is there objection to the request of the gentleman from Maryland?

There was no objection.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON WEDNESDAY, NOVEMBER 7, 2007, FOR THE PURPOSE OF RECEIVING IN JOINT MEETING HIS EXCELLENCY NICHOLAS SARKOZY, PRESIDENT OF THE FRENCH REPUBLIC

Mr. HOYER. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, November 7, 2007, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting His Excellency Nicholas Sarkozy, President of the French Republic.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. HOYER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

PERMISSION TO POSTPONE CONSIDERATION OF VETO MESSAGE

Mr. HOYER. Mr. Speaker, I ask unanimous consent that if a message transmitting a Presidential veto is laid before the House on Monday, November 5, 2007, then after the message is read and the objections of the President are spread at large upon the Journal, further consideration of the veto message and the bill shall be postponed until the following day, Tuesday, November 6, 2007.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

CHILLICOTHE: "OHIO'S BEST HOMETOWN"

(Mr. SPACE asked and was given permission to address the House for 1 minute.)

Mr. SPACE. Mr. Speaker, I rise today with great pride in congratulating Chillicothe, Ohio, our great State's first capital, in being named Ohio's Best Hometown in the November issue of Ohio Magazine.

A small town rich in history and nestled within the beautiful foothills of the Appalachian Mountains in southern Ohio, Chillicothe represents the very embodiment of everything that's right about middle America.

In recent years, the city has gone through an impressive transformation. It has completed a large expansion of its high school. Adena Hospital is consistently ranked as one of the top rural hospitals in the country. And the OU-Chillicothe campus has grown by over 25 percent in the last 2 years.

More and more people are discovering what we have known for a long time, that southeastern Ohio and southern Ohio and towns like Chillicothe offer a great place to live and a great place to raise a family.

I would like to congratulate Mayor Joe Sulzer and the rest of my friends in Chillicothe on this great honor.

RECALCITRANT STATE DEPARTMENT PERSONNEL

(Mr. HUNTER asked and was given permission to address the House for 1 minute.)

Mr. HUNTER. Mr. Speaker, today it became apparent that the employees of the State Department of the United States, or at least a large number of them, are resisting being assigned to Baghdad. They say it's too dangerous, and they have asked for a town hall meeting to explain their recalcitrance.

You know, when we go to Walter Reed and we go to Bethesda Hospital and we meet with our wounded warriors, our marines, our Army personnel, our naval personnel, our Air Force personnel, most of them say this to us: They say that they would like to return to fight side by side with their buddies, with their companions, in those warfighting theaters in Iraq and Afghanistan. They want to serve this Nation.

So I have recommended to the President today that we do this: That we fire those recalcitrant State Department personnel who say it's too dangerous for them to go back to Baghdad; they want another assignment. Let's let them leave the service, and let's go down to Walter Reed and Bethesda Hospital and let's recruit that wonderful team of American warriors who have been wounded in the service of their country and who have patriotism and devotion to duty and have a high enthusiasm for public service, and let's hire them into a bright new career in a new State Department.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SUDAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–70)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

The crisis constituted by the actions and policies of the Government of Sudan that led to the declaration of a national emergency in Executive order 13067 of November 3, 1997, and the expansion of that emergency in Executive Order 13400 of April 26, 2006, and with respect to which additional steps were taken in Executive Order 13412 of October 13, 2006, has not been resolved. These actions and policies are hostile to U.S. interests and pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared with respect to Sudan and maintain in force the comprehensive sanctions against Sudan to respond to this threat.

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the Sudan emergency is to continue in effect beyond November 3, 2007.

GEORGE W. BUSH.

THE WHITE HOUSE, *November 1, 2007.*

☐ 1530

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

HONORING THE LIFE OF MR. RHYS LEWIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

Mr. MCCOTTER. Mr. Speaker, today I rise to honor and mourn the extraordinary life of Rhys Lewis upon his passing at the age of 83.

Born on May 13, 1924, Rhys Lewis dedicated his life to serving others. As a United States Marine Corps sergeant during World War II, Rhys served in the South Pacific and fought to defend the liberty of Americans and all humanity. His tour of duty included seeing combat on Iwo Jima, where he demonstrated his unfaltering honor and valor. Following his return home in 1947, Rhys married his beloved Ruth and continued his service to our Nation. An active church member, Rhys was ultimately elected to and entrusted with numerous positions of governmental and civic trust.

He served as a Republican precinct delegate, a Redford Township trustee, a Redford Civil Affairs chairman, the chairman of the Redford Republican Party, as a member of the Michigan Republican State Committee, and a 1980 Bush delegate to the national convention.

Regrettably, on October 27, 2007, Rhys Lewis passed from this earthly world to his eternal reward. He is survived by his wife, Ruth Lewis, his children, Arthur Lewis and Charlotte Wirth, his grandchildren, Kathryn Ostreko, David R. Wirth and Jeffrey Lewis, and his great grandchild, Jack Ostreko. A courageous and honorable man, Rhys will be sorely missed.

Mr. Speaker, Rhys Lewis is remembered as a compassionate father, a dedicated husband, a leader, a soldier and a friend. Today, as we bid Rhys farewell, I ask my colleagues to join me in mourning his passing and honoring the unwavering patriotism and legendary service to our country and community of this fine American.

And I would be remiss if I did not add what I believe encapsulates the essence of the man. Early in my tenure as a Member of Congress, I was honored to be asked to participate in a ceremony where Rhys Lewis was honored for his commitment to our Nation and his service as a member of the Greatest Generation of World War II. We had to work with his wife, Ruth, because Rhys, an honorable man, was not a proud man. And so when we surprised him at the VFW that day with the medals that he had earned, he was stunned. Part of him seemed to be surprised that people had remembered his service to our Nation in its crucible of liberty, and the other part of him was deeply, deeply concerned that he was being singled out for what he and so many other fine young Americans had done to preserve the freedoms we now hold.

That was the man that we honor today. That is the man whose example I believe we should ever cherish and ever emulate.

THE OCCUPATION OF IRAQ AND THE ATTACK ON CIVIL LIBERTIES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, when the President invaded Iraq in 2003, the American people were warned that Iraq's weapons of mass destruction posed a great threat to peace. We were told that launching a preemptive war would not make life harder for the Iraqi people nor compromise the security of the international community. And we were promised that the quick war to liberate Iraq would come at no cost to America's prestige abroad.

Five years later, it is painfully clear how very wrong the administration was and how dearly we are still paying for its mistakes. The administration launched a war of choice based on half truths, broken promises, and delusions of a swift and easy victory, but the most shameful of the administration's claims was that we were fighting abroad to protect our freedoms at home.

The President argued that sending our Nation's brave servicemen and -women into an unwinnable occupation was the only way we would safeguard our civil liberties. Since then, by repeatedly invoking the possibility of threats to our national security right here at home and abroad, the administration has justified its unprecedented attack on our constitutionally protected freedoms.

Mr. Speaker, we can no longer allow these attacks to go unchallenged. After authorizing the National Security Agency to openly violate Federal laws by eavesdropping on Americans, the administration successfully worked to legalize warrantless spying on innocent Americans. After consistently disregarding laws designed to promote public access to information, the administration expanded laws that authorized the government to withhold information from Congress and the American people.

After championing the virtues of democratic rule of law, the President has openly condoned torture, denied habeas corpus to prisoners held in Guantanamo Bay, and fought every single attempt to hold members and friends of his administration accountable for their actions.

This abuse of power at the expense of the rights and freedoms of the American people, often in the name of protecting these very same rights and freedoms, is a shocking betrayal of the will of the American people.

Last month, after the House passed legislation ensuring that every contractor in Iraq would be accountable under American criminal law, the administration granted immunity to Blackwater Security employees who were involved in a Baghdad shooting that left 17 civilians dead.

This administration will never take responsibility for their actions. It will never end the occupation of Iraq. Instead, the attack on our civil liberties will be the only mission they will have accomplished.

Mr. Speaker, it is Congress' responsibility to stand up to this President. We must end the administration's war of choice. We must restore the checks and balances that have been eroded under this President. We must fight for peace and the protection of civil liberties. We must fully fund the safe and orderly withdrawal of all American troops and contractors.

Mr. Speaker, we must give Iraq back to the Iraqi people and America back its integrity.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. All Members are reminded to refrain from engaging in personalities toward the President.

FREE ENTERPRISE CAPITALISM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the minority leader.

Mr. KING of Iowa. Mr. Speaker, it's a privilege to be recognized to address you and the House of Representatives and the people of the country who listen in on these types of discussions.

As I listened in on the gentlelady's remarks on the global war on terror, particularly in Iraq, and I hear the words "war of choice," I actually expect that the historians will write it differently. And you can never write history from a contemporary perspective. That has to be done a generation or so down the line so you can see how things actually unfold.

When I look back at the time when this country was attacked, we've been attacked any number of times for the 18 previous years; but September 11, 2001, is a date that we will always remember. And as the President made his decisions, as he rose up and really took on a leadership mantle here, he was the Commander in Chief, but he stepped up to leadership on that day and on the days subsequent to September 11, and he had to make some tough decisions. One of them was to engage in combat in Afghanistan.

He ordered troops within a little more than 30 days into battle. And everyone said you can't be successful in Afghanistan; no one in history has been successful in Afghanistan. And, in fact, history is replete with the examples of the outside military operations that have gone into Afghanistan and failed. I can't tell you from this point, Mr. Speaker, whether history will write that Afghanistan is a resounding success, but the contemporary analysis at this point is that it is a resounding success.

As I listen to the gentlelady talk about a war of choice, I would submit that the President had no choice. He had no choice. We had been attacked. Remember, all the planes were grounded. We didn't know if there were more in the air, if they were coming to more places. The one that went to the ground in Pennsylvania may well have been targeted to the White House or this very Capitol Building that we are in.

And all the intelligence in the world concurred on one thing, that Saddam Hussein had weapons of mass destruction in significant quantities. And the gentlelady that would submit otherwise would have been one of the first to raise an objection if the President would have ordered troops into battle in Iraq without proper protection from chemical weapons, for example. No one believed otherwise, not Hillary Clinton, not the United Nations, not the Israelis, not the French, not the Russians, not the CIA, and not George Tenet.

So to take us back through this, there was a time and a moment in history where decisions had to be made within that context, within the context of what did we know at the time, what did we believe at the time, and what were the consequences and what were the alternatives.

Now, the alternative that the President had to be considering, and I don't believe that he has ever spoken about this publicly, and I'm not implying that he has spoken to me about it privately, but the alternative that the President had to consider was, if I do not take action, then what? What will be the response of the American people if we are attacked again and I sit on my hands, like happened in the aftermath of the attack on the USS Cole or the U.S. embassies in Africa or the circumstances within Mogadishu when we retreated and gave up that piece of ground and sent a message to the terrorists that we didn't have the resolve? What would have been the consequence?

What if the United States had been attacked again, not on September 11, 2001, but maybe September 11, 2003, and we hadn't taken action? What if those resources had come out of, and, in fact, some of the resources were coming out of Iraq that were targeted against us, what if America had lives that had been lost in significant numbers? What then would the gentlelady say? What then would the critics to the President say?

They would say he didn't take action when he should have. They would say he should have gone into Iraq. But he had to deal with the information he knew when he knew it. And the decision that was made, as historians will evaluate, I believe, will be that the President didn't really have a choice. And this Congress endorsed that decision with a vote here on the floor of Congress in the House of Representatives and in the Senate that was the authorization to use military force.

So we need to stand behind our decisions here as well as stand behind the

Commander in Chief. And I would submit that the advocacy for an immediate pullout of Iraq, that's actually a tired, threadbare argument today. It's been a threadbare argument for a long time, but it was illuminated pretty well when General Petraeus came to this Congress in those days, September 12, 13 or 14 of September, when he delivered his report to the House of Representatives and the following day delivered his report to the United States Senate.

And, Mr. Speaker, as we saw the things that transpired in Iraq at the beginning of the surge, and I recall being there last Thanksgiving and trying to go into al Anbar province, trying to get into places like Ramadi and Fallujah, and I couldn't go because it was too dangerous, the stability was not there, the marines had written off Anbar province. The map was colored all red. The map of the tribal zones that actually are the local government in Iraq was colored all red, red being the color that denotes al Qaeda; al Qaeda being in control of and having the dominant influence in those tribal zones in Anbar province. So I couldn't go into Anbar, couldn't go to Fallujah, couldn't go to Ramadi, couldn't go to a number of those other communities.

That was last Thanksgiving. However, the last part of July this year I did go. I went into Ramadi and walked the streets of Ramadi. That's where they had the 5K run here I think just yesterday or maybe the day before. Hundreds and hundreds, in fact, thousands of people in the street out there doing a recreational 5K run, something that you would only see people running in Iraq if they're running from an explosion or a bullet or towards where that bullet or explosion detonated. But today, there is recreational running going on over there in a place like Ramadi, where it has been the center of death. And those tribal zones in al Anbar province that were all colored red now on the map are all colored green, supportive of U.S. coalition and Iraqi defense forces.

And I would point out that the liberation, the freeing, the driving of al Qaeda out of Ramadi was done with 85 percent Iraqi defense forces, 15 percent U.S. coalition forces. The Iraqis are more than fighting side by side. They're leading in this battle in many of the places over there in Iraq. And you have seen, also, American casualties down to the lowest levels we've had in over a year. And you're seeing Iraqi civilian casualties down to a level that is less than half of what it was a year ago.

Now, none of these are good circumstances for permanent conditions, but this is a good direction and a good trend. And the agreement that was reached in Anbar province where the sheiks came around on our side and said we're going to throw our lot with you, we're going to drive out al Qaeda, what they really said was, We want to kill al Qaeda with you. It wasn't some politically correct statement like, We would like to join with you to try to improve the stability or security here in our region. They said, We want to kill al Qaeda with you.

And they actually have a reconciliation plan. Some of those young men over there have been taking money from al Qaeda and setting roadside bombs, detonating roadside bombs or attacking Americans, U.S. coalition troops or Iraqis. They've been paid for; they've been mercenaries for al Qaeda. And some of them are there because they philosophically think it's the right thing to do, too. But the reconciliation plan is this, if you have attacked our side and you want to come forward and make a confession, if you're not standing there with blood on your hands and we can work this thing out, then you make a public declaration as a former al Qaeda supporter that you're going to support the Iraqi defense force, the Government of Iraq, U.S. coalition forces, and fight on our side.

□ 1545

If you make that pledge, and by the way, it is a public pledge and your name goes up on a bulletin board, then they take you back in. So it is possible to switch sides. It is possible to come over. And many are coming over to our side. You have to be wondering, Mr. Speaker, then, what are the consequences for one who doesn't keep their word to fight against al Qaeda, to stand on the side of the Iraqi people, the side of U.S. Coalition Forces? I asked that question over there in the briefing. They answered, the penalty is death. They are serious. This is serious business. This is life and death for thousands of people. It is also life and death for a number of nations.

That is a crucible in the world right now where if this place is allowed to melt down, if we pulled out of there, as the gentlewoman recommended, did a pullout of this conflict that is going on, then you look at the void that would be created. Nature abhors a vacuum. Power abhors a vacuum. The struggle there has been a power struggle. Yes, there are different competing philosophies that have lined up in different political spheres. At one time I could list you off about seven different power centers within Iraq that are competing for power. But we don't. We have the Shias and the Sunnis. We have the Badr brigades, and we have Moqtada al-Sadr's JAM brigade, and some that are just plain criminals. And you have the former Baathists, and again the Shias and Sunnis of different stripes, the different allegiances that come out of all of that, they were all competing for power. That is sorting itself out now.

As this power struggle works its way through, as the sheiks line up and decide they are going to cast their lot with the Iraqi nation, the Iraqi Government and the Iraqi people, as well as the U.S. coalition forces, they lined this up. They have done this same kind of thing in Taji in the north. They have done this in the south in Baghdad, and made their agreements where the map of that country today is far more green with very little red in it where al Qaeda has an influence. Some of those places where they have an influence is there because they just simply, the influence is there because al Qaeda has been driven out of some of the other regions and they had to go somewhere, didn't leave the country.

There is reason for optimism. And there always should be cautious optimism when it comes to war. But the other side has reason for pessimism. They have reason to believe that they have been driven out of al-Anbar province. And they have been driven out of many areas of Iraq. The country is safer today than it was a year ago. Much of the country isn't as dangerous as we are lead to believe that it is. I listened to the gentleman from California, Mr. HUNTER's remarks earlier about some State Department personnel who decided they don't want to go to Iraq because it is too dangerous. Yes, there is danger there, but our military is facing that every day. And they are re-upping in greater numbers than ever imagined. That is why we can keep our recruitment up, because they believe in the mission.

As DUNCAN HUNTER said, when you go to Bethesda or Walter Reed or Landstuhl in Germany and visit our brave wounded there, those that have maybe lost a limb, those that are in a long recovery process, those that may have had a pretty large chunk of shrapnel taken out of them, they want to get back with their unit. They want to finish their mission. Some have gone back with a prosthetic in place of a limb. That is real, true courage and patriotism. These are the people that say, I am a volunteer. I volunteered for this branch of the military at this time. I volunteered for this mission or at least I knew there was a high likelihood I would be deployed to this mission. I want to complete my mission because it is important. It is important for the freedom and the safety of the American people. It is important for freedom in the world. It is important for the dynamics that are taking place in that part of the world today where they realize that if the Iranians are allowed to continue their proxy war against the United States and flow their power over into Iraq, that would fill in the vacuum if we would do as the gentlewoman recommended and immediately pull out. The Iranians would sit astraddle of 42.6 percent of the world's export oil supply. That is not just the valve on the oil; that is the valve on the world's economy. They could control our economy by deciding what comes in and out of the Straits of Hormuz.

We understand that. That was an issue back in 1979 when the U.S. fleet was making sure the straits were kept open. So I want to emphasize that this direction of this battlefield of Iraq, which is a battlefield in the global war on terror, is going in a good direction. If we were to turn our back on all that sacrifice today, I don't know how I would look in the eye of the family members who have lost a son or a daughter over there who tell me, It is different now. The soil in Iraq is sanctified by the blood of my son; that being a son of a gentleman from California whose first name is John, whose last name I have forgotten. He said, You can't pull out now. That soil is sanctified by his blood.

I will stand with them. They are volunteers. The President had to make a decision. He made that decision. This Congress made the same decision, and we ought to have the courage of our convictions and stick by our decision instead of seeking to undermine that effort.

So, Mr. Speaker, I think that addresses the issue of the previous speaker. I have a couple other subject matters that I wanted to bring up here in the time that I have. One of them is that this Congress is busily overspending again. It has been a constant for a long time. There is something endemic within the electoral process that there are people that believe they need to purchase votes with taxpayer dollars. So they want the programs for their district.

Well, I think the measure of these programs should be measured on a higher standard than what they do for political gain. I think when you look at the earmark system that is here and the larger dollars that go to people that have the seniority, they are on the Appropriations Committee, Republicans or Democrats, you can chart that out and see where the money goes. It goes to the people that are sitting in a position here to broker it into their districts. Now, I have argued many times that there isn't a single constituent in their district that deserves any more representation than the constituents in my district. We each represent 600-some thousand people. I am not quite ready to go the path that we distribute earmarks equally to all population bases in the country. I think they need to be evaluated. I think they need to have sunlight on them. I think the American people have to have an opportunity to look at the spending that goes on in this Congress and evaluate it on a line item by line item basis.

When I first came to the Congress 5 years ago, one of the first big bills to come to me to make a decision on was the 3,600-page omnibus spending bill. I don't know how tall 3,600 pages are, but I imagine it is up there pretty high. We tried to get that information to find out what was in it because we naively thought we were going to analyze the information that was in that bill and the spending that was in that 3,600-page omnibus spending bill. So it finally became available to download it off the Internet. And we began downloading it off, I imagine it was a secure connection over in my office over here in Longworth. As we downloaded it a page at a time, the 3,600th page, the last page became available 20 minutes before the bill was brought up for a final vote on the floor of this Congress. Twenty minutes to evaluate 3,600 pages. Now, that is a daunting task, Mr. Speaker. In fact, it is an impossibility. If I had one person assigned to each page that had a degree in law that could analyze it, I still couldn't get this sorted through and get the response back in 20 minutes. I know there were others who had a head start on this ahead of me. Sometimes you have to take that leap of faith. But the functionality of 20 minutes to analyze a piece of legislation is not the way to do business. And that 20 minutes to analyze what is in it, think, Mr. Speaker, how difficult it is to go through 3,600 pages and find out what is not in it. A far more difficult thing.

Yet, here we in this Congress have worked for a long time to grant the President a line item veto. So the President can look at 3,600 pages of appropriations that is hundreds of billions of dollars and go down through that with his ink pen and mark a line through there and say, I don't like this one, I don't like this one, I don't like this one. Now, I think it is appropriate for a President to have that power. The court doesn't necessarily agree with that. I do. And yet to put that responsibility on the President and not demand it for this Congress I think is ducking a duty and responsibility that we have as Members of Congress.

Who in the public, Mr. Speaker, would believe that Congress is just simply powerless to bring up line item votes on the appropriations that we spend in here that, who would understand the fact that the rules were set up in such a way that we don't vote up or down each line item in there. We don't vote up or down each earmark that is in the legislation. We package that up and push it along and essentially vote on it en bloc. Yes, I know those appropriations bills come to the floor under an open rule, at least they generally start under an open rule. But if you turn around once and blink twice, there is a unanimous consent agreement, and then it gets packaged up and it goes under a unanimous consent rule that prohibits the Members from bringing amendments to the legislation that is in front of us, let alone to a line item strike. So, I believe that we should be accountable and responsible for every line in every piece of legislation, whether it is policy or whether it is appropriations.

But on the appropriations, this Congress should have its own line item veto. With that in mind, I have dug through the rules, I have looked at the statutes, and I can figure a way that we can, in very simple language, that we can have a line item veto that is imposed upon this Congress so we have to accept the responsibility that we are charged with constitutionally.

It works like this. It is pretty simple. It is once every quarter, once every 3 months, under an open rule, there would be a bill allowed in order on the floor, a shell bill, if you will, Mr. Speaker, that was under an open rule that would allow any Member to come to the floor and offer an amendment to strike out spending. This is spending that would have already arrived at the President's desk, gotten his signature on it, but spending that hadn't yet been spent. So the appropriations that are in the chute, so to speak, that hadn't been turned out into the expense arena would be the appropriations that we would have a shot at, once a quarter, once every 3 months.

So let's just play this through the mind's eye, Mr. Speaker. Let's say it is the first day of the quarter and the leaders, neither one of them come to the floor to offer the bill that would be the line item cut act bill, which, by the way, that is the name of my bill, the Cut Act, the cut unnecessary tab bill, and any Member can stand up and say, Mr. Speaker, I have a bill at the desk, and it is in order under the rule. And then the result would be Members would come pouring to the floor with their amendments. One of them would be the bridge to nowhere. One of them would probably be the cowgirl hall of fame, and I get off into some of these things that I don't want to say into the CONGRESSIONAL RECORD, but they are there. They are line items we have appropriated, some of the earmarks we have appropriated that are downright embarrassing. And those line items would be brought to this floor one bill at a time, or maybe in packages, and we can vote them up or down. We can have a recorded vote on every single line item in an appropriations bill. We could have a recorded vote on every earmark. That would mean that every Member of Congress would be responsible for everything that is in the legislation. We can no longer go home and say, I know I voted for that silly thing but I had to because I needed to have this piece of appropriations that was essential to your district. That money that is going to be spent in your backyard was in the same bill, so I had to vote for the cowgirl's hall of fame or a bridge to nowhere.

Now, this structure of these rules doesn't allow for responsible appropriation. The Cut Act provides for responsible appropriations and it reaches out to the cyberspace modern technological world that we have, because it reaches out and recognizes that we have bloggers out there. We have people that now have instant Internet access to the legislation that we pass, the appropriation bills that we have. I trust the American people to be drilling down into these line items and bringing out those line items that are overspending, that are outrageously blowing the budget, and be able to make an issue of them, carry those issues to us. And we can write them in the form of amendments and bring them to the floor once a quarter and do an act of the Cut Act so we can strike those line items out and be responsible for every single line item in the budget.

I think that does a lot more for the responsibility of this Congress, a lot more to control out-of-control spending. I think it does a lot more for us to step up to our constitutional duties and all the discussions that we have had about how we might define earmarks, because everybody has a different definition of earmarks. But when you put it out here on the floor for a vote, it is "yes" or it is "no." It is a green light or it is a red light, Mr. Speaker. And there is no equivocating on it, unless you want to vote "present," which doesn't work so well in an appropriation bill.

□ 1600

I have introduced the CUT Act. The bill number is H. Res. 776, the Cut the Unnecessary Tab resolution. It's something that has, at least right now, the support of, in the beginning, 33 Members of Congress. There will be more. I trust they are going to stand up. We are going to ask at some point the Speaker to endorse the kind of a program that will make every Member of Congress responsible for every single line item in the entire appropriations process.

By the way, as I look at this appropriations process, Mr. Speaker, I will submit that we have got to move this system along. Yes, we have passed some appropriation bills here in the House, and we have moved that along pretty well. They are stuck over in the Senate. As I heard from the President last week, there hasn't been a time in history that Congress has delayed so long in getting the appropriations bills to the President's desk. Not one appropriations bill has yet arrived at the President's desk for this fiscal year.

This Congress gaveled in, as I recall, the third day of January 2007. Not one bill has made it from the House, through the Senate, back through conference committee for final passage, and to the White House, to the President's desk for signature. Not one. Not one appropriations bill. There have been a number of others that have.

This puts us in a situation where there is an impending train wreck. This impending train wreck is this: The longer it goes, the closer we get to running out of funds to keep this government running, the closer it comes to the day we will see another 3,600-page omnibus spending bill stacked up in the Senate, stacked up and brought over here and dropped on our desk, well, sent to us by Internet, and be asked to vote again up or down on something we can't measure the contents of.

Again, the political games begin, because that 3,600-page bill that I saw the last time, and it may be bigger or smaller than that, is like a great big accordion. It can have anything in it. Sometimes the staff in the middle of the night puts language in the bill that no Member directed. It's just there. They are just confident that the Member they work for thinks it's a good idea. We don't have a way of knowing.

It comes to the floor; we get a few minutes to debate it, not very many minutes to evaluate it. Even if we did, there's not time to debate all the components of a piece of legislation like that. That is why we have a subcommittee process, the full committee process, the floor debate. That is why we have a bicameral legislature, so it can go over to the Senate and they can do the same thing, the subcommittee, the full committee, the committee, the floor action, and then bring it together in a conference committee. While all this is going on, the public is supposed to be looking at this. We need to ask you for your help out there in America so you can point your fingers back at us.

Mr. Speaker, I point this out because there are 300 million people in America, and it's a huge budget, and the budget approaches $3 trillion. It's more than the people that we have here in Congress can drag our fine-tooth comb through and do as good a job as we can do when we elicit the help of the American people.

So that is where I want to go with this. I want to pass the CUT Act, I want to pass H. Res. 776, I want to see a bill, a shell bill come to the floor of the House of Representatives, and then I want to see the Members come down with their amendments and say, I don't like this spending. This is outrageous. We don't need it. I want to put it up for a stand-alone vote, ask for a recorded vote on it.

After awhile, we will have a list of those egregious line items, earmarks and then just plain overspending that aren't earmarks that can be gleaned out of the bill. We will be responsible for everything. That is the kind of Congress we need to have, that is the kind of Congress we need to become, that is the kind of Congress that was envisioned by our Founders, the kind of Congress I believe we were, and the kind of Congress I believe we need to be again. That, Mr. Speaker, is my statement tonight on fiscal responsibility.

There's another piece of subject matter that I wanted to take up before the body and that is this renewable energy issue, the energy issue altogether, and I should broaden this picture out. We have worked the last few years to try to provide more refineries. We have tried to drill offshore in the Outer Continental Shelf where there are 406 trillion cubic feet of natural gas. Ninety percent of the cost of fertilizer is the natural gas that is feedstock for the nitrogen; 90 percent of the cost. Yet we make it harder instead of easier for natural gas to become available here in the United States. It comes off the market, not on the market.

We are watching the liquefied natural gas plants being built in places like Venezuela so they can ship their natural gas to us across the Caribbean, here in the United States, sailing right over the top of huge natural gas reserves that we are not able to drill into. We are watching the liquefied natural gas come across from the Middle East with the same kind of a thing.

There are tremendous reserves offshore in the United States, and it's very difficult to find a place to drill that doesn't have some kind of a regulation that prohibits it. That is the struggle that has gone on in this Congress for a number of years, drilling the Outer Continental Shelf. I believe we ought to drill there for natural gas, and I believe we should drill there for crude oil as well. Those are our resources.

Some will say, Well, wouldn't you want to conserve those resources? Why would we use them all up? One thing is that as the cost goes up, the exploration and the cost to bring this to the market becomes more viable economically. So oil that might have been out of reach, gas that might have been out of reach for the dollars one can get out of it is not out of reach today. We are always discovering more and more.

Additionally, even if it were a zero sum game, even if there was a limited number of oil and gas underneath the territory of the United States, even if that were limited, we also believe that we will get to the point where we replace these energy sources, and we are moving in that direction.

So we should keep this Nation as competitive as possible. That means use the resources that we have and reduce and get to that day when we can end dependency on Middle Eastern oil. That means drilling ANWAR, drilling the Outer Continental Shelf. That sounds probably, Mr. Speaker, that I am just for drilling. The real answer is this: it's a lot bigger picture and a lot more difficult a puzzle. The answer is we have so many BTUs out there today in the market. Let's say this is the energy pie. The answer is we have to grow the size of the energy pie. Not this many overall BTUs in the market for all kinds of energy, but this many. When you think about the energy pie, the size of the slices can be defined with so much for gas, so much for diesel out of crude oil, so much for propane, so much for natural gas, and this all adds to the overall BTUs. Some of it is nuclear, some of it is hydroelectric, some is solar, some is wind, some is coal. You add up all these pieces of this energy pie.

There's another slice of that pie that is also a component of the overall 360-degree pie and that's the conservation component. We need all of those components to solve the problem in this country, this problem of economic energy. Energy affects everything we have, everything we are. If you buy a cup of coffee, it takes so much fuel to get that coffee harvested, transported here to the United States, processed, delivered, marketed. You can put a little gas in the car to go to the store and drive back home. There's an energy component to everything we buy. Therefore, when costs of energy are high, it also raises the cost of everything that we have.

For our Nation to be competitive, we need economic goods and services. They need to be competitive with the rest of the world. We can do that if our energy prices are low and they are comparatively low and competitively low. I submit we grow the size of the energy pie and we put more BTUs on the market, we provide more of our own crude oil that we can drill for in places like ANWAR and in places offshore, like the Outer Continental Shelf.

Then, in addition to that, we open up more of our ethanol production, more of our biodiesel production, the corn-based ethanol, the cellulosic ethanol, the biodiesel that comes from soybeans and other kinds of plant oil and animal fats. We put that altogether. And expansion of the wind generation of electricity is also significant. The more BTUs we put on the market, the more supply there is. And we know this is supply and demand. Being a function of supply and demand, it will either drive down the price of overall energy, or it will slow the growth in the increase in the overall energy.

I expect that there is going to be some other discussion about the availability of crude oil and ethanol, and I will submit that there are some components here that are important facts for the public to understand, Mr. Speaker.

As I look at the reports that have come out of places like Cornell and UC Berkeley, and you see numbers down there that say that it takes something like seven times the energy to produce a gallon of ethanol than you get out of it in BTUs, we have had some people that are scientists that seem to be on some kind of endowment to try to undermine the efficiency of the ethanol argument. I have been in the middle of this ethanol debate for a long, long time; and I would suggest it goes back 25 or maybe 30 years. I would argue that if there is a BTU deficit, it would have collapsed on its own by now.

But there are numbers out there that are not based on science. They are simply numbers that are produced by people that oppose renewable fuels ethanol. This is the kind of data that has been in the Wall Street Journal and New York Times of late. I don't know what their motive is, but the arguments look to me like they are contrived arguments. Here are some facts that I just had delivered to me, and it works out like this:

A gallon of ethanol is 76,100 BTUs, and a gallon of E-10 is 111,836 BTUs. The gallons of diesel fuel and biodiesel are comparable. But if you are going to get one BTU out of ethanol, it takes .67 BTUs to produce it. If you are going to get one BTU out of crude oil for gasoline, it takes 1.3 BTUs to produce it. So in these numbers, it takes more energy to crack the equivalent BTUs of a gallon of gasoline out of a barrel of crude oil once it arrives at the refinery than it does to produce the same BTUs in ethanol once the bushel of corn arrives at the ethanol plant.

The numbers that have been produced otherwise by the folks in places like Berkeley, I was on Iowa State's campus here some months ago and talking to an undergraduate student who began to quote those numbers from Berkeley to me. She is going to school at Iowa State.

I said, Why did you go to Berkeley to get your data on ethanol? She said, That was the report I read. That is the one I studied. I said, You are right here at Iowa State University. We are the number one State producing ethanol in America. The data you are looking for is right here under your nose. Is anyone teaching you critical thinking here on this campus?

Apparently not.

So another piece is the 2006 LDP and CCP, the countercyclical payments, for corn were $6.8 billion. That will be the other argument, that the dollars that go into the farm program and the dollars that go into the ethanol subsidy are this huge cost to taxpayers. That is the Wall Street Journal's position.

If you look at the real numbers, if you accept the idea that we have a farm program and it has been here since FDR, and I don't know if I would have voted for that if I had been here since FDR, but it is here, and if it has been here this long, it is unlikely it is going to go anywhere.

So if we accept the idea that there is a farm program, and we look at how the countercyclical payments and the loan deficiency payments actually function, in that if you have high markets there is less demand for subsidy, in fact, it has taken out all the demand for those subsidies because we have had high demand for those grains. And this is just using the corn calculation, not the increase in our commodities that have been there in record prices for soybeans and for wheat and some of the other commodities that have been increased in their value because there has been more demand for corn acres and because now we have more corn acres and we raised the largest corn crop we have ever had, 13.3 billion bushels of corn.

Those payments, though, for 2006 were $6.8 billion. Then the blenders credit is a component that we put in place so we could attract the capital to build the infrastructure in order to be able to produce the gallons of ethanol that we can use to blend our ethanol into our gasoline, at a 10 percent blend, for those folks that don't see that every day.

The blenders credit is 51 cents a gallon. When you calculate that across the gallons that were sold this year, that comes to about $3 billion. When you do the math on that, the $6.8 billion in subsidies and the $3 billion in blenders credit, we have gone from $6.8 billion in subsidies on the loan deficiency payment and the countercyclical payment down to zero. That is $6.8 in savings. We spent $3 billion on the blenders credit so that we put an incentive in place to build the ethanol production facilities. That is a net savings of $3.8 billion just in the last year.

Now, I will admit that number doesn't extrapolate back across 2005 as well as it does 2006 or 2004 or 2003 or on back, but we are building an infrastructure and investing in that infrastructure; and we are building a capability to replace Middle Eastern oil, to some degree, with ethanol.

☐ 1615

I carry this equation out, 13.3 billion bushels of corn this year, we will easily be at 15 billion bushels of corn. Our target was by 2012, we will make it before then. This year tells us we will make it before then.

With 15 billion bushels of corn and if we only used a third of that corn to produce ethanol at 3 gallons a bushel, and we are right at that threshold, 2.9-something, so that is producing 15 billion gallons of ethanol. And we are burning today about 142 billion gallons of gasoline.

You can see we get to the point where we reach the 10 percent blend across this country. Actually, we are up to that threshold in a lot of places today, but we can't distribute well enough to be able to distribute the ethanol that we are producing within a 10 percent limit. We need to increase the limit. But 10 percent of the gasoline is about what we can produce with the corn that we can produce in this country. That is why the push to go to cellulosic.

I can submit here we can reach the 15 billion bushels. With a third of that, we can produce 15 billion gallons of ethanol. With that, we can replace approximately 10 percent of the gasoline we are currently burning in this country. We can go up with that, but if we open this up with cellulosic, as came out in the President's State of the Union address, I believe the most recent one, then we can arrive at a substantial portion of this energy pie that is renewable fuels ethanol.

And we add to that the biodiesel that comes from our soybeans and the animal fats and oil from other plants, and we have taken a segment, this energy pie, and a slice of that, and we set aside and say this will be renewable fuels ethanol, this will be renewable fuels biodiesel, and some more energy will be wind. And we build a lot of infrastructure for that. Wind energy works well. From my yard where I live in rural Kiron, I can step outside the hedgerow and look out to the horizon and I can see 17 wind chargers from my yard. They are surreal and they are environmentally friendly. Yes, it takes a tax credit, but we are building infrastructure to replace some of our energy production with renewables such as wind.

Another point raised is that producing ethanol takes too much water. Whatever the number was in the most recent publication, whether the Wall Street Journal or New York Times, it was a number that took my breath away. The order of magnitude of its, let me say, lack of indexing into my experience, we build a lot of ethanol plants in my district.

There may have been a day or there may be a day this fall when the Fifth Congressional District of Iowa is the number one in ethanol production for congressional districts in America. We are number one in biodiesel production. We rank in the top, at least in the top four, in wind generation of electricity. And I am very confident that the Fifth Congressional District of Iowa is the number one renewable energy district in America.

I believe I will be able to put the numbers together to demonstrate that we will be the first congressional district to power all of the energy needs for every home in the district all on renewables. I think we are there now. I just don't have the numbers quite together to say that definitively. But I think we are there now.

But the consumption of water to produce the ethanol, that number was outrageous in multiples of hundreds of gallons. So I went back to our people who are actually producing the ethanol, the ones who have to get the Department of Natural Resources' permit and meet the EPA standards and know how many gallons they are discharging and how much water they are pumping out of their wells in the ground to utilize production of ethanol.

Their numbers come out to be this: To produce a gallon of ethanol takes 2.8 gallons of water. To produce a gallon of gasoline out of a barrel of crude oil, and of course there is more than one gallon that comes out of there, but per gallon is 8 gallons of water.

So if you want to measure against the consumption of water to produce gasoline from crude oil compared to the number of gallons of water to produce ethanol out of corn, then you are looking at 8 gallons of water to 1 gallon of gasoline compared to 2.8 gallons of water to 1 gallon of ethanol.

By the way, we are reusing water. We are using gray water from the sanitaries out of some of our communities. And in particular, there is a new plant coming online at Shenandoah, Iowa, Green Plains, that will be using gray water from that community. We are conserving water, and it takes less water than it takes to produce the gasoline.

So even though there are arguments up and down on this, but the 51 percent blender's credit is the incentive to attract private investment capital. If we should lose even one penny of that blender's credit, what we will lose are millions and probably billions of dollars of private capital that is currently attracted into the production of ethanol, the building of ethanol production facilities.

When capital is no longer attracted, the momentum of this industry would be stalled and we would be sitting here with ethanol plants out in the plains within the heart of the corn belt, but not built out to the limits of the corn belt.

We would be sitting here also with biodiesel plants in the heart of the soybean belt but not out to the limits of the soybean belt, and we would have given up on renewable energies as even a partial substitute for Middle Eastern oil.

When I give you the math and lay out these costs in this fashion, I am not calculating in the cost of the military that it takes to be able to do what we can to provide some stability in the Middle East. But I will remind you, Mr. Speaker, that if the instability we have seen in places like Afghanistan were found in places like Saudi Arabia, you would see not the highest price for crude oil like we see today at $96 a barrel, the highest price we have ever seen, you would see it perhaps double from there. You would see it north of $150 a barrel if the instability we have seen in places like Afghanistan, if there was that kind of instability in Saudi Arabia.

Because there is a kind of stability, because that supply hasn't been severely threatened, that is why we have taken an interest in that part of the world.

I will submit to every extent we can find an economic way to bring BTUs on the market that are our sources of energy, we should do that. Yes, there has to be a return on capital investment, and it needs to be reasonable and offset the interest. And to get things started and develop a technology, sometimes we have to have a blender's credit of 51 cents. Sometimes we have to have a 54-cent tariff on Brazilian ethanol coming into the United States.

They would like to have us loan them about $8 billion so they can double their ethanol production in Brazil and take off that 54-cent tariff so they can produce ethanol in Brazil and ship it here in the United States, but we would find ourselves dependent on Brazilian ethanol production when we have the crops, we have the climate, the know-how and the distribution system to do that here.

So the facts go back to, and I just would reiterate, this ethanol production and biodiesel production has saved the taxpayers billions of dollars in the last year. We were spending $6.8 billion on crop subsidies on the farm program that goes back to FDR in the 1930s. That number for the LDPs and the counter-cyclical payments has gone essentially, I will say virtually, in the language used today, to zero. And the cost of the 51-cent blender's credit has been about $3 billion. That is a $3.8 billion savings off the farm bill because we have a renewable fuels program here.

And to the extent that we are moving towards a 10 percent blend across the Nation with our ethanol, and we will be to that functional, that is 10 percent less that is coming out of the Middle East. That frees up that much more of our freedoms to make these decisions.

The assault on renewable energy that is coming from some of those business places, I would like to see them answer some of these points that I have made. I don't believe that their positions are grounded with the information that comes from the folks that are actually producing the ethanol.

And there have been significant discussions about how quickly one gets a return on investment off ethanol plants. I will say there have been some very good returns that have taken place in the last 2, 3, 4 years. But that cash flow doesn't project out like that any more, Mr. Speaker. Even though we have seen some return on investments that one could measure in just a few short years, most calculate out to be longer than that, and it is harder to attract the capital, not easier, even though oil is at $96 and gas has gone over $3. The dynamics of this and the economics of this change significantly.

So I strongly support the blender's credit. I support keeping the tariff in place on Brazilian ethanol. I believe we need to build the infrastructure here in the United States and kick the ethanol production up to maxing out on the corn crop that we have and developing the enzymes and the technologies so we can produce ethanol out of the cellulosic. That will be a far more difficult task than producing the ethanol, because to handle grain, we have the infrastructure. We have the combines and the drying systems, the wagons and the trucks so we can take that grain out of the field and deliver it and store it and do so efficiently. Not so easily with the cellulosic.

We don't yet know what kind of crop is going to be the most efficient, how we might harvest, how we might store it or how we might transport it. But most of that cellulosic is in a form, whether it is corn or whether it is hay or whether it is switchgrass, sunflower stalks, whatever it is, there is a lot of air in cellulose which means it is large volumes and low tonnage. And low tonnage means there is a lot of freight involved in trying to get that product to a processing location. That would tell me we would have, if the cellulosic develops as it is envisioned, we will have more plants located in closer areas than you will see with ethanol because we won't be able to afford to truck that cellulosic as far as we can the corn or the soybean oil that goes into the biodiesel.

We will get there on energy, Mr. Speaker, but I want to reiterate, I believe we need to grow the size of the energy pie. We need to take that overall 360-degree picture of all of components of our energy, the ethanol and biodiesel and wind and nuclear and hydroelectric and clean-burning coal and all of the other components that we have, gasoline, propane, natural gas, solar, each one of those has a certain percentage of the overall.

Then another slice of that pie is energy conservation. That is insulation. That is high-mileage vehicles. All of these things need to be brought forward, and we can get where we need to go with energy. We cannot do that if this Congress is determined to raise the cost of energy.

And I will submit that any piece of legislation that has been brought to the floor of this Congress in the 2007 calendar year has all raised the cost of energy, not driven the cost of energy down. It has made the circumstances less stable, not more stable. It has made the investors step back and say, "I don't think I want to invest" rather than "I can't wait to get invested in this because I believe I can get a return on my profit."

Mr. Speaker, let's face it, free enterprise capitalism has done more for the well-being of humanity than all of the missionaries who went to Africa. God bless them for going, and we need more missionaries to go to Africa. We need them to go everywhere. We need missionaries in this country. But free enterprise capitalism has provided the infrastructure. It has built the Golden Gate Bridge. It has built the interstates. It has built the military industrial complex. And it has developed our educational system. It has developed our pharmaceuticals and our medical services in this country and in many places around the world.

And if you point to something that is an improvement of the quality of life, I will point to a profit motive in there that has developed the ideas, the creativity, the inventions, that have brought about this improved standard of living that we have.

And if we think that because a company has made some money because they have invested capital and provided good inventions and infrastructure, they need a return on that investment. And for this Congress to decide somebody made some money and then they want to come back and do a windfall profits tax after the fact, one of those retroactive deals, one of those things that says, well, I really didn't mean it to, let's just say Exxon, for example, Chevron for another one, the leases that were reneged here off in the gulf coast when no one was going to be there holding the oil company's hands if they drilled dry holes.

□ 1630

I never heard NANCY PELOSI say, well, some company got a dry hole that cost a few million dollars; I think we ought to take some of that load off of them and send them a check from the taxpayers. They don't believe in that, but they believe in taking some of that money away when it's duly earned.

The risk capital that's out there is what drives the lower cost of energy that we have today that we wouldn't have if it weren't for that.

So we need to set up an honest business structure; and when we have leaseholdings, we need to sign those leases and say that's it, we've cut our deal. If you make 10 times the money we thought you were going to make, you also made 10 times the money your competition thought you were going to make or they would have bid against you and taken that over and raised the price.

I've spent my life in the contracting business, not much of it drilling oil, and not any oil came out of the hole I did get involved in. But I've bid a lot of projects as low bidder, and I recall having the owners come to me and say, you're making money on this job. Happens more than once, Mr. Speaker, but not once has anybody come to me and said, I see you're losing your shirt on this job, can we give you a little more money that will help you out? Never happens, but that's the philosophy that comes from that side of the aisle.

We see somebody making a little bit of money, let's take it away. Well, if I'm on the board of directors of a company that has Congress changing the deal, I'm going to take some of that capital, and I'm going to invest it in another kind of a business where Congress isn't as likely to change the deal.

So when you raise the taxation after the fact and you change the leases and force them to be renegotiated, there will be less exploration dollars going in, which means we'll find less gas and less oil. There will be less on the market, and supply and demand still works in this country. If you have a little bit and a lot of people want it, it will be a high price; and a whole lot of something that not many people want, it'll be a low price. That's the case we have today with the energy prices.

This still is a global market, too. This $96 oil is out there, and that's the price, not because we set it at that. That's what competition sets the price of oil at. We need more of it on the market. We need more drilling. We need more transportation.

By the way, we need to build those pipelines down from Alberta where they have the tar sands. We have good neighbors to the north with more oil than they know what to do with up there, and they're happy to sell it to us. I'm happy to pipeline it down here and refine it in the United States and refine it up in the neighborhood where I live and distribute that to the rest of the country. That will hold the prices down, Mr. Speaker.

So the points that I came to this floor to make are two big ones. One is producing a gallon of BTUs out of ethanol, out of the equivalent to a gallon of gas, takes less energy than it does to crack a gallon of gas out of a barrel of crude oil. Let's just say that we set a barrel of crude oil up at the refinery in Texas and put your $96 price on that, by the way. That's what this barrel is worth in the open market, and you set a bushel of corn outside the ethanol plant in, let me say, Marcus, Iowa.

And what's it going to cost to get me a gallon's worth of BTUs? Let me see, a gallon of gasoline is 108,500 BTUs. What's it going to take to get 108,500 BTUs out of this barrel of crude oil, and how many BTUs is that? 1.3 times the amount you get out of it. Thirty percent more BTUs to crack it out than you get out of that gallon of gas, and it takes .67 for every BTU to take that gallon of ethanol that's going to be produced out of that bushel of corn that's sitting outside the plant at Marcus, Iowa.

So when you look at the difference, it can be argued that, yes, it takes energy to turn corn into ethanol, but it can't be argued that it doesn't take energy to turn crude oil into gasoline. And the facts come down to it takes less energy to produce the ethanol BTU equivalent than it does to produce the gasoline BTU equivalent, side by side, bushel of corn sitting at the gate of the ethanol plant in Little Sioux Corn Processors outside of Marcus, Iowa, versus the refinery down in Texas.

And what it really comes back to is we have to have energy put together and a kind of form that we can use it. We have to be able to transport it, we have to be able to handle it, we have to be able to convert it into heat or kinetic energy. And you can do that with a liquid. Ethanol is a liquid. Gasoline is a liquid. You can do it with a gas.

And I will submit that we have found a way to be able to produce billions of gallons of ethanol, and those numbers are going up; and if they ever level off and stop because this Congress made a turn against the renewable fuels industry, that would be a tragedy for our environment. It would be a tragedy for our economy, and it would cost the United States taxpayers if they were going to continue with the current deal that they have, with the farmers and the producers here in the United States, the numbers that I've given you, the $6.8 billion last year versus the zero dollars this year, compared to $3 billion in subsidy. Net savings on the two is $3.8 billion.

And with that, Mr. Speaker, thanks for recognizing me. I appreciate this privilege and honor.

SINGING THE BLUES

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, radio stations pay a set contract amount for recording label companies to play their songs. Part of that money goes to the writer of the songs for each time the song is aired. But the performers get a set fee from the record label company, no matter how many times their songs are played on the radio.

Now the performers want the Federal Government to charge radio stations a performance fee each time the song is played. That money would go to the performer. In other words, tax radio stations to subsidize the performers because, God bless them, they just don't make enough money.

The Federal Government has no business interfering in the free market and subsidizing performers at taxpayers' expense. The music artists and their agents should work out a better contract with their recording companies.

The proposal to subsidize recording artists would require the cost to be passed on to the consumers by higher advertising fees. Plus, the whole concept smacks in the face of freedom of the airwaves.

The Federal Government needs to stay out of the radio control business, even if performers are just "Singing the Blues."

And that's just the way it is.

THE FIRST AMENDMENT RIGHT TO SPEECH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, Thomas Jefferson once stated, "A democracy cannot be both ignorant and free." Our Founding Fathers shared that attitude. They knew that if American citizens failed to share information and were unable to speak freely, they would be worse off than they had been as subjects under Britain's King George III.

Our Founding Fathers were former colonists under a tyranny that controlled information and freedom of expression. King George III suppressed free speech, especially speech critical of the Crown or the government.

As the Founding Fathers debated what the new Nation of America should look like and stand for, they were determined free speech would be a basic right for all of us.

After the States ratified the Constitution, our Founding Fathers set out to enact a declaration of rights. They knew that this was essential for our country. That declaration of rights later became the Bill of Rights, which includes the first 10 amendments.

The Bill of Rights, Mr. Speaker, limits government control over us. The government does not have any rights. Government has power. It has the power we give it when we give up our rights that are listed in the Bill of Rights. This is an important concept that unfortunately many Americans fail to understand.

And the first amendment is first because it's the most important. The first amendment states in part: Congress shall make no law abridging the freedom of speech.

Without the first amendment of free speech, freedom of the press, religion and assembly, the rest of the amendments are meaningless. The purpose of the first amendment is to permit free and open discussion about important public affairs. This is exactly what was forbidden under King George, so it makes sense that this was most important to our Founders.

The Founding Fathers intended free speech to include criticism of the government and advocacy of unpopular ideas that are distasteful or even against public policy or even controversial issues. Freedom of speech allows individuals to express themselves without interference of the government.

For over 200 years, the first amendment has endured without substantial alterations or limitations. This is a testament to the first amendment's importance. There are a few instances, however, in our history where the first amendment has been set aside, including a few instances of government censorship, such as sedition acts and wartime censorship.

The most volatile and controversial types of speech are political speech and religious speech. That's why they should be protected the most, because they are so controversial.

Congress would do well to stay out of the speech control business, especially trying to control the open and free discussion of America's two controversial and passionate pastimes, which are politics and religion. And besides, the Constitution forbids a speech police by Congress.

George Washington said it very well when he said, "If the freedom of speech is taken away, then dumb and silent we may be, led like sheep to the slaughter."

And, finally, Voltaire, who lived right at the time that our revolution began, he said, "I disapprove of what you say but I will defend to the death your right to say it."

It's important and incumbent upon Congress that we make sure that we have open, free and even volatile, if necessary, discussion of America's issues, which are politics and religion, because that is the type of country we are, and that is what our Constitution and the first amendment stand for.

And that's just the way it is.

PEAK OIL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes.

Mr. BARTLETT of Maryland. Mr. Speaker, today oil's about $93 a barrel. It was higher than that a couple of days ago. If you look at CNBC, they're still scrolling it in red which means it's kind of out of previous limits.

There are two bills before the Congress, and I want to mention those before we start. These would be pretty good bills if we were offering them 25 years ago, but this is not 25 years ago. And I would submit that these bills are woefully inadequate to address the challenges that we have today. Let me just mention briefly what's in these bills, and I will note and I hope you will agree after we've spent these few minutes together that these bills do little more than nibble at the margins of the problem.

Our children, our grandchildren looking back on today will wonder how could we ever have thought that these bills would address the enormous challenge that we face today in energy.

H.R. 3221, the House-approved omnibus energy bill, which they say promotes efficiency and renewable energy, it includes a controversial renewable portfolio standard and a net tax increase, but it excludes increases in CAFE standards, the standards that we set for how many miles per gallon you're going to get from your car or your pick-up truck, and it also excludes mandated volume increases in biofuels.

Now, the Senate bill does quite the opposite. It increases CAFE standards and a mandated volume increase in biofuels, but excludes a renewable portfolio standard and the tax provisions.

Now, President Bush wisely has indicated that he's going to veto either one of these bills, or a combination of these bills that might come out of conference.

I note these two bills before we begin our discussion because I hope you will agree with me when we have finished our discussion that they might have been pretty good bills to start down the road that we should have been traveling for 25 years, but they're woefully inadequate to meet the challenges of today's world.

Here we have a chart which I think kind of says it very well. Here is the fellow standing by the very shrunken gas pump here because our supplies are down. He has a huge SUV beside him. He asks, "Just why is gas so expensive?" Gas is expensive because the demand is exceeding the supply. As a matter of fact, the world production of oil has now held constant for about 30 months, but the world's demand for oil has been steadily going up. So if you look back over the last 30 months, the price of oil has been doing exactly what you would suspect the price of oil has been doing. It's been going up because the supply has been constant and the demand has been going up.

Mr. Speaker, it was absolutely inevitable that today or some day like today near this date in history that we would be here talking about $95 oil.

☐ 1645

If you listen to the experts out there, they are telling you that they expect, in the next few days, that it will go through $100 per barrel.

The next chart is one that kind of puts this in perspective. Let's just refer to the upper chart. The upper chart looks back through only about a little less than 400 years. But if we extended this on to the left here about another 7,000 years, we would have gone through all of the recorded history of man, and it would look just like it looks here. In this scale, the amount of energy that we were using in 1630 and 1650 is hardly wider than a line, so it's hard to distinguish the baseline here from the energy that we were producing.

Then the Industrial Revolution started, and it started with the steam engine and that sort of thing and wood, of course. That's the brown line there. Then you see that we found coal and, boy, we produced a lot more energy with coal, so the Industrial Revolution roared on. It was stuttering when we discovered oil. Boy, then did it take off. Just look at that curve and how sharp that curve is.

If we had another curve here on population increase in the world, it would mirror this, follow this pretty exactly. For thousands of years, through 8,000 years of recorded history up until fairly recent history, the population of the world was somewhere between half a billion and 1 billion people. Now that population has exploded until there are nearly 7 billion people in the world. By the way, nearly 2.5 billion of them are in India and China.

Notice one other thing about this curve. Look what happened back in the 1970s. The oil price spike hikes of the 1970s, where oil was less, even with inflation correction oil was less than it is today, it still resulted in a world-wide recession with sufficient demand destruction that the production of energy decreased for several years. Now we are back on a big upswing slope again.

The next chart has some data that was used by 30 of our prominent Americans, Boyden Gray and Woolsey and McFarland and 27 others, among them a number of Four-Star Admirals and Generals, retired, and they wrote a letter to the President, and this was several years ago. They said, now, Mr. President, the fact that we have only 2 percent of the known reserves of oil in the world and we consume 25 percent of the world's oil and import just about two-thirds of what we use is a totally unacceptable national security risk. We really have to do something about that.

Two other data points here which are of interest, one is that although we have only 2 percent of the world's oil reserves, we produce 8 percent of the world's oil. Now, you don't have to be very far along in arithmetic in grade school to understand that if that's what's happening that we are now exploiting our oil reserves four times faster than the rest of the world.

So if there comes a time when the well will run dry, you would expect that our wells would run dry before the average well in the rest of the world, because we are pumping our oil four times faster.

Note, also, this says 5 percent of the world's population, we are a bit less than that. We are one person out of 22 in the world, and we have a fourth of all the good things in the world. The subject for another discussion is why. What's so special about the United States that this one person out of 22 is so fortunate that we have a fourth of all the good things in the world?

The next chart is a really interesting one. This chart shows what the world will look like if the size of the country was relative to the amount of oil that it had. Now, the colors here indicate how much energy you are using and the size indicates how much energy you have.

What this shows is that the countries which have the least energy are using the most energy.

But notice that Saudi Arabia here totally dominates the world. About 22 percent, almost a fourth of all the known reserves of oil in the world are in Saudi Arabia. There is Iraq and little Kuwait. Saddam Hussein thought that looked like a corner province in Iraq, and, indeed, if you look in the map, it is tiny compared to Iraq, but it has just about as much oil as Iraq.

Iran, notice how big Iran is there.

Look over here at the United States. We are dwarfed. We have only 2 percent of the world's supply of oil. The people we get most of our oil from are Canada and Mexico. Gee, they aren't very big either. Look at Venezuela, Hugo Chavez, huge, would swallow up the United States several times with its oil reserves.

Something I would really like you to note is the size of China and India. Between the 2 of them, they don't have as much oil as the United States, and they have about 2.5 billion people between the 2 of them.

Now, as a result of this disparity between how much oil they have and how big their population is, the next chart will show us what China has been led to do. This is a map of the world which shows where a number of people have staked their claim, that is, own oil reserves. Notice in how many parts of the world the symbol for China appears.

This chart is a little old, and at the time we started using this chart, China was dickering to buy Unocal, an oil company in our country. Well, a lot of people thought that was just awful. I didn't think the sky would fall if they did that, because the reality is in today's world it doesn't really matter who owns the oil. We own an absolute trifling amount of oil in the world.

The fellow who owns the oil and the fellow who comes with the dollars, and if, by the way, if the currency ever changes from dollars to Euros, that will be a tough day for our country, but the person who has the dollars gets the oil. So you might ask why is China buying up all this oil.

I asked the State Department that question, and they told me it's because they don't understand the economic realities. They don't really understand that it doesn't matter who owns the oil, that the person who has the dollars buys the oil. My response was, gee, it's a little hard for me to believe that a country of 1.3 billion people, which is growing for the last quarter, I saw data, 11.4 percent, we never grew at anything like that. Japan in its heyday didn't grow anything like that. A country growing 11.4 percent that doesn't understand economics is hard for me to believe.

You may note at the same time they are buying up this oil they are aggressively building a blue water navy. They don't have one. Blue water navy is one that goes out in the deepest waters. We are the only one in the world the Chinese are competing with.

Could it be that they envision a time when there won't be enough oil to go around, and since they own it, they are going to say to the rest of the world, gee, guys, I am sorry, there is not enough oil to go around, and we have 1.3 billion people and so we are going to use it. To make that stick, they are going to need a really big navy to protect their sea lanes. Only the future will tell.

I led a codel of nine people to China talking about energy. It was over last New Year's. I spent last New Year's Eve, as a matter of fact, in Shanghai. They began their discussion of energy there by talking about post oil. Wow. They get it, and I wonder why very few people in our country get it.

They have a five-point program. The first step in their program is the first step in any rational program to address the challenge we face, and that is conservation. The second and third points in their program was get as much of it as you can from your own country and diversify as much as you can.

The fourth one may surprise you, because they pled for protection of the environment. They are the biggest polluters in the world, and they know that. They are kind of pleading for help, because, gee, we have got 1.3 billion people, 900 million of those in rural areas that are clamoring for the benefits that accrued through industrialization. We have got to really do something about that, and help us to be more efficient.

But the fifth point in their five-point program was a really interesting one. They are pleading for international cooperation.

As they plead for international cooperation, which they hope they get, I doubt that they will, but they have a backup, they are going to buy the oil so that if we don't get international cooperation, at least they have a go-it-alone reasonable probability of doing well in the future.

The next chart shows how we got here, and this tells you why I mentioned the 25 years. It's actually 27 years.

In 1956, a Shell Oil geologist by the name of M. King Hubbert, and if you haven't heard his name before, you will hear it, and I think that the speech he gave 50 years ago last year, I think it was the 8th day of March, to a group of oil executives and engineers and scientists and so forth in San Antonio, Texas. When the United States was king of oil, producing more oil, exporting more oil, I think, than any other country, M. King Hubbert told that group that in just 14 years, by 1970, we were going to reach our maximum oil production. No matter what we did after that time, it was going to go down.

Shell Oil Company asked him, please don't give that speech. You are going to make a fool of yourself and us. He became something of a pariah for a number of years and was relegated to the near-lunatic fringe.

But right on schedule, as this chart shows, in 1970 we peaked in oil production. He predicted that here in 1956, and in 1970 we peaked in oil production.

His prediction was only for the lower 48. We got a bunch of oil in Prudhoe Bay in Alaska and a lot of oil in the Gulf of Mexico, where, by the way, we have drilled more oil wells than in all of Saudi Arabia, 4 times as many as in all of Saudi Arabia.

It has been downhill ever since 1970 except for a little blip produced by the enormous amount of oil that we got from Prudhoe Bay. I have been there. I have seen that pipeline where it begins, a 4-foot pipeline.

For a number of years a fourth of our total domestic production went through that. Despite that enormous find, it's still down, down, down, and today we are producing half the oil that we produced in 1970.

Remember several years ago those fabled oil discoveries in the Gulf of Mexico which were supposed to secure our future? There it is. That's what it did. Pretty trivial, wasn't it.

The next chart shows an attempt of one of the major think tanks in our country on energy to debunk M. King Hubbert. This us the Cambridge Energy Research Associates, and they present this data, which they say proves that M. King Hubbert didn't know what he was talking about.

Now, if you were a person who dealt with numbers, a statistician, you might see some relevance in that argument. But for the average citizen, this is what you see in the chart.

The yellow symbols here are the predictions of M. King Hubbert. The green is the actual lower 48 production.

Now, he said that it would follow this curve, but it actually followed that curve. Cambridge Energy Research Associates said, gee, isn't that awful, he really missed it, didn't he. I think for the average person looking at that, I am a kind of a layman here in this area, but I am a scientist and I have had courses in statistics, that looks pretty darn close to me. I think he kind of got it, didn't he.

The actual total production, when you add the Gulf of Mexico and Alaska, these red symbols here, and if you add the next chart, if you only had one chart to talk about energy, this would be the one, because this tells you so much.

If ever a picture is worth 1,000 words, this one is. This shows the discoveries of oil. We were discovering lots of it very early, the 1940s, 1950s, huge, huge amounts in the 1960s and 1970s. At just the time when M. King Hubbert predicted we would reach our maximum oil production, 1970, here, we just previously had found enormous amounts of oil.

During those 14 years, 1956 here to 1970, we had found more oil than we ever found before and ever found after that. No wonder, gee, they thought this guy must be an idiot.

But right on schedule we peaked in 1970. By the way, just a little explanation of how he was able to do that. He had observed that each oil field followed a pretty constant kind of curve. The oil was easier and easier to pump until you pumped about half of the oil.

Then you reach the maximum production, it's reasonable. The last half would be harder to get, so it came out slower and slower. It kind of followed a bell curve. He rationalized if he knew how many oil fields there were and what was in there, he could have all the little bell curves, and you would get a big bell curve that would tell us when we were going to reach the peak. He said that was going to be 1970. Right on schedule it happened. He also said that we were going to reach peak oil, the maximum production of oil in the world about now.

□ 1700

Now, the question I've been asking for 30-some times I've been on the floor here talking about this, over the last couple of years is, if M. King Hubbert was right about the United States, why shouldn't he be right about the world? And why shouldn't we have been paying some attention to this?

I was interested in this subject probably 40 years ago. I knew that oil couldn't be forever. I mean, you know, the Earth isn't made out of oil; it's not going to last forever. At that time I had no idea how long it would be before we had to start being concerned about oil. Was it next year, 10 years, 100 years, 1,000 years? But I knew at some time we would need to be concerned about oil. Apparently, that time has come.

Well, the solid black line here indicates our consumption of oil. It also represents our production of oil, because there's no big stockpile of oil somewhere unused, so what we produce is what we use. So it's either the consumption curve or the production curve.

If we were to put a smooth curve over these discoveries, and there we have little bars for each year, it's obvious that what you've done is to add up all of the discoveries year by year. So the area under that curve, for the person who doesn't understand what integration is, the area under that curve represents the total amount of oil we've found; so much this year and this year and this year. And the area under the curve adds them all up.

Now, the area under this black curve here is going to indicate how much oil we use. Now, it's really obvious that you can't use oil that you haven't found. So the area under the consumption curve is going to have to be the same thing as the area under the discovery curve.

But look at what's been happening to discovery since, what, before 1970. It's been down, down, down, down, down, down. The lightly shaded part of this graph to the right is just a guess as to what's going to happen in the future, but an absolute certainty is that you're not going to pump oil that you haven't found.

Now, ever since the 1980s here, we have been pumping more oil than we've found, so this area here now has consumed reserves that we found in the past. So we have all this amount of reserves that we can use in the future. That represents the area under this curve.

They're predicting here that we will have ever less and less discovery. It won't be that nice smooth curve. It will be up and down. But on the average, that's what it should be because that's what it's been.

And by the way, for the past 20 years or so we have had incredibly improved techniques for finding oil. So for those of who tell you not to worry, it's out there, where? We've been scouring the world for the last 20 years with computer modeling and 3-D seismic, and our discovery has been down, down, down. And these people are wisely projecting that's probably what it's going to do for the future.

There's another chart here, and this is another chart from CERA, Cambridge Energy Research Associates. And they are predicting that we're going to find two and three times as much more oil as all the recoverable reserves that we now know are there. And even if that is true, it moves the peak out only a relatively few years. This is the curve, if we don't find any more than that previous chart showed.

Most of the experts in the world believe that the total amount of oil that we have pumped and will pump is somewhere in the category of 2 trillion barrels. We've pumped about a trillion, we have about another trillion to pump, more or less. So the peak, if that is so, is imminent, isn't it?

If we find 2.93 total, wow, that's another trillion barrels of oil. It pushes out only that far. And they say we're going to add some unconventional oil. That we will. And so they, and this was in an article that was debunking peak oil, and this was a major chart in that article and, by golly, it shows a peak. They say it will be an undulating plateau. I agree. I don't agree that it's going to be out there another 50 years, but I agree that it's going to be an undulating plateau.

The next chart is an interesting little exercise. And this is from EIA, our Energy Information Agency, which, by the way, does a really good job of tracking the use of energy. And it has done a pretty poor job of projecting how much energy we're going to find, because this was their projection. These are the discoveries of oil.

Remember that previous bar chart? These are the big spikes, the discoveries of oil. And they, really misinterpreting some data from USGS, predicted three different possible paths here. There was an F for frequency in the USGS data, and somehow that got translated to P for probability when it came to this chart. I have no idea how you'd do that, and I have had a course in statistics, so I understand a little about that.

But they said that the 50 percent probability was the mean and that that is the most probable thing that would happen. Therefore, the discoveries of oil were going to go up.

This is the 95 percent probability. If it's truly a probability, obviously, if you're 95 percent more certain than 50 percent, and this is the 5 percent; by the way, there should be another green line here and another blue line here because it's a little bit like the path of the hurricane. It's pretty tight today, but where it's going to be a week from now you're less certain, so it kind of fans out. So that's what these 50 percent and 5 percent represent.

But notice where the actual data points have been. The actual data point have, as one might suspect, followed the 95 percent probability because 95 percent probable is more probable than 50 percent probable.

The next chart is a chart from a report and I'm going to mention in just a moment four major studies that have been done, and I have a number of quotes from those. Because what I'm saying today is based on not just my perception of what's going on, but the reality as indicated in these four different studies.

This is EIA projections. And if we found as much more oil as all the known reserves of oil today, that is going from roughly the 2 trillion to 3 trillion barrels of oil. That will push the peak out only from here to 2016.

And this shows another interesting thing. If we get really good at enhanced oil recovery, and we drill a lot of wells and we suck it out faster, we might move the peak over to 2037. Then you fall off a cliff; because you can't pump what's not there.

Now, enhanced oil recovery will get a little more, but it may get it a lot faster. There will be some additional oil pumped from enhanced oil recovery, but it will not be a huge amount.

Now, I want to go through a number of quotes from five different sources actually. One of those is a very famous speech given by Hyman Rickover, the father of our nuclear submarine. He gave this speech 50 years ago, the 14th day of this May, in St. Paul, Minnesota, to a group of physicians. He was incredibly prophetic in that speech. There's a link on our Web site to that that you can simple do a Google search for Rickover and energy, and this speech will pop up. I will tell you, it is the most interesting speech that I have ever read. You'll be fascinated by it.

Just a quote from this speech: "Whether this golden age," and boy is this a golden age, and he notes in this speech, by the way, that the amount of energy that we have available to us represents a huge amount of people working for us. The energy in a single barrel of oil represents the work of 12 people working all year.

When I first saw that, I said, it can't be. But then I thought of how far that gallon of gasoline or diesel, by the way, still cheaper than water in the grocery store, how far that takes my Prius, I drive a Prius, takes my Prius nearly 50 miles. How long would it take me to pull my Prius 5 miles? I could do it. If it was on the level, I might strain and do it very slowly. If it was uphill, I'd have to have you come along to do it. But how long would it take me to pull my Prius 50 miles? An incredible amount of energy. This is indeed a golden age, this age of oil.

He noted that every housewife 50 years ago had available to her the work equivalent of 34, I think he said, faithful household servants. I think it was 700 manpower efforts push your airplane through the sky, and 100,000 the train down the track and so forth.

"Whether this golden age will continue depends entirely upon our ability to keep energy supplies in balance with the needs of our growing population. Possession of surplus energy is, of course, a requisite for any kind of civilization, for man possesses merely the energy of his own muscles. He must expend all his strength, mental and physical, to obtain the bare necessities of life. A reduction of per capita energy consumption has always in the past led to a decline in civilization and a reversion to a more primitive way of life."

The next quote is another one from Hyman Rickover: "High energy consumption has always been a requisite of political power. The tendency is for political power to be concentrated in an ever smaller number of countries. Ultimately, the nation which controls the largest energy resource will become dominant. That control today is represented by having the necessary dollars to purchase it. Tomorrow it may be indicated by who, in fact, owns the oil fields. If we give thought to the problem of energy resources, we act wisely and in time to conserve what we have and prepare well for necessary future changes. We will ensure this dominant position for our own country."

I would submit that we have done none of this. We have not acted wisely. We have not anticipated today. And it was absolutely inevitable that there would come a day when the supply of energy would be inadequate to meet the demands for energy, which is why it's roughly now 93, $95 a barrel.

There have been four studies paid for by our government. And much to my chagrin, they have pretty much ignored what all four of these studies have said. One of those was a study done for the Army by the Corps of Engineers.

Now, these were published just September of 2005, just a couple of years ago. There's another quote from him in just a minute. It's really interesting. Jean La Harerre made an assessment of the USGS report, that's the report we were looking at just previously that said we were going to find as much more oil as all the oil that we now knew existed which is recoverable in the world. And this was what Jean La Harrere, he's a French expert in this area, said: The USGS estimate implies a fivefold increase in discovery rate and reserve addition, for which no evidence is presented. Such an improvement in performance is, in fact, utterly implausible, given the great technological achievements of the industry over the past 20 years, I mentioned those, computer modeling and 3-D seismic, the worldwide search and the deliberate effort to find the largest remaining prospects.

The next chart is another quote from the Corps of Engineers: Oil is the most important form of energy in the world today.

By the way, all four of these reports said the same thing in slightly different words, that peaking of oil is either present or imminent. By peaking, we mean we've reached the maximum of production to produce it. Try as hard as we will, it will not increase after that, but just go down, down, down. It's being doing that in our country since 1970; that's in spite of the fact that we have drilled more oil wells in our country than all the rest of the world put together.

Putting a dozen straws in the soda will not result in more soda, will it? It's a limited amount. There is a limited amount.

Historically, no energy resource equals oil's intrinsic qualities of extractability, transportability, versatility, and cost. The qualities that enabled oil to take over from coal as the front line energy source for the industrialized world in the middle of the 20th century are as relevant today as they were then.

The next chart is from the first report that came out. This is the "Hirsch Report" that came out a few months earlier than the Corps of Engineers report. And they made some really startling statements there. World production to conventional oil will reach a maximum and decline thereafter. That maximum is called the peak. A number of competent forecasters project peaking within a decade.

□ 1715

I have a chart in a few moments which will show you those and when they predicted it.

"Prediction of the peaking is extremely difficult." It is indeed. And you will only know that it's peaked historically looking back to see that, in fact, it peaked. And the production of oil, as I mentioned, has been constant for the last 30 months. As a matter of fact, conventional oil production has fallen off, but the total production is constant because we've been producing some unconventional oil. Heavy sours, sour oil is oil that has a lot of sulfur in it and you need to get rid of that. And the Alberta, Canada tar sands that we will talk about in a few moments.

"Oil peaking presents a unique challenge," they say. "The world has never faced a problem like this. There is no precedent in history to prepare us for what will happen. Without massive mitigation more than a decade before the fact, if oil has now peaked," which it looks like it has, they said, we should have started a decade ago, and if we didn't, there are going to be meaningful consequences is what they are saying.

The next chart is a really interesting statement by our Secretary of State, Condoleezza Rice: "We do have to do something about the energy problem." Thank you. We should have been doing something about it for the last 27 years. I say 27 years because by 1980, we knew absolutely that M. King Hubbert was right that the United States had peaked in 1970. It takes about that long to be really certain that peaking has occurred, but I think we knew it, absolutely knew it.

"We do have to do something about the energy problem. I can tell you that nothing has really taken me aback more as Secretary of State than the way that the politics of energy is—I will use the word 'warping'—diplomacy around the world. We have simply got to do something about the warping now of diplomatic effort by the all-out rush for energy supply."

It was bad then. In April of last year, oil was nowhere near $95 a barrel then.

The next quote is another quote from the Hirsch Report. This is a big report done by SAIC, Science Applications International Corporation, a very prestigious international engineering scientific organization. They say that the economic, social, and political costs will be unprecedented. "There is nothing in history to prepare us for the economic, social, and political cost of the peaking of oil." And that is not me saying that. This is a report from a major study done by a very reputable scientific engineering organization paid for by our government, by our Department of Energy. Have you heard the Department of Energy talking about this? You might ask them why not?

The next chart, this was 50 years ago: "I suggest that this is a good time to think soberly about our responsibilities to our descendants, those who will ring out the fossil fuel age. We might give a break to these youngsters by cutting fuel and metal consumption so as to provide a safer margin for the necessary adjustments which eventually must be made in a world without fossil fuels."

I think I noted earlier that when you talk to the Chinese about energy, they talk about post-oil. The age of oil is now about 150 years old. That's out of 8,000 years of recorded history. In another 150 years, we will be through the age of oil. There will, for all practical purposes, be no more gas, oil, or coal. What will our world look like? By the way, this is exhilarating for me. There is no exhilaration like the exhilaration of meeting and overcoming a big challenge, and this is a huge challenge. So this will be very invigorating.

The next chart is another one from the Corps of Engineers: "In general, all nonrenewable resources follow a natural supply curve. Production increases rapidly, slows, reaches a peak, and then declines." They are just validating what M. King Hubbert said more than 50 years ago.

"The major question for petroleum is not whether production will peak but when." Of course it will peak. It is inevitable.

You know, our descendents will look back on us and ask themselves how could they have done that. What we really should have done when we found this incredible wealth under the ground was to stop to ask ourselves what can we do with this to provide the most good for the most people for the longest time. That obviously is not what we did, with no more responsibility than the kid who found the cookie jar or the hog who found the feed room door open. We have just been pigging out. And, incredibly, with all the evidence that we are probably at or nearly at peak oil, we want to continue doing that.

They keep asking me will I vote to drill in ANWR. No, I will not. I have 10 kids, 16 grandkids, 2 great-grandkids. We, without my votes, are going to leave them the largest intergenerational debt transfer in the history of the world. Wouldn't it be nice if I left them a little energy?

By the way, I will vote to drill there when they convince me they are going to use all the energy they get from ANWR and offshore to invest in renewables, because we have a huge challenge in developing enough renewables.

The next chart, this is an interesting one. In September 2005, "The current price of oil is in the $45 to $57 per barrel range and is expected to stay in that range for several years." It is now twice that, more than twice of $45. Now, this is a very thoughtful group of people that did this study, but they missed it, didn't they?

"The supply of oil is increasingly inadequate to meet the demand. Oil prices may go significantly higher." Indeed they have. "And some have predicted prices ranging up to $180 a barrel in a few years. Who knows?" We assume we will be at $100 a barrel. How long will it take to get to this $180 a barrel?

The next chart is an interesting chart. And what this shows is a number of authorities, and we can get you this list, all these A to U, nearly an alphabet of them, and when they have predicted peaking will occur. Now, some of them are really uncertain. It could be now or any time in the next hundred years. But most of them believe that it will occur very soon or there is a probability it will occur very soon. So there is wide, wide concurrence in the scientific world out there that the peaking of oil is either present or imminent. And these four major government studies, I don't have quotes here from a study done by the National Petroleum Council. They have reached essentially the same conclusions. And another one was done by the Government Accountability Office. And all four of these said essentially the same thing: Peaking is either present or imminent with potentially devastating consequences.

The next chart is just a little schematic that shows the peaking curve. By the way, you can obviously compress the abscissa and expand the ordinate and make that a very sharp curve, or you can spread it out, as we've done here, and make it a gradual curve. The significant thing is that yellow area there represents 35 years. You see, at only a 2 percent increase in use, it doubles in 35 years. It is 4 times bigger in 70 years. It is 8 times bigger in 105 years, and it is 16 times bigger in 140 years. Well, no wonder a namesake of mine, and I wish I was his relative, who really is a bright guy, Albert Bartlett, says that the biggest failure of industrialized society is to understand the exponential function. Albert Einstein in responding to what will we find after nuclear energy, he said that the most powerful force in the universe is the power of compound interest. And that's what we see.

The next chart, and this is a really interesting one, shows on the ordinate here how happy you are with your state in life, your sense of well-being. What it shows on the abscissa here is how much energy we use. Guess where we are. We use more energy than anybody else in the world, and we're pretty happy about things. But notice that, I think, 20-some countries who use less energy than we, some of them less than half as much, feel better about their quality of life than we feel about ours. I put this slide up here to show you that we can use a whole lot less energy and still live well, still be very satisfied with our life.

The next one, and we need to come and start one of these 60 minutes we have together and just focus on this chart, because this is the future and this is where we are going. We will, of necessity, ultimately transition from fossil fuels to renewables. When the fossil fuels are gone, and one day they will be, the only argument is not whether but when. And when they are gone, we will have transitioned either smoothly because we chose the route or a really bumpy ride because we didn't plan ahead.

There are some finite resources that we can use. The finite resources include the tar sands, and previously you heard some discussion of the tar sands. They are now producing a million barrels a day. That's a lot, isn't it? But the world consumes 84 million barrels a day. We consume 21 million barrels a day. So they are producing a little bit more than 1 percent of the oil that the world uses, and they know that what they are doing is not sustainable. They will run out of water. They will run out of energy because they are now using stranded natural gas. Stranded gas is gas that is somewhere where there aren't very many people, and since it is hard to ship, they say it's stranded, and it's cheaper. So they are using stranded natural gas there in this process. What they do is have a big shovel that lifts 100 tons at a time. They dump it in a truck that hauls 400 tons, and they haul it to a big cooker where they cook it so that it is really stiff. All the volatiles will come out of that because it's near the surface, and they cook that until the oil flows, and then they add some solvents to it so it will flow at normal temperatures. And if you think of the thing they are now mining as a vein, that vein shortly ducks under an overlay so that they are going to have to develop it in situ, and they have no idea how they are going to develop it in situ. So the Canadians will tell you that what they are doing is not sustainable. They might for a bit ramp up and produce a little more, but ultimately it is certainly not sustainable.

By the way, there is a huge, huge amount of potential energy in the tar sands. One and a half times as much energy there as all the known reserves of oil in the world. It is incredibly large. But let me note to you that there is an incredible amount of energy in the tides. So just because it is there doesn't mean it is in your gas tank, and just like the tides, which are very difficult to harness, this has proved difficult to harness.

What's even more difficult to harness are the oil shales. And we have more in our West, roughly 1½ trillion barrels of oil. The world has only about 1 trillion recoverable barrels of oil in all the world. So we have one and a half times as much as all recoverable oil in the world. Then why not rest easy? Because it is enormously difficult to exploit. The Shell Oil Company was the last company that conducted a major experiment there, and they aren't certain that it is economically supportable to develop this. We put a lot of money in that in the 1970s after the Arab oil embargo, and we still are a little closer to exploitation of these shales than we were then.

Then there's coal. You've heard that we have 500 years of coal. That is just flat out not true. A more correct statement until we knew better was that we had 250 years of coal. But that's at current use rates. The National Academy of Sciences has reevaluated the data. This is not me saying it. This is the National Academy of Sciences, the most prestigious scientific organization perhaps in the world. And they have said that they have not looked at this data since 1970. That's a long time ago. In relooking at the data, they say there is probably 100 years there. But let's look at what happens if there are 250 years there. At a 2 percent growth rate, remember we talked about the 35 years it doubles, at 70 it is four times, 16 times bigger in 140 years? That now shrinks to 85 years. And if you convert some of this, if you use some of the energy to convert it to a gas or a liquid, it now shrinks to 50 years. And it is inevitable that you will share it with the world. Let me explain. If we are using liquids produced from coal, we are not buying oil; so that means that oil is available to India and China, isn't it? Energy liquid fuels are fungible. So it is inevitable we will have to share it with the world because if we are not buying the oil, someone else will. That 50 years then shrinks to 12½ years. And, by the way, if the real amount, as the National Academy says, is 100 years, then that shrinks to about 5 years. So we have 5 years of coal at 2 percent growth to be converted to a gas or a liquid and share it, as we must, with the world.

So for those who tell you rest easy, we have got this huge amount of coal, not to worry, 250 years, that's at current use rates, and they just do not understand what happens with exponential growth.

Now, back to the chart we were looking at.

□ 1730

This really should be a separate category because nuclear is, if it's the right kind of nuclear, totally sustainable.

There are three ways we can get nuclear energy. One is from the light water reactor. All of the electrical energy in the world, I think, is produced from light water reactors. France produces about 75 percent of their energy; we, 19 or 20 percent of our electricity.

But fissure uranium is limited in the world. There is not enough to meet all future demands. But then we can go to breeder reactors. The breeder reactors do as the name implies, they produce more fuel than they use. So that is kind of a forever thing. With that, you buy some huge problems in transporting and enrichment. And you are hauling around weapons grade material, and then you're having to store away the end product for maybe a quarter of a million years. So although we have the potential for a lot of energy from breeder reactors, that comes with some big problems that we need to address.

Then there is nuclear fusion. We have a great fusion reactor; it's called the sun. And it, by the way, is the source of almost all of our present energy and past energy. All of the fossil fuels are there because the sun was shining a long time ago to make the plants and microbes and so forth grow. Well, we put about $250 million a year into nuclear fusion. I suspect we are a little closer now than we were 15 years ago when I came to the Congress. By the way, I happily vote for that $250 million because it's the only thing that gets us home free, if we can find fusion.

If you think you're going to solve your personal economic problems by winning the lottery, you're probably content that we're going to solve our energy problems by developing fusion. I think the odds are roughly the same. But because it is so incredibly important, because it gets us home free, I happily vote for the roughly $250 million we spend there.

Then the renewables, solar and wind. I want to spend some time talking about these.

I'm pretty sanguine about our future for electricity. We can produce a lot of electricity by nuclear; France produces about 75 percent of theirs. There are huge potentials from solar and wind. More solar energy falls on the Earth each day than we use all year long. It may be in less time than that that it falls on the Earth; it's an incredible amount of energy. The big problem, of course, is harnessing that energy. It is, by the way, the sun that makes the wind blow. The wind blows because there is differential heating, and so it makes the wind to blow. So all of this is kind of solar energy; wind, kind of secondhand solar energy.

The problem with solar and wind is the sun doesn't shine all the time, and the wind doesn't blow all the time. But we have a pretty constant demand for energy, so you've got to store it. And this is a huge challenge. And if you're talking about running your car on batteries, then you have to think, but, do we have the raw materials necessary for making enough batteries to run all the millions of cars in the world with batteries? I think we could produce enough electricity to do that. I'm not at all sure that there is enough raw materials out there to make the batteries necessary for these cars.

Then there is geothermal. I'm not talking about the heat pump that you tie to groundwater or ground temperature, which really, by the way, is what you ought to do. If you think about your heat pump, in the summer it's an air conditioner. It has to warm the outside air. It may be 100 outside, no matter. The heat pump has to increase the air, that temperature, in order to decrease the temperature in your house.

And in the winter time, what is it trying to do? When it's 10 degrees outside, the heat pump has to make it even colder outside so it can make you warmer inside. The 56 degrees, which is what it is here, looks awfully cool in the summer time, doesn't it? And awfully warm in the winter time. As a little boy, I was confused about how the spring house we had on our farm could be so warm in the winter time and so cool in the summer time. Of course when I went to school, I kind of figured that thing out.

Ocean energy. I mentioned an incredible amount of energy in the ocean, but harnessing that energy is a difficult thing. The waves and the tides represent, by the way, the tides are produced by the movement of the Moon, of course. That's an exception to energy produced in the past or now from the sun.

But the challenge there is that because this is so spread out, it's so difficult to harness. A good axiom is that energy, to be effective, must be concentrated. And, boy, is it concentrated in gas and oil and coal, just an incredible amount of energy there. Both the quantity and the quality of that energy is superior to anything that we can produce to take its place.

Now, agricultural resources, and this is an area, let me flip to the next chart. Let's look at corn.

Earlier this evening you heard quite a discussion of ethanol and its potential. And I don't want to quote ROSCOE BARTLETT here; I want to quote the National Academy of Sciences here. They did a study, and they concluded, and this was an article that appeared, I think, was it The Washington Post, and they said that if we took all of our corn for ethanol and discounted it for the fossil fuel input, which they said was 80 percent, by the way, some people think that we use more energy producing corn than we get out of the ethanol from corn; but even if it's 80 percent, and that's a realistic number, I think, if we used all of our corn for ethanol, no tortillas, no fattening of pigs and chickens from corn, used it all for ethanol, it would displace only 2.4 percent of our gasoline.

Now, if you just start with the corn and ignore the energy it took to produce the corn, then you get a whole different figure. So you need to be careful when people are talking to you about energy from ethanol. You know, the sun gratuitously produced that energy that put the oil in the ground; it doesn't gratuitously grow our corn.

We put huge amounts of fertilizer, this lower pie chart shows that nearly half the energy that goes into producing corn, and not one person in 50 outside of the farmer knows this, almost half the energy that goes into producing corn comes from the natural gas from which we make the nitrogen fertilizer. Nature does this, by the way. You may notice that your lawn is never as green watering it as it is after a thunderstorm; we used to call it "poor man's fertilizer." The nitrogen in the air is converted by the lightning into a forum which is carried down into the ground. That's fertilizer by the rain.

This is their data. The National Academy of Science said if we use all of our corn for ethanol and discount it for fossil fuel, a little silly, something to burn the fossil fuels in another forum, which is corrosive, you can't put it in our pipes. You have to add it pretty much at the last minute because we don't have the infrastructure to move ethanol around. They wisely noted that if you tuned up your car and put air in the tires, you would save as much oil as using all of our corn to produce ethanol.

They then noted if we use all of our soybeans for diesel fuel, soy diesel, all of it, no soybeans exported to China, which was, a few years ago, our largest dollar export, by the way, because tofu, bean curd, as they call it, is the energy staple of the Orient, none of that, if we used all of our soybeans for soy diesel, it would displace 2.9 percent of our diesel.

Now, there are, I think, 70 million acres of corn, 60 million acres of soybeans planted on our best soil, pampered with fertilizers and pesticides and insecticides. And we would get, if we used it all for energy, 2.4 percent of gasoline and 2.9 percent of our diesel would be displaced.

Now, how much energy should we expect to get from weeds and switch grass and trees? I don't know. But I suspect that it's going to be difficult, sustainably, to get huge amounts of energy there because today's weeds and so forth are growing in large measure because last year's weeds died and are rotting and fertilizing them.

When you take the growth away from the rain forest, which looks like an incredibly wealthy environment in terms of nutrients, you leave laterite soils that will hardly grow anything because most all of the nutrients were in the plants that were growing.

The Department of Agriculture came to me and they were hyping cellulosic ethanol. And I asked them, Are our topsoils increasing in quantity and quality? And the answer is no. Then I said, Pray tell, how are we going to get these enormous amounts of energy? Because topsoil is topsoil. Because of humus, humus is the material from plants that grew yesterday and are rotting today. It holds nutrients; it holds water. For every bushel of corn we grow in Iowa, three bushels of topsoil go down the Mississippi River. In spite of our best practices, it used to be many bushels, by the way. In spite of our best practices, three bushels still go down the river.

We will certainly get something. What if we got four times as much, which is unlikely, from our wasteland and woods and so forth, as we can get from all of our corn and all of our soybeans? That would be roughly 20 percent. Exploiting. Now, this would not be sustainable. You might, for a few years, mine the topsoil and take off this biomass, but by and by you will pay for that because you will no longer have the same quality or quantity of topsoil.

The next chart has a little pie chart on it, which is really interesting. We're a little bit like the couple whose grandparents have died and left them a big inheritance and they have now established a lifestyle where 85 percent of the money they spend comes from their grandparents' inheritance and only 15 percent from their paycheck. And, by golly, the grandparents' inheritance is going to run out before they retire. So obviously they've got to restructure their lives; they have to make more or spend less, or some combination of that. That's where we are as far as energy is concerned. Eighty-five percent of our energy comes from natural gas, petroleum and coal. A bit more than half of the remainder comes from nuclear power.

And here are the true renewables over here. This is an old chart, several years old.

I appreciate the opportunity to address the House. And we will return shortly to talk more about these very important subjects.

CORRECTION TO THE CONGRESSIONAL RECORD OF WEDNESDAY, OCTOBER 31, 2007, AT PAGE 28895

SEC. 307. OFFSETS.

(a) TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.—Subparagraph (B) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 is amended by striking "115 percent" and inserting "127.50 percent".

(b) CUSTOMS USER FEES.—Section 13031(j)(3)(A) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(A)) is amended by striking "October 21, 2014" and inserting "February 17, 2015".

TITLE IV—WORKFORCE INVESTMENT IMPROVEMENT

SEC. 401. SHORT TITLE.

This title may be cited as the "Workforce Investment Improvement Act of 2007".

SEC. 402. REFERENCES.

Except as otherwise expressly provided, wherever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the amendment or repeal shall be considered to be made to a section or other provision of the Workforce Investment Act of 1998 (20 U.S.C. 9201 et seq.).

CORRECTION TO THE CONGRESSIONAL RECORD OF WEDNESDAY, OCTOBER 31, 2007, AT PAGE 28979

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on October 24, 2007 she presented to the President of the United States, for his approval, the following bills.

H.R. 327, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop and implement a comprehensive program designed to reduce the incidence of suicide among veterans.

H.R. 995, to amend Public Law 106–348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

H.R. 1284, to increase, effective as of December 1, 2007, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

H.R. 3233, to designate the facility of the United States Postal Service located at Highway 49 South in Piney Woods, Mississippi, as the "Laurence C. and Grace M. Jones Post Office Building".

Lorraine C. Miller, Clerk of the House also reports that on October 30, 2007 she presented to the President of the United States, for his approval, the following bills.

H.R. 3678, to amend the Internet Tax Freedom Act to extend the moratorium on certain taxes relating to the Internet and to electronic commerce.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CARSON (at the request of Mr. HOYER) for today and through December 14 on account of medical reasons.

Mr. MCNULTY (at the request of Mr. HOYER) for today after 2:30 p.m.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. MURPHY of Connecticut, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. HUNTER) to revise and extend their remarks and include extraneous material:)

Mr. JONES of North Carolina, for 5 minutes, November 8.

Mr. POE, for 5 minutes, November 8.

Mr. HULSHOF, for 5 minutes, November 5.

Mr. GINGREY, for 5 minutes, today.

ENROLLED BILLS SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1808. An act to designate the Department of Veterans Affairs Medical Center in Augusta, Georgia, as the "Charlie Norwood Department of Veterans Affairs Medical Center".

H.R. 2779. An act to recognize the Navy UTD–SEAL Museum in Fort Pierce, Florida, as the official national museum of Navy SEALS and their predecessors.

ADJOURNMENT

Mr. BARTLETT of Maryland. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until Monday, November 5, 2007, at 12:30 p.m., for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the second and third quarters of 2007, pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MICHELLE BARLOW, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 5 AND OCT. 9, 2007

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Michelle Barlow	10/5	10/7	Qatar		458.00		(3)				458.00
	10/7	10/8	Jordan		279.00		(3)				279.00
	10/8	10/9	Germany		223.00		(3)				223.00
Committee total											960.00

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[3] Military air transportation.

MICHELLE BARLOW, Oct. 23, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO IRAQ, KUWAIT, PAKISTAN, AFGHANISTAN, AND SPAIN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 11 AND SEPT. 17, 2007

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. John A. Boehner	9/12	9/13	Iraq				(3)				
Hon. Peter Hoekstra	9/12	9/13	Iraq				(3)				
Hon. Tom Latham	9/12	9/13	Iraq				(3)				
Hon. Devin Nunes	9/12	9/13	Iraq				(3)				
Hon. Patrick J. Tiberi	9/12	9/13	Iraq				(3)				
Hon. Charles A. Wilson	9/12	9/13	Iraq				(3)				
Jennifer Stewart	9/12	9/13	Iraq				(3)				
Brian Kennedy	9/12	9/13	Iraq				(3)				
Hon. John A. Boehner	9/13	9/14	Kuwait		458.00		(3)				458.00
Hon. Peter Hoekstra	9/13	9/14	Kuwait		458.00		(3)				458.00
Hon. Tom Latham	9/13	9/14	Kuwait		458.00		(3)				458.00
Hon. Devin Nunes	9/13	9/14	Kuwait		458.00		(3)				458.00
Hon. Patrick J. Tiberi	9/13	9/14	Kuwait		458.00		(3)				458.00
Hon. Charles A. Wilson	9/13	9/14	Kuwait		458.00		(3)				458.00
Jennifer Stewart	9/13	9/14	Kuwait		458.00		(3)				458.00
Brian Kennedy	9/13	9/14	Kuwait		458.00		(3)				458.00
Hon. John A. Boehner	9/14	9/15	Pakistan		339.00		(3)				339.00
Hon. Peter Hoekstra	9/14	9/15	Pakistan		339.00		(3)				339.00
Hon. Tom Latham	9/14	9/15	Pakistan		339.00		(3)				339.00
Hon. Devin Nunes	9/14	9/15	Pakistan		339.00		(3)				339.00
Hon. Patrick J. Tiberi	9/14	9/15	Pakistan		339.00		(3)				339.00
Hon. Charles A. Wilson	9/14	9/15	Pakistan		339.00		(3)				339.00
Jennifer Stewart	9/14	9/15	Pakistan		339.00		(3)				339.00
Brian Kennedy	9/14	9/15	Pakistan		339.00		(3)				339.00
Hon. John A. Boehner	9/15	9/16	Afghanistan		75.00		(3)				75.00
Hon. Peter Hoekstra	9/15	9/16	Afghanistan		75.00		(3)				75.00
Hon. Tom Latham	9/15	9/16	Afghanistan		75.00		(3)				75.00
Hon. Devin Nunes	9/15	9/16	Afghanistan		75.00		(3)				75.00
Hon. Patrick J. Tiberi	9/15	9/16	Afghanistan		75.00		(3)				75.00
Hon. Charles A. Wilson	9/15	9/16	Afghanistan		75.00		(3)				75.00
Jennifer Stewart	9/15	9/16	Afghanistan		75.00		(3)				75.00
Brian Kennedy	9/15	9/16	Afghanistan		75.00		(3)				75.00
Hon. John A. Boehner	9/16	9/17	Spain		279.00		(3)				279.00
Hon. Peter Hoekstra	9/16	9/17	Spain		279.00		(3)				279.00
Hon. Tom Latham	9/16	9/17	Spain		279.00		(3)				279.00
Hon. Devin Nunes	9/16	9/17	Spain		279.00		(3)				279.00
Hon. Patrick J. Tiberi	9/16	9/17	Spain		279.00		(3)				279.00
Hon. Charles A. Wilson	9/16	9/17	Spain		279.00		(3)				279.00
Jennifer Stewart	9/16	9/17	Spain		279.00		(3)				279.00
Brian Kennedy	9/16	9/17	Spain		279.00		(3)				279.00
Committee total											9,208.00

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[3] Military air transportation.

JOHN A. BOEHNER, Chairman, Oct. 17, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO DENMARK, SWEDEN AND IRELAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 12 AND SEPT. 17, 2007

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. John Larson	9/12	9/13	Denmark		497.00		(3)				497.00
Hon. Ray LaHood	9/12	9/13	Denmark		497.00		(3)				497.00
Hon. Tim Holden	9/12	9/13	Denmark		497.00		(3)				497.00
Hon. Bill Pascrell	9/12	9/13	Denmark		497.00		(3)				497.00
Hon. Wm. Lacy Clay	9/12	9/13	Denmark		497.00		(3)				497.00
Hon. Tim Ryan	9/12	9/13	Denmark		497.00		(3)				497.00
Hon. Linda Sánchez	9/12	9/13	Denmark		497.00		(3)				497.00
Hon. Wilson Livingood	9/12	9/13	Denmark		497.00		(3)				497.00
Dr. John F. Eisold	9/12	9/13	Denmark		497.00		(3)				497.00
Dr. Kay King	9/12	9/13	Denmark		497.00		(3)				497.00
George Shevlin	9/12	9/13	Denmark		497.00		(3)				497.00
Amy O'Donnell	9/12	9/13	Denmark		497.00		(3)				497.00
Linda Christiana	9/12	9/13	Denmark		497.00		(3)				497.00
Brian Mahar	9/12	9/13	Denmark		497.00		(3)				497.00
Hon. John Larson	9/13	9/15	Sweden		1,312.00		(3)				1,312.00
Hon. Ray LaHood	9/13	9/15	Sweden		1,312.00		(3)				1,312.00
Hon. Tim Holden	9/13	9/15	Sweden		1,312.00		(3)				1,312.00
Hon. Bill Pascrell	9/13	9/15	Sweden		1,312.00		(3)				1,312.00
Hon. Wm. Lacy Clay	9/13	9/15	Sweden		1,250.00		(3)				1,250.00
Hon. Tim Ryan	9/13	9/15	Sweden		1,250.00		(3)				1,250.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO DENMARK, SWEDEN AND IRELAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 12 AND SEPT. 17, 2007—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Linda Sánchez	9/13	9/15	Sweden		1,250.00		(3) 3,052.00				4,302.00
Hon. Wilson Livingood	9/13	9/15	Sweden		1,205.00		(3)				1,205.00
Dr. John F. Eisold	9/13	9/15	Sweden		1,205.00		(3)				1,205.00
Dr. Kay King	9/13	9/15	Sweden		1,205.00		(3)				1,205.00
George Shevlin	9/13	9/15	Sweden		1,205.00		(3)				1,205.00
Amy O'Donnell	9/13	9/15	Sweden		1,205.00		(3)				1,205.00
Linda Christiana	9/13	9/15	Sweden		1,205.00		(3)				1,295.00
Brian Maher	9/13	9/15	Sweden		1,205.00		(3)				1,205.00
Hon. John Larson	9/15	9/17	Ireland		1,838.00		(3)				1,838.00
Hon. Ray LaHood	9/15	9/17	Ireland		1,838.00		(3)				1,838.00
Hon. Tim Holden	9/15	9/17	Ireland		1,838.00		(3)				1,838.00
Hon. Bill Pascrell	9/15	9/17	Ireland		1,838.00		(3)				1,838.00
Hon. Wm. Lacy Clay	9/15	9/17	Ireland		1,838.00		(3)				1,838.00
Hon. Tim Ryan	9/15	9/17	Ireland		1,838.00		(3)				1,838.00
Hon. Wilson Livingood	9/15	9/17	Ireland		1,838.00		(3)				1,838.00
Dr. John F. Eisold	9/15	9/17	Ireland		1,838.00		(3)				1,838.00
George Shevlin	9/15	9/17	Ireland		1,838.00		(3)				1,838.00
Amy O'Donnell	9/15	9/17	Ireland		1,838.00		(3)				1,838.00
Linda Christiana	9/15	9/17	Ireland		1,838.00		(3)				1,838.00
Brian Maher	9/15	9/17	Ireland		1,838.00		(3)				1,838.00
Committee total											51,337.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

JOHN B. LARSON, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND LABOR, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2007

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

GEORGE MILLER, Chairman, Oct. 22, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2007

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Donna Christensen	8/07	8/10	Palau		396.00		9,324.78				9,720.78
Hon. Madeleine Bordallo	8/07	8/10	Palau		396.00		9,324.78				9,720.78
Anthony Babauta	8/07	8/10	Palau		396.00		7,171.78				7,567.78
Brian Modesto	8/07	8/10	Palau		396.00		9,324.78				9,720.78
Richard Stanton	8/07	8/10	Palau		396.00		9,318.42				9,714.42
Allison Cowan	8/07	8/10	Palau		396.00		9,324.78				9,720.78
Steve Feldgus	8/07	8/10	Palau		396.00		9,324.78				9,720.78
Hon. Doug Lamborn	8/13	8/13	Israel to Kuwait				607.37				607.37
Tony Babauta	9/29	10/2	Palau		450.00		7,234.56				7,684.56
Richard Stanton	9/29	10/2	Palau		450.00		6,630.20				7,080.20
Committee total					3,672.00		77,586.23				81,258.23

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

NICK J. RAHALL II, Chairman, Oct. 17, 2007.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3962. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Export Certification for Wood Packaging Material [Docket No. APHIS-2006-0122] (RIN: 0579-AC43) received October 30, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3963. A letter from the Administrator, Risk Management Agency, Department of Agriculture, transmitting the Department's final rule — Common Crop Insurance Regulations; Fresh Market Sweet Corn Crop Insurance Provisions (RIN: 0563-AC02) received October 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3964. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3965. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-7995] received October 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3966. A letter from the Assistant to the Board, Department of the Treasury, transmitting the Department's final rule — Identity Theft Red Flags and Address Discrepancies under the Fair and Accurate Credit Transaction Act of 2003 [Docket ID OCC-2007-0017] (RIN: 1557-AC94) received October 30, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3967. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-02, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Egypt for defense articles and services; to the Committee on Foreign Affairs.

3968. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-07, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Israel for defense articles and services; to the Committee on Foreign Affairs.

3969. A letter from the Director, Defense Security Cooperation Agency, transmitting pursuant to Section 62(a) of the Arms Export Control Act (AECA), notification concerning the Department of the Air Force's proposed extension of a lease of defense articles to the Government of the Netherlands (Transmittal No. 06-07); to the Committee on Foreign Affairs.

3970. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-11, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Egypt for defense articles and services; to the Committee on Foreign Affairs.

3971. A letter from the Under Secretary for Industry and Security, Department of Commerce, transmitting the Department's intention to impose new foreign policy-based export controls on certain persons in Burma listed in or designated pursuant to Executive Order 13310 of July 28, 2003 and the Executive Order titled Blocking Property and Prohibiting Certain Transactions Related to Burma of October 18, 2007; to the Committee on Foreign Affairs.

3972. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of firearms to the Government of Georgia (Transmittal No. DDTC 075-07); to the Committee on Foreign Affairs.

3973. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles and services to the Government of Australia (Transmittal No. DDTC 031-07); to the Committee on Foreign Affairs.

3974. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles and services to the Government of Iraq (Transmittal No. DDTC 104-07); to the Committee on Foreign Affairs.

3975. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the re-export of defense articles and services to the Government of Afghanistan (Transmittal No. DDTC 107-07); to the Committee on Foreign Affairs.

3976. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule — Hague Convention on Intercountry Adoption; Intercountry Adoption Act of 2000; Consular Officer Procedures in Convention Cases (RIN: 1400-AC40) received October 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3977. A letter from the Deputy Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report concerning efforts made by the United Nation and the UN Specialized Agencies to employ an adequate number of Americans during 2006, pursuant to Public Law 102-38, section 181; to the Committee on Foreign Affairs.

3978. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report concerning methods employed by the Government of Cuba to comply with the United States-Cuba September 1994 "Joint Communique" and the treatment by the Government of Cuba of persons returned to Cuba in accordance with the United States-Cuba May 1995 "Joint Statement," together known as the Migration Accords, pursuant to Public Law 105-277, section 2245; to the Committee on Foreign Affairs.

3979. A letter from the Associate Director, PP&I, Department of the Treasury, transmitting the Department's final rule — Global Terrorism Sanctions Regulations; Terrorism Sanctions Regulations; Foreign Terrorist Organizations Sanctions Regulations — received October 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3980. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997, as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003; to the Committee on Foreign Affairs.

3981. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Corporate Reorganizations; Transfers of Assets or Stock Following a Reorganization [TD 9361] (RIN: 1545-BD56) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3982. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 601.602: Tax forms and instructions. (Also Part I, 1, 23, 24, 25A, 25B, 32, 42, 59, 62, 63, 68, 132, 135, 137, 146, 148, 151, 170, 179, 213, 219, 220, 221, 408A, 512, 513, 685, 877, 911, 2032A, 2503, 2523, 4161, 6033, 6039F, 6323, 6334, 6601, 7430, 7702B; 1.148-3, 1.148-5) (Rev. Proc. 2007-66) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3983. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Memorandum for Commissioner. Small Business/Self-Employed Division LMSB Industry and Field Specialists Directors Director, International Compliance, Strategy and Policy—received October 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3984. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Security under 6166 Elections, Notice 2007-90 — received October 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3985. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2008 Limitations Adjusted As Provided in Section 415(d), etc. [Notice 2007-87] received October 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GEORGE MILLER of California: Committee on Education and Labor. H.R. 2857. A bill to reauthorize and reform the national service laws; with an amendment (Rept. 110-420). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BARROW:

H.R. 4039. A bill to amend the Internal Revenue Code of 1986 to increase, expand the availability of, and repeal the sunset with respect to, the dependent care tax credit; to the Committee on Ways and Means.

By Mr. RUSH (for himself, Mr. STEARNS, Mr. DINGELL, Mr. BARTON of Texas, Mr. TOWNS, Mr. WHITFIELD, Mr. GORDON, Mr. BURGESS, Mr. STUPAK, Mr. WYNN, Mr. GENE GREEN of Texas, Ms. DEGETTE, Mrs. CAPPS, Ms. HARMAN, Mr. ALLEN, Ms. SOLIS, Mr. GONZALEZ, Mr. INSLEE, Ms. BALDWIN, Mr. ROSS, Mr. MATHESON, Mr. BARROW, Mr. HILL, Mr. EMANUEL, Mr. CLYBURN, Mr. BERRY, Mr. BISHOP of Georgia, Mr. BOYD of Florida, Mrs. BOYDA of Kansas, Mr. CARDOZA, Mr. CLAY, Mr. CLEAVER, Mr. DAVIS of Illinois, Mr. ELLISON, Mrs. GILLIBRAND, Mr. AL GREEN of Texas, Mr. HALL of New York, Mr. HODES, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. KILDEE, Mr. LARSON of Connecticut, Ms. JACKSON-LEE of Texas, Mr. LIPINSKI, Mrs. MCCARTHY of New York, Ms. LORETTA SANCHEZ of California, Mr. SCOTT of Virginia, Mr. SESTAK, Mr. THOMPSON of Mississippi, and Ms. WOOLSEY):

H.R. 4040. A bill to establish consumer product safety standards and other safety requirements for children's products and to reauthorize and modernize the Consumer Product Safety Commission; to the Committee on Energy and Commerce.

By Mr. BLUNT (for himself, Mr. COOPER, Mr. ADERHOLT, Mr. AKIN, Mrs. BLACKBURN, Mr. DAVID DAVIS of Tennessee, Mr. LINCOLN DAVIS of Tennessee, Mr. DUNCAN, Mr. EVERETT, Mr. GORDON, Mr. PAUL, Mr. POE, Mr. SMITH of Texas, Mr. TANNER, and Mr. WAMP):

H.R. 4041. A bill to amend chapter 111 of title 28, United States Code, to limit the duration of Federal consent decrees to which State and local governments are a party, and for other purposes; to the Committee on the Judiciary.

By Mr. MCNERNEY (for himself, Mr. SPACE, and Mr. PAUL):

H.R. 4042. A bill to amend the Internal Revenue Code of 1986 to reduce the estate tax for periods before its termination in 2010 by increasing the unified credit, lowering the maximum estate tax rate, restoring the exclusion for family-owned business interests, excluding the value of the decedent's principal residence, and for other purposes; to the Committee on Ways and Means.

By Mr. WATT (for himself, Mr. GARY G. MILLER of California, Mr. FRANK of Massachusetts, Mr. GUTIERREZ, Mr. CLEAVER, Mr. CAPUANO, Mrs. MCCARTHY of New York, Ms. CARSON, Mr. MEEKS of New York, Mr. CLAY, Mr. AL GREEN of Texas, Ms. MOORE of Wisconsin, and Mr. ELLISON):

H.R. 4043. A bill to amend the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 to preserve and expand minority depository institutions, and for other purposes; to the Committee on Financial Services.

By Ms. SCHAKOWSKY (for herself, Mr. ROHRABACHER, Mr. ABERCROMBIE, Mr. BLUMENAUER, Mr. BUTTERFIELD, Mr. ANDREWS, Mr. BRADY of Pennsylvania, Mr. COSTELLO, Mr. DUNCAN, Mr. EHLERS, Mr. FARR, Mr. FATTAH, Ms. FOXX, Mr. GILCHREST, Mr. GORDON, Mr. HARE, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HONDA, Ms. HOOLEY, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. JONES of North Carolina, Mr. KUCINICH, Mr. MCGOVERN, Mr. MICHAUD, Mr. RUSH, Ms. SHEA-PORTER, and Mr. TIERNEY):

H.R. 4044. A bill to amend the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 to exempt from the means test in bankruptcy cases, for a limited period, qualifying reserve-component members who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 60 days; to the Committee on the Judiciary.

By Mr. ALTMIRE (for himself and Mr. DAVIS of Illinois):

H.R. 4045. A bill to award competitive grants to minority serving institutions to establish centers of excellence for teacher education; to the Committee on Education and Labor.

By Mr. ALTMIRE (for himself and Mrs. MCMORRIS RODGERS):

H.R. 4046. A bill to amend the Higher Education Act of 1965 to require the Department of Education to accept certifications of permanent and total disability by the Department of Veterans Affairs for the purpose of student loan discharge; to the Committee on Education and Labor.

By Ms. WOOLSEY (for herself, Mr. GEORGE MILLER of California, Mr. KILDEE, Mr. PAYNE, Mr. ANDREWS, Mrs. MCCARTHY of New York, Mr. KUCINICH, Mr. BISHOP of New York, Mr. HARE, Ms. SHEA-PORTER, Mr. GRIJALVA, Mr. MARKEY, Mr. TIERNEY, and Ms. LINDA T. SÁNCHEZ of California):

H.R. 4047. A bill to streamline the administration of whistleblower protections for private sector employees; to the Committee on Education and Labor.

By Ms. ZOE LOFGREN of California (for herself, Mr. TAYLOR, and Mr. MELANCON):

H.R. 4048. A bill to establish the Gulf Coast Recovery Authority to administer a Gulf Coast Civic Works Project to provide job-training opportunities and increase employment to aid in the recovery of the Gulf Coast region; to the Committee on Education and Labor.

By Mrs. MALONEY of New York (for herself, Mr. BACHUS, Mr. FRANK of Massachusetts, and Mrs. BIGGERT):

H.R. 4049. A bill to amend section 5318 of title 31, United States Code, to eliminate regulatory burdens imposed on insured depository institutions and money services businesses and enhance the availability of transaction accounts at depository institutions for such business, and for other purposes; to the Committee on Financial Services.

By Ms. GIFFORDS (for herself and Mr. LATOURETTE):

H.R. 4050. A bill to require the Administrator of the Federal Emergency Management Agency to issue guidance providing a process for consideration of the flood protections afforded by certain structures for purposes of the national flood insurance program; to the Committee on Financial Services.

By Ms. WATERS (for herself and Mr. HINOJOSA):

H.R. 4051. A bill to authorize appropriations for assistance for the National Urban League, the Raza Development Fund, the Housing Partnership Network, and the National Community Renaissance Program, and for other purposes; to the Committee on Financial Services.

By Mr. ABERCROMBIE (for himself, Mrs. BOYDA of Kansas, Ms. BORDALLO, Mr. CLAY, Mr. FILNER, Mr. GORDON, Mr. HINCHEY, and Mr. JEFFERSON):

H.R. 4052. A bill to amend title 38, United States Code, to revise the eligibility criteria for presumption of service-connection of certain diseases and disabilities for veterans exposed to ionizing radiation during military service, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. BERKLEY (for herself, Ms. CORRINE BROWN of Florida, Mr. DELAHUNT, Mr. FILNER, Ms. WATSON, Mrs. NAPOLITANO, Mr. FALEOMAVAEGA, Mr. HALL of New York, Mr. HARE, Mr. BACA, Mr. MCNERNEY, and Mr. KAGEN):

H.R. 4053. A bill to improve the treatment and services provided by the Department of Veterans Affairs to veterans with post-traumatic stress disorder and substance use disorders, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CROWLEY (for himself, Mr. RAMSTAD, Mr. RYAN of Ohio, Mr. KIRK, Mr. SCHIFF, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mrs. LOWEY, Mr. WAXMAN, Ms. SLAUGHTER, Ms. CLARKE, Mrs. MCCARTHY of New York, Mrs. BOYDA of Kansas, Mr. MEEKS of New York, Mrs. MALONEY of New York, Mrs. TAUSCHER, Mr. GARY G. MILLER of California, Mr. MOORE of Kansas, Mr. NADLER, Ms. CASTOR, Mr. ALLEN, Mr. CARNAHAN, Ms. CORRINE BROWN of Florida, Ms. SCHAKOWSKY, Mr. MICHAUD, Mr. FILNER, Mr. BERMAN, Mr. CLAY, Mr. PATRICK MURPHY of Pennsylvania, Mr. BLUMENAUER, Mrs. DAVIS of California, Mr. LANTOS, Mr. SIRES, Ms. NORTON, Ms. BERKLEY, Mr. MCNULTY, Mr. AL GREEN of Texas, Mr. VAN HOLLEN, Ms. DEGETTE, Mr. MORAN of Virginia, Mr. MITCHELL, Ms. DELAURO, Ms. SUTTON, Mr. GRIJALVA, Ms. HIRONO, Ms. HOOLEY, Ms. MATSUI, Mr. HONDA, Mr. HINCHEY, Mr. BOUCHER, Mr. FARR, Mr. CLEAVER, Ms. LORETTA SANCHEZ of California, Mr. COURTNEY, Mr. MCGOVERN, Mr. PASCRELL, Mr. ISRAEL, Ms. BALDWIN, Mr. ACKERMAN, Ms. LINDA T. SÁNCHEZ of California, Mrs. NAPOLITANO, Ms. MOORE of Wisconsin, Mr. DENT, Mr. OLVER, Ms. LEE, Ms. WASSERMAN SCHULTZ, Mrs. CAPPS, Mr. WYNN, Mr. INSLEE, Mr. PAYNE, Ms. GIFFORDS, Mr. SMITH of Washington, Mr. WU, Mr. BRALEY of Iowa, Mr. KENNEDY, Mr. TOWNS, Mr. LOEBSACK, Ms. SOLIS, Ms. SCHWARTZ, Ms. ROYBAL-ALLARD, Mr. SHAYS, Mr. COHEN, Mr. ELLISON, Mr. FRANK of Massachusetts, Mr. SERRANO, Mr. HALL of New York, Mr. BISHOP of New York, Mr. DEFAZIO, Mr. WALZ of Minnesota, Mr. JEFFERSON, Ms. ZOE LOFGREN of California, Mr. WEXLER, Mr. JACKSON of Illinois, Mr. KIND, Mr. YARMUTH, Mr. ROTHMAN, Mr. MILLER of North Carolina, Mr. HASTINGS of Florida, Mr. WELCH of Vermont, Mr. KAGEN, Mr. KLEIN of Florida, Mr. FATTAH, Mr. GENE GREEN of Texas, and Mr. STARK):

H.R. 4054. A bill to amend title XIX of the Social Security Act to restore and protect access to Medicaid discount drug prices for university-based and safety-net clinics; to the Committee on Energy and Commerce.

By Ms. DELAURO (for herself and Ms. SCHWARTZ):

H.R. 4055. A bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of screening tests for human papillomavirus (HPV); to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLSWORTH (for himself, Mrs. MALONEY of New York, and Mr. HOLDEN):

H.R. 4056. A bill to establish an awards mechanism to honor Federal law enforcement officers injured in the line of duty; to the Committee on the Judiciary.

By Mr. GRAVES (for himself, Mr. CLAY, Mr. AKIN, Mr. PUTNAM, Mr. ETHERIDGE, Mr. RADANOVICH, and Mr. MCINTYRE):

H.R. 4057. A bill to amend the Internal Revenue Code of 1986 to extend and expand the deduction for certain expenses of elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. HOEKSTRA:

H.R. 4058. A bill to grant to a State with an unemployment rate that is equal to or greater than 125 percent of the national unemployment rate authority to transfer funds among programs made available to such State by title 23, United States Code, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. INSLEE (for himself and Mr. BLUMENAUER):

H.R. 4059. A bill to promote electric transmission construction in rural areas with significant renewable energy potential, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KUCINICH (for himself, Mr. RUSH, Ms. SCHAKOWSKY, Mr. DAVIS of Illinois, Mr. OLVER, Ms. NORTON, Mr. FARR, Mr. GUTIERREZ, Mr. KAGEN, Ms. KAPTUR, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, Mr. STARK, Mr. HINCHEY, Mrs. JONES of Ohio, Ms. LEE, Mr. MICHAUD, Mr. PAYNE, Mr. RANGEL, Mr. SERRANO, Ms. WATERS, Ms. WATSON, Ms. WOOLSEY, Ms. MOORE of Wisconsin, Mr. RYAN of Ohio, Mr. HOLT, Ms. HIRONO, Mr. NADLER, Mr. ABERCROMBIE, Mr. NEAL of Massachusetts, Mr. COSTELLO, Ms. CLARKE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WYNN, Mrs. CHRISTENSEN, Mr. JEFFERSON, Mr. TOWNS, and Ms. BALDWIN):

H.R. 4060. A bill to assist States in establishing a universal prekindergarten program to ensure that all children 3, 4, and 5 years old have access to a high-quality full-day, full-calendar-year prekindergarten education; to the Committee on Education and Labor.

By Mr. LEWIS of Georgia (for himself, Mr. CAMP of Michigan, Mr. CROWLEY, and Mr. LEWIS of Kentucky):

H.R. 4061. A bill to allow employees of a commercial passenger airline carrier who receive payments in a bankruptcy proceeding to roll over such payments into an individual retirement plan, and for other purposes; to the Committee on Ways and Means.

By Mr. MATHESON (for himself, Ms. BERKLEY, Mr. BISHOP of Utah, and Mr. CANNON):

H.R. 4062. A bill to amend the Nuclear Waste Policy Act of 1982 to require commercial nuclear power plant operators to transfer spent nuclear fuel from the spent nuclear fuel pools of the operators into spent nuclear fuel dry casks at independent spent fuel storage installations of the operators that are licensed by the Nuclear Regulatory Commission, to convey to the Secretary of Energy title to all such transferred spent nuclear fuel, to provide for the transfer to the Secretary of the independent spent fuel storage installation operating responsibility of each plant together with the license granted by the Commission for the installation, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PAYNE (for himself, Mr. SCOTT of Virginia, Ms. NORTON, Mr. FATTAH, Ms. JACKSON-LEE of Texas, Mrs. CHRISTENSEN, Mr. TOWNS, Mr. RUSH, Mr. HASTINGS of Florida, Mr. RANGEL, Mr. ELLISON, Ms. KILPATRICK, Mr. GRIJALVA, Mr. NADLER, Mr. LEWIS of Georgia, Mrs. JONES of Ohio, Ms. MOORE of Wisconsin, Mr. DAVIS of Illinois, and Mr. BISHOP of Georgia):

H.R. 4063. A bill to authorize grants for programs that provide support services to exonerees; to the Committee on the Judiciary.

By Mr. PERLMUTTER (for himself and Mr. POMEROY):

H.R. 4064. A bill to amend the Immigration and Nationality Act to permit the Secretary of State to waive certain requirements with respect to special immigrants described in section 101(a)(27)(D) of such Act who have performed service for the United States abroad under extraordinary conditions; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself, Mr. BILBRAY, Mr. DREIER, Mr. FEENEY, Mr. GALLEGLY, Mr. GOODLATTE, Mr. DANIEL E. LUNGREN of California, Mrs. MYRICK, Mr. PORTER, and Mr. COBLE):

H.R. 4065. A bill to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH of Vermont (for himself and Mr. ANDREWS):

H.R. 4066. A bill to amend the Commodity Exchange Act to close the Enron loophole, prevent price manipulation and excessive speculation in the trading of energy commodities, and for other purposes; to the Committee on Agriculture.

By Ms. WOOLSEY (for herself, Mr. ALTMIRE, Mr. LOEBSACK, and Mr. HARE):

H.R. 4067. A bill to provide grants to colleges to improve remedial education (including English language instruction), to customize remediation to student career goals, and to help students move rapidly from remediation into for-credit occupation program courses and through program completion; to the Committee on Education and Labor.

By Mr. PERLMUTTER (for himself, Ms. DEGETTE, Mr. UDALL of Colorado, and Mr. SALAZAR):

H. Con. Res. 245. Concurrent resolution commending the National Renewable Energy Laboratory for its work of promoting energy efficiency for 30; to the Committee on Science and Technology.

By Mr. RAHALL:

H. Res. 788. A resolution electing a Member to certain standing committees of the House of Representatives; considered and agreed to.

By Mrs. BACHMANN (for herself, Mr. AKIN, Mr. BARTLETT of Maryland, Mrs. BIGGERT, Mr. BILBRAY, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BLUNT, Mrs. BOYDA of Kansas, Mr. BROUN of Georgia, Mr. BROWN of South Carolina, Mr. BUCHANAN, Mr. CAMPBELL of California, Mr. CANTOR, Mr. CARDOZA, Mr. CLYBURN, Mr. CULBERSON, Mr. DAVID DAVIS of Tennessee, Mr. DONNELLY, Mr. ELLISON, Mr. ENGLISH of Pennsylvania, Mr. FEENEY, Mr. FERGUSON, Ms. FOXX, Mr. GARRETT of New Jersey, Mr. GINGREY, Mr. GOODE, Ms. GRANGER, Mr. HASTERT, Mr. HELLER, Mr. HOEKSTRA, Mr. HULSHOF, Mr. JACKSON of Illinois, Mr. KINGSTON, Mr. KLINE of Minnesota, Mr. KUHL of New York, Mr. LAMBORN, Mr. LANGEVIN, Mr. LEWIS of California, Mr. DANIEL E. LUNGREN of California, Mr. MARCHANT, Mr. MCCOTTER, Mr. PEARCE, Mr. PITTS, Mr. POE, Mr. PRICE of Georgia, Mr. MACK, Mr. MCCAUL of Texas, Mrs. MCMORRIS RODGERS, Mr. RUSH, Ms. LORETTA SANCHEZ of California, Mr. SHADEGG, Mr. SHULER, Mr. SMITH of Nebraska, Mr. TAYLOR, and Mr. WAMP):

H. Res. 789. A resolution honoring public child welfare agencies, nonprofit organizations and private entities providing services for foster children; to the Committee on Education and Labor.

By Mr. BAIRD (for himself, Mr. DICKS, Mr. HASTINGS of Washington, Mr. INSLEE, Mr. LARSEN of Washington, Mr. MCDERMOTT, Mr. REICHERT, Mrs. MCMORRIS RODGERS, and Mr. SMITH of Washington):

H. Res. 790. A resolution commending the people of the State of Washington for showing their support for the needs of the State of Washington's veterans and encouraging residents of other States to pursue creative ways to show their own support for veterans; to the Committee on Veterans' Affairs.

By Mr. HASTINGS of Florida (for himself, Mr. WEXLER, and Ms. CASTOR):

H. Res. 791. A resolution expressing the sense of the House of Representatives in support of Federal and State funded home and community-based services for individuals with disabilities of any age, especially the elderly; to the Committee on Energy and Commerce.

By Mr. PAYNE (for himself, Mr. WOLF, Mr. CAPUANO, and Mr. TANCREDO):

H. Res. 792. A resolution honoring the dedication and hard work of Professor Eric Reeves on behalf of the people of Sudan; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII,

210. The SPEAKER presented a memorial of the Legislature of the State of California, relative to a Resolution urging the Congress of the United States to stand firm against the pressure and allow the vote of House Resolution 106 to proceed; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FEENEY:

H.R. 4068. A bill for the relief of Richelle Starnes; to the Committee on the Judiciary.

By Mr. GOHMERT:

H.R. 4069. A bill for the relief of Rrustem Neza; to the Committee on the Judiciary.

By Mr. GOHMERT:

H.R. 4070. A bill for the relief of Rrustem Neza; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 82: Mr. FRELINGHUYSEN and Mr. PETERSON of Pennsylvania.

H.R. 380: Mr. WU.

H.R. 383: Mr. ELLSWORTH.

H.R. 463: Mr. WALZ of Minnesota and Mr. ISRAEL.

H.R. 549: Mr. CANTOR and Mr. BRADY of Texas.

H.R. 594: Mr. BISHOP of New York and Mr. DELAHUNT.

H.R. 618: Mr. FORTENBERRY.

H.R. 627: Mr. HOLT.

H.R. 821: Mr. GORDON of Tennessee, Mr. AL GREEN of Texas, and Mr. ALLEN.

H.R. 840: Mr. BERMAN and Mr. MURTHA.

H.R. 871: Mr. ENGLISH of Pennsylvania and Mrs. CHRISTENSEN.

H.R. 881: Mr. LATHAM.

H.R. 939: Mr. GILCHREST.

H.R. 997: Mr. GARRETT of New Jersey.

H.R. 1017: Mr. YARMUTH, Ms. MCCOLLUM of Minnesota, and Mr. MCGOVERN.

H.R. 1070: Mr. AL GREEN of Texas.

H.R. 1174: Mr. DANIEL E. LUNGREN of California and Mr. WELDON of Florida.

H.R. 1188: Mrs. NAPOLITANO.

H.R. 1222: Mr. GONZALEZ.

H.R. 1283: Mr. KING of New York and Mr. ELLSWORTH.

H.R. 1376: Mr. MICHAUD and Mr. UDALL of New Mexico.

H.R. 1419: Ms. FALLIN.

H.R. 1422: Mr. MOORE of Kansas, Mr. PRICE of North Carolina, and Mr. PICKERING.

H.R. 1436: Mr. DONNELLY.

H.R. 1440: Mr. BRADY of Pennsylvania.

H.R. 1497: Mr. HOLT.

H.R. 1514: Mr. TIBERI.

H.R. 1589: Mr. NUNES.

H.R. 1610: Mr. HAYES and Mrs. TAUSCHER.

H.R. 1691: Mr. BERMAN.

H.R. 1781: Mr. SOUDER, Mr. RUPPERSBERGER, Mr. GORDON of Tennessee, and Ms. CARSON.

H.R. 1783: Ms. SOLIS.

H.R. 1845: Mr. MCHUGH and Mr. NADLER.

H.R. 1937: Mrs. EMERSON.

H.R. 2016: Mr. FILNER.

H.R. 2064: Mr. HOLT, MR. DOGGETT, Mr. HINOJOSA, and Mr. MCNERNEY.

H.R. 2070: Mr. ALLEN.

H.R. 2140: Mr. SCOTT of Virginia and Mr. JOHNSON of Georgia.

H.R. 2234: Mrs. NAPOLITANO and Mrs. MCCARTHY of New York.

H.R. 2265: Mr. Reichert.

H.R. 2266: Mr. Shuler.

H.R. 2385: Mr. Wexler.

H.R. 2405: Mr. Moran of Virginia.

H.R. 2464: Mr. Ferguson, Mr. Doyle, and Mr. Ross.

H.R. 2510: Mr. Brown of South Carolina.

H.R. 2584: Mr. McCotter.

H.R. 2610: Mr. Israel.

H.R. 2634: Mr. Braley of Iowa, Mr. Frank of Massachusetts, and Mr. Gerlach.

H.R. 2668: Mr. McGovern and Mr. Ferguson.

H.R. 2695: Mr. Moran of Virginia and Mr. Shuler.

H.R. 2702: Mr. Mahoney of Florida.

H.R. 2727. Mr. Goodlatte.

H.R. 2818: Mr. Rothman.

H.R. 2846: Mr. Holt.

H.R. 2857: Mr. Shays, Ms. Shea-Porter, Mr. Bishop of New York, Ms. Hirono, Mr. Courtney, Mr. Kucinich, Ms. Linda T. Sánchez of California, Mr. Jefferson, Mr. Meeks of New York, Mr. Price of North Carolina, Mrs. Davis of California, Mr. Grijalva, Mr. McNulty, and Mr. Loebsack.

H.R. 2880: Mr. Chabot.

H.R. 2894: Mr. Coble and Mr. Reyes.

H.R. 2942: Mr. Tim Murphy of Pennsylvania and Mr. Olver.

H.R. 2943: Mr. Shuler, Mr. Rahall, and Ms. Castor.

H.R. 2946: Mr. Gordon. of Tennessee

H.R. 2951: Mr. Wynn, Mr. Higgins, and Mr. Chandler.

H.R. 3036: Mr. McNerney.

H.R. 3057: Mr. Lynch, Mr. Cantor, and Mr. Kanjorski.

H.R. 3061: Ms. Baldwin.

H.R. 3140: Mr. Terry.

H.R. 3179: Mr. Brady of Pennsylvania and Mr. Filner.

H.R. 3192: Mr. Lipinski.

H.R. 3196: Mr. McHugh, Ms. Slaughter, Mr. Nadler, Ms. Velázquez, MR. Bishop of New York, Mr. Rangel, and Ms. Clarke.

H.R. 3204: Mr. Grijalva and Mr. Hinchey.

H.R. 3251: Mr. English of Pennsylvania and Mr. Gene Green of Texas.

H.R. 3289: Mr. Allen.

H.R. 3327: Mr. Patrick Murphy of Pennsylvania, Ms. Lee, and Mr. Neal of Massachusetts.

H.R. 3348: Mr. Renzi, Mr. McHenry, Mr. Goode, Mrs. Musgrave, Mr. Shadegg, Mr. Roskam, Mr. Brown of South Carolina, Mr. Cantor, Mr. David Davis of Tennessee, Mr. Feeney, Mr. Akin, Mr. Jordan of Ohio, Mr. Kline of Minnesota, Mrs. Blackburn, Mr. Daniel E. Lungren of California, and Mr. Kingston.

H.R. 3429: Ms. Sutton and Mr. Kennedy.

H.R. 3461: Mr. Rothman.

H.R. 3531: Mr. Gordon. of Tennessee

H.R. 3533: Mr. Van Hollen, Mr. Kildee, Mr. Tierney, Ms. Norton, Mr. Murtha, Ms. Kilpatrick, and Mr. Lincoln Davis of Tennessee.

H.R. 3559: Mr. Sali and Mr. Barrett of South Carolina.

H.R. 3616: Mr. English of Pennsylvania.

H.R. 3637: Mrs. Maloney of New York and Mr. Holt.

H.R. 3645: Mrs. Napolitano.

H.R. 3654: Mr. Boehner.

H.R. 3663: Ms. McCollum of Minnesota, Mrs. Maloney of New York, and Mr. Berman.

H.R. 3689: Mr. George Miller of California and Mr. Markey.

H.R. 3706: Mr. Gonzalez.

H.R. 3707: Mr. Gonzalez.

H.R. 3711: Mrs. Capps.

H.R. 3718: Mr. Honda and Ms. Linda T. Sánchez of California.

H.R. 3733: Ms. Norton.

H.R. 3737: Ms. Linda T. Sánchez of California.

H.R. 3769: Mrs. Tauscher, Mr. Pallone, Mr. Peterson of Minnesota, Mrs. Musgrave, Ms. Eddie Bernice Johnson of Texas, Mr. Dicks, Mrs. Napolitano, Mr. Hinojosa, Mr. Hall of New York, and Mr. Ross.

H.R. 3797: Mr. Holt, Mr. Gerlach, and Ms. Watson.

H.R. 3802: Mr. Braley of Iowa.

H.R. 3807: Mr. McIntyre.

H.R. 3812: Mr. Farr.

H.R. 3815: Ms. Clarke.

H.R. 3816: Mr. Clay.

H.R. 3817: Mr. Salazar and Mr. Paul.

H.R. 3818: Mr. Roskam, Mr. Rogers of Alabama, Mr. Simpson, and Mr. Hall of Texas.

H.R. 3837: Ms. Moore of Wisconsin.

H.R. 3846: Ms. Hirono and Mr. Tierney.

H.R. 3857: Mrs. Musgrave, Mr. Daniel E. Lungren of California, and Mrs. Myrick.

H.R. 3865: Mr. English of Pennsylvania and Mr. Walberg.

H.R. 3882: Mr. McNerney, Mr. Souder, Mr. Buchanan, Mrs. Napolitano, and Mr. Doyle.

H.R. 3887: Ms. Hooley.

H.R. 3897: Mr. Gerlach.

H.R. 3908: Mr. Forbes.

H.R. 3914: Mr. Stupak.

H.R. 3918:, Mr. Ellison.

H.R. 3919: Mr. Barton of Texas, Mr. Upton, and Mr. Stupak.

H.R. 3938: Ms. Shea-Porter and Mr. Filner.

H.R. 3958: Mr. Price of Georgia, Mrs. Musgrave, Mr. Marchant, Mr. Gingrey, Mr. Lamborn, Mr. Jordan, Mr. Kuhl of New York, Mr. Brown of South Carolina, Mr. Poe, Mr. Bilbray, Mr. Akin, and Mr. Hastert.

H.R. 3960: Mr. Renzi and Mr. Grijalva.

H.R. 3965: Ms. Clarke.

H.R. 3987: Mr. Sherman.

H.R. 3989: Mrs. Gillibrand.

H.R. 4017: Mr. Doolittle.

H.R. 4020: Mrs. Jones of Ohio, Ms. Kilpatrick, Mr. Lampson, Mr. Johnson of Georgia, Mr. Payne, Mr. Thompson of Mississippi, Ms. Corrine Brown of Florida, Mr. Cuellar, Mr. Fattah, Mr. Cummings, and Ms. Berkley.

H.R. 4029: Mr. Kagen, Mr. Arcuri, and Mr. Patrick Murphy of Pennsylvania.

H.J. Res. 6: Mr. Pitts.

H.J. Res. 53: Mr. Duncan.

H.J. Res. 54: Mr. Alexander, Ms. Berkley, Mr. Cole of Oklahoma, Mr. Ellsworth, Mr. Inglis of South Carolina, Mr. Keller of Florida, Mr. Ortiz, Mr. Roskam, Mr. Shimkus, and Mr. Latham.

H. Con. Res. 211: Mr. Smith of Washington, Mr. Ortiz, Mr. Alexander, and Mr. Castle.

H. Con. Res. 215: Mr. Gordon of Tennessee, Mr. Altmire, and Ms. Moore of Wisconsin.

H. Con. Res. 235: Mr. Sali.

H. Con. Res. 238: Ms. Sutton.

H. Con. Res. 239: Mr. Conyers and Mrs. Miller of Michigan.

H. Res. 71: Mr. Honda.

H. Res. 163: Ms. Hirono and Mr. Holt.

H. Res. 251: Mr. Boswell.

H. Res. 365: Ms. Linda T. Sánchez of California, Ms. Lee, Mr. Sherman, Ms. Matsui, Mr. Baca, Mrs. Davis of California, Mr. Ehlers, Mrs. Capps, Ms. Roybal-Allard, Mr. Radanovich, Mr. McKeon, Mr. Costa, and Mr. Becerra.

H. Res. 411: Mr. Boswell.

H. Res. 556: Mr. Mario Diaz-Balart of Florida, Mr. Coble, and Mr. Burton of Indiana.

H. Res. 618: Mr. Butterfield.

H. Res. 735: Mrs. Maloney of New York, Ms. Sutton, and Mr. Walsh of New York.

H. Res. 743: Mr. Kirk and Mr. Garrett of New Jersey.

H. Res. 758: Ms. Ros-Lehtinen, Mr. Franks of Arizona, Mr. Kirk, Mr. Burton of Indiana, Mr. Stearns, Mr. Terry, and Mr. Hensarling.

H. Res. 770: Mr. McNerney.

H. Res. 777: Mr. LaTourette.

H. Res. 783: Mr. English of Pennsylvania, Mr. Lincoln Davis of Tennessee, Mr. Bilbray, Mr. Jones of North Carolina, Mr. Tom Davis of Virginia, Mr. Wolf, Mr. Franks of Arizona, Mrs. Miller of Michigan, Mr. Platts, Mr. Burton of Indiana, Mr. Rodriguez, Mr. Radanovich, Mr. Lucas, Mr. Wilson of South Carolina, Mr. Gohmert, Mr. Rogers of Michigan, Mr. Carter, Mr. Tiberi, Mr. Roskam, Mrs. Bono, Mr. Royce, Mr. Mahoney of Florida, Mr. McHenry, Mr. Sensenbrenner, Mrs. Drake, and Mr. Kuhl of New York.

H. Res. 785: Mr. Young of Alaska, Ms. Linda T. Sánchez of California, Mr. Culberson, Mr. Spratt, Mr. Larson of Connecticut, Mrs. Davis of California, Mr. Rahall, Mr. Mollohan, Mr. Andrews, Mr. Gutierrez, Ms. Solis, Mr. Honda, Mr. Lincoln Davis of Tennessee, and Mr. Abercrombie.

H. Res. 786: Ms. Foxx and Mr. Sali.

H. Res. 787: Ms. Giffords, Mr. Hastings of Florida, Mr. Davis of Alabama, Mr. Holden, Mr. Scott of Virginia, and Mr. Cummings.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3547: Mr. Cohen.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petition:

Petition 3 by Mr. PENCE on House Resolution 694; Jon C. Porter, Brian P. Bilbray, Steve Buyer, Jim Ramstad, Steven C. LaTourette, Charles W. "Chip" Pickering, Ray LaHood, and Christopher H. Smith.

SENATE—*Thursday, November 1, 2007*

The Senate met at 10 a.m. and was called to order by the Honorable ROBERT MENENDEZ, a Senator from the State of New Jersey.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Great God and Father, Your anger lasts only for a moment, but Your favor lasts a lifetime. Open our eyes to see the wonders of Your grace. Help us to see the majesty of Your inclusive love to people everywhere. Keep us from being blind to the work You are doing in our world, healing the sick and liberating the oppressed.

Lord, You have watched over our Nation from generation to generation, in prosperity and adversity, in peace and war. In every generation, You continue to provide leaders who are equal to our challenges and who strive to do Your will. Today, accept the gratitude of our Senators for Your generous blessings. Keep them so dedicated to You that they will do justly, love mercy, and walk humbly. May faith replace their fear, truth arise over falsehood, love prevail over hate, and peace abide with us all.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROBERT MENENDEZ led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 1, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROBERT MENENDEZ, a Senator from the State of New Jersey, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. MENENDEZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, this morning the Senate will conduct morning business for 1 hour, and the time will be equally divided and controlled, with the Republicans controlling the first half and the majority controlling the second half.

Following morning business, the Senate will resume consideration of the motion to proceed to H.R. 3963, the children's health insurance legislation. Cloture was invoked on that motion to proceed yesterday.

As I indicated, after the cloture vote, if we have to stay here to run the 30 hours postcloture, that time will expire at 12:50 a.m. tomorrow morning.

I have had several conversations with Senator MCCONNELL with reference to this legislation and how we can move forward with concluding action in a manner that would not cause the Senate to remain in session over the weekend. But there is no guarantee we can do that.

In the interim, our debate will continue on the motion today. If and when an agreement is reached with respect to moving forward, Members will be alerted to the schedule.

There are some Senators working to come up with another compromise, and I hope they can do that. If they can, I will be the first to have that matter effectuated. At this stage, that hasn't been done. I had a number of meetings yesterday with interested Senators, but talking about it and getting there are 2 different things. We will work to see what we can do.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

DOING THE WORK OF TODAY

Mr. MCCONNELL. Mr. President, yesterday, the Acting Commissioner of the Internal Revenue Service sent a letter to Congress warning about the consequences of not addressing the AMT tax right away. She said that if we don't do something about this middle class tax hike by December, as many as 50 million Americans, more than a third of all U.S. taxpayers, will either get hit by a tax that was never meant for them or forced to wait months for a refund that many of them count on for their family budgets.

Mr. President, I ask unanimous consent that the letter from Acting Commissioner Linda Stiff be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE,
Washington, DC, October 31, 2007.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter clarifying your plans to enact legislation addressing the alternative minimum tax (AMT) through an indexed exemption amount for 2007 and allowance of personal credits against the AMT. We appreciate your commitment to pass AMT legislation as quickly as possible.

In anticipation of this legislation, the Internal Revenue Service (IRS) has been taking every step possible to prepare for the upcoming filing season. Your letter provides additional information that will allow us to continue our planning and design based on your proposed solution. It should be noted, however, that key systems can only accommodate one programming option without introducing excessive risk to the filing season. We must ensure that our systems are prepared to process returns under the law as it exists now. Therefore, until the legislation is passed and signed into law, our systems cannot be fully programmed for the proposed AMT patch.

We are committed to a successful filing season, which means processing returns in a timely manner and issuing refunds to the millions of Americans who expect and are entitled to them. We are taking all steps and making every effort to be prepared to implement legislation once it is passed and will move swiftly upon enactment.

However, even with the planning and design that your letter facilitates, we still estimate a timeframe of approximately 10 weeks after enactment before we can process affected tax returns. Accordingly, as noted in Secretary Paulson's letter of October 23, 2007, we estimate that enactment of an AMT patch in December could delay processing of returns for as many as 50 million taxpayers and could delay issuance of approximately $75 billion in refunds.

We look forward to continuing to work with you to deliver a successful filing season. If you have any questions or need additional information, please contact me

LINDA E. STIFF,
Acting Commissioner.

Mr. MCCONNELL. Mr. President, when most people get a letter from the IRS, they get scared. But the Democrats didn't even blink. They don't seem all that concerned about forcing 50 million Americans to write an interest-free loan to the Government in the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

form of unpaid tax returns worth about $75 billion—75 billion dollars. That is more than the gross domestic product of a hundred different countries—just sitting in the Treasury instead of the bank accounts and pockets of Americans who earned it.

Now, if this were the only thing Senate Democrats were procrastinating over, Americans would have reason enough to be angry. But it is not. It is just the latest in a string of core duties they promised they would address before election day but put back on the shelf after all the votes were counted.

Instead of fulfilling their campaign promises, they launched into a series of legislative misadventures that have put us 5 weeks into the new fiscal year with the same number of appropriations bills we started with, which is zero, a Justice Department with more empty offices than the Dirksen building in August, and no indication from anyone on the other side that any of this will change.

Regarding appropriations, the President has already said he will veto spending bills that exceed the budget request. Yet Democrats will now knowingly pass a Labor/HHS bill that exceeds the President's budget by billions of dollars and attach it to the MilCon/Veterans appropriations bill. We already know the result. These bills are coming right back to the Senate for a do-over. This is a waste of time, and just more of the same from a party that has been intent all year on using this Chamber as a stage for political theater rather than a workshop to actually get things accomplished.

Over at the Justice Department, Democrats have been clamoring for new leadership all year. The senior Senator from New York was the loudest of them all. More than 5 months ago, he told us "the Nation needs a new Attorney General, and it can't afford to wait." The President responded in good faith by nominating the very man the senior Senator from New York recommended for the job.

Yet America has now waited longer for a vote on Michael Mukasey than on any other Attorney General nominee in decades. They have waited more than 40 days now. Compare that to Janet Reno, whose confirmation came less than 2 weeks after she was named.

Democrats have found plenty of time for votes that didn't matter. Now it is time to turn to votes that do. They found time for midnight votes on political Iraq resolutions. Now Americans are wondering when we will have a midnight vote to fix an error in the Tax Code that promises to leave more than one-third of them high and dry come April.

They found time for a vote on how we felt about the last Attorney General. Now people want to know when we will have the midnight vote on restoring leadership at the Justice Department.

They had the time to vote again and again to cut off funds to our troops in the field—voted on the Feingold amendment to cut off funds 3 times. Now Americans want to know when they will have a midnight vote to send the rest of the money to the troops—or on any 1 of the 12 appropriations bills in a form that we can expect the President to sign.

This fixation on political gamesmanship has come at a serious cost. What we are seeing here goes far beyond mismanagement. And the American people have caught on. For the sake of the taxpayers, for the sake of the justice system, for the sake of the men and women who wear the uniform, it is time to put politics aside and do the work of today.

No more gimmicks, no more games. Time is short. The stakes are high. Let's get on with it.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SENATE ACCOMPLISHMENTS

Mr. REID. Mr. President, we have a lot to do, there is no question about that. But I said to one of my friends on the Republican side several days ago, when he was lamenting the fact that the President's standing was low and ours in Congress was low, I said to him: What do you hope to accomplish by denigrating the place you work in? You work here. What good is it to do that? He said: That is right, I will not do it anymore.

I say to my friend from Kentucky, it is easy to find fault with what anyone does anyplace in life, including the Senate of the United States. But we have worked very hard these last 10 months to try to work on a bipartisan basis, to accomplish things for the country. We have done a pretty good job.

We passed the minimum wage for the first time in 10 years. We passed a budget—a pay-as-you-go budget. No more red ink; we are paying for everything. That is different than the last 7 years under a Republican-controlled Congress. We passed a law mandating how U.S. attorneys should be appointed, as a result of the scandal in the Attorney General's Office. We mandated, through legislation, equipment for the Guard and Reserve that they simply didn't have. We are the ones who pushed the President to focus on having better equipment for our troops, including MRAPS, these vehicles that were more mine resistant. We passed that and it is in the form of a law. Because of the scandal at Walter Reed and other places, we have worked to protect veterans; hurricane recovery, Katrina. Our President made 22 trips down there, but there was no money until we forced money into the supplemental appropriations bill; SCHIP, we passed a law extending health care that 5.5 million children have to 10 million children. The President vetoed that.

That is the matter before the Senate today. We are going to send that back to him, and I hope he will not veto it. We have made changes because Members on the other side wanted those changes made. Disaster relief for ranchers and farmers, we passed that. It is 4 years overdue. Wildfire relief, we have had these fires sweeping the West. We put $600 million in the supplemental so we can make up for some of the problems we had.

As far as Iraq, we have had over 100 hearings on Iraq. That is 100 more than were held during the first 5 years of this war. The hearings have been good. It is true we have tried very hard to change course in the war in Iraq, and we have changed course, indirectly, as a result of the votes we have taken. It did not change it enough, but we have changed course in the war in Iraq.

There will be other opportunities for us to do that in the near future. We have to do that. The President doesn't mind asking for another $200 billion of totally red ink—that is, borrowed money—for the war. But he is not willing to spend a few nonred dollars for children's health, paid for. Maybe the President is trying to protect the tobacco industry. I think they have had enough protection. A small increase in the tax on tobacco to pay for the children certainly seems reasonable. Stem cell research, we passed that. On ethics and lobbying, we passed the most significant reform in the history of the country, which is now law. The 9/11 Commission recommendations, there was a lot of talk about those recommendations. They were not put into law until we did it this year. We did it because it was the right thing to do. We reauthorized FDA. We passed WRDA—which is years and years past due—by a huge bipartisan vote.

Everything I have talked about has been bipartisan, even the votes on Iraq. We could not get 60 votes, but we had bipartisan support on Iraq. We all acknowledge we can do better. Certainly, we can do better. But I don't think we should lament the fact that we have not been able to do everything everyone wants done.

With the Attorney General nominee, Judge Mukasey, a problem has arisen with that nomination. It seems like we are in the "Twilight Zone." We are in the Senate talking about whether waterboarding is torture, and this man cannot acknowledge whether waterboarding is torture. I read this morning in the newspaper the reason he cannot do that is he is afraid if he says waterboarding is torture, it may create criminal or civil responsibilities for some of the people who did torture people through waterboarding. We are the United States of America, and we are concerned about talking openly about torture?

I read a book a couple of years ago. The name of the book is "1492." It talked about how our world changed in 1492. One of the reasons it changed is the Inquisition. It started in 1492, the same time Columbus discovered this Nation, this world. In 1492, they also discovered waterboarding, how to torture people, mostly Jews but not all Jews. Some Christians who were not Christian enough were waterboarded.

Maybe we will work our way through Mukasey, but no one should be concerned about the fact that we have an obligation and a right to talk about torture. Shouldn't we know where the chief legal officer of this country, the Attorney General of the United States, stands on waterboarding, on torture generally?

I look forward to our having a good day today and accomplishing a lot. We don't have a lot of time left in this legislative session. We have at the most about 6 weeks, but I hope during that period of time we continue to work together for the American people. That is what the American people want.

Mr. McCONNELL. Mr. President, let me briefly add, it is not too late for this first session of Congress to achieve a better record. We need to get appropriations bills not just sent to the President but signed by the President. We need to get the AMT fixed so we don't inconvenience, to the tune of $75 billion, millions of American taxpayers. We need to provide bridge funding for our troops that we all know is needed. And we need to confirm an Attorney General. Our colleagues on the other side have been saying we need a new Attorney General all year long. Now it is time to do it.

The record of this first session of this Congress is not yet made. It is not too late, but it is getting very late, and hopefully we will accomplish a lot in the next 6 weeks, as the majority leader has indicated he would like to see done.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, the distinguished Republican leader is absolutely correct. We have to fix AMT, and we will do that. The reason we have been a little slow in doing so is how we are going to pay for it. Being an appropriator for my years in Congress, I certainly want to do that. We have struggled over the last several years doing appropriations bills.

The Republican leader and I believe appropriations bills should be done, and we have to do them this year. I am going to devote a lot of my energy—the meeting I had just before coming to the Chamber was dealing with appropriations bills. I had a good conversation with the Republican leader yesterday about appropriations bills generally.

He is absolutely right. We can do better. I will certainly attempt to do my share and do a better job.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to a period for the transaction of morning business for 60 minutes, with Senators permitted to speak for up to 10 minutes each, with the first 30 minutes under the control of the Republicans and the final 30 minutes under the control of the majority.

The Senator from North Carolina.

NATIONAL GUARD AND RESERVISTS FINANCIAL RELIEF ACT

Mrs. DOLE. Mr. President, I ask for all of my colleagues to join me in support of Senate approval of the National Guard and Reservists Financial Relief Act. This is a bipartisan effort to extend a critical benefit to our National Guard and reservists, many of whom are serving in Iraq and Afghanistan. Section 827 of the Pension Protection Act of 2006 allows guardsmen and reservists called to active duty for at least 6 months to make penalty-free early withdrawals from their IRA, 401(k), or 403(b) retirement accounts. This provision expires in less than 2 months, and my bill would make this benefit permanent for our servicemembers and their families.

Our guardsmen and reservists always stand ready to put their lives on hold and answer the call of duty. They can face lengthy deployments that can cause major financial strains for their families, which only adds to the emotional stress these families face during extended separation from a loved one. In fact, according to a GAO report, nearly 41 percent of reservists are affected by a pay discrepancy between their military and civilian salaries.

National Guard and reservists account for approximately half of all U.S. military personnel. Since September 11, 2001, more than 443,000 guardsmen and reservists have been deployed in support of the global war on terror, including nearly 93,000 currently deployed mainly to Iraq and Afghanistan. Congress should take decisive action to ensure that this benefit does not expire for these fine young men and women should they find themselves in a deployment-related financial crunch.

The Reserve Officers Association strongly supports the continuation of this tax relief measure. I also thank my colleague, Senator LINCOLN, for cosponsoring this legislation, and I add that a similar provision included in the Pension Protection Act received broad bipartisan support.

Shortly, Congress will adjourn for 2 weeks for the Thanksgiving recess. This means there is limited opportunity to act to extend this assistance to those who have answered the call to serve. I ask every Member who I know cares about our Guard members, reservists, and their families to support my legislation that this important benefit continues.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

TAX FAIRNESS

Mr. ALEXANDER. Mr. President, I wish to say a word about tax fairness. Last week, I joined Senator HUTCHISON, who has been the leader on this issue, Senator CORNYN, and Senator CORKER from my home State of Tennessee in introducing S. 2233. Our goal with that legislation is to make the State and local sales tax deduction permanent.

As a former Governor, I know States and cities have many different ways to raise revenues to support the services they provide. States usually provide about half the funding for elementary and secondary education. They are the principal funder of community colleges and universities. They pay for a good part of the roads and all the prisons. So most States have pretty big bills to pay, and they have a variety of taxes to raise the money to pay for those bills. Some States levy an income tax. Some use a sales tax. Some use a combination of the two. Some use some other taxes.

In Tennessee, we have had a pretty good debate about this issue, and we have decided we don't want an income tax. I looked at the options myself when I was Governor in the mid-1980s and considered an income tax for Tennessee but decided it would be the wrong thing to do, to put a tax on work. We have done pretty well with low taxes and without an income tax.

Americans who pay State and local income taxes are able to claim a deduction for those amounts on their Federal income tax, and before 1986, taxpayers also had the ability to claim a deduction on their State and local sales taxes. But this deduction for State and local sales taxes was repealed in 1986.

Congress temporarily reinstated that State and local sales tax deduction for 2004 and 2005 and then extended it again for 2006 and 2007. I was a part of the effort in this Chamber to do that. It was a bipartisan effort. So taxpayers today who itemize on their Federal income tax returns can deduct either State and local sales taxes or State income taxes. Yet, unless Congress takes further action, this sales tax deduction will expire at the end of December of this year.

This is not about cutting taxes; this is about tax fairness. It is not fair for States without income taxes to subsidize tax deductions for States with income taxes. Why is it our business in

Washington, DC, to prefer an income tax in the various States?

Nine States, including Tennessee, do not impose a State income tax. They are Alaska, Florida, New Hampshire, Nevada, South Dakota, Tennessee, Texas, Washington, and Wyoming—States from across the country, some big States, some middle-size States, some of our smallest States. These States shouldn't be treated differently. If Congress doesn't act, they will be by the end of December 2007.

I am here today to urge this body to make permanent the deduction for State and local sales tax. At the very least, we need to temporarily extend the deduction, as we have done in the last two Congresses, before it expires on December 31 so that taxpayers in those nine States are not forced to pay an unfair share of taxes.

We are talking about large amounts of money. Nearly 600,000 Tennesseans itemized their taxes and claimed the State and local sales tax deduction last year. This benefit put an average of $400 in the pockets of hard-working Tennesseans. Therefore, losing this deduction would cost Tennesseans nearly a quarter of a billion dollars right out of their pockets each year.

Extending the State and local sales tax deduction is the fair thing to do, and it is the right thing to do. I urge my colleagues to join Senator HUTCHISON, Senator CORNYN, Senator CORKER, and me in enacting S. 2233 before the end of the year.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. CORKER. Mr. President, I also rise today to speak regarding S. 2233. I am always honored to be in the presence of our senior Senator from Tennessee. I am honored to follow him today talking about the same topic.

One of the great points about our country is that we are set up in a manner that we allow States to choose how they govern on issues relating to the way they tax their citizens. As Senator ALEXANDER just stated, in the State of Tennessee, we have decided, after a tremendous amount of debate over decades, that we like being taxed through a sales tax.

As you know and as was just stated, Americans all across the country who are in States where they have an income tax or payroll tax are able to deduct that from their Federal income taxes. Again, in order to continue to support the fairness of the way we treat States, certainly those who choose to use a sales tax to raise revenues for roads and schools and want to leave it in the hands of their citizens to decide how much they pay in income tax, those States ought to be allowed to deduct those taxes from their Federal income taxes.

This is an issue of fairness. This absolutely is an issue of fairness. I hope today—we have introduced a bill, as Senator ALEXANDER stated—to convince other Senators that this is an issue of fairness and that they should support this bill which will permanently allow the nine States that today use a sales tax as a way of raising revenues for their States to be able to deduct those taxes.

As was mentioned, 11.2 million Americans across our country took a sales tax deduction last year. Mr. President, 600,000 Tennesseans took that deduction, and it saves Tennesseans about $400 a year.

Since much has already been said, I close my comments again urging Senators on both sides of the aisle to support this bill which indicates fairness for all Americans.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, the leadership targeted November 16 for adjournment of this session of Congress, although I think we all believe that is a little overly optimistic. Regardless, I am concerned that as of yet, we have not considered an annual tax-extender package containing an extension of a number of very beneficial tax provisions. I am pleased to join with my colleagues to discuss the need to address many beneficial tax-extender provisions.

I wish to highlight two tax provisions of particular interest to me that Congress has annually extended, one ever since 1991 and one since 1993, and they particularly benefit oil and gas development from marginal wells and depreciation. Specifically, these two tax provisions are the suspension of the net income limitation on percentage depletion allowance for marginal oil and gas proceedings and accelerated depreciation for assets in Indian Country.

The United States has approximately 457,000 marginal wells. That is a huge number. A marginal well is one that produces 15 barrels or less a day. A lot of these wells are located in my State of Oklahoma. They collectively produce about 1.2 million barrels per day of annual production. These wells account for nearly 20 percent of the total oil production in the United States, about the amount we are importing from Saudi Arabia.

People do not understand the significance of marginal wells. They cost a lot more to produce—marginal wells. These are shallow wells. They are not profitable like the deep wells in some parts of the country. But when you add them all up, it means this production equals as much as we are currently importing from Saudi Arabia. So it is very significant.

In my State of Oklahoma, it is the small independents—basically the mom-and-pop operators—that are producing the majority of oil and natural gas, with 85 percent of Oklahoma's oil coming from marginal wells—again, that is 15 barrels or less a day. Because marginal wells supply such a significant amount of our oil and gas, it is vital we keep them in operation. However, according to the Department of Energy, between 1994 and 2003 the United States lost 110 million barrels of crude oil due to the plugging of marginal wells.

A lot of people not familiar with the industry think you can always unplug a well. You can't unplug a well. Once you plug it, it is gone. Thus, when we lose marginal well production, we become more dependent upon foreign sources of energy and more dependent at a time when I think almost all of us in here agree that U.S. policy should encourage reliance upon domestic sources. Furthermore, we lose domestic jobs to foreign nations.

If the current suspension of the net income limitation on percentage depletion allowance expires, U.S. production from our marginal wells would be severely hampered. Percentage depletion is a form of cost recovery for mineral and leasehold acquisition costs. The percentage depletion rate for oil and gas is 15 percent of the taxpayer's gross income from a producing property. It used to be closer to 30 percent. It should be higher than 15 percent, but that is where it is today. Only independent producers and royalty owners are able to utilize percentage depletion.

Under the net income limitation, percentage depletion is limited to 100 percent of the net income from an individual producing property. In the case of marginal wells, where total deductions and expenses often exceed gross income, this limitation discourages producers from investing in the continued production for marginal wells with high operating costs and low production yields.

Without the full utilization of the percentage depletion allowance, the net income limitation actually encourages producers to plug and abandon production of marginal wells. Then, of course, as I said before, you have lost them forever.

Congress has, on a temporary basis, suspended the net income limitation since 1997. The current suspension expires at the end of this year. The extension of the suspension of the net income limitation will allow independents the necessary capital to continue to produce from these existing marginal wells, which is critical to the Nation's overall energy security.

Now, additionally, Congress made a special economic incentive available to benefit Indian Country under the Omnibus Budget Reconciliation Act of 1993. It provides for special accelerated depreciation for new and used assets acquired after December of 1993 on Indian reservations and former Indian reservations in Oklahoma and elsewhere. This depreciation incentive provides an approximately 40 percent shorter recovery period for most commercial property. This accelerated depreciation schedule has been successful in encouraging capital-intensive businesses to locate and expand in Indian Country in Oklahoma and throughout the Nation.

Both of these important provisions expire at the end of this year, and it is crucial that Congress act this year to extend each one.

UNANIMOUS-CONSENT REQUEST—S. 2184

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2184, a bill to allow penalty-free withdrawals from retirement plans for individuals called to active duty, and that the bill be read a third time and passed. I further ask that the bill then be held at the desk until the House companion arrives and that all after the enacting clause be stricken, the text of the Senate-passed bill be inserted, and the House bill, as amended, be read a third time and passed.

The PRESIDING OFFICER (Mr. WEBB). Is there objection?

Mr. BAUCUS. Mr. President, reserving the right to object, I am wondering whether the Senator would amend his consent request to allow, instead, the following; namely, that when the Senate receives from the House its bill to extend the expiring tax provisions, the Senate would proceed to that bill, consider a Baucus amendment to extend the expiring tax provisions and prevent the AMT from hitting any additional taxpayers, agree to that amendment, and pass the bill, all without any intervening action or debate.

The PRESIDING OFFICER. Does the Senator from Oklahoma so modify his request?

Mr. INHOFE. No. I would respond to the Senator by saying, if I had a chance to get and look at the Baucus bill and look at all the provisions, I might consider doing it. As it is right now, this is my unanimous consent request.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Hearing the comments of my good friend from Oklahoma, I have no alternative but to object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

UNANIMOUS-CONSENT REQUEST—S. 2185

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2185, a bill to permanently extend the current marginal tax rates, and that the bill be read a third time and passed. I further ask that the bill then be held at the desk until the House companion bill arrives and that all after the enacting clause be stricken, the text of the Senate-passed bill be inserted, and the House bill, as amended, be read for a third time and passed.

This is the same legislation extension that I just described.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Mr. President, again reserving the right to object, would the Senator again amend his consent request to instead allow the consent request I requested just previously?

The PRESIDING OFFICER. Will the Senator from Oklahoma so modify his request?

Mr. INHOFE. No, I will not at this time.

Mr. BAUCUS. Hearing his response, Mr. President, I must object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

UNANIMOUS-CONSENT REQUEST—S. 2233

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2233, a bill to provide a permanent deduction for State and local general sales taxes, and that the bill be read a third time and passed. I further ask that the bill then be held at the desk until the House companion bill arrives and that all after the enacting clause be stricken, the text of the Senate-passed bill be inserted, and the House bill, as amended, be read a third time and passed.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Mr. President, reserving the right to object once again, I ask the Senator if he would again modify his request along the lines I outlined earlier?

The PRESIDING OFFICER. Does the Senator from Oklahoma so modify his request?

Mr. INHOFE. Not at the present time.

Mr. BAUCUS. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

UNANIMOUS-CONSENT REQUEST—S. 2216

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2216, a bill to extend the Indian Employment Credit Depreciation Rules for property within an Indian reservation, and that the bill be read a third time and passed. I further ask that the bill then be held at the desk until the House companion arrives and that all after the enacting clause be stricken, the text of the Senate-passed bill be inserted, and the House bill, as amended, be read a third time and passed.

Again, this is one of those I just referred to on the floor of this body.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Reserving the right to object, once again, I would ask my friend from Oklahoma if he would amend his consent request along the lines I earlier suggested.

The PRESIDING OFFICER. Will the Senator from Oklahoma so modify his request?

Mr. INHOFE. No. Same problem.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Objection.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

UNANIMOUS-CONSENT REQUEST—S. 2217

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2217, a bill to extend the taxable income limit on percentage depletion allowance for oil and natural gas produced from marginal properties, and that the bill be read a third time and passed. I further ask that the bill then be held at the desk until the House companion arrives and that all after the enacting clause be stricken, the text of the Senate-passed bill be inserted, and the House bill, as amended, be read a third time and passed.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Mr. President, reserving the right to object, I make the same request of the Senator from Oklahoma.

The PRESIDING OFFICER. Does the Senator from Oklahoma so agree?

Mr. INHOFE. Same response.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Hearing the Senator's response to this long litany of requests of tax measures, which the Senator knows can in no way be passed in the Senate in this way, but also knows that many will be acted upon later this year, I must object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

UNANIMOUS-CONSENT REQUEST—S. 2247

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2247, a bill to make permanent the depreciation of motorsports entertainment complexes, and that the bill be read a third time and passed. I further ask that the bill then be held at the desk until the House companion arrives and that all after the enacting clause be stricken, the text of the Senate-passed bill be inserted, and the House bill, as amended, be read a third time and passed.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Mr. President, I can short-circuit this charade. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

UNANIMOUS-CONSENT REQUEST—S. 2234

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2234, a bill to extend the deduction for qualified tuition and related expenses and that the bill be read a third time and passed. I further ask that the bill then be held at the desk until the House companion arrives and that all after the enacting clause be stricken, the text of the Senate-passed bill be inserted, and the House bill, as amended, be read for a third time and passed.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Reserving the right to object, I might say to my good friend that this is another measure that will be considered in due course later this year. I must object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

UNANIMOUS-CONSENT REQUEST—S. 2264

Mr. INHOFE. Finally, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2264, a bill to extend the tax-free distributions from individual retirement plans for charitable purposes, and that the bill be read a third time and passed. I further ask that the bill then be held at the desk until the House companion arrives and that all after the enacting clause be stricken, the text of the Senate-passed bill be inserted, and the House bill, as amended, be read a third time and passed.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Mr. President, again, these are measures which will be considered in due course this year. I laud my good friend, but as he knows, Senator GRASSLEY is ranking member of the committee, and there is a process in which to deal with these measures. This is not the process to be engaged in at this moment. So I must object.

The PRESIDING OFFICER. Objection is heard.

Mr. INHOFE. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, just a few words to explain what just happened.

On behalf of many Senators, I am calling for swift passage of a full tax extenders package, which contains many of the measures that have been referred to in the preceding 4 or 5 minutes. These measures are called tax extenders, and we will pass tax extender legislation later this year.

I want quick action on them, including the college tuition deduction, the sales tax deduction, as mentioned by two Senators, and also we must move on provisions to prevent the alternative minimum tax from hitting more taxpayers and the complete set of expiring tax provisions when the House sends that legislation to the Senate.

We are all working on this issue. Senator GRASSLEY and I have talked with Chairman RANGEL on the other side of Capitol Hill, as well as those on this side of Capitol Hill, to get these measures enacted. I, myself, drafted many of these provisions in the first place. Senator GRASSLEY and myself have advanced, as we always do in working together, in trying to get them all extended.

Mr. President, we want to get this done, and I am confident we will get it done, and I urge a little forbearance of my colleagues. We are working expeditiously to get it done. It may not be tomorrow, on Friday, but we are working very expeditiously to get it done, and I am confident it will be done later this year.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

Mr. CORNYN. I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX EXTENDERS

Mr. CORNYN. Mr. President, I understand the chairman of the Finance Committee objected this morning to a unanimous consent request offered by Senator INHOFE regarding legislation that would ensure that American taxpayers would not pay higher taxes next year. The chairman of the Finance Committee indicated they are working on these provisions and he doesn't want them taken up now; he wants to bring them up later.

It is important to talk about two taxpayer-friendly provisions in the IRS Code that will disappear in the next 60 days unless we do something about it. The first is a provision that gives taxpayers the option of deducting their State and local sales tax. My State of Texas, like a handful of other States, does not believe it needs a State income tax. We don't have one. We are not going to get one. What we do want is a level playing field when it comes to the Federal income tax code allowing the deduction of State and local sales tax, just as it allows currently a deduction of State income tax from one's Federal tax return.

State and local governments have a number of options for raising revenue to pay for essential services they provide to their citizens. Some States raise revenues through an income tax. Some States, such as Texas, use a sales tax. Others use a combination of the two. In an effort to help protect people from overly burdensome taxation, the IRS Code has in the past allowed taxpayers to deduct all the State and local taxes they paid from their Federal taxes. Up until 1986, taxpayers could deduct State and local sales taxes. Unfortunately, this was unfairly eliminated. For 18 years, Texans and other States without a State income tax did not have the same level playing field other States had. I view this as a matter of gross discrimination against those States that have a State sales tax rather than a State income tax. It is simply unfair and needs to end on a permanent basis.

That is why 3 years ago, I worked with several of my colleagues to reinstate the State and local sales tax deduction as part of the American Jobs Creation Act of 2004. Without quick Senate action, the citizens of Texas will once again be treated unfairly by the IRS Code by disallowing the deduction of State and local taxes. Our State and local governments have to have the flexibility to collect taxes that fund essential services in a way they find most appropriate without putting our citizens at a disadvantage. Again, make no mistake about it, Texans don't want a State income tax. We are a low-tax, pro-growth State. That is why we have seen 3 million people move to Texas since 2000, because it provides incentives for job creation by small businesses and big businesses alike. We are not asking for the Federal Government to somehow bless Texas adopting a State income tax. We don't want it. What we do want is fundamental fairness.

If the Senate allows this provision to expire, it will be punishing the citizens of my State based on geographic location and preference for a different tax system. Extending the sales tax deduction effectively gives Texans $1 billion in tax relief every year. This money not only helps hard-working middle-class families save money—perhaps to invest in a small business or pay for college tuition for their children—it helps spur economic and job growth as well.

Last week I introduced legislation, along with Senator PAT ROBERTS of

Kansas, that extends for 2 years the $4,000 above-the-line deduction for taxpayers who pay for college tuition. We frequently talk about the importance of education on the younger generation, from elementary school through college and beyond. We talk about the importance of continuing education, literally lifetime learning, in order for us to maintain and extend our global competitiveness. Aside from simply encouraging people to pursue a college education, we ought to do our best to make college more affordable and accessible and less of a burden on working parents who want to send their kids to college. Originally part of the Economic Growth and Tax Relief Reconciliation Act of 2001, this deduction allows taxpayers to deduct up to $4,000 from their Federal income tax return regardless of whether they itemize deductions or not. This deduction goes a long way to help families struggling to put their children through college and benefits millions of taxpayers annually.

According to the College Board, this deduction, along with grants and other education incentives, has helped lower the cost for the average student who goes to a public university by $3,600 and $9,300 for those who attend a private college. Both of these deductions keep money in the pockets of taxpayers. In my State of Texas, they allow them to pay for things such as health care, clothing and food, things they need and ought to be able to use their hard-earned money to pay for, rather than writing a bigger check to Uncle Sam. It is appropriate to use the IRS Code not only to provide for fundamental fairness when it comes to allowing the deduction of State and local sales tax from a Federal income tax return; it is also appropriate to use the IRS Code to provide for further educational opportunity.

Right now taxpayers have to work a total of 120 days, about a third of the year, to pay their tax burden, whether it is Federal, State, or local taxes. The last thing we should do is force taxpayers to work more hours, longer days for Uncle Sam and not for their family. Rather than waiting for some future bill to hopefully address this need, the Senate should extend these taxpayer-friendly provisions today. I hope we will have another opportunity to come back to the floor, and I urge the Senate to extend these two important provisions in the near future.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 3963, which the clerk will report.

The legislative clerk read as follows:

> A motion to proceed to the bill (H.R. 3963) to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEMOCRACY FOR CUBA

Mr. MENENDEZ. Mr. President, I am happy to join my colleague from Florida, Senator MARTINEZ, to express outrage at the continued injustice carried out by the Castro regime inside of Cuba and to highlight that we are at a critical time for democracy inside of Cuba. This past Monday, as many of us were sipping coffee and driving to work, 70 young Cuban dissidents were arrested, detained, and harassed. Ten have been released but others remain detained.

What was their crime that got them arrested? Were they destroying property? Were they stealing food? Were they acting violently? No, none of that. They were walking down a street in Havana, and while they were peacefully walking down that street together, they had on their arms this wristband—this wristband, a simple white wristband—that has one word written on it, "cambio," which in Spanish means "change."

This one simple gesture was strong enough to have them thrown in prison. This one simple gesture was strong enough to have them detained and harassed. But I also hope this one gesture would be strong enough to inspire us and to inspire those who love freedom and democracy and have respect for human rights around the globe.

This incident was not isolated. These youth knew the consequences their actions might very well bring them—this simple statement of wearing a white wristband that says "change." Decades of repression has led to decades of fear. But these young people did not show fear. They showed courage and, I think, showed us where they want Cuba to go. They want it to change.

Their courage must not fall on deaf ears. We are listening and watching. From the Senate floor to the White House we are inspired by what these young people have shown us. They have shown us that Cuba can and will change, and this change will come from within Cuba, from the Cuban people themselves, from its youth. But they need our help, and we must continue to fight here to do what we can to empower them and to acknowledge them when they empower themselves.

We also have to build on this momentum. Just like last week, President Bush said:

> The operative word in our future dealings with Cuba is not stability. The operative word is freedom.

One of Cuba's most well-known dissidents, at least inside of Cuba suffers, while unfortunately, the rest of the world remains largely silent. It is interesting to me how American news stations go to Cuba and spend a lot of time with members of the regime but do not spend a lot of time focusing on those people inside of Cuba who are trying to create movements for freedom and democracy, as others did in other parts of the world at different times in our history, such as Lech Walesa did in Poland, such as Vaclav Havel did in the former Czechoslovakia, such as Alexander Solzhenitsyn did in Russia, and so many others such as Nelson Mandela did in his own country.

There was international spotlight on these people as they were given a chance by the world's acknowledgment to try to create movements for freedom and democracy in peaceful ways within their own society. Yet in Cuba, somehow, because there are those who have lived with the romanticism of the Castro regime and do not understand it is nothing less than an oppressive dictatorship, they somehow seem to look the other way.

I want to talk just briefly, before I yield the floor to my distinguished colleague from Florida, about one of those dissidents who gives inspiration to these young people who were arrested simply for wearing this plastic white bracelet that says "change."

Dr. Oscar Elias Biscet, in his absence because he is in jail—languishing in Castro's jail—will be receiving the Presidential Medal of Freedom next week. Dr. Biscet may not be a household name in America, but he is probably the best known political prisoner inside of Cuba.

Let me read a little about him:

> During the Black Spring of 2003, was sentenced to 25 years in prison. The prosecution was the most severe of several that Dr. Biscet had to endure since 1986, when he first publicly declared himself an opponent of the dictatorship.
>
> Barely a month before he was arrested, Dr. Biscet had completed a 3-year prison sentence for, among other "crimes," displaying the Cuban flag upside down as a form of protest. Before he was imprisoned, Dr. Biscet opposed the regime on several fronts.
>
> In 1986, a year after he graduated from medical school, he protested the long hours Cuban doctors had to work without pay. In 1997, he started the Lawton Foundation for Human Rights and conducted a secret 10-month study of abortion techniques that

found, among other things, that many babies were killed after they were born alive.

In February of 1998, Dr. Biscet was kicked out of the Cuban national health care system, making it impossible for him to work as a physician because of the principled positions he took.

During Pope John Paul II's visit to Cuba in January of 1998, activists with the Lawton Foundation publicly demonstrated for the release of Cuban political prisoners. They went on a 40-day liquid fast to demand the release of political prisoners and to draw attention to the human rights situation on the island.

But by the end of 1999, the dictatorship had enough of Dr. Biscet. On November 3, 1999, he was arrested and eventually sentenced to 3 years in prison for the so-called crimes of dishonoring national symbols—that is, displaying the Cuban flag upside down—public disorder, and inciting delinquent behavior. He finished his sentence in late 2002. But only 36 days after finishing that sentence, he was rearrested again while preparing to meet with a group of human rights activists.

After several months in jail, he was formally charged with being a threat to state security and sentenced to 25 years in prison.

And he languishes there today. His crime? Seeking peaceful change in his country. His crime? Talking about the death of young born children. His crime? Fighting against a repressive regime. Yet in America, there is silence. There is silence.

It is amazing to me that such a person could write a letter like this even though he has gone through some of the worst things that someone can go through in their life: Constant harassment, imprisonment. Earlier this year he wrote an open letter from himself from the Kilo 5.5 Prison in Pinar del Rio, Cuba, that got out. The letter says:

> To my fellow Cubans, wherever you find yourselves, whether in our enslaved island, or in exile in any part of the world.

Mr. President, I ask unanimous consent that the full letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AN OPEN LETTER FROM DR. OSCAR ELIAS BISCET FROM THE KILO 5.5 PRISON IN PINAR DEL RIO CUBA

To my fellow Cubans, wherever you find yourselves, whether in our enslaved island, or in exile in any part of the world. I include also those descendents of Cubans born in other lands. To all of you I send my warmest and sincere greetings.

Our efforts to achieve the unconditional liberty of our nation will soon become reality. I do not need to reveal details to communicate what among Cubans is common knowledge. We suffer not from division or fragmentation in our principles, but rather in which methods to use. We do not lack unity in ideals, but only in the methods to be applied to obtain our liberty. Unfortunately, these insignificant differences of opinion have given room for division among exile leaders and dissidents inside Cuba. These differences have given oxygen to the flames of the most recent and dangerous obstacle that we confront.

I refer to the movement for complacency. A movement that intends to make Cubans—faithful lovers of liberty—believe that they should applaud and be content to receive only small doses of liberty. A movement that suggests that Cubans do not deserve full liberty, but only small dosages of it. This movement of low expectations unites with speculation that other fragments of liberty and democracy will automatically follow. This thoughtless movement does not claim for Cubans internationally recognized basic human rights, it only suggests them. It does not claim the democratic rights of the violated Constitution of 1940, but opts instead for the framework of the illegitimate Communist constitution of 1976. That constitution is nothing more than an instrument of oppression, a malevolent document whose only purpose is to justify the totalitarian and ill-formulated state. It is an illegal aberration that has permitted and even encouraged the imprisonment, torture and execution of political opponents without even the minimal legal rights or a defense. An atheist abomination that has only served those who enslave our nation.

To those who feel exhausted after more than 40 years of constant oppression and of unfruitful efforts. To those whose frustrations and discontent have caused them to lose their moral compass. To those who have concluded that we must appease the oppressor. To them I ask:

Is it acceptable to the memory of the thousands of young Cubans, our best sons, who were executed by firing squads for the simple crime of defending our right to full liberty, to now accept complacency? Do those tens of thousands of compatriots who spent decades in prison, and who are still in a prison system whose horrors we can only imagine, deserve only partial liberty? Do those countless families who were separated from their loved ones and destroyed in the process, or those who have perished at sea, or who have died in exile dreaming of returning to their country, deserve that we now accept the crumbs that we are being offered? Shall we accept defeat after nearly a half a century of patriotic heroism in search of liberty and democracy, or shall we show the world that the most brutal and longest lasting dictatorship in our time could not extinguish the unbreakable spirit of liberty of the Cubans?

I must tell you that we have reached a crossroad in our history. Nearly a half a century ago we as a nation confronted a similar historical decision. In those days many accepted the fateful words that circulate again today: "anything would be better than what we already have." They were mistaken then and they are mistaken now. Tragically, more than forty years of our national nightmare have elapsed to find ourselves again with the same question, and with the opportunity to correct our mistakes and make ourselves truly the owners of our own destiny.

I call for the unity of all my compatriots. There exists only one path before us. A path that unites us and includes all Cubans inside and outside the island of Cuba. A path that claims the rights of the citizenry in its entirety. A path that demands full democracy and the unconditional freedom of the Cuban people under a multiparty system of government, democratically elected through free general elections. A path where the Rule of Law is established and which guarantees equality under the law, without distinction of races, sex or religious creed. A path that brings about an unconditional and immediate amnesty to all political prisoners.

Fellow Cubans, let us take a step forward and let us do it in a clear and decisive manner. The work awaiting us is difficult but not impossible. Together we can achieve for our country the genuine democracy deserved by Cuba's citizens.

Finally, to the leaders of the democratic states of the world, to the American people, and in particular to the President of the United States, George W. Bush, we ask only one simple commitment: do not support or promote any solution or accord regarding the future of the Cuban nation that you would not consider acceptable for your own country.

May God illuminate us in our path for the liberty of Cuba.

DR. OSCAR ELÍAS BISCET.

Mr. MENENDEZ. I want to read only 2 paragraphs of it:

> To those who feel exhausted after more than 40 years of constant oppression and of unfruitful efforts. To those whose frustrations and discontent have caused them to lose their moral compass. To those who have concluded that we must appease the oppressor. To them I ask:
>
> Is it acceptable to the memory of the thousands of young Cubans, our best sons, who were executed by firing squads for the simple crime of defending our right to full liberty, to now accept complacency? Do those tens of thousands of compatriots who spent decades in prison, and who are still in a prison system whose horrors we can only imagine, deserve only partial liberty? Do those countless families who were separated from their loved ones and destroyed in the process, or those who have perished at sea, or who have died in exile dreaming of returning to their country, deserve that we now accept the crumbs that we are being offered? Shall we accept defeat after nearly a half a century of patriotic heroism in search of liberty and democracy, or shall we show the world that the most brutal—

The most brutal—

> brand longest lasting dictatorship in our time could not extinguish the unbreakable spirit of [the] liberty of the Cubans?

That is Dr. Biscet from jail. Those young people who marched on the street with a very simple message—with a very simple plastic bracelet: "cambio," "change," they are inspired by the Dr. Biscet of Cuba and others.

Finally, it is amazing to me that when the island of Cuba is engulfed by a tropical storm, instead of making preparations for the people of Cuba to be safe, state security is making arrests of young people who peacefully walk down a street in Havana because of a simple bracelet but also a powerful message of change. It speaks volumes about what that regime is about.

I hope our colleagues use this tragic and other tragic sets of circumstances inside of Cuba to think about what our policy should be to this regime. I am reminded, standing up here with my colleague from Florida, of our successful fight to increase funds to our democracy assistance programs inside Cuba which help people create peaceful change in their own country.

We are at a critical time for democracy in Cuba, and the Cuban people are the fuel. It is the Cuban people who have faced fear and repression for decades. Yet they continue to fight for change. It starts and it will finish with them. This is why my heart and support go out to them, for what they do is more meaningful and powerful than most can imagine. That is why we grieve for those arrested and harassed and incarcerated and languishing in Castro's jails.

We are also encouraged. We know they grow stronger. We come to the floor of the Senate to make sure they understand they are not alone.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Florida is recognized.

Mr. MARTINEZ. Mr. President, I thank the Senator from New Jersey, my distinguished colleague, for his very passionate and correct and appropriate remarks. I think there is no higher moment for this body than when we stand with those who are oppressed, as this country has, and as this Senate has over the history of our Nation. Standing with those who are oppressed is our highest moment and our best calling.

I do find it ironic that something as simple as this simple little white band, with the word "change" on it, could be so threatening to this illegitimate regime as to have to imprison 70 young people. Now, today, we hear that another 40 have been arrested. It is unconscionable. It is unthinkable that a regime would be so weak as to be so threatened by something as simple as these wristbands we are wearing.

But it is also a sign of the continuing spirit of freedom that continues to be alive and well on that imprisoned island. There is no question about that. That is why I think it was so appropriate we came together to increase the funding for the dissident movement inside Cuba—so they can have the simple resources, such as pens and paper, so they can communicate with one another and they can add their message of freedom and their message of hope.

I do not have any question these young people, whether they were arrested for a few days or for a harsher sentence—and we do not know because there is no rule of law; there is no guidepost we can follow—are simply at the mercy of this regime that for now almost half a century has brutalized its people with totalitarian rule.

I am pleased my colleague from Texas is here, Senator CORNYN. I want to give him a moment of time if he cares to comment on this situation.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Briefly, Mr. President, I commend my distinguished friends and colleagues from New Jersey and Florida for this statement of solidarity with the Cuban people.

I could not agree more that it is important—certainly now as much as ever—that we stand arm in arm, shoulder to shoulder, opposed to oppressive regimes that really govern by fear.

I have to say, just briefly, to my friend from Florida, Senator MARTINEZ, I know his personal history of being a refugee from Cuba when he was 16 years old, being part of a Pedro Pan effort to bring young Cubans to America so they could have a better life.

He also shared with me recently a movie which, while a work of fiction, I think, gave me a very emotional sense of what people in Cuba, in Havana in particular, must have experienced with the Cuban people being oppressed by Fidel Castro. I have to tell my colleagues, it is a bleak existence that these people, who are seeking nothing more than the most basic of human rights, have under a heartless regime of a dictator such as Fidel Castro.

So I just wanted to express a few words of thanks and words of solidarity for my colleagues from New Jersey and Florida and to reiterate that all of us, all of the American people stand in solidarity with those in Cuba who seek change, who seek what we perhaps too often take for granted; that is, our freedom to speak, to live, to worship as we see fit. We ought to do everything we possibly can to support them.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I wish to join my colleagues, our two distinguished Members of the Senate who are of Cuban origin and who proudly bear that moniker of "Cuban American," one of the most distinguished groups in our society in America today.

I wish to say that at the time Fidel Castro was beginning his takeover on the island of Cuba, as a young boy I had the opportunity of representing the youth of America and going to the Iron Curtain at the German-Czechoslovakian border and speaking over Radio Free Europe to the young people behind the Iron Curtain. Of course, at age 17, what I saw that day made a lasting impression, for standing there at the German-Czechoslovakian border in the little village of Tillyschantz, seeing the machine gun nests, the guard towers, the concrete dragon's teeth to prevent anyone from breaking through the fence, the mine fields, the ground raked very clean so that any footprints could be seen, seeing the dogs patrolling back and forth, that, of course, made a significant impression upon a young mind that had some appreciation for the enslavement of people.

Now, what happened to the Iron Curtain is happening to Cuba. That iron curtain around Cuba is starting to fall, and it is for exactly these same things that are happening now: 70 young people walking around with white wristbands that say "cambio"—change—that the dying Communist, repressive, totalitarian regime is continuing to lash out and arrest them. It is the inevitable march of history that ultimately freedom is going to win, just as it did in Eastern Europe with the fall of the Iron Curtain that I saw at age 17. It has taken a lot longer in Cuba because of its island barrier, because of its extraordinary repressive regime.

So whenever we get a chance to speak out for change—"cambio"—we in this Senate need to do it. I am delighted to join my colleagues, Senator MARTINEZ and Senator MENENDEZ, in unifying our voices in calling for cambio in Cuba.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. MARTINEZ. Mr. President, I thank my colleague from Florida for coming to the floor. Senator MENENDEZ was so eloquent in his description of the situation today, and I wish to echo his comments regarding the Presidential Medal of Freedom Oscar Elias Biscet will be receiving on Monday. It is a wonderful acknowledgment of this Afro-Cuban doctor. He, in his quest for freedom, has chosen to follow Martin Luther King, Jr., the Dalai Lama, and Gandhi. This is a man of peace. He is not a man of armed conflict, not a man of violence; he is a man of peace. He is in prison, as was mentioned by the Senator from New Jersey, but I want us to understand that being in prison in Cuba isn't as simple as just being denied the opportunity to walk and move as you will but it is to be in the most repressive gulag the world has ever seen.

President Bush last week was speaking eloquently about the situation in Cuba. He said: The day this regime ends, those who have supported it will be embarrassed by the things that will be revealed, just like those who supported the Eastern European gulag or the Nazis or the Stalins of the past, who were embarrassed at a time when the full measure of their cruelty was seen and recognized.

As we approach the agricultural fair in Havana, I remember that as a young boy—my father was a veterinarian, and one of the biggest thrills for me was to go from my small city to Havana to the fair. This was a time when the cattle exposition was there, and my father, of course, being involved in this industry, was there doing business. I remember seeing my first rodeo there. It is a wonderful memory.

Well, this fair still goes on every year. I know there will be many from this country who believe the most appropriate thing to do is to make a buck and go there and sell goods and participate in this fair. I hope when they are there, they might have the courage themselves to wear one of these little wristbands. I will be happy to supply them. I have a few. It would be wonderful if they would show up at the fair wearing these wristbands that say "cambio"—just a simple message of solidarity with those who are oppressed.

We are a people of freedom. We enjoy our liberty, and we want it for others. We understand that the time for the Cuban people is coming. The hour for the Cuban people is approaching. It is coming. So I thank my colleagues for their solidarity, Senator CORNYN from Texas as well as my colleague from Florida and Senator MENENDEZ, all joining today in one voice seeking "cambio"—change—and standing together with these young people for their courage and their bravery, as well as celebrating this wonderful award Dr. Biscet will be receiving on Monday, which is a good recognition of his long work in the area of human rights, and hoping that it might be an opportunity for the Cuban regime to perhaps consider whether it is the time to grant him his freedom.

Mr. MENENDEZ. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

Mr. BROWN. Madam President, I ask unanimous consent to speak as in morning business for about 7 or 8 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Madam President, Members of the House and Senate have worked diligently over the last several months to write a bill to reauthorize the Children's Health Insurance Program. They worked hard and came to a solid bipartisan compromise. This is a bill that Republicans and Democrats alike have championed. Almost 70 Members of the Senate voted for the Children's Health Insurance Program, and about 290 members of the House voted for it.

Despite the strong support nationwide from both parties in the House and both parties in the Senate and the strong support from groups such as the United Way to children's hospitals, to pediatricians, to medical groups, to all kinds of children's advocates, the President still vetoed it.

Now we have an opportunity to save the bill. For our national leaders who are still unsure, I wish they would meet the families benefiting from this program. I would love it if President Bush would meet families such as the Coltmans of Conneaut, OH, which is not far from where my wife grew up, near the Pennsylvania border. The Coltmans are a large family with 5 children and 2 hard-working parents.

In July, their 7-year-old son Caleb was diagnosed with leukemia. The doctors are optimistic, but treatment, of course, is very expensive. Last year, Kenna Coltman, Caleb's mother, left her job to work for her family business, a neighborhood grocery store. Unfortunately, this meant she had to search for new health insurance. After a long search for private insurance, the Coltman family found an affordable plan, but it wasn't scheduled to go into effect until August.

By that time, Caleb had been diagnosed with leukemia. Needless to say, that was a deal breaker for the private insurer.

Uninsured, facing catastrophic illness—a parent's worse nightmare—the Coltmans ran out of options. Caleb's mother recounted the experience this way:

> If there was absolutely any other way to get our son the care and medication he needs without totally impoverishing our family, we would do it.

Instead, the Coltmans turned to Ohio's Healthy Start/Healthy Families program, a Medicaid-CHIP joint initiative.

Mrs. Coltman said:

> We were lucky in the fact that last year was a really bad year for us financially, or we may not have even qualified for Medicaid.

Hear that again:

> We were lucky in the fact that last year was a really bad year for us financially, or we may not have even qualified for Medicaid.

It seems wrong to me that a family should be feeling "lucky" because they earned so little money in 1 year that they were able to qualify for Medicaid to take care of their son who was diagnosed with leukemia.

But Mrs. Coltman does feel lucky and they qualified—falling below 200 percent of poverty even after exhausting all their savings.

Caleb's treatment is now covered. Thankfully, his current prognosis is good, and the family business seems to be turning the corner. Although the Coltman parents are still without health insurance, the children remain covered through SCHIP—a bona fide lifesaver, a real lifesaver.

Let's make sure other families—in Ohio and elsewhere—have access to this critical health insurance safety net by sending the Children's Health Insurance Program bill to the President's desk.

Let's provide children in Ohio, in Missouri, and elsewhere, such as Caleb, the start in life that will help them to achieve their goals and develop to their fullest potential.

Ten years ago, a Democratic President and Republican Congress made a promise to low-income children and their parents. We told them they would be able to insure their children. We wrote it into law and the Children's Health Insurance Program has worked for 6 million children. Now, this bill will help us follow through on that promise for 4 million additional children.

There are millions of low-income American children who are eligible but not now enrolled. This bill enables our country to follow through for more children who are already standing at the door. This bill lets them in. We have an insurance program that works, a bipartisan consensus that is firm, and a goal that is above politics. Our goal is to provide health insurance for our children. Let us move forward.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I have had a number of conversations this morning with Democratic and Republican Senators. They are attempting to work out a compromise with respect to the CHIP bill, the children's health program. They think if they have more time, they can do that. I believe they are acting in all sincerity. They have tried very hard. They have even had individual meetings with House Members; Democratic Senators have met with Republican House Members; Democratic and Republican Senators have met with Republican House Members. They have tried to work something out.

It is an unusual situation. They have even been calling the Speaker. A number of the prime negotiators have talked to her numerous times on the telephone and met with her personally.

Having said that, this is an effort to try to work something out. I ask unanimous consent the motion to proceed to H.R. 3963 be agreed to, that the bill be laid aside until 4 p.m. this coming Monday, November 5; that on that day, Monday, November 5, the Senate vote on cloture on the bill at 5 p.m.; if cloture is invoked, there be 2 hours for debate on the bill and any possible germane amendments thereto, and at the conclusion or yielding back of time, the Senate proceed to vote under the provisions of rule XXII.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Madam President, on behalf of one of the Members on my side of the aisle, I would have to object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Madam President, in an effort to try to be cooperative in this matter, I ask consent to allow these individuals more time to deal with this, and therefore I ask unanimous consent to proceed to this legislation, H.R. 3963, and that it be adopted and the bill be laid aside until the disposition of the farm bill, H.R. 2419. That would probably not be until, at the earliest, somewhere in the middle of November sometime.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Madam President, once again there is an objection on this side of the aisle.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Madam President, of course, I am disappointed. I have tried to keep the Republican leader advised. I have done my best to balance the requests. I usually do not get in this position of Democratic and Republican Senators, but I have been happy to do that. This is my effort to try to do that.

I hope there can be some way, sometime, that we can send a bill to the President that he will not veto. Hopefully, this one he will not. We have made some changes in it, as I have indicated. We changed to no waivers over 300 percent. We have locked in more tightly anything dealing with undocumented children. We have cut the time for adults. Any adults who are on the program, with no children, they were to have 2 years, now it is 1 year. We have moved the best we can.

Having done that, Madam President, I ask unanimous consent the Senate now proceed to consideration of the children's health insurance bill, H.R. 3963, the time between now and 4:45 p.m. today be equally divided between the two leaders or their designees, and no amendments or motions be in order to the bill; that at 4:45 p.m. the Senate vote on cloture to the bill and that motion to be filed upon reporting of the bill; if cloture is invoked, the bill be read a third time and the Senate vote without any intervening action or debate on passage of the bill.

Mr. McCONNELL. Madam President, reserving the right to object, and I will not object, let me echo the observations of the majority leader about how important the children's health insurance issue is.

This was a measure that originated with a Republican Congress back in the 1990s. I think we are going to be able to get this worked out after this skirmish that has been going on over the last few weeks in a way that will guarantee additional poor children receive the health insurance they certainly richly deserve.

The PRESIDING OFFICER. Is there objection to the unanimous consent request? The chair hears none, and it is so ordered.

Mr. REID. I thank the Chair.

CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007

The PRESIDING OFFICER. The clerk will report the bill.

The assistant legislative clerk read as follows:

> A bill (H.R. 3963) to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the cloture motion having been presented under rule XXII, the Chair directs the clerk to read the cloture motion.

The assistant legislative clerk read as follows:

> CLOTURE MOTION
>
> We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 450, H.R. 3963, the Children's Health Insurance Program Reauthorization Act of 2007.
>
> Max Baucus, Harry Reid, Benjamin L. Cardin, S. Whitehouse, Robert Menendez, Daniel K. Inouye, Jack Reed, Barbara Boxer, Pat Leahy, Bernard Sanders, Ken Salazar, Kent Conrad, Ron Wyden, Byron L. Dorgan, Debbie Stabenow, Bill Nelson, Robert P. Casey, Jr.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Madam President, earlier today I joined with several of my colleagues—the good Senator McCASKILL and Senator CASEY and a distinguished leader on children's health, Dr. Woodie Kessel—to speak out on the children's health legislation we are considering in the Senate.

Dr. Kessel is an extraordinary public health official, a pediatrician who has been widely acclaimed and recognized by virtually all the medical societies for his lifetime commitment to children. He worked in Republican and Democratic administrations and feels passionately about the importance of the passage of this CHIP legislation.

Dr. Kessel spoke of a recent presentation of the American Academy of Pediatrics on the value of investing in children's health provided by Dr. James Heckman, the Nobel laureate in Economics. I wish to share his words with the Senate today, as they make a persuasive case for the bill that is before us. This is a direct quote from the Nobel laureate.

> It is a rare public policy initiative that promotes fairness and social justice and at the same time promotes productivity in the economy and in society at large. Investing in disadvantaged young children is such a policy. Early interventions for disadvantaged children promotes schooling, raises the quality of the workforce, enhance the productivity of schools and reduce crime, teenage pregnancy and welfare dependency. A large body of research shows that skill begets skill; that learning begets learning. The earlier the seed is planted and watered, the faster and larger it grows.

That is what our bill is all about. Investing in America's future, investing in our children. If we give them the chance for a healthy start to life, we will reap the rewards for decades to come in terms of better education and a more productive workforce. If, instead, we succumb to the politics of fear and division coming from the White House, we consign 10 million American children to a dimmer future.

The CHIP program is an education issue because we know children who are sick—unable to see the blackboard, unable to hear the teacher, unable to read the book or understand the homework—are not going to learn. So this is a health issue and it is a children's issue. It is a children's issue because it affects the 10 million children.

It is a working families issue because this is targeted to the children of working families, more than 92 percent for those families earning under 200 percent of poverty, about $42,000 for a family of four. So it is a working families issue.

It is a fairness issue. Particularly in the Senate, when we cast our votes this afternoon—we are getting paid $160,000. Our health insurance for all the Members of the Senate—with the exception of one individual—for all the Members, is paid for by the American taxpayers, 72 percent: 72 percent of our health insurance; every Member. We have the best. I have believed that since I have been involved in the health issue since arriving in the Senate, and I was reassured of that in the last couple weeks when I needed medical attention. We have the very best. We can go down to the dispensary in the Capitol of the United States and see some of the finest medical personnel in our country. We can go to Walter Reed, we can go to Bethesda Naval Hospital, places where the President and the Vice President and Cabinet and other Members of Congress have gone, and we get our health care paid for, effectively, in full.

Yet we are going to vote to deny the working families of this country, people who are making 200 percent of poverty—$40,000, these are working families in this country—the opportunity to have their children covered?

That is the issue, that is the fairness issue, that is the values issue, and that is the issue before the Senate this afternoon.

We know when these children get the healthy start, as the Nobel laureate pointed out, they are more productive, they are more effective. They are going to be more effective and more productive and healthier for their lives. They are going to be more lively, in terms of the world economy and the knowledge-based competition we are going to be facing in a world economy. They are going to be more effective as leaders, in terms of our national security. They are going to be more gifted and talented, in terms of implementing rights and liberties and having our democratic institutions function and work the way our Founding Fathers wanted them to work.

This is an enormously important bill that reaches the heart and soul of what this country is all about. I am hopeful we will have a strong, overwhelming vote in favor of moving ahead and achieving our objective.

NOMINATION OF MICHAEL B. MUKASEY

Madam President, I intend to oppose the nomination of Michael B. Mukasey to be the next Attorney General of the United States.

This is a nomination I had hoped to support. There is no doubt the Department of Justice is in desperate need of new leadership. Under Attorney General Alberto Gonzales, the Department was transformed from a genuine force for justice into a rubber stamp for others in the administration who cared little for the rule of law.

The Office of Legal Counsel, and the Attorney General himself, repeatedly authorized programs of torturing detainees and wiretapping Americans that were both illegal and immoral.

Career attorneys who spoke up were marginalized or transferred to dead-end jobs. U.S. attorneys were fired if they refused to take orders from the White House as to who should be prosecuted.

The Civil Rights Division turned its back on its historic mission, and failed to vigorously enforce our civil rights laws. Instead of protecting the rights of all Americans, it spent time approving voter-identification laws that keep the poor, the elderly, and minorities away from the polls, and investigating phantom allegations of "voter fraud."

There has never been a time when the Department of Justice was more in need of a new direction, away from partisanship and back to its critical responsibility of protecting our rights and enforcing our laws.

We all hoped that Michael Mukasey could provide that needed leadership. He had served with distinction as a Federal judge for almost 19 years. By all accounts, he was smart, fair, and conscientious in the courtroom. In some cases, he showed admirable independence, rejecting some of the administration's most extreme legal arguments. He has the credentials and many of the capabilities to be a strong Attorney General.

But talent and experience are not all that is required for the job. The Attorney General of the United States must also be a person with an unbending commitment to justice, fairness, and equality, who will stand up for America's laws and values, even when the White House tries to steer the Department in the other direction.

I have had the chance to meet with Judge Mukasey, to listen to his testimony in the Senate Judiciary Committee, and to read through his answers to written questions submitted by committee members. I cannot in good conscience support his nomination.

My concerns begin with Judge Mukasey's answers to our questions about waterboarding. Waterboarding is a barbaric practice in which water is poured down the mouth and nose of the detainee to simulate drowning. The Nation's top military lawyers and legal experts from across the political spectrum have condemned this technique as a violation of U.S. law and a crime against humanity. Following World War II, the United States prosecuted a Japanese officer for engaging in this very practice, and that officer was convicted and sentenced to 15 years of hard labor.

Waterboarding is torture. Period. Yet Judge Mukasey refuses to say so.

His refusal was so extraordinary and unexpected that we asked the Judge a series of further questions to help us understand why an able, experienced lawyer would find it so difficult to agree that a practice used in the Spanish Inquisition was torture. But our questions were met with equivocation and evasion. Judge Mukasey told me that my questions about the legality of waterboarding were the kind of hypothetical questions that judges commonly refuse to address. But he has been nominated to be Attorney General, and an Attorney General, unlike a judge, is often called upon to determine whether an action would be legal before such an action is taken.

However, it is not just his remarks on waterboarding that trouble me. Judge Mukasey also evaded a wide range of questions on torture. He refused to commit to sharing with Congress the legal opinions of the Office of Legal Counsel that have authorized coercive interrogation techniques. He suggested that Common Article III of the Geneva Conventions, the basic international standard for humane treatment, may not always apply to the treatment of enemies we capture, even though the Supreme Court has rejected that view. He would not even say whether it would be unlawful for enemy forces to subject Americans to "painful stress positions, threatening detainees with dogs, forced nudity, waterboarding and mock execution."

These extreme views are not only immoral and legally flawed, they also increase the risk that our own troops will be subjected to barbaric treatment.

Judge Mukasey could not even bring himself to reject the legal reasoning behind the infamous Bybee "torture memo." That memo stated that physical pain amounted to torture only if it was "equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death." Anything that fell short of this standard would not be torture, according to the memo.

CIA interrogators called this memo their "golden shield," because it allowed them to use virtually any interrogation method they wished. When the memo finally became public, however, the country was appalled and the memo's flaws were quickly exposed. Dean Harold Koh of Yale Law School wrote, "in my professional opinion as a law professor and a law dean, the Bybee memorandum is perhaps the most clearly legally erroneous opinion I have ever read." The Bush administration was so embarrassed that it withdrew the memo.

When I said to Judge Mukasey that his testimony left "the alarming impression that you may agree with [the memo's] legal reasoning," he did nothing to remove that impression. He said that the memo was "a mistake," but he could not bring himself to reject its flawed reasoning.

There are only two possible explanations for Judge Mukasey's testimony on this issue. The first is that he genuinely believes that waterboarding may not always be torture, that international law does not fully protect American POWs, and that the withdrawn Bybee memorandum was not deeply flawed. If those are his beliefs, he is so far out of the mainstream of legal thought in this country that he should not serve as Attorney General.

The second explanation is that Judge Mukasey has already begun defending President Bush's administration, instead of standing up to it when the rule of law requires it. It is quite possible that Judge Mukasey knows that waterboarding is torture, that international law protects American POWs, and that the Bybee memorandum was a moral and legal abomination. But he refuses to say so, because such answers would be deeply inconvenient to the Bush administration.

Time and again, Judge Mukasey told us that he would be independent of the White House, that he understands that the Attorney General is not simply the President's lawyer, but is the guardian of the law for all Americans. I would like to believe Judge Mukasey. But if this issue was the first test of his independence, he has failed it.

Judge Mukasey's answers to our questions on torture remind me of nothing so much as the responses to the Senate on these issues by Attorney General Gonzales. Mr. Gonzales adopted an absurdly narrow definition of torture in order to permit extreme interrogation practices. He ignored the plain language of the Geneva Conventions prohibiting cruel and humiliating treatment.

He withheld his views on how to interpret and enforce our laws against torture and cruel, inhuman, and degrading acts. He refused to discuss specific interrogation techniques or to repudiate the Bybee memo. He refused to take any firm positions.

Judge Mukasey may have dressed up his responses in more skilled legal rhetoric, but the difference between his answers and those of Mr. Gonzales is disappointingly small.

Judge Mukasey's answers make clear that this administration simply cannot be trusted ever to renounce torture. Congress, therefore, must act now to strengthen our ban on torture. I have already introduced a bill to do that: The Torture Prevention and Effective Interrogation Act. It will apply the standards of the Army Field Manual to all U.S. government interrogations, not just Department of Defense interrogations. This basic reform will ensure that our government honors its commitment to the rights enshrined in the Geneva Conventions, which protect the values we cherish as a free society and the lives of our men and women overseas. I intend to move that legislation at the earliest possible time. Congress needs to pass it promptly.

While Judge Mukasey's views on torture are reason enough to oppose his nomination, I found little comfort in other areas as well.

For instance, Judge Mukasey argued that the President has substantial spheres of exclusive powers over which the other branches of government have no control whatever. He indicated that the President may indefinitely imprison a U.S. citizen, seized on U.S. soil, without charges, solely on the President's determination that the person is an "enemy combatant." He ridiculed critics of the PATRIOT Act. He stated that the President may sometimes violate or disregard the Foreign Intelligence Surveillance Act, despite that law's clear statement to the contrary.

Judge Mukasey also argued that the Authorization for Use of Military Force, passed by Congress immediately after the 9/11 attacks, may have authorized the President's warrantless surveillance program that was used to spy on millions of Americans for over 5 years. That is a ridiculous legal argument, which legal experts have debunked time and time again. In these statements and others, Judge Mukasey left the troubling impression that the executive branch can run roughshod over the constitutional role of the other branches and the civil liberties of Americans.

When I met with Judge Mukasey, I made clear that the Civil Rights Division is failing in its historic mission. As civil rights legend John Lewis recently testified, the division has "lost it's way." It will take clear, strong leadership to ensure that the division once again vigorously enforces the Nation's civil rights laws. When we met, I suggested specific reforms, and I mentioned published studies that have done the same. Yet when I asked Judge Mukasey about his specific plan for the Civil Rights Division, he gave only vague answers. He never acknowledged that the division is in need of reform, and he never provided any concrete ideas on how he would revitalize the division. There was nothing in his answers to suggest that as Attorney General, he would enforce our civil rights laws with the skill and vigor that are necessary to guarantee equal justice and equal opportunity for all Americans.

I therefore intend to oppose this nomination. Judge Mukasey appears to be a careful, conscientious and intelligent lawyer, and he has served our country honorably for many years. But those qualities are not enough for this critical position at this critical time. Over the past 6 years, the Bush administration has run roughshod over the rule of law, and has taken the Department of Justice along for the ride. In light of that history, the Senate must demand an Attorney General who will speak truth to power, and follow the law, no matter what the consequences.

Judge Mukasey's equivocations and evasions on critical issues give me no confidence that he will fulfill this vital role. After 6 long years of reckless disregard for the rule of law by this administration, we cannot afford to take our chances on the judgment of someone who either does not know torture when he sees it or is willing to pretend so to suit the President.

Mr. President, I ask unanimous consent when the Senate goes into a quorum call, the time be equally divided between the parties.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SALAZAR). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRODUCT SAFETY

Mr. BROWN. Mr. President, Halloween has come and gone. Yet there are too many parents I have talked to in the last couple weeks who have some fear, who have been scared about some of the toys that have come into our country; where they see "Made in China" and they have seen news reports and have seen and heard about products tested that have lead content.

A professor at the University of Ashland, in Ashland, OH, about 15 miles from where I grew up in Mansfield, OH, has been a leader, with his chemistry students at Ashland University, in testing for lead in toys.

I asked him if he would test some Halloween products, if you will, some Halloween toys and various paraphernalia. He found out of 22 products he tested, 3 of them had high levels of lead. In fact, the Consumer Product Safety Commission has said that anything over 600 parts per million of lead is dangerous for adults, and any lead at all is dangerous for children.

He found in a Frankenstein mug he bought locally at a store in Ashland—and they are sold all over the country, I am sure—he found a Frankenstein mug that had 39,000 parts per million of lead—39,000—when the level of safety for adults is 600, and the level for children is zero. He found a Halloween cup that was 39,000 parts per million.

We have read all about the Consumer Product Safety Commission and how they have failed the American people and how the chairwoman is lobbying against the legislation of Senator PRYOR to make the Consumer Product Safety Commission work better; how she has supported the Bush administration, as an appointee of them, in cutting funding for inspections and cutting funding for enforcing consumer product safety.

But this shouldn't surprise us when we buy $288 billion worth of products from China, as we did last year, not to mention hundreds of billions of dollars of products from other countries, and tens of billions of dollars of those products are consumer items certainly—tens of billions of dollars worth of tires, vitamins, toys—all kinds of things. Those products are made in a country where they have weak worker safety standards, they have almost nonexistent consumer protection laws and rules, they have very weak food safety standards, very weak environmental safe drinking water and clean air standards.

So we shouldn't be surprised when we buy products from a country where these products are produced doesn't have any kinds of protections themselves for their own workers and for their own consuming public. That is compounded by the fact that American companies such as Mattel, toy companies and other companies, when they go to China, they hire Chinese subcontractors and they push these Chinese subcontractors to cut costs: You have to cut costs and cut corners and make these products cheaper. So what logically will they do? They will use lead-based paint because it is cheaper, easier to apply, dries faster, and it is shinier. They will put contaminants in vitamins because it is less expensive than using the pure, real ingredients that should be in them. As the New York Times pointed out yesterday in a frontpage story, they will sell pharmaceuticals out of China that are contaminated and unsafe for consumers in China and all over the world.

So you have a situation where we open our borders, as we should, to trade. I want trade. I want more of it. I want plenty of it. But I want it under a different set of rules, most importantly to protect the American public and our families and our children. But we open up our borders to $288 billion of Chinese products. They don't make these products safe for their own people, let alone for the United States. They cut costs to export those products here, and then when these importers bring them in, Mattel or anybody else, they are not held accountable. If Mattel is going to bring toys in, then they are responsible for those toys being safe—any importer that brings products in, whether it is apple juice, whether it is vitamins, whether it is toothpaste, whether it is dog food, whether it is toys, whether it is tires. Every one of those products has had a major problem, and every one of those products I mentioned was imported from China and from Southeast Asia.

At the same time, then, we have a complicit or a compliant—I am not sure which—Bush administration which has weakened consumer protection laws, food safety laws, clean air laws, safe drinking water laws, and it has weakened drug safety laws. We have a Bush administration which has weakened those laws and then underfunds and cuts back on the number of inspections. So the products are made in a country where they are not likely to be safe, they are brought in by an American contractor who has pushed those subcontractors to do it more cheaply; they are then brought in with no personal or corporate responsibility by the importer, and then we have a government which doesn't protect us. For 50 years, in some cases more than 50 years, and in others slightly fewer than 50 years, we have had an FDA, Food and Drug Administration, an EPA, a Consumer Product Safety Commission, and the Environmental Protection Agency, we have had these agencies which have protected the air, the water, the food, the medicine, the toys our consumers buy.

What has happened over the last 5 years is that they have weakened the standards and cut back the number of inspectors, even though 20 years ago when the Environmental Protection Agency was much larger and did many more inspections, we are now importing all kinds of toys and food products that we weren't importing back then. So we have set ourselves up—because of the Bush administration's closeness to the toy companies and other corporations, the Bush administration has sided with the drug companies over the consuming, medicine-taking public, the Bush administration has sided with the big polluters and they weakened the EPA; they sided with the big toy companies and weakened the Consumer Product Safety Commission. So it is no surprise our children are not as safe and our food supply is not as pure as it should be. It doesn't matter to point fingers, but the fact is we have set this system up, in part because of trade policy that is written by the largest corporations in the country to serve their shareholders and to serve their executives at the expense of workers overseas, at the expense of workers in our country, and at the expense of the consuming public: our children and their toys in their bedrooms and our families in the food they buy for their kitchen tables.

Yet Congress—the House and Senate—perhaps is about to pass another trade agreement. We have seen these trade agreements with China, with Mexico—the Central American Free Trade Agreement, NAFTA, CAFTA, PNTR with China—we have seen these trade agreements weaken our safety regulatory structure. These trade agreements in part are responsible for weaker environmental standards, for weaker food safety standards, for weaker consumer protection laws, for weaker food and drug safety rules. Yet Congress is about to pass, it looks like, a trade agreement with Peru, with some of the same problems. It is a better trade agreement. It has some labor and environmental standards, but it doesn't have the kinds of protection for food safety, the kinds of protections for drug safety, the kinds of protections for consumer products as it should.

Instead of passing another trade agreement, Congress should simply stop. We should reexamine our consumer protection laws, our food safety laws, our safe drinking water and clean air laws, our drug safety laws. We should stop and examine them. We should stop and not pass any more trade agreements until we have reexamined what NAFTA has meant, what CAFTA has meant, what PNTR with China has meant, and a whole host of other trade agreements. Then we can move forward and write trade agreements that don't just serve the interests of the largest companies in the world, as they have in the past, but trade agreements that work for workers, trade agreements that protect the public, protect our jobs, protect our food supply, and protect our children from dangerous toys. If these trade agreements are done right, they will lift up standards not just in Mexico and Central America and China, but lift up standards in this country so we know we will have pure food and safe drinking water.

We know from these trade agreements that we will have safe toys with no lead in them, and we know it will be better for our communities, from Galion to Gallipolis to Ashtabula to Middletown in my great State of Ohio.

Mr. President, I yield the floor.

I suggest the absence of a quorum, and I ask unanimous consent that the time on the quorum call be evenly divided between the two parties.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Mr. President, quite frankly, I don't understand the objections of the President of the United States to the Children's Health Insurance Program we are considering here today. I hope we all understand the importance of this program and how important it is for children in America to have health insurance. We know, and we have a lot of studies which show, that children who have health insurance are far more likely to be immunized against diseases, far more likely to have the benefits of preventive health care, are far more likely to get the type of health care intervention that will lead to healthier lives. Quite frankly, that will save us money because they are going to be healthier and need less health care during their lifetime. We also know that children who have health insurance are far more likely to have better attendance records at school. The list goes on and on and on. So it makes sense for children to have health insurance.

The legislation we are considering is aimed at working families—working families that cannot afford the cost of health insurance. These are families playing according to the rules. They are doing everything right, but they can't afford the cost of insuring the family with health insurance.

A family from Baltimore came and testified before the Presiding Officer's committee for the reauthorization of the CHIP program. The mother explained that having children's health insurance—having the Maryland program—that mother no longer has to wake up in the morning and decide whether the child is sick enough to see a doctor. She doesn't have to worry that if her child is playing on a playground and gets hurt, how they will be able to afford that bill.

Our children are the innocent casualties of the failure of our country to have universal health coverage—universal health insurance. They are the innocent casualties. The bill we have before us tries to do something about it.

This is a bill that is not a Democratic bill or a Republican bill; it is a bill that has been compromised in the best sense of the legislative process: Democrats and Republicans working together to produce a bill that could be supported not just for 1 year but supported now for a decade. It is a bill that builds upon private insurance. That was important to get the consensus among Democrats and Republicans. It is a bill that is administered by our States; it is not administered in Washington. This is a program that our States administer. I am proud of the State of Maryland MCHIP program, the

Maryland Children's Health Insurance Program. It is designed in Maryland to meet the needs of our children, and the Federal Government is a partner in helping to pay for the program. This is a bill that has been worked in the best sense of the legislative process, by Democrats and Republicans.

It is an affordable program. I have heard the President of the United States talk about the affordability. This program is affordable. First, as I mentioned earlier, it saves health care dollars. Children who have access to preventive health care are going to save us money over the long term in health care expenditures. Secondly, this bill is paid for. I know that is not always the case with legislation we pass, but this bill will not add a penny to the deficit. In fact, I would argue that this bill will actually help us in balancing the Federal budget. It is fully paid for by an increase in the cigarette tax, but economists tell us that as a result of the increase in the cigarette tax, there are going to be millions of people who will either stop smoking or will never start smoking—particularly young people who won't start smoking now because of the extra cost in buying a pack of cigarettes. The Presiding Officer and I know how much that will save in our health care system for someone who doesn't smoke. That is not figured into the cost estimates here, the savings we will have to our health care system because of the number of children who will never start smoking.

In Maryland, this bill will mean that Maryland will not only be able to continue the 100,000 children who are currently enrolled in the program—because if we don't pass this bill, we can't continue our current commitment—but will add 40,000 more children to the Maryland Children's Health Care Program.

That is good. We need to do that. Let me remind you that, in Maryland, we have 800,000 people without health insurance. That is not just children, that is the whole community that has no health insurance. Obviously, we want to reduce that number. This bill makes a small step in dealing with the gap we have in America where people have no health insurance, but it is an important step because it deals with children. We can certainly do that.

I wish to talk about one part of the program that, quite frankly, hasn't gotten a lot of attention, and it is a very important part, which is the reason we need a reauthorization bill. In a reauthorization bill, we can expand the program to deal with the needs in our communities. This bill covers required dental services, so all the children in the Children's Health Insurance Program will receive dental insurance coverage.

C. Everett Koop, a former Surgeon General of the United States, says, "There is no health without oral health." Again, he is a former Surgeon General. The American Academy of Pediatric Dentistry said dental decay is the most chronic childhood disease among children in the United States—five times more likely than asthma. Regarding the vulnerability of our children, of those children between the ages of 6 to 8, 50 percent have tooth decay. If you are poor and live in poverty, you are two times more likely to have a problem with your teeth. If you happen to be a minority—if you are an African American, 39 percent of them have untreated tooth decay. If you live in a rural part of your State—Mr. President, I know your State and my State have rural communities—only 11 percent of our population ever visit a dentist. We have a problem with dental care in this country. Twenty-five million Americans live today in areas that have inadequate dental care services. So we can do better, and this bill moves us in the right direction. There is a direct relationship between general health and oral health. We know that. One example: Plaque has been directly related to problems with heart disease. We know there is a relationship there, and there is a lot to be learned.

I am going to try to put a face on this issue because we talk about what it means to have 25 million people who don't have access to dental services. I will tell you about one child, Deamonte Driver. He lived in Prince George's County in my State, which is about 6 miles from here. He was a 12-year-old who had problems with his teeth. His mom tried to get him to see a dentist and could not find one who would treat him. He sort of fell through the cracks.

Finally, he was suffering from horrible headaches, so his mother did what many parents do with children who don't have health insurance—took the child to the emergency room. One of the reasons we want to see the CHIP bill passed is to get children less expensive preventive health care so they don't have to use emergency rooms as primary care facilities. He went to the emergency room, and he was admitted. It seemed as if he didn't just have tooth decay, he had an abscessed tooth that went untreated. No dentist would see him. He had no insurance. They performed an operation and tried to alleviate his pain and save his life. They performed a second operation and spent a quarter of a million dollars, which we paid for because it was uncompensated care. That boy died because, in 2007, we have no program in this country to provide that child an $80 tooth extraction and for children to be able to see dentists.

Mr. President, one of the really good things about this bill before us—our reauthorization bill—is we have a chance to do something about that. We have a chance to do something about the Deamonte Drivers of our communities, to make sure our innocent children get the type of attention they so much deserve.

What does this bill do for dental care? It has a guaranteed dental benefit, coverage of dental services necessary to prevent diseases, promote oral health, restore oral structure to health and function, and treat emergency conditions. That is what is covered in this legislation which we will vote on in a few hours. How do you meet that? It is interesting. The States are giving benchmarks. You can do it if you have a benefit like ours, our Federal plan, in which dental benefits are included. The State can meet the requirements by providing the benefits Federal employees get. They can take the dental benefits in their State employees' plan and use that as a model or they can take the most popular commercial plan in their State for enrollment for Medicaid enrollees and use that as their benchmark.

So when you are using commercial insurance as the benchmark for what children should be able to have insurance to deal with their dental needs, to me, that is the way we should be going. It is in this bill.

This is even more important. The bill provides for dental education for parents of newborns. When babies are born, they don't have teeth, so why is that important? One out of every five children between the ages of 2 and 4 has tooth decay in their baby teeth. This bill provides for education so that parents know about the risks of oral health and know how to deal with oral health as their babies grow up. It also makes it easier to locate a participating provider.

Let me go back to Deamonte Driver again, from Prince George's County. His parents sought the help of a social worker, Laurie Norris, who tried to find a dentist who would treat Deamonte Driver. That social worker made over 20 phone calls to try to find a dentist who would treat Deamonte Driver—without success. Think about the time that went into that. Think about how many parents must be so discouraged in trying to get help for their children.

Well, this legislation before us today, which we will vote on in a couple of hours, does something about that. It requires that the Web page on the Children's Health Insurance Program list the coverage available by State for dental benefits under the CHIP program, plus the list of providers who will provide that care. So if this bill becomes law, with one phone call or one click of the mouse, a parent will be able to know exactly what the benefits are and exactly which dentist that parent can contact in order to get his or her child the type of care they need.

I have heard my colleagues talk a lot about this Children's Health Insurance Program, how important it is to the health of the people in our communities. I know how important it is in Maryland. I am proud of our program at the State level, which has the cooperation and help of the Federal Government as a partner. It is a bipartisan bill, developed by Democrats and Republicans, and the bill makes sense from the point of view of proper allocation of money in our health care system and will save us money—all of those things.

At the end of the day, it does speak about priorities. What is important? Where are our priorities? What do we want to be known for? Whom did we stand up for?

This bill spends $35 billion over a 5-year period, and it is fully paid for. We can all make our own comparisons, but I think about the cost in Iraq, which, over a 3-month period, is costing more than this bill, and it is not paid for, but we seem to always have the money for that. And we come up with excuses to oppose this legislation.

I thank the leaders who were responsible for bringing this legislation forward. I urge my colleagues to support it. I hope we can get the type of support we need to pass this, notwithstanding the objections of the President. I always hold out hope that President Bush will sign a bill—a bill that will allow the people of Maryland and throughout this country to have adequate care so that we don't have to again see a story such as Deamonte Driver's—a child who died because we could not find a way to get him basic dental care.

I urge my colleagues to support this legislation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

IRAQ WAR COSTS

Mr. MENENDEZ. Mr. President, I rise to speak once again about the cost of the war in Iraq here at home. This is the third speech I have stood up to give in the series that I intend to continue to give about what the Iraq war is costing us here at home, beyond the immeasurable cost of lives. Over 3,839 American lives have been lost—those are priceless—and 28,327 Americans have been seriously injured in the service of their country.

Since I started giving these speeches 2 weeks ago, $5 billion more has gone from the Treasury and has been spent in Iraq. It brings the total amount taken from the American people's pockets to $455 billion. Next month, another $10 billion will be sent over to Iraq, and it will be gone forever.

Americans trusted the Government with that money. When the numbers are that outrageously high, we all have to constantly be asking ourselves a simple question: What is going to make a bigger difference in our lives—using the money to fix the major problems we have facing the Nation every day or fighting a war that has achieved nothing for any of us? Could America have achieved more out of that money spending it on hospitals or lifesaving cancer research, schools and universities, food for the needy, roads, train tracks, bridges and airports, or the catastrophe that is the war in Iraq?

President Bush likes to use the line that "we are fighting them over there so that we don't have to fight them here." I think Americans have figured out that what he really means is we are spending all of our money over there, and therefore we have none to spend here.

I have already spoken out about the massive holes in our homeland security that the war funding in Iraq could have closed being used here at home. I have spoken about the difference that funding could have made for millions of Americans who have to play Russian roulette with their lives because they simply don't have health insurance, including millions of children who would be covered under the bill which is currently before the Senate, a bill the President threatens once again to veto while asking for $200 billion more in war funds this year alone—funds which, by the way, he doesn't even pay for. He wants to make his fiscal bones on the backs of children who have no health care coverage. They are the most important asset we have in our Nation and also the most fragile asset we have in our Nation. He says: Well, this bill is not fiscally acceptable. Yet he can, at the same time, send a request to us for $200 billion, which he doesn't pay for. Not only does he not give children their health insurance, he adds a mountain of debt on their backs for the future. That is totally irresponsible.

I have talked many times about children's health insurance. I note, too, as we move to this vote, I don't know why there are still some advocating knocking parents off children's health insurance. Children and parents together successfully brought in more children to the program. Why is it that there are those Members of Congress who want to push more Americans into the vast number of the uninsured in this country? Because that is what they are advocating at the end of the day.

Today I wish to talk about what America would look like if we spent the money George Bush is spending on failing to rebuild Iraq to repair our own battered infrastructure at home. Yes, we are spending a lot of money, billions of dollars in Iraq, with which we fail even to rebuild Iraq. Not only are we failing to rebuild Iraq, we certainly do not have the resources at home.

Is it the Iraq war or better transportation in our country? There is no way to put a price tag on the immense frustration we feel with our systems of transportation. If you have ever slammed your hands on the steering wheel because traffic is unbearable so you are going to miss your meeting or be late to pick up your child at school, if you ever had your train delayed or have been jammed inside a subway car that was not built to carry the number of people who are stuffed in there, if you have ever been stuck waiting in an airport terminal or trapped on a plane sitting on a tarmac waiting to take off hour after hour, then you know our transportation systems are stretched to the limit, and sometimes they break.

Thirteen people paid the ultimate price and 100 more were injured at the terrible, tragic collapse of the bridge in Minnesota a few months ago. It is scary how easily that could happen again. Here is a truly shocking statistic. The number of bridges that are either structurally deficient or functionally obsolete in this country is enormous. It is about 160,000 bridges, 25 percent of all the bridges in the country. That means if you have driven over four bridges, the odds are that one of them is not in particularly great shape, and that is incredibly scary.

What does it cost to stop another tragedy such as the one in Minneapolis from happening? The American Society of Civil Engineers estimates that the cost of maintaining and replacing obsolete or deteriorating bridges is about $7.4 billion a year. That is the cost of staying even, not allowing the overall quality of our bridges to further deteriorate.

If we spent on transportation what we spend on the Iraq war, we could pay off the entire cost of what the Society of Civil Engineers estimates would be the cost of maintaining and replacing all those obsolete or deteriorating bridges in 22 days. We could take care of every bridge in America and make everybody safer in 22 days for the cost of the war in Iraq—22 days. That is another example of what the war costs: bridges you can feel confident about, that you will get home safely to your family versus less than a month in Iraq.

Today construction is beginning on the Minneapolis bridge that will replace the one that collapsed. The cost: $234 million. We spend that money in Iraq in less than 1 day.

Americans are also feeling the hassle of commuting by car or plane, especially for long distances. Oil prices are hitting record highs. Many feel that petroleum production is reaching a peak. Burning oil thickens our air with smog and stokes the fires of the global climate crisis, threatening to drown buildings on our coastlines under water and create massive droughts inland. If we don't create viable transportation options that will end our dependence on oil, America is going to be in big trouble.

With all this in mind, yesterday the Senate passed a bill to boost funding for Amtrak. We passed that bill so the great American relationship with the railroad could be restored and brought to new peaks of excellence. Funding for the Amtrak bill will be $19.2 billion over 6 years. That money would make passenger transportation easier, it would improve rail security, it would make our air cleaner, and it would be a boost to the economy. But like every appropriations bill that has come or is on its way to the President's desk under the Democratic Congress, the administration has argued that we don't have money for good public transportation systems.

While President Bush's mouth is moving, his hand is signing checks for other items. What the Amtrak bill would spend in 6 years, the President spends in Iraq in 2 months while we are trying to have a national rail transportation system that gets sales forces from small and mid-size companies to work with intercity travel to sell their products or services, to get people to great institutions of research and also great institutions of healing and hospitals, to get people maybe to the Nation's Capital or to other major cities along the Northeast corridor, to have the opportunity after a post-September 11 world to understand that multiple modes of transportation are critical—if we have a terrorist incident in one part of the country, we can move people along, as on that fateful day. What was open for intercity travel when every airplane was grounded? It was Amtrak. Yet the President says: Oh, no, I am going to veto that bill.

What we are going to spend in 6 years to make Amtrak a world-class rail system, the President spends in Iraq in under 2 months. That is what the war costs: vastly improved American railroads versus 2 months of bloody chaos in Iraq.

The costs of this war, in my mind, are unimaginable. The Congressional Budget Office put out a report projecting that the Iraq war will cost, at the rate we are going, $1.9 trillion, nearly $2 trillion. It is incredibly hard to put that money into perspective, but so we can get an idea of how vast that sum is, paving the entire Interstate Highway System over the course of 3½ decades only costs $425 billion. Some estimates say the Interstate Highway System returns $6 for every $1 we spend in economic opportunity and growth. The Iraq war has returned zero dollars for every billion dollars spent.

So we can get an idea of how vast that sum is with the money spent in Iraq, we could pave a four-lane American highway from Chicago to Milwaukee with an entire inch of solid gold. We could pave a four-lane American highway from Chicago to Milwaukee with an entire inch of solid gold. And if you made the thickness less than an inch of solid gold, you could easily gild a highway from sea to shining sea. That is what the war costs. It costs so much, the amount of money starts to exceed what it would cost to pay even for our most ludicrous dreams.

We have to use our imaginations as to where that money could go because for a lot of it, we don't know where it is going. Billions of dollars have gone missing in Iraq. According to a report released by the special inspector general for Iraq earlier this week, the rest has largely failed to build Iraq's infrastructure. Meanwhile, infrastructure in America still needs serious help. We don't have money accounted for in Iraq that we are sending to rebuild the Iraq infrastructure. The rest that we do account for, the inspector general says it is largely failing to rebuild Iraq's infrastructure, and we don't have the resources to meet our challenges at home.

It is time for us to make a choice: Will we put this country on a track to recovery or watch it barrel down the rails to deterioration? Will we pave the highway to success for our people or leave that road to rust and rot? Will we watch our economy take off, the aspirations and dreams of our people soar to new heights, or will we ground our Nation, leaving thousands to face the congestion that gridlocks so many forms of transportation in so many places, leaving thousands waiting in the terminals of frustration, waiting for something to change, for something finally to change?

Thinking about our transportation needs is another way to think about what we want the United States of America to look like as a nation. As someone who travels quite a bit across the landscape of the country, I have experienced all these frustrations with all of these different modes of transportation. And transportation is about more than getting from one place to another. It is about economic opportunity and commerce. It is about getting products to market. It is about getting people to service. It is about getting people to important institutions so they can be healed. It is about creating economic opportunity. It is about uniting families from coast to coast. It is about the quality of air and the environment we collectively enjoy by getting more people out of cars. It is about, by the same token, the opportunity to have multiple modes of security. It has so many dimensions to it, but all those dimensions go unresponded to because we are spending hundreds of billions of dollars on the war in Iraq.

Those needs are yet another reason it is time to end this war because when it comes to the failed war in Iraq, American families are being taken for a ride.

It is time to soar again, it is time to reinforce with the strongest iron and steel the bridges to safety and success, time to clear off the barricades of the road to opportunity, time to put America on the highest speed track we can, and to make sure we are always first in flight high above the clouds. Those goals are not imaginary or unattainable. They are very much within our reach. But for that, we have to change the course in Iraq and invest in America at home.

I will continue to come to the floor to speak about different dimensions of the cost of this war in Iraq. It is a cost the American people can no longer suffer.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

NOMINATION OF MICHAEL MUKASEY

Mr. SANDERS. Mr. President, I wish to say a few words this afternoon on some of the issues with which the Senate is dealing.

Last week, I believe I was the first Member of the Senate to suggest very strongly that Michael Mukasey should not become the next Attorney General, and I am very pleased that in the last week, more and more of my colleagues are coming to that same conclusion.

The Attorney General of the United States must be a defender of our constitutional rights. Because President Bush thinks he can do whatever he wants whenever he wants in the name of fighting terrorism, we need an Attorney General who can explain to the President what the Constitution of this country is all about. We need an Attorney General who does not believe the President has unlimited power. We need an Attorney General who will tell President Bush he is not above the law. We need an Attorney General who clearly understands the separation of powers inherent in our Constitution.

Regretfully, I have concluded that Michael Mukasey would not be that kind of Attorney General. I am gratified that more and more of my colleagues are coming to that same conclusion.

Let me be very clear. It goes without saying that the U.S. Government must do everything it can to protect the American people from the very dangerous threats of international terrorism, but we can do that in ways that are effective and are consistent with the Constitution of our country and the civil liberties it guarantees. We do not have to give up our basic freedoms in the name of fighting terrorism.

The Bush administration and the lawyers who have enabled it for the past 7 years cannot be bothered, it appears, with such technical legal niceties as the Bill of Rights. This administration thinks it can eavesdrop on telephone conversations without warrants, suspend due process for people classified as "enemy combatants," and thumb its nose when Congress exercises its oversight responsibility. That is why I called on Roberto Gonzales to resign. I had hoped that the confirmation process for a new Attorney General would give the President and the Senate an important opportunity to refocus on the core American principles embodied in our Constitution.

Unfortunately, it appears Judge Mukasey doesn't get it. At his 2-day confirmation hearing before the Senate Judiciary Committee, he suggested that eavesdropping without warrants and using "enhanced" interrogation techniques for terrorism suspects might be constitutional, even if they exceeded what the law technically allowed. Mr. Mukasey said Congress might not have the power to stop the President from conducting some surveillance without warrants. He even, incredibly, claimed to be unfamiliar with the technique known as waterboarding.

"If Judge Mukasey cannot say plainly that the President must obey a valid statute, he ought not to be the Nation's next attorney general," wrote Jeb Rubenfeld, a professor of constitutional law at Yale Law School, who had appeared before Judge Mukasey as a prosecutor. And he has that right. It has become an American aphorism that ours is a government of laws, not men. We need an Attorney General who understands that so, unfortunately, he can explain it to a President who does not.

CONTROL IN BASRA

Mr. President, I ask unanimous consent to have printed in the RECORD an article that appeared in the Los Angeles Times today.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, Nov. 1, 2007]

BRITAIN TO HAND OVER CONTROL IN BASRA—BRITISH DEFENSE SECRETARY SAYS IRAQIS ARE READY TO ADDRESS THE SOUTH'S PERSISTENT VIOLENCE

(By Doug Smith and Said Rifai)

BAGHDAD.—Saying that Iraqi forces are now capable of dealing with the violence that persists in the south, Britain's defense secretary said Wednesday that his government intended to hand over security for the area by mid-December.

Defense Secretary Des Browne acknowledged that sectarian power struggles and gangsterism continue in oil-rich Basra province, but said Iraqi forces were best able to address them now.

Browne, who spoke to reporters in Baghdad a day after reviewing the security situation in Basra, said he saw increasing evidence that Iraqi security forces, particularly the army but increasingly the police as well, were improving in their response to the infighting and violence.

"Unequivocally. I can see progress," Browne said.

British Prime Minister Gordon Brown announced last month that his government, the main U.S. foreign partner in Iraq, would pull out half its remaining troops by June, leaving 2,500 soldiers stationed outside Basra.

Browne said that contingent would be adequate to fulfill its primary responsibility of guarding the lone British base and would be capable of providing support to Iraqi forces.

In meetings with Iraqi officials Wednesday, Browne pledged Britain's continuing assistance in the economic development of the south.

Also Wednesday, Iraq's foreign minister said Baghdad was holding indirect talks with the Kurdistan Workers Party, or PKK, that would soon lead to the release of several Turkish soldiers the group seized in recent border clashes with Turkey. The PKK, fighting for autonomy for Kurds in Turkey, has bases in the far north of Iraq.

Iraqi Foreign Minister Hoshyar Zebari, an ethnic Kurd, made the comments after conferring with Iranian Foreign Minister Manouchehr Mottaki before this weekend's regional security conference in Istanbul.

In contrast to the tension surrounding a visit to Baghdad by Turkey's foreign minister, Ali Babacan, the atmosphere was cordial at a joint appearance after their talks. Both diplomats said the border disputes between Turkey and the PKK should not be allowed to destabilize the region.

Meanwhile, a car bomb exploded in the Alawi neighborhood near Baghdad's fortified Green Zone, killing one person and injuring four. The bodies of six unidentified victims of violence were found in the capital.

In the north, a policeman was killed and two others injured in an attack on a checkpoint about 12 miles south of the city of Kirkuk, police Brig. Gen. Sarhad Qadir said.

Two Iraqi army soldiers were killed in Tuz Khumatu, 110 miles north of Baghdad, when a bomb went off under their patrol vehicle, Qadir said.

Mr. SANDERS. Mr. President, what that article talks about is the fact that every day our main ally in Iraq, the United Kingdom, is withdrawing more and more of its troops. In the first paragraph of the article in the L.A. Times today, it states:

> Saying that Iraqi forces are now capable of dealing with the violence that persists in the south, Britain's Defense Secretary said Wednesday that his government intended to hand over security for the area by mid December.

And later on in the article it says:

> British Prime Minister Gordon Brown announced last month that his government, the main U.S. foreign partner in Iraq, would pull out half its remaining troops by June, leaving 2,500 soldiers stationed outside Basra.

In other words, it is the United States of America, more or less alone, that is continuing this war in Iraq. We have some 140,000 soldiers in Iraq. There are tens and tens of thousands of private contractors in Iraq. It seems to me time is long overdue for us to learn from our ally, the United Kingdom, that we have to begin bringing home our troops, as they are, as soon as we possibly can.

Senator MENENDEZ made the case, I thought very impressively, about what this war is costing us in terms of human life, what it is costing us in terms of the tens of thousands of soldiers who are going to return home with traumatic brain injury, with post-traumatic stress disorder, without arms and without legs. This war has cost the Iraqi people almost beyond comprehension. No one knows exactly how many hundreds of thousands of Iraqi men, women, and children are dead, but there are estimates that go way up to close to 1 million. There are 2 million Iraqis who have been forced to flee their own country, and there are 2 million who have been displaced internally who have had to leave their homes because of ethnic cleansing and because of the violence that existed in their neighborhoods.

This war has resulted, tragically, in the standing of the United States of America being diminished all over the world. Some of us remember years back, when a President of the United States would go to Europe, would go abroad, and hundreds of thousands of people, if not millions of people, would be lining streets with American flags, looking up to Americans saying: America, you are the kind of country we want to be. Now, when this President goes abroad, there are thousands and thousands of people who are coming out, but invariably they are demonstrating against the United States.

What poll after poll shows, to our great loss, to our capability in fighting international terrorism, is we have lost the moral high ground; that our standing throughout the world is significantly diminished. And certainly one of the challenges we face as a Senate is to restore the confidence the entire world used to have in the United States and restore that once again, so when our kids go visit in Europe and somebody says to them: What country do you come from, they do not have to say they come from Canada. They can say proudly they come from the United States of America, a country that, once again, we hope, will be respected throughout the entire world.

I hope very much we will follow the lead of our friends in the United Kingdom, who are now down to 2,500 troops. I suspect in the not-too-distant future those troops will probably be withdrawn. We should be bringing our troops home as soon as we possibly can.

ABOLISHING HUNGER

The last point I wish to make is that fairly soon, as I understand it, the agriculture bill will come to the floor of the Senate. In that bill, I think under Senator HARKIN's leadership, there have been some very positive changes being made. But I think, because of the lack of funding, that bill does not go anywhere near as far as it should in addressing some of the very serious problems we face in our country in terms of nutrition and in terms of hunger.

At the same time this country is spending $10 billion a month on the war in Iraq, it has the dubious distinction of having, by far, the highest rate of childhood poverty in the industrialized world, with almost one-fifth—almost one out of five—of the kids in this country living in poverty. Compare that with Scandinavia, where it is maybe 3 percent or 4 percent. And the rate of poverty in America is growing.

Last year, as you may recall, the Department of Agriculture, in the midst of this increase in poverty in our country, reported that 12 percent of Americans—35 million people—could not put food on their table at least part of the year. Thirty-five million of our fellow Americans could not put food on the table for at least part of the year. That is not what should be happening in our country.

When the Senate deals with the agriculture bill, I will be offering an amendment which will ask for a commitment from the Senate that says, at a time when the wealthiest people are becoming wealthier, when the poorest are becoming poorer, when hunger in America is increasing, this Senate, this Congress will make a moral commitment to abolish hunger in this country in the next 5 years. That is not asking too much for our country.

We have to fundamentally change the priorities of our Nation. When billionaires want tax breaks, we have money for them. We have money for war. But when children go hungry, I guess there is no money available. So I look forward to working with my colleagues to change the priorities of this Senate so we start paying attention to the vast majority of our people rather than the few and the wealthy who have so much power.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Wyoming.

Mr. ENZI. Mr. President, in a little over 2 hours, we are going to be having two votes on this floor. Under rules of the Senate, technically, the time is reserved for the debate on that, so I thought I ought to come to the floor and assure people that vote isn't going to be on the Attorney General and it is not going to be on the farm bill. It is going to be about health.

I thought somebody probably ought to come and talk a little about health, so I am going to do that. Yesterday, we voted to invoke cloture on the motion to proceed to H.R. 3963, which is the State Children's Health Insurance Program, or what folks on Capitol Hill are calling SCHIP. Now, I spoke on the floor last night about how this so-called new bill isn't new at all. It is about the same old flawed plan, only with new rhetoric.

I had a lot of hope for what was going to happen because both sides were talking. They were looking at some of the proposals I and others had made, and I even thought the House was going to have those included in their bill. When it went to the floor, it turned out to be kind of the same old thing again, with new sound bites and political posturing. That isn't what it is supposed to be about. We are supposed to be making decisions on health for the children of this country and, hopefully, for every American. But we choose to make political points, which holds up the system and doesn't get the job done.

With those new sound bites and political posturing, we are not ensuring that low-income children have the health care they need. We owe it to these children to work with the President to reauthorize this critical program in a way that gets every single low-income child who needs insurance. This body hasn't been able to do that, and we have been working on this bill for many months. I know if it were not for politics, this bill would have been done weeks ago. Actually, it would have been done months ago.

The longer we work on this issue, the more political it becomes, to the point where we don't even debate it any more. We wait for the votes to roll around and we talk about Attorneys General and farm bills and the war and we avoid the issue we ought to be talking about, which is how to come together to take care of children's health.

Now, I worry that some Members in this Chamber have lost sight of the goal, and that goal was making sure all low-income children in this country have health care. The press has been reporting, and some Members of this body have claimed, all concerns were addressed in the last version of the bill that the House voted on last week—the one that is before us now—but that is not correct. The concerns weren't addressed. We have to put low-income kids first, and this bill doesn't do that.

Now, I detailed in my speech last night the concerns I have with this bill. I also mentioned I am a cosponsor of the Kids First Act, S. 2152, the bill that would provide Federal funding for children in need and require that the money actually be spent on children from families with lower incomes. This bill is a good step in the direction of compromise, and I hope the majority will see that and start working with the minority to pass something the President can sign, rather than continuing to play politics.

I would suggest the politics haven't worked. I noticed when it went to the floor on the House side there were more people opposed to this version than there were to the previous version. I noticed on the cloture vote there were more people opposed to this version than there were to the last version. That doesn't sound like progress to me; that sounds like more of the same, where it allows people to run political ads one way or the other against people. That is not what we are supposed to be about.

SCHIP is important, and I wish to be crystal clear about my position: I support the SCHIP program 1,000 percent; that is, the SCHIP program we can have, not the one that one side or the other is trying to force down the throat saying we are doing it for kids. But more than that, it is important this body be thinking bigger. We need to think bigger about fixing the entire health care system and helping all Americans.

I do have a bill that does just that. It is not my bill; it is our bill. I spent months collecting ideas from both sides of the aisle. I have looked at every health care provision that anybody has to see if there is not some common ground—and there is. There is. I don't have everything in this because I found that legislation works best if it is evolutionary, not revolutionary. You have to take steps to get from here to there. But if you take steps and you get started with a step, you can actually wind up at your destination. So I put together a bill on behalf of everybody which can do just that—one part of it or all of it; it doesn't matter. For the next few minutes, I would like to explain my plan to this body.

When our constituents look off to the distance, they do see dark clouds and an explosion of health care costs, and they see it rapidly drifting across the country. I know this from the town meetings I have been having. I mention that again. Every day many of our constituents are going to jobs they do not like, but they are afraid that if they change, the change in employment will mean their loved ones will lose their health insurance and they will face a future without the protection a good policy affords. They cannot change from one job to another because a family member would have preexisting conditions that would not be covered at the next one. That is not fair.

How do I know these things are happening? I know because I go home almost every weekend. I travel around Wyoming. It is a very big State. I hope all of you will take a look at that. It has a very small population. But I get to talk to almost all of my constituents. I do that partly at town meetings and partly at individual meetings. I also read their letters. I listen to them at all kinds of events when I am back home. I know they are telling me these things. I can also tell that they are telling me the same things. Why aren't we listening? Why are we taking so much time to finally do something about it?

When we are home, one thing we all like to do is visit our local video store. They have a lot of movies we can listen to and watch in the quiet and comfort of our own home. There are different sections for each category, and we can help ourselves to the latest in action or drama or comedy. If health care were a new release and you wanted to check it out at your local video store, you certainly wouldn't find it under "action" because there hasn't been any. You wouldn't find it under "comedy" either, because there is more tragedy than there is comedy in this whole thing. Most likely you would find it under "horror," "science fiction," or "fantasy." Unfortunately, I am not talking about movies and the land of make-believe; I am talking about real life and the need for real action to solve real problems.

Take the fact that health care is one of the biggest concerns of every American. Combine that with the fact that those who were elected and are now in charge have refused to put forth for debate a substantial proposal that has a real shot at working. There is already talk among top Democrats that next year will be the health care year. It is funny how it always seems to be that when Congress is faced with a heavy lift, it starts talking about next year—as if that is the present tense.

What do you have? You have the answer to why Congress's approval ratings are so low. The solution is clear: The best way to solve sagging poll numbers is to actually do something, stop playing around on the fringe of the issue and get right to the heart of the matter. Our friends on the other side of the aisle know what they should do, but what are they waiting for? We need to do what the American people say they want us most to do. And then—this is the real rub—they want us to work together and avoid the partisan fear that we might have to share the credit. I have always believed you can get anything done if you don't care who gets the credit, and that is the path we ought to be taking. We have a real opportunity to do something now, to get legislation passed that will mean real solutions for our constituents.

I have collected this plan. Over the next few months, I will share each step with my colleagues, as I have been doing, and would remind you that the longest journey in the world begins with a single step, and I am willing to take the first ones. If anyone has a better idea, I am more than willing to put our ideas together until we have something we can all accept.

I know from other pieces of legislation that I have worked on that is the only way to get something done. We can agree on a lot. We can agree on about 80 percent of all of the issues. Health care is one of the issues on which we can agree. I found on any particular issue you can usually agree on 80 percent of it. Eighty percent would be a lot more than what we have now. It is that pesky 20 percent that always proves to be a problem. Sometimes you get things done by what you leave out.

When I mention 10 steps that would get us to this goal—if we only do 8 of them, it is still a lot of health care for people. If we do all 10 of them, it is a solution. If we concentrate on that 80 percent, we can get something done right away to make our health care system better, safer, more efficient, and less expensive. We owe it to our mothers, fathers, sisters, children everywhere to take those steps. One by one, we can get where we need to be.

I think we have all had enough of the "rush and whine" bottle of legislating, the ones who rush out from a meeting to hold a press conference so they can whine about a problem. That approach generates a lot of noise, but it has never resulted in action.

We need to work together, the majority and the minority, to build a legacy our children and our grandchildren will benefit from, a fair and effective health care system that will ensure more Americans have access to the health care they need to lead full and productive lives and that those who have it will not lose it.

Forget there is an election coming up for just a few seconds. That, technically, is next November, not this November. That should give us a little bit of time to work on something. But I do know that election for some of us is a barrier to progress. Let's not let it be that way. There is plenty of room for agreement. We do not need a massive bill, just a genuine effort to work together. We do not need a new big Government bureaucracy. We do not need to bankrupt the country. It is not rocket science. We can do it a single step at a time, and I am discouraged that those in charge have not put a single step into play. But I am hopeful that this call to arms—actually, it is a call to work together as comrades in arms—will remind us all that we need to do something about this issue now. Election year politicking should not stand in the way of real reform for health care. There is much we can do today that will give people the confidence they need in their ability to face the challenges of tomorrow. What we can do right now can help people improve their health coverage for themselves and their families.

All I ask is that you walk with me as we take the steps that are needed to solve this problem. I call it a 10-step approach, and it would bring clarity to our health insurance maze and put the focus where it belongs—on patients. Enacting one of the 10 steps would keep our health insurance system strong and off life support for awhile.

The first step gives small businesses greater purchasing power to reduce the costs of insurance plans. Those of you who know me will recognize how central this would have to be to any health care reform proposal of mine. The Chair and I have worked together to bring together an idea that had failed for 12 years because people would not compromise. We worked with all of the stakeholders—which are the providers and the patients and the insurance companies and the insurance commissioners and anybody else with an interest in insurance—and we put together a plan that would effectively allow small businesses to work across State lines to combine to get a big enough pool that they could effectively negotiate with the insurance companies. That still needs to be done. It is still a key to getting more people insured and seeing that people who have insurance get to keep their insurance. In administrative costs alone, it could drive the price down by 23 percent. That is a huge savings for small businesses. It would bring many small businesses back into the market. We need to do that.

A second step focuses our investment on health information technology to cut costs and to save lives. Mr. President, 100,000 Americans die every year because of medical errors that result from messy handwriting and mixups with drugs and treatment. The Senate needs real leadership to bring the health industry into the 21st century. Electronic access to health records could save billions of dollars and save thousands of lives.

People's health records should travel with them so they can share them with their doctors. Informed decisions are better decisions, and patient access to their records can help their doctors do a better job of making sure the patients get the care they need without duplicate testing. How many people have been to the doctor's office and when you get there, what they do is hand you a clipboard and they say: Write down everything you can remember about your health. I used to be able to remember a lot more about my health than I can because I had more of it. But it would really be helpful just to have a little card I can hand them and say: Here, swipe that through your computer, and I will put in a code that will release some of the information. And when I get a test done at a hospital and then go to the doctor, the doctor won't say: It hasn't gotten here yet, so we are going to have to run the test again. Some of those test are $5,000, $10,000—duplicative. But it will be on the little card, you have it right there, you have the information, and you can use it. The Rand Corporation estimates those duplicative tests are costing us $140 billion a year. That is real money, in my book. So an electronic record would go a long way toward eliminating the problems caused by a prescription that can't be read or a drug interaction that could be dangerous or duplicative tests.

The next step would be to correct a flawed Tax Code to make it easier for working Americans to buy health insurance. Jobs don't need health insurance; people need health insurance. Members of American families who are not insured through their employers should have the same access to care. They should have the same access to the Tax Code. We want health care fairness, even if you don't work for a big company. We could do that.

Other steps will fix the medical justice system to cut down on the junk lawsuits that are driving up health care costs. The medical liability system in this country does not work the way it should. The 10 steps would include a mechanism to promote real medical justice reform that will focus on helping both patients and doctors, not trial lawyers. We want medical justice so the people who are injured get paid quickly and fairly, so we are not spending more in preventing lawsuits than we are in preventing illnesses.

I have to say, Senator BAUCUS has been working with me on that bill. We have introduced a bill that can do exactly that. It will be bipartisan. It can be more bipartisan. We need more people to help out.

Americans should not have to live in fear that if they change jobs they will lose health insurance. This 10-step bill will give them security in their health insurance. When you change jobs, you will be able to take your health care with you. You will not have to worry about the insurance company saying: That already existed before you bought our insurance, so that is going to be a surprise discovery, that it was a previous ailment, and we are not going to cover it.

We don't want that to happen. The system we have today is not about patients and making them healthy. We need to put the focus back on health care, not sick care.

We also need to set our sights on prevention. Ben Franklin said it best:

> An ounce of prevention is worth a pound of cure.

Those are a few of the things we can do now. I hope you will check out my Web site, where I have a lot more detail on this plan that I have collected from everybody, everybody who is interested in it. Check out that Web site and join me in getting something done in health care for every American. It is not a big concept, but it can be a big improvement.

I encourage others to bring their ideas out for discussion. I never consider anything I have collected or worked on to be the final answer. The way I get legislation done around here is to listen to all of the different proposals, see what works together, and out of that usually springs some surprise inventions, new ways of doing it that reach the goal we are looking at. That is where we are trying to go.

Our constituents are not asking for more politicking. They consider health to be a real problem.

They want a real answer, so we can bring the focus back to health care and not "sick" care. We all know what we should be doing in our own lives to help prevent chronic illness so we can stay strong and healthy. When it comes to health care, it is clear there is a lot that should be happening but is not. We need to replace those "shoulds" with a simple word "will." We need to replace the call to do something from "next year" to "now."

Those changes should happen, and we can make them happen. It is a simple thing. We just need the will to do it. We need to take the politics out of it. I know this is a political body, but we have done much in the past that was not based on politics. It was based on solutions for America. And that is the only way the people of this country are going to have confidence in Congress again.

We can do it. We can do it one step at a time but only if we work together. We have done it. We did it on the mine safety bill a little over a year ago. It used to take about 6 years to get a bill through. We did it in 6 weeks because people listened, found out what the problem was, and put down solutions.

No, it did not solve every problem, but at least it is 80 percent better than it was. Eighty percent is better than nothing. We can reach solutions but only if we listen to each other, find the 80 percent, and be willing to throw out the other 20 percent.

I thought we were at that point on SCHIP. I was disappointed that we went pretty much back to the same old story again because it evidently makes good ads because, as I mentioned before, the number in the House who voted for it was fewer, and the number of people in the Senate who voted for it was fewer. So we are not there. I hope we do something that gets us there, not just for the children but for everybody.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. HUTCHISON. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Madam President, I rise to speak in support of the SCHIP bill, but also to say we should not be voting on this legislation right now. This is a time and an issue on which our bipartisan Congress, with a bipartisan consensus, can sit down with the President and his staff and come to a conclusion that will continue a program that has been very effective. However, that is not what we are faced with today. Today we are faced with voting on the exact same bill—not the exact same bill, almost the exact same bill—that we voted on and the President vetoed only 2 weeks ago.

Now, I voted for the first bill. I think it was a good bill. It had many good features. But I expected, when the President's veto was sustained in the House, the House leadership would take a step back, meet with the President's staff, work something out, and go forward with something new—a new try.

That is not what we have in this bill before us. That is why I voted against the motion to proceed. I believe we needed more time to craft a bill that would be more acceptable to the President and could have the bipartisan consensus to pass and go to the President for signature. That is not what happened.

Instead, the House turned around and very shortly passed almost the same bill. Eighteen Republicans voted for virtually this bill. We also signed a letter saying to our Senate and House leadership: Please work with the President to come up with a compromise.

The President has said he would like a compromise. He has said he would like to move forward. I think there is a very strong middle ground because the bill that is before us is a vast step beyond the program as it has been in place, and I think we could still do a lot more coverage. We could cover more children; we could cover more families with a bill that is not quite as far reaching as the one that is before us today. Even though I support the one that is before us today—and I will continue to do so—I do want a good-faith effort to come to a compromise that everyone can support.

The bill does continue the program we have started. It provides, today, insurance for over 300,000 children in Texas. It also includes an important provision that protects Texas's ability to cover more children with health insurance. During the SCHIP debate, I worked with members of the Senate Finance Committee to ensure the legislative changes did not harm Texas's ability to fund the program, and we were successful. That language was in the original bill, and it is in the bill that is before us today.

However, I do think it is important we move forward in a way that will achieve success. I want to make sure a fast-growing State such as Texas does not lose the money it does not use in any 1 year in the next year and the following year. That was my concern because many of the fast-growing States do not use their money this year, but they will need it next year or the year after because there is a stronger effort to sign up the children who are eligible. That was accomplished in this bill. That is one of the key reasons I support it because I do think it is an efficient use of our taxpayer dollars to cover children so they are not going to be more seriously ill because they have not had the preventive medicine that coverage in Medicaid or SCHIP—which is the next step above Medicaid—can provide. That is a worthy goal for our Congress.

I am going to vote for the bill today. But I do hope this signal is heard; that is, we would ask the leadership in the House and the leadership in the Senate to sit down with the President's staff to work out an agreement where we can all support this bill that will continue the very important mission of SCHIP to give a safety net to children who are above the Medicaid level but still 200 percent or 300 percent at most above poverty and give them an opportunity.

I think some of what has been talked about as compromise is quite good, quite sound, quite creative, such as you go to 250 percent above the poverty level, but between 250 percent and 350 percent you give tax credits for families to cover themselves with private insurance. You help them. You subsidize their ability to stay in the private market.

We do not want a big government program. We do want to cover SCHIP and Medicaid through government auspices, but we want to not supplant the private insurance that many people in the 250 percent to 350 percent above poverty level already have access to. But if those people who do have access to health care because they work in a company that provides this opportunity choose not to take it because they are going to get a free government program, that does not do anyone any good. It is not going to increase the number of children who are covered by insurance because they would have given up health insurance in order to go on a government program. That is not what we are after. We are after increasing the number of children covered. We are after, also, keeping the basis of our private health insurance healthy in our country.

So, Madam President, I thank you for allowing this debate to go forward. I thought we should have negotiated a little longer, but we are not. So we are now going to have cloture on the bill itself. I will support that cloture, and I will support the bill. But I do not want the same bill to come back a third time. I expect sincerity on the part of Congress and the President to come forward with something new that would be closer to a bipartisan agreement where we can all declare success, and the beneficiaries of this success will be the poorer children of our country.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Madam President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. I thank the Chair.

Madam President, I was looking at the most recent public opinion polls on the Congress, and let me report what they say. It says just 16 percent of likely voters think Congress is doing an "excellent" job or a "good" job, while 36 percent are willing to call the legislature's performance "fair." A plurality of 47 percent say Congress is doing a "poor" job.

Now, I do not know about you, but if my kids brought home a report card that said only 16 percent of their work was either "excellent" or "good," 36 percent "fair," and 47 percent "poor," I think there would be a little trouble at home until we got their priorities straightened out.

This Congress, this Senate, has lost a sense of its priorities. Our priorities should be working together across the aisle to try to solve our Nation's challenges. That is the reason I came to the Senate. I honestly believe regardless of whether we call ourselves Republicans or Democrats or Independents, that is what motivated virtually every Member of Congress to come here: to try to do something for our constituents, for our States, for our Nation, and for our future.

But, unfortunately—I do not know whether it is the water we drink in Washington, DC, or somehow just the environment we encounter here—once people come to Washington they seem to get locked into these partisan battles and lose sight of that objective, which is to do something good for the American people, to help them solve some of their problems, to deliver results. I know many of our colleagues—whether they are Republicans or Democrats—are frustrated by our inability to do that.

As the Presiding Officer knows, we have weekly meetings, bipartisan meetings, trying to figure out—it is almost like group therapy sessions: How can we get out of the rut we are in? How can we solve some of the problems that confront us? But here we are again. My colleague, the senior Senator from Texas, talked about her concerns that the SCHIP debate—the State Children's Health Insurance Program debate—had become not a problem to be solved but, rather, a political football.

I am afraid I have to agree with her that we have been through this debate over the last few weeks, and nothing—not even the rhetoric—has changed. It seems as if all we have had is people dusting off their old speeches they delivered a few days or a few weeks ago, and not listening to one another, not actually rolling up their sleeves and getting to work to try to resolve the differences.

The truth is, as we have said over and over again, what is wrong with this bill is we simply do not seem to have a consensus that we ought to enact a solution. The fact is, we know there is bipartisan agreement the State Children's Health Insurance Program—designed to help low-income kids whose families make too much money to qualify for Medicaid but not enough to buy private health insurance—that they need a little help in order to get access to good quality health care. There is broad bipartisan, perhaps unanimous, agreement we ought to get that done.

But, unfortunately, what we have seen is a program proposed that little resembles the original program, which was designed to help low-income kids. We see a bill that has grown by 140 percent, a $35 billion tax increase in order to cover who? Low-income kids? Well, no. In 14 States we know it is used to cover adults. We know proposals had initially been made that would have allowed waivers to be used to cover families making up to $80,000 and more—bearing little resemblance to its original goal.

Now we see a new bill that is before the Senate that represents the old bill except—if this is possible—it is even worse. It is amazing to me the authors of this new bill would come back with this so-called compromise, spending $500 million more than the last bill, yet covering 400,000 fewer children. You heard me correctly—spending almost a half billion dollars more and covering 400,000 less children. And, still, despite my pleas and the pleas of many of our colleagues to the contrary, this bill does not put the health and welfare of the lowest income children first.

I have said it time and time again, but let me say it one more time: Right now, in my home State of Texas, there are roughly 700,000 uninsured low-income children who qualify for Medicaid, who qualify for the SCHIP program, but we have not made the effort to reach out to them to get them to sign up for a benefit for which they are already legally qualified and for which there are funds already available to pay for their health care.

These 700,000 children in Texas who qualify for SCHIP or the Medicaid Program do not know about the programs or do not know how to apply. I have to tell you, I was recently in Houston, TX, at a place called the Ripley House, which is a neighborhood program run by the Texas Children's Hospital, where I saw a copy of the application form for Medicaid and SCHIP. It reminded me of a financial statement that a business man or woman would have to fill out in order to apply for a line of credit or even maybe a financial application you would have to fill out to buy a home. It was enormously complicated and, I am sure, intimidating to many low-income parents who would like to sign up their children.

But we have to refocus our efforts not on growing the size of the program beyond recognition to cover the middle class and to cover adults; we need to return our focus to low-income kids and figure out how we can get those families who are the intended beneficiaries of this program signed up on the program so we can get more kids out of the emergency rooms and on to some form of health insurance which will allow them to get preventive care and to keep them healthy and productive as young Americans. But here we go again. Here we go again. We are going to have another meaningless vote in the sense that while it no doubt will pass, the President said he is going to veto it, and we will be right back in the soup again. The second veto, roughly the same bill, except for the fact that this bill spends more money, covers fewer kids, and we are not solving the problems the American people sent us here to solve.

I think it is regrettable. It is not why I came here, and I doubt it is the reason why the vast majority of our colleagues come here. But here we are stuck in a rut again, playing the same sort of political games, more concerned about scoring points on some imaginary scoreboard, according to arbitrary rules that nobody knows, other than it seems like these poor, low-income kids are the ones who are losing in the end.

MUKASEY NOMINATION

I also come to the floor to talk about another disappointment I have with regard to the confirmation proceedings of the new nominee for Attorney General of the United States, Judge Michael Mukasey. I serve as a member of the Senate Judiciary Committee, and I am grateful to Chairman LEAHY that on Tuesday we will finally have this nomination on the Judiciary Committee markup so we can vote up or down in the Judiciary Committee on this nominee. But it seems that Judge Mukasey—just when we thought, here is somebody who is a respected Federal district judge and who has served with great distinction in that capacity, who has been the presiding judge of both the Jose Padilla case—do my colleagues remember that? He was an individual accused of terrorism and where there were many extensive legal challenges to his detention. Judge Mukasey handled that case, at least in part. He also tried and presided over the 10 individuals who were convicted for their involvement in the 1993 bombing of the World Trade Center, one of the first incidents of terrorism on our soil back in 1993, before we realized al-Qaida had declared war against the United States and we finally woke up on September 11 and acknowledged that.

But throughout his career as a judge, Judge Mukasey has proven to be an independent voice of reason, justice, and a strong advocate for the U.S. Constitution and the rule of law. For 18 years, he served on the U.S. District Court for the Southern District of New York, one of this country's most important and prestigious Federal courts. For 6 of those years, he served also as the chief judge.

The U.S. Court of Appeals, Second Circuit, wrote of Judge Mukasey's work presiding over the 1993 World Trade Center bombing, saying that he:

> Presided with extraordinary skill and patience, assuring fairness to the prosecution and to each defendant and helpfulness to the jury. His was an outstanding achievement in the face of challenges far beyond those normally endured by a trial judge.

In short, Judge Mukasey's qualifications as a lawyer, as a judge, as a dedicated advocate for the rule of law are unimpeachable and undeniable.

Well, it looked like things were going pretty well. There were 2 days of hearings for Judge Mukasey in the Senate Judiciary Committee. Judge Mukasey was doing well when he said: You know what. I am not afraid to tell the President of the United States when he steps over the line and violates the law. If that were to happen, he said, it is my job as Attorney General to tell him: Here are the parameters for your actions, Mr. President, and you, just like the lowest of the low, the highest of the high, are subject to the law of the United States under the Constitution. Believing as he does in the concept of equal justice under the law, Judge Mukasey showed no fear and no favor in terms of the way he would interpret and apply the law were he confirmed as Attorney General.

But now we see some of my colleagues on the Judiciary Committee have sent Judge Mukasey a letter asking him about his legal conclusion and opinion about an interrogation technique that is allegedly used against some of the worst enemies of the United States—terrorists—in order to get information from them—consistent with our laws and the Constitution and our treaty obligations—that will allow us to save American lives and prevent future terrorist attacks. They complain about Judge Mukasey's answer, not because he doesn't acknowledge what the law is—our international treaties banning torture, our domestic laws that ban torture—but because, he says: I have not been briefed on this particular interrogation technique that you are asking me about, and because it is a classified procedure, I don't know the facts. So let me tell you what the law is. Let me reassure you I will steadfastly enforce the law. I don't care whether it is the President of the United States I have to tell no or anybody else. But you know what. Being a responsible lawyer, being a responsible former Federal district judge, let me say that while I can tell you what the law is, I can't give you a conclusion that you are asking for as to whether this particular technique is legal or not because I haven't been briefed on it. I don't know what the facts are.

Now, that is a responsible answer. As a matter of fact, that is the only responsible answer for a careful lawyer, a judge such as Judge Mukasey. Frankly, if he had answered the question without knowing what the facts were in some conclusive way, I would doubt his qualifications and his temperament. I would wonder: Maybe this person wants to be Attorney General too badly, that he is willing to make rash decisions without knowing what the facts are in order to get confirmed. But instead, Judge Mukasey said: You know, I need to know what the facts are. I can't answer your question conclusively, even though I reassure you I will steadfastly enforce the law. I oppose torture as abhorrent to our values, personally repugnant to me. I would tell the President of the United States, if I concluded that some particular interrogation technique stepped across that legal threshold.

Once again, we find the facts apparently don't matter, that this responsible answer which Judge Mukasey has given has been offered as a pretext to oppose his nomination. I think it is a shame.

As the New York Times today reported, if Judge Mukasey, who I am confident will ultimately be confirmed as the next Attorney General of the United States, were to say—Madam President, I ask unanimous consent for an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Madam President, if, as the New York Times reported today, Judge Mukasey were to state a conclusive opinion on the legality of certain interrogation techniques which he has not been briefed upon, it would potentially prejudice and put in jeopardy intelligence officials who may have engaged in interrogation techniques that now, without knowing the facts, this nominee would conclude had stepped across a legal threshold. That would not be the responsible thing to do. Indeed, Judge Mukasey has done the only responsible thing a careful person and a person who understands the ramifications of his decision may extend far beyond a confirmation hearing and potentially put in jeopardy America's patriots who are trying to protect and save the lives of other Americans and other people around the world.

So I hope we would try to do better. I hope we would do what we all came here to do as Senators representing our States and try to solve real problems, not to create artificial barriers and pretexts for making what turn out to be naked political judgments about some of these important issues that confront us.

I thank the Chair for her indulgence, I thank my colleagues for their patience, and I hope we get on with the business of passing a children's health insurance bill and have a speedy confirmation for Judge Mukasey as the next Attorney General of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Madam President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

2007 FIRE SEASON

Mr. CRAIG. Madam President, while I know that on the floor of the Senate this afternoon SCHIP, or the State Children's Health Insurance Program, is the topic of the moment, something else is near conclusion across America at this time that I thought it would be appropriate for me to speak to. I am speaking of the 2007 fire season. Of course, we—you and I—have been riveted to our television sets over the last several weeks as we literally watched the Los Angeles basin burn. Well, while the smoke is starting to clear in California and the losses are being assessed, I thought it would be time to come and speak to one of the worst fire seasons America has experienced in decades. First, in doing so, I must say—and we have all watched it—thank you to the literally thousands of courageous firefighters, men and women out on the line every day, facing almost impossible odds. We saw it in California. We saw it in my State of Idaho. We saw it across America this year, during that wildfire season period, where flames were as high as buildings, and men and women were scurrying to stop them and to protect both habitat and watershed and homes. They were putting themselves at risk. So I say to all of those marvelous firefighters who stood in harm's way throughout the early summer, summer and fall, and now into the late fall in California, thank you. Thank you for the phenomenal work you do, the selflessness you put yourselves into, on behalf of America, on behalf of people's property, on behalf of our natural resources.

In California as we speak, 14 people lost their lives, 2,100 homes were destroyed as that week-long blaze roared across the greater Los Angeles basin. Over 809 square miles of land was charred, and now, about the time the fires are to die down, we hear rumors that the Santa Ana winds are expected to pick up again and we could possibly find ourselves back in flames in California.

The 2007 fire season: 77,000 fires. Stop and think about that; 77,000 fires, 9.2 million acres of land, and as I have said California may continue to burn.

In my home State of Idaho, we went through one of the worst fire seasons we have ever experienced. Of that 77,000 fires I talked about, 1,775 of them were in the State of Idaho. Of the 9.2 million acres of land charred that I talked about, over 2.2 million acres of that, nearly 25 percent of the whole burn, occurred in my State of Idaho.

Thankfully, in Idaho, no great structures were lost because it happened to be out in the back country or on our foothill grazing land. Finally, as the snow began to fall in the high country of my great State a few weeks ago, the fires were put out because some of those fires were simply impossible to corral and to put out by man's efforts.

So here is an interesting statistic. This chart shows us the phenomenal escalation and the cost of firefighting at the Federal level and what has transpired. In 2005, nearly $1.6 billion was spent. Let me show you what happened this year. Here is what happened this year. So we go from $1.6 billion, and let's go to $1.87 billion. Those are the figures we are talking about now, and that doesn't even include California. So we will probably hit well over the $2 billion price tag in fighting America's fires this year, and that, in itself, is phenomenal, a phenomenal cost.

So let's remember it: 77 million, 1,000 fires, 9.2 million acres burned, and now we are bumping up over $2 billion worth of tax dollars spent in protecting America's marvelous wildlands and in protecting properties and all of that.

Let me give an example of what happened in Idaho, where 25 percent of that acreage burned. On one fire alone, in size as big as the Los Angeles fires—we called it the Murphy Complex fires. Well, there were 50,000 AUMs—or animal unit months—of grazing, because the public lands in Idaho are very valuable for grazing. Six ranchers were 100 percent burned out. Seventeen others were partially burned. Now that the fire is over, now that the fall has come and we have had a few rainstorms and things have settled down, this is Federal land, what do we do?

Here is what we are doing, because the cost is not over. The figure I have given you of nearly $2 billion, that is to put out the fires. Now, what are you going to do with the land? You start rehabilitating the land. You start trying to stop it from eroding and doing all of that. We are going to spend $10 million in 2007, and $22 million is already requested for the next 3 years. That is for one fire in Idaho, estimated at 128,000 acres to be rehabbed, and currently 66,000 have been rehabbed. I flew over that fire. It is very hard to understand what 600 square miles of fire looks like. I was in a military helicopter. I flew for 35 minutes and never saw unburned land. That is the expanse of the size of the fires, and that fire was a little smaller than the collective size of the Los Angeles, or the greater California fires.

So it is phenomenally important that we put these fires into context and understand what they are all about. Some of you watched on national television as the great ski resort, Sun Valley, near Ketchum, ID, nearly burned this year. We spent well over $150 million saving the community of Ketchum and saving the great Sun Valley Ski Resort from the Castle Rock fire. I was up there two different days on that fire. As the community came around and helped and tried to protect themselves and as our Government poured in resources in a class one fire, there was a great lady up there who was the fire boss. They brought her out of California. She was fearless in her effort to stop that fire, and she did so very successfully.

There are a lot of other stories to be told. The Salmon River, the great "river of no return" in Idaho, one of the No. 1 whitewater rafting rivers in the world, shut down 27 days this summer because of the smoke and risk of fire. Millions of dollars from recreation were lost in my State from fire or the risk of fire. Oh, yes, there were millions lost in resources, but when you live off the economy of tourism and recreation, fire becomes a very real problem. I don't think we have drawn a bottom line yet to determine the losses in Idaho. But I will tell you they literally are in the millions of dollars. Sun Valley itself had to cancel a great event it has every Labor Day called Wagon Days; they had to cancel altogether, telling people not to come, and tens of thousands of people did not come and spend their money. That community lost millions as a result.

When you see a fire being fought and you know there are millions of dollars being spent to put it out, that is one phase of the great cost of fires in America. As you know, in California, with 2,100 homes burned, many of those homes will be rebuilt, the communities will be rebuilt, to the tune of well over a billion dollars. Someone is going to pay for that—State money, insurance money, private money—a tremendous expense. In many of the areas of the State of Idaho, in that 2.2 million acres that burned, campgrounds will not be able to be used for several years; trail heads will be canceled because it is charred, it is gone; the wildlife habitat, the watershed—all of that, as a result of the great ineffective management of public lands, has been wiped out.

The reason I am telling you all of this is because there is a very important message that has to be brought into context as we look at America burning—and America burns. Last year, it was nearly 10 million acres; this year, it is 9-some-odd million acres. We are burning unprecedented acres in our Nation and somebody ought to ask why. Why is it greater today than it has been in decades?

There are reasons, I believe, and in the next few minutes I will try to explain those to you because not only is our attitude about fire different, our attitude about how we manage our public lands and reduce the overall fuel loads that feed these fires is out there; and the Senator who is chairing at the moment, concluded the drafting and markup of a climate change bill. Our climate has changed. We are, in some areas, getting hotter and in some areas getting drier. But the management of the lands in response to the change of the climate isn't there, or we are not giving the management agencies the resources to change management practices to reflect the kinds of changes that are going on in our public lands.

So, for Idaho, not only was the loss real this summer in millions of acres of beautiful wildlands, but it is now wildlife habitat that is gone; it is watershed that, in the wet season, could come tumbling down and bring sediment to our streams and damage fisheries, and much of the recreation that was there is gone, potentially, for years to come.

As I mentioned a few moments ago, the seeding, the stabilization, all of the things that have to go on in the urban watersheds to protect them and bring water quality back—all of that is going to be the additional expenses of the Forest Service and BLM and many of our management agencies that have the responsibility over those lands.

The firefighters are gone from Idaho. The smoke is gone and the skies are clear once again. At the same time, the damage is real, and the damage will be there for years to come.

The skies will clear in California one of these days, but in California, the wet season will come. As we watched 2,100 homes burn, now we will watch the land grow wet and begin to slide, because there is no vegetation on it to hold it and protect it and to save it from the kind of slippage to which that region of the country is very prone.

The reason I mentioned Senator LIEBERMAN is because he is on the floor today, leading a charge on climate change. Here is another aspect of what we have done this year, but nobody registers it and few account for it. On average, 6 tons of CO_2 are released for every acre burned in the United States. Up to 100 tons of CO_2 per acre can be released. Now, last year alone—we have not calculated this year yet—10 million acres of forest lands burned. By conservative estimates, that means 60 million tons of CO_2—carbon—was spewed into the atmosphere, not to mention greenhouse gases and air pollutants as a product of our fires.

Can we do something about it? Should we do something about it? We are proposing changing our whole energy structure to try to effect climate change and reduce our greenhouse gases, but few are focused on our public lands and our policies of managing them and what results from that when they burn.

Here is an interesting fact. When I talk about the 60 million tons of CO_2 spewed into the atmosphere, that is roughly equivalent—understand this figure—to taking 12 million vehicles off the roads for 1 year; in other words, turning off their motors, stopping their pollution, 12 million vehicles for 1 year. That is equivalent to about half the automobile fleet in California. That is a pretty significant picture.

One of the things our forests do so very well when they are young and youthful, and when the matrix of our forests old and new are different in their changes, they do something that only a green-growing plant can do: sequester carbon, take it from the atmosphere. When they burn, it releases carbon back into the atmosphere. Our management practices ought to be to keep our forests as young and vibrant and alive as they can be, so they become a tool, an asset, in climate change, to pull the carbon out of the atmosphere that man produces and store it in trees. The great secret that lots of people who don't understand our forests do not understand is they are the greatest captor and storer of carbon in a forest. When they burn and when you see smoke on the horizon, it is just that—the release of carbon into the atmosphere.

Let me conclude by saying what I think is critically important for our future. Active management of our forests, recognizing not only their contribution to our great Nation, as it relates to all they bring in water quality and wildlife habitat and the producing of fiber to build homes, is what keeps a forest healthy. To simply lock them up and watch them and watch Mother Nature move in with her bugs and kill them and burn them and do what happened this year is, in itself, a statement of mismanagement.

This year, and last year, we saw record examples of mismanagement: 10 million acres last year, 9.2 million acres this year, and billions of dollars of tax money spent and thousands of homes lost. Our public resource agencies spend more time protecting homes nowadays than the resource itself. We sit idly by while the courts are in suit to keep us out of our forests so we cannot manage them to clean them up, to reduce the fuel loads, to adhere to the laws that have been passed, such as Healthy Forests and others.

I will be back to talk more about this in detail in the coming months. We are now off the chart. We are now literally, in spending, off the chart. This is only phase I. This is fighting fires, trying to put out fires. This is trying to protect habitat or to protect homes. This has nothing to do with the rehabilitation and the seeding and management that may come afterwards or all of the dollars that have been lost in California because business would not be conducted, or all of the dollars lost in Idaho and other States because people could not come there to enjoy it and recreate.

There are a lot of other consequences, let alone the phenomenal bleeding in the atmosphere of carbon and greenhouse gases, that come from a wildfire season. America burned this year. The 2007 fire season was one of the worst we have had in decades. This is part of the story of what it was all about. There is more to be told. It must be told, and Congress should act in concert with climate change and everything else to make sure that part of what we do sequesters our carbon, keeps our forests healthy, young, and vibrant as a part of the total picture of a great Nation that manages a great resource instead of simply watching it burn.

Mr. GRASSLEY. Madam President, with the debate coming to a conclusion the way that it has today, I am really starting to wonder if Congress really wants to reauthorize the SCHIP program.

I worked with my colleagues on the other side of the aisle Senators BAUCUS and ROCKEFELLER and my good friend Senator HATCH to come up with a bipartisan compromise.

We passed a bill in the Senate with a remarkable 68 votes. Who would have predicted that when this session began?

We sat down with our House colleagues and hammered out a compromise that very closely followed the Senate bill. That compromise bill again passed the Senate by a wide bipartisan margin and received 265 votes in the House.

As we all know that bill was vetoed, and 2 weeks ago, the veto was sustained in the House.

In the 2 weeks since that vote, I have seen some of the strangest twists and turns I have seen in all my years in politics.

First, I sat down with Democratic leadership in both Houses. We agreed on the compromises we thought we could make to get the final votes we needed to pass the House.

At the same time, the minority leader of the House released a letter with the conditions his Members needed to vote for a bill.

Seeing as the compromises we were willing to make seemed to resemble the conditions in the leader's letter, we began meeting with House Republicans to see if we could bridge the final gap.

We started a process and made some real progress. Then all of the sudden House Democratic leadership decided it was time for a vote. No matter that we hadn't successfully concluded negotiations with House Republicans, it was time to vote.

That bill passed and it is the bill we are voting on here in a few minutes.

Moving ahead like that in the House created tremendous mistrust. But undaunted, we picked up the pieces and tried again to get a deal with House Republicans.

The minority leader in the House released another letter with the conditions his Members needed to support a bill. Of course, the goalposts moved from the original letter. But we still felt a deal was possible and forged ahead.

The majority leader of the Senate started the clock ticking on the bill here in the Senate. Again we were making progress with House Republicans.

So when the majority leader saw we were making progress, he asked for more time here in the Senate.

Incredibly, Senate Republicans objected. In the House, Republicans objected because we moved too fast. In the Senate, Republicans objected because we wanted to move more slowly.

Yes, you should note the incredible irony.

So today faced with continued objections, a decision was made to move forward with a vote this afternoon.

I ask all my colleagues. Why?

To my colleagues on the Democrat side; the President will veto this bill and the House has the votes to stop an override. Why go through with this?

To my colleagues on the Republican side; we have the votes to pass the bill and were quite close to having a deal to satisfy House Republicans. Did you force the vote today to keep us from reaching a deal?

What the heck is going on around here?

My patience is a little thin right now. But come tomorrow, I will go back to working with the folks who want a bill that we can get enacted into law.

This bill actually improves upon the bill that was vetoed by the President. All my colleagues who supported the bill before should certainly support the bill today.

But as we all know, this bill is getting vetoed and there aren't the votes to override in the House.

That is really too bad, because this is a very good bill.

It is really too bad for the more than 3 million children who don't have health care coverage today that would get coverage under this bill.

It is for those kids that I will pick up the pieces tomorrow and try to move forward. It is my hope that leadership on both sides of Congress and both sides of the aisle will set the gamesmanship aside so we can finally finish this bill.

Mr. AKAKA. Madam President, once again, I support the Children's Health Insurance Program Reauthorization Act.

I am frustrated that the President continues to oppose legislation that will expand access to health care for our Nation's children. The President's veto of the previous bill shows that this administration fails to understand the domestic needs of our country.

The Children's Health Insurance Program is a successful program that has improved the quality of life for our Nation's children. Since its enactment in 1997, the number of uninsured children have been reduced by one-third, according to the Center on Budget and Policy Priorities.

The Children's Health Insurance Program Reauthorization Act will preserve access to health care for the 6.6 million children currently enrolled in the Children's Health Insurance Program. In addition, this bill expands access for approximately 4 million more children.

Approximately 16,000 children in Hawaii lack health insurance. I am proud that my home State of Hawaii has continued to develop innovative programs to help provide access to health care for children. This year, the Hawaii State Legislature established the Keiki Care program, a public-private partnership intended to ensure that every child in Hawaii has access to health care.

This administration is being irresponsible by denying resources to states for children's health care. Without access to insurance, children cannot learn, be active, and grow into healthy adults.

I continue to appreciate the inclusion of a provision to restore Medicaid disproportionate share hospital, DSH, allotments for Hawaii and Tennessee. Medicaid DSH payments are designed to provide additional support to hospitals that treat large numbers of Medicaid and uninsured patients.

I developed this provision as an amendment with my colleagues—Senators ALEXANDER, INOUYE, and CORKER, that provide both states with DSH allotments. Hawaii would be provided with a $10 million Medicaid DSH allotment for fiscal year 2008. For fiscal year 2009 and beyond, Hawaii's allotment would increase with annual inflation updates just like other low DSH States.

Hawaii and Tennessee are the only two States that do not have DSH allotments. The Balanced Budget Act of 1997 created specific DSH allotments for each State based on their actual DSH expenditures for fiscal year 1995. In 1994, Hawaii implemented the QUEST demonstration program that was designed to reduce the number of uninsured and improve access to health care. The prior Medicaid DSH program was incorporated into QUEST. As a result of the demonstration program, Hawaii did not have DSH expenditures in 1995 and was not provided a DSH allotment.

The Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 made further changes to the DSH program, which included the establishment of a floor for DSH allotments. However, States without allotments were again left out.

The Medicare Prescription Drug, Improvement, and Modernization Act of 2003 made additional changes in the DSH program. This included an increase in DSH allotments for low DSH states. Again, States without allotments were left out.

Hawaii and Tennessee should be treated like other extremely low DSH States and be provided with Medicaid DSH allotments every year. Other states that have obtained waivers similar to Hawaii's have retained their DSH allotments.

Hospitals in Hawaii are having a difficult time trying to meet the elevated demands placed on them by the increasing number of uninsured people. DSH payments will help our hospitals continue to provide essential health care services to people in need. All States must have access to resources to ensure that hospitals can continue to provide services for uninsured and low-income residents.

This administration fails to adequately understand the importance of this legislation. This bill helps the State of Hawaii provide essential health care access to children that currently lack health insurance. It will also provide vital support to our hospitals that care for Medicaid beneficiaries and uninsured patients.

Mr. DODD. Madam President, I rise today in strong support of H.R. 3963, the Children's Health Insurance Program Reauthorization Act. This bipartisan agreement is our second attempt to do what is right for our Nation's children. There are few more important issues facing the Senate than the health and well-being of our Nation's youth. The vote to pass this legislation is a vote for children.

As the father of two young daughters, I clearly understand how important it is to know that if one of them gets sick that they have the health insurance coverage that will provide for their care. For millions of parents, every slight sniffle or aching tooth could mean the difference between paying the rent and paying for medical care. Today we have an opportunity to help give those parents peace of mind about their children's health.

Despite the broad bipartisan support that already exists for this bill, Chairman BAUCUS and Senator GRASSLEY, among others, have worked tirelessly to build more support and accommodate the bill's critics. They should be commended for their work and dedication. Thanks to them and many others, this legislation represents an even more thorough compromise while still covering 10 million children. There are explicit changes designed to address criticisms by the bill's opponents. H.R. 3963 makes it even more clear that States must cover the poorest children before expanding their programs. And it ensures that illegal immigrants cannot get benefits.

But even with these changes the bill continues providing coverage for 6.6 million children currently enrolled in CHIP and provides coverage for 3.1 million children who are currently uninsured today. It gives States the resources they need to keep up with the growing numbers of uninsured children. It provides tools and incentives to cover children who have fallen through the cracks of current programs. And it will prevent the President from unfairly and shortsightedly limiting States' efforts to expand their CHIP programs to cover even more children. All together these efforts will reduce the number of uninsured children by one third over the next 5 years.

I am additionally very pleased that my Support for Injured Servicemembers Act amendment was included in the final SCHIP bill. This amendment provides up to 6 months of Family and Medical Leave Act, FMLA, leave for family members of military personnel who suffer from a combat-related injury or illness. FMLA currently allows 3 months of unpaid leave. Fourteen years ago, FMLA declared the principle that workers should never be forced to choose between the jobs they need and the families they love.

If ordinary Americans deserve those rights, how much more do they apply to those who risk their lives in the service of our country? Soldiers who have been wounded in our service deserve everything America can give to speed their recoveries—but most of all, they deserve the care of their closest loved ones.

The President's Commission on Care for America's Returning Wounded Warriors, ably led by Senator Bob Dole and former Secretary of Health and Human Services, Donna Shalala, has been instrumental in efforts to provide needed care for our returning heroes. It is not surprising that the Commission found that family members play a critical role in the recovery of our wounded servicemembers. Although the President has lauded the recommendations of the Commission and recently sent legislation to Congress to implement its recommendations, he continues to hold up the passage of this provision.

I am pleased that Senator CLINTON is the lead cosponsor of my amendment. In addition, I am pleased that Senators DOLE, GRAHAM, KENNEDY, CHAMBLISS, REED, MIKULSKI, MURRAY, SALAZAR, LIEBERMAN, MENENDEZ, BROWN, NELSON of Nebraska, CARDIN, and OBAMA are cosponsoring this amendment. I thank Senator BAUCUS and Senator GRASSLEY for accepting this important amendment and appreciate the support of all of my colleagues in this effort.

Unfortunately the President still stands in the way. He continues to threaten to veto this important legislation. I am fearful that he will block yet another bipartisan compromise to cover children who need health care. This legislation is vital to the health and well-being of our children. It represents the hard work and agreement of an overwhelming majority of Members on both sides of the aisle. It is a testament to how important issues like children's health care can be addressed in a bipartisan manner by a united Congress. The President's policy of block and delay would mean Connecticut and other States would have to take away existing health coverage for hundreds of thousands of children when they should be covering more kids.

I urge my colleagues to support this critical legislation, and I urge President Bush to do what is right and sign it into law.

Mr. President, I yield the floor.

Mr. ALLARD. Madam President, I come to the floor today to discuss my amendment to codify the unborn child rule in the pending SCHIP legislation. This needs to be done, and it needs to be done in this reauthorization.

The unborn child rule is a regulation that, since 2002, has allowed States to provide prenatal care to unborn children and their mothers. It recognizes the basic fact that the child in the womb is a child. When a pregnancy is involved, there are at least two patients—mother and baby. It only makes sense to cover the unborn child under a children's health program. The bill before us modifies the SCHIP statute to allow States to cover "pregnant women" of any age. It also contains language that asserts that the bill does not affirm either the legality or illegality of the 2002 "unborn child" rule.

My amendment would codify the principle of the rule by amending the SCHIP law to clarify that a covered child "includes, at the option of a State, an unborn child." The amendment further defines "unborn child" with a definition drawn verbatim from Public Law 108-212, the Unborn Victims of Violence Act. My amendment would also clarify that the coverage for the unborn child may include services to benefit either the mother or unborn child consistent with the health of both. In addition, the amendment clarifies that States may provide mothers with postpartum services for 60 days after they give birth.

Many States' definition of coverage for a pregnant woman leads to the strange legal fiction that the adult pregnant woman is a "child." Surely it was not the intent of anyone who developed the State Children's Health Insurance Program to allow a loophole for States to define a woman as a child. Surely we can agree that the child who receives health care in the womb is a child receiving care along with his or her mother.

My amendment will also allow for coverage of the mother, whereas the pending legislation only allows for pregnancy-related services. There are many conditions that can affect a mother's health during pregnancy that are not related to her pregnancy. Under the pending legislation, a pregnant mother could not get coverage for any condition that isn't related to her pregnancy.

We should be allowing mothers to stay healthy so that they will have healthy babies. This also leads to reduced costs associated with premature or low-birth weight babies. Eleven States are already using this option to provide such care through the State Children's Health Insurance Program. If the intent of the sponsors is to provide coverage for the pregnant woman and her unborn child, then they should have no problem supporting my amendment.

We should ensure that pregnant women and their unborn child are both treated as patients. This is a matter of common sense. Every obstetrician knows that in treating a pregnant woman, he is treating two patients—the mother and her unborn child. Keeping this coverage in the name of the adult pregnant woman alone is bad for the integrity of a children's health program, bad for the child, and even bad for some of the neediest of pregnant women.

I urge my colleagues to support my amendment.

Mr. LEVIN. Madam President, the Children's Health Insurance Program Reauthorization Act of 2007 would help ensure that millions of the Nation's uninsured children can receive access to health care.

Last month, the House and Senate passed legislation reauthorizing the popular children's health insurance program. In the Senate, this bipartisan bill passed with a veto-proof majority of 67 votes. Since then, the President has vetoed this legislation and Congress has worked hard to create a new bipartisan bill that addresses items President Bush objected to. Despite this, the President continues to threaten a veto on this strengthened bill that focuses on ensuring children from low-income working families receive access to necessary health care.

I hope that the President will listen to the majority of the Nation that supports the Children's Health Insurance Program Reauthorization Act and signs this bill when it reaches his desk.

Currently, 6.6 million children are enrolled in the Children's Health Insurance Program, or CHIP. There are still 9 million uninsured children nationwide, 6 million of which are eligible for either Medicaid or CHIP. The Children's Health Insurance Program Reauthorization Act would provide more than 3 million uninsured children from low-income families with health insurance. This means, that in my home state of Michigan, 80,900 more uninsured children will receive access to much needed health care.

I believe that we have a moral obligation to provide all Americans access to affordable and high quality health care. I do not understand how the United States is one of the most developed and wealthiest nations in the world, but we continually send the message that an additional $35 billion to provide American children from low-income families with access to health care is too large an investment for those that represent our future.

I firmly believe no person, young or old, should be denied access to adequate health care, and the expanded and improved Children's Health Insurance Program is an important step toward achieving that goal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. LIEBERMAN. Madam President, I have been waiting on the floor for a while. May I speak in morning business?

Mr. BAUCUS. Madam President, what is the regular order?

The PRESIDING OFFICER. The majority controls 14 minutes and the Republicans control 20 minutes before the cloture vote.

Mr. BAUCUS. We have 14 minutes remaining and we are going to have to use it, unless the Senator can use 1 or 2 minutes.

Mr. LIEBERMAN. I understand. I will wait and either return after the vote or at another time.

Mr. BAUCUS. It is possible the Republicans might yield the Senator some time.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Madam President, I ask unanimous consent that the 20 minutes immediately prior to the cloture vote at 4:45 be equally divided and controlled between the leaders, or their designees, and that the majority leader will control the final 10 minutes prior to the vote; further, that the mandatory quorum required under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Madam President, in 1997, Congress enacted the Children's Health Insurance Program—10 years ago. From the beginning, it has been about kids. It has been about trying to give the parents of low-income working families the peace of mind that comes from knowing that health care is there for their children. That is all this is, it is about health care for kids. These are kids in working families, not kids in wealthy families, not kids in middle-income families—kids in working families.

These are kids who, through no fault of their own, were born into families having had a hard time buying medical insurance in America, and we are trying to help these kids.

A large number of Senators on both sides of the aisle have worked together to try to reach a consensus. Both sides of the aisle—Senator GRASSLEY, Senator ROCKEFELLER, Senator HATCH, and I—met together and worked things out. And when the House failed to muster enough votes to override the President's veto, we worked together with House Republicans to help kids. All four of us—Senator GRASSLEY, Senator ROCKEFELLER, Senator HATCH, and I—met repeatedly with moderate House Republicans to try to find a middle ground.

We have made progress. We made a lot of progress, and I believe a compromise is very close, is within reach. I believe given a little more time, Congress could pass a CHIP bill that could achieve the support of more than two-thirds of both Houses of Congress. Unfortunately, today some objected to giving us that time, and I regret that objection.

But we met again, all of us—that is, Senator HATCH, Senator ROCKEFELLER, Senator GRASSLEY, and I—with House Republicans at 2 o'clock. We agreed to continue meeting. We will meet again next Tuesday. We will reach an agreement soon. I don't think I will be telling tales out of school to say that the majority leader visited our meeting and he said: If we get a deal, the Senate will take it up. I think we are close to getting that deal. There are only a couple of issues that are outstanding, and we will work through those issues.

I regret that the opponents of the Children's Health Insurance Program—and let us be clear, they are truly fighting not just the bill but the Children's Health Insurance Program—that those opponents of CHIP have made it impossible for us to offer an amendment to the bill before us today to get this done. They have succeeded in stopping us today. I am disappointed. I am not discouraged, I am disappointed. We will keep working. Even if the President once again vetoes health care for kids, we will work to get it done.

We are still left with a good bill before us. It is a better bill than the one the President vetoed. Before us today is a bill that addresses many of the concerns Senators expressed with the first CHIP bill. The bill before us today focuses more on kids. It focuses more on low-income families. It is a good bill.

There is no reason why anyone who supported the first bill on September 27 would not do so again today. It is improved. There is every reason why those who objected to the first bill would support this bill today.

I urge my colleagues to join in voting for cloture and then voting for the bill. I urge them to do so because this is still about health care for kids. That is what this is all about, it is for kids. We have a lot of peripheral issues, but they are peripheral; it is noise. We say: Keep our eyes on the ball. It is about helping low-income kids, health care for kids and working families. Measures such as this are why we came to work in public service. Measures such as this are why people for whom we work sent us here. Let us not let them down.

Madam President, I yield 3 minutes to my friend from Connecticut.

Mr. LIEBERMAN. Madam President, I say to the Senator from Montana, that is good of him. I may not have to ask for it—I believe the minority will yield me such time as I need, but if I need more time, I will come back. I thank my friend for his graciousness.

Madam President, I rise to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF MICHAEL MUKASEY

Mr. LIEBERMAN. Madam President, I rise to speak on the pending nomination of Judge Michael Mukasey to be the Attorney General of the United States. I rise to urge my colleagues on the Judiciary Committee to favorably consider this nomination because I fear we are in danger of treating this judge very unjustly, of doing something that is not fair to him personally.

I wish to state at the outset that I did not just meet Judge Mukasey since he was nominated for Attorney General by the President; I actually met him 43 years ago this fall when we both entered Yale Law School together. We were in the same small group in contracts. The occupant of the chair will appreciate the intimacy and how well you get to know somebody when you are in a small group together with a demanding contracts professor.

The Mike Mukasey I met 43 years ago was honorable, he was bright, he was not presumptuous, he had a great sense of humor, and he had a strong sense of values—what I would call honor—to him. I have kept in touch with Mike over the years. I can't say we have seen each other a lot, but I have watched his career grow with great pride. He was a private practitioner, a distinguished and successful assistant U.S. attorney, a judge who has been extremely well regarded by all who have come before him, as was testified to before the Judiciary Committee on his nomination. He handled some very difficult cases, ruled in cases regarding alleged terrorists and did so to his own personal risk. He had a security detail with him for some period of time because of the threats he received after one of these cases.

I am honored to say Judge Mukasey asked me to introduce him to the Judiciary Committee, alongside Senator SCHUMER of New York. I said then what I will say here. The man I met 43 years ago is today essentially the same man—honorable, intelligent, with a real sense of values, a commitment to public service, a man of the law, not a man of politics, exactly the kind of person America always needs as Attorney General, but particularly needs at this moment.

I thought he handled his nomination hearing extremely well. Now there is rising opposition to this nomination based on Judge Mukasey's answer to a single question, which is whether he would say that waterboarding technique of interrogation is torture. Judge Mukasey has preferred to give the easy, I might say politically correct, answer—and he has argued with us, he has educated us, I add, to understand that his answer is not about whether we are for or against waterboarding.

He says, to himself the technique described—I am reading from a letter of October 30, 2007, from Judge Mukasey to members of the Judiciary Committee who had written to him:

> I was asked at the hearing and in your letter questions about the hypothetical use of certain coercive interrogation techniques. As described in your letter, these techniques seem over the line or, on a personal basis, repugnant to me. . . .

This is not to say Judge Mukasey is for waterboarding. That is not what is at issue, and we should not allow it to become so. He is responding as a man of the law, as a judge, as a man who would be, if we allow him, exactly the kind of Attorney General we need. He says:

> But hypotheticals are different from real life, and in any legal opinion the actual facts and circumstances are critical. As a judge, I tried to be objective in my decision-making and to put aside even strongly held personal beliefs when assessing a legal question because legal questions must be answered based solely on the actual facts, circumstances, and legal standards presented. A legal opinion based on hypothetical facts and circumstances may be of some limited academic appeal but has scant practical effect or value.

Bottom line, the judge is saying waterboarding is repugnant but I cannot say as a matter of law that it is torture under the law because I don't know exactly what waterboarding is and how it is used, and I have not seen the prevailing legal memos that have governed, because they are classified interrogations by employees of our Government.

He says in the letter of October 30:

> I have not been briefed on techniques used in any classified interrogation program conducted by any government agency.

He is saying: How can you expect me to essentially issue a legal opinion when I don't know the facts and I can't know the facts until and unless you allow me to be Attorney General?

Then he says something I think is very important in his letter. He writes to the Judiciary Committee members:

> I do know, however, that "waterboarding" cannot be used by the United States military because its use by the military would be a clear violation of the Detainee Treatment Act. That is because "waterboarding" and certain other coercive interrogation techniques are expressly prohibited by the Army Field Manual on Intelligence and Interrogation, and Congress specifically legislated in the [Detainee Treatment Act of 2005] that no person in the custody or control of the Department of Defense or held in a DOD facility may be subject to any interrogation techniques not authorized and listed in the Manual.

So there is a law and he has made clear that because there is a law, he definitely believes waterboarding cannot be used by Department of Defense personnel.

The fact is that the Detainee Treatment Act of 2005 did not explicitly ban waterboarding or other specific techniques of interrogation as used by other employees of the Federal Government, including presumably and particularly employees of our intelligence agencies.

The Detainee Treatment Act banned "cruel, inhuman, and degrading treatment." Judge Mukasey says in his letter:

> In the absence of legislation expressly banning certain interrogation techniques in all circumstances, one must consider whether a particular technique complies with relevant legal standards.

He simply cannot do this in the absence of a clear legislative expression by Congress that waterboarding constitutes torture without seeing the documents, without understanding the definition of waterboarding, as applied in particular cases. He is a man of the law. He is saying, as he said in his testimony and in this letter, no one, including the President, is above the law.

It would be very easy to remove any doubts and opposition to his confirmation if he just said in his letter: Waterboarding is torture. But he responds to a higher authority. It is the law in a nation that claims to be governed by the rule of law.

In his testimony before the Judiciary Committee, he was repeatedly questioned in regard to his independence, and following Attorney General Gonzales's close relationship with the White House, members of the committee were clearly interested in whether Judge Mukasey would be independent of the White House, of the President. He said he would do what the law required him to do. No one is above the law, including the President.

In refusing to tell questioning members of the Judiciary Committee, colleagues of ours, what they want to hear in this case, he is also showing his independence. He is saying he will not be pressured by Members of the Senate, including those who will determine whether he is confirmed. He will not simply tell them what they want to hear if he thinks it is not the legally responsible thing to do. That is exactly the kind of man I want and I believe we all should want as Attorney General of the United States.

So he is putting his confirmation as Attorney General at risk because he believes it would not be justified as a matter of law for him to conclude, without benefit of documents that he cannot see now, that waterboarding is torture. And for this will we reward this good man, this public servant, this distinguished judge, this man of the law, by rejecting his nomination?

Here is the kind of independence, the kind of allegiance to the public interest and the rule of law the American people want to see more of and not less in Washington. It is why I repeat what I said at the beginning. To reject the nomination of Judge Michael Mukasey because he refuses to say what some Members want him to say on this question and he refuses as a matter of sincerely held legal belief what his legal responsibility is would be grossly unfair and an unjust act to this judge.

May I suggest an alternative course to my friends on the Judiciary Committee and Members of the Senate who hopefully will get to consider this nomination? Confirm Judge Mukasey based on his overall record of service, his obvious intelligence, honor and integrity, the extent to which he will raise the morale of the Department of Justice. Look at his entire record. Don't turn him down and deprive the Nation of his service as our chief law enforcer because of one legal opinion he has reached that is different from yours.

Confirm him. And then, as Attorney General, he will have access to the documents about waterboarding. He will have access to the people who may or may not have been involved in it. He will have access to the prevailing legal memos, and then demand he issue a legal opinion and respond to your question. But don't reject a man of the law, exactly the kind of man America needs today, as our Attorney General.

I thank the Chair, and I yield the floor.

Mr. BAUCUS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, we have tried hard to arrive at another compromise. I do not know how—it would be physically impossible for us—to do any more than what I have suggested. I have said, when told that the negotiators needed more time, we will wait until after the farm bill and go after this issue. Objected to. I was called by my friends on the other side of the aisle yesterday, who said: Can we have a little more time? I said: Sure.

I came today and said let's finish this matter this coming Monday. Let's finish it after the farm bill. And both times there was an objection.

I have met with Senators HATCH and GRASSLEY on many occasions. On every occasion I can think of Senator BAUCUS has been there, and in some of those meetings Senator ROCKEFELLER has been present. The four of us have had a significant number of meetings with the Speaker, with Chairman DINGELL, and Chairman RANGEL.

I went down at 20 after 2 today and met with a number of Republican House Members, relaying to them—and I have no doubt that they would acknowledge this—that we have tried to work with them in coming up with something.

Now, I explained to them the Senate rules. If I wanted to not have this cloture vote, I couldn't stop it. It takes unanimous consent to move from our doing this. I explained that to them. But I did tell them this, and I will say to you and those within the sound of my voice what I told those freshmen. I believe the negotiations that have taken place in this matter have been in good faith. There has been no bad faith by the participants.

The burden has been borne by the chairman of the Finance Committee, Senator BAUCUS, and the ranking member, Senator GRASSLEY. Senator HATCH, who was the original sponsor of this bill, with Senator KENNEDY, has been involved from the very beginning. Senator HATCH was at the meeting where I met with House Republicans. Senator BAUCUS was there, and I repeat what I told them. If we can't do something now, and we send the bill to the President and he vetoes it, I don't think we should rush forward and try to override his veto. I think we should just let things simmer a little while.

I told them if they could come up with something that we can work with—I spoke to the Speaker this morning, and I said: I am not sure we can move much further.

She said: You should see the changes they want to make. There is very little. There isn't much that they want—which was comforting to me. And that is what the House Members told me today when I met with them this afternoon.

So I would hope people understand that good-faith negotiations have taken place on a bipartisan, bicameral basis on this most important piece of legislation. I am not happy with the President on this issue. I think he is making a big mistake. I think he is hurting some of his House Members, who could be in a very precarious position as a result of voting no to overriding his veto, but that is the decision they have made. And I am willing to try to get them out of the hole I think some of them are in.

Yesterday the President came from left field. Talk about a sucker punch. He suddenly said: I don't like the way this is paid for.

We are paying for it. It is not deficit spending. We are taking care of this with a relatively small tax on cigarettes and cigars. That surprised everybody. It surprised everybody that the President now, when he learned that we had changed things—got adults off the program, changed its to limit waivers, tightened down the immigration issue. We did everything he asked us to do, and now he changes the program again.

We are at a point now where the President does not become relevant to this issue because in the bipartisan, bicameral work that we have done between the House and the Senate, we want to do this ourselves, so that when we come to a decision on what we can do, and I think we are within days of doing that, we will bring this bill back. The Speaker said she would do it; I said I would do it.

I express my appreciation to the courtesies extended to me by Senators GRASSLEY and HATCH on the Republican side and the extreme patience of Senator BAUCUS for allowing the many different diversions that we have had in getting to the point where we are today. With the understanding and the hope that we can move forward on this bill, and even though some of these programs are going to change drastically by March because there will be as many as 11 States that will run out of money, hopefully in the next few weeks we can change this legislation and still insure 10 million children and maintain a program that is reasonable for the States and certainly the children we are trying to protect.

So I again express my appreciation to the participants of the many involved in the negotiations, and I want to also reach out my hand in friendship to the Speaker. There isn't a Democrat or Republican, including Senators GRASSLEY and HATCH, who would not say publicly how willing she has been to try to work to come to some reasonable conclusion of this legislation. She has been great, as has Chairman RANGEL and Chairman DINGELL.

Madam President, I yield the floor. Is there anyone on the floor who wants to take the remaining time? Good.

I yield to my friend, the distinguished Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. I thank the Chair.

Madam President, I commend our leadership for working out the fact that we can start to bring some closure on children's health insurance. We have had experience in Florida of doing a health insurance program before the Federal program ever started, 10 years ago, and it was tremendously successful and popular in getting to families who were just over the income level of Medicaid but who were still too limited in their income to provide health insurance for their children.

As a result, thousands of children in Florida, before CHIP ever came along, were provided for. But then the Federal program came along and made it available to so many more. Yet even today, with Florida's program and the Federal program, there are still 700,000 children in the State of Florida who do not have health insurance. What we are hoping is that with the expansion of the CHIP program, we will be able to include 400,000 of those 700,000 who do not have health insurance.

(The remarks of Senator NELSON of Florida pertaining to the introduction of S. 2295 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. NELSON of Florida. I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 450, H.R. 3963, Childrens' Health Insurance Program Reauthorization Act of 2007.

Max Baucus, Harry Reid, Benjamin L. Cardin, S. Whitehouse, Robert Menendez, Daniel K. Inouye, Jack Reed, Barbara Boxer, Pat Leahy, Bernard Sanders, Ken Salazar, Kent Conrad, Ron Wyden, Byron L. Dorgan, Debbie Stabenow, Bill Nelson, Robert P. Casey, Jr.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived. The question is, Is it the sense of the Senate that debate on H.R. 3963, an act to amend title XII of the Social Security Act to extend and improve the Children's Health Insurance Program, shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Illinois (Mr. OBAMA), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN) and the Senator from Virginia (Mr. WARNER).

The PRESIDING OFFICER (Ms. STABENOW). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 65, nays 30, as follows:

[Rollcall Vote No. 402 Leg.]

YEAS—65

Akaka
Alexander
Baucus
Bayh
Biden
Bingaman
Bond
Boxer
Brown
Byrd
Cantwell
Cardin
Carper
Casey
Coleman
Collins
Conrad
Corker
Dodd
Domenici
Dorgan
Durbin
Feingold
Feinstein
Grassley
Harkin
Hatch
Hutchison
Inouye
Johnson
Kennedy
Kerry
Klobuchar
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lugar
McCaskill
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Pryor
Reed
Reid
Roberts
Rockefeller
Salazar
Sanders
Schumer
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Tester
Webb
Whitehouse

NAYS—30

Allard
Barrasso
Bennett
Brownback
Bunning
Burr
Chambliss
Coburn
Cochran
Cornyn
Craig
Crapo
DeMint
Dole
Ensign
Enzi
Graham
Gregg
Hagel
Inhofe
Isakson
Kyl
Lott
Martinez
McConnell
Sessions
Shelby
Thune
Vitter
Voinovich

NOT VOTING—5

Clinton
McCain
Obama
Warner
Wyden

The PRESIDING OFFICER. On this vote, the yeas are 65, the nays are 30. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader is recognized.

Mr. REID. Madam President, we are going to have a vote in just a few minutes. I know people have things to do. This will be the last vote this week. But I alert all Members, we have had a number of meetings today with Senator McCONNELL. We are trying to work it out so we do not have to have cloture on the motion to proceed to the farm bill.

I understand that the minority has to take a look at the amendment to the bill that has come out of the committee and was all ready to go and the Finance Committee needed to make some changes on it. That should be back from Legislative Counsel in just a matter of minutes—at least we hope that is the case.

If we do not have to do cloture on the motion to proceed, there will be no votes on Monday. If we do have to do a vote on the motion to proceed, there will be a noon vote on the motion to proceed on Monday, and we will have to do that; otherwise, we will come in and go to the farm bill Tuesday around 2 o'clock in the afternoon so the managers can give their opening statements, and anyone who wants to speak on the bill. There are going to be lots of opening statements on the farm bill, so I would hope people would come early and get those out of the way.

There are a number of people who have expressed to me—who have warned me that there are going to be some amendments on that bill. We are going to have to make sure we do this the right way. We want to make sure there are amendments that are offered. We will have to take a look at them because it is late in the session and the farm bill is a tax bill. So we have to make sure we do not get into any issues we do not need to get into. But we will be as fair as we can possibly be on the farm bill. It is a bill we have to complete.

Also during the next 2 weeks, we have to get the first appropriations bill to the President. I had a very constructive conversation with Josh Bolton today regarding what will happen when we get that bill to him. We also have other important business to do, such as making sure the Government is funded after November 16.

So we have a very busy week. The President has indicated that probably tomorrow he is going to veto WRDA. We will have to take a look at that.

If there is no cloture vote, we will be on the bill Monday for opening statements, as I indicated. We have a productive farm bill.

I wish to express my appreciation to everyone for the work on the children's health bill. I will repeat what I said before the vote: There has been bicameral, bipartisan work on the CHIP bill—bicameral, bipartisan work. At 2:20 today, I went and met with a number of House Republicans trying to move forward on the children's health initiative. It is my recommendation that this bill will be sent to the President. If he vetoes the bill, it is my recommendation—I will express my feelings to the Speaker—that we not even attempt a veto override.

My Republican colleagues—this is difficult for me to be talking about: I should not say "difficult." It is unusual for me to be talking about my Republican House colleagues. But they indicated that would be the very best step forward. We are very close to being able to do a bipartisan, bicameral children's health bill. I think we can really do that. I have spoken to the Speaker. She believes that is the case, also. If we can do that, at the earliest opportunity, we will bring that back for consideration of the Senators.

I express my appreciation to Senator BAUCUS, Senator ROCKEFELLER, Senator GRASSLEY, Senator HATCH, and many others. This has been a very difficult but rewarding process for me. It indicates to me that there is the ability of this Congress to work on a bipartisan, bicameral basis, and until we accept that as a truth, we are going to have trouble moving these many bills we have bouncing around here to completion.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. McCONNELL. Madam President, with regard to the schedule for Monday, the farm bill has not been printed yet but, as the majority leader indicated, we expect it momentarily. I am optimistic we will not end up having to invoke cloture on the motion to proceed Monday and that we will, as the majority leader suggested, not have to be back until Tuesday morning. I can't announce that right now, but I am optimistic we will be able to get that cleared up in the very near future.

The PRESIDING OFFICER. Under the previous order, the clerk will read the bill for the third time.

The bill was read the third time.

The PRESIDING OFFICER. Under the previous order, the question is on passage of the bill.

The yeas and nays have not been ordered.

Mr. COCHRAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Illinois (Mr. OBAMA), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Arizona (Mr. McCAIN) and the Senator from Virginia (Mr. WARNER).

The PRESIDING OFFICER (Mr. WHITEHOUSE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 30, as follows:

[Rollcall Vote No. 403 Leg.]

YEAS—64

Akaka
Alexander
Baucus
Bayh
Biden
Bingaman
Bond
Boxer
Brown
Byrd
Cantwell
Cardin
Carper
Casey
Coleman
Collins
Conrad
Corker
Domenici
Dorgan
Durbin
Feingold
Feinstein
Grassley
Harkin
Hatch
Hutchison
Inouye
Johnson
Kennedy
Kerry
Klobuchar
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lugar
McCaskill
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Pryor
Reed
Reid
Roberts
Rockefeller
Salazar
Sanders
Schumer
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Tester
Webb
Whitehouse

NAYS—30

Allard
Barrasso
Bennett
Brownback
Bunning
Burr
Chambliss
Coburn
Cochran
Cornyn
Craig
Crapo
DeMint
Dole
Ensign
Enzi
Graham
Gregg
Hagel
Inhofe
Isakson
Kyl
Lott
Martinez
McConnell
Sessions
Shelby
Thune
Vitter
Voinovich

NOT VOTING—6

Clinton
Dodd
McCain
Obama
Warner
Wyden

The bill (H.R. 3963) was passed.

Mr. BROWNBACK. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, thank you very much.

NOMINATION OF JUDGE MICHAEL MUKASEY

Mr. BROWNBACK. Mr. President, I will not take that much time, but I do want to draw my colleagues' attention to an issue that is going to be in front of the Judiciary Committee and my colleague, the Presiding Officer, this next week, and that is the nomination of Judge Michael Mukasey to be Attorney General of the United States.

Judge Mukasey is an outstanding nominee, highly qualified by anybody's definition, a consensus nominee who has now drawn fire. It strikes me as a situation of ignoring the forest for a tree. I want to talk about the specific tree that is here in the way, but I want to also point out the forest we have.

Judge Mukasey is an outstanding, qualified nominee, strongly supported, warmly put forward by Republicans and Democrats alike. He is not an ideologue by any means.

Senator SCHUMER said, at the outset:

> [H]e could get a unanimous vote out of this committee.

Senator SCHUMER had previously discussed Judge Mukasey as a possible appointee to the U.S. Supreme Court—a lifetime appointment to the U.S. Supreme Court.

Here again, Senator SCHUMER's words:

> Let me say, if the president were to nominate somebody, albeit a conservative, but somebody who put the rule of law first, someone like a . . . Mike Mukasey, my guess is that they would get through the Senate very, very quickly.

Well, it has now been 41 days that the nomination has been pending. That is longer than any other nominee for Attorney General in over 20 years. He is a consensus nominee.

I have my problems with Judge Mukasey on narrow issues. But if we look at the central issue of our day, which is the war on terrorism, the war we are having with militant Islamists that we are likely to be in for a generation, you could not ask for a more qualified Attorney General nominee than Judge Mukasey.

He is a gentleman who, as a judge, has handled some of the most difficult terrorism cases we have had in the country. He is an outstanding jurist. He is highly qualified. He handled the blind sheik case that came in front of his court. He has handled others. This is a nominee who is going to be in position for, well, the rest of this year and next year, and that is it, as Attorney General. I think he is so highly qualified he could well proceed into a next administration if he could get in in this administration. Yet he is not being put forward.

I want to quote—and this is an extraordinary quote. This is the Second Circuit Court of Appeals praising his work as a trial court judge in some of these difficult cases. I have not read before where a circuit court has praised the work of a trial court judge to such an extraordinary degree as they did of Judge Mukasey where they noted this. This is the Second Circuit saying this about him: "extraordinary skill and patience." Further continuing to quote: "outstanding achievement in the face of challenges far beyond those normally endured by a trial judge." That is the Second Circuit Court of Appeals about Judge Mukasey. This is an outstanding individual.

Now, he was sailing along, doing well as a nominee, going through a tough confirmation process, handling the hearings well, dealing with the issues, and then an issue came up about torture, and waterboarding in particular. Then there seemed to be some confusion being declared about this, so he has cleared up the record on that issue.

I want to read what he has stated on the record about this particular issue. And I want to say at the outset, it cannot be clearer that Judge Mukasey does not approve of waterboarding. He does not approve of it. He has called the procedure "repugnant to me." He wrote to the Judiciary Committee Democrats that "nothing . . . in my testimony should be read as an approval of the interrogation techniques presented to me at the hearing or in your letter, or any comparable technique."

"[N]othing . . . in my testimony should be read as an approval of [this] interrogation technique. . . ."

He has pledged, if confirmed, he will examine interrogation programs thoroughly, and he has promised that "if, after such a review, [he] determine[s] that any technique is unlawful, [he] will not hesitate to so advise the President and . . . rescind or correct any legal opinion of the Department of Justice that supports use of the technique."

Now, do my colleagues doubt Judge Mukasey, whom they roundly praised just weeks ago, is a man of his word? Do they believe he would permit an illegal program to go forward? I do not think so. He will not. This is a straight-shooter. He is not a yes-man. He is not a yes-man to anybody. He has been on the bench for years. He has handled tough terrorism cases. He recognizes the threat terrorism is to this country. He also recognizes that the United States must stand for what is right. If we don't, that will be used against us in other places around the world, and it doesn't flow to the best image and it doesn't flow to the heart of what America is: a rule-of-law nation that stands up for what is right. He is going to do that. He has done that. He will do that.

He is not a yes-man to anybody. He is not a yes-man to people who would oppose him in this body. He is not a yes-man to the President. He has far too distinguished a career to be a yes-man, with less than 14 months left in an administration, for him to say: OK, I am just going to roll over and approve something I disagree with, in the final 14 months of an administration.

We need an Attorney General. We need an Attorney General in this country. This one has been pending far too long. I ask my colleagues who are seeking to oppose him—I think primarily on the grounds that they just want to oppose the Attorney General nominee of the United States or oppose the President—to back up and to take a second look at this gentleman and his great qualifications, his integrity he has conducted his entire life with, what he has specifically said about waterboarding, and find it in themselves to do the right thing and support him. This is an outstanding nominee who doesn't deserve this sort of treatment. We need to get this vote up and approved.

I believe the chairman of the Judiciary Committee, whom I have worked with a great deal and whom I have a great deal of respect and admiration for, is going to hold hearings on Judge Mukasey on Tuesday, and a vote. I am hopeful we can vote him out of committee and vote him through the Senate, clearly before the Thanksgiving Day break. We need to. We need an Attorney General. This is the right man at the right time for this job.

I thank you very much, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SCHIP

Mr. REID. Mr. President, in my remarks dealing with the CHIP bill, I spoke profusely about the cooperation of the distinguished Speaker. She has been wonderful on this issue.

Sometimes, you leave out your friends. Steny Hoyer and I have known each other for many years. We have served in Congress together for 25 years. I failed to mention his work on this bill. He has been vigilant and with us every step of the way, and I should have mentioned his name.

I also want to say that in speaking—my staff, frankly, has spoken to him; I have not in the last hour or so. One of the things that very well could happen is that the House may not send the bill to the President for a while—the bill he says he is going to veto—to give the negotiators more time to see if they can come up with something. That is certainly something I think would be a wise thing for the House to do. Since we got the suggestion from Steny Hoyer, I am sure it is very wise. So that is one thing the House may do.

Again, everyone has cooperated. I appreciate very much the work and the stage where we are.

MORNING BUSINESS

FURTHER CHANGES TO S. CON. RES. 21

Mr. CONRAD. Mr. President, section 301 of S. Con. Res. 21, the 2008 budget resolution, permits the chairman of the Senate Budget Committee to revise the allocations, aggregates, and other appropriate levels for legislation that reauthorizes the State Children's Health

Insurance Program, SCHIP. Section 301 authorizes the revisions provided that certain conditions are met, including that the legislation not result in more than $50 billion in outlays for SCHIP over the period of fiscal years 2007 through 2012 and that the legislation not worsen the deficit over the period of the total of fiscal years 2007 through 2012 or the period of the total of fiscal years 2007 through 2017.

I find that H.R. 3963, the Children's Health Insurance Program Reauthorization Act of 2007, satisfies the conditions of the deficit-neutral reserve fund for SCHIP legislation. Therefore, pursuant to section 301, I am adjusting the aggregates in the 2008 budget resolution, as well as the allocation provided to the Senate Finance Committee.

I ask unanimous consent that the following revisions to S. Con. Res. 21 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 301 DEFICIT-NEUTRAL RESERVE FUND FOR SCHIP LEGISLATION

[In billions of dollars]

Section 101	
(1)(A) Federal Revenues:	
FY 2007	1,900.340
FY 2008	2,022.051
FY 2009	2,121.498
FY 2010	2,176.932
FY 2011	2,357.661
FY 2012	2,495.039
(1)(B) Change in Federal Revenues:	
FY 2007	−4.366
FY 2008	−28.745
FY 2009	14.572
FY 2010	13.211
FY 2011	−36.889
FY 2012	−102.057
(2) New Budget Authority:	
FY 2007	2,371.470
FY 2008	2,505.209
FY 2009	2,523.853
FY 2010	2,579.438
FY 2011	2,697.839
FY 2012	2,735.357
(3) Budget Outlays:	
FY 2007	2,294.862
FY 2008	2,469.858
FY 2009	2.570.742
FY 2010	2,607.644
FY 2011	2,703.359
FY 2012	2,716.559

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 301 DEFICIT-NEUTRAL RESERVE FUND FOR SCHIP LEGISLATION

[In millions of dollars]

Current Allocation to Senate Finance Committee	
FY 2007 Budget Authority	1,011,527
FY 2007 Outlays	1,017,808
FY 2008 Budget Authority	1,078,905
FY 2008 Outlays	1,079,914
FY 2008-2012 Budget Authority	6,017,379
FY 2008-2012 Outlays	6,021,710
Adjustments	
FY 2007 Budget Authority	0
FY 2007 Outlays	0
FY 2008 Budget Authority	9,332
FY 2008 Outlays	2,386
FY 2008-2012 Budget Authority	49,711
FY 2008-2012 Outlays	35,384
Revised Allocation to Senate Finance Committee	
FY 2007 Budget Authority	1,011,527
FY 2007 Outlays	1,017,808
FY 2008 Budget Authority	1,088,237
FY 2008 Outlays	1,082,300
FY 2008-2012 Budget Authority	6,067,090
FY 2008-2012 Outlays	6,057,094

HONORING OUR ARMED FORCES

STAFF SERGEANT LARRY I. ROUGLE

Mr. HATCH. Mr. President, I rise in remembrance of SSG Larry I. Rougle of West Valley City. It is my privilege to speak regarding the tremendous sacrifice of this honored soldier.

On October 23, 2007, in the Kunar Province in Afghanistan, Sergeant Rougle died when his battalion encountered enemy fire. He was assigned to the 2nd Battalion, 503rd Airborne Infantry Regiment, 173rd Airborne Brigade. At the time of his death, he was only 25 years old. However, the sergeant had already given seven honorable years of service to the U.S. Army and been deployed on several tours of duty to Afghanistan and Iraq.

Graduating early from high school at the age of 17, Sergeant Rougle told his father that he had made the important decision to enter into military service. The sergeant's family said that he loved what he did, and that his main purpose was to help the poor people in war-torn countries.

He followed a great family military legacy. His father Ismael Rougle served in the Army for 25 years, which included a tour in Vietnam, and his son wanted to follow in his father's footsteps from a very young age. As a child, Sergeant Rougle would emulate his father by dressing up in his father's uniforms.

Sergeant Rougle was scheduled to come home for a midtour leave to celebrate his father's birthday and planned to take his 3-year-old daughter Carmin to Disneyland. By all accounts, he loved his daughter more than anything. Over the years, young Carmin will learn that her father was not just a great man—he was a hero.

It is our responsibility to never forget heroes like Sergeant Rougle. May his sacrifice always solemnly echo within us.

REQUEST FOR SEQUENTIAL REFERRAL

Mr. LEAHY. Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated October 31, 2007, from myself and Senator SPECTER to the majority leader.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 31, 2007.

HON. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR REID: Pursuant to paragraph 3(b) of Senate Resolution 400 of the 94th Congress, I request that S. 2248, the FISA Amendments Act of 2007, which was filed by the Select Committee on Intelligence on October 26, 2007, be sequentially referred to the Judiciary Committee for a period of 10 days, as calculated under S. Res. 400. The basis for this request is that the bill contains matters within the jurisdiction of the Committee.

Thank you for your assistance.

Sincerely,

PATRICK LEAHY,
Chairman.
ARLEN SPECTER,
Ranking Member.

IRAQ

Mr. KYL. Mr. President, I rise today to call the attention of the Senate to the most-underreported story of the year: the continuing success of our troops in Iraq. In particular, I would like to call my colleagues' attention to an article by the American Enterprise Institute's Fred Kagan in this week's Weekly Standard, which articulately speaks to the magnitude of the change in direction that has taken place in Iraq.

The article reports how our soldiers and marines turned an imminent victory for al-Qaida in Iraq into a humiliating defeat for them and thereby created an opportunity for further progress not only in Iraq but also in the global struggle against terror. In the past 5 months we have seen stunning results from the Petraeus strategy: Terrorist operations in and around Baghdad have dropped by 59 percent; car bomb deaths are down by 81 percent; casualties from enemy attacks dropped 77 percent; and, violence during the just-completed season of Ramadan—traditionally a peak of terrorist attacks was the lowest in 3 years.

However, Mr. President, winning a battle is not the same as winning a war. Our commanders and soldiers are continuing the fight to ensure that al-Qaida does not recover even as they turn their attention to the next battle: the fight against Shia militias sponsored by Iran.

What's more, these victories are not irreversible. Al-Qaida is a resourceful organization. If we let up, they can still recover. That is why our strategy on the ground must be based on the advice and experience of our generals and not the political necessities of the majority party here in Washington. We must resist politically-motivated maneuvering, whether it be in the form of artificial timelines for withdrawal or efforts to have politicians in Congress change the mission that has been delivering results.

I ask unanimous consent that the attached article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Weekly Standard, Nov. 5, 2007]

WINNING ONE BATTLE, FIGHTING THE NEXT: AMERICA NEEDS TO BE HEARTENED BY OUR SUCCESS IN IRAQ, AND SEIZE A VICTORY

(By Frederick W. Kagan)

America has won an important battle in the war on terror. We turned an imminent victory for Al Qaeda In Iraq into a humiliating defeat for them and thereby created an opportunity for further progress not only in Iraq, but also in the global struggle. In the past five months, terrorist operations in and around Baghdad have dropped by 59 percent. Car bomb deaths are down by 81 percent. Casualties from enemy attacks dropped 77 percent. And violence during the just-completed season of Ramadan—traditionally a peak of terrorist attacks—was the lowest in three years.

Winning a battle is not the same as winning a war. Our commanders and soldiers are continuing the fight to ensure that al Qaeda does not recover even as they turn their attention to the next battle: against Shia militias sponsored by Iran. Beyond Iraq, battles in Afghanistan and elsewhere demand our attention. But let us properly take stock of what has been accomplished.

At the end of 2006, the United States was headed for defeat in Iraq. Al Qaeda and Sunni insurgent leaders proclaimed their imminent triumph. Our own intelligence analysts and commanders agreed that our previous strategies had failed. The notion that a "surge" of a few brigades and a change of mission could transform the security situation in Iraq was ridiculed. Many experts and politicians proclaimed the futility of further military effort in Iraq. Imagine if they had been heeded.

Had al Qaeda been allowed to drive us from Iraq in disgrace, it would control safe havens throughout Anbar, in Baghdad, up the Tigris River valley, in Baquba, and in the "triangle of death." Al Qaeda In Iraq had already proclaimed a puppet state, the Islamic State of Iraq, and was sending money and fighters to the international al Qaeda movement even as it was supplied with foreign suicide bombers and leaders by that movement. The boasts of Osama bin Laden that his movement had defeated the Soviet Union were silly—al Qaeda did not exist when the Soviet Union fell—but they were still a powerful recruiting tool. How much more powerful a tool would have been the actual defeat of the United States, the last remaining superpower, at the hands of Al Qaeda In Iraq? How much more dangerous would have been a terrorist movement with bases in an oil-rich Arab country at the heart of al Qaeda's mythical "Caliphate" than al Qaeda was when based in barren, poverty-stricken Afghanistan, a country where Arabs are seen as untrustworthy outsiders?

Instead, Al Qaeda In Iraq today is broken. Individual al Qaeda cells persist, in steadily shrinking areas of the country, but they can no longer mount the sort of coherent operations across Iraq that had become the norm in 2006. The elimination of key leaders and experts has led to a significant reduction in the effectiveness of the al Qaeda bombings that do occur, hence the steady and dramatic declines in overall casualty rates.

Al Qaeda leaders seem aware of their defeat. General Ray Odierno noted in a recent briefing that some of al Qaeda's foreign leaders have begun to flee Iraq. Documents recovered from a senior Al Qaeda In Iraq leader, Abu Usama al-Tunisi, portray a movement that has lost the initiative and is steadily losing its last places to hide. According to Brigadier General Joseph Anderson, chief of staff for the multinational coalition in Iraq, al-Tunisi wrote that "he is surrounded, communications have been cut, and he is desperate for help."

How did we achieve this success? Before the surge began, American forces in Iraq had attempted to fight al Qaeda primarily with the sort of intelligence-driven, targeted raids that many advocates of immediate withdrawal claim they want to continue. Those efforts failed. Our skilled soldiers captured and killed many al Qaeda leaders, including Abu Musab al Zarqawi, but the terrorists were able to replace them faster than we could kill them. Success came with a new strategy.

Al Qaeda excesses in Anbar Province and elsewhere had already begun to generate local resentment, but those local movements could not advance without our help. The takfiris—as the Iraqis call the sectarian extremists of al Qaeda—brutally murdered and tortured any local Sunni leaders who dared to speak against them, until American troops began to work to clear the terrorist strongholds in Ramadi in late 2006. But there were not enough U.S. forces in Anbar to complete even that task, let alone to protect local populations throughout the province and in the Sunni areas of Iraq. The surge of forces into Anbar and the Baghdad belts allowed American troops to complete the clearing of Ramadi and to clear Falluja and other takfiri strongholds.

The additional troops also allowed American commanders to pursue defeated al Qaeda cells and prevent them from reestablishing safe-havens. The so-called "water balloon effect," in which terrorists were simply squeezed from one area of the country to another, did not occur in 2007 because our commanders finally had the resources to go after the terrorists wherever they fled. After the clearing of the city of Baquba this year, al Qaeda fighters attempted to flee up the Diyala River valley and take refuge in the Hamrin Ridge. Spectacular bombings in small villages in that area, including the massive devastation in the Turkmen village of Amerli, roughly 100 miles north of Baghdad, that killed hundreds, were intended to provide al Qaeda with the terror wedge it needed to gain a foothold in the area. But with American troops in hot pursuit, the terrorists had to stay on the run, breaking their movement into smaller and more disaggregated cells. The addition of more forces, the change in strategy to focus on protecting the population, both Sunni and Shia, and the planning and execution of multiple simultaneous, and sequential operations across the entire theater combined with a shift in attitudes among the Sunni population to revolutionize the situation.

Some now say that, although America's soldiers were successful in this task, the next battle is hopeless. We cannot control the Shia militias, they say. The Iraqis will never "reconcile." The government will not make the decisions it must make to sustain the current progress, and all will collapse. Perhaps. But those who now proclaim the hopelessness of future efforts also ridiculed the possibility of the success we have just achieved. If one predicts failure long enough, one may turn out to be right. But the credibility of the prophets of doom—those who questioned the veracity and integrity of General David Petraeus when he dared to report progress—is at a low ebb.

There is a long struggle ahead in Iraq, in Afghanistan, and elsewhere against al Qaeda and its allies in extremism. We can still lose. American forces and Afghan allies defeated al Qaeda in Afghanistan in 2001 as completely as we are defeating it in Iraq. But mistakes and a lack of commitment by both the United States and the NATO forces to whom we handed off responsibility have allowed a resurgence of terrorism in Afghanistan. We must not repeat that mistake in Iraq where the stakes are so much higher. America must not try to pocket the success we have achieved in Iraq and declare a premature and meaningless victory. Instead, let us be heartened by success. We have avoided for the moment a terrible danger and created a dramatic opportunity. Let's seize it.

50TH ANNIVERSARY OF THE MACKINAC BRIDGE

Mr. LEVIN. Mr. President, the State of Michigan today celebrates the 50th anniversary of the bridging of Michigan's two peninsulas through the engineering feat known as the Mackinac Bridge. A suspension bridge spanning a 5 mile stretch of the Straits of Mackinac, the Mighty Mac or Big Mac has become an icon of Michigan.

Although dreams of connecting the Upper and Lower Peninsula by bridge began in the 1880s, it would take more than 70 years for that dream to become a reality. In the meantime, ideas for crossing the straits ranged from the improbable—a floating tunnel to the impractical—a series of bridges and causeways—to the doable—a ferry service.

In 1923, Michigan began car ferry service across the Straits of Mackinac between Mackinaw City and St. Ignace. Traffic on the car ferries became so heavy within just 5 years that another option—a bridge—needed to be seriously considered. The State Highway Department undertook a feasibility study that reported favorably on a bridge.

Although the need and the know-how were there, the money was not. The Mackinac Straits Bridge Authority of Michigan, established in 1934 by the State legislature, tried twice that decade to obtain Federal funds from the federal Public Works Administration but was refused. World War II stopped further progress on a bridge.

In January 1951, the Mackinac Straits Bridge Authority issued a favorable feasibility study. Legislation to finance and build the bridge passed in early 1952. The Authority was ready to offer bonds for sale by March 1953, but the money market had weakened. Later that spring, the Michigan Legislature passed a bill to pay for the annual operating and maintenance costs of the bridge from gasoline and license plate taxes. The market strengthened by the end of the year and almost $1 billion worth of Mackinac Bridge bonds were sold.

Prentiss M. Brown, a former U.S. Senator and chairman of the board of Detroit Edison Company, served as the first chairman of the Mackinac Bridge Authority and shepherded the process of securing financing for the Mackinac Bridge. In the words of Jack Carlisle, an announcer for WWJ radio in Detroit, Brown "refused to accept defeat when it seemed inevitable. Prentiss M. Brown just wouldn't stay licked."

Construction of the bridge officially began on May 7 and 8, 1954, with ceremonies in St. Ignace and Mackinaw City. Designed by Dr. David B. Steinman, building the Mackinac Bridge required a complex choreography of engineering detail and construction skill as evidenced by the 4,000 engineering drawings and 85,000 blueprints. Over 11,000 people worked on the bridge including 350 engineers, 3,500 workers on site and 7,500 workers at quarries, mills, and shops elsewhere.

On November 1, 1957, the Mighty Mac opened to traffic with the formal dedication taking place the following June. The dream of bridging the Upper and Lower Peninsula had finally become a reality.

At 552 feet above the water, the main towers of Big Mac are almost exactly as high as the Washington Monument, which stands at 555 feet. When measured by its total length of 26,372 feet, the Mackinac Bridge qualifies as the longest suspension bridge in the United States, but falls to third place behind the Golden Gate Bridge and Verrazano Narrows Bridge if only the suspended portion of the bridge is counted.

Once a year, the Big Mac opens its span to the oldest form of transportation—walking. Begun in 1958, the annual Mackinac Bridge Walk has become a Labor Day tradition for Michigan families on both peninsulas. The bridge's beautiful silhouette beckons thousands with the promise of an exhilarating 5-mile walk and spectacular views of shoreline and water from 200 feet above the Straits of Mackinac.

Over the past 50 years, the Mackinac Bridge has become an elegant landmark for our State and a source of pride for all of us. Today Michigan commemorates the 50th anniversary of the Mackinac Bridge with a celebration at Bridge View Park in St. Ignace. My heart is with all the people who are there celebrating, and I wish the rest of me were there too. Congratulations, Big Mac.

ENERGY AND NATURAL RESOURCES COMMITTEE, EN BLOC HOTLINES

Mr. COBURN. Mr. President, I wish to share my concerns regarding the process currently being utilized by the Energy and Natural Resources Committee to pass legislation on the Senate floor. As many of my colleagues know, I am currently objecting to unanimous consent on two en bloc packages reported by the committee, containing more than 40 bills.

I want to make clear to my colleagues that I do not object to all of the bills contained in the two packages. In fact, I have offered to give consent to all those bills where I have no fiscal or policy concerns. Unfortunately, the committee is insisting on passing all of the legislation en bloc and will not allow the noncontroversial bills to be released for passage. These bills are in effect being held hostage by the committee.

As my colleagues know, I evaluate all unanimous consent requests, in part, on whether the proposed legislation increases authorizations for spending. If it does, I also look to see whether the new cost has been offset by a corresponding reduction in another program authorization. I also review each bill for specific policy concerns.

Of most concern to me, the two packages authorize over $150 million in new spending, without a single offset. This does not include the $640 million reauthorization for the Geologic Mapping Program. I have offered to work with the committee to identify possible offsets that would allow the en bloc packages to move forward. Given the considerable program oversight performed by the committee, I am eager to hear where it believes other programs may not be working as intended or where they may have become of a lesser priority than the bills currently under consideration.

As stewards of the Federal tax dollar, I believe it is imperative we proceed with the hard but necessary work of prioritizing our spending. Every American taxpayer is forced to do this every day, and so should we. Prioritization begins with the authorization process, and so does long-term fiscal discipline.

I renew my pledge to work with any Member of this body to identify offsets, to ensure that our actions today never add to the already heavy financial burden we have placed on the next generation of Americans.

It is my hope the committee will abandon the practice of en bloc unanimous consent requests. Each bill should be considered on its merits, and if it is truly worthwhile, should be allowed to stand on its own. As an institution, this Senate is more than capable of this task.

To make the RECORD absolutely clear, I am including the list of noncontroversial bills in these packages that should be cleared and allowed to pass under unanimous consent: S. 216, S. 266, S. 241, S. 202, S. 232, S. 262, S. 220, H.R. 386, S. 320, S. 553, H.R. 497, H.R. 658, S. 1139, H.R. 235, H.R. 482, H.R. 467.

VETERANS HOSPITALS COMBAT STAPH INFECTIONS

Mr. AKAKA. Mr. President, I find it disturbing and disheartening to know that efforts to heal through modern medicine end up creating new medical problems, in addition to those that are preexisting. Unfortunately, this is what is occurring with the rise of dangerous drug-resistant forms of staph that have become prevalent as of late. I want to talk about the potential dangers of these infections, especially in a medical environment where patients are most vulnerable, and also give much-deserved praise to the Department of Veterans Affairs for their work to combat staph infections in their hospitals.

There are many types of staph bacteria. While some forms of staph are harmless, others are fatal. A recent study conducted by the Association for Professionals in Infection Control and Epidemiology suggests that as many as 1.2 million U.S. hospital patients are infected every year by a form of staph that is resistant to drugs.

Drug-resistant staph, often referred to as MRSA, Methicillin-resistant Staphylococcus aureus, has adapted in response to common antibiotics which have been used to combat these and other infections. Most staph infections arise from visits to the hospital and other health care settings.

The Department of Veterans Affairs is taking effective steps to reduce staph infections in their hospitals. Based on a successful pilot program at VA's Pittsburgh health care system, VA has instituted a staph prevention program in all 153 of their hospitals. Their prevention system is based on a strategy of enhanced hygiene and culture change among health care workers. Patients are monitored, proven precautions are followed for those affected, and close attention is paid to common sources of infection. The Pittsburgh pilot led to a 50-percent decline in staph infections, something Acting VA Secretary Gordon Mansfield referred to as "dramatic reductions" in staph infections, and I look forward to similarly positive outcomes across the veterans' health care system.

It is my hope that VA will continue to improve their prevention programs and share information with other health care providers. This will help VA safeguard our veterans and their families from staph infections, serve as a successful model for our country's hospitals and medical facilities, and improve the well-being of our Nation's citizens.

TAX RELIEF

Mr. ROBERTS. Mr. President, I rise today to discuss several important tax relief measures that expire this year.

As several of my colleagues have noted, these provisions are important to many of our folks back home and have a direct impact on their daily lives and pocketbook. This tax relief has put more money in taxpayers' pockets rather than the government coffers and needs to be extended.

I am pleased to introduce legislation to extend two expiring tax relief measures.

The first measure ensures that we continue to provide a 7-year depreciation schedule for motorsports complexes. This is an important tax relief provision to hundreds of race facilities across the country, both large and small.

In Kansas, more than 30 tracks can benefit from this depreciation schedule. It allows race facilities to make important safety and modernization investments under a depreciation schedule that reflects the ongoing need to maintain these facilities.

The largest track in Kansas, the Kansas Speedway, which was just completed in 2001, has been the economic driver in the revitalization of Kansas City, KS. What was once one of the most economically depressed areas in Kansas is now one of the fastest growing. The speedway alone contributed more than $150 million to the local economy in its first year, creating 3,300 new jobs and generating $10 million in property taxes and $26 million in sales taxes.

The track has spurred new investment in the area, including a 400-acre retail and entertainment center that has brought in more than 90 businesses and 5,500 jobs. Because of this growth, an additional $750 million in development in the area is underway. The area has become the largest tourist attraction in Kansas, bringing in 12 million visitors per year.

As we look at extending tax relief, I hope we will be mindful of the tremendous economic benefit that these facilities generate in our home States.

I am also pleased to introduce legislation to extend an important charitable giving provision that we initially passed last year as part of the Pension Protection Act. This provision allows individuals age 70½ or older, who must begin taking distributions from their individual retirement accounts, to donate those distributions to a charitable organization without incurring tax on the distribution. Individuals many donate up to $100,000.

I have heard from many charitable organizations in Kansas that have already seen the benefits of this legislation, including colleges and universities, that tell me that many donors are making good use of this tax relief provision.

At the University of Kansas for example, this provision has helped generate 94 gifts totaling more than $2.8 million. The gifts have ranged from $100 to $100,000—the rollover maximum.

Smaller colleges are also benefitting. Sterling College, located in central Kansas, has an enrollment of 607 students. Last year the college raised a total of $2 million dollars in unrestricted gifts. More than 10 percent of that amount, $253,000, was raised as a result of this provision. In addition, one donor who had previously given $1,000, increased her gift to over $80,000 as a direct result of the IRA charitable rollover provision.

This provision has proven to be an important incentive to encourage small donors to give, and is an important tool for charities to attract new donors. I encourage my colleagues to support an extension of this measure.

I would also like to share my support for two other measures that extend expiring tax relief. The first is the deduction for tuition and higher education expenses, introduced by Senator CORNYN. I am pleased to cosponsor this legislation.

This deduction is an important benefit for many families who are looking for ways to pay for a college education. It allows a deduction of up to $4,000 for tuition and related expenses. Nearly 49,000 Kansas taxpayers benefitted from this deduction in 2005. Across the country, more than 4.5 million taxpayers claimed the deduction.

We have taken a number of steps in Congress to help families manage the cost of a college education. This deduction is another important benefit that we need to extend to aid families paying for college.

In addition, I am pleased to cosponsor legislation introduced by Senator INHOFE that extends an important tax incentive for marginal oil and gas wells.

Recognizing the value of oil and gas wells decline over time, the tax code allows depletion deductions to recover investments in marginal oil and gas wells.

Under one method of depletion deduction—percentage depletion—15 percent of the taxpayer's gross income from an oil- or gas-producing property is allowed as a deduction in each taxable year. The amount deducted generally may not exceed 100 percent of the net income from that property in any year. However, this limitation is suspended for marginal wells prior to January 1, 2008.

Extending this provision is critical for marginal wells, which are a key source of domestic oil and gas production and create thousands of jobs.

Marginal wells account for 17 percent of the oil produced domestically and about 9 percent of natural gas. There are more than 401,000 marginal oil wells in the U.S. which comprise 80 percent of all of the Nation's oil wells. They produced more than 321 million barrels of oil in 2005. This production prevented the U.S. from spending an additional $16 billion on imported oil. Kansas ranks third among States in the number of marginal wells; and fourth in production from these wells.

The number of marginal gas wells has steadily increased over the past 10 years and production has increased accordingly. Over the past 10 years, production from the Nation's 288,000 marginal gas wells has nearly doubled. Kansas has the largest continuous natural gas reservoir in the lower 48 States and ranks eighth in the number of marginal gas wells, and second in production from these wells.

As we look to reduce reliance on foreign oil it is important we keep in mind that marginal oil and gas wells are an key source of domestic production. We need to maintain existing tax incentives to encourage these small producers.

HONORING FORMER U.S. REPRESENTATIVE PETER HOAGLAND

Mr. NELSON of Nebraska. Mr. President, I rise today to pay tribute to a good friend and great Nebraskan, former U.S. Representative Peter Hoagland, who passed away Tuesday at the age of 66. Peter was a very special friend to all who knew him. His tenure in Congress coincided with my first 4 years serving as Governor of the State of Nebraska, and I will always remember Peter's thoughtful advice and advocacy on issues important to our mutual constituents.

Peter worked to do what he believed was right for his district and our state. An Omaha native and alumnus of Omaha Central High School, Peter represented the good people of Nebraska's largest metropolitan area in one capacity or another for 14 years through two terms in the Nebraska Legislature and three representing Nebraska's Second District in the U.S. House of Representatives.

Elected to the Nebraska Unicameral in 1978, Peter later assumed a leadership role as chairman of the Judiciary Committee. This role suited him well, as he was a Yale-educated attorney, having completed his law degree in 1968 after serving our country as a U.S. Army intelligence officer. Peter was active on important topics such as ground water protection, and he spearheaded the passage of landmark drunk-driving legislation.

Peter was elected to the U.S. House of Representatives in 1988, where he served three terms. He focused his efforts on the inner workings of his committees. Peter was a workhorse, not a show horse; and he made his presence felt on many issues, particularly those pertaining to banking and the environment.

Peter Hoagland was a true leader; and while he may have left public service, he never left public life. As a tribute to his immense legacy, Nebraska Democrats honored Peter with the Hall of Fame Award at the Morrison-Exon Dinner earlier this year. I am grateful we had that opportunity to let Peter know how much he meant to all of us.

I offer my most sincere condolences to Peter's wife Barbara and their family. Peter's passion for service, his dynamic leadership, and his unwavering dedication will remain a source of inspiration to all who knew him.

ADDITIONAL STATEMENTS

COMMENDING HAWAII'S YOUTH

• Mr. AKAKA. Mr. President, I congratulate a number of young adults from Hawaii for being selected to perform on the National Public Radio, NPR, program, "From the Top." "From the Top" is a weekly, hour-long show featuring America's most talented, young musicians. It is one of the most listened to programs on public radio with an audience of approximately 750,000 each week, over 250 stations nationwide. The show is hosted by pianist Christopher O'Riley and recorded in front of a live audience.

The young adults include those from the Hawaii Youth Opera Chorus Nä Leo Küho'okahi ensemble: Sienna Achong, Juliana Besenbruch, Olivia Borges, Ka'iulani Bowers, Karyn Castro, Hina Felmet, Pili Gardner, Makena Hamilton, Marika Ikehara, Alana Mueller, Jade Olszowka, Noe Ramirez, Erin Richardson, Sarah Sagarang, Kanoe Tjorvatjoglou, Krysti Uranaka, and Kiyoe Wellington. Also performing are: Laura Bleakley, Maile Cha, Jacob DeForest, Asia Doike, Irwin Jiang, Annie Kwok, Alda Lam, Andrew Ramos, Tyler Ramos, Yulia Sharipova, Rachel Stanton, and T.J. Tario.

The program will be produced during two performances. The first performance will be at Oahu's historic Hawaii Theatre on November 14, and the second at Maui Arts and Cultural Center on November 16. In addition to being taped, the students will be participating in assemblies at eight schools on three islands. Approximately 100 young people are chosen each year to appear on "From the Top," so to have Hawaii's youth be selected is truly an honor.

The students' hard work and devotion to music has allowed them to excel in the performing arts. However, they would not have been able to succeed without the support of their family, friends, and instructors. Instructors play an essential role in guiding a student, and they need to be commended for their hard work and dedication to teaching as well.•

CONGRATULATING MISS LESLIE OSBORN

• Mr. AKAKA. Mr. President, I congratulate Leslie K. Osborn for earning Hawaii's first Silver Award in Venturing, the highest award in the Venturing program of the Boy Scouts of America. Leslie will be honored with this award at the annual Aloha Council Eagle Scout Banquet in April of 2008.

Venturing was created by the Boy Scouts of America in 1998 to provide positive experiences for young men and women and the tools needed to become responsible and caring adults.

Involvement in the Boy Scouts of America is a long-standing tradition in the Osborn family. Both Leslie's older brother, Bobby, and her younger sister, Heather, are active in the program. Parents, LTC John and Patricia Osborn, teach their children strong family values and respect for God and country. Leslie is a strong young woman who is motivated by the desire to prove that she has the same capabilities as boys. She spends much of her time building her strength in wilderness survival through such activities as camping, climbing, and hiking.

Leslie is also an exceptional student. She has maintained a 4.0 GPA at Kalaheo High School while enjoying hobbies such as dancing jazz and ballet. She is very involved in community services, both on her own time through her work at the Marine Corps commissary and through her activities in the Boy Scouts program. She has participated in numerous community outreach programs, including the annual Toys for Tots program as well as beach cleanups. She plans to attend college with the goal of becoming a veterinarian.

I look forward to hearing more about Leslie's successes as she continues to pursue her education and personal goals. Congratulations to her parents John and Patricia, who have raised their daughter to be a remarkable young lady. I wish Leslie and the rest of the Osborn family the very best in their future endeavors.•

100TH ANNIVERSARY OF CONGREGATION B'NAI ABRAHAM

• Mr. FEINGOLD. Mr. President, I am so pleased to congratulate Congregation B'nai Abraham in Beloit, WI, on their 100th anniversary. Congregation B'nai Abraham was established on November 7, 1907, and during the past 100 years it has thrived due to its outstanding leadership, a wonderful congregation, and a supportive community. I have many happy memories of my visits to this synagogue, particularly with the Beloit/Janesville BBYO.

Generations of Wisconsinites have proudly called Congregation B'nai Abraham their synagogue. Under the leadership of Rabbi Ira Youdovin, new generations will continue to flourish. Today we celebrate this outstanding achievement and the people over the last 100 years who have built this wonderful congregation. Mazel Tov on this remarkable anniversary, and I wish Congregation B'nai Abraham the best for the next 100 years.•

TRIBUTE TO LOUISIANA WWII VETERANS

• Ms. LANDRIEU. Mr. President, I would like to take a moment to pay tribute to a group of 84 World War II veterans from the Acadiana region of Louisiana that is making its way to Washington this weekend. Here the veterans will visit the World War II, Korea, Vietnam and Iwo Jima memorials as well as Arlington National Cemetery to lay a wreath at the Tomb of the Unknowns.

The trip to the Nation's Capital this Saturday is being sponsored by a group in Lafayette, LA, called Louisiana HonorAir. The organization is honoring each surviving World War II Louisiana veteran by giving them a chance to see the memorials dedicated to their service. So far this year, there have been four trips to these Washington landmarks, and this weekend's trip will be the final one this year.

World War II was one of the greatest achievements in American history, and was also the deadliest conflict. More than 60 million people worldwide were killed, including 40 million civilians, and more than 400,000 American servicemembers were slain during the long war. The ultimate victory over enemies in the Pacific and in Europe is a testament to the valor of American soldiers, sailors, airmen, and marines. The years 1941–1945 also witnessed an unprecedented mobilization of domestic industry, which supplied our military on two distant fronts.

In Louisiana, there remain today about 44,000 living WWII veterans, and every one of them has their own heroic tale of their experience in achieving the noble victory of freedom over tyranny. Veterans in this group began their service in 1940 before the bombing of Pearl Harbor, and served as late as 1957, between the Korean and Vietnam wars. They served in every branch of the military—35 members in the Army; including a Buffalo soldier based in Italy; 27 in the Navy; 16 in the Army Air Corps, now the Air Force; 5 in the Marines; and 1 in the Coast Guard. The spent their service in the European and Pacific theaters as well as stateside and participated in many famous battles, including the attack on Pearl Harbor, the Battle of Normandy and the Battle of the Bulge.

I ask the Senate to join me in honoring these 83 men and 1 woman, all Louisiana heroes, that we welcome to Washington this weekend and Louisiana HonorAir for making these trips a reality.•

FOUNDER'S AWARD RECIPIENTS

• Mr. THUNE. Mr. President, today I wish to recognize David Pigott, Tonya Denke, Russell Bruner, and Abbi Wells, all of whom received the Founder's Award for Outstanding Achievement from the Black Hills Workshop in

Rapid City, SD. This is a prestigious award that reflects the recipients' hard work and dedication to achieving independent living. It also reflects the valuable role they have played in giving back to their local community. Also, I would like to recognize McKie Automotive group for receiving the Community Connection Award.

David Pigott is a hard-working stocker at the Ellsworth Air Force Base Commissary. He is an excellent member of their staff and has been recognized for his hard work by being named the Employee of the Month twice and Employee of the Year in 2006. Due to David's success at his job, he was chosen to travel to Washington, DC, to meet with Members of Congress to discuss employment for individuals with disabilities.

Tonya Denke is an enthusiastic food service attendant at Ellsworth Air Force Base's Bandit Inn. She is a dependable worker who is well liked by her fellow staff members and customers. Beyond her work, Tonya enjoys quilting, reading, playing the piano, and leads a very active lifestyle. Her accomplishments in the Special Olympics can be seen in her numerous gold and silver medals.

Russell Bruner stocks shelves and performs custodial work for the Ellsworth Air Force Base Commissary. He has been an excellent employee ever since he started the position in 2001 as is shown by his framed Employee of the Month award. Outside of work, Russell loves to read, especially about history, and to travel. His adventures have taken him to Seattle, Alaska, Florida and Washington, DC, just to name a few.

Abbi Wells works at the Black Hills Workshop on an assembly contract for Balanced Systems Incorporated of Sioux Falls. In 1994 she was an Easter Seals poster child. Abbi's brilliant smile and passion for life make her well liked by all the people she meets. In her spare time, she enjoys writing short stories and volunteers at the United Blood Services, Rapid City Boys and Girls Club, National Federation of the Blind, and the Journey Museum.

McKie Automotive Group received the Community Connection Award from the Black Hills Workshop. This award is presented to an organization that has gone above and beyond in their support by providing job opportunities to people with disabilities. McKie Automotive Group currently employs five members of the Black Hills Workshop.

It gives me great pleasure to recognize David Pigott, Tonya Denke, Russell Bruner, Abbi Wells, and McKie Automotive Group and to congratulate them on receiving these well-earned awards and wish them continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY RELATIVE TO THE ACTIONS AND POLICIES OF THE GOVERNMENT OF SUDAN AS DECLARED IN EXECUTIVE ORDER 13067 OF NOVEMBER 3, 1997—PM 31

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

The crisis constituted by the actions and policies of the Government of Sudan that led to the declaration of a national emergency in Executive Order 13067 of November 3, 1997, and the expansion of that emergency in Executive Order 13400 of April 26, 2006, and with respect to which additional steps were taken in Executive Order 13412 of October 13, 2006, has not been resolved. These actions and policies are hostile to U.S. interests and pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared with respect to Sudan and maintain in force the comprehensive sanctions against Sudan to respond to this threat.

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision I have sent the enclosed notice to the *Federal Register* for publication, stating that the Sudan emergency is to continue in effect beyond November 3, 2007.

GEORGE W. BUSH.

THE WHITE HOUSE, *November 1, 2007.*

MESSAGES FROM THE HOUSE

At 10:06 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 1236. An act to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

H.R. 2787. An act to amend the National Manufactured Housing Construction and Safety Standards Act of 1974 to require that weather radios be installed in all manufactured homes manufactured or sold in the United States.

H.R. 3307. An act to designate the facility of the United States Postal Service located at 570 Broadway in Bayonne, New Jersey, as the "Dennis P. Collins Post Office Building".

H.R. 3446. An act to designate the facility of the Untied States Postal Service located at 202 East Michigan Avenue in Marshall, Michigan, as the "Michael W. Schragg Post Office Building".

H.R. 3867. An act to update and expand the procurement programs of the Small Business Administration, and for other purposes.

H. J. Res. 58. Joint resolution expressing support for designation of the month of October 2007 as "Country Music Month" and to honor country music for its long history of supporting America's armed forces and its tremendous impact on national patriotism.

At 1:06 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 3043) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. OBEY, Mrs. LOWEY, Ms. DELAURO, Messrs. JACKSON of Illinois, KENNEDY, Ms. ROYBAL-ALLARD, Ms. LEE, Messrs. UDALL of New Mexico, HONDA, Ms. MCCOLLUM of Minnesota, Messrs. RYAN of Ohio, MURTHA, EDWARDS, WALSH of New York, REGULA, PETERSON of Pennsylvania, WELDON of Florida, SIMPSON, REHBERG, YOUNG of Florida, WICKER and LEWIS of California as managers of the conference on the part of the House.

ENROLLED BILLS SIGNED

At 3:07 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 1808. An act to designate the Department of Veterans Affairs Medical Center in Augusta, Georgia, as the "Charlie Norwood Department of Veterans Affairs Medical Center".

H.R. 2779. An act to recognize the Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national museum of Navy SEALs and their predecessors.

The enrolled bills were subsequently signed by the President pro tempore (Mr. BYRD).

MEASURES REFERRED

The following bills and joint resolution were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1236. To amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2787. An act to amend the National Manufactured Housing Construction and Safety Standards Act of 1974 to require that weather radios be installed in all manufactured homes manufactured or sold in the United States; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3307. An act to designate the facility of the United States Postal Service located at 570 Broadway in Bayonne, New Jersey, as the "Dennis P. Collins Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3446. An act to designate the facility of the United States Postal Service located at 202 East Michigan Avenue in Marshall, Michigan, as the "Michael W. Schragg Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3867. An act to update and expand the procurement programs of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.J. Res. 58. Joint resolution expressing support for designation of the month of October 2007 as "Country Music Month" and to honor country music for its long history of supporting America's armed forces and its tremendous impact on national patriotism; to the Committee on the Judiciary.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 2293. A bill to amend the Internal Revenue Code of 1986 to repeal the individual alternative minimum tax, and for other purposes.

S. 2294. A bill to strengthen immigration enforcement and border security and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3833. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Indian Tribal Land Acquisition Program Loan Writedowns" (RIN0560-AG87) received on October 26, 2007; to the Committee on Indian Affairs.

EC-3834. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a report relative to the views of the Department on S. 453, the "Deceptive Practices and Voter Intimidation Prevention Act of 2007"; to the Committee on the Judiciary.

EC-3835. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "National Source Tracking of Sealed Sources; Revised Compliance Dates" (RIN3150-AI22) received on October 25, 2007; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 2284. An original bill to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes (Rept. No. 110-214).

S. 2285. An original bill to reauthorize the Federal terrorism risk insurance program, and for other purposes (Rept. No. 110-215).

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs, with an amendment in the nature of a substitute:

S. 1518. A bill to amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and for other purposes (Rept. No. 110-216).

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 2168. A bill to amend title 18, United States Code, to enable increased federal prosecution of identity theft crimes and to allow for restitution to victims of identity theft.

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 2286. An original bill to establish a nonpartisan commission on natural catastrophe risk management and insurance, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LEAHY for the Committee on the Judiciary.

*Julie L. Myers, of Kansas, to be Assistant Secretary of Homeland Security.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. COLEMAN (for himself and Ms. KLOBUCHAR):

S. 2280. A bill to amend the Deficit Reduction Act of 2005; to the Committee on Finance.

By Mr. LEVIN (for himself and Ms. STABENOW):

S. 2281. A bill to expand the boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE:

S. 2282. A bill to increase the number of full-time personnel of the Consumer Product Safety Commission assigned to duty stations at United States ports of entry or to inspect overseas production facilities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CRAPO:

S. 2283. A bill to preserve the use and access of pack and saddle stock animals on public land administered by the National Park Service, and Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service on which there is a historical tradition of the use of pack and saddle stock animals; to the Committee on Energy and Natural Resources.

By Mr. DODD:

S. 2284. An original bill to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mr. DODD:

S. 2285. An original bill to reauthorize the Federal terrorism risk insurance program, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mr. DODD:

S. 2286. An original bill to establish a nonpartisan commission on natural catastrophe risk management and insurance, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mr. FEINGOLD (for himself, Ms. CANTWELL, and Mrs. FEINSTEIN):

S. 2287. A bill to amend the Internal Revenue Code of 1986 to repeal the percentage depletion allowance for certain hardrock mines, and for other purposes; to the Committee on Finance.

By Ms. SNOWE (for herself and Mr. KERRY):

S. 2288. A bill to establish portfolio quality standards, improve lender oversight by the Small Business Administration, create economic outcome and performance measurements, strengthen the loan programs under section 7(a) of the Small Business Act and title V of the Small Business Investment Act of 1958, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. ALEXANDER (for himself, Mr. PRYOR, Mr. KYL, Mr. NELSON of Nebraska, Mr. CORNYN, Mr. CORKER, Mr. COCHRAN, Mrs. HUTCHISON, and Mr. DOMENICI):

S. 2289. A bill to amend chapter 111 of title 28, United States Code, to limit the duration of Federal consent decrees to which State and local governments are a party, and for other purposes; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 2290. A bill to designate the facility of the United States Postal Service located at 16731 Santa Ana Avenue in Fontana, California, as the "Beatrice E. Watson Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. AKAKA (for himself, Mrs. MCCASKILL, Mr. CARPER, and Mr. LEVIN):

S. 2291. A bill to enhance citizen access to Government information and services by establishing plain language as the standard style of Government documents issued to the public, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS (for herself and Mr. LIEBERMAN):

S. 2292. A bill to amend the Homeland Security Act of 2002, to establish the Office for Bombing Prevention, to address terrorist explosive threats, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LOTT (for himself, Mr. GRASSLEY, Mr. KYL, Mr. SMITH, Mr. BUNNING, Mr. CRAPO, Mr. ROBERTS, Mr. HATCH, Ms. SNOWE, and Mr. ENSIGN):

S. 2293. A bill to amend the Internal Revenue Code of 1986 to repeal the individual alternative minimum tax, and for other purposes; read the first time.

By Mr. KYL (for himself, Mr. GRAHAM, Mr. CORNYN, Mr. MARTINEZ, Mr. SESSIONS, Mr. SPECTER, and Mr. MCCONNELL):

S. 2294. A bill to strengthen immigration enforcement and border security and for other purposes; read the first time.

By Mr. NELSON of Florida (for himself and Mr. WHITEHOUSE):

S. 2295. A bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent paper ballot under title III of such Act, and for other purposes; to the Committee on Rules and Administration.

By Mr. SCHUMER:

S. 2296. A bill to provide for improved disclosures by all mortgage lenders at the loan approval and settlement stages of all mortgage loans; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. SNOWE:

S. 2297. A bill to require the FCC to conduct an economic study on the impact that low-power FM stations will have on full-power commercial FM stations; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE:

S. 2298. A bill to prohibit an applicant from obtaining a low-power FM license if an applicant has engaged in any manner in the unlicensed operation of any station in violation of section 301 of the Communications Act of 1934; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE:

S. 2299. A bill to require the Secretary of Agriculture to establish an advisory committee to develop recommendations regarding the national aquatic animal health plan developed by the National Aquatic Animal Health Task Force, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KERRY (for himself and Ms. SNOWE):

S. 2300. A bill to improve the Small Business Act, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. REID (for Mr. OBAMA):

S.J. Res. 23. A joint resolution clarifying that the use of force against Iran is not authorized by the Authorization for the Use of Military Force Against Iraq, any resolution previously adopted, or any other provision of law; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COLEMAN (for himself and Mr. BURR):

S. Res. 363. A resolution expressing the sense of the Senate regarding the treatment of Social Security "notch babies"; to the Committee on Finance.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. Res. 364. A resolution commending the people of the State of Washington for showing their support for the needs of the State of Washington's veterans and encouraging residents of other States to pursue creative ways to show their own support for veterans; to the Committee on Veterans' Affairs.

By Mrs. BOXER:

S. Con. Res. 52. A concurrent resolution encouraging the Association of Southeast Asian Nations to take action to ensure a peaceful transition to democracy in Burma; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 67

At the request of Mr. INOUYE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 67, a bill to amend title 10, United States Code, to permit former members of the Armed Forces who have a service-connected disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces are entitled to travel on such aircraft.

S. 582

At the request of Mr. SMITH, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 582, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 597

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 597, a bill to extend the special postage stamp for breast cancer research for 2 years.

S. 667

At the request of Mr. BOND, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 667, a bill to expand programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and for other purposes.

S. 719

At the request of Mr. LAUTENBERG, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 719, a bill to amend section 10501 of title 49, United States Code, to exclude solid waste disposal from the jurisdiction of the Surface Transportation Board.

S. 771

At the request of Mr. HARKIN, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 771, a bill to amend the Child Nutrition Act of 1966 to improve the nutrition and health of schoolchildren by updating the definition of "food of minimal nutritional value" to conform to current nutrition science and to protect the Federal investment in the national school lunch and breakfast programs.

S. 1003

At the request of Mr. SPECTER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1003, a bill to amend title XVIII of the Social Security Act to improve access to emergency medical services and the quality and efficiency of care furnished in emergency departments of hospitals and critical access hospitals by establishing a bipartisan commission to examine factors that affect the effective delivery of such services, by providing for additional payments for certain physician services furnished in such emergency departments, and by establishing a Centers for Medicare & Medicaid Services Working Group, and for other purposes.

S. 1132

At the request of Ms. MURKOWSKI, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1132, a bill to amend the Internal Revenue Code of 1986 to allow Indian tribes to receive charitable contributions of apparently wholesome food.

S. 1159

At the request of Mr. HAGEL, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 1159, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 1457

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 1457, a bill to provide for the protection of mail delivery on certain postal routes, and for other purposes.

S. 1668

At the request of Mr. DODD, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1668, a bill to assist in providing affordable housing to those affected by the 2005 hurricanes.

S. 1693

At the request of Mr. KENNEDY, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1693, a bill to enhance the adoption of a nationwide interoperable health information technology system and to improve the quality and reduce the costs of health care in the United States.

S. 1729

At the request of Mr. LEAHY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1729, a bill to amend titles 18 and 28 of the United States Code to provide incentives for the prompt payments of debts owed to the United States and the victims of crime by imposing surcharges on unpaid judgments owed to the United States and to the victims of crime, to provide for offsets on amounts collected by the Department of Justice for Federal agencies, to increase the amount of special assessments imposed upon convicted persons, to establish an Enhanced Financial Recovery Fund to enhance, supplement, and improve the debt collection activities of the Department of Justice, to amend title 5, United States Code, to provide to assistant United States attorneys the same retirement benefits as are afforded to Federal law enforcement officers, and for authorized purposes.

S. 1782

At the request of Mr. FEINGOLD, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1782, a bill to amend chapter 1 of title 9 of United States Code with respect to arbitration.

S. 1843

At the request of Mr. KENNEDY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1843, a bill to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967 to clarify that an unlawful practice occurs each time compensation is paid pursuant to a discriminatory compensation decision or other practice, and for other purposes.

S. 1858

At the request of Mr. DODD, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1858, a bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes.

S. 1943

At the request of Mr. KENNEDY, the names of the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. FEINSTEIN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1943, a bill to establish uniform standards for interrogation techniques applicable to individuals under the custody or physical control of the United States Government.

S. 1951

At the request of Mr. BAUCUS, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1951, a bill to amend title XIX of the Social Security Act to ensure that individuals eligible for medical assistance under the Medicaid program continue to have access to prescription drugs, and for other purposes.

S. 2069

At the request of Mr. DURBIN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 2069, a bill to increase the United States financial and programmatic contributions to promote economic opportunities for women in developing countries.

S. 2119

At the request of Mr. JOHNSON, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 2119, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 2123

At the request of Mr. BAYH, his name was added as a cosponsor of S. 2123, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 2127

At the request of Mrs. MURRAY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2127, a bill to provide assistance to families of miners involved in mining accidents.

S. 2147

At the request of Mrs. BOXER, her name was added as a cosponsor of S. 2147, a bill to require accountability for contractors and contract personnel under Federal contracts, and for other purposes.

S. 2170

At the request of Mrs. HUTCHISON, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2170, a bill to amend the Internal Revenue Code of 1986 to modify the treatment of qualified restaurant property as 15-year property for purposes of the depreciation deduction.

S. 2181

At the request of Ms. COLLINS, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2181, a bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries' access to home health services under the Medicare program.

S. 2228

At the request of Mr. LUGAR, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 2228, a bill to extend and improve agricultural programs, and for other purposes.

S. 2233

At the request of Mr. ENSIGN, his name was added as a cosponsor of S. 2233, a bill to provide a permanent deduction for States and local general sales taxes.

S. 2250

At the request of Mr. CRAPO, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 2250, a bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare Program.

S. 2257

At the request of Mr. BIDEN, the names of the Senator from Oregon (Mr. SMITH) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2257, a bill to impose sanctions on officials of the State Peace and Development Council in Burma, to amend the Burmese Freedom and Democracy Act of 2003 to prohibit the importation of gemstones and hardwoods from Burma, to promote a coordinated international effort to restore civilian democratic rule to Burma, and for other purposes.

S. 2277

At the request of Mr. SMITH, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 2277, a bill to amend the Internal Revenue Code of 1986 to increase the limitation on the issuance of qualified veterans' mortgage bonds for Alaska, Oregon, and Wisconsin and to modify the definition of qualified veteran.

S.J. RES. 22

At the request of Mr. SPECTER, his name was added as a cosponsor of S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Centers for Medicare & Medicaid Services within the Department of Health and Human Services relating to Medicare coverage for the use of erythropoiesis stimulating agents in cancer and related neoplastic conditions.

S. RES. 241

At the request of Mr. BROWN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. Res. 241, a resolution expressing the sense of the Senate that the United States should reaffirm the commitments of the United States to the 2001 Doha Declaration on the TRIPS Agreement and Public Health and to pursuing trade policies that promote access to affordable medicines.

S. RES. 356

At the request of Mr. DURBIN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. Res. 356, a resolution affirming that any offensive military action taken against Iran must be explicitly approved by Congress before such action may be initiated.

AMENDMENT NO. 3493

At the request of Mr. VITTER, his name was added as a cosponsor of amendment No. 3493 intended to be proposed to H.R. 3963, a bill to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COLEMAN (for himself and Ms. KLOBUCHAR):

S. 2280. A bill to amend the Deficit Reduction Act of 2005; to the Committee on Finance.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2280

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REGULATIONS.

Section 6052(b) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396n note) is amended to read as follows:

"(b) FINAL REGULATIONS.—The Secretary shall promulgate final regulations to carry out the amendment made by subsection (a) consistent with the notice and comment requirements in section 553 of title 5, United States Code, except that the period of public comment on the proposed regulations shall be not less than 180 days. Consistent with the requirements of section 801(a)(1)(A) of title 5, United States Code, the final regulations shall take effect not less than 90 days after publication in the Federal Register or presentation to each House of the Congress or the Comptroller General, whichever occurs later.".

By Mr. LEVIN (for himself and Ms. STABENOW):

S. 2281. A bill to expand the boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. LEVIN. Mr. President, today, I am introducing the Thunder Bay National Marine Sanctuary and Underwater Preserve Boundary Modification Act to expand the boundaries of the existing sanctuary.

Created as a unique Federal-State partnership in October 2000, the Thunder Bay National Marine Sanctuary has been a resounding success. It has preserved the proud maritime history of the Great Lakes, offered educational opportunities to children and researchers, and provided a fascinating site for divers and snorklers to explore. Expanding the sanctuary will bring even greater benefits.

When the National Oceanic and Atmospheric Administration originally considered the Sanctuary, it recommended an area that was twice as big as what was eventually established. That proposal was scaled back to address concerns raised by some state and local communities who wanted to begin cautiously. Some of the doubters and most cautious at the beginning have now become the biggest supporters of the sanctuary. Today, the expansion has broad support throughout the area.

Specifically, this bill would extend the sanctuary's boundaries to include the waters off Alcona, Alpena and Presque Isle Counties in Michigan and would extend the sanctuary east to the International boundary. This would be a significant increase in total area. The current sanctuary includes 448 square miles of water and 115 miles of shoreline, and the expansion would include 3,722 square miles and include 226 miles of shoreline.

This expansion is needed to protect the maritime history of Michigan and the Great Lakes. Historically, this region was influenced by the demand for natural resources. Because local roads were so inadequate, the Great Lakes became an important passageway and trading route for settlement and industrialization. The geography of Thunder Bay and the weather patterns in the lakes, however, caused dozens of ships to perish in what mariners call "Shipwreck Alley." Many of these shipwrecks are well-preserved because they are in freshwater and of great interest to researchers and students.

The current sanctuary holds 116 shipwrecks though many, many more shipwrecks in this area have been mentioned in historical records. In addition to shipwrecks, the sanctuary protects and interprets the remains of commercial fishing sites, historic docks, and other underwater archaeological sites.

Expanding the boundaries as provided for in this bill will protect an estimated 178 additional shipwrecks. For example, it would protect the *Cornelia B. Windiate*, which is a three-mast wooden schooner and one of the Great Lakes' most intact shipwrecks. The ship sank in December 1875 when bound from Milwaukee to Buffalo with a cargo of wheat, and was featured in an episode of Deep Sea Detectives on the History Channel. Expansion would also cover the *H.P. Bridge*, a three-mast wooden barkentine, containing many artifacts such as pottery, clothing, and ship tackle and hardware.

These shipwrecks are not only historically important, they are very popular with divers. Deep water wrecks are popular for technical divers, and because the sites are often well preserved in the cold freshwater, they contain many artifacts and provide a treasure of information about the past. Many of the shallow water wrecks are accessible by snorkelers, boaters and kayakers. These sites offer a tremendous amount of archaeological data on ship architecture and are generally easier to document.

The sanctuary is also making important contributions to research and education. Using real-time video links, students in Alpena interact with divers exploring underwater worlds with people who are thousands of miles away. In the near future, students from around the country will be able to control remote submarines that allow them to explore the *E.B. Allen* or the steamship *Montana*. Visitors to Thunder Bay can also view artifacts and interpretive exhibits and watch films about Thunder Bay and all of our Nation's Maritime Sanctuaries. Scientists from around the world dock their vessels in the Thunder Bay River as they use the facility for their research.

The sanctuary has also been a real asset for the local community, and the community has responded in kind. Since the establishment of the sanctuary, the community has worked with it to improve the Alpena County George N. Fletcher Library, to provide volunteers at festivals and outreach events, and to help digitize the Thunder Bay Sanctuary Research Collection.

The Thunder Bay National Marine Sanctuary deserves to be expanded. Doing so will preserve important maritime history and will continue the success of the current Sanctuary. It is a unique treasure that needs our support. I hope my colleagues will join me in supporting this bill.

By Ms. SNOWE:

S. 2282. A bill to increase the number of full-time personnel of the Consumer Product Safety Commission assigned to duty stations at United States ports of entry or to inspect overseas production facilities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, today I am introducing a bill to increase the number of full-time personnel of the Consumer Product U.S. Safety Commission assigned to duty stations at U.S. ports of entry or to inspect overseas production facilities to ensure that the Consumer Product Safety Commission has the personnel necessary to adequately address the growing problem of import safety. This bill would more than triple the current number of commission staff assigned to U.S. ports of entry, by requiring that no less than 50 full-time import inspectors be in place at the beginning of the next fiscal year. Additionally, it would expressly authorize the CPSC to send such inspectors to examine the operations at overseas factories which manufacture consumer products destined for the U.S.

This legislation is critically necessary, given that an ever-increasing number of the consumer products now sold on our shelves are manufactured in countries with appalling safety and quality control standards, such as

China. Sine the year 2000, foreign imports to the U.S. have increased 67 percent by value, with imports from China nearly tripling, growing from $100 billion in 2000 to $288 billion last year. Almost 20 percent of consumer products sold in the U.S. today were made in China. Particularly troubling is that Chinese manufacturers have cornered the U.S. market on toys, with over 80 percent of all toys sold in the U.S. coming from China. Since March 2007, over 8 million pieces of these Chinese-made toys have been recalled due to lead contamination alone.

Outrageously, the number of CPSC personnel dedicated to monitoring import compliance with U.S. health and safety requirements has been slashed along with other Commission resources during the very period in which trade liberalization has allowed foreign producers greater access to our markets. With over 60 percent of CPSC staff having been cut over the past 27 years—from almost 1,000 employees in 1980 to a record low of 420 employees in 2007—there remain only 15 full-time Commission personnel assigned to inspect imports at U.S. ports. According to a September 2, 2007, New York Times article, this handful of import inspectors "are hard pressed to find dangerous cargo before it enters the country; instead, they rely on other Federal agents, who mostly act as trademark enforcers." Similarly unacceptable is the fact that the CPSC lacks the staff to send a single inspector to the foreign factories making the goods that we put on our kitchen counters and in the hands of our children.

These facts unquestionably reveal, as a Consumers Union official told the Senate Committee on Finance earlier this month, that the CPSC has not kept up with the globalization of the marketplace. That is why I have proposed this bill, which would rapidly shore-up the commission's import inspection staff, who are so critical to protecting us from dangerous foreign products. I urge my colleagues to support this common-sense solution to an urgent problem.

By Mr. FEINGOLD (for himself, Ms. CANTWELL, and Mrs. FEINSTEIN):

S. 2287. A bill to amend the Internal Revenue Code of 1986 to repeal the percentage depletion allowance for certain hardrock mines, and for other purposes; to the Committee on Finance.

Mr. FEINGOLD. Mr. President, today I am very pleased to be joined by Senators CANTWELL and FEINSTEIN in introducing legislation to eliminate from the Federal tax code the "Percentage Depletion Allowance" for hardrock minerals mined on Federal public lands. Elimination of this double subsidy will produce estimated savings of at least $500 million over 5 years, based on the most recent year for which figures are available from the Joint Committee on Taxation and the Clinton administration's fiscal year 2001 budget proposal. These savings will help fund the reclamation and restoration of abandoned mines through an Abandoned Mine Reclamation Fund, that my bill creates, and the remaining ¾ of savings will be returned to the Federal treasury.

Percentage depletion allowances were initiated by the Corporation Excise Act of 1909. That is right, these allowances were initiated nearly 100 years ago. Provisions for a depletion allowance based on the value of the mine were made under a 1912 Treasury Department regulation, but difficulty in applying this accounting principle to mineral production led to the initial codification of the mineral depletion allowance in the Tariff Act of 1913. The Revenue Act of 1926 established percentage depletion much in its present form for oil and gas. The percentage depletion allowance was then extended to metal mines, coal, and other hardrock minerals by the Revenue Act of 1932, and has been adjusted several times since.

Percentage depletion allowances were historically placed in the tax code to reduce the effective tax rates in the mineral and extraction industries far below tax rates on other industries, providing incentives to increase investment, exploration, and output. The problem, however, is that percentage depletion also makes it possible to recover many times the amount of the original investment.

There are two methods of calculating a deduction to allow a firm to recover the costs of its capital investment: cost depletion and percentage depletion. Cost depletion allows for the recovery of the actual capital investment—the costs of discovering, purchasing, and developing a mineral reserve—over the period during which the reserve produces income. Under the cost depletion method, the total deductions cannot exceed the original capital investment.

Under percentage depletion, however, the deduction for recovery of a company's investment is a fixed percentage of "gross income," namely, sales revenue from the sale of the mineral. Under this method, total deductions typically exceed the capital that the company invested. The set rates for percentage depletion are quite significant. Section 613 of the Internal Revenue Code contains depletion allowances for more than 70 metals and minerals, at rates ranging from 10 to 22 percent.

There is no restriction in the tax code to ensure that over time companies do not deduct more than the capital that a company has invested. Furthermore, a Percentage Deduction Allowance makes sense only so long as the deducting company actually pays for the investment for which it claims the deduction.

The result is a double subsidy for hardrock mining companies: first they can mine on public lands for free under the General Mining Law of 1872, and then they are allowed to take a deduction for capital investment that they have not made for the privilege to mine on public lands. My legislation would eliminate the use of the Percentage Depletion Allowance for mining on public lands, resulting in an estimated savings of $450 million over 5 years, while continuing to allow companies to recover reasonable cost depletion.

My bill would also create a new fund, called the Abandoned Mine Reclamation Fund. One-fourth of the revenue raised by the bill, or approximately $110 million, would be deposited into an interest-bearing fund in the Treasury to be used to clean up abandoned hardrock mines in states that are subject to the 1872 Mining Law. Though there is no comprehensive inventory of abandoned mines, estimates put the figure at upwards of 100,000 abandoned mines on public lands.

There are currently no comprehensive federal or state programs to address the need to clean up old mine sites. Reclaiming these sites requires the enactment of a program with explicit authority to clean up abandoned mine sites and the resources to do it. My legislation is a first step toward providing the needed authority and resources.

In today's budget climate, we are faced with the question of who should bear the costs of exploration, development, and production of natural resources: the taxpayers, or the users and producers of the resource? For more than a century, the mining industry has been paying next to nothing for the privilege of extracting minerals from public lands and then abandoning its mines. Now those mines are adding to the nation's environmental and financial burdens. We face serious budget choices this fiscal year, and one of those choices is whether to continue the special tax breaks provided to the mining industry.

The measure I am introducing is straightforward. It eliminates the Percentage Depletion Allowance for hardrock minerals mined on public lands while continuing to allow companies to recover reasonable cost depletion.

Though at one time there may have been an appropriate role for a government-driven incentive for enhanced mineral production, there is now sufficient reason to adopt a more reasonable depletion allowance that is consistent with depreciation rates given to other businesses. This corporate subsidy is simply not justified.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2287

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Elimination of Double Subsidies for the Hardrock Mining Industry Act of 2007".

SEC. 2. REPEAL OF PERCENTAGE DEPLETION ALLOWANCE FOR CERTAIN HARDROCK MINES.

(a) In General.—Section 613(a) of the Internal Revenue Code of 1986 (relating to percentage depletion) is amended by inserting "(other than hardrock mines located on lands subject to the general mining laws or on land patented under the general mining laws)" after "In the case of the mines".

(b) General Mining Laws Defined.—Section 613 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

"(f) General Mining Laws.—For purposes of subsection (a), the term 'general mining laws' means those Acts which generally comprise chapters 2, 12A, and 16, and sections 161 and 162 of title 30 of the United States Code.".

(c) Effective Date.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 3. ABANDONED MINE RECLAMATION FUND.

(a) In General.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 (relating to establishment of trust funds) is amended by adding at the end the following:

"SEC. 9511. ABANDONED MINE RECLAMATION FUND.

"(a) Creation of Trust Fund.—There is established in the Treasury of the United States a trust fund to be known as the 'Abandoned Mine Reclamation Trust Fund' (in this section referred to as 'Trust Fund'), consisting of such amounts as may be appropriated or credited to the Trust Fund as provided in this section or section 9602(b).

"(b) Transfers to Trust Fund.—There are hereby appropriated to the Trust Fund amounts equivalent to 25 percent of the additional revenues received in the Treasury by reason of the amendments made by section 2 of the Elimination of Double Subsidies for the Hardrock Mining Industry Act of 2007.

"(c) Expenditures From Trust Fund.—

"(1) In general.—Amounts in the Trust Fund shall be available, as provided in appropriation Acts, to the Secretary of the Interior for—

"(A) the reclamation and restoration of lands and water resources described in paragraph (2) adversely affected by mineral (other than coal and fluid minerals) and mineral material mining, including—

"(i) reclamation and restoration of abandoned surface mine areas and abandoned milling and processing areas,

"(ii) sealing, filling, and grading abandoned deep mine entries,

"(iii) planting on lands adversely affected by mining to prevent erosion and sedimentation,

"(iv) prevention, abatement, treatment, and control of water pollution created by abandoned mine drainage, and

"(v) control of surface subsidence due to abandoned deep mines, and

"(B) the expenses necessary to accomplish the purposes of this section.

"(2) Lands and water resources.—

"(A) In general.—The lands and water resources described in this paragraph are lands within States that have land and water resources subject to the general mining laws or lands patented under the general mining laws—

"(i) which were mined or processed for minerals and mineral materials or which were affected by such mining or processing, and abandoned or left in an inadequate reclamation status before the date of the enactment of this section,

"(ii) for which the Secretary of the Interior makes a determination that there is no continuing reclamation responsibility under State or Federal law, and

"(iii) for which it can be established to the satisfaction of the Secretary of the Interior that such lands or resources do not contain minerals which could economically be extracted through remining of such lands or resources.

"(B) Certain sites and areas excluded.—The lands and water resources described in this paragraph shall not include sites and areas which are designated for remedial action under the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7901 et seq.) or which are listed for remedial action under the Comprehensive Environmental Response Compensation and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

"(3) General mining laws.—For purposes of paragraph (2), the term 'general mining laws' means those Acts which generally comprise chapters 2, 12A, and 16, and sections 161 and 162 of title 30 of the United States Code.".

(b) Conforming Amendment.—The table of sections for subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

"Sec. 9511. Abandoned Mine Reclamation Trust Fund.".

By Ms. SNOWE (for herself and Mr. Kerry):

S. 2288. A bill to establish portfolio quality standards, improve lender oversight by the Small Business Administration, create economic outcome and performance measurements, strengthen the loan programs under section 7(a) of the Small Business Act and title V of the Small Business Investment Act of 1958, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. SNOWE. Mr. President, I rise today with Senator Kerry to introduce the Small Business Lending Oversight and Program Performance Improvements Act of 2007. I truly appreciate Senator Kerry's leadership on small business issues and his bipartisan work with me on this bill.

Small businesses have propelled our Nation's economic growth, producing more than 50 percent of our Gross Domestic Product, GDP, and creating between 60 to 80 percent of all new jobs annually. The Small Business Administration's loan guarantee programs are a vital source of financing for many of these small start-up firms, entrepreneurs seeking working capital, and small businesses that must purchase larger office space or secure factory equipment so they can continue to expand.

At the same time, the SBA's 7(a) and 504 lending programs will not endure if careless oversight, and a lack of standards, allow scandal to tarnish the good names of these programs. The 7(a) and 504 lending programs will not survive if we cannot prove to taxpayers that the money spent to guarantee small business loans actually produces economic vitality, opportunity, and new jobs, for our Nation. Make no mistake, the only way to protect these integral programs and demonstrate their effectiveness and economic growth capacity is through the use of concrete measurements.

In order for the SBA's lending portfolios to grow and allow more small firms to secure the capital they require, the SBA must quantify both quality and performance by establishing the specific criteria it will examine and then assess changes in these factors over time. Additionally, these benchmarks must be codified and transparent so that lenders and small businesses understand what is being measured.

The problem is this: Although the SBA evaluates portfolio quality, and uses these assessments to conduct lender oversight, the SBA has failed to provide participating lenders with some of the criteria or formulas the Agency uses to determine if their portfolios are sound or substandard. This lack of transparency not only hinders the SBA's lender oversight capabilities, it causes participating 7(a) and 504 lenders to be critical of the SBA's ability to accurately assess portfolio quality. Regrettably, the SBA's current oversight and portfolio quality assessment methods have not prevented recent high-profile scandals from occurring.

Currently, the SBA has roughly $60 billion in outstanding loans issued to small businesses. Yet incredulously it does not track these businesses' economic performance. While the SBA's total loan volume has increased substantially over the last 10 years, the agency has no way to show how these loans benefitted the U.S. economy. Ultimately, the SBA is unaware of how many jobs these loans have created, whether company net-sales or revenues have increased after securing capital, or how many of these companies prepay, default, or go out of business. Though the purpose of these loans is to spur economic growth, the SBA does not assess the actual economic outcomes these loans help make possible. Without these measurements, how can the SBA attest to the incredible economic lift and vitality these loans help generate?

Two recent Government Accountability Office reports, one from July of this year and one from June of 2004, recommended that the SBA improve its economic performance and portfolio quality measurements. Our bill would implement the GAO's recommendations and improve the performance measures for 7(a) and 504 loans. Among other things, the bill would require the SBA to: create standards for lenders' portfolio quality; increase the transparency of the SBA's lender oversight evaluation measures; report on borrowers' economic performance; and create a 7(a) and 504 portfolio default rate that can be compared directly to commercial lenders' default rates.

We have an obligation not only to maintain, but to strengthen and improve the SBA's key loan programs that I have heard time and again are a critical lifeline to the job generators we call small businesses. The remedies that Senator KERRY and I are proposing today are necessary for the SBA's lending programs to expand, and reach all of the small businesses that must have access to capital.

I urge my colleagues to strongly support the Small Business Lending Oversight and Program Performance Improvements Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2228

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Lending Oversight and Program Performance Improvement Act of 2007".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Recent reports by the Government Accountability Office have recommended that the Small Business Administration develop better measurements and methods for measuring the performance of lending programs and the effectiveness of lender oversight.

(2) A July 2007 report by the Government Accountability Office entitled "Small Business Administration: Additional Measures Needed to Assess 7(a) Loan Program's Performance" found the following:

(A) Determining the success of the loan programs under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) "is difficult as the performance measures show only outputs—the number of loans provided—and not outcomes, or the fate of the businesses borrowing with the guarantee.".

(B) "The current measures do not indicate how well the agency is meeting its strategic goal of helping small businesses.".

(C) "To better ensure that the 7(a) program is meeting its mission responsibility of helping small firms succeed through guaranteed loans, we recommend that the SBA administrator complete and expand the SBA's current work on evaluating the program's performance measures. As part of that effort, at a minimum, the SBA should further utilize the loan performance information it already collects, including but not limited to defaults, prepayments, and number of loans in good standing, to better report how small businesses fare after they participate in the 7(a) program.".

(3) A June 2004 report by the Government Accountability Office entitled "Small Business Administration: New Services for Lender Oversight Reflect Some Best Practices but Strategy for Use Lags Behind" found that "Best practices dictate the need for a clear and transparent understanding of how a risk management service and the tools it provides will be used.".

SEC. 3. DEFINITIONS.

In this Act—

(1) the terms "Administration" and "Administrator" mean the Small Business Administration and the Administrator thereof, respectively;

(2) the term "base year" means the year in which a covered loan recipient receives a loan under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) or the 504 Loan Program;

(3) the term "covered lender" means—

(A) a lender participating in the guarantee loan program under section 7(a) of the Small Business Act (15 U.S.C. 636(a)); and

(B) a State or local development company participating in the 504 Loan Program;

(4) the term "covered loan recipient" means a person that receives a loan under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) or the 504 Loan Program;

(5) the term "economic performance evaluation measurements" means the economic performance evaluation measurements established under section 8(a);

(6) the term "504 Loan Program" means the program to provide financing to small business concerns by guarantees of loans under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.), which are funded by debentures guaranteed by the Administrator;

(7) the term "portfolio quality evaluation standards" means the portfolio quality evaluation standards established under section 5(a)(1); and

(8) the term "small business concern" has the same meaning as in section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 4. AUTHORITY.

Section 5 of the Small Business Act (15 U.S.C. 634) is amended—

(1) in subsection (b)(14), by striking "other lender oversight activities" and inserting "used to improve portfolio performance and lender oversight through technology and software programs designed to increase program loan quality, management, accuracy, and efficiency and program underwriting accuracy and efficiency"; and

(2) by adding at the end the following:

"(i) In establishing lender oversight review fees described in subsection (b)(14), the Administrator shall follow cost containment and cost control best practices that ensure that such fees are reasonable and do not become burdensome or excessive.".

SEC. 5. PORTFOLIO QUALITY EVALUATION STANDARDS.

(a) STANDARDS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop and publish in the Federal Register portfolio quality evaluation standards for covered lenders, which shall include portfolio quality criteria, including—

(A) a liquidation rate;

(B) a currency rate;

(C) a recovery rate;

(D) a delinquency rate; and

(E) other portfolio risk indicators.

(2) USE.—The Administration shall use the portfolio quality evaluation standards—

(A) to determine the portfolio quality of a covered lender, in comparison to the portfolio quality of all covered lenders; and

(B) for conducting lender oversight of covered lenders.

(b) IMPLEMENTATION.—The Administrator shall—

(1) rank and determine a separate score for each covered lender, on each of the portfolio quality evaluation standards;

(2) combine the portfolio quality rankings described in paragraph (1) to establish the overall lender portfolio quality score for each covered lender, based on the compliance of that covered lender with the portfolio quality evaluation standards;

(3) provide a covered lender access to—

(A) the score of that covered lender for each of the portfolio quality evaluation standards; and

(B) the overall portfolio quality score for that covered lender; and

(4) provide a written explanation of the factors affecting the score described in paragraph (3)(A) for a covered lender to that covered lender.

(c) QUARTERLY EVALUATIONS.—Not less frequently than once each quarter, the Administrator shall evaluate each covered lender to determine whether—

(1) there has been a statistically significant adverse change in the criteria evaluated under the portfolio quality evaluation standards relating to a covered lender; and

(2) the portfolio of that covered lender has a higher concentration of loans made to businesses in a specific North American Industry Classification System code (or any successor thereto) than is typical for businesses in that code, as determined by the Administrator.

(d) ADDITIONAL ONSITE REVIEW.—

(1) DETERIORATION IN LOAN PORTFOLIO.—If the Administrator determines that there is significant and sustained statistically adverse change in the loan portfolio of a covered lender, based on the quarterly evaluation of that covered lender under subsection (c), the Administrator shall—

(A) determine the reason for such deterioration;

(B) determine if the deterioration should lead to an onsite review of the loan portfolio of that covered lender;

(C) taking into consideration the opinion of the relevant district director of the Administration, determine whether it is appropriate for the Administrator to adjust the preferred lender or other loan making status of that covered lender;

(D) document the decision by the Administrator regarding whether to conduct an onsite review or adjust the loan making status of that covered lender; and

(E) inform that covered lender of any statistically adverse change in loan quality of the portfolio of that covered lender.

(2) ADVERSE CHANGES.—If the Administrator determines there has been a statistically significant adverse change in the criteria evaluated under the portfolio quality evaluation standards relating to a covered lender, the Administrator shall determine whether it is necessary to conduct an onsite review of that covered lender.

(3) SCOPE OF REVIEW.—Any onsite review of a covered lender under this subsection shall focus on—

(A) the credit quality of the loans within the portfolio of that covered lender;

(B) the soundness of the credit evaluation and underwriting processes and procedures of that covered lender;

(C) the adherence by that covered lender to the policies and procedures of the Administration; and

(D) any other measures that the Administrator determines appropriate.

(e) DEFAULTS.—The Administrator shall provide to a covered lender information relating to any indicator under the portfolio quality evaluation standards that indicate an increased risk of default for specific loans.

(f) DOCUMENT RETENTION.—The Administrator shall maintain an electronic copy of any document relating to any portfolio quality evaluation or onsite review under this section (including documents relating to any determination regarding whether to conduct such a review).

(g) DATA COLLECTION.—The Administrator shall enter into a contract with a fiscal and transfer agent of the Administration under which that fiscal and transfer agent shall provide to the Administrator the data necessary to conduct the quarterly evaluation of covered lenders using the portfolio quality evaluation standards under this section.

SEC. 6. DEFAULT RATE.

(a) IN GENERAL.—Using established industry standards for calculating loan default rates, and not later than 1 year after the date of enactment of this Act, and every year thereafter, the Administrator shall calculate a loan default rate for—

(1) loans under section 7(a) of the Small Business Act (15 U.S.C. 636(a));

(2) loans under the 504 Loan Program; and

(3) specialty loan programs under section 7(a) of the Small Business Act or the 504 Loan Program, including the Express Loan program under section 7(a)(31) of the Small Business Act and the Export Working Capital Program under section 7(a)(14) of the Small Business Act.

(b) METHODOLOGY.—Not later than 1 year after the date of enactment of this Act, the Administrator shall publish in the Federal Register the methodology the Administrator will use to calculate default rates under subsection (a).

(c) PURPOSE.—The purpose of the default rates calculated under subsection (a) is to provide a cumulative default rate for loans under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) and loans under the 504 Loan Program that may be compared directly to the default rates of other commercial loans.

SEC. 7. COMPUTER MODELING.

(a) TRANSPARENCY IN RANKING CRITERIA.—The Administrator—

(1) shall provide each covered lender with the data, factors, statistical methods, ranking criteria, indicators, and other measures used to make the ranking described in section 5(b); and

(2) may not charge a fee for providing the information described in paragraph (1).

(b) FAILURE TO PROVIDE.—In ranking a covered lender under section 5(b), the Administrator may not use any data, factor, statistical method, ranking criteria, indicator, or other measure that the Administrator has not provided to that covered lender.

(c) CONTRACTS.—Before establishing or modifying any system or mechanism for evaluating the making of loans, the accounting for loans, the underwriting of loans, or otherwise overseeing loans made by covered lenders, the Administrator shall consult with relevant covered lenders.

SEC. 8. ECONOMIC PERFORMANCE EVALUATION MEASUREMENTS.

(a) MEASUREMENTS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop and publish in the Federal Register economic performance evaluation measurements for evaluating the economic performance and economic outcomes of each covered loan recipient, which shall include—

(1) number of individuals employed by that covered loan recipient;

(2) the annual sales receipts of that covered loan recipient;

(3) an estimate of the total annual Federal income tax paid by that covered loan recipient;

(4) whether the covered loan recipient prepaid the covered loan;

(5) whether the covered loan recipient defaulted on the covered loan;

(6) the number of businesses operated by covered loan recipients that cease operations; and

(7) the number of covered loan recipients that establish a new business relating to the business for which that covered loan recipient received a loan under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) or the 504 Loan Program.

(b) COLLECTION OF INFORMATION.—

(1) IN GENERAL.—On and after the date that is 2 years after the date of enactment of this Act, the Administrator shall electronically collect, as part of the loan application process, from the person applying for a loan under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) or the 504 Loan Program—

(A) the number of individuals employed by the applicant;

(B) the annual sales receipts of the applicant for the year before the date of the application; and

(C) an estimate of the total annual Federal income tax paid by that covered loan recipient.

(2) BASE YEAR.—The Administrator shall use the information collected under paragraph (1) to establish the base year statistics for the applicant.

(3) INFORMATION COMPLIANCE.—

(A) IN GENERAL.—During the 12-year period beginning on the date that a covered loan recipient receives a loan under section 7(a) of the Small Business Act or the 504 Loan Program, as the case may be, the covered loan recipient shall provide to the Administrator information relating to the economic performance evaluation measurements upon requested.

(B) FREQUENCY.—The Administrator shall request information from a covered loan recipient under subparagraph (A) not less frequently than once every 4 years.

(c) REPORTING.—

(1) IN GENERAL.—Not later than 6 years after the date of enactment of this Act, and every 4 years thereafter, the Administrator shall publish a report assessing the information relating to the economic performance evaluation measurements submitted by covered loan recipients during the period described in paragraph (2), including an evaluation of the aggregate changes, if any, in the economic performance evaluation measurements since the relevant base years for such covered loan recipients.

(2) PERIOD.—The period described in this paragraph is—

(A) for the first report submitted under this subsection, not shorter than the 4-year period before the date of that report;

(B) for the second report submitted under this subsection, not shorter than the 8-year period before the date of that report; and

(C) for the third report submitted under this subsection, and each report submitted thereafter, not shorter than the 12-year period before the date of that report.

SEC. 9. PRIVACY.

In collecting data and preparing reports under this Act, the Administrator shall ensure that the privacy and information of covered loan recipients is protected.

SEC. 10. EXECUTIVE COMPENSATION.

Section 503 of the Small Business Investment Act of 1958 (15 U.S.C. 697) is amended by adding at the end the following:

"(j) EXECUTIVE COMPENSATION.—

"(1) IN GENERAL.—Except as provided in paragraph (4), a State or local development company shall have a written contract with each executive or highly paid employee of that development company relating to the employment of that executive or highly paid employee, which shall include, for that executive or employee, the amount of compensation, benefits, and any transfer of anything of value to that executive or highly paid employee, including any rental or sale.

"(2) APPROVAL BY BOARD OF DIRECTORS.—

"(A) IN GENERAL.—A written contract described in paragraph (1) shall be approved by the board of directors of the State or local development company.

"(B) EVALUATION.—In evaluating a contract described in paragraph (1), the members of the board of directors of a State or local development company shall—

"(i) determine the fair market value of the benefits received by an executive or highly paid employee from that development company; and

"(ii) evaluate the amount paid by other State or local development companies and commercial lenders for comparable services, including, if a rental of property for that executive or highly paid employee is part of that contract, the amount of annual rent paid locally for comparable property.

"(C) DISTRIBUTION OF EVALUATION.—The board of directors of a State or local development company shall ensure that the information described in subparagraph (B) is made available to each member of that board of directors before the date of the meeting at which the board of directors will determine whether to approve the relevant contract and include the information described in subparagraph (B) in the minutes of that meeting.

"(D) PARTICIPATION.—An executive or highly paid official, and any other party with personal interest in a contract, shall not attend a meeting of the board of directors to determine whether to approve the contract with that executive or highly paid official, unless the members of the board of directors request that executive or highly paid official respond to questions.

"(E) VOTING.—An executive or highly paid official, and any other party with personal interest in a contract, shall not be present during, and shall not vote on, whether to approve the contract with that executive or highly paid official.

"(3) ANNUAL REPORTS.—A State or local development company shall report annually to the Administration regarding the terms of each contract with each executive or highly paid official of that development company.

"(4) EXCEPTION.—This subsection shall not apply to—

"(A) a small State or local development company;

"(B) a State or local development company that makes a low number of loans under the 504 Loan Program; or

"(C) a State or local development company regulated by a State or local government.

"(5) REGULATIONS.—The Administrator shall promulgate regulations to carry out this subsection, including defining the terms 'executive', 'highly paid', 'small State or local development company', and 'low number of loans'.".

SEC. 11. STUDY AND REPORT ON EXAMINATION AND REVIEW FEES.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the loan guaranty program under section 7(a) of the Small Business Act to determine—

(1) the scope of lender oversight needed by the Administration;

(2) what other entities regulate the lenders that participate in that loan guaranty program, what activities are being reviewed, and the scope of such reviews;

(3) how the amounts of examination and review fees are determined by such other regulatory entities, who pays for such fees, and how they compare with examination and review fees proposed in regulations issued by the Administration on May 4, 2007;

(4) how examination and review fees factor into the risk-adjusted return on capital (or "RAROC") ratings of lenders;

(5) what would be reasonable fees to be charged for Administration lender oversight;

(6) whether Administration lender oversight functions can be executed in conjunction with other lender reviews currently required by other regulatory entities, including those that review Federal banks, credit unions, or entities reviewed by the Farm Credit Administration; and

(7) the impact of lender oversight fees proposed by the Administration on lending to borrowers, including cost changes, availability of credit, and increased or decreased lender participation.

(b) REPORT.—The Comptroller General shall submit to Congress a report on the results of the study required by subsection (a) not later than 1 year after the date of enactment of this Act.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 2290. A bill to designate the facility of the United States Postal Service located at 16731 Santa Ana Avenue in Fontana, California, as the "Beatrice E. Watson Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

Mrs. BOXER. Mr. President, today I am joined by my colleague, Senator FEINSTEIN in introducing legislation to designate the facility of the U.S. Postal Service located at 16731 Santa Ana Avenue in Fontana, California, as the "Beatrice E. Watson Post Office Building."

Beatrice "Bea" Watson was a former city clerk and councilwoman of Fontana who volunteered tirelessly for her community. In an Inland Valley Daily Bulletin profile last year, fellow Fontana residents described Bea as a generous person who was devoted to her city, her friends, and the many organizations with which she worked.

Over the 40 years of her residence in Fontana, Bea was involved with numerous civic and community service organizations, including the Fontana Woman's Club, the Fontana Historical Society, Chamber of Commerce, the Fontana Exchange Club, Parks and Recreation and the Fontana Parent Teacher Association.

Bea also was responsible for the continued existence of the Fontana Days Parade, the annual summer celebration of the city's 1913 founding by A.B. Miller, even dipping into her own pocket at times to keep the parade going.

This August, Bea Watson, "Mrs. Fontana," passed away, and I know her loss has been deeply felt by her family and the community. The Fontana City Council asked Congress to honor Bea for bringing the whole community together for the betterment of Fontana. I am proud to introduce this bill, and encourage my colleagues to join me in recognizing Bea Watson's example of dedicated service.

By Mr. AKAKA (for himself, Mrs. MCCASKILL, Mr. CARPER, and Mr. LEVIN):

S. 2291. A bill to enhance citizen access to Government information and services by establishing plain language as the standard style of Government documents issued to the public, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, I rise today to introduce the Plain Language in Government Communications Act of 2007. I am pleased that Senators CLAIRE MCCASKILL, TOM CARPER, and CARL LEVIN have joined me as original cosponsors of this bill.

Our bill is very similar to H.R. 3548, introduced by Representative BRUCE BRALEY in September, along with original co-sponsors Representatives TODD AKIN, DAN BURTON, JAMES MCGOVERN, and NANCY BOYDA.

This bill would establish plain language as the standard writing style for Government documents issued to the public. Plain language is language that the intended audience can readily understand and use because it is clear, concise, well-organized, and follows other best practices of plain language writing.

This bill would extend an initiative that President Bill Clinton and Vice President Al Gore started nearly a decade ago as part of the Reinventing Government initiative. In 1998 President Clinton directed agencies to write in plain language. Although many agencies have made progress in writing more clearly, the requirement never was fully implemented, and in recent years, the focus on writing in plain language has flagged. This legislation will renew that focus.

The benefits of requiring the Government to write in plain language are numerous.

For example, using plain language improves customer service. Veterans, taxpayers, senior citizens, and others who need to understand Government instructions and fill out Government forms should not have to wade through complicated, bureaucratic language. Needlessly complicated Government documents waste countless hours of taxpayers' time and cause unnecessary errors. The Federal Government works best for the American people if Government documents are clear and straightforward. Filling out Government forms should not be like solving a complex crossword puzzle.

Writing in plain language also will make the Government more efficient and cost effective. Agencies that write in plain language spend less time answering customer service questions, and they obtain better compliance because people make fewer mistakes.

Furthermore, using plain language makes Government more transparent. The American people cannot hold their Government accountable if no one can understand the information that the Government provides about its actions and its requirements.

Numerous organizations have called on Congress to require the Federal Government to use plain language. For example, the AARP wrote a letter in support of this legislation stating that every day AARP members contact AARP staff because they do not understand letters that they received from the Federal Government. The confusion is not the readers' fault. It is because many Federal Government letters are written in dense, complicated language that few people who are not lawyers could be expected to understand. Certainly, anyone who has ever filled out their own tax forms can sympathize.

Additionally, several small business organizations—including the National Small Business Association, the Small Business Legislative Council, and Women Impacting Public Policy—support the need for plain language. The reason is simple. Small businesses waste considerable time, effort, and money trying to decipher what the Federal Government requires of them.

This bill addresses two important elements for ensuring that use of plain language becomes standard in Federal agencies: training and oversight.

Each agency will report their plans to train employees to write in plain language. Writing in plain, clear, concise, and easily understandable language is a skill that Congress and Federal agencies must foster. As Thomas Jefferson once said, "The most valuable of all talents is that of never using two words when one will do." As a former teacher and principal, I understand that even very smart people must be trained to write plainly.

Additionally, strong congressional oversight will ensure that agencies implement the plain language requirements. Agencies will be required to designate a senior official responsible for implementing plain language requirements. Each agency will be required to report to Congress how it will ensure compliance with the plain language requirement and on its progress.

A few examples of the documents that will be covered by the plain language requirement are Federal tax forms; veterans' benefit forms; information for workers about Federal health, safety, overtime pay, and medical leave laws; Social Security and Medicare benefit forms; and Federal college aid applications. These documents help the American people obtain important Government benefits and improve their quality of life.

To avoid imposing an unmanageable burden on agencies, agencies will not be required to re-write existing documents in plain language. Only new or substantially revised documents will be covered. Similarly, this bill does not cover regulations, so that agencies can focus first on improving their every day communications with the American people. We recognize that it will be more challenging to write regulations—which by their nature often will be complex and technical—in plain language.

Requiring agencies to write in plain language is an important step in improving the way the Federal Government communicates with the American people.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2291

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Plain Language in Government Communications Act of 2007".

SEC. 2. PURPOSE.

The purpose of this Act is to improve the effectiveness and accountability of Federal agencies to the public by promoting clear Government communication that the public can understand and use.

SEC. 3. DEFINITIONS.

In this Act:

(1) AGENCY.—The term "agency" means an Executive agency, as defined under section 105 of title 5, United States Code.

(2) COVERED DOCUMENT.—The term "covered document"—

(A) means any document (other than a regulation) issued by an agency to the public that—

(i) provides information about any Federal Government requirement or program; or

(ii) is relevant to obtaining any Federal Government benefit or service; and

(B) includes a letter, publication, form, notice, or instruction.

(3) PLAIN LANGUAGE.—The term "plain language" means language that the intended audience can readily understand and use because that language is clear, concise, well-organized, and follows other best practices of plain language writing.

SEC. 4. RESPONSIBILITIES OF FEDERAL AGENCIES.

(a) REQUIREMENT TO USE PLAIN LANGUAGE IN NEW DOCUMENTS.—Not later than 1 year after the date of enactment of this Act, each agency shall use plain language in any covered document of the agency issued or substantially revised after the date of enactment of this Act.

(b) GUIDANCE.—

(1) IN GENERAL.—

(A) DEVELOPMENT.—Not later than 6 months after the date of enactment of this Act, the Office of Management and Budget shall develop guidance on implementing the requirements of subsection (a).

(B) ISSUANCE.—The Office of Management and Budget shall issue the guidance developed under subpargraph (A) to agencies as a circular.

(2) INTERIM GUIDANCE.—Before the issuance of guidance under paragraph (1), agencies may follow the guidance of—

(A) the Plain English Handbook published by the Securities and Exchange Commission;

(B) the plain language guidelines developed by the Plain Language Action and Information Network; or

(C) guidance provided by the head of the agency that is consistent with the guidelines referred to under subparagraph (B).

SEC. 5. REPORTS TO CONGRESS.

(a) INITIAL REPORT.—Not later than 6 months after the date of enactment of this Act, the head of each agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report that describes how the agency intends to meet the following objectives:

(1) Communicating the requirements of this Act to agency employees.

(2) Training agency employees to write in plain language.

(3) Meeting the requirement under section 4(a).

(4) Ensuring ongoing compliance with the requirements of this Act.

(5) Designating a senior official to be responsible for implementing the requirements of this Act.

(b) ANNUAL AND OTHER REPORTS.—

(1) AGENCY REPORTS.—

(A) IN GENERAL.—The head of each agency shall submit reports on compliance with this Act to the Office of Management and Budget.

(B) SUBMISSION DATES.—The Office of Management and Budget shall notify each agency of the date each report under subparagraph (A) is required for submission to enable the Office of Management and Budget to meet the requirements of paragraph (2).

(2) REPORTS TO CONGRESS.—The Office of Management and Budget shall review agency reports submitted under paragraph (1) using the guidance issued under section 4(b)(1)(B) and submit a report on the progress of agencies to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of Representatives—

(A) annually for the first 2 years after the date of enactment of this Act; and

(B) once every 3 years thereafter.

By Ms. COLLINS (for herself and Mr. LIEBERMAN):

S. 2292. A bill to amend the Homeland Security Act of 2002, to establish the Office for Bombing Prevention, to address terrorist explosive threats, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President. I rise to introduce the National Bombing Prevention Act of 2007, an important measure to strengthen our domestic defenses against terrorist attacks using explosives.

Terror bombings have a long and bloody history around the world and here in the United States. In 1920, for example, an anarchist bombing in front of the New York Stock Exchange killed 38 people and wounded hundreds more. More recently, the 1990s bombings of the World Trade Center and the Murrah Federal Building in Oklahoma City, and attacks in Indonesia, Spain, and Great Britain remind us of the vicious and indiscriminate threat posed by bombs. As Secretary of Homeland Security Michael Chertoff has noted, they are the weapon of choice for terrorists.

The FBI and the Department of Homeland Security tell us that threat from these devices is not only real, but growing. Furthermore, the National Intelligence Estimate has identified improvised explosive devices or IEDs as a significant homeland-security threat.

As recent years' bombings demonstrate, the costs of inadequate precautions can be horrendous. And as the threat of bomb attacks by home-grown terrorist rises—witness the plot to bomb the JFK airport in New York—we must be increasingly on guard. Much effort and much funding has been directed to train and equip law-enforcement and other personnel to detect and disrupt bomb plots, yet we still lack a formal, full-fledged national strategy to coordinate and improve the effectiveness of those efforts.

The legislation I introduce today will improve our defenses against these weapons. I am proud to be working again with the bill's chief co-sponsor, Senator JOE LIEBERMAN, on this new effort to protect our nation.

The bill has also won the support of people directly involved in the fight against the threat of terrorist bombings. They include the U.S. Department of Homeland Security; the National Bomb Squad Commanders Advisory Board; the National Tactical Officers Association; the International Association of Bomb Technicians and Investigators; the Maine Emergency Management Agency; and the police departments of Bangor and Portland, Maine.

The National Bombing Prevention Act of 2007 has three main elements: First, the bill will clarify the responsibilities of the DHS Office of Bombing Prevention and authorize $25 million funding in both FY 2009 and 2010, up from the current Senate-passed funding level of $10 million in the Homeland Security Appropriations bill now pending at conference.

Our national fight against terrorist bombings is a large and multi-faceted undertaking. It includes screening airline passengers, checking cargo, securing dangerous chemicals, protecting critical infrastructure, promoting research and development of anti-IED technology, and sharing information among Government and private-sector partners. The DHS Office of Bombing Prevention is a leader in this fight.

The Collins-Lieberman bill builds on the Office's past efforts. Among other things, the bill designates the Office of Bombing Protection as the lead agency in DHS for combating terrorist explosive attacks; tasks OBP with coordinating national and intergovernmental bombing-prevention activities; and assigns it responsibility for assisting state and local governments and cooperating with the private sector.

A key element of Federal assistance is training. Last week, for example, members of several Maine and Connecticut police departments received DHS training and briefings here in Washington, as well as an FBI update, and fresh information on improvised explosive devices. My bill will bring more of that training to the States and make it more accessible to local law-enforcement officers.

Second, the bill directs the President to accelerate the release of the National Strategy for Bombing Prevention and to update it every four years. As terrorists' tactics change, we must review and adjust our counter-measures to defeat them.

Third, the bill will promote more research and development of counter-explosive technologies and facilitate the transfer of military technologies for domestic anti-terror use.

My legislation is badly needed. We need to make sure that bomb squads have the latest and most accurate information on bombing threats. We need to raise awareness of the signs of possible threats, including purchases of pre-cursor materials and other suspicious activities. We need to improve information sharing and coordination of activities among all levels of government as well as the private sector.

Under my legislation, the Department of Homeland Security will have the legal authority, the responsibility, and the resources to ensure that state and local law-enforcement personnel receive the training and information they need to protect us.

The National Bombing Prevention Act of 2007 will give our country important new protections. The need for that protection has been amply demonstrated by repeated acts of savagery, and the threat of terrorist bombs continues to grow. I urge my colleagues to support this measure.

Mr. LIEBERMAN. Mr. President, I rise today to join my Ranking Member on the Homeland Security and Governmental Affairs Committee, Senator COLLINS, in introducing bipartisan legislation to strengthen our Nation's ability to deter, detect, prevent, and respond to attacks using improvised explosive devices, IED, in the U.S.

As we have seen in Iraq, London, and Germany, IEDs are a weapon of choice for terrorists. The reality is that an IED is relatively easy and inexpensive to make and can cause mass casualties, even to armored military personnel. IEDs are a global threat, and the American public, here at home, is not immune.

Federal efforts to address this threat, however, have not been adequate. The Department of Homeland Security, Office of Bombing Prevention, which is the Department's lead agent for IED countermeasure coordination, is currently operating with a substantially reduced budget of $5 million, down from the $14 million it received in fiscal years 2005 and 2006. Only $6 million has been requested for 2008. By contrast, the DHS Office of Health Affairs, which has a similar coordination responsibility for biosecurity and medical preparedness, has a proposed budget for personnel and coordination activities of $28 million for 2008. Given the likelihood of an IED attack, we need to make a comparable commitment in this area. As Secretary Chertoff said in an October 19 speech, "although we can conceive of a terrorist attack that would be focused on a biological infection or some kind of a chemical spray, the reality is the vast majority of terrorist attacks are conducted with bombs. And of those, the vast majority are improvised explosive devices."

The National Bombing Prevention Act of 2007, NBPA, would formally authorize the Office of Bombing Prevention, OBP, and increase its budget to $25 million. In addition to leading bombing prevention activities within DHS, OBP would be directed to coordinate with other Federal, State, and local agencies and fill the existing gaps that are not covered by another Federal agency's current bombing prevention efforts. For example, OBP would work with state and local officials to conduct a national analysis of bomb squad capabilities. This type of comprehensive assessment does not currently exist at any level of government, yet it is integral to understanding what resources are available in the event of an explosion and where we should invest in order to better prepare the Nation as a whole. OBP would also improve information sharing with state and local bomb squads by providing regular updates on terrorist tactics, techniques, and procedures.

The NBPA would require the President to deliver a long awaited National Strategy for Improvised Explosive Devices. This Strategy was supposed to be delivered to Congress by DHS in January 2007 but was then reassigned to the Department of Justice by presidential directive. Turf battles have caused further delay. This is simply unacceptable. Regardless of who takes the lead, the Nation must have a coherent strategy guiding its counter IED efforts that will clarify the roles and responsibilities of all Federal agencies.

Finally, our legislation would require DHS to establish a program expediting the transfer of counter IED technology to first responders. Under this program, the Department would work with other Federal agencies, including the Department of Defense, the private sector, and state and local bomb experts to identify existing technologies that could help deter, detect, prevent, or respond to an explosive attack. Often, there is a significant lag time between the research and development of such technologies and deployment by the end user. This bill would hold DHS accountable for seeing products through to the deployment phase. Specifically, DHS would be required to develop an electronic countermeasures capability to disable radio controlled bombs. Radio "jammers" have been developed by DoD for Iraq and Afghanistan, but that technology needs to be significantly modified for the civilian environment.

Improvised explosive devices are one of the most popular weapons terrorists are using today. They can be easily assembled from instructions available on the Internet with readily available chemicals such as peroxide or ammonium nitrate. And, most importantly, terrorists all over the world have demonstrated their intent and ability to use these weapons to kill and maim large numbers of people. If DHS is to plan effectively for future attacks here at home, it must have a cohesive and robust defense against the most likely threats. I ask my colleagues to join us in ensuring DHS and its partners have the necessary tools to protect the U.S. from an improvised explosive device.

By Mr. LOTT (for himself, Mr. GRASSLEY, Mr. KYL, Mr. SMITH, Mr. BUNNING, Mr. CRAPO, Mr. ROBERTS, Mr. HATCH, Ms. SNOWE, and Mr. ENSIGN):

S. 2293. A bill to amend the Internal Revenue Code of 1986 to repeal the individual alternative minimum tax, and for other purposes; read the first time.

Mr. LOTT. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be placed in the RECORD, as follows:

S. 2293

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Individual Alternative Minimum Tax Repeal Act of 2007".

SEC. 2. REPEAL OF INDIVIDUAL ALTERNATIVE MINIMUM TAX.

(a) IN GENERAL.—Section 55(a) of the Internal Revenue Code of 1986 (relating to alternative minimum tax imposed) is amended by adding at the end the following new flush sentence:

"For purposes of this title, the tentative minimum tax on any taxpayer other than a corporation for any taxable year beginning after December 31, 2006, shall be zero.".

(b) MODIFICATION OF LIMITATION ON USE OF CREDIT FOR PRIOR YEAR MINIMUM TAX LIABILITY.—Subsection (c) of section 53 of the Internal Revenue Code of 1986 (relating to credit for prior year minimum tax liability) is amended to read as follows:

"(c) LIMITATION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the credit allowable under subsection (a) for any taxable year shall not exceed the excess (if any) of—

"(A) the regular tax liability of the taxpayer for such taxable year reduced by the sum of the credits allowable under subparts A, B, D, E, and F of this part, over

"(B) the tentative minimum tax for the taxable year.

"(2) TAXABLE YEARS BEGINNING AFTER 2006.—In the case of any taxable year beginning after 2006, the credit allowable under subsection (a) to a taxpayer other than a corporation for any taxable year shall not exceed 90 percent of the regular tax liability of the taxpayer for such taxable year reduced by the sum of the credits allowable under subparts A, B, D, E, and F of this part.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

SEC. 3. ONE-TIME ESTIMATED TAX SAFE HARBOR FOR ALTERNATIVE MINIMUM TAX LIABILITY.

For purposes of any taxable year beginning in 2006, in the case of any individual with respect to whom there was no liability for the tax imposed under section 55 of the Internal Revenue Code of 1986 for the preceding taxable year—

(1) the tax shown on the return under section 6654(d)(1)(B)(i) of such Code shall be reduced (but not below zero) by the amount of tax imposed by such section 55 shown on the return,

(2) the tax for the taxable year under section 6654(d)(2)(B)(i) of such Code (before multiplication by the applicable percentage) shall be reduced (but not below zero) by the tax imposed by such section 55, and

(3) the amount of tax for the taxable year for purposes of section 6654(e)(1) of such Code shall be reduced (but not below zero) by the amount of tax imposed by such section 55.

By Mr. NELSON of Florida (for himself and Mr. WHITEHOUSE):

S. 2295. A bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent paper ballot under title III of such Act, and for other purposes; to the Committee on Rules and Administration.

Mr. NELSON of Florida. Mr. President, today, joined by Senator WHITEHOUSE, I am introducing the Voter Confidence and Increased Accessibility Act of 2007. As we enter the month of November, next year's national election is just one year away, and we must act now to ensure that the next time Americans go to the polls nationwide, they have the chance to cast their vote and have their vote counted as intended.

Our bill will require all voting machines—beginning in the 2008 election—to produce a paper record of each ballot that can be verified by the voter before a ballot is submitted to be counted. This also is the first bill to propose a nationwide ban, by 2012, on the use of touch-screen voting machines in Federal elections.

We are introducing this bill to address the problems that have plagued the accuracy and integrity of our voting systems. We know all too well the problems that have occurred in Florida—in the 2000 election and, most recently in the 2006 congressional election in the 13th Congressional District—but my State is not alone. Recent studies in California and elsewhere have demonstrated that touch-screen voting machines are unreliable and vulnerable to error.

The bottom line is we have to ensure that every vote is counted—and counted properly. Citizens must have confidence in the integrity of their elections.

Florida, under the leadership of Governor Charlie Crist and Secretary of State Kurt Browning, has acted decisively, and on a bipartisan basis, to require the replacement of paperless touch-screen voting machines throughout the State with optical scan equipment. By using op-scan machines, voters will have the opportunity to complete a paper ballot that will be verified by the voter before it is electronically counted. By 2012, touchscreen voting machines will be a thing of the past in Florida. Using Florida's model, the bill I am filing today will phase out touch-screen voting machines in Federal elections nationwide by 2012.

This morning I met with Secretary Browning to discuss my intent to file legislation modeled on Florida's initiative. Secretary Browning indicated his support for a ban on touch-screen voting machines.

In addition to banning touch-screen machines by 2012, and requiring a voter-verified paper ballot for every vote that is cast, beginning in November 2008, other highlights of the bill are as follows.

It will require and fund routine random audits to be conducted by hand count in 3 percent of precincts in all Federal elections. If the vote is very close, that percentage goes up to 5 or 10 percent. On the other hand, if the winning candidate received more than 80 percent of the vote, no audit of that race will be necessary.

The bill will authorize adequate funding—$1 billion—for replacing and upgrading voting equipment.

Our legislation will require that every voter has the opportunity to vote by paper ballot if the voting machine in their precinct is broken, and beginning in 2012, for any reason.

Finally, the bill will establish an arms-length relationship between test labs and voting machine vendors, to prevent any efforts, malicious or otherwise, to compromise the accuracy and integrity of voting machines.

A companion version of our bill was introduced in the House by Representative RUSH HOLT of New Jersey, and was passed out of Committee. The bill now awaits a vote by the full Chamber. I hope my colleagues in the House will act to pass this important legislation, and I invite my colleagues in the Senate to join me by co-sponsoring our bill in the Senate. Florida not only provides a model for what can be done to increase our confidence in the integrity of elections, it provides a model for how to do it—on a bipartisan basis, with the support of election officials, voting integrity groups and, most importantly, the millions of voters in my state who have a constitutional right to vote and want to be sure that their votes are counted—and counted accurately.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be placed in the RECORD, as follows:

S. 2295

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Voter Confidence and Increased Accessibility Act of 2007".

SEC. 2. PROMOTING ACCURACY, INTEGRITY, AND SECURITY THROUGH VOTER-VERIFIED PERMANENT PAPER BALLOT.

(a) BALLOT VERIFICATION AND AUDIT CAPACITY.—

(1) IN GENERAL.—Section 301(a)(2) of the Help America Vote Act of 2002 (42 U.S.C. 15481(a)(2)) is amended to read as follows:

"(2) BALLOT VERIFICATION AND AUDIT CAPACITY.—

"(A) VOTER-VERIFIED PAPER BALLOTS.—

"(i) VERIFICATION.—(I) The voting system shall require the use of or produce an individual, durable, voter-verified, paper ballot of the voter's vote that shall be created by or made available for inspection and verification by the voter before the voter's vote is cast and counted. For purposes of this subclause, the term 'individual, durable, voter-verified, paper ballot' includes (but is not limited to) a paper ballot marked by the voter for the purpose of being counted by hand or read by an optical scanner or other similar device, a paper ballot prepared by the voter to be mailed to an election official (whether from a domestic or overseas location), a paper ballot created through the use of a nontabulating ballot marking device or system, or, in the case of an election held before 2012, a paper ballot produced by a direct recording electronic voting machine, so long as in each case the voter is permitted to verify the ballot in a paper form in accordance with this subparagraph.

"(II) The voting system shall provide the voter with an opportunity to correct any error made by the system in the voter-verified paper ballot before the permanent voter-verified paper ballot is preserved in accordance with clause (ii).

"(III) The voting system shall not preserve the voter-verified paper ballots in any manner that makes it possible, at any time after the ballot has been cast, to associate a voter with the record of the voter's vote.

"(ii) PRESERVATION.—The individual, durable, voter-verified, paper ballot produced in accordance with clause (i) shall be used as the official ballot for purposes of any recount or audit conducted with respect to any election for Federal office in which the voting system is used, and shall be preserved—

"(I) in the case of votes cast at the polling place on the date of the election, within the polling place in a secure manner; or

"(II) in any other case, in a secure manner which is consistent with the manner employed by the jurisdiction for preserving paper ballots in general.

"(iii) MANUAL AUDIT CAPACITY.—(I) Each paper ballot produced pursuant to clause (i) shall be suitable for a manual audit equivalent to that of a paper ballot voting system, and shall be counted by hand in any recount or audit conducted with respect to any election for Federal office.

"(II) In the event of any inconsistencies or irregularities between any electronic vote tallies and the vote tallies determined by counting by hand the individual, durable, voter-verified, paper ballots produced pursuant to clause (i), and subject to subparagraph (B), the individual, durable, voter-verified, paper ballots shall be the true and correct record of the votes cast.

"(B) SPECIAL RULE FOR TREATMENT OF DISPUTES WHEN PAPER BALLOTS HAVE BEEN SHOWN TO BE COMPROMISED.—

"(i) IN GENERAL.—In the event that—

"(I) there is any inconsistency between any electronic vote tallies and the vote tallies determined by counting by hand the individual, durable, voter-verified, paper ballots produced pursuant to subparagraph (A)(i) with respect to any election for Federal office; and

"(II) it is demonstrated by clear and convincing evidence (as determined in accordance with the applicable standards in the jurisdiction involved) in any recount, audit, or contest of the result of the election that the paper ballots have been compromised (by damage or mischief or otherwise) and that a sufficient number of the ballots have been so compromised that the result of the election could be changed,

the determination of the appropriate remedy with respect to the election shall be made in accordance with applicable State law, except that the electronic tally shall not be used as the exclusive basis for determining the official certified vote tally.

"(ii) RULE FOR CONSIDERATION OF BALLOTS ASSOCIATED WITH EACH VOTING MACHINE.—For purposes of clause (i), only the paper ballots deemed compromised, if any, shall be considered in the calculation of whether or not the result of the election could be changed due to the compromised paper ballots.".

(2) CONFORMING AMENDMENT CLARIFYING APPLICABILITY OF ALTERNATIVE LANGUAGE ACCESSIBILITY.—Section 301(a)(4) of such Act (42 U.S.C. 15481(a)(4)) is amended by inserting "(including the paper ballots required to be produced under paragraph (2) and the notices required under paragraphs (7) and (13)(C)" after "voting system".

(3) OTHER CONFORMING AMENDMENTS.—Section 301(a)(1) of such Act (42 U.S.C. 15481(a)(1)) is amended—

(A) in subparagraph (A)(i), by striking "counted" and inserting "counted, in accordance with paragraphs (2) and (3)";

(B) in subparagraph (A)(ii), by striking "counted" and inserting "counted, in accordance with paragraphs (2) and (3)";

(C) in subparagraph (A)(iii), by striking "counted" each place it appears and inserting "counted, in accordance with paragraphs (2) and (3)"; and

(D) in subparagraph (B)(ii), by striking "counted" and inserting "counted, in accordance with paragraphs (2) and (3)".

(b) ACCESSIBILITY AND BALLOT VERIFICATION FOR INDIVIDUALS WITH DISABILITIES.—

(1) IN GENERAL.—Section 301(a)(3)(B) of such Act (42 U.S.C. 15481(a)(3)(B)) is amended to read as follows:

"(B)(i) satisfy the requirement of subparagraph (A) through the use of at least one voting system equipped for individuals with disabilities, including nonvisual and enhanced visual accessibility for the blind and visually impaired, at each polling place; and

"(ii) meet the requirements of subparagraph (A) and paragraph (2)(A) by using a system that—

"(I) allows the voter to privately and independently verify the permanent paper ballot through the presentation, in accessible form, of the printed or marked vote selections from the same printed or marked information that would be used for any vote counting or auditing;

"(II) ensures that the entire process of ballot verification and vote casting is equipped for individuals with disabilities, including nonvisual and enhanced visual accessibility for the blind and visually impaired; and

"(III) does not preclude the supplementary use of Braille or tactile ballots; and".

(2) SPECIFIC REQUIREMENT OF STUDY, TESTING, AND DEVELOPMENT OF ACCESSIBLE BALLOT VERIFICATION MECHANISMS.—

(A) STUDY AND REPORTING.—Subtitle C of title II of such Act (42 U.S.C. 15381 et seq.) is amended—

(i) by redesignating section 247 as section 248; and

(ii) by inserting after section 246 the following new section:

"SEC. 247. STUDY AND REPORT ON ACCESSIBLE BALLOT VERIFICATION MECHANISMS.

"(a) STUDY AND REPORT.—The Director of the National Institute of Standards and Technology shall study, test, and develop best practices to enhance the accessibility of ballot verification mechanisms for individuals with disabilities, for voters whose primary language is not English, and for voters with difficulties in literacy, including best practices for the mechanisms themselves and the processes through which the mechanisms are used. In carrying out this section, the Director shall specifically investigate existing and potential methods or devices, including non-electronic devices, that will assist such individuals and voters in creating voter-verified paper ballots and presenting or transmitting the information printed or marked on such ballots back to such individuals and voters.

"(b) COORDINATION WITH GRANTS FOR TECHNOLOGY IMPROVEMENTS.—The Director shall coordinate the activities carried out under subsection (a) with the research conducted under the grant program carried out by the Commission under section 271, to the extent that the Director and Commission determine necessary to provide for the advancement of accessible voting technology.

"(c) DEADLINE.—The Director shall complete the requirements of subsection (a) not later than December 31, 2008.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out subsection (a) $3,000,000, to remain available until expended.".

(B) CLERICAL AMENDMENT.—The table of contents of such Act is amended—

(i) by redesignating the item relating to section 247 as relating to section 248; and

(ii) by inserting after the item relating to section 246 the following new item:

"Sec. 247. Study and report on accessible ballot verification mechanisms.".

(3) CLARIFICATION OF ACCESSIBILITY STANDARDS UNDER VOLUNTARY VOTING SYSTEM GUIDANCE.—In adopting any voluntary guidance under subtitle B of title III of the Help America Vote Act with respect to the accessibility of the paper ballot verification requirements for individuals with disabilities, the Election Assistance Commission shall include and apply the same accessibility standards applicable under the voluntary guidance adopted for accessible voting systems under such subtitle.

(c) ADDITIONAL VOTING SYSTEM REQUIREMENTS.—

(1) REQUIREMENTS DESCRIBED.—Section 301(a) of such Act (42 U.S.C. 15481(a)) is amended by adding at the end the following new paragraphs:

"(7) INSTRUCTION REMINDING VOTERS OF IMPORTANCE OF VERIFYING PAPER BALLOT.—

"(A) IN GENERAL.—The appropriate election official at each polling place shall cause to be placed in a prominent location in the polling place which is clearly visible from the voting booths a notice, in large font print accessible to the visually impaired, advising voters that the paper ballots representing their votes shall serve as the vote of record in all audits and recounts in elections for Federal office, and that they should not leave the voting booth until confirming that such paper ballots accurately record their vote.

"(B) SYSTEMS FOR INDIVIDUALS WITH DISABILITIES.—All voting systems equipped for individuals with disabilities shall present or transmit in accessible form the statement referred to in subparagraph (A), as well as an explanation of the verification process described in paragraph (3)(B)(ii).

"(8) PROHIBITING USE OF UNCERTIFIED ELECTION-DEDICATED VOTING SYSTEM TECHNOLOGIES; DISCLOSURE REQUIREMENTS.—

"(A) IN GENERAL.—A voting system used in an election for Federal office in a State may not at any time during the election contain or use any election-dedicated voting system technology—

"(i) which has not been certified by the State for use in the election; and

"(ii) which has not been deposited with an accredited laboratory described in section 231 to be held in escrow and disclosed in accordance with this section.

"(B) REQUIREMENT FOR AND RESTRICTIONS ON DISCLOSURE.—An accredited laboratory under section 231 with whom an election-dedicated voting system technology has been deposited shall—

"(i) hold the technology in escrow; and

"(ii) disclose technology and information regarding the technology to another person if—

"(I) the person is a qualified person described in subparagraph (C) who has entered into a nondisclosure agreement with respect to the technology which meets the requirements of subparagraph (D); or

"(II) the laboratory is required to disclose the technology to the person under State law, in accordance with the terms and conditions applicable under such law.

"(C) QUALIFIED PERSONS DESCRIBED.—With respect to the disclosure of election-dedicated voting system technology by a laboratory under subparagraph (B)(ii)(I), a 'qualified person' is any of the following:

"(i) A governmental entity with responsibility for the administration of voting and election-related matters for purposes of reviewing, analyzing, or reporting on the technology.

"(ii) A party to pre- or post-election litigation challenging the result of an election or the administration or use of the technology used in an election, including but not limited to election contests or challenges to the certification of the technology, or an expert for a party to such litigation, for purposes of reviewing or analyzing the technology to support or oppose the litigation, and all parties to the litigation shall have access to the technology for such purposes.

"(iii) A person not described in clause (i) or (ii) who reviews, analyzes, or reports on the technology solely for an academic, scientific, technological, or other investigation or inquiry concerning the accuracy or integrity of the technology.

"(D) REQUIREMENTS FOR NONDISCLOSURE AGREEMENTS.—A nondisclosure agreement entered into with respect to an election-dedicated voting system technology meets the requirements of this subparagraph if the agreement—

"(i) is limited in scope to coverage of the technology disclosed under subparagraph (B) and any trade secrets and intellectual property rights related thereto;

"(ii) does not prohibit a signatory from entering into other nondisclosure agreements to review other technologies under this paragraph;

"(iii) exempts from coverage any information the signatory lawfully obtained from another source or any information in the public domain;

"(iv) remains in effect for not longer than the life of any trade secret or other intellectual property right related thereto;

"(v) prohibits the use of injunctions barring a signatory from carrying out any activity authorized under subparagraph (C), including injunctions limited to the period prior to a trial involving the technology;

"(vi) is silent as to damages awarded for breach of the agreement, other than a reference to damages available under applicable law;

"(vii) allows disclosure of evidence of crime, including in response to a subpoena or warrant;

"(viii) allows the signatory to perform analyses on the technology (including by executing the technology), disclose reports and analyses that describe operational issues pertaining to the technology (including vulnerabilities to tampering, errors, risks associated with use, failures as a result of use, and other problems), and describe or explain why or how a voting system failed or otherwise did not perform as intended; and

"(ix) provides that the agreement shall be governed by the trade secret laws of the applicable State.

"(E) ELECTION-DEDICATED VOTING SYSTEM TECHNOLOGY DEFINED.—For purposes of this paragraph:

"(i) IN GENERAL.—The term 'election-dedicated voting system technology' means the following:

"(I) The source code used for the trusted build and its file signatures.

"(II) A complete disk image of the prebuild, build environment, and any file signatures to validate that it is unmodified.

"(III) A complete disk image of the postbuild, build environment, and any file signatures to validate that it is unmodified.

"(IV) All executable code produced by the trusted build and any file signatures to validate that it is unmodified.

"(V) Installation devices and software file signatures.

"(ii) EXCLUSION.—Such term does not include 'commercial-off-the-shelf' software and hardware defined under under the 2005 voluntary voting system guidelines adopted by the Commission under section 222.

"(9) PROHIBITION OF USE OF WIRELESS COMMUNICATIONS DEVICES IN VOTING SYSTEMS.—No voting device upon which ballots are programmed or votes are cast or tabulated shall contain, use, or be accessible by any wireless, power-line, or concealed communication device, except that enclosed infrared communications devices which are certified for use in such device by the State and which cannot be used for any remote or wide area communications or used without the knowledge of poll workers shall be permitted.

"(10) PROHIBITING CONNECTION OF SYSTEM OR TRANSMISSION OF SYSTEM INFORMATION OVER THE INTERNET.—

"(A) IN GENERAL.—No voting device upon which ballots are programmed or votes are cast or tabulated shall be connected to the Internet at any time.

"(B) RULE OF CONSTRUCTION.—Nothing contained in this paragraph shall be deemed to prohibit the Commission from conducting the studies under section 242 or to conduct other similar studies under any other provision of law in a manner consistent with this paragraph.

"(11) SECURITY STANDARDS FOR VOTING SYSTEMS USED IN FEDERAL ELECTIONS.—

"(A) IN GENERAL.—No voting system may be used in an election for Federal office unless the manufacturer of such system and the election officials using such system meet the applicable requirements described in subparagraph (B).

"(B) REQUIREMENTS DESCRIBED.—The requirements described in this subparagraph are as follows:

"(i) The manufacturer and the election officials shall document the secure chain of custody for the handling of all software, hardware, vote storage media, ballots, and voter-verified ballots used in connection with voting systems, and shall make the information available upon request to the Commission.

"(ii) The manufacturer shall disclose to an accredited laboratory under section 231 and to the appropriate election official any information required to be disclosed under paragraph (8).

"(iii) After the appropriate election official has certified the election-dedicated and other voting system software for use in an election, the manufacturer may not—

"(I) alter such software; or

"(II) insert or use in the voting system any software not certified by the State for use in the election.

"(iv) At the request of the Commission—

"(I) the appropriate election official shall submit information to the Commission regarding the State's compliance with this subparagraph; and

"(II) the manufacturer shall submit information to the Commission regarding the manufacturer's compliance with this subparagraph.

"(C) DEVELOPMENT AND PUBLICATION OF BEST PRACTICES ON DOCUMENTATION OF SECURE CHAIN OF CUSTODY.—Not later than August 1, 2008, the Commission shall develop and make publicly available best practices regarding the requirement of subparagraph (B)(i).

"(D) DISCLOSURE OF SECURE CHAIN OF CUSTODY.—The Commission shall make information provided to the Commission under subparagraph (B)(i) available to any person upon request.

"(12) DURABILITY AND READABILITY REQUIREMENTS FOR BALLOTS.—

"(A) DURABILITY REQUIREMENTS FOR PAPER BALLOTS.—

"(i) IN GENERAL.—All voter-verified paper ballots required to be used under this Act (including the paper ballots provided to voters under paragraph (13)) shall be marked, printed, or recorded on durable paper.

"(ii) DEFINITION.—For purposes of this Act, paper is 'durable' if it is capable of withstanding multiple counts and recounts by hand without compromising the fundamental integrity of the ballots, and capable of retaining the information marked, printed, or recorded on them for the full duration of a retention and preservation period of 22 months.

"(B) READABILITY REQUIREMENTS FOR MACHINE-MARKED OR PRINTED PAPER BALLOTS.—All voter-verified paper ballots completed by the voter through the use of a marking or printing device shall be clearly readable by the voter without assistance (other than eyeglasses or other personal vision enhancing devices) and by a scanner or other device equipped for individuals with disabilities.

"(13) MANDATORY AVAILABILITY OF PAPER BALLOTS AT POLLING PLACES.—

"(A) REQUIRING BALLOTS TO BE OFFERED AND PROVIDED.—

"(i) IN GENERAL.—The appropriate election official at each polling place in any election for Federal office shall offer each individual who is eligible to cast a vote in the election at the polling place the opportunity to cast the vote using a blank pre-printed paper ballot which the individual may mark by hand and which is not produced by the direct recording electronic voting machine. The official shall provide the individual with the ballot and the supplies necessary to mark the ballot.

"(ii) SPECIAL RULE FOR LOCATIONS USING DRE VOTING SYSTEMS.—In the case of a polling place that uses a direct recording electronic voting device, if the individual accepts the offer to cast the vote using a paper ballot, the official shall ensure (to the greatest extent practicable) that the waiting period for the individual to cast a vote is not greater than the waiting period for an individual who does not agree to cast the vote using such a paper ballot under this paragraph.

"(B) TREATMENT OF BALLOT.—Any paper ballot which is cast by an individual under this paragraph shall be counted and otherwise treated as a regular ballot for all purposes (including by incorporating it into the final unofficial vote count (as defined by the State) for the precinct) and not as a provisional ballot, unless the individual casting the ballot would have otherwise been required to cast a provisional ballot.

"(C) POSTING OF NOTICE.—The appropriate election official shall ensure there is prominently displayed at each polling place a notice that describes the obligation of the official to offer individuals the opportunity to cast votes using a pre-printed blank paper ballot.

"(D) TRAINING OF ELECTION OFFICIALS.—The chief State election official shall ensure that election officials at polling places in the State are aware of the requirements of this paragraph, including the requirement to display a notice under subparagraph (C), and are aware that it is a violation of the requirements of this title for an election official to fail to offer an individual the opportunity to cast a vote using a blank pre-printed paper ballot.".

(2) REQUIRING LABORATORIES TO MEET STANDARDS PROHIBITING CONFLICTS OF INTEREST AS CONDITION OF ACCREDITATION FOR TESTING OF VOTING SYSTEM HARDWARE AND SOFTWARE.—

(A) IN GENERAL.—Section 231(b) of such Act (42 U.S.C. 15371(b)) is amended by adding at the end the following new paragraphs:

"(3) PROHIBITING CONFLICTS OF INTEREST; ENSURING AVAILABILITY OF RESULTS.—

"(A) IN GENERAL.—A laboratory may not be accredited by the Commission for purposes of this section unless—

"(i) the laboratory certifies that the only compensation it receives for the testing carried out in connection with the certification, decertification, and recertification of the manufacturer's voting system hardware and software is the payment made from the Testing Escrow Account under paragraph (4);

"(ii) the laboratory meets such standards as the Commission shall establish (after notice and opportunity for public comment) to prevent the existence or appearance of any conflict of interest in the testing carried out by the laboratory under this section, including standards to ensure that the laboratory does not have a financial interest in the manufacture, sale, and distribution of voting system hardware and software, and is sufficiently independent from other persons with such an interest;

"(iii) the laboratory certifies that it will permit an expert designated by the Commission to observe any testing the laboratory carries out under this section; and

"(iv) the laboratory, upon completion of any testing carried out under this section, discloses the test protocols, results, and all communication between the laboratory and the manufacturer to the Commission.

"(B) AVAILABILITY OF RESULTS.—Upon receipt of information under subparagraph (A), the Commission shall make the information available promptly to election officials and the public.

"(4) PROCEDURES FOR CONDUCTING TESTING; PAYMENT OF USER FEES FOR COMPENSATION OF ACCREDITED LABORATORIES.—

"(A) ESTABLISHMENT OF ESCROW ACCOUNT.—The Commission shall establish an escrow account (to be known as the 'Testing Escrow Account') for making payments to accredited laboratories for the costs of the testing carried out in connection with the certification, decertification, and recertification of voting system hardware and software.

"(B) SCHEDULE OF FEES.—In consultation with the accredited laboratories, the Commission shall establish and regularly update a schedule of fees for the testing carried out in connection with the certification, decertification, and recertification of voting system hardware and software, based on the reasonable costs expected to be incurred by the accredited laboratories in carrying out the testing for various types of hardware and software.

"(C) REQUESTS AND PAYMENTS BY MANUFACTURERS.—A manufacturer of voting system hardware and software may not have the hardware or software tested by an accredited laboratory under this section unless—

"(i) the manufacturer submits a detailed request for the testing to the Commission; and

"(ii) the manufacturer pays to the Commission, for deposit into the Testing Escrow Account established under subparagraph (A), the applicable fee under the schedule established and in effect under subparagraph (B).

"(D) SELECTION OF LABORATORY.—Upon receiving a request for testing and the payment from a manufacturer required under subparagraph (C), the Commission shall select at random (to the greatest extent practicable), from all laboratories which are accredited under this section to carry out the specific testing requested by the manufacturer, an accredited laboratory to carry out the testing.

"(E) PAYMENTS TO LABORATORIES.—Upon receiving a certification from a laboratory selected to carry out testing pursuant to subparagraph (D) that the testing is completed, along with a copy of the results of the test as required under paragraph (3)(A)(iv), the Commission shall make a payment to the laboratory from the Testing Escrow Account established under subparagraph (A) in an amount equal to the applicable fee paid by the manufacturer under subparagraph (C)(ii).

"(5) DISSEMINATION OF ADDITIONAL INFORMATION ON ACCREDITED LABORATORIES.—

"(A) INFORMATION ON TESTING.—Upon completion of the testing of a voting system under this section, the Commission shall promptly disseminate to the public the identification of the laboratory which carried out the testing.

"(B) INFORMATION ON STATUS OF LABORATORIES.—The Commission shall promptly notify Congress, the chief State election official of each State, and the public whenever—

"(i) the Commission revokes, terminates, or suspends the accreditation of a laboratory under this section;

"(ii) the Commission restores the accreditation of a laboratory under this section which has been revoked, terminated, or suspended; or

"(iii) the Commission has credible evidence of significant security failure at an accredited laboratory.".

(B) CONFORMING AMENDMENTS.—Section 231 of such Act (42 U.S.C. 15371) is further amended—

(i) in subsection (a)(1), by striking "testing, certification," and all that follows and inserting the following: "testing of voting system hardware and software by accredited laboratories in connection with the certification, decertification, and recertification of the hardware and software for purposes of this Act.";

(ii) in subsection (a)(2), by striking "testing, certification," and all that follows and inserting the following: "testing of its voting system hardware and software by the laboratories accredited by the Commission under this section in connection with certifying, decertifying, and recertifying the hardware and software.";

(iii) in subsection (b)(1), by striking "testing, certification, decertification, and recertification" and inserting "testing"; and

(iv) in subsection (d), by striking "testing, certification, decertification, and recertification" each place it appears and inserting "testing".

(C) DEADLINE FOR ESTABLISHMENT OF STANDARDS, ESCROW ACCOUNT, AND SCHEDULE OF FEES.—The Election Assistance Commission shall establish the standards described in section 231(b)(3) of the Help America Vote Act of 2002 and the Testing Escrow Account and schedule of fees described in section 231(b)(4) of such Act (as added by subparagraph (A)) not later than January 1, 2008.

(D) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Election Assistance Commission such sums as may be necessary to carry out the Commission's duties under paragraphs (3) and (4) of section 231 of the Help America Vote Act of 2002 (as added by subparagraph (A)).

(3) SPECIAL CERTIFICATION OF BALLOT DURABILITY AND READABILITY REQUIREMENTS FOR STATES NOT CURRENTLY USING DURABLE PAPER BALLOTS.—

(A) IN GENERAL.—If any of the voting systems used in a State for the regularly scheduled 2006 general elections for Federal office did not require the use of or produce durable paper ballots, the State shall certify to the Election Assistance Commission not later than 90 days after the date of the enactment of this Act that the State will be in compliance with the requirements of sections 301(a)(2) and 301(a)(12) of the Help America Vote of 2002, as added or amended by this subsection, in accordance with the deadlines established under this Act, and shall include in the certification the methods by which the State will meet the requirements.

(B) CERTIFICATIONS BY STATES THAT REQUIRE CHANGES TO STATE LAW.—In the case of a State that requires State legislation to carry out an activity covered by any certification submitted under this paragraph, the State shall be permitted to make the certification notwithstanding that the legislation has not been enacted at the time the certification is submitted and such State shall submit an additional certification once such legislation is enacted.

(4) GRANTS FOR RESEARCH ON DEVELOPMENT OF ELECTION-DEDICATED VOTING SYSTEM SOFTWARE.—

(A) IN GENERAL.—Subtitle D of title II of the Help America Vote Act of 2002 (42 U.S.C. 15401 et seq.) is amended by adding at the end the following new part:

"PART 7—GRANTS FOR RESEARCH ON DEVELOPMENT OF ELECTION-DEDICATED VOTING SYSTEM SOFTWARE

"SEC. 297. GRANTS FOR RESEARCH ON DEVELOPMENT OF ELECTION-DEDICATED VOTING SYSTEM SOFTWARE.

"(a) IN GENERAL.—The Director of the National Science Foundation (hereafter in this part referred to as the 'Director') shall make grants to not fewer than 3 eligible entities to conduct research on the development of election-dedicated voting system software.

"(b) ELIGIBILITY.—An entity is eligible to receive a grant under this part if it submits to the Director (at such time and in such form as the Director may require) an application containing—

"(1) certifications regarding the benefits of operating voting systems on election-dedicated software which is easily understandable and which is written exclusively for the purpose of conducting elections;

"(2) certifications that the entity will use the funds provided under the grant to carry out research on how to develop voting systems that run on election-dedicated software and that will meet the applicable requirements for voting systems under title III; and

"(3) such other information and certifications as the Director may require.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section $1,500,000 for each of fiscal years 2008 and 2009, to remain available until expended.".

(B) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the items relating to subtitle D of title II the following:

"PART 7—GRANTS FOR RESEARCH ON DEVELOPMENT OF ELECTION-DEDICATED VOTING SYSTEM SOFTWARE

"Sec. 297. Grants for research on development of election-dedicated voting system software.".

(d) AVAILABILITY OF ADDITIONAL FUNDING TO ENABLE STATES TO MEET COSTS OF REVISED REQUIREMENTS.—

(1) EXTENSION OF REQUIREMENTS PAYMENTS FOR MEETING REVISED REQUIREMENTS.—Section 257(a) of the Help America Vote Act of 2002 (42 U.S.C. 15407(a)) is amended by adding at the end the following new paragraph:

"(4) For fiscal year 2008, $1,000,000,000, except that any funds provided under the authorization made by this paragraph shall be used by a State only to meet the requirements of title III which are first imposed on the State pursuant to the amendments made by section 2 of the Voter Confidence and Increased Accessibility Act of 2007, or to otherwise modify or replace its voting systems in response to such amendments.".

(2) USE OF REVISED FORMULA FOR ALLOCATION OF FUNDS.—Section 252(b) of such Act (42 U.S.C. 15402(b)) is amended to read as follows:

“(b) STATE ALLOCATION PERCENTAGE DEFINED.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the ‘State allocation percentage’ for a State is the amount (expressed as a percentage) equal to the quotient of—

“(A) the voting age population of the State (as reported in the most recent decennial census); and

“(B) the total voting age population of all States (as reported in the most recent decennial census).

“(2) SPECIAL RULE FOR PAYMENTS FOR FISCAL YEAR 2008.—

“(A) IN GENERAL.—In the case of the requirements payment made to a State for fiscal year 2008, the ‘State allocation percentage’ for a State is the amount (expressed as a percentage) equal to the quotient of—

“(i) the sum of the number of noncompliant precincts in the State and 50% of the number of partially noncompliant precincts in the State; and

“(ii) the sum of the number of noncompliant precincts in all States and 50% of the number of partially noncompliant precincts in all States.

“(B) NONCOMPLIANT PRECINCT DEFINED.—In this paragraph, a ‘noncompliant precinct’ means any precinct (or equivalent location) within a State for which the voting system used to administer the regularly scheduled general election for Federal office held in November 2006 did not meet either of the requirements described in subparagraph (D).

“(C) PARTIALLY NONCOMPLIANT PRECINCT DEFINED.—In this paragraph, a ‘partially noncompliant precinct’ means any precinct (or equivalent location) within a State for which the voting system used to administer the regularly scheduled general election for Federal office held in November 2006 met only one of the requirements described in subparagraph (D).

“(D) REQUIREMENTS DESCRIBED.—The requirements described in this subparagraph with respect to a voting system are as follows:

“(i) The primary voting system required the use of or produced durable paper ballots (as described in section 301(a)(12)(A)) for every vote cast.

“(ii) The voting system provided that the entire process of paper ballot verification was equipped for individuals with disabilities.”.

(3) REVISED CONDITIONS FOR RECEIPT OF FUNDS.—Section 253 of such Act (42 U.S.C. 15403) is amended—

(A) in subsection (a), by striking “A State is eligible” and inserting “Except as provided in subsection (f), a State is eligible”; and

(B) by adding at the end the following new subsection:

“(f) SPECIAL RULE FOR FISCAL YEAR 2008.—

“(1) IN GENERAL.—Notwithstanding any other provision of this part, a State is eligible to receive a requirements payment for fiscal year 2008 if, not later than 90 days after the date of the enactment of the Voter Confidence and Increased Accessibility Act of 2007, the chief executive officer of the State, or designee, in consultation and coordination with the chief State election official—

“(A) certifies to the Commission the number of noncompliant and partially noncompliant precincts in the State (as defined in section 252(b)(2)); and

“(B) files a statement with the Commission describing the State's need for the payment and how the State will use the payment to meet the requirements of title III (in accordance with the limitations applicable to the use of the payment under section 257(a)(4)).

“(2) CERTIFICATIONS BY STATES THAT REQUIRE CHANGES TO STATE LAW.—In the case of a State that requires State legislation to carry out any activity covered by any certification submitted under this subsection, the State shall be permitted to make the certification notwithstanding that the legislation has not been enacted at the time the certification is submitted and such State shall submit an additional certification once such legislation is enacted.”.

(4) PERMITTING USE OF FUNDS FOR REIMBURSEMENT FOR COSTS PREVIOUSLY INCURRED.—Section 251(c)(1) of such Act (42 U.S.C. 15401(c)(1)) is amended by striking the period at the end and inserting the following: “, or as a reimbursement for any costs incurred after November 2004 in meeting the requirements of title III which are imposed pursuant to the amendments made by section 2 of the Voter Confidence and Increased Accessibility Act of 2007 or in otherwise upgrading or replacing voting systems in a manner consistent with such amendments (so long as the voting systems meet any of the requirements that apply with respect to elections for Federal office held in 2012 and each succeeding year).”.

(5) RULE OF CONSTRUCTION REGARDING STATES RECEIVING OTHER FUNDS FOR REPLACING PUNCH CARD, LEVER, OR OTHER VOTING MACHINES.—Nothing in the amendments made by this subsection or in any other provision of the Help America Vote Act of 2002 may be construed to prohibit a State which received or was authorized to receive a payment under title I or II of such Act for replacing punch card, lever, or other voting machines from receiving or using any funds which are made available under the amendments made by this subsection.

(6) RULE OF CONSTRUCTION REGARDING USE OF FUNDS RECEIVED IN PRIOR YEARS.—

(A) IN GENERAL.—Nothing contained in this Act or the Help America Vote Act of 2002 may be construed to prohibit a State from using funds received under title I or II of the Help America Vote Act of 2002—

(i) to purchase or acquire by other means a voting system that meets the requirements of paragraphs (2) and (3) of section 301 of the Help America Vote Act of 2002 (as amended by this Act); or

(ii) to retrofit a voting system so that it will meet such requirements,

in order to replace or upgrade (as the case may be) voting systems purchased with funds received under the Help America Vote Act of 2002 that do not require the use of or produce paper ballots.

(B) WAIVER OF NOTICE AND COMMENT REQUIREMENTS.—The requirements of subparagraphs (A), (B), and (C) of section 254(a)(11) of the Help America Vote Act of 2002 shall not apply to any State using funds received under such Act for the purposes described in clause (i) or (ii) of subparagraph (A).

(7) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to fiscal years beginning with fiscal year 2008.

(e) RESTRICTION ON USE OF DIRECT RECORDING ELECTRONIC VOTING SYSTEMS.—Section 301 of such Act (42 U.S.C. 15481), as amended by this section, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) through (d), respectively; and

(2) by inserting after subsection (a) the following new subsection:

“(b) RESTRICTION ON USE OF DIRECT RECORDING ELECTRONIC VOTING SYSTEMS.—A direct recording electronic voting system may not be used to administer any election for Federal office held in 2012 or any subsequent year.”

(f) EFFECTIVE DATE FOR NEW REQUIREMENTS.—Section 301(d) of such Act (42 U.S.C. 15481(d)), as redesignated by subsection (e), is amended to read as follows:

“(d) EFFECTIVE DATE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), each State and jurisdiction shall be required to comply with the requirements of this section on and after January 1, 2006.

“(2) SPECIAL RULE FOR CERTAIN REQUIREMENTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the requirements of this section which are first imposed on a State and jurisdiction pursuant to the amendments made by section 2 of the Voter Confidence and Increased Accessibility Act of 2007 shall apply with respect to the regularly scheduled general election for Federal office held in November 2008 and each succeeding election for Federal office.

“(B) DELAY FOR JURISDICTIONS USING CERTAIN PAPER BALLOT PRINTERS OR CERTAIN PAPER BALLOT-EQUIPPED ACCESSIBLE MACHINES IN 2006.—

“(i) DELAY.—In the case of a jurisdiction described in clause (ii), subparagraph (A) shall apply to the jurisdiction as if the reference in such subparagraph to ‘the regularly scheduled general election for Federal office held in November 2008 and each succeeding election for Federal office’ were a reference to ‘elections for Federal office occurring during 2012 and each succeeding year’, but only with respect to the following requirements of this section:

“(I) Paragraph (3)(B)(ii)(I) and (II) of subsection (a) (relating to access to verification from the durable paper ballot).

“(II) Paragraph (12) of subsection (a) (relating to durability and readability requirements for ballots).

“(ii) JURISDICTIONS DESCRIBED.—A jurisdiction described in this clause is—

“(I) a jurisdiction which used thermal reel-to-reel voter verified paper ballot printers attached to direct recording electronic voting machines for the administration of the regularly scheduled general election for Federal office held in November 2006 and which will continue to use such printers (or other printers which meet the requirements of paragraph (3)(B)(ii)(I) and (II) of subsection (a)) attached to such voting machines for the administration of elections for Federal office held in years before 2012; or

“(II) a jurisdiction which used voting machines which met the accessibility requirements of paragraph (3) of subsection (a) (as in effect with respect to such election) for the administration of the regularly scheduled general election for Federal office held in November 2006 and which used or produced a paper ballot, and which will continue to use such voting machines (or other voting machines which meet the requirements of this section) for the administration of elections for Federal office held in years before 2012.”.

SEC. 3. ENHANCEMENT OF ENFORCEMENT OF HELP AMERICA VOTE ACT OF 2002.

Section 401 of such Act (42 U.S.C. 15511) is amended—

(1) by striking “The Attorney General” and inserting “(a) IN GENERAL.—The Attorney General”; and

(2) by adding at the end the following new subsections:

"(b) FILING OF COMPLAINTS BY AGGRIEVED PERSONS.—

"(1) IN GENERAL.—A person who is aggrieved by a violation of section 301, 302, or 303 which has occurred, is occurring, or is about to occur may file a written, signed, notarized complaint with the Attorney General describing the violation and requesting the Attorney General to take appropriate action under this section. The Attorney General shall immediately provide a copy of a complaint filed under the previous sentence to the entity responsible for administering the State-based administrative complaint procedures described in section 402(a) for the State involved.

"(2) RESPONSE BY ATTORNEY GENERAL.—The Attorney General shall respond to each complaint filed under paragraph (1), in accordance with procedures established by the Attorney General that require responses and determinations to be made within the same (or shorter) deadlines which apply to a State under the State-based administrative complaint procedures described in section 402(a)(2). The Attorney General shall immediately provide a copy of the response made under the previous sentence to the entity responsible for administering the State-based administrative complaint procedures described in section 402(a) for the State involved.

"(c) CLARIFICATION OF AVAILABILITY OF PRIVATE RIGHT OF ACTION.—Nothing in this section may be construed to prohibit any person from bringing an action under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) (including any individual who seeks to enforce the individual's right to a voter-verified paper ballot, the right to have the voter-verified paper ballot counted in accordance with this Act, or any other right under subtitle A of title III) to enforce the uniform and nondiscriminatory election technology and administration requirements under sections 301, 302, and 303.

"(d) NO EFFECT ON STATE PROCEDURES.—Nothing in this section may be construed to affect the availability of the State-based administrative complaint procedures required under section 402 to any person filing a complaint under this subsection.".

SEC. 4. REQUIREMENT FOR MANDATORY MANUAL AUDITS BY HAND COUNT.

(a) MANDATORY MANUAL AUDITS.—Title III of the Help America Vote Act of 2002 (42 U.S.C. 15481 et seq.) is amended by adding at the end the following new subtitle:

"Subtitle C—Mandatory Manual Audits

"SEC. 321. REQUIRING AUDITS OF RESULTS OF ELECTIONS.

"(a) REQUIRING AUDITS.—

"(1) IN GENERAL.—In accordance with this subtitle, each State shall administer, without advance notice to the precincts selected, audits of the results of elections for Federal office held in the State (and, at the option of the State or jurisdiction involved, of elections for State and local office held at the same time as such election) consisting of random hand counts of the voter-verified paper ballots required to be produced and preserved pursuant to section 301(a)(2).

"(2) EXCEPTION FOR CERTAIN ELECTIONS.—A State shall not be required to administer an audit of the results of an election for Federal office under this subtitle if the winning candidate in the election—

"(A) had no opposition on the ballot; or

"(B) received 80% or more of the total number of votes cast in the election, as determined on the basis of the final unofficial vote count.

"(b) DETERMINATION OF ENTITY CONDUCTING AUDITS; APPLICATION OF GAO INDEPENDENCE STANDARDS.—The State shall administer audits under this subtitle through an entity selected for such purpose by the State in accordance with such criteria as the State considers appropriate consistent with the requirements of this subtitle, except that the entity must meet the general standards established by the Comptroller General and as set forth in the Comptroller General's Government Auditing Standards to ensure the independence (including the organizational independence) of entities performing financial audits, attestation engagements, and performance audits.

"(c) REFERENCES TO ELECTION AUDITOR.—In this subtitle, the term 'Election Auditor' means, with respect to a State, the entity selected by the State under subsection (b).

"SEC. 322. NUMBER OF BALLOTS COUNTED UNDER AUDIT.

"(a) IN GENERAL.—Except as provided in subsection (b), the number of voter-verified paper ballots which will be subject to a hand count administered by the Election Auditor of a State under this subtitle with respect to an election shall be determined as follows:

"(1) In the event that the unofficial count as described in section 323(a)(1) reveals that the margin of victory between the two candidates receiving the largest number of votes in the election is less than 1 percent of the total votes cast in that election, the hand counts of the voter-verified paper ballots shall occur in at least 10 percent of all precincts or equivalent locations (or alternative audit units used in accordance with the method provided for under subsection (b)) in the Congressional district involved (in the case of an election for the House of Representatives) or the State (in the case of any other election for Federal office).

"(2) In the event that the unofficial count as described in section 323(a)(1) reveals that the margin of victory between the two candidates receiving the largest number of votes in the election is greater than or equal to 1 percent but less than 2 percent of the total votes cast in that election, the hand counts of the voter-verified paper ballots shall occur in at least 5 percent of all precincts or equivalent locations (or alternative audit units used in accordance with the method provided for under subsection (b)) in the Congressional district involved (in the case of an election for the House of Representatives) or the State (in the case of any other election for Federal office).

"(3) In the event that the unofficial count as described in section 323(a)(1) reveals that the margin of victory between the two candidates receiving the largest number of votes in the election is equal to or greater than 2 percent of the total votes cast in that election, the hand counts of the voter-verified paper ballots shall occur in at least 3 percent of all precincts or equivalent locations (or alternative audit units used in accordance with the method provided for under subsection (b)) in the Congressional district involved (in the case of an election for the House of Representatives) or the State (in the case of any other election for Federal office).

"(b) USE OF ALTERNATIVE MECHANISM.—Notwithstanding subsection (a), a State may adopt and apply an alternative mechanism to determine the number of voter-verified paper ballots which will be subject to the hand counts required under this subtitle with respect to an election, so long as the alternative mechanism uses the voter-verified paper ballots to conduct the audit and the National Institute of Standards and Technology determines that the alternative mechanism will be at least as statistically effective in ensuring the accuracy of the election results as the procedure under this subtitle.

"SEC. 323. PROCESS FOR ADMINISTERING AUDITS.

"(a) IN GENERAL.—The Election Auditor of a State shall administer an audit under this section of the results of an election in accordance with the following procedures:

"(1) Within 24 hours after the State announces the final unofficial vote count (as defined by the State) in each precinct in the State, the Election Auditor shall determine and then announce the precincts or equivalent locations (or alternative audit units used in accordance with the method provided under section 322(b)) in the State in which it will administer the audits.

"(2) With respect to votes cast at the precinct or equivalent location on or before the date of the election (other than provisional ballots described in paragraph (3)), the Election Auditor shall administer the hand count of the votes on the voter-verified paper ballots required to be produced and preserved under section 301(a)(2)(A) and the comparison of the count of the votes on those ballots with the final unofficial count of such votes as announced by the State.

"(3) With respect to votes cast other than at the precinct on the date of the election (other than votes cast before the date of the election described in paragraph (2)) or votes cast by provisional ballot on the date of the election which are certified and counted by the State on or after the date of the election, including votes cast by absent uniformed services voters and overseas voters under the Uniformed and Overseas Citizens Absentee Voting Act, the Election Auditor shall administer the hand count of the votes on the applicable voter-verified paper ballots required to be produced and preserved under section 301(a)(2)(A) and the comparison of the count of the votes on those ballots with the final unofficial count of such votes as announced by the State.

"(b) USE OF PERSONNEL.—In administering the audits, the Election Auditor may utilize the services of the personnel of the State or jurisdiction, including election administration personnel and poll workers, without regard to whether or not the personnel have professional auditing experience.

"(c) LOCATION.—The Election Auditor shall administer an audit of an election—

"(1) at the location where the ballots cast in the election are stored and counted after the date of the election or such other appropriate and secure location agreed upon by the Election Auditor and the individual that is responsible under State law for the custody of the ballots; and

"(2) in the presence of the personnel who under State law are responsible for the custody of the ballots.

"(d) SPECIAL RULE IN CASE OF DELAY IN REPORTING ABSENTEE VOTE COUNT.—In the case of a State in which the final count of absentee and provisional votes is not announced until after the expiration of the 7-day period which begins on the date of the election, the Election Auditor shall initiate the process described in subsection (a) for administering the audit not later than 24 hours after the State announces the final unofficial vote count for the votes cast at the precinct or equivalent location on or before the date of the election, and shall initiate the administration of the audit of the absentee and provisional votes pursuant to subsection (a)(3) not later than 24 hours after the State announces the final unofficial count of such votes.

"(e) ADDITIONAL AUDITS IF CAUSE SHOWN.—

"(1) IN GENERAL.—If the Election Auditor finds that any of the hand counts administered under this section do not match the final unofficial tally of the results of an election, the Election Auditor shall administer hand counts under this section of such additional precincts (or equivalent jurisdictions) as the Election Auditor considers appropriate to resolve any concerns resulting from the audit and ensure the accuracy of the results.

"(2) ESTABLISHMENT AND PUBLICATION OF PROCEDURES GOVERNING ADDITIONAL AUDITS.—Not later than August 1, 2008, each State shall establish and publish procedures for carrying out the additional audits under this subsection, including the means by which the State shall resolve any concerns resulting from the audit with finality and ensure the accuracy of the results.

"(f) PUBLIC OBSERVATION OF AUDITS.—Each audit conducted under this section shall be conducted in a manner that allows public observation of the entire process.

"SEC. 324. SELECTION OF PRECINCTS.

"(a) IN GENERAL.—Except as provided in subsection (c), the selection of the precincts in the State in which the Election Auditor of the State shall administer the hand counts under this subtitle shall be made by the Election Auditor on an entirely random basis using a uniform distribution in which all precincts in a Congressional district have an equal chance of being selected, in accordance with procedures adopted by the National Institute of Standards and Technology, except that at least one precinct shall be selected at random in each county.

"(b) PUBLIC SELECTION.—The random selection of precincts under subsection (a) shall be conducted in public, at a time and place announced in advance.

"(c) MANDATORY SELECTION OF PRECINCTS ESTABLISHED SPECIFICALLY FOR ABSENTEE BALLOTS.—If a State establishes a separate precinct for purposes of counting the absentee ballots cast in an election and treats all absentee ballots as having been cast in that precinct, and if the state does not make absentee ballots sortable by precinct and include those ballots in the hand count administered with respect to that precinct, the State shall include that precinct among the precincts in the State in which the Election Auditor shall administer the hand counts under this subtitle.

"(d) DEADLINE FOR ADOPTION OF PROCEDURES BY COMMISSION.—The National Institute of Standards and Technology shall adopt the procedures described in subsection (a) not later than March 31, 2008, and shall publish them in the Federal Register upon adoption.

"SEC. 325. PUBLICATION OF RESULTS.

"(a) SUBMISSION TO COMMISSION.—As soon as practicable after the completion of an audit under this subtitle, the Election Auditor of a State shall— submit to the Commission the results of the audit, and shall include in the submission a comparison of the results of the election in the precinct as determined by the Election Auditor under the audit and the final unofficial vote count in the precinct as announced by the State and all undervotes, overvotes, blank ballots, and spoiled, voided, or cancelled ballots, as well as a list of any discrepancies discovered between the initial, subsequent, and final hand counts administered by the Election Auditor and such final unofficial vote count and any explanation for such discrepancies, broken down by the categories of votes described in paragraphs (2) and (3) of section 323(a).

"(b) PUBLICATION BY COMMISSION.—Immediately after receiving the submission of the results of an audit from the Election Auditor of a State under subsection (a), the Commission shall publicly announce and publish the information contained in the submission.

"(c) DELAY IN CERTIFICATION OF RESULTS BY STATE.—

"(1) PROHIBITING CERTIFICATION UNTIL COMPLETION OF AUDITS.—No State may certify the results of any election which is subject to an audit under this subtitle prior to—

"(A) to the completion of the audit (and, if required, any additional audit conducted under section 323(e)(1)) and the announcement and submission of the results of each such audit to the Commission for publication of the information required under this section; and

"(B) the completion of any procedure established by the State pursuant to section 323(e)(2) to resolve discrepancies and ensure the accuracy of results.

"(2) DEADLINE FOR COMPLETION OF AUDITS OF PRESIDENTIAL ELECTIONS.—In the case of an election for electors for President and Vice President which is subject to an audit under this subtitle, the State shall complete the audits and announce and submit the results to the Commission for publication of the information required under this section in time for the State to certify the results of the election and provide for the final determination of any controversy or contest concerning the appointment of such electors prior to the deadline described in section 6 of title 3, United States Code.

"SEC. 326. PAYMENTS TO STATES.

"(a) PAYMENTS FOR COSTS OF CONDUCTING AUDITS.—In accordance with the requirements and procedures of this section, the Commission shall make a payment to a State to cover the costs incurred by the State in carrying out this subtitle with respect to the elections that are the subject of the audits conducted under this subtitle.

"(b) CERTIFICATION OF COMPLIANCE AND ANTICIPATED COSTS.—

"(1) CERTIFICATION REQUIRED.—In order to receive a payment under this section, a State shall submit to the Commission, in such form as the Commission may require, a statement containing—

"(A) a certification that the State will conduct the audits required under this subtitle in accordance with all of the requirements of this subtitle;

"(B) a notice of the reasonable costs incurred or the reasonable costs anticipated to be incurred by the State in carrying out this subtitle with respect to the elections involved; and

"(C) such other information and assurances as the Commission may require.

"(2) AMOUNT OF PAYMENT.—The amount of a payment made to a State under this section shall be equal to the reasonable costs incurred or the reasonable costs anticipated to be incurred by the State in carrying out this subtitle with respect to the elections involved, as set forth in the statement submitted under paragraph (1).

"(3) TIMING OF NOTICE.—The State may not submit a notice under paragraph (1) until candidates have been selected to appear on the ballot for all of the elections for Federal office which will be the subject of the audits involved.

"(c) TIMING OF PAYMENTS.—The Commission shall make the payment required under this section to a State not later than 30 days after receiving the notice submitted by the State under subsection (b).

"(d) RECOUPMENT OF OVERPAYMENTS.—No payment may be made to a State under this section unless the State agrees to repay to the Commission the excess (if any) of—

"(1) the amount of the payment received by the State under this section with respect to the elections involved; over

"(2) the actual costs incurred by the State in carrying out this subtitle with respect to the elections involved.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission for fiscal year 2008 and each succeeding fiscal year $100,000,000 for payments under this section.

"SEC. 327. EXCEPTION FOR ELECTIONS SUBJECT TO RECOUNT UNDER STATE LAW PRIOR TO CERTIFICATION.

"(a) EXCEPTION.—This subtitle does not apply to any election for which a recount under State law will commence prior to the certification of the results of the election, including but not limited to a recount required automatically because of the margin of victory between the 2 candidates receiving the largest number of votes in the election, but only if each of the following applies to the recount:

"(1) The recount commences prior to the determination and announcement by the Election Auditor under section 323(a)(1) of the precincts in the State in which it will administer the audits under this subtitle.

"(2) If the recount would apply to fewer than 100% of the ballots cast in the election—

"(A) the number of ballots counted will be at least as many as would be counted if an audit were conducted with respect to the election in accordance with this subtitle; and

"(B) the selection of the precincts in which the recount will be conducted will be made in accordance with the random selection procedures applicable under section 324.

"(3) The recount for the election meets the requirements of section 323(f) (relating to public observation).

"(4) The State meets the requirements of section 325 (relating to the publication of results and the delay in the certification of results) with respect to the recount.

"(b) CLARIFICATION OF EFFECT ON OTHER REQUIREMENTS.—Nothing in this section may be construed to waive the application of any other provision of this Act to any election (including the requirement set forth in section 301(a)(2) that the voter verified paper ballots serve as the vote of record and shall be counted by hand in all audits and recounts, including audits and recounts described in this subtitle).

"SEC. 328. EFFECTIVE DATE.

"This subtitle shall apply with respect to elections for Federal office beginning with the regularly scheduled general elections held in November 2008.".

(b) AVAILABILITY OF ENFORCEMENT UNDER HELP AMERICA VOTE ACT OF 2002.—Section 401 of such Act (42 U.S.C. 15511), as amended by section 3, is amended—

(1) in subsection (a), by striking the period at the end and inserting the following: ", or the requirements of subtitle C of title III.";

(2) in subsection (b)(1), by striking "303" and inserting "303, or subtitle C of title III,"; and

(3) in subsection (c)—

(A) by striking "subtitle A" and inserting "subtitles A or C", and

(B) by striking the period at the end and inserting the following: ", or the requirements of subtitle C of title III.".

(c) GUIDANCE ON BEST PRACTICES FOR ALTERNATIVE AUDIT MECHANISMS.—

(1) IN GENERAL.—Not later than May 1, 2008, the Director of the National Institute for Standards and Technology shall establish guidance for States that wish to establish alternative audit mechanisms under section 322(b) of the Help America Vote Act of 2002 (as added by subsection (a)). Such guidance shall be based upon scientifically and statistically reasonable assumptions for the purpose of creating an alternative audit mechanism that will be at least as effective in ensuring the accuracy of election results and as transparent as the procedure under subtitle C of title III of such Act (as so added).

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out paragraph (1) $100,000, to remain available until expended.

(d) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the items relating to title III the following:

"Subtitle C—Mandatory Manual Audits

"Sec. 321. Requiring audits of results of elections.
"Sec. 322. Number of ballots counted under audit.
"Sec. 323. Process for administering audits.
"Sec. 324. Selection of precincts.
"Sec. 325. Publication of results.
"Sec. 326. Payments to States.
"Sec. 327. Exception for elections subject to recount under State law prior to certification.
"Sec. 328. Effective date.".

SEC. 5. REPEAL OF EXEMPTION OF ELECTION ASSISTANCE COMMISSION FROM CERTAIN GOVERNMENT CONTRACTING REQUIREMENTS.

(a) IN GENERAL.—Section 205 of the Help America Vote Act of 2002 (42 U.S.C. 15325) is amended by striking subsection (e).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to contracts entered into by the Election Assistance Commission on or after the date of the enactment of this Act.

SEC. 6. EFFECTIVE DATE.

Except as otherwise provided, this Act and the amendments made by this Act shall apply with respect to the regularly scheduled general election for Federal office in November 2008 and each succeeding election for Federal office.

By Ms. SNOWE:

S. 2297. A bill to require the FCC to conduct an economic study on the impact that low-power FM stations will have on full-power commercial FM stations; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today to introduce legislation that would require the Federal Communications Commission to fulfill its obligation of conducting an economic study on the impact low-power FM stations have on full-power commercial stations. The reason it is imperative the FCC perform this study is because we don't have a comprehensive understanding as to the effect that low-power FM stations have on their full-power counterparts.

When Congress imposed the three-adjacent-channel restriction on low-power licensees in 2001, we tasked the FCC with conducting two studies because we were concerned about the interference LPFM stations could cause with being too close in frequency to full-power commercial stations. The two studies were to determine the impact that the presence of a low-power channel would have with respect to interference with a nearby full-power station and the economic impact the presence of low power stations would bring to the commercial licensees. However, the FCC completed only one study—the interference analysis.

My legislation calls for the FCC to complete an economic study on the impact LPFM stations have on full-power commercial radio stations within 18 months and report its findings to Congress.

Volunteer, non-profit LPFM stations have found a niche but they also provide competition to full-power stations without having to incur the same costs as those commercial stations, particularly with the absence of licensing fees and employees' salaries. Most of us have raised serious concerns about the continued media consolidation that is occurring and negatively affecting localism and diversity.

Part of the reason for this consolidation is because local, independently owned stations are seeing lower profit margins, which are making it more and more difficult to continue broadcasting. Due to shrinking profit, these stations either go out of business or are sold out to larger, nationwide companies. The buy-out of local stations by out-of-town firms does more to harm diverse and locally oriented broadcasting than anything else. So we must actively investigate this trend and determine what is contributing to the diminishing returns of independently owned stations.

Some may question why perform this study since Mitre Corporation, the company that performed the initial interference study, recommended the FCC should not undertake the additional expense of a formal listener test program or a Phase II economic analysis. The reason is because the Phase II economic analysis was only on the potential radio interference impact of LPFM on incumbent full-power stations and did not take into account other economic impacts that were outside the scope of that effort. The Government must ensure that by opening up low-power FM broadcast opportunities we are not causing any undue harm to the full-power radio stations, which we have obligations to as the issuer of their licenses.

I hope my colleagues join me in supporting the critical legislation.

By Ms. SNOWE:

S. 2298. A bill to prohibit an applicant from obtaining a low-power FM license if an applicant has engaged in any manner in the unlicensed operation of any station in violation of section 301 of the Communications Act of 1934; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today to introduce legislation that would preserve the Federal Communications Commission's right to deny a low-power FM license if the applicant has run afoul of basic, longstanding Federal restrictions on the transmission of radio waves, such as if the applicant has been previously fined for running an unlicensed "pirate" radio station.

Before the issuance of low-power licenses, numerous individuals and entities operated low-power FM stations without a broadcast license. These "pirate" stations many times broadcasted in open defiance of the Commission's initial ban on LPFM broadcasts. From January 1998 to February 2000, the Commission shut down, on average, more than a dozen unlicensed radio stations each month. On several separate occasions, these unlicensed radio stations actually disrupted air traffic control communications.

Congress, through the enactment of the Radio Broadcast Preservation Act of 2000, directed the FCC to modify its low-power FM rules to "prohibit any applicant from obtaining a low-power FM license if the applicant has engaged in any manner in the unlicensed operation of any station in violation of section 301 of the Communications Act of 1934" so the Commission could curtail these pirate stations and disruption occurrence.

My concern is by completely repealing section 632, which pending legislation proposes, it hinders the ability of the FCC to prohibit applicants from receiving low-power FM licenses. The Commission is responsible for making sure broadcasters follow the basic rules and regulations that are inherently essential to having a broadcast service that serves public interest since broadcasters are utilizing public spectrum. This legislation retains a targeted response to the problem of pirate broadcasting.

The commission is to grant a broadcast license only if the "public interest, convenience, and necessity would be served." Completely repealing Section 632 could hinder the FCC from upholding this responsibility with respect to low-power FM broadcasters. For this reason, we must act to preserve the FCC's authority to be able to prohibit low-power FM licenses to applicants that have violated basic tenets of broadcast policy—it is only logical that we do this to ensure businesses that use the public spectrum, in any capacity, adhered to laws government has put in place to serve and protect the public interest.

I hope my colleagues join me in supporting the critical legislation.

By Ms. SNOWE:

S. 2299. A bill to require the Secretary of Agriculture to establish an advisory committee to develop recommendations regarding the national aquatic animal health plan developed by the National Aquatic Animal Health Task Force, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Ms. SNOWE. Mr. President, I rise today to introduce legislation that I believe is vital to the prosperity and competitiveness of an element of agriculture that is often overlooked: American aquaculture. Some experts estimate that to meet the demand for healthy, fresh aquacultural products, global production will have to double in the next 40 years. Yet in spite of this skyrocketing demand, America is at risk of being left behind by other nations who have thus far exhibited greater foresight than we have; putting into place a comprehensive infrastructure for sustainable seafood. While it is true that American aquaculture sales exceeded an impressive one billion dollars in 2005, this was a pittance when compared to the $70 billion market worldwide. In fact, in 2006 the U.S. had a trade deficit in seafood production of $9.1 billion. With demand rising so dramatically globally and, in particular, here at home, we cannot afford to fall behind any further.

That is why I have taken this opportunity to introduce the National Aquatic Animal Health Act. This legislation will begin the process of creating a national infrastructure that will attract investment, protect the valuable stocks of our aquaculture farmers from disease, and create a unique, flexible partnership between the Federal Government, State agencies, and industry groups. Dedicated to proactively monitoring seafood stocks for disease, this program will employ the resources and vast field experience of the Animal and Plant Health Inspection Service, or APHIS, coupled with experts on disease at various State agriculture and marine agencies and industry professionals to certify the health of all participating aquaculture species.

Modeled after similar animal monitoring programs already in place at APHIS, this program will provide a nationwide set of standards, the kind of uniformity that is currently absent in the aquaculture community. Instead, a myriad of jurisdictional conflicts and competing regulations among various states creates uncertainty and erects impediments to interstate commerce. But this bill is not a set of onerous regulations imposed upon the private sector by a federal agency; under the legislation, states are required to opt-in to the program. They must choose to utilize the assets available in this legislation to assist in preserving that state's particular aquaculture products.

My home State of Maine has tremendously benefited from aquaculture. There are nearly three dozen hatcheries in the State, handling both finfish and shellfish. Our 3,500 miles of coastline has served as an ideal incubator for the expansion of the aquaculture industry. The total economic activity generated from the industry State-wide was over $130 million last year, providing jobs for over 1,000 hard-working Mainers. This sort of productivity was not always the case. In 2001, nearly all the salmon stocks in Maine had to be eliminated due to an outbreak of a crippling, infectious disease known as ISA. It took the industry years to recover. Now, the Great Lakes face the threat of the virulent pathogen known as VHS. It is my hope that with swift passage of this legislation, we will no longer have to fear this kind of widespread disease and the subsequent containment costs that could cause inestimable damage to an industry that is struggling to catch up to its global competitors. I urge my colleagues to support this legislation as we move forward on debating Federal farm policy.

By Mr. KERRY (for himself and Ms. SNOWE):

S. 2300. A bill to improve the Small Business Act, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Mr. KERRY. Mr. President, I am pleased today to be introducing legislation, the Small Business Contracting Revitalization Act of 2007, designed to protect the interests of small businesses in the Federal marketplace.

As the Chairman of the Senate Committee on Small Business and Entrepreneurship, I have focused a considerable amount of energy promoting the interests of small businesses in the Federal marketplace. The legislation that we are introducing today marks a critical step forward in this process.

It is no secret that the Committee on Small Business and Entrepreneurship places a great deal of importance on moving legislation forward in a bipartisan manner, the members of my Committee understand we represent the interests of all of our Nation's small businesses, the most important and dynamic segment of our economy. And nowhere is the bipartisan consensus stronger than in the area of Federal procurement and ensuring that our Nation's small businesses receive their fair share of procurement opportunities. I am pleased to once again be introducing bipartisan legislation with the Committee's ranking member, Senator OLYMPIA SNOWE. Regardless of who has chaired the Committee during our tenure together, we have both worked hard to improve small business Federal procurement opportunities.

The legislation we are introducing today has one ultimate purpose, to expand opportunities for small businesses to contract with the Federal government. And the reality is that small businesses need all the help they can get with respect to accessing the Federal marketplace. In fiscal year 2006 according to Eagle Eye Publishing, the Federal Government missed its 23 percent contracting goal by 3 percent. That 3 percent represents more than $12 billion in lost contracting dollars for small businesses. Service-disabled veterans fared the worst when it came to Federal contracting with only 0.87 percent of Federal dollars going to their firms. Women-owned firms only took in 2.57 percent of Federal dollars while they make up more than 30 percent of all privately held firms. Minority-owned firms continue to face barriers to Federal contracting. The SDB and 8(a) program only accounted for 6.75 percent of Federal contracting. These numbers tell the stark story of why this legislation is so important. If small business is the engine that drives our economy when it comes to Federal procurement that engine needs an overhaul. Our bill looks to make that overhaul as we look at making improvements in five key areas.

The first area we attempt to make improvements in is the area of contract bundling. Although contracting bundling may have started out as a good idea it has now become the prime example of the old saying that too much of a good thing can be very, very bad. The proliferation of bundled contracts coupled with a decimation of contracting professionals within the Government threatens to kill small businesses' ability to compete for Federal contracts. In our hearing on July 18, 2007, on contracting, we heard testimony about the damage to opportunities for small businesses because of the lack of oversight and contract bundling.

Our bill looks to address those issues by ensuring: accountability of senior agency management for all incidents of bundling; timely and accurate reporting of contract bundling information by all Federal agencies; and improved oversight of bundling regulation compliance by the Small Business Administration.

The bill also ensures that contract consolidation decisions made by a department or agency, other than the Defense Department and its agencies, provide small businesses with appropriate opportunities to participate as prime contractors and subcontractors.

The second area that this bill attempts to address is subcontracting. The Committee heard in the July 18 hearing and in a May 22, 2007, hearing on minority business about the challenges that many small business subcontractors face when dealing with prime contractors. Witnesses related that the way subcontracting compliance is calculated creates opportunity for abuse. They also related that many small businesses will spend time, money and effort preparing bid proposals to be a part of a bid team and that once the contract is won they never hear from the prime contractor again. Many also complain about lack of timely payments after they have completed work.

This bill attempts to deal with some of these issues by including provisions designed to prevent misrepresentations in subcontracting by prime contractors. To accomplish this, the bill: provides guidelines and procedures for reviewing and evaluating subcontractor participation in prime contracts; authorizes agency pilot programs that will grant contractual incentives to prime contractors who exceed their small business goals; and requires prime contractors who fail to comply with subcontracting plans to fund mentor-protégé assistance programs for small businesses.

The third area that our legislation attempts to address is the updating of the socioeconomic programs administered by the SBA. In our first hearing of the year on January 31, 2007, we heard veterans with service connected disabilities speak about the difficulty that they are having accessing the Federal marketplace. It is clear that the Government is not doing enough. In fiscal year 2006, service-disabled veteran-owned businesses only got 0.87 percent of all Federal procurement—well short of the 3 percent statutory goal.

Our bill will assist service-disabled veteran-owned small businesses in obtaining Government contract and subcontract opportunities by expanding the authority for sole-source awards to SDV firms. In addition, the bill will allow: the surviving spouse of a service-disabled veteran to retain the business's SDV designation for up to 10 years following the veteran's death; the SBA to accept SDV firm certifications from the Department of Veterans Affairs; and the establishment of an SDV mentor-protégé program by the SBA. Our veterans are returning from Iraq and Afghanistan, and we owe it to them to give them every opportunity at fulfilling the dream of entrepreneurship.

We heard from women business owners in our September 20, 2007, hearing, on women's entrepreneurship that the time has come to implement the women's procurement program. The administration has continually postponed implementing a women's procurement program that became law 7 years ago. This bill tells SBA to get it done within 90 days.

Another program sorely needing our attention is the 8(a) program. This program was created to assist socially and economically disadvantaged small businesses, but, as we heard during the May 22, 2007, hearing, the financial threshold for inclusion in the program is out-dated and too restrictive. The net-worth thresholds have not been updated since 1989. This bill allows for an inflationary adjustment to be made to the threshold and it excludes qualified retirement accounts from consideration while calculating the threshold so that businesses that belong in this program won't be shut out.

This bill also makes a number of changes to the HUBZone program. The bill would expand HUBZones to areas adjacent to military installations affected by BRAC. It will also make other changes that will expand the HUBZone program to subcontracting as well as creating a mentor protege program. I understand the stated goal of this program is to develop areas of poverty through government contracting. And while I agree that this is a laudable goal I also remember the controversy that surrounded the creation of this program in 1996. I am keenly aware that the HUBZone program was created to supplant race-conscious programs like 8(a) and the small disadvantaged business program. I fought hard to preserve those programs then and I will continue to preserve and strengthen those programs in the future. In the interests of moving this bill forward and improving all of the programs I have agreed to include these priorities for Ranking Member SNOWE. I look forward to working with her to move the priorities that are important to all of the socio-economic groups in this legislation.

The fourth area that we intend to update is the acquisition process. This bill aims to increase the number of small business contracting opportunities by including additional provisions to reduce bundled contracts and by reserving more contracts for small business concerns. The bill accomplishes this by: authorizing small business set-asides in multiple-award, multi-agency contracting vehicles; and requiring that agencies include advance plans on small business spending in their budgets and submit a report describing the impact of each bundled contract awarded by an agency. The bill also directs the SBA to annually report to Congress on small business participation in overseas Government contracts.

The last area that we tackle in this legislation is small business size and status integrity. The Committee has heard from a number of small businesses about large businesses parading as small businesses. During our July hearing we looked at the list of the top 25 small businesses doing Federal contracting. On that list at least six clearly recognizable multi-billion dollar corporations were among the top 25 small businesses listed including SAIC at number two. I have been adamant that small business contracts must go to small businesses. Small businesses are losing billions of dollars in opportunities because of these size standard loopholes.

This bill attempts to address these issues by adding a new section, Sec. 38, to the Small Business Act that is designed to strengthen the Government's ability to enforce the size and status standards for small business certification. To achieve this, the new section establishes procedures for protests, through the SBA, of small business set-aside awards made to large businesses; requires the development of training programs for small business size standards; requires a government-wide policy on prosecutions of size and status fraud; and requires a detailed review of the size standards for small businesses by the SBA within 1 year.

In closing, I want to reiterate that this has been a truly bi-partisan effort and we look forward to working with the rest of the Senate as we move this legislation forward. It is well past time to provide greater opportunities for the thousands of small business owners who wish to do business with the Federal government. I believe that this legislation is a good step toward opening those doors of opportunity.

I hope all of my colleagues will join us in supporting this bill. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2300

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Small Business Contracting Revitalization Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—CONTRACT BUNDLING

Sec. 101. Leadership and oversight.
Sec. 102. Removal of impediments to contract bundling database implementation.
Sec. 103. Contract consolidation.
Sec. 104. Small business teams.

TITLE II—SUBCONTRACTING INTEGRITY

Sec. 201. GAO recommendations on subcontracting misrepresentations.
Sec. 202. Small business subcontracting improvements.
Sec. 203. Evaluating subcontracting participation.
Sec. 204. Pilot program.

TITLE III—SMALL BUSINESS PROCUREMENT PROGRAMS IMPROVEMENT

Subtitle A—Service-Disabled Veteran-Owned Small Business Program

Sec. 321. Certification.
Sec. 322. Transition period for surviving spouses or permanent care givers.
Sec. 323. Mentor-protege program.
Sec. 324. Improving opportunities for service disabled veterans.

Subtitle B—Women-Owned Small Business Program

Sec. 341. Implementation deadline.
Sec. 342. Certification.

Subtitle C—Small Disadvantaged Business Program
Sec. 361. Certification.
Sec. 362. Net worth threshold.
Sec. 363. Extension of socially and economically disadvantaged business program.
Subtitle D—Historically Underutilized Business Zones Programs
Sec. 381. HUBZone small business concerns.
Sec. 382. Military base closings.
Subtitle E—BusinessLINC Program
Sec. 391. BusinessLINC Program.
TITLE IV—ACQUISITION PROCESS
Sec. 401. Procurement improvements.
Sec. 402. Reservation of prime contract awards for small businesses.
Sec. 403. GAO study of reporting systems.
Sec. 404. Micropurchase guidelines.
Sec. 405. Reporting on overseas contracts.
Sec. 406. Agency accountability.
TITLE V—SMALL BUSINESS SIZE AND STATUS INTEGRITY
Sec. 501. Policy and presumptions.
Sec. 502. Annual certification.
Sec. 503. Meaningful protests of small business size and status.
Sec. 504. Training for contracting and enforcement personnel.
Sec. 505. Updated size standards.
Sec. 506. Small business size and status for purpose of multiple award contracts.

SEC. 2. DEFINITIONS.

In this Act—

(1) the terms "Administration" and "Administrator" mean the Small Business Administration and the Administrator thereof, respectively;

(2) the terms "service-disabled veteran", "small business concern", and "small business concern owned and controlled by service-disabled veterans" have the same meanings as in section 3 of the Small Business Act (15 U.S.C. 632); and

(3) the terms "small business concern owned and controlled by socially and economically disadvantaged individuals" and "small business concern owned and controlled by women" have the same meanings as in section 8(d) of the Small Business Act (15 U.S.C. 637(d)).

TITLE I—CONTRACT BUNDLING

SEC. 101. LEADERSHIP AND OVERSIGHT.

(a) In General.—Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following:

"(q) Bundling Accountability Measures.—

"(1) Governmentwide accountability on bundling.—

"(A) Reinstatement of reporting requirements.—In addition to submitting such annual reports on all incidents of bundling to the Administrator as may be required under Federal law, the head of each Federal agency shall submit an annual report on all incidents of bundling to the Administrator for Federal Procurement Policy.

"(B) Report to congress.—The Administrator shall promptly review and annually report to Congress information on any discrepancies between the reports on bundled contracts from Federal agencies to the Administration, the Office of Federal Procurement Policy, and the Federal procurement data system described in subsection (c)(5).

"(2) Teaming requirements.—Each Federal agency shall include in each solicitation for any contract award above the substantial bundling threshold of such agency a provision soliciting small business teams and joint ventures.

"(3) Implementation of comptroller general's recommendations.—Not later than 270 days after the date of enactment of this subsection, the Administrator, with the concurrence of the Administrator for Federal Procurement Policy, shall ensure that, in response to the recommendations of the Comptroller General of the United States contained in Report No. GAO–04–454, titled 'Contract Management: Impact of Strategy to Mitigate Effects of Contract Bundling Is Uncertain'—

"(A) modifications are made to the Federal procurement data system described in subsection (c)(5) to capture information concerning the impact of bundling on small business concerns;

"(B) the Administrator receives from each Federal agency an annual report containing information concerning—

"(i) the number and dollar value of bundled contract actions and contracts;

"(ii) benefit analyses (including the total dollars saved) to justify why contracts are bundled;

"(iii) the number of small business concerns losing Federal contracts because of bundling;

"(iv) how contractors awarded bundled contracts complied with the agencies subcontracting plans; and

"(v) how mitigating actions, such as teaming arrangements, provided increased contracting opportunities to small business concerns.

"(4) Governmentwide review of bundling interpretations.—

"(A) In general.—The Administrator, with the concurrence of the Chief Counsel for Advocacy and the Inspector General, shall conduct a governmentwide review of the Federal agencies legal interpretations of antibundling statutory and regulatory requirements.

"(B) Report.—Not later than 1 year after the date of enactment of this subsection, the Administrator shall submit to Congress a report containing the findings of the review conducted under subparagraph (A).

"(5) Agency policies on reduction of contract bundling.—Not later than 180 days after the date of enactment of this subsection, the head of each Federal agency shall, with concurrence of the Administrator, issue a policy on the reduction of contract bundling.

"(6) Best practices on contract bundling reduction and mitigation.—Not later than 60 days after the date of the enactment of this subsection, the Administrator shall publish a guide on best practices to reduce contract bundling, as directed by the Strategy and Report on Contract Bundling issued by the Office of Management and Budget on October 29, 2002.

"(7) Contract bundling mitigation through subcontracting.—

"(A) In general.—The Administrator shall ensure that each State is assigned a commercial market representative to provide services for that State.

"(B) Assignment.—A commercial market representative may not be assigned by the Administrator to provide services for more than 2 States.

"(8) Contract bundling oversight.—

"(A) Policy.—It is the policy of Congress that the Administrator shall take appropriate actions to remedy contract bundling oversight problems identified by the Inspector General of the Administration in Report No. 5–14, titled 'Audit of the Contract Bundling Program'.

"(B) Corrective action.—

"(i) Assignment of procurement center representatives.—

"(I) In general.—The Administrator shall assign not fewer than 1 procurement center representative to each major procurement center, as designated by the Administrator under section 8(1)(6).

"(II) Reporting.—The Administrator shall annually submit to Congress a report—

"(aa) containing a list of designations of major procurement centers in effect during the relevant fiscal year;

"(bb) detailing the criteria for designations; and

"(cc) including a trend analysis concerning the impact of reviews and placements of procurement center representatives and breakout procurement center representatives.

"(ii) Timely review of bundled contracts.—Not later than 30 days after receiving a submission from a Federal agency, the Administrator shall review any potential bundled contract submitted to the Administrator for review by any Federal agency.".

(b) Technical Correction.—Section 15(g) of the Small Business Act (15 U.S.C. 644(g)) is amended by striking "Administrator of the Office of Federal Procurement Policy" each place such term appears and inserting "Administrator for Federal Procurement Policy".

(c) Procurement Center Representatives.—Section 15(l) of the Small Business Act (15 U.S.C. 644(l)) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1)(A) A procurement center representative shall carry out the activities described in paragraph (2), and shall be an advocate for the maximum practicable utilization of small business concerns, whenever appropriate.

"(B) A procurement center representative is authorized to assist contracting officers in the performance of market research in order to locate small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, small business concerns owned and controlled by service-disabled veterans, small business concerns owned and controlled by veterans, and HUBZone small business concerns capable of satisfying agency needs.

"(C) Any procurement center representative assigned under this paragraph shall be in addition to the representative referred to in subsection (k).";

(2) in paragraph (2)—

(A) by striking "breakout" each place that term appears;

(B) in subparagraph (F), by striking "and" at the end;

(C) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

"(H)(i) identify and review solicitations that involve contract consolidations for potential bundling of contract requirements; and

"(ii) recommend small business concern participation as contractors, including small business concern teams, whenever appropriate, prior to the issuance of a solicitation described in clause (i);

"(I) manage the activities of the breakout procurement center representative, commercial marketing representative, and technical assistant; and

"(J) submit an annual report to the Administrator containing—

"(i) the number of proposed solicitations reviewed;

"(ii) the contract recommendations made on behalf of small business concerns;

"(iii) the number and total amount of contracts broken out from bundled or consolidated contracts for full and open competition or small business concern set-aside; and

"(iv) the number and total amount of contract dollars awarded to small business concerns as a result of actions taken by the procurement center office.";

(3) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively;

(4) by striking paragraph (3) and inserting the following:

"(3)(A) The Administrator may assign a breakout procurement center representative, which shall be in addition to any representative assigned under paragraph (1).

"(B) A breakout procurement center representative—

"(i) shall be an advocate for the breakout of items for procurement through full and open competition or small business concern set-aside, whenever appropriate, from new, existing, bundled, or consolidated contracts; and

"(ii) is authorized—

"(I) to recommend small business concern participation in existing contracts that were previously not reviewed for small business concern participation;

"(II) to perform the duties described in paragraph (2), as necessary to perform the due diligence required for a breakout recommendation; and

"(III) to appeal the failure to act favorably on any recommendation made under subclause (I).

"(C) Any appeal under subparagraph (B)(ii)(III) shall be filed and processed in the same manner and subject to the same conditions and limitations as an appeal filed by the Administrator under subsection (a).

"(4)(A) The Administrator may assign a commercial marketing representative to identify and market small business concerns to large prime contractors and assist small business concerns in identifying and obtaining subcontracts.

"(B) A commercial marketing representative assigned under this paragraph shall—

"(i) conduct compliance reviews of prime contractors;

"(ii) counsel small business concerns on how to obtain subcontracts;

"(iii) conduct matchmaking activities to facilitate subcontracting to small business concerns;

"(iv) work in coordination with local small business development centers, technical assistance centers, and other regional economic development entities to identify small business concerns capable of competing for Federal contracts; and

"(v) provide orientation and training on the subcontracting assistance program under section 8(d)(4)(E) for both large and small business concerns.

"(C) Any commercial marketing representative assigned under this paragraph shall be in addition to any procurement center representative assigned under paragraph (1) or (3).";

(5) in paragraph (5), as so designated by this section—

(A) in the second sentence, by inserting "the procurement center representative and" before "the breakout procurement"; and

(B) in the third sentence, by striking "(6)";

(6) in paragraph (6), as so designated by this section—

(A) in subparagraph (A), by striking "The breakout procurement center representative" and inserting the following: "The procurement center representative, breakout procurement center representative, commercial marketing representative,";

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B);

(7) in paragraph (7), as so designated by this section, by striking "other than commercial items" and all that follows through the end of the paragraph and inserting the following: "commercial items for authorized resale, or other than commercial items, and which has the potential to incur significant savings or create significant procurement opportunities for small business concerns as the result of the placement of a breakout procurement center representative."; and

(8) in paragraph (8), as so designated by this section—

(A) by striking "breakout" each place the term appears; and

(B) by adding at the end the following:

"(C) The procurement center representative shall conduct training sessions to inform procurement staff at Federal agencies about the reporting requirements for bundled contracts and potentially bundled contracts, and how to work effectively with the procurement center representative assigned to such agencies to locate capable small business concerns to meet the needs of the agencies.".

SEC. 102. REMOVAL OF IMPEDIMENTS TO CONTRACT BUNDLING DATABASE IMPLEMENTATION.

Section 15(p)(5)(B) of the Small Business Act (15 U.S.C. 644(p)(5)(B) is amended by striking "procurement information" and all that follows through the end of the subparagraph and inserting the following: "any relevant procurement information as may be required to implement this section, and shall perform, at the request of the Administrator, any other action necessary to enable completion of the contract bundling database authorized by this section by not later than 270 days after the date of enactment of the Small Business Contracting Revitalization Act of 2007.".

SEC. 103. CONTRACT CONSOLIDATION.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 37 as section 39; and

(2) by inserting after section 36 the following:

"SEC. 37. CONTRACT CONSOLIDATION.

"(a) POLICY.—Except for the Department of Defense and any agency of that department, the head of each Federal department or agency shall ensure that the decisions made by that department or agency regarding consolidation of contract requirements of that department or agency are made with a view to providing small business concerns with appropriate opportunities to participate in the procurements of that department or agency as prime contractors and appropriate opportunities to participate in such procurements as subcontractors.

"(b) LIMITATION ON USE OF ACQUISITION STRATEGIES INVOLVING CONSOLIDATION.—

"(1) IN GENERAL.—Except for the Department of Defense and any agency of that department, the head of a Federal department or agency may not execute an acquisition strategy that includes a consolidation of contract requirements of that department or agency with a total value in excess of **$2,000,000**, unless the senior procurement executive concerned first—

"(A) conducts market research;

"(B) identifies any alternative contracting approaches that would involve a lesser degree of consolidation of contract requirements; and

"(C) determines that the consolidation is necessary and justified.

"(2) DETERMINATION THAT CONSOLIDATION IS NECESSARY AND JUSTIFIED.—A senior procurement executive may determine that an acquisition strategy involving a consolidation of contract requirements is necessary and justified for the purposes of paragraph (1) if the benefits of the acquisition strategy substantially exceed the benefits of each of the possible alternative contracting approaches identified under subparagraph (B) of that paragraph. However, savings in administrative or personnel costs alone do not constitute, for such purposes, a sufficient justification for a consolidation of contract requirements in a procurement unless the total amount of the cost savings is expected to be substantial in relation to the total cost of the procurement.

"(3) BENEFITS TO BE CONSIDERED.—Benefits considered for the purposes of paragraphs (1) and (2) may include cost and, regardless of whether quantifiable in dollar amounts—

"(A) quality;

"(B) acquisition cycle;

"(C) terms and conditions; and

"(D) any other benefit.

"(c) DEFINITIONS.—In this section—

"(1) the terms 'consolidation of contract requirements' and 'consolidation', with respect to contract requirements of a Federal department or agency, mean a use of a solicitation to obtain offers for a single contract or a multiple award contract to satisfy 2 or more requirements of that department or agency for goods or services that have previously been provided to, or performed for, that department or agency under 2 or more separate contracts smaller in cost than the total cost of the contract for which the offers are solicited;

"(2) the term 'multiple award contract' means—

"(A) a multiple award task order contract or delivery order contract that is entered into under the authority of sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k); and

"(B) any other indeterminate delivery, indeterminate quantity contract that is entered into by the head of a Federal department or agency with 2 or more sources pursuant to the same solicitation; and

"(3) the term 'senior procurement executive concerned' means, with respect to a Federal department or agency, the official designated under section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c)) as the senior procurement executive for that department or agency.".

SEC. 104. SMALL BUSINESS TEAMS.

If more than 1 business concern that is a small business concern based on the size standards established under section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is participating in a contract that is subject to section 125.6 of title 13, Code of Federal Regulations (or any successor thereto), the portion of that contract performed by each such small business concern may be aggregated in determining whether the performance of that contract is in compliance with that section if—

(1) the head of the Federal department or agency concerned makes a determination in the solicitation that such aggregation will improve contracting opportunities for such small business concerns; and

(2) the Administrator does not object to such aggregation.

TITLE II—SUBCONTRACTING INTEGRITY

SEC. 201. GAO RECOMMENDATIONS ON SUBCONTRACTING MISREPRESENTATIONS.

Section 8 of the Small Business Act (15 U.S.C. 637) is amended by adding at the end the following:

"(o) Prevention of Misrepresentations in Subcontracting; Implementation of Comptroller General's Recommendations.—

"(1) Statement of policy.—It is the policy of Congress that the recommendations of the Comptroller General of the United States in Report No. 05–459, concerning oversight improvements necessary to ensure maximum practicable participation by small business concerns in subcontracting, shall be implemented governmentwide, to the maximum extent possible.

"(2) Contractor compliance.—Compliance of Federal prime contractors with small business subcontracting plans shall be evaluated as a percentage of obligated prime contract dollars, as well as a percentage of subcontracts awarded.

"(3) Issuance of agency policies.—Not later than 180 days after the date of enactment of this subsection, the head of each Federal agency shall issue a policy on small business subcontracting compliance, including assignment of compliance responsibilities between contracting, small business, and program offices and periodic oversight and review activities.".

SEC. 202. SMALL BUSINESS SUBCONTRACTING IMPROVEMENTS.

(a) Certifications Required.—Section 8(d)(6) of the Small Business Act (15 U.S.C. 637(d)(6)) is amended—

(1) in subparagraph (E), by striking "and" at the end;

(2) in subparagraph (F), by striking the period at the end and inserting "; and"; and

(3) by adding at the end, the following:

"(G) certification that the offeror or bidder will acquire articles, equipment, supplies, services, or materials, or obtain the performance of construction work from small business concerns in the amount and quality used in preparing and submitting to the contracting agency the bid or proposal, unless such small business concerns are no longer in business or can no longer meet the quality, quantity, or delivery date.".

(b) Penalties for False Certifications.—Section 16(f) of the Small Business Act (15 U.S.C. 645(f)) is amended by striking "of this Act" and inserting "or the reporting requirements of section 8(d)(11)".

SEC. 203. EVALUATING SUBCONTRACTING PARTICIPATION.

(a) Significant Factors.—Section 8(d)(4)(G) of the Small Business Act (15 U.S.C. 637(d)(4)(G)) is amended by striking "a bundled" and inserting "any".

(b) Evaluation Reports.—Section 8(d)(10) of the Small Business Act (15 U.S.C. 637(d)(10)) is amended—

(1) by striking "is authorized to" and inserting "shall";

(2) in subparagraph (B), by striking "and" at the end;

(3) in subparagraph (C), by striking the period at the end and inserting "; and"; and

(4) by adding at the end the following:

"(D) report the results of each evaluation under subparagraph (C) to the appropriate contracting officers.".

(c) Centralized Database; Payments Pending Reports.—Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended—

(1) by redesignating paragraph (11) as paragraph (14); and

(2) by inserting after paragraph (10) the following:

"(11) Certification.—A report submitted by the prime contractor under paragraph (6)(E) to determine the attainment of a subcontract utilization goal under any subcontracting plan entered into with a Federal agency under this subsection shall contain the name and signature of the president or chief executive officer of the contractor, certifying that the subcontracting data provided in the report are accurate and complete.

"(12) Centralized database.—The results of an evaluation under paragraph (10)(C) shall be included in a national centralized governmentwide database.

"(13) Payments pending reports.—Each Federal agency having contracting authority shall ensure that the terms of each contract for goods and services includes a provision allowing the contracting officer of an agency to withhold an appropriate amount of payment with respect to a contract (depending on the size of the contract) until the date of receipt of complete, accurate, and timely subcontracting reports in accordance with paragraph (11).".

SEC. 204. PILOT PROGRAM.

Section 8 of the Small Business Act (15 U.S.C. 637), as amended by this Act, is amended by adding at the end the following:

"(p) Subcontracting Incentives and Remedial Assistance.—

"(1) Pilot program on incentives and mentor-protégé remedial assistance.—

"(A) In general.—Each Federal agency is authorized to operate a pilot program to provide contractual incentives to prime contractors that exceed their small business subcontracting goals and to direct prime contractors that fail to comply with their small business subcontracting plans to fund mentor-protégé assistance for small business concerns (in this subsection referred to as the 'program').

"(B) Termination.—The authority under this paragraph shall terminate on September 30, 2010.

"(2) Assessment of mentor-protégé assistance funding.—The mentor-protégé assistance funding assessed by an agency under the terms of the program shall be determined in relation to the dollar amount by which the prime contractor failed its small business subcontracting goals.

"(3) Expenditure of mentor-protégé assistance funding.—The prime contractor shall expend the mentor-protégé assistance funding assessed by the agency under the terms of the program on mentor-protégé assistance to small business concerns, as provided by a mentor-protégé agreement approved by the relevant Federal agency.

"(4) Annual report required.—Each Federal agency described in paragraph (1) shall submit an annual report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives containing a detailed description of the pilot program, as carried out by that agency, including the number of participating companies, any incentives provided to prime contractors, as appropriate, and the amounts and types of mentor-protégé assistance provided to small business concerns.".

TITLE III—SMALL BUSINESS PROCUREMENT PROGRAMS IMPROVEMENT

Subtitle A—Service-Disabled Veteran-Owned Small Business Program

SEC. 321. CERTIFICATION.

(a) Congressional Intent.—It is the intent of Congress that the Administrator should accept certifications by the Department of Veterans Affairs, under such criteria as the Administrator may prescribe, by regulation or order, in certifying small business concerns owned and controlled by service-disabled veterans

(b) Regulations.—Before implementing subsection (a), the Administrator shall promulgate regulations or orders ensuring appropriate certification safeguards to be implemented by the Administration and the Department of Veterans Affairs.

(c) Registration Portal.—The Administrator and the Secretary of Veterans Affairs shall ensure that small business concerns owned and controlled by service-disabled veterans may apply to participate in all programs for such small business concerns of the Administrator or the Secretary through a single process.

SEC. 322. TRANSITION PERIOD FOR SURVIVING SPOUSES OR PERMANENT CARE GIVERS.

Section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)) is amended by striking subparagraph (B) and inserting the following:

"(B) the management and daily business operations of which are controlled—

"(i) by 1 or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent care giver of such veteran; or

"(ii) for a period of not longer than 10 years after the death of a service-disabled veteran, by a surviving spouse or permanent caregiver thereof.".

SEC. 323. MENTOR-PROTEGE PROGRAM.

The Administrator may establish a mentor-protege program for small business concerns owned and controlled by service-disabled veterans, modeled on the mentor-protege program of the Administration for small businesses participating in programs under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

SEC. 324. IMPROVING OPPORTUNITIES FOR SERVICE DISABLED VETERANS.

Section 36(a) of the Small Business Act (15 U.S.C. 657f(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "may" and inserting "shall"; and

(2) in paragraph (1), by striking "and the contracting officer" and all that follows through "contracting opportunity".

Subtitle B—Women-Owned Small Business Program

SEC. 341. IMPLEMENTATION DEADLINE.

Not later than 90 days after the date of enactment of this Act, the Administrator shall implement the procurement program for small business concerns owned and controlled by women under section 8(m) of the Small Business Act (15 U.S.C. 637(m)).

SEC. 342. CERTIFICATION.

(a) Congressional Intent.—It is the intent of Congress that the Administrator should accept certifications by other Federal agencies and State and local governments and certifications from responsible national certifying entities, under such criteria as the Administrator may prescribe, by regulation or order, in certifying small business concerns owned and controlled by women for purposes of the program under section 8(m) of the Small Business Act (15 U.S.C. 637(m)).

(b) Regulations.—Prior to implementing subsection (a), the Administrator shall promulgate regulations ensuring appropriate certification safeguards to be implemented by the Administration and the agencies and entities described in subsection (a).

Subtitle C—Small Disadvantaged Business Program

SEC. 361. CERTIFICATION.

(a) CONGRESSIONAL INTENT.—It is the intent of Congress that the Administrator should accept certifications by other Federal agencies and State and local governments and certifications from responsible national certifying entities, under such criteria as the Administrator may prescribe, by regulation or order, in certifying small business concerns owned and controlled by socially and economically disadvantaged individuals.

(b) REGULATIONS.—Prior to implementing subsection (a), the Administrator shall promulgate regulations or orders ensuring appropriate certification safeguards to be implemented by the Administration and the agencies and entities described in subsection (a).

SEC. 362. NET WORTH THRESHOLD.

Section 8(a)(6)(A) of the Small Business Act (15 U.S.C. 637(a)(6)(A)) is amended—

(1) by inserting "(i)" after "(6)(A)";

(2) by striking "In determining the degree of diminished credit" and inserting the following:

"(ii)(I) In determining the degree of diminished credit";

(3) by striking "In determining the economic disadvantage" and inserting the following:

"(iii) In determining the economic disadvantage"; and

(4) by inserting after clause (ii)(I), as so designated by this section, the following:

"(II) In determining the assets and net worth of a socially disadvantaged individual under this subparagraph, the Administrator shall not consider any assets of such individual in a qualified retirement plan, as that term is defined in section 4974(c) of the Internal Revenue Code of 1986.

"(III) The Administrator shall establish procedures that—

"(aa) account for inflationary adjustments to, and include a reasonable assumption of, the average income and net worth of market dominant competitors; and

"(bb) require an annual inflationary adjustment to the average income and net worth requirements under this subsection.".

SEC. 363. EXTENSION OF SOCIALLY AND ECONOMICALLY DISADVANTAGED BUSINESS PROGRAM.

(a) IN GENERAL.—Section 7102(c) of the Federal Acquisition Streamlining Act of 1994 (15 U.S.C. 644 note) is amended by striking "September 30, 2003" and inserting "September 30, 2012".

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect 30 days after the date of enactment of this Act.

Subtitle D—Historically Underutilized Business Zones Programs

SEC. 381. HUBZONE SMALL BUSINESS CONCERNS.

Section 3(p)(3) of the Small Business Act (15 U.S.C. 632(p)(3) is amended—

(1) in subparagraph (D), by striking "or" at the end;

(2) in subparagraph (E), by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following:

"(F) a small business concern owned and controlled by an organization described in section 8(a)(15).".

SEC. 382. MILITARY BASE CLOSINGS.

(a) HUBZONE STATUS.—

(1) IN GENERAL.—Section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D)) is amended—

(A) by redesignating clauses (i), (ii), (iii), and (iv) as subclauses (I), (II), (III), and (IV), respectively, and adjusting the margin accordingly;

(B) by striking "means lands" and inserting the following "means—

"(i) lands"; and

(C) by striking the period at the end and inserting the following: "; and

"(ii) during the 5-year period beginning on the date that a military installation is closed or leased space is vacated under an authority described in clause (i), areas adjacent to or within a reasonable commuting distance of lands described in clause (i) (which shall not include any area that is more than 15 miles from the exterior boundary of that military installation) that are detrimentally, substantially, and directly economically affected by the closing of that military installation, as determined by the Secretary of Housing and Urban Development.".

(2) FEASIBILITY STUDY.—Not later than 6 months after the date of enactment of this Act, the Secretary of Housing and Urban Development shall conduct a study of the feasibility of, and submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding, designating as a HUBZone (as that term is defined in section 3 of the Small Business Act (15 U.S.C. 632), as amended by this Act) any area that does not qualify as a HUBZone solely because that area is located within a county located within a metropolitan statistical area (as defined by the Office of Management and Budget). The report submitted under this paragraph shall include any legislative recommendations relating to the findings of the feasibility study conducted under this paragraph.

(b) SUBCONTRACTING GOAL.—Section 15(g)(1) of the Small Business Act (15 U.S.C. 644(g)(1)) is amended by inserting "and subcontract" after "not less than 3 percent of the total value of all prime contract".

(c) MENTOR-PROTÉGÉ PROGRAM.—The Administrator may establish a mentor-protege program for HUBZone small business concerns (as that term is defined in section 3 of the Small Business Act (15 U.S.C. 632)) and small business concerns owned and controlled by women, modeled on the mentor-protege program of the Administration for small business concerns participating in programs under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

Subtitle E—BusinessLINC Program

SEC. 391. BUSINESSLINC PROGRAM.

Section 8(n) of the Small Business Act (15 U.S.C. 637(n)) is amended to read as follows:

"(n) BUSINESS GRANTS AND COOPERATIVE AGREEMENTS.—

"(1) IN GENERAL.—In accordance with this subsection, the Administrator shall make grants available to enter into cooperative agreements with any coalition of private entities, not-for-profit entities, public entities, or any combination of private, not-for-profit, and public entities—

"(A) to expand business-to-business relationships between large and small business concerns; and

"(B) to provide, directly or indirectly, with online information and a database of companies that are interested in mentor-protégé programs or community-based, statewide, or local business development programs.

"(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $3,000,000 for each of fiscal years 2008 through 2010, to remain available until expended.

"(3) REPORTS TO CONGRESS.—

"(A) IN GENERAL.—Not later than April 30, 2009, and annually thereafter, the Associate Administrator of Business Development of the Administration shall collect data on the BusinessLINC Program and submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives, a report on the effectiveness of the BusinessLINC Program.

"(B) CONTENTS.—Each report submitted under subparagraph (A) shall include, for the year covered by the report—

"(i) the number of programs administered in each State under the BusinessLINC Program;

"(ii) the number of grant awards under each program described in clause (i) and the date of each such award;

"(iii) the number of participating large businesses and participating small business concerns;

"(iv) the number and dollar amount of the contracts in effect in each State as a result of the programs run by each grant recipient under the BusinessLINC Program; and

"(v) the number of mentor-protégé, teaming relationships, or partnerships created as a result of the BusinessLINC Program.

"(4) DEFINITION.—In this subsection, the term 'BusinessLINC Program' means the grant program authorized under paragraph (1).".

TITLE IV—ACQUISITION PROCESS

SEC. 401. PROCUREMENT IMPROVEMENTS.

Section 15 of the Small Business Act (15 U.S.C. 644), as amended by this Act, is amended by adding at the end the following:

"(r) BUNDLING DATA FIELDS.—For each contract (including task or delivery orders against governmentwide or other multiple award contracts, indefinite quantity or indefinite delivery contracts, and blanket purchase agreements) that is bundled or consolidated, an agency shall report publicly, not later than 7 days after the date of the award, by means of the Federal governmentwide procurement data system described in subsection (c)(5)—

"(1) the number of contracts involving small business concerns that were displaced by the bundled or consolidated action;

"(2) the number of small business concerns that the contracting officer identified as able to bid on all or part of requirements; and

"(3) the projected cost savings anticipated as a result of bundling or consolidating the requirements.

"(s) GOVERNMENTWIDE SMALL BUSINESS TRAINING.—The Administrator, in conjunction with the head of any other appropriate Federal agency, shall coordinate the development of governmentwide training courses on small business contracting and subcontracting with small business concerns, with special focus on the role of the small business specialist as a vital part of the acquisition team.".

SEC. 402. RESERVATION OF PRIME CONTRACT AWARDS FOR SMALL BUSINESSES.

Section 15 of the Small Business Act (15 U.S.C. 644), as amended by this Act, is amended by adding at the end the following:

"(t) MULTIPLE AWARD CONTRACTS.—Not later than 180 days after the date of enactment of this subsection, the head of each Federal agency, with the concurrence of the Administrator, shall, by regulation, establish criteria for such agency—

"(1) setting aside part or parts of a multiple award contract for small business concerns, including the subcategories of small business concerns identified in subsection (g)(2);

"(2) setting aside multiple award contracts for small business concerns, including the subcategories of small business concerns identified in subsection (g)(2); and

"(3) reserving 1 or more contract awards for small business concerns under full and open multiple award procurements, including the subcategories of small business concerns identified in subsection (g)(2).".

SEC. 403. GAO STUDY OF REPORTING SYSTEMS.

(a) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study of—

(1) the accuracy and timeliness of data collected under the Small Business Act (15 U.S.C. 631 et seq.) in the CCR database of the Administration, or any successor database, the Federal procurement data system described in section 15(c)(5) of the Small Business Act (15 U.S.C. 644(c)(5)), and the Subcontracting Reporting System; and

(2) the availability of small business information in these computer-based systems to Congress, Federal agencies, and the public.

(b) MATTERS COVERED.—The study conducted under subsection (a) shall include—

(1) an assessment of the accuracy and timeliness of the information provided by the data collection systems described in subsection (a)(1) and recommendations as to how any deficiencies in such systems can be eliminated;

(2) a review of the system manuals for such systems and a determination of the adequacy of such manuals in assisting proper operation and administration of the systems;

(3) a review of the user manuals for such systems and a determination of the clarity and ease of use of such manuals in assisting those reporting into such systems and those obtaining information from such systems;

(4) the adequacy of the training given to individuals responsible for reporting into such systems and recommendations for any necessary improvements;

(5) an assessment of the adequacy of any safeguards in such systems against the reporting of inaccurate and untimely data and the need for any additional safeguards; and

(6) the system architecture, Internet access, user-friendly characteristics, flexibility to add new data fields, ability to provide structured and unstructured reports, range of information necessary to meet user needs, and adequacy of system and user manuals and instructions of such systems.

(c) REPORT.—Not later than November 30, 2008, the Comptroller General shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report containing the results of the study under this section.

SEC. 404. MICROPURCHASE GUIDELINES.

Not later than 180 days after the date of enactment of this Act, the Director of the Office of Federal Procurement Policy shall issue guidelines regarding the analysis of purchase card expenditures to identify opportunities for achieving and accurately measuring fair participation of small business concerns in micropurchases, consistent with the national policy on small business participation in Federal procurements set forth in sections 2(a) and 15(g) of the Small Business Act (15 U.S.C. 631(a) and 644(g)), and dissemination of best practices for participation of small business concerns in micropurchases.

SEC. 405. REPORTING ON OVERSEAS CONTRACTS.

Not later than 180 days after the end of each fiscal year, the Administrator shall submit to Congress a report identifying what portion of contracts and subcontracts awarded for performance outside of the United States were awarded to small business concerns.

SEC. 406. AGENCY ACCOUNTABILITY.

(a) IN GENERAL.—Section 15(g)(2) of the Small Business Act (15 U.S.C. 644(g)(2)) is amended—

(1) by inserting "(A)" after "(2)";

(2) in the first sentence, by striking "shall, after consultation" and inserting the following: "shall—

"(i) after consultation";

(3) by striking "agency. Goals established" and inserting the following: "agency;

"(ii) identify a percentage of the procurement budget of the agency to be awarded to small business concerns, in consultation with the Office of Small and Disadvantaged Business Utilization of the agency, which information shall be included in the strategic plan required under section 306 of title 5, United States Code, and the annual budget submission to Congress by that agency, and, upon request, in any testimony provided by that agency before Congress in connection with the budget process; and

"(iii) report, as part of its annual performance plan, the extent to which the agency achieved the goals referred to in clause (ii), and appropriate justification for any failure to do so.

"(B) Goals established";

(4) by striking "Whenever" and inserting the following:

"(C) Whenever";

(5) by striking "For the purpose of" and inserting the following:

"(D) For the purpose of";

(6) in the last sentence—

(A) by striking "(A) contracts" and inserting "(i) contracts"; and

(B) by striking "(B) contracts" and inserting "(ii) contracts"; and

(7) by adding at the end the following:

"(E)(i) Each procurement employee described in clause (ii)—

"(I) shall communicate to their subordinates the importance of achieving small business goals; and

"(II) shall have as a significant factor in the annual performance evaluation of that procurement employee, where appropriate, the success of that procurement employee in small business utilization, in accordance with the goals established under this subsection.

"(ii) A procurement employee described in this clause is a senior procurement executive, senior program manager, or small and disadvantaged business utilization manager of a Federal agency having contracting authority.".

(b) ANNUAL REPORTS.—Section 10(d) of the Small Business Act (15 U.S.C. 639(d)) is amended—

(1) by inserting "and each agency that is a member of the President's Management Council (or any successor thereto)" after "Department of Defense" the first place that term appears; and

(2) by inserting "or that agency" after "Department of Defense" the second place that term appears.

TITLE V—SMALL BUSINESS SIZE AND STATUS INTEGRITY

SEC. 501. POLICY AND PRESUMPTIONS.

Section 3 of the Small Business Act (15 U.S.C. 632) is amended by adding at the end the following:

"(s) PRESUMPTION.—

"(1) IN GENERAL.—In every contract, subcontract, cooperative agreement, cooperative research and development agreement, or grant which is set aside, reserved, or otherwise classified as intended for award to small business concerns, there shall be a presumption of loss to the United States based on the total dollars expended on such contract, subcontract, cooperative agreement, cooperative research and development agreement, or grant whenever it is established that a business concern other than a small business concern willfully sought and received the award by misrepresentation.

"(2) DEEMED CERTIFICATIONS.—The following actions shall be deemed affirmative, willful, and intentional certifications of small business size and status:

"(A) Submission of a bid or proposal for a Federal grant, contract, subcontract, cooperative agreement, or cooperative research and development agreement reserved, set aside, or otherwise classified as intended for award to small business concerns.

"(B) Submission of a bid or proposal for a Federal grant, contract, subcontract, cooperative agreement, or cooperative research and development agreement which in any way encourages a Federal agency to classify such bid or proposal, if awarded, as an award to a small business concern.

"(C) Registration on any Federal electronic database for the purpose of being considered for award of a Federal grant, contract, subcontract, cooperative agreement, or cooperative research agreement, as a small business concern.

"(3) PAPER-BASED CERTIFICATION BY SIGNATURE OF RESPONSIBLE OFFICIAL.—

"(A) IN GENERAL.—Each solicitation, bid, or application for a Federal contract, subcontract, or grant shall contain a certification concerning the small business size and status of a business concern seeking such Federal contract, subcontract, or grant.

"(B) CONTENT OF CERTIFICATIONS.—A certification that a business concern qualifies as a small business concern of the exact size and status claimed by such business concern for purposes of bidding on a Federal contract or subcontract, or applying for a Federal grant, shall contain the signature of a director, officer, or counsel on the same page on which the certification is contained.

"(4) REGULATIONS.—The Administrator shall promulgate regulations to provide adequate protections to individuals and business concerns from liability under this subsection in cases of unintentional errors, technical malfunctions, and other similar situations.".

SEC. 502. ANNUAL CERTIFICATION.

Section 3 of the Small Business Act (15 U.S.C. 632), as amended by this Act, is amended by adding at the end the following:

"(t) ANNUAL CERTIFICATION.—

"(1) IN GENERAL.—Each business certified as a small business concern under this Act shall annually certify its small business size and, if appropriate, its small business status, by means of a confirming entry on the CCR database of the Administration, or any successor thereto.

"(2) REGULATIONS.—Not later than 120 days after the date of enactment of this subsection, the Administrator, in consultation with the Inspector General and the Chief Counsel for Advocacy of the Administration, shall promulgate regulations to ensure that—

"(A) no business concern continues to be certified as a small business concern on the CCR database of the Administration, or any successor thereto, without fulfilling the requirements for annual certification under this subsection; and

"(B) the requirements of this subsection are implemented in a manner presenting the least possible regulatory burden on small business concerns.

"(3) DETERMINATION OF SIZE STATUS.—Small business size or status for purposes of this Act shall be determined at the time of the award of a Federal—

"(A) contract, provided that, in the case of interagency multiple award contracts, small business size, or status shall be determined annually, except for purposes of the award of each task or delivery order set aside or reserved for small business concerns;

"(B) subcontract;

"(C) grant;

"(D) cooperative agreement; or

"(E) cooperative research and development agreement.".

SEC. 503. MEANINGFUL PROTESTS OF SMALL BUSINESS SIZE AND STATUS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended by inserting after section 37, as added by this Act, the following:

"SEC. 38. SMALL BUSINESS SIZE AND STATUS PROTEST SYSTEM.

"(a) DEFINITIONS.—In this section:

"(1) PROTEST.—The term 'protest' means a written objection by an interested party to a violation of any small business size or status requirement established under any provision of law, including section 3, in connection with—

"(A) a solicitation or other request by a Federal agency for offers for a contract for the procurement of property or services;

"(B) the cancellation of such a solicitation or other request;

"(C) an award or proposed award of such a contract; or

"(D) a termination or cancellation of an award of such a contract, if the written objection contains an allegation that the termination or cancellation is based in whole or in part on improprieties concerning the award of the contract.

"(2) INTERESTED PARTY.—

"(A) IN GENERAL.—The term 'interested party', with respect to a contract or a solicitation or other request for offers described in paragraph (1), means an actual or prospective bidder or offeror whose direct economic interest would be affected by the award of the contract or by failure to award the contract.

"(B) INCLUSIONS.—The term 'interested party' includes the official responsible for submitting the Federal agency tender in a public-private competition conducted under Office of Management and Budget Circular A-76 (or any successor thereto) regarding an activity or function of a Federal agency performed by more than 65 full-time equivalent employees of the Federal agency.

"(3) FEDERAL AGENCY.—The term 'Federal agency' has the same meaning as in section 102 of title 40, United States Code.

"(b) REVIEW OF PROTESTS; EFFECT ON CONTRACTS PENDING DECISION.—

"(1) IN GENERAL.—Under procedures established under subsection (d), the Administrator shall decide a protest submitted to the Administrator by an interested party.

"(2) RECEIPTS OF PROTESTS.—

"(A) IN GENERAL.—Not later than 1 day after the receipt of a protest, the Administrator shall notify the Federal agency involved of the protest.

"(B) AGENCIES.—Except as provided in subparagraph (C), a Federal agency receiving a notice of a protested procurement under subparagraph (A) shall submit to the Administrator a complete report (including all relevant documents) on the small business size or status aspects of the protested procurement—

"(i) not later than 30 days after the date of the receipt of that notice by the agency;

"(ii) if the Administrator, upon a showing by the Federal agency, determines (and states the reasons in writing) that the specific circumstances of the protest require a longer period, within the longer period determined by the Administrator; or

"(iii) in a case determined by the Administrator to be suitable for the express option under subsection (c)(1)(B), not later than 20 days after the date of the receipt of that determination by the agency.

"(C) EXCEPTIONS.—A Federal agency need not submit a report to the Administrator under subparagraph (B) if the agency is notified by the Administrator before the date on which such report is to be submitted that the protest concerned has been dismissed under subsection (c)(1)(D).

"(3) AWARD OF CONTRACTS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), a contract may not be awarded in any procurement after the Federal agency has received notice of a protest with respect to such procurement from the Administrator and while the protest is pending.

"(B) EXCEPTIONS.—The head of the procuring activity responsible for award of a contract may authorize the award of the contract (notwithstanding a protest of which the Federal agency has notice under this section)—

"(i) upon a written finding that urgent and compelling circumstances which significantly affect interests of the United States will not permit waiting for the decision of the Administrator under this section; and

"(ii) after the Administrator is advised of that finding.

"(C) URGENT AND COMPELLING CIRCUMSTANCES.—A finding may not be made under subparagraph (B)(i), unless the award of the contract is otherwise likely to occur within 30 days after the making of such finding.

"(4) PERFORMANCE.—

"(A) IN GENERAL.—A contractor awarded a Federal agency contract may, during the period described in subparagraph (D), begin performance of the contract and engage in any related activities that result in obligations being incurred by the United States under the contract, unless the contracting officer responsible for the award of the contract withholds authorization to proceed with performance of the contract.

"(B) AUTHORIZATION WITHHELD.—The contracting officer may withhold an authorization to proceed with performance of the contract during the period described in subparagraph (D) if the contracting officer determines in writing that—

"(i) a protest is likely to be filed with the Administrator alleging a violation of a small business size or status requirement; and

"(ii) the immediate performance of the contract is not in the best interests of the United States.

"(C) NOTICE OF PROTEST.—

"(i) IN GENERAL.—If the Federal agency awarding the contract receives notice of a protest in accordance with this subsection during the period described in subparagraph (D)—

"(I) the contracting officer may not authorize performance of the contract to begin while the protest is pending; or

"(II) if authorization for contract performance to proceed was not withheld in accordance with subparagraph (B) before receipt of the notice, the contracting officer shall immediately direct the contractor to cease performance under the contract and to suspend any related activities that may result in additional obligations being incurred by the United States under that contract.

"(ii) PERFORMANCE.—Performance and related activities suspended under clause (i)(II) by reason of a protest may not be resumed while the protest is pending.

"(iii) EXCEPTIONS.—The head of the procuring activity may authorize the performance of the contract (notwithstanding a protest of which the Federal agency has notice under this section)—

"(I) upon a written finding that—

"(aa) performance of the contract is in the best interests of the United States; or

"(bb) urgent and compelling circumstances that significantly affect interests of the United States will not permit waiting for the decision of the Administrator concerning the protest; and

"(II) after the Administrator is notified of that finding.

"(D) TIME PERIOD.—The period described in this subparagraph, with respect to a contract, is the period beginning on the date of the contract award and ending on the later of—

"(i) the date that is 10 days after the date of the contract award; or

"(ii) the date that is 5 days after the debriefing date offered to an unsuccessful offeror for any debriefing that is requested and, when requested, is required.

"(5) NONDELEGATION.—The authority of the head of the procuring activity to make findings and to authorize the award and performance of contracts under paragraphs (3) and (4) may not be delegated.

"(6) PROVISION OF DOCUMENTS.—

"(A) IN GENERAL.—Within such deadlines as the Administrator prescribes, and upon request, each Federal agency shall provide to an interested party any document relevant to a protested procurement action (including the report required by paragraph (2)(B)) that would not give that party a competitive advantage and that the party is otherwise authorized by law to receive.

"(B) PROTECTIVE ORDERS.—

"(i) IN GENERAL.—The Administrator may issue protective orders which establish terms, conditions, and restrictions for the provision of any document to a party under subparagraph (A), that prohibit or restrict the disclosure by the party of information described in clause (ii) that is contained in such a document.

"(ii) TYPES OF INFORMATION.—Information referred to in clause (i) is procurement sensitive information, trade secrets, or other proprietary or confidential research, development, or commercial information.

"(iii) INFORMATION TO THE FEDERAL GOVERNMENT.—A protective order under this subparagraph shall not be considered to authorize the withholding of any document or information from Congress or an executive agency.

"(7) INTERESTED PARTIES.—If an interested party files a protest in connection with a public-private competition described in subsection (a)(2)(B), a person representing a majority of the employees of the Federal agency who are engaged in the performance of the activity or function subject to the public-private competition may intervene in protest.

"(c) DECISIONS ON PROTESTS.—

"(1) IN GENERAL.—

"(A) INEXPENSIVE AND EXPEDITIOUS RESOLUTION.—To the maximum extent practicable, the Administrator shall provide for the inexpensive and expeditious resolution of protests under this section. Except as provided under subparagraph (B), the Administrator shall issue a final decision concerning a protest not later than 100 days after the date on which the protest is submitted to the Administration.

"(B) EXPRESS OPTION.—The Administrator shall, by regulation established under subsection (d), establish an express option for deciding those protests which the Administrator determines suitable for resolution, not later than 65 days after the date on which the protest is submitted.

"(C) AMENDMENTS.—An amendment to a protest that adds a new ground of protest, if timely made, should be resolved, to the maximum extent practicable, within the time limit established under subparagraph (A) for final decision of the initial protest. If an amended protest cannot be resolved within such time limit, the Administrator may resolve the amended protest through the express option under subparagraph (B).

"(D) FRIVOLOUS PROTESTS.—The Administrator may dismiss a protest that the Administrator determines is frivolous or which, on its face, does not state a valid basis for protest.

"(2) COMPLIANCE WITH LAW.—

"(A) IN GENERAL.—With respect to a solicitation for a contract, or a proposed award or the award of a contract, protested under this section, the Administrator may determine whether the solicitation, proposed award, or award complies with statutes and regulations regarding small business size or status. If the Administrator determines that the solicitation, proposed award, or award does not comply with a statute or regulation, the Administrator shall recommend that the Federal agency—

"(i) refrain from exercising any of its options under the contract;

"(ii) recompete the contract immediately;

"(iii) issue a new solicitation;

"(iv) terminate the contract;

"(v) award a contract consistent with the requirements of such statutes and regulations; or

"(vi) implement such other recommendations as the Administrator determines to be necessary in order to promote compliance with procurement statutes and regulations.

"(B) BEST INTERESTS OF UNITED STATES.—If the head of the procuring activity responsible for a contract makes a finding described in subsection (b)(4)(C)(iii)(I)(aa), the Administrator shall make recommendations under this paragraph without regard to any cost or disruption from terminating, recompeting, or reawarding the contract.

"(C) IMPLEMENTATION.—If the Federal agency fails to implement fully the recommendations of the Administrator under this paragraph with respect to a solicitation for a contract or an award or proposed award of a contract by the date that is 60 days after the date on which the agency received the recommendations, the head of the procuring activity responsible for that contract shall report such failure to the Administrator not later than 5 days after the end of such 60-day period.

"(3) PAYMENT OF COSTS.—

"(A) IN GENERAL.—If the Administrator determines that a solicitation for a contract or a proposed award or the award of a contract does not comply with a statute or regulation, the Administrator may recommend that the Federal agency conducting the procurement pay to an appropriate interested party the costs of—

"(i) filing and pursuing the protest, including reasonable attorney's fees and consultant and expert witness fees; and

"(ii) bid and proposal preparation.

"(B) COSTS NOT INCLUDED.—No party (other than a small business concern) may be paid, under a recommendation made under the authority of subparagraph (A)—

"(i) costs for consultant and expert witness fees that exceed the highest rate of compensation for expert witnesses paid by the Federal Government; or

"(ii) costs for attorney's fees that exceed $300 per hour, unless the agency determines, based on the recommendation of the Administrator on a case by case basis, that an increase in the cost of living or a special factor, such as the limited availability of qualified attorneys for the proceedings involved, justifies a higher fee.

"(C) RECOMMENDATION TO PAY COSTS.—If the Administrator recommends under subparagraph (A) that a Federal agency pay costs to an interested party, the Federal agency shall—

"(i) pay the costs promptly; or

"(ii) if the Federal agency does not make such payment, promptly report to the Administrator the reasons for the failure to follow the Administrator's recommendation.

"(D) AGREEMENT ON AMOUNT.—If the Administrator recommends under subparagraph (A) that a Federal agency pay costs to an interested party, the Federal agency and the interested party shall attempt to reach an agreement on the amount of the costs to be paid. If the Federal agency and the interested party are unable to agree on the amount to be paid, the Administrator may, upon the request of the interested party, recommend to the Federal agency the amount of the costs that the Federal agency should pay.

"(4) DECISIONS.—Each decision of the Administrator under this section shall be signed by the Administrator or a designee for that purpose. A copy of the decision shall be made available to the interested parties, the head of the procuring activity responsible for the solicitation, proposed award, or award of the contract, and the senior procurement executive of the Federal agency involved.

"(5) REPORTS.—

"(A) FAILURE TO IMPLEMENT RECOMMENDATIONS.—

"(i) IN GENERAL.—The Administrator shall report promptly to the Committee on Small Business and Entrepreneurship of the Senate and to the Committee on Small Business of the House of Representatives any case in which a Federal agency fails to implement fully a recommendation of the Administrator under paragraph (2) or (3).

"(ii) CONTENTS.—Each report under clause (i) shall include—

"(I) a comprehensive review of the pertinent procurement, including the circumstances of the failure of the Federal agency to implement a recommendation of the Administrator; and

"(II) a recommendation regarding whether, in order to correct an inequity or to preserve the integrity of the procurement process, Congress should consider—

"(aa) private relief legislation;

"(bb) legislative rescission or cancellation of funds;

"(cc) further investigation by Congress; or

"(dd) other action.

"(B) ANNUAL REPORTS.—Not later than January 31 of each year, the Administrator shall transmit to Congress a report containing a summary of each instance in which a Federal agency did not fully implement a recommendation of the Administrator under subsection (b) or this subsection during the preceding year. The report shall also describe each instance in which a final decision in a protest was not rendered within 100 days after the date on which the protest was submitted to the Administrator.

"(d) REGULATIONS; AUTHORITY OF ADMINISTRATOR TO VERIFY ASSERTIONS.—

"(1) IN GENERAL.—The Administrator shall establish such procedures as may be necessary for the expeditious decision of protests under this section, including procedures for accelerated resolution of protests under the express option authorized by subsection (c)(1)(B). Such procedures shall provide that the protest process may not be delayed by the failure of a party to make a filing within the time provided for the filing.

"(2) COMPUTATION OF TIME.—The procedures established under paragraph (1) shall provide that, in the computation of any period described in this section—

"(A) the day of the act, event, or default from which the designated period of time begins to run not be included; and

"(B) the last day after such act, event, or default be included, unless—

"(i) such last day is a Saturday, a Sunday, or a legal holiday; or

"(ii) in the case of a filing of a paper at the Administration or another Federal agency, such last day is a day on which weather or other conditions cause the closing of the Administration or other Federal agency, in which event the next day that is not a Saturday, Sunday, or legal holiday shall be included.

"(3) ELECTRONIC FILING.—The Administrator may prescribe procedures for the electronic filing and dissemination of documents and information required under this section. In prescribing such procedures, the Administrator shall consider the ability of all parties to achieve electronic access to such documents and records.

"(e) ENFORCEMENT.—The Administrator may use any authority available under this Act or any other provision of law to verify assertions made by parties in protests under this section.

"(f) REGULATIONS.—The Administrator may issue regulations regarding the use of the protest authority to consider small business size or status challenges under this section in matters involving any other program for small business concerns.".

SEC. 504. TRAINING FOR CONTRACTING AND ENFORCEMENT PERSONNEL.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the head of each appropriate Federal agency or entity shall, in consultation with the Administrator or the Inspector General of the Administration, as appropriate, develop courses concerning proper classification of business concerns and small business size and status for purposes of Federal contracts, subcontracts, grants, cooperative agreements, and cooperative research and development agreements.

(b) POLICY ON PROSECUTIONS OF SMALL BUSINESS SIZE AND STATUS FRAUD.—Section 3 of the Small Business Act (15 U.S.C. 632), as amended by this Act, is amended by adding at the end the following:

"(u) POLICY ON PROSECUTIONS OF SMALL BUSINESS SIZE AND STATUS FRAUD.—Not later than 180 days after the date of enactment of this subsection, the head of each relevant Federal agency and the Inspector General of the Administration shall issue a Governmentwide policy on prosecution of small business size and status fraud.".

SEC. 505. UPDATED SIZE STANDARDS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(1) conduct a detailed review of the size standards for small business concerns established under section 3(a)(2) of the Small Business Act (15 U.S.C. 632(a)(2)); and

(2) if determined appropriate by the Administrator, promulgate revised size standards under that section.

(b) PUBLICATION.—Not later than 1 year after the date of enactment of this Act, the Administrator shall make publically available information regarding—

(1) the factors evaluated as part of the review conducted under subsection (a)(1); and

(2) the criteria used for any revised size standards promulgated under subsection (a)(2).

SEC. 506. SMALL BUSINESS SIZE AND STATUS FOR PURPOSE OF MULTIPLE AWARD CONTRACTS.

Section 3 of the Small Business Act (15 U.S.C. 632), as amended by this Act, is amended by adding at the end the following:

"(w) SMALL BUSINESS SIZE AND STATUS FOR PURPOSE OF MULTIPLE AWARD CONTRACTS.—

"(1) IN GENERAL.—A business concern that enters a multiple award contract of any kind with the Federal Government shall in any year in which such a contract is in effect, submit an annual statement at the end of its fiscal year recertifying its small business size and status to the Federal agency which awarded the contract.

"(2) RELATION TO OTHER LAWS.—Compliance with paragraph (1) shall not affect the obligation of a business concern to comply with other provisions of law concerning small business size or status.".

Ms. SNOWE. Mr. President, as Ranking Member of the Senate Committee on Small Business and Entrepreneurship, I rise today to introduce, with Chairman KERRY, the Small Business Contracting Revitalization Act of 2007. This critical legislation is a product of consensus-building and compromise over the past few years and truly reflects the bipartisan nature of our Committee. Thank you, Chairman KERRY, for working to make this a truly bipartisan bill.

This legislation addresses the numerous barriers facing small businesses in securing their fair share of Federal contracting dollars. Currently, small businesses are eligible for $340 billion in Federal contracting dollars, yet receive only $77 billion. Regrettably, the Federal Government consistently fails to satisfy its 23 percent small business goal resulting in small businesses losing billions of dollars in contracting opportunities.

I am dismayed by the myriad ways that Government agencies have time and again egregiously failed to achieve most of their small business statutory "goaling" requirements. For example, in fiscal year 2006, the Historically Underutilized Business Zone, HUBZone, program met only 2.1 percent of its three percent goal, while our Nation's service-disabled, veteran-owned small businesses received a Government-wide, paltry total of only 0.9 percent of its three percent small business goal. This longstanding area of concern is coupled with a litany of deficiencies that include "contract bundling," subcontracting misrepresentations, inaccurate small business size determinations, flawed reporting data, and under-utilization of key small business contracting programs.

As the Chairman is well aware, these problems are not new, and our Committee has held countless hearings on various contracting concerns throughout the years. Business opportunities through Federal contracts provide vital economic benefits for small businesses, which is why last year, my Small Business Administration Reauthorization Bill, which passed our Committee unanimously, contained a robust package of small business contracting initiatives.

Our legislation builds on the contracting provisions of that bill, by improving all of the small business contracting programs—including the HUBZone, small disadvantaged business, women-owned small business, and service-disabled veteran-owned small business programs. It equips the SBA with additional tools to meet the demands of an ever-changing 21st century contracting environment.

This bipartisan measure also includes several other priorities that I have long championed—most notably, enhancing the HUBZone program. In my home state of Maine, only 118 of 41,026 small businesses are qualified HUBZone businesses. HUBZones represent a tremendous tool for replacing lost jobs for our Nation's declining manufacturing and industrial sectors—clearly, this program should be better utilized.

I look forward to working with my colleagues in the Senate to pass this bipartisan small business contracting legislation to ensure that all small business "goals" are not only met—but exceeded.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 363—EXPRESSING THE SENSE OF THE SENATE REGARDING THE TREATMENT OF SOCIAL SECURITY "NOTCH BABIES"

Mr. COLEMAN (for himself and Mr. BURR) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 363

Whereas the Social Security Amendments of 1977, legislation designed to correct the Social Security benefit formula, resulted in a discrepancy in benefits - a "notch" - between individuals born in the years immediately following 1916 and other beneficiaries;

Whereas Senate legislation introduced in the 105th through 108th Congresses sought to correct the "notch baby" problem;

Whereas those born during the "notch" years are the same Americans who fought and sacrificed during World War II;

Whereas the "notch babies" who receive lower Social Security benefits than those individuals born between 1911 and 1916 are at the same time among the seniors hit hardest by rising health care costs; and

Whereas those affected by the "notch" are leaving us at a rapid rate, with the youngest "notch babies" now over 80 years old: Now, therefore, be it

Resolved, That the Senate—

(1) honors the sacrifice of those born in the "notch" years of 1917 through 1926;

(2) recognizes the difference in Social Security benefits calculated for those born in 1917 and the years following, as compared with those born between 1911 and 1916;

(3) expresses regret that there has been no resolution to the satisfaction of the millions of seniors born from 1917 through 1926; and

(4) should consider corrective legislation similar to bills introduced in the Senate in the 105th through 108th Congresses, to address the "notch" benefit disparity.

SENATE RESOLUTION 364—COMMENDING THE PEOPLE OF THE STATE OF WASHINGTON FOR SHOWING THEIR SUPPORT FOR THE NEEDS OF THE STATE OF WASHINGTON'S VETERANS AND ENCOURAGING RESIDENTS OF OTHER STATES TO PURSUE CREATIVE WAYS TO SHOW THEIR OWN SUPPORT FOR VETERANS

Mrs. MURRAY (for herself and Ms. CANTWELL) submitted the following resolution; which was referred to the Committee on Veterans' Affairs:

S. RES. 364

Whereas every day, American men and women risk their lives serving the country in the Armed Forces;

Whereas it is important to many Americans to be able to donate money directly to causes about which they care;

Whereas it is important for residents to have a tangible way to demonstrate their support for veterans;

Whereas despite Government funding for the Nation's veterans, many important needs of veterans remain unmet;

Whereas citizens in the State of Washington have banded together in a grassroots effort to create a Veterans Family Fund Certificate of Deposit;

Whereas any bank in the State of Washington can choose to offer a Veterans Family Fund Certificate of Deposit;

Whereas the Bank of Clark County has become the first institution to offer these Certificates of Deposit;

Whereas the Governor of the State of Washington and the Washington State Veterans Affairs Department have expressed the State's support for this program;

Whereas when a person buys a Veterans Family Fund Certificate of Deposit from a participating bank, half of the interest is automatically donated to the State of Washington's Veterans Innovation Program to address the unmet needs of the State of Washington's veterans and their families;

Whereas the Veterans Innovation Program provides emergency assistance to help current or former Washington National Guard or Reserve service members cope with financial hardships, unemployment, educational needs, and many basic family necessities; and

Whereas the Veterans Family Fund Certificate of Deposit will be officially launched on November 8, 2007: Now, therefore, be it

Resolved, That the Senate—

(1) commends the people of the State of Washington for showing their support for the needs of the State of Washington's veterans; and

(2) encourages residents of other States to pursue creative ways to show their own support for veterans.

SENATE CONCURRENT RESOLUTION 52—ENCOURAGING THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS TO TAKE ACTION TO ENSURE A PEACEFUL TRANSITION TO DEMOCRACY IN BURMA

Mrs. BOXER submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 52

Whereas hundreds of thousands of citizens of Burma have risked their lives in demonstrations to demand a return to democracy and respect for human rights in their country;

Whereas the repressive military Government of Burma has conducted a brutal crackdown against demonstrators, which has resulted in mass numbers of killings, arrests, and detentions;

Whereas Burma has been a member of the Association of Southeast Asian Nations (ASEAN) since 1997;

Whereas foreign ministers of other ASEAN member nations, in reference to Burma, have "demanded that the government immediately desist from the use of violence against demonstrators", expressed "revulsion" over reports that demonstrators were being suppressed by violent and deadly force, and called for "the release of all political detainees including Daw Aung San Suu Kyi";

Whereas the foreign ministers of ASEAN member nations have expressed concern that developments in Burma "had a serious impact on the reputation and credibility of ASEAN";

Whereas Ibrahim Gambari, the United Nations (UN) Special Envoy to Burma, has called on the member nations of ASEAN to take additional steps on the Burma issue, saying, "Not just Thailand but all the countries that I am visiting, India, China, Indonesia, Malaysia and the UN, we could do more";

Whereas the ASEAN Security Community Plan of Action adopted October 7, 2003, at the ASEAN Summit in Bali states that ASEAN members "shall promote political development . . . to achieve peace, stability, democracy, and prosperity in the region", and specifically says that "ASEAN Member Countries shall not condone unconstitutional and undemocratic changes of government";

Whereas the Government of Singapore, as the current Chair of ASEAN, will host ASEAN's regional summit in November 2007 to approve ASEAN's new charter;

Whereas the current Foreign Minister of Singapore, George Yeo, has publicly expressed, "For some time now, we had stopped trying to defend Myanmar internationally because it became no longer credible";

Whereas, according to the chairman of the High Level Task Force charged with drafting the new ASEAN Charter, the Charter "will make ASEAN a more rules-based organization and . . . will put in place a system of compliance monitoring and, most importantly, a system of compulsory dispute settlement for noncompliance that will apply to all ASEAN agreements";

Whereas upon its accession to ASEAN, Burma agreed to subscribe or accede to all ASEAN declarations, treaties, and agreements;

Whereas 2007 marks the 30th anniversary of the relationship and dialogue between the United States and ASEAN;

Whereas the Senate passed legislation in the 109th Congress that would authorize the establishment of the position of United States Ambassador for ASEAN Affairs, and the President announced in 2006 that an Ambassador would be appointed; and

Whereas ASEAN member nations and the United States share common concerns across a broad range of issues, including accelerated economic growth, social progress, cultural development, and peace and stability in the Southeast Asia region: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) joins the foreign ministers of member nations of the Association of Southeast Asian Nations (ASEAN) that have expressed concern over the human rights situation in Burma;

(2) encourages ASEAN to take more substantial steps to ensure a peaceful transition to democracy in Burma;

(3) welcomes steps by ASEAN to strengthen its internal governance through the adoption of a formal ASEAN charter;

(4) urges ASEAN to ensure that all member nations live up to their membership obligations and adhere to ASEAN's core principles, including respect for and commitment to human rights; and

(5) would welcome a decision by ASEAN, consistent with its core documents and its new charter, to review Burma's membership in ASEAN and to consider appropriate disciplinary measures, including suspension, until such time as the Government of Burma has demonstrated an improved respect for and commitment to human rights.

Mrs. BOXER. Mr. President, I rise today to introduce a resolution to encourage the Association of Southeast Asian Nations, ASEAN, to take action to ensure a peaceful transition to democracy in Burma.

In late September, tens of thousands of Burmese citizens, including thousands of Buddhist monks, took to the streets to demand a return to democracy in Burma. Tragically, the world watched in horror as Burma's military junta implemented a brutal and ruthless crackdown resulting in the death of hundreds and the detention of thousands.

The current Burmese government, the State Peace and Development Council, SPDC, is a military dictatorship that refused to relinquish power even after the Burmese people voted them out in a democratic election in 1990. The winner of that election, the National League for Democracy was not allowed to take power, and its leader, Daw Aung San Suu Kyi, was placed under house arrest, where she remains today.

The world must not stay silent while the people of Burma struggle for democracy and basic human rights. We have a moral responsibility to speak out for the Burmese people who have been silenced by the junta.

The events of the last several weeks are reminiscent of the crackdown on a similar uprising in the summer of 1988, in which an estimated 3,000 people were killed. Today, the remaining leaders of that uprising, known as "The 88 Generation Students," issued a letter to the Chairman of the Association of Southeast Asian Nations, asking that it "consider suspending the SPDC's membership in ASEAN if it continues to ignore the requests of the international community." This resolution echos that suggestion.

ASEAN has expressed "revulsion" over reports that the SPDC is using deadly force to suppress demonstrators. I appreciate this strong statement. Unfortunately, it is clear that words alone are not enough to force change within Burma. Later this month, ASEAN will hold its regional summit—a prime opportunity for ASEAN to back its words with concrete action.

Yesterday, it was reported that the Buddhist monks were again marching in the streets of Burma in clear defiance of the military junta. It is time for Burma's neighbors to apply real pressure on the military government so that future violence can be avoided. I urge my colleagues to stand with the people of Burma and support this resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3497. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 3963, to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes; which was ordered to lie on the table.

SA 3498. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3963, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3497. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 3963, to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

SEC. 117. TREATMENT OF UNBORN CHILDREN.

(a) CODIFICATION OF CURRENT REGULATIONS.—Section 2110(c)(1) (42 U.S.C. 1397jj(c)(1)) is amended by striking the period at the end and inserting the following: ", and includes, at the option of a State, an unborn child. For purposes of the previous sentence, the term 'unborn child' means a member of the species Homo sapiens, at any stage of development, who is carried in the womb.".

(b) CLARIFICATIONS REGARDING COVERAGE OF MOTHERS.—Section 2103 (42 U.S.C. 1397cc) is amended by adding at the end the following new subsection:

"(g) CLARIFICATIONS REGARDING AUTHORITY TO PROVIDE POSTPARTUM SERVICES AND MATERNAL HEALTH CARE.—Any State that provides child health assistance to an unborn child under the option described in section 2110(c)(1) may continue to provide such assistance to the mother, as well as postpartum services, through the end of the month in which the 60-day period (beginning on the last day of pregnancy) ends, in the same manner as such assistance and postpartum services would be provided if provided under the State plan under title XIX, but only if the mother would otherwise satisfy the eligibility requirements that apply under the State child health plan (other than with respect to age) during such period.".

SA 3498. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3963, to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 110. REQUIREMENT THAT INDIVIDUALS WHO ARE ELIGIBLE FOR CHIP AND EMPLOYER-SPONSORED COVERAGE USE THE EMPLOYER-SPONSORED COVERAGE INSTEAD OF CHIP.

Section 2105(c) (42 U.S.C. 1397ee(c)), as amended by section 601(a)(1), is amended by adding at the end the following new paragraph:

"(13) REQUIREMENT REGARDING EMPLOYER-SPONSORED COVERAGE.—

"(A) IN GENERAL.—Subject to subparagraph (B), on and after the date of enactment of the Children's Health Insurance Program Reauthorization Act of 2007, no payment may be made under this title with respect to an individual who is eligible for coverage under a group health plan or health insurance coverage offered through an employer, either as an individual or as part of family coverage.

"(B) STATE OPTION TO OFFER PREMIUM ASSISTANCE FOR HIGH-COST PLANS.—

"(i) IN GENERAL.—In the case of an individual who is otherwise eligible for coverage under this title but for the application of subparagraph (A) and who is eligible for high-cost heath insurance coverage, a State may elect to offer a premium assistance subsidy for such coverage.

"(ii) AMOUNT.—The amount of a premium assistance subsidy under this paragraph shall be determined by the State but in no case shall exceed the lesser of—

"(I) an amount equal to the value of the coverage under this title that would otherwise apply with respect to the individual but for the application of subparagraph (A); or

"(II) an amount equal to the difference between—

"(aa) the amount of the employee's share of the premium costs for the high-cost health insurance coverage (for the family or the individual, as the case may be); and

"(bb) an amount equal to 20 percent of the total premium costs for such coverage, including both the employer and employee share, (for the family or the individual, as the case may be).

"(C) HIGH-COST HEALTH INSURANCE COVERAGE.—For purposes of this paragraph, the term 'high cost health insurance coverage' means a group health plan or health insurance coverage offered through an employer in which the employee is required to pay more than 20 percent of the premium costs.

"(D) TREATMENT AS CHILD HEALTH ASSISTANCE.—Expenditures for the provision of premium assistance subsidies under this paragraph shall be considered child health assistance described in paragraph (1)(C) of subsection (a) for purposes of making payments under that subsection.".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, November 1, 2007, at 10 a.m., in room 215 of the Dirksen Senate Office Building, in order to consider pending nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the Session of the Senate in order to conduct a hearing on the nominations of Gregory Jacob, of New Jersey, to be Solicitor of Labor for the U.S. Department of Labor, and the nomination of Howard Radzely, of Maryland, to be Deputy Secretary of Labor for the U.S. Department of Labor. The hearing will commence on Thursday, November 1, 2007, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on Thursday, November 1, 2007, at 9:30 a.m. in room 628 of the Dirksen Senate Office Building in order to conduct an oversight hearing on the Impact of the Flood Control Act of 1944 on Indian Tribes along the Missouri River.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate in order to conduct an Executive Business Meeting on Thursday, November 1,2007, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building.

Agenda

I. Bills: S. 1946, Public Corruption Prosecution Improvements Act (Leahy, Cornyn, Sessions); S. 2168, Identity Theft Enforcement and Restitution Act (Leahy, Specter, Durbin, Grassley); and S. 352, Sunshine in the Courtroom Act of 2007 (Grassley, Schumer, Leahy, Specter, Graham, Feingold, Cornyn, Durbin).

II. Nominations: John Daniel Tinder, to be United States Circuit Judge for the Seventh Circuit and Julie L. Myers, of Kansas, to be an Assistant Secretary of Homeland Security.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 1, 2007 at 2:30 p.m. in order to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on Thursday, November 1, 2007, at 2 p.m. in order to conduct a hearing entitled "Small Business Administration: Is the 7(a) Program Achieving Measurable Outcomes?"

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PRIVATE SECTOR AND CONSUMER SOLUTIONS TO GLOBAL WARMING AND WILDLIFE PROTECTION

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works, Subcommittee on Private Sector and Consumer Solutions to Global Warming and Wildlife Protection, be authorized to meet during the session of the Senate on Thursday, November 1, 2007, at 9 a.m. in room 406 of the Dirksen Senate Office Building in order to hold a business meeting to consider the America's Climate Security Act of 2007, S. 2191.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

APOLOGIES

Mr. REID. Mr. President, first of all, let me apologize to everyone for having a little downtime. I have been in a meeting for a couple hours with the Speaker and other Members and it was fairly intense and I could not break away to do this. I apologize for keeping everyone waiting.

UNANIMOUS-CONSENT AGREEMENT—H.R. 2419

Mr. REID. Mr. President, I ask unanimous consent that on Monday, November 5, following the period of morning business, the Senate proceed to the consideration of Calendar No. 339, H.R. 2419, the farm bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

EVENT FOR SENATORS AND SPOUSES

Mr. REID. Mr. President, there will be no vote on Monday. I remind everyone we do have an event—and people have spent a lot of time on this event—for Senators and their spouses Monday night. I would hope people would be considerate and keep that in mind. People have gone to a lot of trouble for that event, and I hope people will not let this no-vote day that is relatively new on the horizon stand in the way of attending this event and disappointing a lot of people who have worked hard to make this event for the spouses of Members. We do not get together that often. It will be a very nice evening for all of us.

CHARLES GEORGE DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 2546 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2546) to designate the Department of Veterans Affairs Medical Center in Asheville, North Carolina, as the "Charles George Department of Veterans Affairs Medical Center."

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2546) was ordered to a third reading, was read the third time, and passed.

MEASURES READ THE FIRST TIME—S. 2293 AND S. 2294

Mr. REID. Mr. President, it is my understanding there are two bills at the desk, and I ask unanimous consent for their first reading en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bills by title.

The assistant legislative clerk read as follows:

A bill (S. 2293) to amend the Internal Revenue Code of 1986 to repeal the individual alternative minimum tax, and for other purposes.

A bill (S. 2294) to strengthen immigration enforcement and border security and for other purposes.

Mr. REID. Mr. President, I now ask for a second reading and, in order to place the bills on the calendar under rule XIV of the Senate, I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider calendar Nos. 152, 357 through 370, and all nominations on the Secretary's desk; that the nominations be confirmed with the exception of the National Oceanic and Atmospheric Administration nominations; the motions to reconsider be laid on the table; the President be immediately notified of the Senate's action and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

Charles Darwin Snelling, of Pennsylvania, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority.

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C. section 601:

To be lieutenant general

Maj. Gen. Edward A. Rice, Jr., 4508

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Glenn F. Spears, 2012

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Carroll F. Pollett, 9096

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Benjamin R. Mixon, 7168

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. David H. Huntoon, Jr., 1919

The following named officer for appointment as the Surgeon General, United States Army, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3036:

To be lieutenant general

Maj. Gen. Eric B. Schoomaker, 8284

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be major general

Brig. Gen. David A. Rubenstein, 6677

IN THE MARINE CORPS

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Samuel T. Helland, 6309

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Bernard J. McCullough, III, 4147

MOETROPOLITAN WASHINGTON AIRPORTS AUTHORITY

Robert Clarke Brown, of Ohio, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority.

IN THE COAST GUARD

The following named officer for appointment in the United States Coast Guard Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Capt. Steven E. Day, 3035

The following named officers for appointment in the United States Coast Guard to the grade indicated under title 14, U.S.C., section 271:

To be rear admiral

Capt. Kevin S. Cook, 5918
Capt. Daniel A. Neptun, 9480
Capt. Thomas P. Ostebo, 4102
Capt. Steven H. Ratti, 2331
Capt. Keith A. Taylor, 2082
Capt. James A. Watson, 2958

INTERNATIONAL MONETARY FUND

Daniel D. Heath, of New Hampshire, to be United States Alternate Executive Director of the International Monetary Fund.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

Sean R. Mulvaney, of Illinois, to be an Assistant Administrator of the United States Agency for International Development.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN965 AIR FORCE nomination of Ernest Valdez, which was received by he Senate and appeared in he Congressional Record of September 27, 2007.

PN966 AIR FORCE nominations (3) beginning LAURA M. HUNTER, and ending GEORGE W. RYAN JR., which nominations were received by the Senate and appeared in the Congressional Record of September 27, 2007.

PN999 AIR FORCE nomination of Cheryl A. Kearney, which was received by the Senate and appeared in the Congressional Record of October 18, 2007.

PN1000 AIR FORCE nomination of Noel P. Kornett, which was received by the Senate and appeared in the Congressional Record of October 18, 2007.

PN1001 AIR FORCE nomination of Michael Maine Jr., which was received by the Senate and appeared in the Congressional Record of October 18, 2007.

PN1002 AIR FORCE nominations (2) beginning MICHAEL P BUTLER, and ending ROBERT CANNON, which nominations were received by the Senate and appeared in the Congressional Record of October 18, 2007.

IN THE ARMY

PN967 ARMY nomination of Max B. Bullen, which was received by the Senate and appeared in the Congressional Record of September 27, 2007.

PN969 ARMY nominations (4) beginning JOHN A. MCHENRY, and ending ALAN S. WALLER, which nominations were received by the Senate and appeared in the Congressional Record of September 27, 2007.

PN970 ARMY nominations (2) beginning EDWARD F. FREDERICK, and ending GREGORY CHARLTON, which nominations were received by the Senate and appeared in the Congressional Record of September 27, 2007.

IN THE COAST GUARD

PN981 COAST GUARD nominations (158) beginning ALBERT R. AGNICH, and ending Michael B. Zamperini, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2007.

IN THE MARINE CORPS

PN393-2 MARINE CORPS nomination of KEVIN M GONZALEZ, which was received by the Senate and appeared in the Congressional Record of March 22, 2007.

PN957 MARINE CORPS nomination of Thomas J. Keating, which was received by the Senate and appeared in the Congressional Record of September 20, 2007.

PN971 MARINE CORPS nomination of Gerald R. Brown, which was received by the Senate and appeared in the Congressional Record of September 27, 2007.

IN THE NAVY

PN974 NAVY nomination of Stephen T. Vargo, which was received by the Senate and appeared in the Congressional Record of October 1, 2007.

PN1003 NAVY nominations (4) beginning GARY TABACH, and ending KELVIN L. REED which nominations were received by the Senate and appeared in the Congressional Record of October 18, 2007.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

ORDERS FOR FRIDAY, NOVEMBER 2, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until tomorrow morning at 10 a.m.; that on Friday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that there then be a period for the transaction of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:48 p.m., adjourned until Friday, November 2, 2007, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF TRANSPORTATION

CARL T. JOHNSON, OF VIRGINIA, TO BE ADMINISTRATOR OF THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION, VICE THOMAS J. BARRETT.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral (lower half)

CAPT. JOSEPH R. CASTILLO, 3894
CAPT. DANIEL R. MAY, 4862
CAPT. PETER V. NEFFENGER, 7652
CAPT. CHARLES W. RAY, 8584

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral

REAR ADM. (LH) WILLIAM D. BAUMGARTNER, 0425
REAR ADM. (LH) MANSON K. BROWN, 6734
REAR ADM. (LH) CYNTHIA A. COOGAN, 3506

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR PERMANENT APPOINTMENT TO THE GRADE INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION:

To be ensign

LLIAN G. K. BREEN
KYLE A. BYERS
PAUL M. CHAMBERLAIN
ANDREW R. COLEGROVE
JULIE L. EARP
HAROLD B. EMMONS III
LOREN M. EVORY
LAURA T. GALLANT
PATRICK B. K. JORGENSEN
COLIN T. KLIEWER
NICHOLAS C. MORGAN
MICHAEL W. O'NEAL
ANDREW J. OSTAPENKO
JEFFREY G. PEREIRA
PATRICK M. SWEENEY
ANNA-ELIZABETH B. VILLARD-HOWE

FOREIGN SERVICE

THE FOLLOWING NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

AGENCY FOR INTERNATIONAL DEVELOPMENT

JEFFERY A. LIFUR, OF NEVADA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

AGENCY FOR INTERNATIONAL DEVELOPMENT

SABINUS FYNE ANAELE, OF TEXAS
YOHANNES A. ARAYA, OF VIRGINIA
JEFF RICHARD BRYAN, OF FLORIDA
SAMUEL CARTER, JR., OF VIRGINIA
THADDEUS S. CORLEY, OF NEVADA
LINDA S. CRAWFORD, OF FLORIDA
MATTHEW R. DRAKE, OF CALIFORNIA
STEVEN DEVANE EDMINSTER, OF MARYLAND
STEVEN M. FONDRIEST, OF THE DISTRICT OF COLUMBIA
WAYNE A. FRANK, OF HAWAII
JEFFERY T. GOEBEL, OF THE DISTRICT OF COLUMBIA
DAVID GOSNEY, OF CALIFORNIA
STEPHEN F. HERBALY, OF MONTANA
NICHOLAS B. HIGGINS, OF THE DISTRICT OF COLUMBIA
HUSSAIN WAHEED IMAM, OF VIRGINIA
MICHELLE A. JENNINGS, OF CALIFORNIA
MELISSA A. JONES, OF CALIFORNIA
TERENCE ERNEST JONES, OF FLORIDA
JESSICA J. JORDAN, OF FLORIDA
ERIN AUSTIN KRASIK, OF OHIO
AKUA N. KWATENG-ADDO, OF MARYLAND
LISA MAGNO, OF VIRGINIA
MICHAEL RICHARD MCCORD, OF MARYLAND
ERIN NICHOLSON PACIFIC, OF THE DISTRICT OF COLUMBIA
SHEILA R. ROQUITTE, OF WASHINGTON
DANIEL SANCHEZ-BUSTAMANTE, OF MARYLAND
NANCY M. SHALALA, OF NEW JERSEY
JEFFRY B. SHARP, OF ILLINOIS
JASON KENNEDY SINGER, OF THE DISTRICT OF COLUMBIA
KATHYRINE R. SOLIVEN, OF MARYLAND
MICHAEL B. STEWART, OF SOUTH DAKOTA
AYE AYE THWIN, OF VIRGINIA
SARA R. WALTER, OF KANSAS
JAMES MATTHEW PYE WEATHERILL, OF NEW JERSEY

THE FOLLOWING NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

THOMAS P. CASSIDY III, OF TEXAS
TANYA COLE, OF CALIFORNIA
NASIR KHAN, OF VIRGINIA
ASHLEY MILLER, OF MARYLAND
BRIAN D. ADKINS, OF OHIO
NUSHIN SADIK ALLOO, OF CALIFORNIA
LAURA E. ANDERSON, OF SOUTH CAROLINA
KATHLEEN N. ASTORITA, OF VIRGINIA
ALFREDO AYUSO, OF VIRGINIA
ADAM CHRISTOPHER BACON, OF VIRGINIA
ALEXANDER M. BAILEY, OF VIRGINIA
JENNIFER M. BAILEY, OF VIRGINIA
STEVEN C. BARLOW, OF VIRGINIA
JOSEPH GEORGE BERGEN, OF SOUTH CAROLINA
JAMES T. BERRY, OF VIRGINIA
SARAH E BOBBIN, OF VIRGINIA
DARREN PAUL BOLOGNA, OF VIRGINIA
BRIAN ANDREW BRESNAN, OF VIRGINIA
KENDRICK BENNETT BROWN, OF VIRGINIA
MARCY S BROWN, OF NEW YORK
MATTHEW CRANE BUFFINGTON, OF UTAH
MEAGAN CALL, OF NEW MEXICO
ANNE M. CAMUS, OF VIRGINIA
LINDSAY K. CAMPBELL, OF MARYLAND
DEAN D. CARAS, OF THE DISTRICT OF COLUMBIA
JAMES MICHAEL CICHON, OF VIRGINIA
WILLIAM PERCY COBB, JR., OF THE DISTRICT OF COLUMBIA
HENRY CLAY CONSTANTINE IV, OF VIRGINIA
CHRISTOPHER L. COOK, OF TEXAS
L.A. CORDERO, OF CALIFORNIA
ANDREA D. COREY, OF COLORADO
BRIAN F. CORTEVILLE, OF MICHIGAN
JEFFREY A. COURTEMANCHE, OF VIRGINIA
ANGELA VERNET DALRYMPLE, OF NEW YORK
RALPH DIXON III, OF VIRGINIA
MEERA DORAISWAMY, OF VIRGINIA
DAMON DUBORD, OF THE DISTRICT OF COLUMBIA
KHASHAYAR GHASHGHAI, OF TEXAS
FONTA J. GILLIAM, OF NORTH CAROLINA
SANDRINE SUSAN GOFFARD, OF FLORIDA
ANDREA LAUREN GOTTLICH, OF KANSAS
TERESA L. GRANTHAM, OF ARIZONA
ANDREA G. HALL, OF VIRGINIA
THOMAS NEAL HALPHEN, OF LOUISIANA
HARRY J. HANDLIN, OF MARYLAND
KATHRYN HARTMERE, OF MARYLAND

BRENDAN KYLE HATCHER, OF TENNESSEE
HEIDI S. HATTENBACH, OF COLORADO
CRISTIN HEINBECK, OF MICHIGAN
PRASHANT HEMADY, OF PENNSYLVANIA
JACQUELYN E. HENDERSON, OF INDIANA
ANNALIS HERMANN, OF VIRGINIA
NORMA C. HERNANDEZ, OF CALIFORNIA
ROY ARTURO HINES, OF CALIFORNIA
WINIFRED LOOP HOFSTETTER, OF COLORADO
MARK W. HOPKINS, OF VIRGINIA
CHARLES PHILLIP HORNBOSTEL, OF VIRGINIA
MATTHEW LANE HORNER, OF OREGON
ERIC S. HUGULEY, OF MARYLAND
FRANCINE I. KALNOSKE, OF MARYLAND
ZORAIDA TARIFA KELLEY, OF VIRGINIA
JAMES SEAN KENNEDY, OF CALIFORNIA
COLLEEN M. KENNING, OF THE DISTRICT OF COLUMBIA
ANNA M. KLIMASZEWSKA, OF VIRGINIA
RACHEL R KUTZLEY, OF OHIO
TYE M. LAGEMAN, OF VIRGINIA
JAMES G. LANKFORD, OF TEXAS
ERIC JAMES LEGALLAIS, OF VIRGINIA
MARIA DEL CARMEN LIAUTAUD, OF VIRGINIA
BRIAN JAY LUSTER, OF VIRGINIA
MARGARET GRACE MACLEOD, OF NEW YORK
DENISE M. MALONE, OF FLORIDA
JEFF D. MALSAM, OF VIRGINIA
AMANDA JOY MANSOUR, OF THE DISTRICT OF COLUMBIA
SARA ELIZABETH MARTZ, OF VIRGINIA
PAMELA S. MILLER, OF VIRGINIA
JAMES ALEXANDER MOORE, OF VIRGINIA
MATTHEW A. MORROW, OF OHIO
VICTOR G. MYERS, OF MARYLAND
VICTORIA A. NESTOR, OF PENNSYLVANIA
TYLER ROSS NICHOLES, OF VIRGINIA
SIOBHAN COLBY OAT-JUDGE, OF CONNECTICUT
CRAIG P. OSTH, OF VIRGINIA
STEVEN LYNN OVARD, OF UTAH
MATTHEW R. PETERSEN, OF VIRGINIA
GARRY PIERROT, OF FLORIDA
SHARON L. POLLARD, OF VIRGINIA
KATHRYN E. PORTER, OF ALABAMA
BRANDON POSSIN, OF WISCONSIN
RACHEL E. QUIROGA, OF VIRGINIA
AMY J. REARDON, OF WASHINGTON
RICHARD N. REILLY, OF FLORIDA
CHARLES A. REYNOLDS, OF GEORGIA
DAVID REYNOLDS, OF RHODE ISLAND
KRISTIN MARIE ROBERTS, OF VIRGINIA
MICHAEL ROSENTHAL, OF THE DISTRICT OF COLUMBIA
LINDSEY L. ROTHENBERG, OF THE DISTRICT OF COLUMBIA
SAMUEL FLOM ROTHENBERG, OF THE DISTRICT OF COLUMBIA
SARAH A. SADOW, OF VIRGINIA
ALEXANDER RAFAEL SCHAPER, OF VIRGINIA
JACOB TAYLOR SCHULTZ, OF FLORIDA
FRANK ERICK SELLIN, OF VIRGINIA
AMI U. SHAH, OF NEW JERSEY
PHILIP LEE SHAW, OF VIRGINIA
DAVID C. SHIAO, OF VIRGINIA
BETH NICHOLE SKUBIS, OF VIRGINIA
RHONDA LYNN SLUSHER, OF KANSAS
LACHRISHA D. SMITH, OF MARYLAND
JOHN STEVEN SOLTYS, OF VIRGINIA
JONATHAN W. SPITZER, OF VIRGINIA
KIMBERLY M STROLLO, OF FLORIDA
NIKHIL P. SUDAME, OF CONNECTICUT
ERIN P. SWEENEY, OF NEW JERSEY
MICHAEL J. SWEET, OF VIRGINIA
JUSTEN ALLEN THOMAS, OF WISCONSIN
SCOTT VANBEUGE, OF WASHINGTON
NANCY TAYLOR VANHORN, OF TEXAS
MARLAN C. WALKER, OF UTAH
DINEEN B. WILLATS, OF VIRGINIA
TIMOTHY LEE WITKIEWICZ, OF VIRGINIA
DANIEL WALLACE WRIGHT, OF VIRGINIA
KEVIN S. YATES, OF NORTH CAROLINA
ZAINAB ZAID, OF MARYLAND
MARWA ZEINI, OF FLORIDA

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. THOMAS F. METZ, 5686

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 1211:

To be captain

MICHAEL V. SIEBERT, 6633

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be major

BRIAN D. ONEIL, 0440
MARK D. ROSE, 3727
FRANK R. VIDAL, 0525

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ANTHONY BARBER, 5447

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

TIM C. LAWSON, 5165

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

RICHARD D. FOX II, 3613

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JOHN G. GOULET, 3964

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

DAVID L. PATTEN, 9398

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

MARK J. BENEDICT, 4632
REBECCA CARTER, 1636
KEVIN R. CASEY, 9893
RICHARD H. COOPER, 1237
RONALD D. DANIEL, 1058
JAMES V. DICROCCO III, 2439
LISTON L. EDGE, 6936
ORLANDO GUZMAN, 9934
ROGER L. HALL, 1771
MICHELLE HAMMOND, 3760
CHARLES E. JENKINS, 4187
ALAN S. KLYAP, 5496
JAMES W. MARSHALL III, 6398
GREGORY C. MCMAHAN, 8342
DANA M. MONTGOMERY, 1281
EDWIN MOTT, 0694
TOMMY L. NORRIS, 7836
JIMMY W. ORRICK, 6803
DAVID F. RITTER, 0375
GREGORY B. RIZZO, 2318
DAVID RUFF, 1384
NOAH K. STRONG, 2465

To be major

CYNTHIA J. BLEVINS, 3271
CHRISTOPHER S. BOU, 3223
RICARDO A. BRAVO, 3806
JAMES F. CARLISLE, 4998
COLEEN CARR, 5859
MICHELLE F. CLARK, 2830
ERIC J. DUCKWORTH, 9340
SHAWN F. FERNANDEZ, 4471
DONALD L. GROOM, 9001
DWAYNE H. HAMASAKI, 1468
ROBERT J. HOBBS, 3622
JACQUELINE E. HUBBARD, 5609
WANDA I. HUDDLESTON, 1728
BYRON K. JACKSON, 9609
WILLIE J. JACKSON, 9725
BRENT A. KAUFFMAN, 8198
ROBERT E. KJELDEN, 8495
MERRELL D. KNIGHT, 5546
ERIC D. LITTLE, 6022
ANDREW J. OLMSTED, 0645
MATTHEW J. OPALINSKI, 9367
GROVER W. PRICE, 2822
GEORGE M. SELF, 4132
STEVEN E. SEXTON, 2386
DAVID L. SOERGEL, 4103
TIMOTHY R. TEAGUE, 9415
JOSEPH M. TORRES, 3872
SCOTT D. VERVISCH, 3591
GUSTAV D. WATERHOUSE, 5752

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MELVIN L. CHATTMAN, 5718

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 531:

To be major

DANA R. BROWN, 3942
JOSEPH E. CLEARY, 0087
BYRON W. LAWSON, 5260
JOHN J. LYNCH II, 2747
DAVID T. MIHOCKO, 1126
RICHARD E. NUTT, 9776
MARK R. REID, 1074

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

JULIAN D. ARELLANO, 9419
MATTHEW T. ARMSTRONG, 8505
JOSEPH A. BAGGETT, 8271
ROBERTO A. BARBOSA, 8669
JASON BIRCH, 6988
JOHN R. BOWEN, 5852
LEE C. BROWN, 3097
RUSSELL D. BROWN, 2682
MILTON BUTLER III, 8916
DAVID C. CHEVRETTE, 6774
SCOTT M. CHIEREPKO, 6595
GILBERT E. CLARK, JR., 0793
CHRISTINA L. DALMAU, 7106
SEAN P. DONAGHAY, 7587
JARROD D. DONALDSON, 5275
PAUL S. DORRIS, 8609
DARREN T. DUGAN, 9449
ROGER C. FERGUSON, 5413
CHRISTOPHER J. GOELZE, 9311
ERIC C. GREIFENBERGER, 5237
GARY A. HARRINGTON II, 4859
GEORGE A. HOWELL, 1130
JOHN M. JONES, 0181
ALAN D. KENEIPP, 9811
VINCENT S. KING, 1983
GEORGE S. KOONS, 5098
KARL W. KRAUT, 3223
WILLIAM LAMPING III, 3345
JOSEPH L. LEPPO, 5393
CHRISTOPHER E. MARVIN, 6138
KEVIN P. MEEHAN, 8692
JOSHUA M. MENZEL, 4639
STEVEN F. MILGAZO, 1299
JASON L. MILLER, 3446
DIOMEDES L. MIRANDA, 3459
JAY J. MOORE, 0186
MARK OCONNELL, 0824
DAVID M. OLIVER, 8474
CHAD A. PARVIN, 2780
AARON C. PETERSON, 5746
CHRISTOPHER RIERSON, 4046
DARYL ROBBIN, 6684
MARTIN L. ROBERTSON, 0469
CRAIG R. SADRACK, 9096
BRIAN M. SANTIROSA, 2754
JUSTIN A. SARLESE, 0315
JON P. SCHAFFNER, 0047
MARTIN D. SHARPE, 9134
COLBY W. SHERWOOD, 4967
CHARLES A. SMITH, JR., 5754
JOHN A. STAHLEY II, 3056
BRETT J. STERNECKERT, 0362
SETH A. STONE, 2143
MARK J. STROMBERG, 2025
MEGAN A. THOMAS, 2793
MATTHEW A. WIENS, 1122
WILLIAM H. WILEY, 6635
SHAWN T. WILLIAM, 0787
JOHN C. WITTE, 5043
JARED W. WYRICK, 6298

CONFIRMATIONS

Executive nominations confirmed by the Senate Thursday, November 1, 2007:

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

CHARLES DARWIN SNELLING, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING MAY 30, 2012.

ROBERT CLARKE BROWN, OF OHIO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING NOVEMBER 22, 2011.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. STEVEN E. DAY, 3035

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral (lower half)

CAPT. KEVIN S. COOK, 5918
CAPT. DANIEL A. NEPTUN, 9480
CAPT. THOMAS P. OSTEBO, 4102
CAPT. STEVEN H. RATTI, 2331
CAPT. KEITH A. TAYLOR, 2082

CAPT. JAMES A. WATSON, 2958

INTERNATIONAL MONETARY FUND

DANIEL D. HEATH, OF NEW HAMPSHIRE, TO BE UNITED STATES ALTERNATE EXECUTIVE DIRECTOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF TWO YEARS.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

SEAN R. MULVANEY, OF ILLINOIS, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. EDWARD A. RICE, JR., 4506

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GLENN F. SPEARS, 2012

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. CARROLL F. POLLETT, 9096

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BENJAMIN R. MIXON, 7168

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DAVID H. HUNTOON, JR., 1919

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE SURGEON GENERAL, UNITED STATES ARMY, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3036:

To be lieutenant general

MAJ. GEN. ERIC B. SCHOOMAKER, 8284

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major general

BRIG. GEN. DAVID A. RUBENSTEIN, 6677

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. SAMUEL T. HELLAND, 6309

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. BERNARD J. MCCULLOUGH III, 4147

IN THE AIR FORCE

AIR FORCE NOMINATION OF ERNEST VALDEZ, 4767, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH LAURA M. HUNTER AND ENDING WITH GEORGE W. RYAN, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 27, 2007.

AIR FORCE NOMINATION OF CHERYL A. KEARNEY, 6145, TO BE COLONEL.

AIR FORCE NOMINATION OF NOEL P. KORNETT, 0623, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF MICHAEL MAINE, JR., 4513, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL T. BUTLER AND ENDING WITH ROBERT CANNON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 18, 2007.

IN THE ARMY

ARMY NOMINATION OF MAX B. BULLEN, 0248, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH JOHN A. MCHENRY AND ENDING WITH ALAN S. WALLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 27, 2007.

ARMY NOMINATIONS BEGINNING WITH EDWARD F. FREDERICK AND ENDING WITH GREGORY CHARLTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 27, 2007.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING WITH ALBERT R. AGNICH AND ENDING WITH MICHAEL B. ZAMPERINI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2007.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF KEVIN M. GONZALEZ, 5053, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF THOMAS J. KEATING, 2706, TO BE COLONEL.

MARINE CORPS NOMINATION OF GERALD R. BROWN, 2925, TO BE LIEUTENANT COLONEL.

IN THE NAVY

NAVY NOMINATION OF STEPHEN T. VARGO, 7730, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH GARY TABACH AND ENDING WITH KELVIN L. REED, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 18, 2007.

EXTENSIONS OF REMARKS

CONGRATULATING THE HONORABLE ANN BEDSOLE OF THE ANN SMITH BEDSOLE LIBRARY AT THE ALABAMA SCHOOL OF MATH AND SCIENCE

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. BONNER. Madam Speaker, it is a personal pleasure and distinct privilege to rise today to recognize one of my state's most outstanding citizens, former Alabama State Senator Ann Bedsole, for being honored by the Alabama School of Math and Science (ASMS) with the recent dedication of the new Ann Smith Bedsole Library.

For over three decades, Ann has been one of South Alabama's most trusted and respected leaders. In 1978, she became the first Republican woman to be elected to the Alabama House of Representatives. At the next state election, she became the first woman ever elected to the Alabama State Senate and, in 1994, she was a candidate for governor. To say she has been a political pioneer, as well as personal inspiration to many of us, would be a considerable understatement.

During her career in the Alabama Legislature, Senator Bedsole was instrumental in the creation of the Alabama School of Math and Science in Mobile. Working closely with fellow legislators and members of various agencies in state government, she was able to secure support for the institution and has provided a great deal of assistance to the school since it opened in 1991.

In recent years, Senator Bedsole has served as both vice president and president of the ASMS Foundation Board of Directors.

A successful businesswoman, Ann is the owner and operator of Bedsole Farms and president and chairman of the Board of White Smith Land Co. She is also involved in many charitable organizations including serving on the boards of the Sybil Smith Charitable Trust and the J. L. Bedsole Foundation. She has also served on the board of trustees of Spring Hill College and Huntingdon College.

Ann Bedsole's efforts in the fields of volunteerism and fundraising have also led to significant recognition in previous years, and she has been honored as First Lady of Mobile in 1972, Mobilian of the Year in 1993, and Philanthropist of the Year in 1998. She also served as president of Mobile's Tricentennial celebration.

Ann has received the Meritorious Public Service Award from both the Montgomery Advertiser and the Alabama Journal. She also received Honorary Doctor of Law degrees from Mobile College and Huntingdon College.

In 2002, Senator Bedsole was inducted into the Alabama Academy of Honor. Created in 1965, the Alabama Academy of Honor was established to recognize living Alabamians for their accomplishments and service that greatly benefit or reflect credit on the state of Alabama. Ten members may be elected annually by the Academy of Honor with no greater than 100 living members at a time.

Madam Speaker, Ann Bedsole has spent practically her entire adult life giving to others, and I ask my colleagues to join with me in thanking her for her commitment to so many wonderful missions.

I know her family and friends join with me in praising her accomplishments. On behalf of all who have benefited from her good heart and generous spirit, permit me to extend thanks for her many efforts over the past 3 decades in making Mobile and the state of Alabama a better place to live and work.

THE 86TH BIRTHDAY OF FORMER GOVERNOR WILLIAM DONALD SCHAEFER

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. HOYER. Madam Speaker, I rise today to pay tribute to 1 of the most dynamic and important figures in Maryland's history as he prepares to celebrate yet another milestone in a life full of them.

Tomorrow (November 2), William Donald Schaefer, the former Governor and Comptroller of the State of Maryland, former Mayor of Baltimore, and distinguished public servant will celebrate his 86th birthday. I urge all of my colleagues to join with me in saluting Governor Schaefer on this momentous occasion.

Throughout his 86 years—nearly 50 of which were spent in public office—William Donald Schaefer has been driven by a burning desire to improve the lives of his fellow citizens. I am confident that this was instilled in him at a young age by his parents, William and Tululu.

Following his service in the U.S. Army during World War II, Schaefer returned to his beloved Baltimore and embarked on what was to become one of the most successful political careers Maryland has ever witnessed.

In 1955, Governor Schaefer first entered public office when he was elected to the Baltimore City Council from the city's 5th District. He served on the council for 16 years, including four years as its president. During his term as President of the City Council, Schaefer was a steadying force during turbulent times, helping direct the National Guard in quelling the riots following the assassination of the Reverend Dr. Martin Luther King, Jr.

In 1971, Schaefer was elected as Mayor of the City of Baltimore, succeeding Mayor Thomas D'Alesandro III, brother of the current Speaker of the House, NANCY PELOSI. Schaefer was subsequently re-elected 3 times, never receiving less than 85 percent of the vote.

Schaefer's dedication to his hometown was unmatched then, as it is now. He served as something of a "Motivator in Chief," reigniting a sense of pride in the city's residents. His philosophy was simple—"Do It Now"—cut through the red tape and provide citizens with the basic services they expect: clean neighborhoods, filled potholes, and plowed streets.

His accomplishments as mayor are many and have had a long and lasting impact on the city. He led the redevelopment of Baltimore's Inner Harbor, including the building of the National Aquarium, helping to transform the Harbor into a city center and establishing Baltimore as a significant tourist destination. He oversaw the construction of the Baltimore City Convention Center and the establishment of a subway system in the city. It is not hard to understand why he was repeatedly named the "Best Mayor in America."

In 1986, Schaefer demonstrated a commitment to the entire state when he decided to run to become the 58th Governor of Maryland. He was elected by a landslide and was reelected by a wide margin 4 years later.

As governor, he worked to improve Maryland's public education system, established the Maryland Department of the Environment, made headway in the efforts to restore the Chesapeake Bay, improve transportation infrastructure, including the establishment of the MTA's Light Rail Line. He also led the push to establish Oriole Park at Camden Yards and laid the groundwork for what became M&T Bank Stadium, home of the Baltimore Ravens.

When forced by term-limits to retire as governor, newspapers and citizens alike heralded the end of the so-called Schaefer era. But, much to our good fortune, it was not to be. The desire to serve was too strong.

Energetic and as enthusiastic as ever about helping the people of his state, William Donald Schaefer came out of a well deserved retirement in 1998, to be elected as the 32nd Comptroller of the State of Maryland, a position to which he was overwhelmingly reelected in 2002.

Governor Schaefer has now embarked on his second retirement, but we all know that such a man can never truly retire. He cares too much for his fellow Marylanders and continues to serve as an inspiration to all of us for his continued commitment to service.

I think the Baltimore Sun captured it best at the conclusion of his second term as governor. The final paragraph of the paper's editorial reads:

"Mr. Schaefer is no shrinking violet. His larger-than-life personality can be alternately endearing and enraging. But he cares deeply about people. That's the bottom line for him. Helping people. You couldn't ask for more from a public servant."

No you couldn't.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

TRIBUTE TO UNDER SECRETARY FOR PUBLIC DIPLOMACY AND PUBLIC AFFAIRS, KAREN HUGHES

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. WOLF. Madam Speaker, I rise today to commend the important work of Under Secretary for Public Diplomacy and Public Affairs, Karen Hughes, in light of the announcement that she is resigning. Under Secretary Hughes has led efforts to improve the image of the United States overseas by changing the way the United States engages with the Muslim world.

Under Secretary Hughes has worked tirelessly to build a strong organization within the State Department that future administrations can rely upon. She has dramatically increased the number of Arabic language interviews, created three rapid response centers overseas to respond to news events, and nearly doubled the public diplomacy budget to combat negative perceptions of the United States abroad.

During her time as head of our government's public diplomacy efforts, Under Secretary Hughes has shown a deep commitment to promoting freedom and to encouraging confidence in speaking out about the values we hold dear. I wish her the best in her future endeavors.

I am inserting for the RECORD Under Secretary Hughes's remarks today at the announcement of her resignation.

UNDER SECRETARY KAREN P. HUGHES

DEPARTMENT OF STATE, TREATY ROOM

First, I want to thank President Bush and Secretary Rice for giving me the great privilege of representing our country abroad and reaching out to the people of the world in a spirit of respect and friendship.

It's been a special honor to work for Secretary Rice, who is both a great friend and a great role model. I also want to thank my outstanding team in public diplomacy—all that we have been able to accomplish has been due to their work—and all the people of the State Department—foreign service, civil service, foreign service nationals, and presidential appointees. I've learned so much from them and I've been honored to serve with them in representing America across the world.

Later this year, in mid-December, I will be returning home to Texas. I feel that I have done what Secretary Rice and President Bush asked me to do by transforming public diplomacy and making it a national security priority, central to everything we do in government—while also engaging the private sector more extensively than ever before.

I have spent almost nine of the last 12 years of my career in government service and after commuting between Washington and Austin not nearly as often as I would like for the last two-and-a-half years, I'm looking forward to returning to private life and living in the same city with my husband.

When I look back at the last couple of years, I'm very proud of what our public diplomacy team has accomplished.

We've aggressively expanded our programs, fought for and won increased funding and put in place many innovations and institutional reforms.

They include aggressive and significantly expanded media outreach. We've created new regional media hubs, which put language qualified foreign service officers on television in key regional media markets of Dubai, Brussels and London. A new rapid response unit monitors international television and blogs and issues a daily report to inform policy makers about what is driving international news, then provides the U.S. government's position on those issues. We've transformed the Bureau of International Information programs into a high tech hub with web sites in English and six languages, created a digital outreach team that counters misinformation and myths on blogs in Arabic (soon to add Farsi and Urdu)—and stood up a new video production unit. Our ambassadors are now empowered and expected to engage with the media, and every foreign service officer is evaluated on public diplomacy activities.

We've put in place extensive new outreach to young people, teaching English to thousands of high school students in more than 40 Muslim majority countries. Last summer, we started a new program to reach an even younger audience—8 to 14-year-olds, with a summer program teaching English, computer, arts and sports activates and leadership training. English teaching gives young people a skill they desire, a marketable skill, while opening a window to a wider world of knowledge.

I'll never forget meeting a young man in one of our English programs in Morocco. I asked him what difference it had made in his life, and he said: "I have a job and none of my friends do." He was from the same neighborhood that produced the Casablanca suicide bombers. In addition to a job, he now has a hope, a reason to live rather than kill himself and others in a suicide bombing.

We've engaged Muslim populations through a new program called citizen dialogue, which sends Muslim Americans overseas to dialogue with Muslim communities—and we've brought more than 600 religious clerics scholars and community leaders from Muslim countries to America to get to know us better.

We've engaged the private sector more extensively than ever before—leveraging more than $800 million in partnerships ranging from disaster relief to education and health programs to working to make our airports and embassies more welcoming.

We've significantly expanded outreach to women, with a new breast cancer initiative in the Middle East and Latin America and a number of business women's mentoring initiatives.

A new partnership with U.S. higher education helped attract a record number of international students to study in America and reversed the trend of decline that began in the years after September 11th. We issued an all time high of 591,000 student visas in 2006 and traveled with university presidents across the world to encourage international students to come to America.

Our flagship programs like Fulbright at record highs, we've restarted exchanges with Iran for the first time since 1979 and participation in our education and exchange programs—people-to-people diplomacy—has grown from 27,000 in 2004 to nearly 40,000 today.

I've worked to set a more strategic direction for USG broadcasting and recruit new leadership for the Broadcasting Board of Governors and its entities.

We launched a new Global Cultural initiative, expanded sports programming, sent musical groups like the fusion funk group Ozomatli abroad with a message of respect for diversity. We started a new public diplomacy envoy program, enlisting well known Americans including Olympic skater Michelle Kwan and baseball Hall of Famer Cal Ripken Jr. to represent America overseas.

We have implemented a majority of the recommendations from more than 30 studies of U.S. public diplomacy, including the comprehensive Djerejian report, and developed the first inter-agency strategic communications plan for the U.S. government.

I'm very proud of what we've started, and I will continue to be a champion of public diplomacy. I will advocate for more funding and more programs, because I believe it's vitally important for the future of our increasingly interconnected world—and especially for the future of our children. I want to encourage my fellow Americans to engage with the world, to study abroad, to travel—one of my own goals in the years ahead is to improve my Spanish.

Secretary Rice, thank you for this opportunity; it's been an honor and privilege to work for you and with you, and I thank my great public diplomacy team.

CONGRATULATING STANDARD EQUIPMENT CO. INC. OF MOBILE ON ITS RECOGNITION AS AN ALABAMA CENTENNIAL RETAILER

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. BONNER. Madam Speaker, today I rise to honor Standard Equipment Co. Inc., located in Mobile, Alabama, for being recognized by the Alabama Retail Association as an Alabama Centennial Retailer.

The Alabama Retail Association, in conjunction with the University of Alabama at Birmingham, sponsors the Retailer of the Year program. Awarded in 3 categories based on annual sales volume, the awards are presented at the association's annual Retailing Day luncheon.

The designation of Alabama Centennial Retailer by the Alabama Retail Association recognizes century-old retail businesses for their contributions to Alabama's past, present, and future. I am proud to recognize that 2 of the honorees are located in Alabama's First Congressional District.

One of this year's honorees, Standard Equipment Co. Inc., was founded in 1906 by Richard A. Christian. A distributor of industrial, construction, and marine supplies, Standard was originally located at Commerce and St. Anthony streets, but for almost 50 years, the company has operated at Beauregard and Water streets near the state docks. A major supplier of maintenance, repair, and operating products, the company is now owned by E. Burnley Davis Sr. and Robert D. Wilkins.

Madam Speaker, I ask my colleagues to join with me in congratulating Standard Equipment Co. Inc. for being recognized as an Alabama Centennial Retailer by the Alabama Retail Association. I know Burnley Davis, the company president, along with the company employees, their friends, families, and members of the community also join with me in praising Standard Equipment Co. Inc. for their many accomplishments and for extending thanks for their continued service to the Alabama business community and the First Congressional District.

TRIBUTE TO GERALDINE GENNET

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. HOYER. Madam Speaker, I rise today to honor and express thanks to Geraldine Gennet for her dedicated service as General Counsel of the House of Representatives.

Under the rules of the House, the Office of the General Counsel should provide legal advice and assistance to all Members of Congress, committees, officers, and employees without regard to political affiliation. Since her 1997 appointment by Speaker Newt Gingrich to lead that office, Ms. Gennet has dutifully fulfilled that obligation. Despite the unfortunate partisan tenor within Congress over the past 10 years, the Office of the General Counsel unfailingly has been a professional, nonpartisan advocate for individuals across the ideological spectrum—this is a testament to Ms. Gennet and to her ability to place the long term interests of the institution before parochial concerns and partisanship.

In addition to providing general legal guidance to Members and staff on issues related to subpoenas, requests for information, and tort claims, Ms. Gennet also worked tirelessly to uphold the institutional privileges and immunities of the House of Representatives. Upon my election as Democratic Whip, I became a member of the Bipartisan Legal Advisory Group, otherwise known as BLAG. This body is comprised of both Democratic and Republican leadership and is responsible for directing the Office of the General Counsel to file amicus briefs on behalf of the House of Representatives. During my work with BLAG, I had the opportunity to observe first-hand the deep respect Ms. Gennet has for the House of Representatives. Ms. Gennet is a firm believer in the separation of powers and in the speech or debate clause of the Constitution. When it may have been more expedient to relent on these issues, Ms. Gennet fought to preserve the powers and prerogatives of the Congress.

On behalf of myself and the members of my Caucus, I again want to extend my deepest thanks to Geraldine Gennet for her service and I wish her the best with her future endeavors.

WHAT MAKES NEBRASKA GREAT

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. SMITH of Nebraska. Madam Speaker, today I rise not in honor of one person, but of many. Today I rise in honor of a small slice of what makes Nebraska great.

When Gary Lindstrom, a farmer outside of Holdrege, Nebraska, was sidelined by a heart attack during harvest season, his neighbors and fellow Nebraskans showed what it truly means to be a community.

Farmers from Wilcox, Holdrege, Loomis, Ash Grove, Funk, and Ragan, eight combines, 12 grain cars and 20 trucks rallied to take care of a friend who was in need.

I think 1 of the volunteers, Wade Johnson of Holdrege, said it best when he said, "It's what we all do when somebody needs some help. You help out."

I was touched by the generosity of the community. For Mr. Lindstrom, I thank everyone who lent a helping hand. And I thank all Nebraskans who come to the aid of their neighbors whenever and wherever it may be.

HONORING ROBERT W. LEE ON THE OCCASION OF HIS BEING HONORED WITH THE INAUGURAL BCA CHAIRMAN'S AWARD

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. BONNER. Madam Speaker, it is with great pride and personal pleasure that I rise today to honor and congratulate Mr. Robert W. "Bubba" Lee for receiving the Business Council of Alabama (BCA) inaugural Chairman's Award for Leadership and Distinguished Service. Make no mistake, Mr. Lee is most deserving of this high honor; his dedication and service to the business community throughout Alabama has rightly earned him this prestigious award.

Bubba, as he is affectionately known to his family and friends, was honored with this award at the 2007 BCA Governmental Affairs Conference held earlier this year at the Grand Hotel in Point Clear, Alabama. A shining example of volunteer leadership, Bubba has always been known to go above and beyond in everything he does. He has devoted countless hours of his life to making Alabama a better place to live and work.

In recognizing him for this very special award, the Business Council of Alabama chose Bubba because he not only has given unselfishly of his time and resources to the Business Council, but he has also been invaluable to the organization as a leader, visionary, and advisor. Early on, Bubba was one of the original architects of BCA's political structure and the results have been obvious. Thanks in no small part to RCA's leadership over the past 21 years, Alabama has truly become a great place to do business.

Bubba served as chairman of the BCA board of directors from 1995–96 and as chairman of the board of directors of ProgressPAC, BCA's political action committee, from 1992–94. He remains a key member of BCA's Regional Advisory Committee 1.

Madam Speaker, I recognize Bubba today for not only his dedication to BCA but for his leadership at Vulcan, Inc. Serving as president of Vulcan, Inc. since 1986 and as CEO since 1996, Bubba has been—and continues to be—a solid leader in his professional career. A loving husband, father, and grandfather, as well as a leader in his church, Bubba Lee is a friend upon which you can always depend.

I ask my colleagues to join with me in congratulating Bubba Lee for both the great success he has enjoyed in his life and his outstanding service to the city of Foley and the state of Alabama. I know his wife, Cheryl; his daughters, Martha Ann and Beth; his 2 granddaughters; and his many friends and colleagues are also proud of him. I wish Bubba and his entire family much health and success in the years ahead.

CONGRATULATING MR. JOE LOUGHREY, PRESIDENT AND COO, CUMMINS INC.

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. PENCE. Madam Speaker, I rise today to congratulate Joe Loughrey, who was recently honored for his contribution to business and social responsibility by the Ireland Chamber of Commerce at the American Celtic Ball, held annually in New York City.

As the grandson of an Irish immigrant, I am proud of Joe's Irish heritage and the important role it has played in his life. I also want to thank Joe for his work in support of technical and vocational education.

It also happens that Joe is president and chief operating officer of Cummins Inc., a very important company to the Sixth Congressional District of Indiana. Under Joe's leadership, Cummins has continued to take innovative steps from its headquarters in Columbus, Indiana, to build a skilled, robust workforce that is succeeding in the face of increasing global competition. In fact, Cummins has so much confidence in its local workforce initiatives and the quality of Hoosier workers that it has announced the location of a new light-duty diesel engine plant in Indiana when it could have been located elsewhere.

Joe joined Cummins in 1974 and has held a number of leadership roles in the company during his tenure. A Holyoke, Massachusetts, native and Columbus resident, Joe graduated from the University of Notre Dame in 1971 with a bachelor's degree in economics and African studies. He is a member of the board of the Cummins Foundation, the National Association of Manufacturers, Tower Automotive Inc., Sauer-Danfoss Inc. and the Columbus Learning Center Management Corp. He also serves on the Advisory Council for the College of Arts & Letters at the University of Notre Dame.

HONORING THE LOUISIANA HONORAIR VETERANS

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. BOUSTANY. Madam Speaker, I rise today to recognize and honor a very special group from South Louisiana.

On November 3, 2007 a group of 84 veterans and their guardians will fly to Washington with a very special program. Louisiana HonorAir is providing the opportunity for these veterans from my home State of Louisiana to visit Washington, DC on a chartered flight free of charge. During their visit, they will visit Arlington National Cemetery and the World War II Memorial. For many, this will be their first and only opportunity to see these sights dedicated to the great service they have provided for our Nation.

Today I ask my colleagues to join me in honoring these great Americans and thanking them for their unselfish service.

CONGRATULATIONS TO LOXLEY ELEMENTARY SCHOOL ON BEING NAMED STATE CHAMPION SCHOOL BY THE PRESIDENT'S COUNCIL ON PHYSICAL FITNESS AND SPORTS

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. BONNER. Madam Speaker, today I rise to offer congratulations to Loxley Elementary School for being named a State Champion school for 2006–2007 by the President's Council on Physical Fitness and Sports.

With the motto, "EveryBODY is a winner in activity and fitness," the President's Challenge Physical Activity and Fitness Awards program offers presidential recognition and awards for physical activity and fitness participation to children ages 6 to 17. The State Champion award is presented annually to three schools in each State having the highest number of students scoring at or above the 85th percentile on the President's Challenge Physical Fitness Test.

As a State Champion, Loxley Elementary School is a role model for other schools because of its dedication to helping students encourage physical activity and gain fitness skills along with an understanding of the health benefits of being regularly active. Encouraging adequate amounts of daily physical activity is an excellent way to instill healthy lifestyle habits at an early age.

The five assessments of the President's Challenge Physical Fitness Test measure four components of physical fitness: a one-mile run/walk for heart and lung endurance; curl-ups for abdominal strength and endurance; a "sit and reach" stretch for muscular flexibility; pull-ups for upper body strength and endurance; and a shuttle run for agility.

Madam Speaker, I ask my colleagues to join me in congratulating Loxley Elementary School in Loxley, Alabama, for this honor. This school deserves public recognition and our appreciation for their concerted efforts to instill healthy lifestyle habits in the children of south Alabama.

ORGAIN, BELL, & TUCKER—TEXAS LAWYERS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. POE. Madam Speaker, today I am honored to recognize a Texas institution, the Orgain, Bell, and Tucker law firm, on its 100th anniversary. Orgain, Bell, and Tucker is located in many cities throughout Texas and was founded in Beaumont, TX.

William Edmund Orgain, the initial founding partner, was lured to Beaumont from his native Bastrop, TX by the need for land litigation that sprung from the Spindletop Gusher and the Texas oil boom in 1901. With the onset of the second oil boom the firm's second partner Major T. Bell joined Mr. Orgain's firm in 1925 to help with business generated by the second major oil unearthing in Beaumont. John G. Tucker joined the firm in 1933 and the firm was coined Orgain, Bell, and Tucker.

Orgain, Bell, and Tucker has, for the past 100 years, served clients with integrity in the areas of insurance defense, commercial litigation, utility law, labor law, and medical and legal malpractice.

Community service, starting with Mr. Orgain's service on the Texas Supreme Court Committee, which wrote the Texas Rules for Civil Procedure, and Major Bell's service as President of the State Bar of Texas in 1942, has always been a core philosophy of Orgain, Bell, and Tucker. Through service to the great State of Texas and to their local community Orgain, Bell, and Tucker's history of service has influenced generations of attorneys and community leaders.

And that's just the way it is.

PERSONAL EXPLANATION

HON. BRAD MILLER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. MILLER of North Carolina. Madam Speaker, on Wednesday, October 31, 2007, I missed rollcall vote No. 1026 a motion to instruct the conferees on H.R. 3034. Had I been present, I would have voted "nay."

HONORING MIKE LOWELL: THE 2007 WORLD SERIES MOST VALUABLE PLAYER

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I rise to honor the accomplishments of one of my constituents, Mike Lowell of the World Champion Boston Red Sox, for being named the 2007 World Series Most Valuable Player.

Mike grew up in Miami where he was a high school baseball star at Coral Gables Senior High School. He made the All-Dade First Team and was an All-State/All-Star in 1992. He did all this while maintaining a 4.0 GPA.

Mike was offered a full scholarship by Florida International University, FIU, where he excelled both as a student and an athlete and was honored as an Academic All-American.

In 1995, he was drafted by the New York Yankees and quickly moved up the minor league system. His parents, Carl and Beatriz, always stressed the importance of a good education, and after being drafted, he returned to FIU. He graduated magna cum laude in 1996 with a degree in finance.

In 1999, he was traded back home to play for the Florida Marlins. However, less than three weeks later, Mike's plans were put on hold by a startling discovery. While undergoing a regular physical examination, Mike was diagnosed with testicular cancer. The surgery and three weeks of radiation were successful. Mike recovered with the love and support of his family, including his lovely wife Bertica, and today he remains cancer-free.

Mike created the Mike Lowell Foundation, which helps raise funds for cancer research and helps pay for medical care to low income cancer patients.

While a member of the Marlins, he was a key contributor to their exciting 2003 World Series Championship. Mike was a 2002 and 2003 All-Star and won the 2003 National League Silver Slugger Award, which is given to the top offensive players at each position. In 2005, he won his first Rawlings Gold Glove Award for his "superior fielding performance" at third base.

On November 21, 2005, the Marlins traded Mike to the Boston Red Sox. He was voted onto the 2007 American League All-Star Team by his peers. In the 2007 season, he had a .324 batting average, hit 21 home runs and was the Red Sox team leader with 120 RBIs.

In the post-season, Mike was truly "El Señor Octubre". In the American League Divisional Series and the American League Championship Series, Mike batted in 11 runs for Boston as they defeated the Los Angeles Angels of Anaheim and the Cleveland Indians.

But it was on baseball's grandest stage that Mike Lowell shined brightest. During the World Series, Mike batted .400, scored 6 runs and drove in 4, including a home run in the decisive Game 4 against the Colorado Rockies. For his extraordinary performance, he was named the 2007 World Series Most Valuable Player.

I wish to congratulate Mike for his extraordinary accomplishments. He has earned the profound respect and affection of millions of baseball fans, and shown the entire Nation what the south Florida community has known for a long time, that Mike Lowell is an extremely talented, intelligent, and decent man. I am truly honored to be able to call Mike Lowell my friend.

CONGRATULATING JULIUS GOLDSTEIN & SON INC. OF MOBILE ON ITS RECOGNITION AS AN ALABAMA CENTENNIAL RETAILER

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. BONNER. Madam Speaker, today I rise to honor Julius Goldstein & Son Inc. located in Mobile, Alabama, for being recognized by the Alabama Retail Association as an Alabama Centennial Retailer.

The Alabama Retail Association, in conjunction with the University of Alabama at Birmingham, sponsors the Retailer of the Year program. Awarded in three categories based on annual sales volume, the awards are presented each year at the association's Retailing Day luncheon.

The designation of Alabama Centennial Retailer by the Alabama Retail Association recognizes century-old retail businesses for their contributions to Alabama's past, present, and future. I am proud to recognize that two of the honorees are located in Alabama's First Congressional District.

One of this year's honorees, Julius Goldstein & Son Inc., which does business as Goldstein's Jewelry, was founded in 1879 by Julius Goldstein. One of the South's leading fine jewelry stores, it is now owned by Richard Frank Jr., whose family purchased the business in the 1950s. Originally located on Dauphin Street in downtown Mobile, Goldstein's moved to Royal Street in 1905. Relocating to Bel Air Mall in 1967, Goldstein's was the first of Mobile's jewelry stores to "move west." In 1974, Goldstein's built a second location in the mall, where it stayed until moving to its current location on Hillcrest Road in 2002.

Madam Speaker, I ask my colleagues to join me in congratulating Goldstein's Jewelry for being recognized as an Alabama Centennial Retailer by the Alabama Retail Association. I know Richard Frank Jr., along with the company employees, their friends, families, and members of the community also join with me in praising Goldstein's Jewelry for their many accomplishments and for extending thanks for their continued service to the Alabama business community and the First Congressional District.

RECOGNIZING THE PONTIFICAL VISIT OF HIS HOLINESS KAREKIN II TO MICHIGAN

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. KNOLLENBERG. Madam Speaker, I want to recognize his Holiness Karekin II, the supreme patriarch and catholicos of all Armenians, as he visits St. John Armenian Church in Southfield, MI, during his second tour of the United States.

Catholicos Karekin II was born Ktrich Nersessian in Voskehat, Armenia on August 21, 1951. He graduated from the seminary of Holy Echmiadzin with honors in 1971, and was ordained a deacon in 1970 and a monk in 1972. It was then that he received the priestly name "Karekin." In the late 1970s, His Holiness Vasken I encouraged Karekin to continue his theological studies abroad, where he spent time in Vienna, Austria and Zagorsk, Russia; eventually returning to Armenia.

On October 23, 1983, Karekin was consecrated as a bishop in Echmiadzin. After the Spitak Earthquake in 1988, Karekin took an active role in helping the victims overcome the devastation. His leadership is evidenced by the many schools and churches erected after the tragedy. In addition, after the fall of the Soviet Union, Karekin nurtured the usage of modern technology and telecommunications to help bring new life to his churches as well as dealing with the legacies of the Soviet era.

In 1999, Karekin was elected catholicos of Armenia and of all Armenians at Echmiadzin, succeeding His Holiness Karekin I. Since his election, his holiness has fostered relations with religious leaders around the world including Pope John Paul II and Ecumenical Patriarch Bartholomew I. Furthermore, on October 10, 2007, he courageously stood on the floor of the House of Representatives and prayed for the victims of the Armenian genocide.

Today his holiness visits Michigan and its over 100,000 citizens of Armenian descent. His message of "bringing faith home" is exemplified by Michigan's involvement and contributions to Habitat for Humanity here and abroad. Their willingness to support one another during difficult and troubling times is truly an inspiration to us all.

Madam Speaker, I commend His Holiness Karekin II for all of his work for his faith, followers, and people of Armenia. I am proud of the many accomplishments of those he has inspired in Michigan and around the world.

TRIBUTE TO THE 302ND AIRLIFT WING OF PETERSON AIR FORCE BASE

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. LAMBORN. Madam Speaker I rise today to honor the elite airmen and women of the 302nd Airlift Wing, who are stationed at Peterson Air Force Base. These experienced reservists have again answered the call to duty by entering harm's way to support their fellow Americans in battling the raging fires in Southern California.

The 302nd launched two C–130 Hercules aircraft equipped with the sophisticated Modular Airborne Fire Fighting Systems to support massive emergency response efforts.

Maneuvering their C–130s dangerously close to the flames to help contain these violent fires, the battle-tested firefighting planes are led by aviators from the Forest Service.

The 302nd trains tirelessly in preparation for any situation and recruits only the finest, most experienced aircrews so as to ensure the best possible protection against loss of life to these fierce fires.

I recently accompanied the 302nd on a test run, and can honestly say that these men and women risk their lives each and every time they go up against a deadly fire.

I would like to thank the members of the 302nd Airlift Wing MAFFS crew, who helped save lives and property during these historic fires in Southern California: LTC David Condit, team leader; LTC Edward Strickland, director of operations; LTC Corey Steinbrink; LTC Harold Treffeisen; LTC Ronald Wilt; MAJ Robert Fairbanks; LTC Brian Thomas; SMSgt Kenneth Kunkel; MSgt Daniel Landers; TSgt Scott Agenbroad; MSgt Thomas Freeman; MSgt Darrell Biggs; TSgt Lamont Wood; SMSgt James Crain; TSgt Jimmy Felts; TSgt Steven Blaskowsky; SSgt Mark Shykes; SrA Allen Clutter; SSgt Michael McDonald; TSgt Brian McAmis; TSgt Steven Cisneros; SMSgt Glen Blackmann; MSgt Kenneth Lohle; TSgt Herbert Lehr; SSgt Yvonda Lefebvre; TSgt Kenneth Maness; MSgt Gerald Tuttle; MSgt Jose Gonzalez; MSgt Pamela Ammon.

These men and women are true heroes, who deserve to be recognized for their courage and bravery. It is my great honor to acknowledge their service to our Nation.

HONORING THE LITTLE RIVER DRAINAGE DISTRICT'S 100TH ANNIVERSARY

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mrs. EMERSON. Madam Speaker, I rise today to honor the Little River Drainage District on its 100th anniversary. This district oversees and maintains critical drainage facilities which keep low-lying Southeast Missouri free from flooding and swamp-like conditions. It is the largest drainage district in the United States, covering 540,000 acres, which protects 1.2 million acres from unwanted water. This complicated system of drainage outlets, levees, and water detention basins is crucial to the safety and livability of communities along the Mississippi River, the St. Francois River and their tributaries.

Before this land was cleared and construction commenced, less than 10 percent of Missouri's Bootheel was clear of water. Today, 96 percent of the land is free from water year-round. This enormous change has enabled Southeast Missouri to grow and to expand. Agricultural and industrial businesses that predominate the region's economy are possible today because of the work of the Little River Drainage District over the past 100 years. Even more important, the Little River Drainage District is committed to the future protection of this beautiful region of the country and the people who live there.

If not for the Little River Drainage District, children would go to school on tractor trailers, homes would fill with water after every heavy rain, and a surge in the Mississippi River would be a devastating event to whole communities. Without the men and women who work through the Little River Drainage District to advocate and maintain flood protection measures, life in Southeast Missouri would be very different.

The individuals of the Little River Drainage District are responsible for keeping the ground dry beneath countless businesses, farms, factories and families. They do an outstanding job as advocates for every citizen of Southeast Missouri. I commend them for their work and congratulate them on 100 years of service to our district, State and Nation.

THE PRIVATE SECTOR WHISTLEBLOWER PROTECTION STREAMLINING ACT

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Ms. WOOLSEY. Madam Speaker, employees who expose illegal practices benefit us all. But when they blow the whistle, they are often retaliated against. They are demoted, lose their jobs, and are blacklisted. Congress has established broad protections for Federal government employees and contractors who speak out. But when it comes to the private sector, there are large gaps in coverage.

Last spring, the Subcommittee on Workforce Protections, which I chair, held a hearing on private sector whistleblowers. What we heard at the hearing made it clear that these brave employees who put their jobs and lives on the line by coming forward to report violations of the law need more protection.

The Private Sector Whistleblower Streamlining Act of 2007 is designed to fill the gaps for private sector whistleblowers. First, it establishes whistleblower protections for workers who report violations of Federal law related to health and health care, environmental protection, food and drug safety, consumer protection, transportation safety, working conditions and benefits, energy, homeland and community security, building and construction-related requirements and financial transactions.

Second, it provides for reinstatement, compensatory damages, and in egregious cases, punitive damages for workers who have been retaliated against. In addition, the bill requires that the same well-tested principles used in determining whether or not a complaint is valid for Federal employees and contractors (and some private sector employees) who blow the whistle is used for private sector workers.

Third, the Act establishes a new office within the Department of Labor, which will be dedicated solely to administering whistleblower complaints. Following an investigation by this office, the Act provides an opportunity for hearings before a Department of Labor administrative law judge and final review by the Office of the Secretary. Complainants would also have the right to take their cases to court.

Since the substantive whistleblower protections under OSHA and MSHA are well-established, the Act takes a different approach for those who blow the whistle on safety and health violations. Procedurally, the Miner Act functions at an acceptable level, but the procedures of the OSHA Act badly need an overhaul. So the Streamlining Act would provide complainants under the OSHA Act with the same hearing, final review, and court opportunities as for others. For practical reasons, it would leave the initial investigations to OSHA.

Finally, the bill requires the National Academies to study why some persons or communities are reluctant to step forward and report illegal violations.

We want to encourage workers to come forward and report violations of law. The Private Sector Whistleblower Streamlining Act of 2007 will make it easier for them to do so.

CONGRATULATING MR. ROBERT A. REYNOLDS, JR.

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. AKIN. Madam Speaker, I rise today to recognize Mr. Robert A. Reynolds, Jr., an exceptional leader from my district in St. Louis, Missouri. Since 2000, Bob has served as President and CEO of Graybar Electric Co., Inc, a Fortune 500 company employing nearly 8,000 men and women at more than 250 distribution centers in the U.S., Canada, Mexico, and Puerto Rico.

Prior to his election as Chairman of the Board at Graybar in 2001, Bob served in various capacities at the company. He joined Graybar in 1972 as an office salesman, was transferred to the Philadelphia unit as a sales representative in 1977 and was later appointed manager of the national consumer products accounts at corporate headquarters in 1979. After serving as a branch manager in New York and Connecticut, he was appointed district manager in Seattle. Bob eventually became Vice President of Communications Markets and Vice President of Communication and Data Business before he was named Senior Vice President of Electrical Business in 2000. During his tenure as President and CEO, Graybar was on the Fortune America's Most Admired Companies list for six consecutive years.

Bob's leadership over the years has proven invaluable not only to Graybar, but to the community as a whole. He currently serves on the boards of the National Association of Electrical Distributors, the Boy Scouts of Greater Saint Louis, the United Way of Greater Saint Louis, the Saint Louis Club, the Log Cabin Club, Civic Progress of Saint Louis, and the Saint Louis Regional Commerce and Growth Association. He is the former Chairman of the Board at the National Association of Wholesaler-Distributors (NAW) and now serves as Past Chairman of the Board.

I am pleased to be able to honor Robert A. Reynolds, Jr. today. He is a remarkable example of the great leadership we have in Missouri and I know all of my colleagues join me in wishing he and his family the very best as he finishes his service at NAW.

FUND OUR VETERANS

HON. THELMA D. DRAKE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mrs. DRAKE. Madam Speaker, this is day 32. That is 32 days, so far, that our veterans have not had the use of the increased funding for their benefits and health care. That is $18.5 million a day not able to be used. And why? Because the Democratic leadership has decided to not complete this bill and send it to the President, who has agreed to sign it.

In June this House passed this appropriation bill with a $6 billion increase in a bipartisan manner. We were proud of our work and grateful to our veterans.

On September 6, the Senate completed their bill.

This work is done. Our veterans are not pawns in a political game. They are heroes.—Their sacrifices should not be used for more spending & more partisanship here in DC.

America expects us to get the job done. America expects us to provide the best care to our veterans.

Please join me in calling upon the Democratic leadership to put our veterans first and send this bill to the President now.

TRIBUTE TO NORTH FORT MYERS ELKS LODGE #2742

HON. CONNIE MACK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. MACK. Madam Speaker, I rise today to honor the North Fort Myers Elks Lodge #2742 for their tireless and dedicated service to Southwest Florida's veterans.

The Elks are committed to the ideals of charity and patriotism and have a long tradition of supporting service projects throughout their local communities. No lodge fits this ideal better than the North Fort Myers Elks Lodge #2742, who will be recognized for their service to the Southwest Florida veterans community next week at the Florida Elks' State Convention in Orlando.

Since 1917, the Order of Elks has pledged to never forget our nation's veterans. The men and women of the North Fort Myers Elks have taken the Elks' pledge to heart. Their record of service to the veterans of Southwest Florida is inspiring and worthy of commendation.

Over the last several years, the North Fort Myers Elks have served over 14,000 hot meals and provided over $107,000 in food items, necessities and clothing to the region's homeless veterans; have logged over 90,000 miles transporting veterans to the Bay Pines VA Medical Center in Bay Pines, Florida; and have repeatedly been recognized by the national Elks organization for their service to veterans, taking first place four years in a row.

We all owe a tremendous debt of gratitude to those who have served our country valiantly, and the North Fort Myers Elks have shown their community what compassion and service to our nation's veterans truly means.

I'm honored to represent these caring and hardworking individuals in Congress, and thank them for their efforts in making Southwest Florida a great place to live, work and visit.

HONORING DR. TERRY L. MARIS, OHIO VETERANS HALL OF FAME INDUCTEE

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. JORDAN of Ohio. Madam Speaker, a ceremony in Columbus next week will mark the induction of 20 distinguished Ohioans into the Ohio Veterans Hall of Fame. I am honored to commend to the House one of these inductees: Dr. Terry L. Maris of Hardin County.

Dr. Maris is an Army Special Operations veteran who served two combat tours in Vietnam. A Purple Heart recipient, he was awarded the Bronze Star, the Army Commendation Medal with Valor Device, the Vietnam Gallantry Cross with Gold Star, and numerous other decorations for his valorous service.

Following his distinguished Army career, Dr. Maris put the leadership skills he honed in Vietnam to good use in the private sector, where he has compiled an admirable record in the fields of business research and teaching. As Dean of the College of Business at Ohio Northern University for 15 years, he oversaw the implementation of new instructional methods and cutting-edge teaching technologies to ensure that his students would best be prepared to succeed. He continues to serve as Executive Director of the Center for Cuban Business Studies, which he created to help people across the hemisphere lay the groundwork for relations with Cuba after the Castro regime.

Madam Speaker, selection for the Hall of Fame is a high honor accorded to only 20 Ohioans per year. To be considered for induction, individuals must not only serve the Nation honorably in the military, but also reflect the high value of service to others in their post-military careers.

In a letter recommending Dr. Maris for inclusion in the Hall, American Veterans Institute President Mike Jackson called him a "quiet hero" who has dedicated himself to educating future generations for the betterment of people everywhere. I am pleased to join in the accolades for Dr. Maris and his inestimable record of service to our Nation as he is inducted into the Ohio Veterans Hall of Fame.

HONORING MRS. DOROTHY CHIERO, RECIPIENT OF THE CHARLES E. PIPER AWARD

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. LIPINSKI. Madam Speaker, I rise today to honor Mrs. Dorothy Chiero, recipient of the 2007 Charles E. Piper Award for exceptional business achievement. Dorothy Chiero has worked for Bellair Expediting Service for the last 31 years and currently oversees 23 offices through the United States as a corporate office manager. Her outstanding leadership has greatly impacted the local community and its businesses.

As a long-time resident and proud member of the Berwyn business community, Dorothy Chiero has been very active in promoting local businesses. Dorothy played an essential role in the formulation of the Historic Depot District Special Events Committee of the Berwyn Development Corporation. This committee has hosted a number of successful events which have brought attention and notoriety to the business district in the Depot area.

Dorothy's leadership in the community also extends to the two area businesses that she owns with her husband, Cabin Fever and AWESOME Pest Service, as well as her participation in many other local organizations. She is currently serving on The Berwyn Development Corporation's Ogden/Depot District TIF Committee and the Transit Oriented Development Steering Committee and is an active member of the Democratic Citizens of Berwyn and the Women's Club of Berwyn.

I rise today to congratulate Dorothy Chiero, recipient of the 2007 Charles E. Piper Award, for her efforts and positive influence on the Berwyn business community. It is my privilege and pleasure to congratulate Mrs. Chiero on this award and acknowledge her contributions to the community. Her unique approach, dedication, and determination serve as an inspiration to the business community, as well as all citizens.

TRIBUTE TO PAT KERR

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. SKELTON. Madam Speaker, let me take this moment to recognize the selfless acts of Pat Kerr. Mrs. Kerr has tirelessly advocated on behalf of service members and their families.

After her daughter, CPT. Kat Numerick, was deployed to Iraq, Pat Kerr organized successful events at the Capitol to raise support for our troops. Mrs. Kerr has earned the reputation of refusing to turn down any soldier or family member. She regularly works late into the night, spending her own time and money to resolve each family's problems. Recently, Mrs. Kerr testified to Congress on the care of wounded servicemen.

Due to her relentless work to improve conditions for our troops, Mrs. Kerr has been recognized by Traditional Home magazine as a 2007 Classic Woman. She will be commended at an award ceremony in New York and will be featured in an article in Traditional Home's Classic Woman issue. This prestigious distinction comes with a $2,500 contribution from Traditional Home, which will be awarded to The Military Family Relief Fund.

Currently, Mrs. Kerr continues her career at the Missouri State Veterans' Commission. She and her husband, John, care for their grandson while Captain Numerick serves her third tour of duty. I trust that Members of the House will join me in thanking Pat Kerr for her devotion to the brave men and women in our military.

IN HONOR OF JERRY SMITH

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. FARR. Madam Speaker, I rise today to honor a great American, Monterey County Supervisor, Jerry Smith, on the occasion of his recognition as one of Monterey County's outstanding veterans of the year by the Monterey County Veterans Services Advisory Commission. I am honored to have this opportunity to recognize Supervisor Smith not only because of his long public service in the California Central Coast community that I represent, but also because I consider Jerry and Byrl, the love of his life and wife of forty years, as friends.

Jerry Smith was born in 1945 and raised in Monterey County, California. He is the descendant of a pioneer family that arrived on the Monterey Peninsula in 1889. His great grandfather, William Niblett, first settled in Pacific Grove. The Niblett family lived there until 1937 and later moved to what was then the unincorporated community of Seaside. In the 1950s, Jerry's family was active in the successful efforts to incorporate this area as the City of Seaside. My own family's connection to Jerry's family begins at that time through my father Fred Farr's Seaside based law practice and his own involvement in the Seaside incorporation efforts.

After college, Jerry served a tour of duty in Vietnam with the Army's 4th Infantry Division. Following his return to Seaside in 1968, Jerry worked in a variety of fields including hotel management, banking, and auto sales. That is where I first met him, when in 1978 he sold me a Volkswagen Rabbit. Later that year following a service visit, I pulled into traffic while leaving Jerry's Wester Volkswagen dealership and into the path of a fast moving cement truck. I have joked with Jerry over the years that had this accident actually been fatal, rather than simple near fatal, he would have been the last person on Earth that I had any contact with.

In 1982, Jerry launched a public service career in law enforcement. He served over twenty years as a peace officer at the California State Correctional Training Facility in Soledad, where he rose to the position of Community Resources Manager. In 1998, Jerry won his first of three terms as Mayor of his home town. Under his leadership, the City of Seaside started its rebirth following the 1993 closure of the adjacent Fort Ord Army base. In 2004, Jerry became the first African American elected to the Monterey County Board of Supervisors to represent the Fourth District. In his capacity as County Supervisor, Jerry serves on numerous Committees and Boards, including the Monterey County Voting Rights Committee, the Fort Ord Reuse Authority, the Transportation Agency of Monterey County, the Natividad Medical Center Board of Trustees, and many others. In all of this work, Jerry has kept the interest of veterans at the forefront both in his official capacity and as an active member of American Legion Post 591 and the Veterans of Foreign Wars.

Jerry has also been an active member of his community beyond his official duties as

Mayor and Supervisor. He attends St. Francis Xavier Church and is a member of numerous charitable organizations throughout Monterey County, such as St. Francis Xavier Knights of Columbus, Monterey County NAACP, United Way, and the Monterey County Crime Prevention Association, to name a few.

Madam Speaker, in addition to his record of public service in general, and for veterans in particular, Jerry is also a shining role model for comity and decorum in public discourse. He is unfailingly gracious. Even in heated disagreement, of which we have had our share over the years, Jerry is always at pains to treat the other participants in the discourse with dignity. I know that I speak for the whole House in offering Jerry and Byrl our congratulations and best wishes for the future.

A TRIBUTE TO SISTERS OF MERCY

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Ms. MATSUI. Madam Speaker, I rise today in recognition of the Sisters of Mercy and their 150 years of service in Sacramento. One and a half centuries ago an extraordinary group of women traveled from Ireland to California to improve the lives of the poor, sick and uneducated. Their spirit and dedication still lives on in the work of today's Sisters of Mercy. I ask all my colleagues to join me in honoring some of Sacramento's finest citizens.

The Sisters of Mercy were founded in 1831 by Catherine McAuley in Dublin Ireland. In 1854, eight sisters arrived in San Francisco to begin their "Mercy mission." On the morning of October 2, 1857, at the request of Bishop Joseph Alemany of San Francisco, the Sisters of Mercy arrived in Sacramento. Led by Mary Baptist Russell, four sisters traveled to a new community. They immediately established a school, cared for orphans and assisted the poor.

Over the past 150 years, the Sisters have cared for countless Sacramentans and expanded their services in hopes of reaching the entire community. They established the Catholic Orphanage of Sacramento and provided social services for those in need. In 1875, the Sisters opened St. Joseph's Academy, offering women an education, employment trainings and boarding school accommodations. At a time when women were often shut out of the public sphere, the academy was dedicated to expanding women's contributions in society. The Sisters of Mercy have since grown to include over fourteen elementary schools and four high schools, as well as the Mercy Educational Resource Center Sacramento which opened in 1992. This center offers services to all in need, especially those who are emotionally distressed and educationally disadvantaged due to learning disabilities and societal circumstances. It is a comfortable environment that offers students a wonderful place to learn.

Coming to Sacramento as teachers, the Sisters of Mercy also became the first visiting nurses in the region. In times of need, including the devastating floods in December of 1861 that kept parts of Sacramento under water for six months, the Sisters treated malaria, typhoid fever and tuberculosis. Their contributions did not go unnoticed as members of the medical community encouraged the Sisters to open a hospital in hopes of expanding their efforts. In 1896, the sisters added a hospital ministry. In 1897, to strengthen this new ministry, the sisters opened the first private hospital in Sacramento, the Mater Misericordiae Hospital, which also was known as the Sister's Hospital. Following the hospital's opening, a nursing school was added to train others.

The Sisters of Mercy's mission has been preserved and strengthened throughout the years. In 1925, the sisters opened the new Misericordiae Hospital, now known as Mercy Hospital in Sacramento. In 1950, Mercy Children's Hospital was opened. This hospital focuses on the special needs of the community's youth. Today there are four local Mercy hospitals, Mercy General Hospital, Methodist Hospital of Sacramento, Mercy Hospital of Folsom, and Mercy San Juan Medical Center, as well as five free healthcare clinics that continue to assist those who cannot pay for their medical care. The sisters have also created Mercy Housing, which develops affordable housing and support services for those in need. They have since created hundreds of affordable housing units across Sacramento.

Madam Speaker, I am honored to pay tribute to the Sisters of Mercy's distinguished commitment to the well-being of the Sacramento community. Their dedication has withstood both physical and financial hardships. Over the last 150 years, the Sisters have expanded their mission with the changing of times and have been true champions of the needy. As the Sisters of Mercy's colleagues, supporters, families and friends gather together at the 150th gala celebration, I ask all my colleagues to join me in wishing them continued good fortune.

TRIBUTE TO CASA

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. McDERMOTT. Madam Speaker, I am enormously proud to rise in celebration of the 30th anniversary of one of Seattle's finest start-ups, one that is valued throughout the country today. You may initially think I am speaking of Boeing, or UPS, REI or Starbucks. Rather, I refer to the CASA movement—Court Appointed Special Advocates.

Every year more than 800,000 children enter the court system after being removed from their homes and placed in foster care. They have not committed any crime, instead, they are simply child victims of abuse, neglect, or abandonment. It is up to a judge to decide their futures—what healing services they will receive, where they should live and with whom, and if they can be safe. In order to reach such critical decisions, judges need to be fully informed about the child's situation.

In 1977, King County Superior Court Judge David W. Soukup of Seattle, Washington believed that he was not getting all of the facts he needed to make well-informed decisions affecting the futures of children coming before him in child welfare cases. The judge convened a meeting of community representatives to discuss his idea for recruiting citizen volunteers to do the detailed research that judges could not. Judge Soukup envisioned trained volunteers who would speak to the children and their teachers, therapists, foster parents, and family members, then write reports for the court including the volunteer's recommendations for the child's best interests. This vision was the impetus for the first CASA program.

Before coming to Congress, I sometimes had occasion to testify as an expert witness in Judge Soukup's courtroom. He was both a thorough and caring jurist. He explained that he founded the CASA movement because he wanted someone in his courtroom whose only job was to provide a voice for the children. Caseworkers are obligated to their agency, the parent, and others. An attorney appointed as the child's legal representative cannot testify about privileged, and potentially harmful, information that the child may have revealed. Attorney guardians ad litem simply could not afford the time to do a thorough investigation of all the facts, interview significant adults in the child's life, and advocate for the mental and social needs of the child.

Judge Soukup's innovative vision has grown to become a strong and respected national program of advocacy for children. It is estimated that CASA volunteers serve 30 percent of children who are in foster care and court systems because of abuse and neglect. This year marks the 30th anniversary of the founding of that first CASA program in Seattle—it is also the year in which the 2 millionth child will be served by a CASA volunteer.

Many of my colleagues are equally proud and supportive of the remarkable work that CASA volunteers perform within their districts to assure that a child's needs are recognized and addressed by the courts and social service systems. There are more than 900 CASA programs in 49 states. Nearly 60,000 CASA and volunteer guardians ad litem served 220,000 children in 2006 alone.

Several studies demonstrate the effectiveness of CASA advocacy for children. Judges appoint CASA volunteers to their most difficult cases, in which children face an even higher-than-normal factor of risk. In spite of the difficulty of their cases, children with a CASA volunteer are substantially less likely to spend more than 3 years in foster care or ever to reenter foster care. A greater number of targeted services are ordered for children and their families when the child has a volunteer. In 4 out of 5 cases, all or almost all of the CASA volunteers' recommendations are accepted by the court. Judges today identify a great need for more volunteers to be assigned to children's cases.

I thank Judge Soukup for his inspiration. He must feel enormously rewarded by the knowledge that his idea has helped provide better outcomes for 2 million children today. Congratulations to the King County Dependency CASA Program on this 30th anniversary. I applaud the National CASA Association for its leadership in expanding that single program in Seattle to more than 900 offices in 49 states today. I salute Washington State CASA, also located in Seattle, for undertaking the largest expansion of CASA within the state. Finally, I congratulate and thank the hundreds of thousands of citizens who have served as CASA volunteers over these last 30 years for their steadfast advocacy to assure that the interests and needs of the children remain the focus of our child welfare and court systems.

A TRIBUTE TO SAMUEL J. CORNELIUS

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. CLAY. Madam Speaker, I rise today to pay tribute to Samuel J. Cornelius. His longstanding commitment to the citizens of Missouri has earned his place among the ranks of past inductees into the Missouri Walk of Fame.

Mr. Cornelius has been passionately devoted to promoting minority businesses and being engaged in the political process. A graduate of Anderson University, Mr. Cornelius got his start in business when he organized the Sacramento Street Businessmen's Association in Berkeley, California. During his time with the Businessmen's Association, he developed cooperative buying, promotion, and advertising programs for minority business owners.

Mr. Cornelius has been remarkably persistent in developing minority business leaders. After taking leave from his privately-owned business, he implemented the Economic Development Assistance Center for Opportunities Industrialization Centers of America. There he administered three national programs: The Anti-Poverty Program, the Minority Business Program, and the $16.5 Billion Feeding Program.

Mr. Cornelius has served as Vice-President of the NAACP Board of Directors and a member of the United Way, the United Black Fund and the Boys and Girls Club of America. In addition, he is listed in Who's Who in Black America. He is married, a proud father of four and a Veteran of the United States Navy.

Madam Speaker, it is with great privilege that I recognize Samuel J. Cornelius today before Congress. His life and his career are steeped with dedication to the well-being, of not just Missouri residents, but to the entire nation. I urge my colleagues to join me in honoring Samuel J. Cornelius.

HONORING BILL AND LUCY KORTUM

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Ms. WOOLSEY. Madam Speaker, it is with great pleasure that I join you here today to honor Bill and Lucy Kortum for their outstanding contributions to Sonoma County, the State of California and the Nation. Having made significant changes to the environmental consciousness in California and beyond, among other good works, Bill and Lucy have changed the world permanently—for the better.

Bill's priorities were clear from the time he was young, growing up in Sonoma County where he could hike or travel anywhere in the county. His father told him, "Enjoy it now, because when you grow up, it will be gone."

Determined that wouldn't happen, Bill has contributed in many ways to protect the valued lifestyle of the community. That work has had lasting effect around the world, and resulted in a long list of notable accomplishments. For example, as co-founder of COAAST (Californians Organized to Acquire Access to State Tidelands), Bill led the fight to ensure the public's right to use California's 1,300 miles of coastline. Out of that came the California Coastal Protection Initiative, a ground-breaking measure that created the Coastal Commission to regulate development along the State's coast.

"That's not only a gift to the people of California," says Professor John Kramer of Sonoma State University, "but that bill was instrumental and served as a model for environmentalists around the globe of how you could value coast with the notion that it's a common value. And it has been re-affirmed by the Supreme Court over and over."

Among Bill's other contributions were the idea of triple use for urban wastewater, the selection and securing of land for the campus of Sonoma State University, and the idea of a hiking trail along the length of California, now called the California Coastal Trail—which includes a part named after the Kortums.

Because of his steadfast dedication, Bill is considered the dean of Sonoma County environmentalists. As such, he was the first to serve as a Sonoma County supervisor. He was also one of the founders of Sonoma County Conservation Action, an organization that has been instrumental in electing environmentally minded local officials, and is now a leader in transportation issues, as well.

Bill's ideas were always backed by Lucy's actions, says Kramer. "Bill would get an idea and Lucy would type it up on an old Underwood."

While her husband led the charge and attended meetings, Lucy organized papers and photos, typed documents and maintained computer files. It has been said of the couple's partnership that "he runs around and she organizes it."

But Lucy has contributed more than administrative support. "While Bill was preserving our environmental heritage, Lucy was preserving our architecture," Kramer notes.

Her love of history motivated her to earn a master's degree at Sonoma State University in the subject. Her meticulous research about historic sites resulted in more than a dozen Petaluma buildings being named to the National Register of Historic Places.

It was Lucy who was responsible for the research of every one of the 144 California Carnegie libraries, Kramer notes. The thesis she wrote from this research, entitled "Carnegie Library Development in California and the Architecture it Produced, 1899–1921" served as the multiple property nomination that resulted in 10 California Carnegie libraries being added to the National Register of Historic Places. In fact, the paper still sets the standards by which such libraries achieve the National Register designation.

In recognition of her dedicated volunteer service and scholastic achievements in the field of historic preservation and research, the Sonoma County Historical Society awarded Lucy the Jeanne Thurlow Miller Individual Award in 2005. The next year, she was named Petaluma's "Good Egg" and chosen to lead the town's annual parade, an acknowledgment of her volunteer work for the Petaluma Historical Library and Museum. She still serves as a board member of the Petaluma Historical Society and Friends of the Petaluma Library.

In addition to her own accomplishments, Lucy worked tirelessly alongside her husband to bring about the coastal trail, the coastal commission and the California League of Conservation Voters, among others.

"They've been such incredible individuals," Kramer notes. "Beyond just living a good life [and raising a family of three], they've given to their community in extraordinarily wonderful ways."

Madam Speaker, I ask you to join me in acknowledging two amazing people who have made a difference. Thank you, Bill and Lucy, for your contributions to the betterment of Sonoma County and the world.

HONORING TEMPLE BRITH ACHIM

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. SESTAK. Madam Speaker, I rise today to commemorate the groundbreaking of Temple Brith Achim's new Life Long Learning Center.

Temple Brith Achim, a reform synagogue affiliated with the Union for Reform Judaism, began in 1971 as a small group of families who dreamed of building a place to worship, celebrate, mourn, teach, learn and grow. In the 36 years since this "covenant of brothers" was formed, Temple Brith Achim has flourished into a community of more than 280 families.

This past April, as part of its 36th Anniversary celebration, Temple Brith Achim honored its founders and builders for their contributions, and reflected upon the congregation's strong tradition of community sharing and caring.

Temple Brith Achim continues to provide a welcoming atmosphere rich with religious and cultural traditions, beliefs, and rituals. Beyond worship, members of the congregation engage in charitable community outreach activities, employing social activism to improve local, national and global communities.

This weekend, the community marked the beginning of a new phase in the Temple's life with a ceremonial groundbreaking for the new Center for Life Long Learning and for modernization of its existing facility. These improvements and additions will further the Temple's commitment to educating and instilling Jewish values in both its younger congregation and its adult congregants through its Religious School and Adult Education.

Madam Speaker, I ask you to join me in recognizing this important milestone, and in congratulating the members of Temple Brith Achim for their continuing contributions to society. Their spirit of community and giving serves as an example to us all.

THE MARINE CORP MARATHON

HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mrs. SCHMIDT. Madam Speaker, it is with great pride I rise today to congratulate the 20,630 brave souls who finished the Marine Corp Marathon this past Sunday, October 28, and to thank all the Marines, and Soldiers, Sailors, and Airmen that have sacrificed and continue to sacrifice for this Country.

Anyone that participated in the Marine Corp Marathon as a runner or a spectator should be very aware of the inherent good in humanity. The entire course was filled with Marine volunteers handing out water, friends and family of those running, and countless well-wishers who just came to cheer the runners on, and pay respect to those that have given so much.

There are 20,630 stories of why this marathon was important, and 20,630 reasons why it was special. I would like to take a minute to share just a few of these compelling and heartwarming stories.

I am told that 1st Lt. Travis Manion was excited to run the Marine Corp Marathon with his father, Colonel Thomas Manion, also an active duty Marine. Being active duty Marines they were accepted before general registration began. Unfortunately a sniper's bullet cut Travis's life short on April 29, 2007 in Al Anbar province. He was serving his second tour in support of Operation Iraqi Freedom. In his honor, his father ran with both their bib numbers, and nearly 100 others ran the marathon as a part of "Team Travis." All members of "Team Travis" should be proud of their hard work to honor this hero whose life was tragically cut short.

The United States Naval Academy Class of 1995 graduated a little over a decade ago just like generations of Sailors and Marines before them, ready to spread out over the world, and serve our country. This past weekend, nearly 100 members of that graduating class ran in the Marine Corp marathon to "Run to Honor" 6 members of their graduating class who have died in military operations from 1998 and 2007. Their fallen comrades, Marine Major Douglas Zembiec, Marine Major Megan McClung, Navy Lt. Cmdr. Erik Kristensen, Navy Lt. Richard Pugh, Navy Lt. Bruce Donald, and Navy Lt. j.g. Brendan Duffy, constitute the highest operations related loss of any Naval Academy class since the Vietnam War. Anyone present on Sunday saw their many classmates carrying the yellow signs that read "Run to Honor," and carried the names of those heroes who have given so much.

Steve Penrose and his wife Brenna Penrose ran the marathon to raise money for the Matt Maupin Foundation. Matt Maupin, a native of Clermont County, Ohio, has been missing in Iraq since April 2004, and the Matt Maupin Foundation gives scholarships in his honor. The Penroses run raised at least $1000 for the foundation. Madam Speaker, I pray for Matt's safe return every day, and we are all grateful for the sacrifices of Steve and Brenna.

Finally, I would like to congratulate all the members of the Capitol Hill Running Club for their hard work meeting at the Capitol at 6 a.m. to train. I would like to congratulate the coaches, Major Ben Venning, Colonel Ray Celeste, Staff Sergeant Juan Carrasco, Sergeant Shane Cooley, Gunnery Sergeant Ramses Cypress, first time marathoners Natosha Prolago and Caitlin Short from Representative PRYCE's office, and second time marathoner Chris Vieson who serves us all as a member of the Republican Whip's floor staff. Other members of the club who ran the marathon are: Bernadette Arellano, Mark Baker, Martin Bayr, Danielle Behler, Kern Briggs, Clay Brockman, Diane Cihota, Christine Clapp, Fletcher Cork, Kelly Anne Creazzo, Katrina Eagle, Jim Faucett, Kirtley Fisher, Liza Fornaciari, Jeremy Glauber, Molly Gray, Shane Hagerman, Robert Hartmans, Richard Hayden Jr., Mark Hayes, Hanz Heinrichs, Alicia Herrmann, Wallace Hsueh, Kelley Huemoeller, Timothy Joyce, Amy Judge, Katy Kale, Garrett Keeler, Andrew Kermick, Vanessa Kermick, Max Kidalov, Speros Koumparakis, Kevin Lawlor, Fitzhugh Lee, Christopher Lee, Angelical Martinez, Christopher Meyers, Mariah Moncecchi, Kenneth Monroe, Philip Moore, Iffat Nawaz, Alexander Newcome, Timothy O'Rourke, Katherine Pattillo, Jeff Pickett, Gary Pinkerton, Susan Pinkerton, Rebeccah Ramey, Helen Robbins, Charles Roman, Matthew Shaffer, Royce Shields, Joshua Shields, Glee Smith, Tom Stallings, Caroline Stephens, Jeff Stephens, Amy Sterling, Zachary Stone, Jade Stone, Andrew Tabler, Gerald Thomas, Steve Vahson, Jonathon Van Arsdell, Sheila Venning, Jacob Watts, Sandra Weiss, Lynn Williams, Daniel Wolf, and Justin Yee. Congratulations to you all.

I also wanted to mention several other groups equally worthy of recognition who had many dedicated runners, running for great causes: The Scraper Fi Fund, The Fisher House Foundation, the Achilles Track Club, Hope for the Warriors, Operation Homefront, USO of North Carolina, the Temporary Assistance Program for Survivors (T.A.P.S.), and the many more that I failed to mention.

TRIBUTE TO BOOKWALTER UNITED METHODIST CHURCH

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. DUNCAN. Madam Speaker, I rise today to honor Bookwalter United Methodist Church of Knoxville, Tennessee.

On November 4, many people from East Tennessee will join together to recognize Bookwalter United Methodist Church as they celebrate 125 years of ministry.

Bookwalter United Methodist Church has an exciting history that started back in 1881 when Dr. Lewis Bookwalter moved his family to Knoxville, Tennessee. Dr. Bookwalter contacted another minister by the name of Louis Bookwalter and a man by the name of John Worth. Together they learned that many people had a great interest in establishing a church in the area. In 1882, Reverend Scott Moore held a revival in a school house, in which Reverend Bookwalter assisted. As a result of this revival, Bookwalter United Methodist Church came to be.

Since then, Bookwalter United Methodist Church has continued to grow as believers commit themselves to spreading the word of God. As a result of Louis Bookwalter's call to minister a group of believers, thousands have come to know the thriving community of believers that is Bookwalter United Methodist Church.

Madam Speaker, in closing, I urge my colleagues to join me as I salute Bookwalter United Methodist Church in Knoxville, Teneessee, and wish them another 125 years of successful ministry.

TRIBUTE TO MR. LARRY THOMAS WALTZ

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. SAM JOHNSON of Texas. Madam Speaker, I rise today to honor Mr. Larry Thomas Waltz, the second son of Thomas and Hazel Waltz, who was born in Harrisburg, Pennsylvania. Mr. Waltz was a credit to his family and to his nation as he heroically served his country by giving the ultimate sacrifice in defending America.

As a youngster, Mr. Waltz was a strong academic student and had a passionate love of the outdoors. He excelled in both hunting and fly fishing. He chose to enlist in the United States Navy where he planned to be trained as a sniper. After extensive testing by the Navy, Mr. Waltz decided to enter Medical School at the Philadelphia Navy Hospital to train to be a heart surgeon. However, with the escalation of the Vietnam War and a shortage of corpsmen, Larry was transferred to the Marine Corps and was shipped to Vietnam on October 19, 1968.

On November 1, 1968, Mr. Waltz gave his life in service to his country when he was killed by hostile fire while attempting to give medical treatment to a marine who received injuries from sniper fire.

On the 39th anniversary of his death, I join with Larry's family to remember him, his life and his service to this great nation. I ask my colleagues to join with me to thank the many great men and women who, like Mr. Waltz, are proudly serving our Nation in their tireless pursuit to protect our freedom.

TRIBUTE TO VICTOR BERLINE

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. MOORE of Kansas. Madam Speaker, I rise today to pay tribute to my constituent, Victor Berline, who died on October 29, at the age of 92.

A well-respected Kansas City photographer, Victor Berline was born in a poor neighborhood of Paris, France, to Simon and Luba Berline on April 8, 1915. He lost his parents and beloved sister, Rissa, during the Nazi occupation. Although his formal education ended with grammar school, he was well versed in English, French and German classical music, theater, and literature. His keen intelligence and quick thinking helped him survive 5 years as a World War II prisoner of war in Germany.

In 1946, Victor established himself in Kansas City, the home of his sister, Cecile Berline Bortnick, and her husband Joseph. Shortly thereafter, he married Miriam Gottlieb and they had 2 sons: Steven and Gary [the husband of Sharon Terdeman and stepfather of Jessica Terdeman]. Victor and Miriam would have celebrated their 61st anniversary on December 29.

Victor Berline's family, friends and neighbors will remember him for his amazing ability to connect with both young and old, as well as for his sense of humor, vibrant creativity, and joie de vivre. As a former Nazi POW who immigrated to the United States, he always said that he went from hell to paradise! Madam Speaker, I know that all members of the U.S. House of Representatives join me in paying tribute to the life of this remarkable man.

RECOGNIZING THE DEDICATION AND SERVICE OF GENERAL MONTGOMERY C. MEIGS

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mrs. TAUSCHER. Madam Speaker, with the support of my colleagues on the House Armed Services Committee, I rise to recognize the outstanding service of GEN Montgomery C. Meigs, on the occasion of his upcoming retirement from the Joint Improvised Explosive Device Defeat Organization (JIEDDO).

General Meigs' leadership of JIEDDO is just the latest chapter in a storied career which has been singularly focused on protecting our nation and advancing American values at home and abroad.

General Meigs served in the Army for 35 years until January 2003. On active duty he commanded units in harm's way in the Ashau Valley in Vietnam, at Medina Ridge during Desert Storm and in Multi-National Division North in Bosnia.

From October 1998 to December 2002, he commanded U.S. Army Europe (USAREUR) where he led over 57,000 soldiers. In the first year of this assignment and during the Kosovo Air Campaign he also commanded SFOR, NATO's peacekeeping operation in Bosnia-Herzegovina. Between 1999 and 2003, USAREUR worked closely to forge new relationships with Russian Ground Forces and the Armies of the new NATO member nations.

In his capacity as USAREUR, General Meigs also achieved a number of unprecedented innovations in command and control capability, Blue Force Tracking among them.

The Secretary of Defense appointed General Montgomery Meigs Director of the Joint Improvised Explosive Device Defeat Organization (JIEDDO) on 16 December 2005. The Task Force has the responsibility to lead, advocate, and coordinate all Department of Defense actions in support of the Combatant Commanders' efforts to defeat improvised explosive devices (IED) as weapons of strategic influence.

In other key assignments during his military career, General Meigs specialized in leader development, military education, war planning, support and execution of contingency operations, and finding and implementing technological solutions for intelligence and command and control capability.

As Commandant of the Army's Command and General Staff College, he led the effort to write a new leadership manual for the Army and implemented case study methods in the Staff College's leadership instruction. In addition he has published a book, Slide Rules and Submarines, as well as numerous articles in professional journals.

Following his retirement, General Meigs assumed the duties as the Tom Slick Visiting Professor of World Peace at the LBJ School of Public Affairs, University of Texas at Austin. He then moved to the Louis A. Battle Chair of Business and Government Policy at the Maxwell School of Citizenship and Public Affairs at Syracuse University. He also served as a consultant for NBC News and as a member of the Board of Trustees of the MITRE Corporation.

General Meigs has served our nation as an exemplary officer, a strategic thinker, and an innovator. His leadership of our anti-IED effort is currently saving lives by bringing critical technology and training to our men and women in harm's way.

I would like to express my sincere gratitude to General Meigs and wish him continued success in his future endeavors.

IN HONOR OF BRIGADIER GENERAL PAUL W. TIBBETS, JR.

HON. DEBORAH PRYCE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Ms. PRYCE of Ohio. Madam Speaker, it is with a heavy heart that I rise today to honor the life and courage of the pilot of the *Enola Gay*, Brigadier General Paul W. Tibbets, Jr., for his heroism and service to our great nation. General Tibbets passed away today at the age of 92 in Columbus, Ohio, a city he called home for more than 30 years.

General Tibbets will forever be known for his role in piloting the *Enola Gay's* historic flight of August 6, 1945. No one can presume to understand the pressures Brig. Gen. Tibbets must have felt when confronted with the enormity of this mission. Having thoroughly distinguished himself by leading the first American Flying Fortress raids over occupied Europe, as well as the first bombardment missions over North Africa, it was his successful completion of the flight of the *Enola Gay* that would inextricably alter the course of human history.

To fully appreciate General Tibbets' accomplishments, one must understand that Paul Tibbets was not simply the pilot of the *Enola Gay*, but that he played a pivotal role in every facet of this critical mission, from inception to completion. He organized, selected and trained his entire crew. He significantly altered the design of the aircraft to allow the plane to fly beyond the range of anti-aircraft fire. And, perhaps most importantly, he was one of a select few entrusted with the full understanding of the implications and magnitude of our mission on August 6th, 1945.

In the sixty years that have followed, General Tibbets' legacy has been unfortunately clouded by political and philosophical debates over the consequences of dropping the bomb on Hiroshima, and of the nuclear arms race that ensued. As a pilot and patriot, General Tibbets dutifully performed his mission without passion or prejudice, and irrespective of the destructive cargo his plane stored. While academics can debate the numbers, clearly hundreds of thousands of lives—both American and Japanese—were spared by the attack on Hiroshima, and a devastating world war was ended. General Tibbets' place in history is secure, and his mission must never be obfuscated through revisionist history—he is, without qualification, an American hero.

In a rare speech on the subject in 1994, General Tibbets stated, "I am an airman, a pilot. In 1945, I was wearing the uniform of the US Army [Air Forces] following the orders of our Commander in Chief. I was, to the best of my ability, doing what I could to bring the war to a victorious conclusion—just as millions of people were doing here at home and around the world. We had a mission. Quite simply, bring about the end of World War II. I feel I was fortunate to have been chosen to command that organization and to lead them into combat. To my knowledge, no other officer has since been accorded the scope of responsibilities placed on my shoulders at that time."

General Tibbets served out his life as an exemplary American . . . a patriot, a veteran, a loving husband of more than 50 years, and a national hero whose indelible imprint on history should be forever honored and revered.

A TRIBUTE TO LAKEVIEW BIOMASS PROJECT

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. WALDEN of Oregon. Madam Speaker, I rise today to tell you about a very significant event taking place in Lakeview, OR, today. Because this event is the culmination of unselfish hard work by a dedicated group who shared a vision of a better tomorrow for Lake

County, I am very proud to stand to tell you that a model for future management of our natural resources is becoming a reality today.

Three Saturdays ago, I traveled to Lakeview to tour a visionary effort, the Lakeview Biomass Project, which has become the talk of energy and natural resource organizations throughout the Nation. The dedicated people behind the Lakeview Biomass Project have found an innovative way to move us swiftly in the direction toward our rich national heritage of healthy forests, vibrant local economies, and energy independence.

As our forests become choked and overgrown to the point that they are being decimated by fire and insect infestations, the people in Lake County made a decision to reverse that downward spiral through an amazing partnership of business, Federal and State agencies, and the local community.

Madam Speaker, the word "synergy" has been used for years as a buzzword to denote a process that creates a whole that is greater than the sum of the parts. This is certainly the case in Lakeview. Although their concept was innovative, it was also founded on plain old Eastern Oregon common sense.

At the risk of minimizing the massive scope of the effort that went into this project, let me boil it down to its simplest elements. Brush and small diameter trees will be taken out of the local forests in the process of making them healthier and fire resilient. That material will either be cleanly burned in a plant that produces steam and electricity or milled into dimension lumber at the Collins Fremont Sawmill. The steam will heat the mill's kiln dryer and will turn the turbines of the generator. Jobs at the mill will be more secure, and new jobs will be generated to operate the biomass plant and to treat our forests.

Madam Speaker, I toured the new mill and was very enthused to see that small trees that likely would have burned in inevitable catastrophic wildfires can now be put to clean and productive use through state-of-the-art technology. I salute the Collins family for their vision and for their unflagging support of the Lakeview area in making a significant investment in the future, at a time when lumber producers throughout the Northwest have gone out of business.

I am very impressed with Marubeni Sustainable Energy for their commitment to build a 13 megawatt plant at the site of the mill at a cost of over $30 million. My colleagues will be pleased to know that the U.S. Forest Service and the Bureau of Land Management participated extensively in this process and worked with Lake County Resources Initiative to provide a 10-year supply through stewardship contracting, and they are working toward a 20-year memorandum of understanding that will pave the way for productive use well into the future. Madam Speaker, you can take pride in knowing that the energy incentives provided by this body and signed by the President have been a significant stimulus in making this concept work.

There are so many people to recognize for this success, but certainly I must mention the Lake County Commissioners who were so very proud to show me this project earlier this month. Jim Walls of the Lake County Resource Initiative has been tireless in his efforts to move this project forward. My friend, Governor Ted Kulongoski, saw the merit of this project early on and designated it as an Oregon Solutions Project that brought all of the stakeholders together and, with the direction of Steve Greenwood, kept the focus on target. Hal Salwasser of Oregon State University served as the driving force in his role as convener. I also want to acknowledge local leaders in the environmental movement who have worked hard to develop a project that will have a long term beneficial impact on our federal forests.

I know, Madam Speaker, that time allows me to only mention a few of the many who made this project a success, but the most exciting part of the whole story is that this is just the beginning. The City of Lakeview and Lake County are hard at work at putting other renewable sources of energy to work. They plan to expand on their already successful use of geothermal and are working toward solar generation at a former Air Force radar site in the small community of Christmas Valley.

We can all take pride in knowing that communities like Lakeview are taking their destiny into their own hands and creating models for the future that can sustain both Northwest communities and forests.

CLAIBORNE E. REEDER, DISTINGUISHED PROFESSOR OF PHARMACOECONOMICS, CONCERNED ABOUT FDA POSITION ON COMPOUNDING

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. TOWNS. Madam Speaker, I would like to call my colleagues' attention to an outstanding letter written by Claiborne E. Reeder, RPh, PhD, to FDA Commissioner von Eschenbach, expressing grave concern about recent FDA actions which adversely affect the compounding of medications for individual patients which is an important part of the practice of pharmacy. With 35 years of experience as a Pharmacist and educator, Dr. Reeder is a distinguished professor of Pharmacoeconomics and a nationally recognized leader in his field. In his letter, he urges Commissioner von Eschenbach to reconsider the FDA's position on compounding and comply with the federal ruling in Medical Center Pharmacy v. Gonzales which recognizes that the practice of Pharmacy is rightfully governed by the respective State Boards of Pharmacy.

Madam Speaker, I am entering Dr. Reeder's letter into the RECORD.

COLUMBIA, SC,
October 19, 2007.

ANDREW C. VON ESCHENBACH,
Food and Drug Administration,
Office of the Commissioner,
Rockville, MD.

DEAR COMMISSIONER VON ESCHENBACH: I am writing to express my concerns about the Food and Drug Administration's (FDA) recent actions regarding compounded medications prepared for individual patients as part of the practice of pharmacy. The agency's position on compounding medications, coupled with its actions against several compounding pharmacies and its intervention and influence on recent Centers for Medicare and Medicaid Services (CMS) policies on compounded medications, establishes a dangerous precedent that will affect patient access to needed medications. Compounding medicines is an essential component of the practice of pharmacy that provides physicians with the opportunity to provide patients with medicines that are prepared to the specific needs of the individual. Compounding and preparing medications pursuant to a valid prescription or physician's drug order has always been and should continue to be a professional prerogative that is governed by the pharmacy regulatory boards within each state. Governance of the practice of pharmacy is a state responsibility and should not be a matter for federal intervention,

Ignoring the recent Federal court decision Medical Center Pharmacy v. Gonzales, 451 F. Supp.2d 854, 865 (W.D. Tex. 2006), the FDA reasserted its legal position "that all compounded drugs are unapproved new, and therefore illegal, drugs under the Federal Food, Drug and Cosmetic Act (FDCA)". Contrary to the FDA's position, the Federal Court held that "compounded drugs, when created for an individual patient pursuant to a prescription from a licensed practitioner, were implicitly exempt from the new drug definitions contained in the Act". The Federal Court seems to understand the issue very clearly and recognizes that medications compounded for individual patients pursuant to a valid prescription are not "new drugs" and are therefore not under the purview of the FDCA or the FDA.

As a pharmacist/educator with 35 years of experience, I appreciate the FDA's concern for quality, safety and efficacy of medicines. That said, I also know that pharmacists are educated and trained in the "art and science" of pharmacy which includes compounding medicines for patients who need them. The broad interpretation "that all compounded drugs are unapproved new, and therefore illegal drugs" is a very slippery slope of regulatory intrusion on the practice of pharmacy as is FDA's practice of exercising its enforcement discretion through reliance on the 2002 Compliance Policy Guide, Section 460.200. Many patients have medication needs that are unmet by commercially available products. Patients often require a particular strength or dosage form of a drug that is not available on the market. Also, commercially available products may contain additives or excipients to which the patient is allergic or intolerant. To declare compounded medications illegal is to deny these patients access to needed medicines.

Compounding medicines is not limited to the typical community environment. Hospitals, skilled nursing facilities, and specialty pharmacy providers prepare medications to order as part of their daily practice. Do the FDA and CMS positions mean that preparation of parenteral and enteral solutions as well as other extemporaneous products, within these settings is no longer legal? If not, then a disparity is created.

To further illustrate the consequences of the Agency's position on compounding, CMS, without explanation or medical rationale, reversed its long standing policy on inhalation medications by excluding compounded inhalation medications for Medicare beneficiaries stating that they were no longer "medically necessary". This new CMS policy, based on FDA's position, may have far-reaching and serious consequences fur Medicare beneficiaries who rely on nebulizer medications. Eliminating compounding will severely restrict access to these and other critical medications for Medicare beneficiaries. Moreover, the policy will limit physicians' abilities to prescribe the medicines in the strengths, formulations, and routes of administration that are best for patient care.

I am asking that the FDA to reconsider its position and comply with the Federal court ruling. The practice of pharmacy is governed by the respective state Boards of Pharmacy through the powers granted by their legislatures. Compounding is an integral part of the practice of pharmacy and should thus fall under the governance of the profession at the state level.

Thank you for considering my comments in this matter. If you or anyone at the FDA would like to discuss this issue in more detail, I would be delighted to do so.

Sincerely,

CLAIBORNE E. REEDER,
Distinguished Professor of Pharmacoeconomics.

INTRODUCING A RESOLUTION ENCOURAGING INCREASED FEDERAL AND STATE SUPPORT FOR HOME AND COMMUNITY-BASED SERVICES

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. HASTINGS or Florida. Madam Speaker, I rise today to introduce a resolution calling for increased funding for Federal and State home and community-based services for individuals with disabilities of any age, and especially the elderly. It is fitting that I introduce this bill today because November is National Home Care and Hospice Month.

The resolution which I am introducing today highlights the overall cost-effectiveness and improved outcomes in quality care for the elderly and disabled who are furnished health care in their homes or other community settings. By increasing financial assistance and broadening access to home and community-based services, we can help ensure that the quality of care individuals receive in their home and community is just as accessible an option as hospital and institutional attention.

Madam Speaker, this is an important resolution for three crucial reasons. First, it endorses the efforts of the elderly and individuals with disabilities to remain independent and sustain their viability during the last years of their life. Supporting studies show that individuals who receive home and community-based care have greater life expectancies than those who are moved from everything that is familiar to them and placed in hospitals and other forms of institutional care.

Second, this resolution promotes the expansion of employment opportunities in the nursing and in-home care industries. By implementing government funded in-home care as a viable alternative to that of nursing home care, more seniors will elect to be nursed at home, creating a situation that will enhance their quality of life while also increasing job opportunities.

Finally, this resolution encourages the implementation of more unified training and supervision standards for certified nurse aides and homecare aides. Through adoption of uniformly high standards, we can ensure our citizens in need have access to qualified professionals when selecting home and community-based care.

According to the National Association for Home Care and Hospice, which I am proud to report supports this resolution, patients receiving home and community-based care are more likely to enjoy better outcomes, including a greater responsibility for healthier living, increased independence and productivity, self-esteem, family cohesion and overall contribution to their larger community.

Madam Speaker, I urge my colleagues to support this legislation. As Members of Congress, we have a great opportunity to make a positive impact on this issue, an issue that is of concern to many of our grandparents, parents, and will be of concern to us. I look forward to working with my colleagues and moving this resolution forward.

HONORING THE MINNEAPOLIS VETERANS AFFAIRS MEDICAL CENTER FOR RECEIVING THE 16TH ANNUAL ROBERT W. CAREY PERFORMANCE EXCELLENCE AWARD

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Ms. MCCOLLUM of Minnesota. Madam Speaker, I rise to honor the Minneapolis Veterans Affairs Medical Center, its director Stephen Kleinglass, and the entire medical center staff, for being recognized as a 2007 award recipient at the 16th Annual Secretary's Robert W. Carey Performance Excellence Ceremony on November 1st, 2007. This Department of Veterans Affairs award acknowledges the highest levels of performance and service excellence through evaluation by rigorous criteria.

As the daughter of a WWII veteran, I feel strongly about honoring our veterans and their families. The professionalism and high quality of care provided by the staff of the Minneapolis Veterans Affairs Medical Center is evident whenever I visit.

Serving nearly 75,000 veterans each year, the Minneapolis Veterans Affairs Medical Center is among the most active in the country. Through its partnership with University of Minnesota Medical and Dental Schools, it has distinguished itself by providing the highest quality health care to veterans. Minnesota and western Wisconsin veterans and their families have long appreciated the staff commitment to serve all veterans.

The dedication of staff to provide the highest level of care is particularly visible through their work to meet the great needs of our injured veterans returning from Iraq and Afghanistan. Minneapolis is just one of four locations in the Nation with a Polytrauma Rehabilitation Center designed to provide intensive rehabilitative care to veterans and service members who experienced multiple severe injuries, including brain injuries. Construction on a new Spinal Cord Injury Center is underway, and is scheduled to open in 2008.

The success of our Nation's veterans health system depends on caring, dedicated people serving our veterans, but they cannot do the job alone. On the battlefield, the military pledges to leave no soldier behind. As a Nation, let it be our pledge that when they return home, we will leave no veteran behind.

This year, the U.S. House of Representatives passed the largest single increase in the 77-year history of the Veterans Administration—$6.7 billion. This funding is necessary to ensure that the Minneapolis Veterans Affairs Medical Center, and VA medical centers across the country have the resources they need to fund the increasing need for mental health, posttraumatic stress disorder and traumatic brain injury care, and to provide facilities maintenance, and to continue reducing the backlog of veterans benefits claims.

The Minneapolis Veterans Affairs Medical Center has a proven record of organizational excellence. The Carey Award recognition allows the leadership shown in Minnesota to serve as a model for other organizations in assessing their own transformation efforts, effectiveness and service performance. Most importantly, this award recognizes the outstanding efforts made by the staff on behalf of our veterans at the Minneapolis Veterans Affairs Medical Center.

Madam Speaker, please join me in commending the Minneapolis Veterans Affairs Medical Center staff for earning the Robert W. Carey Performance Excellence Award. These caring people exemplify the very best in public service.

LENOX HILL HOSPITAL CELEBRATES ITS 150TH ANNIVERSARY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mrs. MALONEY of New York. Madam Speaker, I rise to pay tribute to Lenox Hill Hospital on the occasion of its 150th Anniversary. Lenox Hill Hospital is an accredited not-for-profit acute-care hospital and teaching affiliate of New York University Medical Center located on the Upper East Side of Manhattan in New York City. Lenox Hill Hospital has become renowned for furthering medical research and establishing a tradition of excellence in patient care. It has earned a national reputation for outstanding medical care and treatment.

Lenox Hill Hospital was established in 1857 as the German Dispensary and today provides specialty services and ground-breaking care for millions of patients each year. Approximately 45% of Lenox Hill Hospital's patients are from Manhattan. The remaining 55% come from Brooklyn, Bronx, Queens, Long Island, the Tri-State area and around the world. Lenox Hill Hospital is particularly well known for its excellence in internal medicine, cardiovascular disease, orthopedics, sports medicine, maternal/child health and medical research.

For the past 150 years, Lenox Hill Hospital has been a leading innovator in many fields of medicine, developing standards and practices that became models for other hospitals throughout the country. In 1897, the hospital installed one of the first X-ray machines in the United States. Ten years later, the hospital established the first physical therapy department in the country.

In 1938, Lenox Hill was the first hospital to perform an angiocardiogram in the nation and in 1955 it became one of the first hospitals in New York City to open a cardiac catheterization laboratory. The first coronary angioplasty in the United States was performed at Lenox Hill in 1978. In 1994, Lenox Hill Hospital surgeons pioneered minimally invasive direct coronary artery bypass surgery. In 2003, the first FDA approved drug coated stent in the nation was implemented at Lenox Hill. In 2006, Lenox Hill opened a new radiology center featuring the only SPECT–CT in the Northeast, a machine which allows physicians to see inside the body in great detail and a new 64-slice CT scanner, one of the most highly advanced computerized imaging technologies available today.

Lenox Hill is respected as a leading responder to health crises. When tuberculosis was becoming a growing public health threat, Lenox Hill Hospital was the first general hospital in the United States to open a tuberculosis division in 1908. In 1943, Lenox Hill Hospital sent its medical unit to England to maintain station hospitals for military personnel during World War II. In 1989, the hospital established the first Lyme Disease Center in New York City.

In keeping with its tradition of providing an immediate and necessary response during times of crisis, on September 11th, when terrorists struck the World Trade Center, Lenox Hill assembled a disaster team that came to the aid of hundreds of New Yorkers. The hospital set up a free walk-in Crisis Counseling Center as well as a blood donor center. Lenox Hill Hospital, as it has done in the past, provided aid to people when it was needed the most and became a beacon of hope for so many on that horrific day.

Madam Speaker, I rise to request that my colleagues join me in paying tribute to Lenox Hill Hospital and its legacy of medical innovation and excellence in patient care.

TRIBUTE TO THE CITY OF HEBBRONVILLE ON ITS CELEBRATION OF THE HISTORY OF THE VAQUERO

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. CUELLAR. Madam Speaker, Whereas, the Vaqueros are the true original cowboys of South Texas, and thus started the development of the ranching industry in Jim Hogg County.

Whereas, the first ranches founded in the area with the help of the vaqueros were Randado, Las Noriacitas, Las Animas, San Antonio Viejo, Las Enramadas, Las Viboritas, El Baluarte, and San Javier. Some of these ranches are still held by descendants of the original owners, such as Randado, which was visited by General Robert E. Lee during the Civil War.

Whereas, the vaqueros were renowned for their exemplary ranching and stock-handling skills, which were needed for the development of ranches in Jim Hogg County.

Whereas, the skills and the ranching practices shown by the vaqueros have left a lasting impact on the present ranching industry. The equipment of the vaquero—saddle, chaps, bandana, lasso, and spurs—has become the standard gear of all Texas cowboys.

Whereas, ranching remains one of the vital elements of the economy in Jim Hogg County because of the efforts of the vaqueros in the nascent start of the ranching industry; be it hereby

Resolved, That Congressman HENRY CUELLAR, in representing the 28th Congressional District of the State of Texas, commends the City of Hebbronville on its celebration of the history of the vaquero on November 3, 2007.

IN RECOGNITION OF ORPHANS INTERNATIONAL AND ITS FOUNDER AND PRESIDENT, MR. JAMES LUCE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mrs. MALONEY of New York. Madam Speaker, I rise to pay tribute to Orphans International Worldwide and to its dedicated Founder and President, James Luce. Orphans International Worldwide is an innovative interfaith, interracial, intergenerational and Internet-connected non-profit initiative that helps the world's disadvantaged orphaned and abandoned children meet critical needs. By realizing his dream of developing an extensive international network of affiliated organizations working to help the world's youngest and most vulnerable citizens to overcome extraordinarily difficult circumstances, Jim Luce has truly distinguished himself as an extraordinarily dedicated and effective humanitarian, activist, and philanthropist.

With its North American offices headquartered in New York's Fourteenth Congressional District, Orphans International was founded in 1999 by the former investment banker Jim Luce in response to the global crises confronting children in disadvantaged circumstances, including the worldwide AIDS epidemic, natural disasters, low health standards and inadequate medical care, and devastating poverty. Assuming a carefully structured, sustainable approach, Orphans International has adopted as its vital mission the worthy goal of "Raising Global Citizens." The organization helps address both the immediate needs of orphaned and abandoned children and the long-term development goals of improving disadvantaged communities in its project nations, whose list is expanding to include Indonesia, Guyana, Haiti, El Salvador, Peru, the Philippines, Romania, Ghana, Sri Lanka, and Togo. In recognition of its effectiveness in serving disadvantaged youngsters around the globe, Orphans International Worldwide was recognized by the United Nations as an official Non-Governmental Organization in December 2006.

Today, Jim Luce and Orphans International Worldwide continue not only to assure the survival of the disadvantaged and abandoned children they serve, but also to enable them to become contributing members of a global society by rendering service to their local communities. Orphans International often operates in troubled, regions grappling with the fallout from disasters caused by natural, economic, and political conditions. Through its programming, Orphans International instills in those whom it serves the values of leadership, conflict resolution, diversity and tolerance, and global citizenship, frequently bringing American students into a global partnership to help achieve these laudable goals.

Madam Speaker, I rise to request that my distinguished colleagues join me in recognizing Orphans International Worldwide and its Founder and President Jim Luce for their tireless efforts to promote the well-being of orphaned and abandoned children and to help realize the innate worth, dignity and potential of all citizens of the world.

CONGRATULATING BETSEY FLACK ON HER ADMISSION TO THE GEORGIA BAR

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. SHULER. Madam Speaker, I rise today to congratulate Betsey Flack on her admission to the Georgia Bar. After years of hard work and dedication to her studies, Ms. Flack will now begin pursuing a career in the legal field.

Ms. Flack attended the University of North Carolina at Chapel Hill as an undergraduate. During her time at UNC, Ms. Flack was active in campus activities and academic life. Upon graduation from UNC, Ms. Flack enrolled in classes at the Mercer University School of Law to pursue her Juris Doctor degree.

She completed this program in the spring of this year, and successfully passed the bar exam soon after graduation.

As a Member of Congress, I have seen firsthand how the law can be used as a force for good. I look forward to following the career of Ms. Flack, as she uses her knowledge and expertise in the law to serve others and to pursue legal and social justice.

I ask my colleagues to join me in congratulating Ms. Betsey Flack.

60TH ANNIVERSARY OF THE MOSS LANDING HARBOR DISTRICT

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. FARR. Madam Speaker, I rise today to recognize the 60th anniversary of the Moss

Landing Harbor District. Moss Landing is a picturesque coastal hamlet tucked into the dunes of the Monterey Bay halfway between its better known neighbors of Monterey and Santa Cruz. It is home to some fantastic restaurants and cafes and an eclectic group of antique shops and some of the best sea otter viewing opportunities anywhere. The many boats that fill its harbor offer a photographers dream of masts and gleaming boat hulls berthed alongside well-worked fishing vessels. It is a truly wonderful place to visit like so many other small harbor communities around the coasts of the United States.

A little deeper look reveals a community that is much more than a quaint tourist stop. Moss Landing is a true economic powerhouse of the California Coast. For starters, it is home to the Monterey Bay region's largest commercial fishing fleet. It is also home to two of the top marine science research institutions in the world—the Moss Landing Marine Lab and the Monterey Bay Aquarium Research Institute. Because of those labs, several world class ocean research vessels call the port home. Moss Landing is also a major draw for ocean recreationists of all stripes, from sailors, recreational fishers, kayakers, and surfers. It is also home to Mighty Mo, the largest natural gas fired power plant on the west coast.

Moss Landing has a long history of commercial vitality, dating back to the mid nineteenth century and the grain loading wharf operated by the community's namesake Captain Charlie Moss. But the real growth dates back to the 1947 creation of the Moss Landing Harbor District and the dredging and stabilization of the harbor channel by the U.S. Army Corps of Engineers. Over the past 60 years, the district has shepherded Moss Landing's development into economic powerhouse that supports recreation, commercial fishing, science, and tourism.

Under the leadership of the current Harbor Commission President Russ Jeffries, Commission members, Margaret "Peggy" Shirrel, Ph.D., Yohn Gideon, Vince Ferrante and Frank Gomes, Jr., and Harbormaster Linda G. McIntyre, Esq., the Harbor District has just this year completed a major $4 million renovation of its north harbor area. The new amenities include a new 4-lane launch ramp, paving of the 5-acre site for parking, storm drains and a boat wash, a 900-foot public access wharf at the water's edge, and a 110-foot visitor serving dock alongside the wharf. A pedestrian/bicycle trail, funded by a Federal grant, and designed to run along the perimeter of North Harbor along scenic Highway 1, will complete the project. This last component of the project is the central part of a comprehensive bike and pedestrian trail under development that will link Monterey to Santa Cruz and place Moss Landing at the heart of what will be one of the most spectacular coastal trail experiences on the Pacific coast.

Madam Speaker, I am honored to have the opportunity to recognize the Moss Landing Harbor District for 60 years of achievement. I know that I speak for the whole House in offering congratulations to the leadership, employees, and users of this Pacific Coast gem.

PERSONAL EXPLANATION

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. LINCOLN DAVIS of Tennessee. Madam Speaker, on Wednesday, October 31, 2007, I was absent from the House in order to attend a ceremony in honor of a new mission for the Tennessee Air National Guard's 118th Airlift Wing. Had I been present I would have voted:

On rollcall No. 1021, No. 1022 and No. 1023, I would have voted "yea."

HONORING LONGFELLOW ELEMENTARY SCHOOL

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2007

Mr. ROSKAM. Madam Speaker, I rise today to congratulate Longfellow Elementary School of Wheaton, Illinois, for being named a No Child Left Behind Blue Ribbon School for the 2006–2007 school year. Principal Paul McKinney, Longfellow faculty, students and parents—you should be very proud of this remarkable accomplishment.

At a time in our nation's history when the efficacy of our education system is often questioned, it is a great comfort to see a school that truly commits itself to finding ways to teach our children and provide hope for our nation's future.

The No Child Left Behind Blue Ribbon Schools Award is a distinction given to the public schools throughout the country whose students score within the top 10 percent on state assessments. This year, of the more than 97,000 public schools in the United States, just 287 schools were recognized with this distinct honor.

In the State of Illinois, 19 schools were members of this elite group. The Blue Ribbon School Award recognizes what we all know: the Longfellow students, faculty and staff are some of the best and brightest in the nation.

In addition to exceptional test scores, Longfellow has shown steady academic progress for the past 3 years. In awarding the 2006–2007 Blue Ribbon School Award, the U.S. Department of Education recognized Longfellow's success in helping students consistently achieve at very high levels, as well as its continued commitment to narrowing the achievement gap.

As we strive to educate our current generation of children and prepare our nation's future leaders, Longfellow Elementary School stands out as a shining example of scholastic and institutional excellence.

I am proud to represent Longfellow Elementary School in the United States Congress and I look forward to their continued achievements.

Madam Speaker and Distinguished Colleagues please join me in congratulating the talented students and dedicated faculty and staff of Longfellow Elementary School for receiving the Blue Ribbon School Award.

SENATE—*Friday, November 2, 2007*

The Senate met at 10 a.m. and was called to order by the Honorable SHERROD BROWN, a Senator from the State of Ohio.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Give our Senators this day, O God, reverence to realize Your presence, humility to know their own needs, trust to ask for Your help, and obedience to accept Your plan. Walk with them as they labor. Help them to remember that there is no purity without vigilance, no learning without study, and no mastery without discipline. Remind them also that there is no joy without service, no discipleship without devotion, and no crown without a cross.

Help our lawmakers to be willing, Lord, to pay the price required to honor You. May they know that true wisdom is to fear You and true understanding is to shun evil. Strengthen their resolve to always choose the right and to refuse the wrong.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SHERROD BROWN led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

> U.S. SENATE,
> PRESIDENT PRO TEMPORE,
> *Washington, DC, November 2, 2007.*
>
> *To the Senate:*
>
> Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHERROD BROWN, a Senator from the State of Ohio, to perform the duties of the Chair.
>
> ROBERT C. BYRD,
> *President pro tempore.*

Mr. BROWN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, the Senate will be in a period of morning business today, with Members allowed to speak therein for whatever time they feel is appropriate.

There will be no rollcall votes today or tomorrow as a result of our being able to work something out on a very contentious Children's Health Initiative Program.

Next week, it is expected the Senate will receive the veto message on the water resources conference report. This measure passed with overwhelming votes in both the House and Senate. If it continues to have broad, bipartisan support, the veto will be overridden.

MEASURES PLACED ON THE CALENDAR—S. 2293 AND S. 2294

Mr. REID. Mr. President, it is my understanding there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title.

The legislative clerk read as follows:

> A bill (S. 2293) to amend the Internal Revenue Code of 1986 to repeal the individual alternative minimum tax, and for other purposes.
>
> A bill (S. 2294) to strengthen immigration enforcement and border security, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to these bills.

The ACTING PRESIDENT pro tempore. Objection is heard. The measures will be placed on the calendar.

MUST DO LEGISLATION

Mr. REID. Mr. President, I had a long meeting last night with the Speaker of the House and Senate Members, which lasted several hours. It is very clear that next week is going to be a very difficult week. The following week is going to be very difficult—important but difficult.

The reason I mention this is we had the obligation, procedurally, to vote this morning at 1 a.m., but we were able to work that out as a result of a unanimous consent request, which was very helpful. It avoided the necessity of our working this weekend. We only have one weekend left until Thanksgiving. I hope we can work everything out.

I don't think we can. I have a very busy, difficult schedule next weekend, but I am not sure I am going to meet the obligations I have already committed myself to—I want everybody else to understand—including parades and other events on Veterans Day. What do we have to do? We have to send appropriations bills to the President. At least the Labor/HHS bill, which is now tied in with the VA military construction—we need to send that to the President. We have a time schedule to do that.

We have to do the Defense appropriations bill. It is something we have to consider getting to the President as soon as possible. We have to do a continuing resolution. There is some talk about doing a bridge fund for Iraq. Chairman BYRD is talking about marking up in a week or 10 days the supplemental appropriations bill. We have numerous other things. It is very difficult.

Monday is not a vote day, so we have 4 days next week. So I say, with all sincerity, I am going to call our Presidential candidates and let them know they better look at their schedules because these are not votes you can miss—Defense appropriations; the first appropriations bill, Labor/HHS, with benefits for veterans tied into it, which we need to do before Veterans Day; the CR, which funds our Government; and whatever we decide to do with the bridge funds or the supplemental appropriations bill.

So everyone should be alerted to the fact that they better have their schedules somewhat loose for this coming weekend and, I repeat, Monday. There is always a way, it seems, to try to work out some of these difficulties. I hope we can find a way to not do it next Saturday, Sunday, and Monday, but we have to be prepared.

The things I have talked about doing are not things we can do some other time. We have to do them before we leave for the Thanksgiving holiday.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The senior Senator from Rhode Island is recognized.

SCHIP REAUTHORIZATION

Mr. REED. Mr. President, yesterday I voted with great enthusiasm for the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

SCHIP reauthorization bill. I think the present version is commendable and a version we should support. I particularly thank Leader REID, Chairman BAUCUS, and Senator ROCKEFELLER for their efforts, and I commend them.

The bill provides an additional $35 billion to preserve coverage for all 6.6 million children currently enrolled, and it expands coverage to an additional 4 million children.

The President and House Republicans have already denied these children access to health care once, by first vetoing the legislation and then sustaining the veto in the House of Representatives. I hope this version can pass without a veto. If it is vetoed, I hope the veto can be overridden.

The President's proposal, rather than expanding coverage, would in fact dramatically restrict coverage, dropping 1.4 million children and pregnant women. That is according to the Congressional Budget Office. So there is a very stark choice between an administration that wants to restrict coverage for children and this legislation, which would maintain, and indeed expand, that coverage to cover 10 million children in the United States.

With respect to Rhode Island, this bill adds an additional $75 million in Federal funds on the table. It has to be matched, but this would allow the State of Rhode Island to maintain its program of health care for children. The bill would prevent shortfalls that have periodically cropped up, where the State found itself expending all of its funds and hoping there would be a redistribution of funds from other States that have not used their funds.

Last year, and again early this year, I fought for $56 million in Federal funds to cover Rhode Island's shortfall. But these 11th-hour stopgap measures are not sustainable. The legislation we passed yesterday would prevent my State from being in a constant situation of shortfalls, hoping that other States have excess funds, and depending upon individuals in our delegation to get those funds for Rhode Island.

If President Bush and the House Republicans fail to enact this bill—if he vetoes it, and they sustain that veto—21 States will be at risk of shortfalls, totaling $1.6 billion. Rhode Island will have a shortfall of $44.1 million, beginning next March. We can predict that today. I don't know where my State would get that $44 million. It is in a severe budget crisis. State leaders are talking about trying to find $100 million to $200 million in cuts, which in our budget is a significant amount of money. So the idea that they would have to come up with $44 million on top of that is something that would be a very difficult challenge for Rhode Island.

If Republicans do not enact this bill, we must fully fund an extension that covers these shortfalls. We will be back next spring scrambling to find money to keep these programs functioning. I hope we can prevail at this juncture to create a program and funding that will be sustainable, predictable, and supportive of efforts in my State, and many States across the country, to reach out and insure children for their health care needs.

The President's opposition is not based on fact or common sense or, indeed, even common decency; it seems to be based on ideology. He says families would switch from private insurance to government-run health care. But the number of uninsured is rising because private insurance is too expensive. In Rhode Island, the average family premium for a year is $11,924. If you look at a typical working family in Rhode Island, it is struggling now to pay its mortgage. We have seen what is happening in the mortgage market, where many of these families, in order to get into a home, signed up for what are termed an "exotic" mortgage. In my State, foreclosures are at record-high levels. People cannot keep up with their mortgage payments. Then, added to that dilemma, wages have essentially been flat over the last 5 to 6 years, mortgage payments are going up, the price of gasoline is now reaching significant heights, and it is estimated that this winter heating oil in New England will be 20 percent more expensive than last winter. Are you then going to tell them: Oh, just go out and buy private health insurance for $11,000 a year?

That makes no sense for working families in Rhode Island. They are struggling to keep their homes and, literally, to keep the lights on and keep it a little warm during the wintertime. For many of these people, private health insurance, at $11,000 a year, is way beyond their reach. So to sit there and seriously insist that this is a real choice for these families—a choice of getting into a public program or buying private insurance—verges on the ridiculous.

Without the SCHIP program, thousands of families in my State—and millions of children across the country—will not have health care. There is no choice.

There is also the President's argument that this is socialized medicine. I believe that is a gross misrepresentation. In Rhode Island, children are enrolled in private plans, and enrollees can choose their doctor. In fact, there is another program like this, called Medicare. I don't see the President rallying against Medicare, saying how it is socialized medicine. In fact, I can recall he proposed—and this Congress supported—one of the largest expansions of Medicare by adopting a drug benefit. That costs the Federal Government billions of dollars, and there is no discussion about that.

These arguments are baseless. The President says this bill costs too much. In fact, this bill is fully paid for; it is one of the few things in the last 6 to 7 years that has been fully paid for. It is paid for by a cigarette tax, and it is in sharp contrast to the President's repeated request for money for Iraq and Afghanistan, which is not paid for. He is spending about $12 billion a month. Of that money, over the last several years in Iraq, we have invested in items such as building Iraqi health care clinics and providing health care for Iraqis. In trying to reestablish stability in that country, the President recognizes that to have a decent, well-ordered society, you have to have access to health care for citizens. The problem is, he doesn't seem to recognize it here as much. So I believe we have to support this legislation.

The President also says the bill doesn't target low-income children. In fact, 80 percent of newly insured children would be from families below 200 percent of poverty. That is a pretty good target.

He talks about the bill expanding coverage to families making $80,000 a year. That was always a misrepresentation. But we make it clear in this bill that eligibility is capped at 300 percent of poverty; that is, families making $60,000 a year. That sounds like a lot, but if you are in a major urban area, with rents costing $1,000 to $1,500 to $1,800 a month for just a fairly—and I emphasize "fairly"—decent two-bedroom apartment for your family, when you do the math, these people are not in a situation of excess wealth by any means.

In Rhode Island, 10,000 children remain uninsured. We can do much better. The Rhode Island program provides family-based health insurance. Rhode Island does enroll parents in this health care program. They found that it helps when the whole family is part of the delivery system. It has enhanced their ability to recruit children into the system. It has enhanced, in their view, health outcomes because now we have a family engaged rather than an individual child.

I think it is appropriate in Rhode Island that we have such a forward-thinking and progressive approach because the basic SCHIP program was, in many respects, the work of Senator John H. Chafee, my colleague, a former Republican Senator who was succeeded by his son Lincoln Chafee in this Chamber. Senator Chafee, who was a pragmatic, hardnosed Republican whose values were to provide opportunity to all citizens in the nation, understood that if we could deliver effective health care to children in this country, we would go a long way to give them the physical tools to be successful in school, to succeed in the workplace, and ultimately to be citizens of this great country. He fought hard for this program. He didn't do it on an ideological basis; he did it on a very pragmatic, practical basis. His success has been demonstrated over the last 10 years because we have given more children access to health care.

There are countless stories that will be forever unknown to us, but they will be decisive in the lives of children because this program has made a difference in their lives. Where they would have suffered with an undiagnosed disease that would have impaired their ability to thrive in school and work, because they had simple, preventive health care early on, they have been successful in school, and they will be successful in life. Families have been relieved of one of the most grievous fears they carry, and that is: Oh, my gosh, what happens if my child gets sick; I have no health care coverage—the gnawing fear at night that something could happen the next day and you have no way to protect your child because you cannot afford to get them health care. That fear has been relieved.

There is a very popular commercial from one of the credit card companies: Such and such an item, $10; such and such an item, $9; having the ability to do this, priceless. For families, having the confidence that they have health care is priceless, and this bill has helped them.

I hope the President will sign this bill, and if he doesn't—if he continues to roam through his ideological warehouse and pick out different odds and ends to justify this veto—then I hope the House Republicans have the courage to stand up and say: No, we are going to do what is right for the children of America, not just what is politically convenient for the President.

Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FIGHTING FOR THE PEOPLE

Ms. STABENOW. Mr. President, I have had the opportunity, similar to all my colleagues throughout the week and in previous times, to have heard on the floor the lament from the distinguished Republican leader of the Senate and other Republican colleagues about how they wished we had the appropriations bills done or how more should be done. I come to the floor today to talk about the reality of what is happening.

We know, in politics, unfortunately, folks decide on a message and keep saying it over and over again, hoping in fact someone will believe it, even if it doesn't jibe with what the actual facts are.

We also know, at the beginning of the year, folks all over this country—people working hard every day who care about their families and expect to have services that work and expect to have someone eyeing the fiscal situation in the country and challenging what is happening in the war and caring about their children and so on—looked for a new direction. They voted for a new direction for this country, a new set of priorities.

People working hard every day want to know somebody is out there fighting for them. I am proud to say I am part of a group of people, a group of Democrats who understand that people are feeling squeezed on all sides—higher gas prices, higher health care costs, they are seeing tuition go up for their children, their jobs being threatened. In my home State of Michigan, we have 7.5 percent unemployment. People are losing jobs, they are losing incomes. People are looking around saying: Who is fighting for us? We play by the rules. We love our country. We send our husbands and wives and sons and daughters to defend our country. Who, in fact, is on our side, looking out for us and making sure the rules in this country create a way for everybody to work hard and succeed and, in fact, there is competency and integrity in Government?

That is what we came into this year, in January. We came into this new year understanding, as a new majority, we are here to fight for middle-class Americans who work hard every day and those working hard to get into the middle class, those who want to have the American dream available for themselves and their families. People who believe right now our American way of life is slipping want us to fight for them. I am proud to say that is exactly what we have done.

It has not been easy because our colleagues on the other side of the aisle, I understand, have lost the majority. Unfortunately, their political strategy is to try to stop us from actually making a difference in the lives of middle-class Americans, so when we get to the end of the term, they can say: See, there is no difference between Democrats and Republicans—when, in fact, we all know there are substantial differences in priorities, in views of America, and whose side we are on.

As a strategy, we have seen filibuster after filibuster and something called "cloture" in the Senate which, to the average person, basically means we are seeing filibusters, a requirement for 60 votes rather than just a majority, which is how we should be operating under the democratic process.

We have seen a historic number. Never before, in fact, have we seen, at this point in time, 52 filibusters—52 and counting. My guess is next week it will be 53 and 54 and 55 and 56 and go on and on in efforts to slow things down, efforts to slow down the new direction we believe in, that we are fighting for, to slow down those things that will make a real difference in the lives of Americans.

We understand the strategy. We operate under this every week. We come to the floor and have to fight to get beyond a filibuster. I am proud to say we have done that. As we come to the end of our first year as a majority, we are, in fact, changing the direction of this country. We are, in fact, getting results for Americans, for middle-class Americans, who work hard every day and want somebody to be fighting for them, for an opportunity for them and their children to have the American dream. I am very proud of that, despite 52 filibusters.

We have a leader who is tenacious, who is determined, who is smart—who comes to the floor every day and spends his time trying to make sure we can stop the filibusters and refocus on getting results for middle-class Americans. That is what we have done. I wish to take a moment today to share some of the results we are getting. Is it slower than we would like? Yes, when you are trying to battle 52 filibusters, things are slower than we would like to have happen. But we are not going to stop because this is not about politics. This should not be about election year strategy. This is about people every day in this country who see the American dream slipping away from them, who are worried their children will not have the same opportunities for our great American life that we have had. They are saying to us we want you to go in and fight for us and the greatness of America. We want to make sure that opportunity is there for everybody. That is what America is all about.

We are, in fact, getting results for middle-class Americans every single day, those folks who believe—and for good reason have believed for the past 6 years under this President and the former Congress—that nobody is looking out for them and the opportunities they need. We are, in fact, getting results for middle-class Americans.

We started this year—it is amazing to me to hear colleagues speak about how there is not a budget so far, when in fact they didn't even do a budget at all last year, not at all. We got to the end of the year: No budget. So we came in as a new majority and we had to go back and clean things up from the previous majority. We had to go back, figure out a way to get a budget for the current year that was already going, that had already been in place for 3 or 4 months. We, in fact, did that, and we did a number of things in that process, in putting that budget together—even though it was a continuation budget for the rest of the year, to complete the business that had not been done in the last Congress. But we also did a few things in that process. We said, even though this is a short-term continuation budget, there are too many young people struggling to go to college, so we put in a Pell increase. We said, there are too many veterans who have served us proudly, who are coming back from Iraq and Afghanistan and don't have the health care they need, so we put in some additional dollars for veterans health care into that budget.

We passed that continuation budget and then we went to work on the budget that, in fact, we are responsible for. After having done the work of our Republican colleagues, we put in place the budget we are now working on for this coming year. We did several things. We said: First of all, we know in the last 6 years we have seen record deficits mount. In 2001, when President Bush came into office, when I first became a member of the Budget Committee, we saw the largest budget surpluses in the history of the country. That was squandered and turned into the largest deficits, which affect Social Security, which jeopardize Medicare and puts incredible pressure on critical safety net issues and programs for Americans, for families, and for seniors. So we said we are going to stop the digging. We know there is a hole that has been created. We are going to stop the digging and start taking us out of that hole by being fiscally responsible.

We put back in place something that was in place during President Clinton's years, which was to pay for spending. What a novel idea. That is something I try to teach my children, something we all should live by: Pay as you go; if you add something, you need to subtract something else to pay for it. So we said fiscal responsibility is important, and within that we put together a budget resolution that targeted those things middle-class Americans want to have us place as priorities: Education, No. 1; keeping our promise to our veterans, the second top priority; and children's health care, for moms and dads who are working hard every single day and could stay home and not work and qualify for Medicaid, but they choose to work.

We value work. We as a party, we as a majority, value work and want to support work. Families working hard for minimum wage in low-wage jobs, who cannot afford insurance, who don't have it on the job, ought to at least know their children can get the health insurance they need.

That is what we have been debating. That was a third priority for us, children's health care.

Then we said we are going to go back and we are going to restore the cuts in police officers on the streets. Our families, our communities want to know that their children are safe, that their homes are safe, that they are safe. We restored the COPS—police officers and firefighters, those things that are fundamental in America—safety.

We put together this budget resolution, and we are now in the process, despite filibuster after filibuster, to put the actual budget in place, the appropriations for next year.

But we have also done other things, despite 52 filibusters. We have raised the minimum wage which has not been raised for close to 10 years. Those same families—who appreciate and need to know their children can get health insurance—have not had a raise in the minimum wage for about 10 years, so we raised the minimum wage.

We then took a look at what we need to do in education and not only meeting the obligations and the promises of the laws put in place under Leave No Child Behind and the standards, but we said part of the American dream, a very important part, is being able to go to college.

So we have passed, on a bipartisan basis, and the President signed it, and we are very grateful for that—we have passed the largest increase in aid for students going to college since the GI bill, the largest financial aid since the GI bill.

We gave the second Pell grant increase this year—the second. We have done it twice now this year, to bring back the value of the Pell grant for low-income students. We have cut in half the rates for subsidized loans. We do not believe young people or older people who are going to school and getting the skills they need to compete in a global economy and make America stronger should be able—we do not believe they should come out with this huge debt that takes years and years and years to pay back.

We want to help them, both on interest rates, and we made a number of changes that make that loan process more manageable. We have targeted teachers and are encouraging teachers teaching students with high achievement to receive extra support for going into math and science and other areas that are needed in certain parts of our communities.

We have also put a loan forgiveness program in place. Bottom line, we have passed, and we, in fact, have said, education is important, and we have now done it, the largest increase in student financial aid since the GI bill.

We also did something else on a bipartisan basis. We passed the America COMPETES Act, a major focus in investment. By the way, fully paid for, all of those things are fully paid for. A major investment in math and science and technology, both in terms of education and in terms of research—this was, again, bipartisan and something that we were proud to place as a priority for this Senate. So education is at the top of the list.

We have passed cuts in taxes for small businesses as part of an effort to spur—we know the economy, the majority of the jobs, are created by small businesses. We want to support our small businesses and farmers as well as larger businesses. We have done that through various tax cuts. We have passed changes in the FDA to improve safety. We have passed a mental health parity bill to say mental health services should be available just as physical health services are available, through the health care system. If you have insurance, both should be available.

We have reauthorized Head Start because we know education is not just about college, it is about children and whether they are prepared to start at the beginning of education. We have focused on Head Start.

We know it is incredibly important that we keep us safe both at home and abroad. I am very proud of the fact that after years of trying, under the previous Congress, Democrats have been able to lead the effort to pass the 9/11 Commission recommendations. One area of major focus for me has been on making sure the radios work, making sure that police and fire and homeland security and the State departments can all communicate. We have addressed that and passed funding efforts to be able to focus on that.

In addition, we have, as I mentioned earlier, focused on our veterans. It is shameful that we have not seen the resources put forth to support our veterans as they have been coming home from Iraq and Afghanistan, as well as our older veterans from other wars.

We, as Democrats, have made that a top priority. I am very proud of that. I know in meeting with veterans organizations that they have worked closely with us. And for the first time—for the first time—those veterans organizations have been listened to and have been a part of the process. We are funding the needed services in health care, rehabilitation, other areas, at the level that our veterans organizations have indicated we should be funding them.

So we have veterans as a top priority. We are seeing changes. We have also addressed what happened at Walter Reed through the Wounded Warrior Act. I am so proud that my colleague, the senior Senator from Michigan, has led that effort to be able to focus on wounded warriors and those who get caught between the military system and the VA system.

I will just mention a couple of other things because I could go on for a long time. There is a lot we have been getting done. Despite 52 filibusters and counting, there is a lot that we have been getting done, from ethics and lobbying reform, to help with the gulf coast revitalization, folks down in New Orleans and Mississippi, those areas that have been so devastated; reinvestment in our bridges and infrastructure;

and our continuing effort to fight to change the direction in Iraq and to focus on counterterrorism and those things that will keep us safe.

We have held the President accountable. The Attorney General position has changed because the political efforts going on in the Attorney General's Office were brought forward and publicized. The light of day was shone. In fact, the Attorney General was forced to step down because of the questions and bringing to light what was happening in that department.

So there is a whole range of areas of accountability where tough questions have been asked about war profiteering, about other areas where we need to change the priorities of this Government to reflect what Americans are concerned about.

People work too hard for their money. They want to know that public services work. They want to know that we are fiscally responsible. They want to know that we are focused on the things that directly affect them and their families. We have a great country. I am very proud to be part of a majority that understands what is happening in this country today; that we are in a fight for our way of life in a global economy.

We want this to be a race up, through education, innovation, fair trade laws, changing the way we fund health care, supporting our businesses that want to stay in the United States and do business here and employ here. We do not want a race to the bottom, a strategy that has been used by this President and the former Congress, saying: If you only work for less, we can be competitive. If you only lose your health care and lose your pension, we can be competitive. We do not care about safety standards. We let lead toys in or we let toothpaste in or dog food in because we are not worried about our trade laws. Somehow we can be competitive if we lose our standard of living.

We do not buy that. This caucus does not buy that. This Democratic Senate and House is fighting for our American way of life. We have placed the priorities of the middle-class Americans at the top of the list. They have had to wait too long for that to happen. And despite over and over again, filibuster after filibuster after filibuster to slow things down, with the determination, the tenacity of our Senate majority leader, and the support of our Members, we are getting results. We are getting results every day for middle-class Americans.

We will not lose our focus. I do not care if there are another 50 filibusters or if there are another 100 filibusters, we are going to keep focused on those things that have created the American dream, that have created the greatest country in the world.

We are going to make sure middle-class Americans know we are here fighting for those things they care about for their families.

I yield the floor.

The ACTING PRESIDENT pro tempore. The junior Senator from Tennessee.

TRIBUTE TO BENJAMIN HOOKS

Mr. CORKER. Mr. President, I rise today to honor an exceptional Tennessean and a pioneer in the civil rights movement. Benjamin Hooks was born in Memphis, TN, in 1925, the fifth of seven children by Robert and Bessie Hooks.

He grew up in a loving family who taught him to succeed in both education and life. After high school, Dr. Hooks began his higher education by taking pre-law classes at LeMoyne College in Memphis. Prior to finishing his degree, he was drafted into the Army, honorably serving our country in World War II. When he returned home, he went to graduate school at Howard University and afterwards received a law degree from DePaul University in Chicago.

As Dr. Hooks went through life and excelled in various endeavors, there was one experience that greatly molded the future direction of his life: being born into and growing up in the scourge of racial segregation. After Dr. Hooks graduated college, he returned home and vowed to do his part to end racial segregation.

Initially, he fought the fight by becoming one of the first African-American lawyers in Tennessee. It was during this time he met and married Ms. Frances Dancy. Frances was a school teacher and guidance counselor. Eventually, her career took a different path, and she became her husband's assistant, adviser, and traveling companion. They had one daughter together, Patricia Hooks Gray.

As Dr. Hooks continued to practice law, he was called to fight for civil rights from another forum, the ministry. In 1956, he was ordained a Baptist minister and began to preach regularly at the Middle Baptist Church in Memphis, TN. It was there he joined Dr. Martin Luther King, Jr.'s Southern Christian Leadership Conference and became a pioneer in the NAACP-sponsored restaurant sit-ins and other boycotts.

Through these efforts, he became a respected voice in the community and in the State. In 1965, Gov. Frank Clement appointed him to become the first African-American criminal court judge in Tennessee history.

His efforts as a preacher, judge, and civil rights pioneer eventually led Hooks to Washington, DC, to become the first African-American appointee to the Federal Communications Commission. There he continued the civil rights fight by addressing numerous minority representation issues in the communications industry.

In 1976, he was elected as the executive director of the NAACP, where he led that organization for more than 15 years. As a director, he helped to increase membership and fundraising efforts, as well as plan for the organization's future for 17 years.

He also broadened the scope of the NAACP by exploring national issues such as energy, the environment, the criminal justice system, welfare, and national health insurance.

Throughout his work as a civil rights advocate, he has received numerous awards, including the Humanitarian Award from the National Conference of Christians and Jews, and the Freedom Award from the National Civil Rights Museum.

The University of Memphis created the Benjamin L. Hooks Institute for Social Change, honoring Benjamin Hooks. The Hooks Institute works to advance understanding of the civil rights movement through teaching, research, and community programs and put an emphasis on social movements, race relations, strong communities, public education, effective public participation, and social and economic justice.

On Monday, I am pleased that Dr. Hooks will receive one more honor, one of the highest civilian awards: the Presidential Medal of Freedom. This medal is given to individuals who have made an especially meritorious contribution to society.

Dr. Hooks is a living example of that type of person. His life is an example that even while facing adversity through hard work, you can accomplish revolutionary change. His legacy will not only continue in our State but also throughout our Nation.

So it is only fitting that through this award he once again joins the ranks of other civil rights pioneers such as Martin Luther King, Jr., Clarence M. Mitchell, Leon Howard Sullivan, and Roy Wilkins.

It is an honor and a privilege to serve in the Senate on behalf of Tennesseans such as Dr. Hooks, who have exemplified the great courage that has not only positively affected our State but our country as well.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

CONSUMER PRODUCT SAFETY

Mr. BROWN. Madam President, I thank the Presiding Officer, the Senator from Minnesota, for the work she has done on the issue I will talk about today—consumer product safety.

This year, our Nation has witnessed recall after recall after recall of contaminated products—toys, vitamins, pet food, tires, the list goes on and on. Our fundamentally flawed trade policy, mixed with an indifferent—or worse—consumer protection agency, has eroded nearly 40 years of safety standards in our Nation. In the past, until the last few years, our safety standards assured parents they could trust that their children's toys were lead free.

We are now trying to strengthen the Consumer Protection Safety Commission. I am a cosponsor of the legislation authored by Senator PRYOR that will help strengthen that agency—the agency charged with keeping our families safe from contaminated products—whether it is toys or other products.

Earlier this week, however, a New York Times story revealed that the CPSC Acting Chairwoman, Nancy Nord, is actively working against these improvements, lobbying Congress to kill this bill. That is shameful.

This morning's Washington Post revealed that, in addition to fighting agency improvements, Chairwoman Nord has enjoyed trips across the country and around the world, paid for by the very toy companies she is responsible for regulating. That is outrageous.

These were trips paid for by the toy industry, the industry that is now under scrutiny for cutting corners—cutting corners that earn big profits for industry CEOs and sends toxic toys into our children's bedrooms.

Parents have the right to trust that their children's toys are safe. Every American has the right to trust that their Government is doing its job to keep us safe. Sadly, that does not appear to be the case with the CPSC.

Now, Chairwoman Nord claims her agency simply doesn't have the resources to do the job right. She claims the legislation now working its way through Congress would overburden her agency. Why then, one must ask, did Chairwoman Nord fail to ask for more money when she met with the Appropriations Committee earlier this year? The 2008 budget she defended before Congress doesn't even account for inflation. It leaves this agency less well equipped to prevent harm to children and to the rest of us. She stood up before the House Financial Services Appropriations Subcommittee and defended this budget, never once asserting the need for additional resources.

What better opportunity could Chairwoman Nord have had to improve her agency? What better opportunity could she have had to protect our families? But she failed.

The CPSC budget is half what it was when it was created in the 1970s—in the days when most toys and consumer products were made in this country. We imported last year $288 billion worth of products from China, tens of billions of dollars of products and toys from China and other countries that don't have a regulatory system or a Consumer Product Safety Commission or a system in place to protect consumers.

During this time, the CPSC staff dwindled from nearly 1,000 to 420. We must increase funding and staff to the CPSC. We need to increase coordination between the CPSC and Customs officials. We must give the CPSC the authority to examine and approve other nations' regulatory systems before imports from those countries show up in our children's bedrooms.

We need a leader at the CPSC who supports these goals. It is clear that Chairwoman Nord does not. She has been given the responsibility of doing everything in her power to keep our families safe and our children safe. Instead, Chairwoman Nord supports an abysmal agency budget request, is actively working against efforts to strengthen her agency, and takes trips funded by manufacturers.

Chairwoman Nancy Nord should step down. It is time to put a chairperson in place who is not satisfied with: We are doing the best we can.

We need a chairperson who fights for the authority and the resources the CPSC needs to do the job it is supposed to do—protect our families.

We need real leadership at the CPSC—leadership that doesn't side with manufacturers over consumer safety, leadership that stands up to industry pressure, leadership that puts our children and our families first.

RECOGNIZING THE 60TH ANNIVERSARY OF THE AIR FORCE AND NELLIS AIR FORCE BASE

Mr. REID. Madam President, I rise today to commemorate the 60th anniversary of the U.S. Air Force. As you are well aware, the Air Force was created by the National Security Act of 1947, the very same law that established the Department of Defense, the National Security Council, and the Central Intelligence Agency.

Like many of my colleagues in this distinguished Chamber, I represent a State with a rich history of involvement with and support for the U.S. Air Force. Less than 6 months after the Air Force was officially founded on September 18, 1947, the Las Vegas Air Force Base was reactivated to host a pilot training wing. With the onset of the Korean war, its mission changed from an advanced single-engine school to one of training jet fighter pilots for the then Far East Air Forces. And thus began a long tradition of air combat training programs held at this site that has earned this Air Force base the proud nickname "Home of the Fighter Pilot."

No single airman in Nevada history exemplified the meaning behind this slogan more than LT William H. Nellis. Born in Santa Rita, NM, in 1916, as a young man Lieutenant Nellis moved to my hometown of Searchlight, Nevada, where his father—like so many other respectable Nevadans—worked as a hard rock miner. When World War II began, Lieutenant Nellis was already married with 2 children, but this passionate young man knew he could not remain uninvolved in America's effort to rid the world of foreign oppression. After seeing a newsreel about the Army Air Corps, the precursor to the U.S. Air Force, he decided to enlist.

During the course of his valiant service, Lieutenant Nellis flew 69 missions over Europe and was shot down twice, surviving each crash and making his way back to Allied lines. Unwavering in his patriotism, he continued to volunteer to fly, doing what he saw as his duty for the great cause. Sadly, Lieutenant Nellis' last flight would come on December 27, 1944. During the Battle of the Bulge, an engagement that would cost the lives of nearly 20,000 Americans, Lieutenant Nellis was killed in action while flying with the 513th Fighter Squadron, 406 Fighter Group over Bastogne.

To honor this great Nevadan and a true American hero, the Las Vegas Air Force Base was renamed in his honor on May 20, 1950. Ever since, Nellis Air Force Base has been a stalwart of Nevada's military infrastructure and has provided U.S. airmen with the very best aerial combat training in the world.

As the pinnacle of advanced air combat aviation training, Nellis Air Force Base has provided invaluable service to the United States and its efforts in the global war on terror. The mission statement at Nellis sums it up best, "The crews do not come to learn how to fly, but instead how to be the best combat aviators in the world."

As we celebrate this historic occasion, we must never forget the importance of places like Nellis Air Force Base. I know many of my colleagues here in the U.S. Senate share my belief that America's ability to project its military might in the skies around the world is a direct result of the expert training programs at facilities like Nellis. Today we honor all of the men and women who have served proudly in the U.S. Air Force over the past 60 years. We owe them a tremendous amount of gratitude for their courageous sacrifices in defending the nation that we all work so hard to preserve.

APPROPRIATIONS SUBCOMMITTEE ASSIGNMENTS

Mr. BYRD. Madam President, I ask unanimous consent that the attached list of subcommittee assignments for the Committee on Appropriations be

printed in the RECORD, to supplant the list printed in the RECORD on February 27, 2007.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUBCOMMITTEES

Senator Byrd, as chairman of the Committee, and Senator Cochran, as ranking minority member of the Committee, are ex officio members of all subcommittees of which they are not regular members.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

Senators Kohl,[1] Harkin, Dorgan, Feinstein, Durbin, Johnson, Nelson, Reed, Bennett,[2] Cochran, Specter, Bond, McConnell, Craig, Brownback. (8–7)

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

Senators Mikulski,[1] Inouye, Leahy, Kohl, Harkin, Dorgan, Feinstein, Reed, Lautenberg, Shelby,[2] Gregg, Stevens, Domenici, McConnell, Hutchison, Brownback, Alexander. (9–8)

DEPARTMENT OF DEFENSE

Senators Inouye,[1] Byrd, Leahy, Harkin, Dorgan, Durbin, Feinstein, Mikulski, Kohl, Murray, Stevens,[2] Cochran, Specter, Domenici, Bond, McConnell, Shelby, Gregg, Hutchison. (10–9)

ENERGY AND WATER DEVELOPMENT

Senators Dorgan,[1] Byrd, Murray, Feinstein, Johnson, Landrieu, Inouye, Reed, Lautenberg, Domenici,[2] Cochran, McConnell, Bennett, Craig, Bond, Hutchison, Allard. (9–8)

FINANCIAL SERVICES AND GENERAL GOVERNMENT

Senators Durbin,[1] Murray, Landrieu, Lautenberg, Nelson, Brownback,[2] Bond, Shelby, Allard. (5–4)

DEPARTMENT OF HOMELAND SECURITY

Senators Byrd,[1] Inouye, Leahy, Mikulski, Kohl, Murray, Landrieu, Lautenberg, Nelson, Cochran,[2] Gregg, Stevens, Specter, Domenici, Shelby, Craig, Alexander. (9–8)

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

Senators Feinstein,[1] Byrd, Leahy, Dorgan, Mikulski, Kohl, Johnson, Reed, Nelson, Allard,[2] Craig, Stevens, Cochran, Domenici, Bennett, Gregg, Alexander. (9–8)

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

Senators Harkin,[1] Inouye, Kohl, Murray, Landrieu, Durbin, Reed, Lautenberg, Specter,[2] Cochran, Gregg, Craig, Hutchison, Stevens, Shelby. (8–7)

LEGISLATIVE BRANCH

Senators Landrieu,[1] Durbin, Nelson, Alexander,[2] Allard. (3–2)

MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES

Senators Johnson,[1] Inouye, Landrieu, Byrd, Murray, Reed, Nelson, Hutchison,[2] Craig, Brownback, Allard, McConnell, Bennett. (7–6)

STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

Senators Leahy,[1] Inouye, Harkin, Mikulski, Durbin, Johnson, Landrieu, Reed, Gregg,[2] McConnell, Specter, Bennett, Bond, Brownback, Alexander. (8–7)

TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

Senators Murray,[1] Byrd, Mikulski, Kohl, Durbin, Dorgan, Leahy, Harkin, Feinstein, Johnson, Lautenberg, Bond,[2] Shelby, Specter, Bennett, Hutchison, Brownback, Stevens, Domenici, Alexander, Allard. (11–10)

[1] Subcommittee chairman.

[2] Ranking minority member.

SRI LANKA

Mr. LEAHY. Madam President, it has been a little over a year since I last spoke in this Chamber about the fragile peace process in Sri Lanka. I want to take a moment to discuss the situation today because in the past year we have seen human rights in that small island nation steadily deteriorate. I also want to correct some confusion that may have occurred as a result of statements reported in the press regarding the Senate's action in connection with the fiscal year 2008 State, Foreign Operations appropriations bill. That bill passed the Senate by a vote of 81 to 12 on September 6, 2007, and we are waiting to begin conference discussions with the House of Representatives.

Over the years, I have been a strong supporter of U.S.-Sri Lankan relations. A good friend, Ambassador James Spain, served there, and the American people acted quickly to provide emergency assistance for Sri Lanka after the December 2004 tsunami devastated Sri Lanka's east, north, and southern coasts, claiming tens of thousands of lives. Beyond that, we have long supported the Sri Lankan Government's efforts to respond to acts of terrorism by the LTTE, which has been designated by the Department of State and the European Union as a foreign terrorist organization because of its attacks against civilians, assassinations of political leaders, forced recruitment of children, and other crimes.

We deplore these tactics. However, we are also aware that the LTTE has, at times, shown a willingness to participate in serious negotiations, as well as to respond to human rights concerns. These overtures should be pursued. We also recognize that the LTTE should not be equated with the Tamil community. There are many ethnic Tamils living in and outside of Sri Lanka who do not condone acts of violence and terrorism against civilians. Many have been victims of the LTTE themselves.

At the same time, our aid to the Sri Lankan Government is not a blank check. We have been increasingly concerned with reports of abuses by Sri Lankan Government forces—not from the LTTE or their supporters as some have inaccurately claimed but from the United Nations, the Department of State, and international human rights organizations. These reports are not "disinformation" or "misinformation" as some Sri Lankan officials have alleged. Rather, they contain specific, documented, consistent information indicating a steady increase in serious human rights violations by both Sri Lankan Government forces and the LTTE since the collapse of the ceasefire. While the first acts of aggression were attributed to the LTTE, these reports also implicate Government forces in attacks on civilians, extrajudicial executions, torture, and forced disappearances. There is also evidence that Sri Lankan Government forces have stood by while allied paramilitary organizations have carried out abuses, including forcibly recruiting child soldiers. With few exceptions, the Sri Lankan Government has yet to bring the perpetrators, including members of Government security forces, to justice.

It is important to note that the Sri Lankan Government's respect for human rights and the rule of law has deteriorated even outside conflict-affected areas. The Millennium Challenge Corporation suspended more than $11 million intended for Sri Lanka because of the deteriorating security situation and the Government's worsening performance on human rights. Freedom House, whose assessments of political rights and civil liberties are factored into the Millennium Challenge Corporation's analysis, stated "The serious human rights abuses and excessive restrictions on freedom of speech and association by the government of Sri Lanka merit the country's removal from a list of eligible recipients for U.S. Millennium Challenge Account assistance." We want to see a Millennium Challenge compact for Sri Lanka, but these problems must first be recognized and effectively addressed.

An international human rights field presence, under the auspices of the United Nations, could do much to improve the situation. Given the gravity and scale of the violations witnessed in Sri Lanka, and particularly the inability of the Sri Lankan Government to monitor the abuses taking place in areas held by the LTTE, such a presence would help protect lives, document abuses by all sides, and support the Government and civil society in protecting the civilian population. The Department of State has publicly endorsed such a role for the United Nations.

It is due to this information, from reputable sources, that the Senate attached three conditions to our assistance to the Sri Lankan military in the fiscal year 2008 State, Foreign Operations appropriations bill. Anyone who reviews those conditions should agree that they are reasonable and appropriate. They would require the Sri Lankan Government to be bringing to justice members of the military who have been credibly alleged to have committed gross violations of human rights; end unreasonable restrictions on access in the country by humanitarian organizations and journalists; and agree to the establishment of a field presence of the Office of the U.N. High Commissioner for Human Rights in Sri Lanka.

It is regrettable that rather than explain why the Sri Lankan Government should not meet such reasonable standards when it is seeking millions of dollars in U.S. taxpayer assistance, some Sri Lankan officials have attacked our motives and falsely attributed our actions to LTTE propaganda. Others have insisted that they are meeting these standards already, when the facts clearly indicate that far more needs to be done.

We want Sri Lanka to succeed in stopping terrorism, and we recognize that military force can be necessary against terrorist tactics. But there is no military solution to the Sri Lankan conflict, which has dragged on for more than two decades. Thousands of innocent people—Sinhalese, Tamils, and Muslims—have been killed. More than 1,000 are reported to have "disappeared" in just the past 12 to 18 months, and many more before that. Hundreds of thousands of civilians have been displaced by the fighting. Families on both sides of the conflict have suffered terribly, and the country remains divided and no closer to peace.

Every time a Sri Lankan soldier violates international humanitarian law it alienates the very people in the Tamil community whose support the Government needs to combat terrorism. Our country has experienced a similar problem in Iraq, where killings of civilians have hurt our mission, tarnished our image and weakened the support of our allies.

I would hope that the Sri Lankan Government would see our action for what it is. We want to help, but not unconditionally. I believe the United States could and should play a more active role, with other key partners, in helping to facilitate negotiations on a political settlement. But rhetoric about human rights and the appointment of ineffectual commissions of inquiry that have no credibility, only goes so far. The situation remains grave and those responsible for abuses are rarely punished, making a peace agreement more difficult to achieve. A field presence of the Office of the High Commissioner for Human Rights, with sufficient mandate and capability to conduct full and unfettered monitoring throughout the country, communicate its findings to all sides of the conflict and the public, and provide advice and technical assistance, is overdue. Also urgently needed is greater access for humanitarian organizations to assist civilians caught in the crossfire and for journalists to report the facts.

The Sri Lankan people have suffered the consequences of ethnic discrimination, violence, and injustice for the better part of their country's history. We cannot solve Sri Lanka's conflict; only the Sri Lankan people can. But we can and want to continue helping if the Government demonstrates that it takes our concerns seriously.

ADDITIONAL STATEMENTS

TRIBUTE TO JACK SPALDING SCHRODER, JR.

● Mr. ISAKSON. Madam President, today I honor in the RECORD of the Senate Jack Spalding Schroder, Jr. of Atlanta, who is a great Georgian and a great American. I honor Jack upon his retirement from Alston & Bird and for his work on behalf of the Georgia Hospital Association.

For nearly 32 years, Jack has served as lead legal counsel for the Georgia Hospital Association as an employee of Alston & Bird and its predecessor. He has served alongside three different association presidents, beginning with Seldon Brown in 1975, and he has authored numerous articles on hospitals and healthcare. He helped pave the way in the 1980s for public, not-for-profit hospitals to transfer leadership to not-for-profit governing boards that reduced political pressures and enhanced fundraising abilities. His efforts culminated in a major judicial victory at the Georgia Supreme Court.

Jack helped craft Georgia's first-ever Certificate of Need law, a law designed to control rising health care costs and preserve access to hospital services for all Georgians. In the past 10 years, while political pressures have forced other states to abandon Certificate of Need, Jack has been instrumental in helping Georgia preserve its successful Certificate of Need program.

Jack also helped shape important pieces of indigent care-related legislation that were designed to preserve access to care for hundreds of thousands of indigent patients while strengthening Georgia's local, community hospitals.

In addition to his role as lead legal counsel for the Georgia Hospital Association, Jack has served as president of the Georgia Academy of Health Care Attorneys as well as on the boards of a number of prominent health care law groups such as the Atlanta Bar Association and the American Health Lawyers Association.

Jack has served as a tireless advocate for enhancing Georgia hospitals' ability to provide quality, cost-effective health care services to every Georgia resident. He and his wife Karen have earned the many happy years of retirement ahead of them.

It gives me a great deal of pleasure and it is a privilege to recognize on the floor of the U.S. Senate the contributions of Jack Schroder to the health care industry, to the Georgia Hospital Association and to the State of Georgia.●

RECOGNITION OF MOUNT MORIAH BAPTIST CHURCH

● Mr. NELSON of Nebraska. Madam President, I wish to pay tribute to a historic church celebrating its 120th anniversary on November 10 to 11, 2007. Mount Moriah Baptist Church in Omaha, NE, was founded in 1887 and continues to thrive as it serves a vast congregation within the minority community living in Nebraska's largest city.

This anniversary is a significant achievement, especially for an institution born during a time of racial bigotry and hatred in America. The church's founding required the strength, courage, and faith of early African-American leaders, who recognized the importance of their mission to create a church which has now succeeded in delivering the Word of God to generations in three different centuries.

Mount Moriah Baptist Church has an interesting history. It was first organized in 1867, but due to the lack of a Black presence, membership declined. Then in 1887, the Reverend Amos Johnson organized a new baptist church with just seven members. A name was not immediately selected for the newly organized body. Finally, in 1888, the parishioners settled on Mount Pisgah Baptist Church. However, in 1897, the Enterprise newspaper reported the resignation of the Reverend R. January, who asked some of the church members to form a new congregation. The remaining members reorganized their congregation as the Mount Moriah Missionary Baptist Church.

Mount Moriah, whose name means "prepared for God," has had to survive numerous challenges, including several changes in location and a fire which caused significant damage during the mid-1920s. In 1956, during the administration of Reverend St. Clair, who served for 20 years, the church underwent extensive renovations.

Today, 12 decades after it was formed, Mount Moriah Baptist Church remains a focal point in Omaha, NE, just as its namesake, Mount Moriah in Jerusalem, has always been a focal point in biblical history.

I wish to commend Rev. Ralph B. Lassiter, Sr., and the congregation of Mount Moriah Baptist Church of Omaha, NE, for continuing the long and glorious tradition of teaching the Bible and its meaning and training the faithful how to live its message. Your service is truly admirable.●

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 2293. A bill to amend the Internal Revenue Code of 1986 to repeal the individual alternative minimum tax, and for other purposes.

S. 2294. A bill to strengthen immigration enforcement and border security and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 950. A bill to develop and maintain an integrated system of coastal and ocean observations for the Nation's coasts, oceans, and Great Lakes, to improve warnings of tsunami, hurricanes, El Niño events, and other natural hazards, to enhance homeland security, to support maritime operations, to improve management of coastal and marine resources, and for other purposes (Rept. No. 110–217).

By Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 1582. A bill to reauthorize and amend the Hydrographic Services Improvement Act, and for other purposes (Rept. No. 110–218).

By Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1769. A bill to amend the Communications Act of 1934 to facilitate number portability in order to increase consumer choice of voice service provider (Rept. No. 110–219).

By Mr. HARKIN, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 2302. An original bill to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes (Rept. No. 110–220).

By Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, without amendment and with a preamble:

H. Con. Res. 225. A concurrent resolution honoring the 50th anniversary of the dawn of the Space Age, and the ensuing 50 years of productive and peaceful space activities.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ:

S. 2301. A bill for the relief of Malachy McAllister, Nicola McAllister, and Sean Ryan McAllister; to the Committee on the Judiciary.

By Mr. HARKIN:

S. 2302. An original bill to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; from the Committee on Agriculture, Nutrition, and Forestry; placed on the calendar.

By Mr. BURR (for himself and Mr. ISAKSON):

S. 2303. A bill to amend section 435(o) of the Higher Education Act of 1965 regarding the definition of economic hardship; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SMITH (for himself and Mr. AKAKA):

S. Res. 365. A resolution encouraging all employers to target veterans for recruitment and to provide preference in hiring to qualified veterans; to the Committee on Veterans' Affairs.

ADDITIONAL COSPONSORS

S. 311

At the request of Ms. LANDRIEU, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 311, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 518

At the request of Mrs. MURRAY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 518, a bill to amend the Education Sciences Reform Act of 2002 to require the Statistics Commissioner to collect information from coeducational secondary schools on such schools' athletic programs.

S. 597

At the request of Mrs. FEINSTEIN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 597, a bill to extend the special postage stamp for breast cancer research for 2 years.

S. 1200

At the request of Mr. DORGAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1200, a bill to amend the Indian Health Care Improvement Act to revise and extend the Act.

S. 1354

At the request of Ms. MIKULSKI, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1354, a bill to amend the definition of a law enforcement officer under subchapter III of chapter 83 and chapter 84 of title 5, United States Code, respectively, to ensure the inclusion of certain positions.

S. 1373

At the request of Mr. PRYOR, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1373, a bill to provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities.

S. 1451

At the request of Mr. WHITEHOUSE, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1451, a bill to encourage the development of coordinated quality reforms to improve health care delivery and reduce the cost of care in the health care system.

S. 1730

At the request of Mr. SMITH, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1730, a bill to amend part A of title IV of the Social Security Act, to reward States for engaging individuals with disabilities in work activities, and for other purposes.

S. 1914

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1914, a bill to require a comprehensive nuclear posture review, and for other purposes.

S. 2045

At the request of Mr. PRYOR, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2045, a bill to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.

S. 2107

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 2107, a bill to designate the facility of the United States Postal Service located at 570 Broadway in Bayonne, New Jersey, as the "Dennis P. Collins Post Office Building".

S. 2181

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2181, a bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries' access to home health services under the Medicare program.

S. 2186

At the request of Mr. SMITH, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2186, a bill to permit individuals who are employees of a grantee that is receiving funds under section 330 of the Public Health Service Act to enroll in health insurance coverage provided under the Federal Employees Health Benefits Program.

S. 2246

At the request of Mr. COLEMAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2246, a bill to amend the Higher Education Act of 1965 to extend eligibility for Federal TRIO programs to members of the reserve components serving on active duty in support of contingency operations.

S. 2278

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2278, a bill to improve the prevention, detection, and treatment of community and healthcare-associated infections (CHAI), with a focus on antibiotic-resistant bacteria.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 365—ENCOURAGING ALL EMPLOYERS TO TARGET VETERANS FOR RECRUITMENT AND TO PROVIDE PREFERENCE IN HIRING TO QUALIFIED VETERANS

Mr. SMITH (for himself and Mr. AKAKA) submitted the following resolution; which was referred to the Committee on Veterans' Affairs:

S. RES. 365

Whereas the people of the United States have sincere appreciation and respect for the individuals who serve in the Armed Forces;

Whereas in order to recognize their sacrifices, including time out from their civilian careers while serving in the Armed Forces, Congress enacted the Veterans' Preference Act of 1944 to restore veterans to a more favorable competitive position for Federal Government employment;

Whereas, although veterans acquire skills and qualities during their military service that make them ideal candidates for employment, some veterans need assistance in readjusting to civilian life, evidenced by the fact that the unemployment rate of young veterans is more than twice the national rate;

Whereas it is acknowledged that the dignity, pride, and satisfaction of a civilian job are essential to the smooth and full reintegration into civilian life of those who have answered our Nation's call to arms; and

Whereas all citizens and all employers benefit from the service of members of the Armed Forces and thus bear some responsibility to assist in the reintegration of former servicemembers into civilian life: Now, therefore, be it

Resolved, That the Senate—

(1) urges all employers, private sector as well as State, county, and local government, to target veterans for recruitment and to afford qualified veterans hiring preference similar to the benefits provided by chapter 33 of title 5, United States Code, to preference eligibles, as defined in section 2108 of such title; and

(2) encourages the President to issue a proclamation in connection with Veterans Day, November 11, 2007, calling upon all employers to make a special effort to target veterans for recruitment and to provide preference in hiring for qualified veterans.

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Elizabeth Croker:									
Canada	Dollar		611.39						611.39
Total			611.39						611.39

TOM HARKIN,
Chairman, Committee on Agriculture, Nutrition and Forestry, Oct. 11, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Paul Grove:									
Jordan	Dinar		867.00						867.00
Egypt	Pound		399.00						399.00
Turkey	Lira		508.00						508.00
United States	Dollar				7,984.68				7,984.68
Michele Gordon:									
Jordan	Dinar		867.00						867.00
Egypt	Pound		399.00						399.00
Turkey	Lira		508.00						508.00
United States	Dollar				7,984.68				7,984.68
Katherine Eltrich:									
Jordan	Dinar		867.00						867.00
Egypt	Pound		399.00						399.00
Turkey	Lira		508.00						508.00
United States	Dollar				7,984.68				7,984.68
Arthur E. Cameron, Jr:									
Egypt	Pound		1,114.00						1,114.00
Israel	Shekel		1,596.00						1,596.00
United States	Dollar				8,614.18				8,614.18
Howard Sutton:									
Egypt	Pound		1,114.00						1,114.00
Israel	Shekel		1,596.00						1,596.00
United States	Dollar				8,614.18				8,614.18
Senator Thad Cochran:									
Malaysia	Ringgit		345.00						345.00
Vietnam	Dong		230.00						230.00
Thailand	Baht		244.00						244.00
Hong Kong	Dollar		188.00						188.00
Kay Webber:									
Malaysia	Ringgit		345.00						345.00
Vietnam	Dong		230.00						230.00
Thailand	Baht		244.00						244.00
Hong Kong	Dollar		188.00						188.00
Stewart Holmes:									
Malaysia	Ringgit		345.00						345.00
Vietnam	Dong		230.00						230.00
Thailand	Baht		244.00						244.00
Hong Kong	Dollar		188.00						188.00
Johathan Kamarck:									
Sweden	Krona		1,395.00						1,395.00
The Netherlands	Euro		1,282.68						1,282.68
Turkey	Lira		1,288.00						1,288.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United States	Dollar				7,226.15				7,266.15
Ellen Stein Beares:									
Sweden	Krona		1,395.00						1,395.00
The Netherlands	Euro		1,282.68						1,282.68
Turkey	Lira		1,288.00						1,288.00
United States	Dollar				7,676.29				7,676.29
Matthew Craig McCardle:									
Sweden	Krona		1,395.00						1,395.00
The Netherlands	Euro		1,282.68						1,282.68
Turkey	Lira		1,288.00						1,288.00
United States	Dollar				7,283.08				7,283.08
Nancy J. Olkewicz:									
United Kingdom	Pound		1,540.00						1,540.00
United States	Dollar				7,103.67				7,103.67
Carolyn E. Apostolou:									
United Kingdom	Pound		1,585.69						1,585.69
United Kingdom	Pound						113.08		113.08
United States	Dollar				7,103.67				7,103.67
Gary D. Reese:									
Pakistan	Dollar		1,619.00						1,619.00
Afghanistan	Dollar		300.00						300.00
United States	Dollar				9,253.46				9,253.46
Senator Richard J. Durbin:									
Qatar	Dollar		287.34						287.34
Afghanistan	Dollar		10.00						10.00
Pakistan	Rupee		278.37						278.37
Kuwait	Dollar		26.00						26.00
Jordan	Dollar		225.44						225.44
United States	Dollar				8,531.01				8,531.01
Paul Farnan:									
Qatar	Dollar		287.34						287.34
Afghanistan	Dollar		12.00						12.00
Pakistan	Rupee		211.00						211.00
Kuwait	Dollar		35.00						35.00
Jordan	Dollar		214.00						214.00
United States	Dollar				8,375.01				8,375.01
Chris Homan:									
Qatar	Dollar		285.38				51.62		337.00
Afghanistan	Dollar		7.00						7.00
Pakistan	Rupee		210.47				13.12		223.59
Kuwait	Dollar		26.00				16.98		42.98
Jordan	Dollar		264.22				24.65		288.87
United States	Dollar				8,375.01				8,375.01
Senator Robert C. Byrd:									
Panama	Dollar		389.50						389.50
James Tuite:									
Panama	Dollar		389.50						389.50
James Allen:									
Panama	Dollar		389.50						389.50
* Delegation Expenses:									
Panama	Dollar						1,211.91		1,211.91
Total			34,252.45		112,109.75		1,431.36		147,793.56

* Delegation expenses include payments and reimbursements to the Department of State under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of Pub. L. 95–384, and expenses paid pursuant to S. Res. 179, agreed to May 25, 1977.

ROBERT C. BYRD,
Chairman, Committee on Appropriations, Oct. 17, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Lindsey O. Graham:									
Kuwait	Dollar		44.77						44.77
France	Dollar		1,164.45				44.71		1,209.16
Michael J. Kuiken:									
United States	Dollar				13,326.15				13,326.15
Republic of the Congo	Dollar		747.00						747.00
Uganda	Shilling		803.00						803.00
Senator James M. Inhofe:									
Jordan	Dinar		337.57						337.57
Anthony Lazarski:									
Germany	Euro		395.59						395.59
Jordan	Dinar		235.88						235.88
Senator Joseph I. Lieberman:									
China	Dollar		1,017.00				2,000.00		3,017.00
United States	Dollar				8,050.00				8,050.00
India	Dollar		1,106.00						1,106.00
Vance Serchuk:									
China	Dollar		1,017.00						1,017.00
United States	Dollar				8,050.00				8,050.00
India	Dollar		1,106.00						1,106.00
Frederick M. Downey:									
China	Dollar		917.00						917.00
United States	Dollar				8,050.00				8,050.00
India	Dollar		982.00						982.00
Michael J. Kuiken:									
Mali	Franc		342.00						342.00
Chad	Franc		429.00						429.00
Germany	Euro		279.00						279.00
United States	Dollar				13,961.00				13,961.00
Senator Carl Levin:									
Kuwait	Dollar		297.86						297.86

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jordan	Dinar		417.00						417.00
Israel	Shekel		308.00				5.19		313.19
United States	Dollar				7,399.27				7,399.27
Senator John McCain:									
Kuwait	Dollar		155.00						155.00
France	Dollar		206.00						206.00
Richard Fontaine:									
Kuwait	Dollar		155.00						155.00
France	Dollar		206.00						206.00
Dana W. White:									
Mali	Franc		326.00						326.00
Chad	Franc		364.00						364.00
Germany	Euro		308.00						308.00
United States	Dollar				13,961.00				13,961.00
Senator John Warner:									
Kuwait	Dinar		81.68						81.68
Jordan	Dinar		512.94						512.94
United States	Dollar				10,755.59				10,755.59
Elizabeth King:									
United States	Dollar				6,979.00				6,979.00
Kuwait	Dollar						45.00		45.00
Senator Jack Reed:									
United States	Dollar				6,979.00				6,979.00
Kuwait	Dollar						35.00		35.00
Senator John Thune:									
Malaysia	Ringgit		345.00						345.00
Vietnam	Dong		230.00						230.00
Thailand	Baht		244.00						244.00
Hong Kong	Dollar		188.00						188.00
Evelyn N. Farkas:									
United States	Dollar				8,697.00				8,697.00
Thailand	Dollar		254.00						254.00
Pakistan	Dollar		560.00						560.00
Dana W. White:									
United States	Dollar				8,697.00				8,697.00
Thailand	Dollar		257.00						257.00
Pakistan	Dollar		576.00						576.00
Senator E. Benjamin Nelson:									
Kuwait	Dollar		155.00						155.00
Matt Rimkunas:									
United Arab Emirates	Dollar		149.32						149.32
Afghanistan	Dollar		28.59				100.00		128.59
United States	Dollar				7,979.12				7,979.12
Daniel J. Cox, Jr.:									
Jordan	Dinar		433.02				30.00		463.02
Israel	Shekel		292.17						292.17
United States	Dollar				6,912.00				6,912.00
Kuwait	Dollar		297.86						297.86
Richard D. DeBobes:									
Kuwait	Dollar		298.00						298.00
Jordan	Dinar		433.00						433.00
Israel	Shekel		313.00						313.00
United States	Dollar				6,912.00		25.00		6,937.00
Total			19,314.70		136,708.13		2,284.90		158,307.73

CARL LEVIN,
Chairman, Committee on Armed Services, Oct. 12, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Richard Shelby:									
United States	Dollar				12,091.00				12,091.00
United Kingdom	Pound		462.00						462.00
Belgium	Euro		420.00						420.00
Germany	Euro		840.00						840.00
Poland	Zloty		636.00						636.00
Italy	Euro		478.00						478.00
Jordan	Dinar		578.00						578.00
William D. Duhnke, III:									
United States	Dollar				12,091.00				12,091.00
United Kingdom	Pound		375.00						375.00
Belguim	Euro		330.00						330.00
Germany	Euro		668.00						668.00
Poland	Zloty		549.00						549.00
Italy	Euro		391.00						391.00
Jordan	Dinar		491.00						491.00
Total			6,218.00		24,182.00				30,400.00

CHRISTOPHER J. DODD,
Chairman, Committee on Banking, Housing and Urban Affairs, Oct. 10, 2007

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BUDGET FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Daniel Brandt III:									
United States	Dollar				8,515.73				8,515.73
Vietnam	Dong		868.00						868.00
Cambodia	Riel		212.00						212.00
Laos	Kip		597.00		110.00				707.00
Taiwan	Dollar		1,014.00						1,014.00
Scott B. Gudes:									
United States	Dollar				8,326.70				8,326.70
Vietnam	Dong		868.00						868.00
Cambodia	Riel		212.00						212.00
Laos	Kip		597.00		110.00				707.00
Taiwan	Dollar		1,014.00						1,014.00
Total			5,382.00		17,062.43				22,444.43

KENT CONRAD,
Chairman, Senate Budget Committee, Sept. 30, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Ensign:									
India	Rupee		482.40						482.40
United States	Dollar				6,476.57				6,476.57
David Quinalty:									
India	Rupee		157.70						157.70
United States	Dollar				6,544.04				6,544.04
Total			640.10		13,020.61				13,660.71

DANIEL K. INOUYE,
Chairman, Committee on Commerce, Science, and Transportation,
Oct. 1, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Frank Macchiarola:									
United States	Dollar				6,916.50				6,916.50
China	Yen		1,695.00						1,695.00
Total			1,695.00		6,916.50				8,611.50

JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, Sept. 10, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Caroline McLean:									
Greenland	Krone		350.00						350.00
Jessica Maher:									
Greenland	Krone		180.00						180.00
Richard Alley:									
Greenland	Krone		350.00						350.00
Ashley Horning:									
Greenland	Krone		140.00						140.00
Senator Bill Nelson:									
Greenland	Krone		257.00						257.00
Senator Johnny Isakson:									
Greenland	Krone		256.00						256.00
Senator Bernard Sanders:									
Greenland	Krone		257.00						257.00
Senator Sheldon Whitehouse:									
Greenland	Krone		256.16						256.16
Senator Barbara Mikulski:									
Greenland	Krone		140.44						140.44
Senator Frank Lautenberg:									
Greenland	Krone		307.00						307.00
Senator Benjamin Cardin:									
Greenland	Krone		257.30						257.30
Senator Amy Klobuchar:									
Greenland	Krone		350.00						350.00
Senator Bob Corker:									
Greenland	Krone		120.44						120.44

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Erik Olson:									
Greenland	Krone		188.50						188.50
Michael Goo:									
Greenland	Krone		350.00						350.00
Michael Quello:									
Greenland	Krone		160.44						160.44
Marc Morano:									
Greenland	Krone		260.00						260.00
Arvin Ganesan:									
Greenland	Krone		160.44						160.44
Mark Wilson:									
Greenland	Krone		350.00						350.00
John Eisold:									
Greenland	Krone		350.00						350.00
Alex Herrgott:									
United States	Dollar				7,676.29				7,676.29
Sweden	Krona		1,395.00						1,395.00
Netherlands	Euro		1,282.68						1,282.68
Turkey	Lira		1,288.00						1,288.00
James O'Keeffe:									
United States	Dollar				7,676.29				7,676.29
Sweden	Krona		1,395.00						1,395.00
Netherlands	Euro		1,282.68						1,282.68
Turkey	Lira		1,288.00						1,288.00
Paul Ordal:									
Greenland	Krone		140.44						140.44
United States	Dollar				6,231.02				6,231.02
United Kingdom	Pound		779.00						779.00
France	Euro		354.00		766.50		1,850.00		2,970.50
Iceland	Krona		234.00		194.50		338.00		766.50
Bettina Poirier:									
Greenland	Krone		350.00						350.00
United States	Dollar				6,231.02				6,231.02
United Kingdom	Pound		905.00						905.00
France	Euro		354.00		766.50		1,850.00		2,970.50
Iceland	Krona		234.00		194.50		338.00		766.50
Peter Rafle:									
Greenland	Krone		225.24						225.24
United States	Dollar				6,231.02				6,231.02
United Kingdom	Pound		603.00						603.00
France	Euro		354.00		766.50		1,850.00		2,970.50
Iceland	Krona		234.00		194.50		338.00		766.50
Senator Barbara Boxer:									
Greenland	Krone		257.30						257.30
United States	Dollar				6,231.02				6,231.02
United Kingdom	Pound		524.00						524.00
France	Euro		354.00		766.50		1,850.00		2,970.50
Iceland	Krona		234.00		194.50		338.00		766.50
Total			19,109.06		44,120.66		8,752.00		71,981.72

BARBARA BOXER,
Chairman, Committee on Environment and Public Works, Oct. 23, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Max Baucus:									
Kuwait	Dollar		18.60						18.60
Senator Blanche Lincoln:									
Kuwait	Dollar		128.05						128.05
Andrew Person:									
Kuwait	Dollar		56.53						56.53
Anthony McClain:									
Kuwait	Dollar		90.00						90.00
Christopher Campbell:									
Colombia	Peso		1,087.29		665.00				1,752.29
United States	Dollar				1,975.38				1,975.38
Amber Cottle:									
Colombia	PesO		1,328.08		476.00				1,804.08
United States	Dollar				2,310.00				2,310.00
Robert Holifield:									
Colombia	Peso		1,174.38		476.00				1,650.38
United States	Dollar				2,111.34				2,111.34
Staci Lancaster:									
Colombia	Peso		1,208.78		476.00				1,684.78
United States	Dollar				2,145.00				2,145.00
Thomas Mahr:									
Colombia	Peso		667.39		194.00				861.39
United States	Dollar				1,554.90				1,554.90
Demetrios Marantis:									
Colombia	Peso		1,780.55		665.00				2,445.55
United States	Dollar				1,967.70				1,967.70
King Mueller:									
Colombia	Peso		1,290.00		476.00				1,766.00
United States	Dollar				2,120.70				2,120.70
Sam Mitchell:									
Colombia	Peso		1,162.82		476.00				1,638.82
United States	Dollar				2,303.00				2,303.00
Stephen Schaefer:									
Colombia	Peso		1,131.72		476.00				1,607.72
United States	Dollar				2,069.00				2,069.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Chelsea Thomas:									
Colombia	Peso		1,328.63		476.00				1,804.63
United States	Dollar				2,404.00				2,404.00
Total			12,452.82		25,817.02				38,269.84

MAX BAUCUS,
Chairman, Committee on Finance, Oct. 25, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Joseph R. Biden Jr.:									
Kuwait	Dollar		68.00						68.00
Germany	Dollar		60.00						60.00
United States	Dollar				9,442.51				9,442.51
Senator Robert P. Casey Jr.:									
Kuwait	Dollar		86.00						86.00
Jordan	Dollar		289.00						289.00
United States	Dollar				9,446,43				9,446.43
Senator Norm Coleman:									
Kuwait	Dollar		150.00				65.00		215.00
United States	Dollar				9,472.51				9,472.51
Senator Russ Feingold:									
Sao Tome & Principe	Dollar		287.00						287.00
Congo	Dollar		560.00						560.00
Uganda	Schilling		1,324.00				96.00		1,420.00
United Kingdom	Pound		394.87						394.87
United States	Dollar				9,853.54				9,853.54
Senator Richard Lugar:									
Russia	Ruble		706.00						706.00
Ukraine	Dollar		125.00						125.00
United Kingdom	Pound		231.00						231.00
United States	Dollar				6,666.11				6,666.11
Jeffrey Baron:									
Korea	Won		1,727,00						1,727.00
China	Yuan		660.00						660.00
United States	Dollar				7,563.84				7,563.84
Jeffrey Baron:									
China	Yuan		693.00		45.00				738.00
North Korea	Dollar		1,284.00		390.00				1,674.00
United States	Dollar				6,916.56				6,916.56
Antony Blinken:									
Kuwait	Dollar		54.00						54.00
Germany	Dollar		40.00						40.00
United States	Dollar				9,379.51				9,379.51
Jay Branegan:									
Honduras	Lempira		582.00						582.00
United States	Dollar				1,378.70				1,378.70
Shellie Bressler:									
Botswana	Pula		458.00						458.00
South Africa	Rand		1,615.00		278.00				1,893.00
United States	Dollar				9,332.36				9,332.36
Shellie Bressler:									
Liberia	Dollar		1,215.00						1,215.00
Ghana	Dollar		787.00						787.00
Ethiopia	Dollar		1,604.00						1,604.00
United States	Dollar				13,365.88				13,365.88
Perry Cammack:									
Egypt	Pound		532.00						532.00
Morocco	Dirham		1,176.00						1,176.00
United States	Dollar				8,199.73				8,199.73
Brooke Daley:									
Rwanda	Franc		1,147.00						1,147.00
Tanzania	Shilling		240.00						240.00
United States	Dollar				10,755.58				10,755.58
Isaac Edwards:									
China	Yuan		1,962.00		447.86		390.00		2,799.86
United States	Dollar				6,916.57				6,916.57
Steven Feldstein:									
Kenya	Shilling		2,226.00						2,226.00
Mozambique	Metical		1,498.00						1,498.00
Ethiopia	Birr		1,500.00						1,500.00
United States	Dollar				10,739.44				10,739.44
Andrew Fisher:									
Russia	Ruble		706.00						706.00
Ukraine	Hyrvnia		125.00						125.00
United Kingdom	Pound		231.00						231.00
United States	Dollar				6,666.11				6,666.11
Paul Foldi:									
Kenya	Dollar		1,000.00						1,000.00
Italy	Dollar		2,030.00						2,030.00
United States	Dollar				12,197.82				12,197.82
Paul Foldi:									
Liberia	Dollar		1,285.00						1,285.00
Ghana	Dollar		710.00						710.00
Ethiopia	Dollar		1,620.00						1,620.00
United States	Dollar				13,385.88				13,385.88
Jofi Joseph:									
Kuwait	Dollar		86.00						86.00
Jordan	Dollar		289.00						289.00
United States	Dollar				9,690.43				9,690.43

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jessica Lewis:									
Nicaragua	Cordoba		245.00						245.00
El Salvador	Dollar		356.00						356.00
Peru	Sol		259.00						259.00
Columbia	Peso		1,093.40						1,093.40
United States	Dollar				4,943.00				4,943.00
Keith Luse:									
Indonesia	Rupiah		1,156.51		785.00		185.02		2,126.53
Singapore	Dollar		335.94						335.94
Philippines	Peso		871.57						871.57
China	Yuan		243.50		514.26				757.76
Mongolia	Tugrik		962.41						962.41
Japan	Yen						2.40		2.40
Korea	Won						9.60		9.60
United States	Dollar				3,694.47				3,694.47
Sarah Margon:									
Sao Tome & Principle	Dollar		112.00						112.00
Congo	Dollar		460.00						460.00
Uganda	Shilling		1,204.00				96.00		1,300.00
United Kingdom	Pound		394.87						394.87
United States	Dollar				8,820.54				8,820.54
Brian McKeon:									
Botswana	Pula		362.86						362.86
South Africa	Rand		1,251.08		278.44				1,529.52
United States	Dollar				9,332.36				9,332.36
Carl Meacham:									
Bolivia	Dollar		954.00						954.00
United States	Dollar				2,738.70				2,738.70
Thomas Moore:									
Russia	Ruble		706.00						706.00
Ukraine	Hyrvnia		125.00						125.00
United Kingdom	Pound		231.00						231.00
United States	Dollar				6,645.97				6,645.97
Kenneth Myers, Jr.:									
Russia	Ruble		706.00						706.00
Ukraine	Hyrvnia		125.00						125.00
United Kingdom	Pound		231.00						231.00
United States	Dollar				6,666.11				6,666.11
Kenneth Myers, III:									
Russia	Ruble		896.00						896.00
Ukraine	Hyrvnia		125.00						125.00
United Kingdom	Pound		231.00						231.00
United States	Dollar				6,666.11				6,666.11
Kenneth Myers, III:									
Russia	Ruble		1,200.00						1,200.00
United States	Dollar				5,864.50				5,864.50
Michael Phelan:									
Zambia	Kwacha		1,629.40		187.00				1,816.40
Zimbabwe	Dollar		873.51		460.97				1,334.48
Mozambique	Metical		1,448.38		470.16				1,918.54
United States	Dollar				10,026.78				10,026.78
Nilmini Rubin:									
Rwanda	Franc		1,384.14		90.00				1,474.14
Tanzania	Shilling		1,852.22		60.00				1,912.22
United States	Dollar				10,735.58				10,735.58
Jennifer Simon:									
Kenya	Shilling		1,372.00						1,372.00
Italy	Euro		2,152.00						2,152.00
United States	Dollar				10,295.00				10,295.00
Shannon Smith:									
Cote d'Ivoire	CFA		994.00						994.00
Rwanda	Dollar		1,027.00						1,027.00
Ethiopia	Dollar		1,240.00		200.00				1,440.00
Namibia	Dollar		455.00						455.00
United States	Dollar				13,254.00				13,254.00
Shannon Smith:									
Congo	Dollar		1,237.00						1,237.00
Uganda	Shilling		1,265.00						1,265.00
United States	Dollar				13,326.00				13,326.00
Chris Socha:									
United Arab Emirates	Dirham		773.39		240.55				1,013.94
Afghanistan	Dollar		44.30		210.00		10.00		264.30
Qatar	Riyal		573.96		41.22		19.23		634.41
Jordan	Dinar		344.81		28.24				373.05
United States	Dollar				9,764.23		201.69		9,965.92
Mark String:									
Zambia	Dollar		1,421.25		187.00				1,608.25
Zimbabwe	Dollar		847.51		460.97				1,308.48
Mozambique	Dollar		1,203.00		470.16				1,673.16
United States	Dollar				10,026.78				10,026.78
Jordan Taige:									
Kuwait	Dollar		282.00						282.00
United States	Dollar				9,013.12				9,013.12
Puneet Talwar:									
Lebanon	Dollar		256.00						256.00
Israel	Dollar		742.00						742.00
United States	Dollar				7,899.15				7,899.15
Puneet Talwar:									
Kuwait	Dollar		50.00						50.00
Germany	Dollar		94.00						94.00
United States	Dollar				9,379.51				9,379.51
Tomicah Tillemann:									
Russia	Ruble		1,362.00						1,362.00
Belgium	Dollar		978.00						978.00
Estonia	Dollar		1,098.00						1,098.00
United States	Dollar				8,393.80				8,393.80
Connie Veillette:									
Liberia	Dollar		1,221.00						1,221.00
Ghana	Dollar		791.00						791.00
Ethiopia	Dollar		1,636.00						1,636.00
United States	Dollar				13,365.88				13,365.88

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Total			78,848.88		358,065.93		1,074.94		437,989.75

JOSEPH R. BIDEN, JR.,
Chairman, Committee on Foreign Relations, Oct. 15, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jodi Lieberman:									
United States	Dollar				7,573.28				7,573.28
Russia	Rouble		1,488.00						1,488.00
Ukraine	Hyrvna		1,300.00						1,300.00
Lithuania	Litai		800.00						800.00
Austria	Euro		1,000.00						1,000.00
Kristin Sharp:									
United States	Dollar				6,364.99				6,364.99
Ukraine	Hyrvna		350.00						350.00
Lithuania	Litai		864.00						864.00
Austria	Euro		678.00						678.00
Lauren Henry:									
United States	Dollar				6,364.99				6,364.99
Ukraine	Hyrvna		400.00						400.00
Lithuania	Litai		864.00						864.00
Austria	Euro		657.00						657.00
Total			8,401.00		20,303.26				28,704.26

JOSEPH L. LIEBERMAN,
Chairman, Committee on Homeland Security and Governmental Affairs,
Oct. 4, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE JUDICIARY FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Arlen Specter:									
United Kingdom	Pound		68.07						68.07
Finland	Euro		28.38						28.38
Russia	Ruble		466.61						466.61
Turkey	Lira		185.02						185.02
Poland	Zloty		110.87						110.87
France	Euro		251.77						251.77
United States	Dollar				8,367.21				8,367.21
John Myers:									
United Kingdom	Pound		173.00						173.00
Finland	Euro		275.00						275.00
Russia	Ruble		680.00						680.00
Turkey	Lira		321.00						321.00
Poland	Zloty		286.00						286.00
France	Euro		343.00						343.00
United States	Dollar				8,394.97				8,394.97
Bradley Hayes:									
Egypt	Pound		1,114.00						1,114.00
Israel	Shehel		1,596.00						1,596.00
United States	Dollar				8,614.18				8,614.18
*Delegation Expenses:									
Turkey	Lira						6,802.00		6,802.00
Poland	Zloty						4,760.96		4,760.96
Russia	Ruble						7,308.98		7,308.98
Finland	Euro						1,770.00		1,770.00
France	Euro						15,474.62		15,474.62
Total			5,898.72		25,376.36		36,116.56		67,391.64

*Delegation expenses include payments and reimbursements to the Department of State and the Department of Defense under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

PATRICK J. LEAHY,
Chairman, Committee on the Judiciary, Oct. 30, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Gregory Willis:									
United States	Dollar				6,786.54				6,786.54
China	Yuan		1,580.00		575.00		300.00		2,455.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Total			1,580.00		7,361.54		300.00		9,241.54

JOHN F. KERRY,
Chairman, Committee on Small Business and Entrepreneurship, Oct. 15, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON VETERANS' AFFAIRS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Aaron Sheldon:									
South Korea	Won		1,705.00						1,705.00
Total			1,705.00						

DANIEL K. AKAKA,
Chairman, Committee on Veterans' Affairs, Sept. 17, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM JULY 1 TO SEPT. 20, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jennifer Wagner			3,572.00						3,572.00
	Dollar				11,102.40				11,102.40
Jacqueline Russell			3,292.00						3,292.00
	Dollar				11,102.40				11,102.40
James Smythers			1,392.00						1,392.00
	Dollar				9,229.40				9,229.40
Todd Rosenblum			1,073.59						1,073.59
	Dollar				8,997.79				8,997.79
Andrew Kerr			2,114.04						2,114.04
	Dollar				8,588.96				8,588.96
Eric Chapman			716.00						716.00
	Dollar				9,073.54				9,073.54
John Maguire			2,314.00						2,314.00
	Dollar				8,997.79				8,997.79
David Koger			4,318.00						4,318.00
	Dollar				10,572.00				10,572.00
John Maguire			437.46						437.46
Randall Bookout			1,919.00						1,919.00
	Dollar				9,233.46				9,233.46
Senator Olympia Snowe			298.46						298.46
Paul Matulic			1,599.00						1,599.00
	Dollar				9,233.46				9,233.46
Sameer Bhalotra			1,619.00						1,619.00
	Dollar				9,233.46				9,233.46
Randall Bookout			1,958.00						1,958.00
	Dollar				8,722.00				8,722.00
Sameer Bhalotra			1,994.00						1,994.00
	Dollar				8,722.00				8,722.00
Evan Gottesman			1,848.00						1,848.00
	Dollar				8,820.54				8,820.54
Daniel Jones			2,332.00						2,332.00
	Dollar				9,318.73				9,318.73
Andrew Kerr			2,457.77						2,457.77
	Dollar				9,608.23				9,608.23
Eric Pelofsky			1,867.00						1,867.00
	Dollar				9,604.83				9,604.83
James Smythers			2,492.00						2,492.00
	Dollar				9,318.73				9,318.73
Gregory Thielmann			1,727.00						1,727.00
	Dollar				9,608.23				9,608.23
Louis Tucker			4,179.00						4,179.00
	Dollar				13,323.39				13,323.39
Thomas Corcoran			4,379.00						4,379.00
	Dollar				13,323.39				13,323.39
Matthew Pollad			3,791.00						3,791.00
	Dollar				13,323.39				13,323.39
John Dickas			1,122.00						1,122.00
	Dollar				2,877.70				2,877.70
James Smythers			1,157.00						1,157.00
	Dollar				2,877.70				2,877.70
Jennifer Wagner			1,192.00						1,192.00
	Dollar				2,897.00				2,897.00
Senator Saxby Chambliss			1,007.00						1,007.00
Senator Richard Burr			1,007.00						1,007.00
Senator Bill Nelson			1,021.00						1,021.00
Teresa Ervin			1,007.00						1,007.00
James Smythers			847.00						847.00
Jennifer Wagner			1,007.00						1,007.00
Caroline Tess			1,021.00						1,021.00
Brenda Strickland			1,021.00						1,021.00
Total				65,098.32	227,711.22				292,809.54

JOHN D. ROCKEFELLER, IV,
Chairman, Committee on Intelligence, Oct. 19, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), REPUBLICAN LEADER FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2007

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Tom Hawkins:									
United States	Dollar				8,164.33				8,164.33
Kuwait	Dollar		602.52						602.52
Belgium	Euro		414.00						414.00
Total			1,016.52		8,164.33				9,180.85

MITCH McCONNELL,
Republican Leader, Sept. 24, 2007.

AUTHORITY TO FILE

Mr. BROWN. Madam President, I ask unanimous consent that notwithstanding the adjournment of the Senate, the Agriculture Committee be authorized to file an original bill and accompanying committee report until 3 p.m., Friday, November 2.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 14 U.S.C. 194, as amended by Public Law 101-595, and upon the recommendation of the chairman of the Committee on Commerce, Science, and Transportation, appoints the following Senators to the Board of Visitors of the U.S. Coast Guard Academy: The Senator from Hawaii (Mr. INOUYE), ex officio, as chairman of the Committee on Commerce, Science, and Transportation and the Senator from Washington (Ms. CANTWELL), Committee on Commerce, Science, and Transportation.

BLINDED VETERANS PAIRED ORGAN ACT OF 2007

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 328, S. 1163.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1163) to amend title 38, United States Code, to improve compensation and specially adapted housing for veterans in certain cases of impairment of vision involving both eyes, and to provide for the use of the National Directory of New Hires for income verification purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Blinded Veterans Paired Organ Act of 2007''.

TITLE I—LOW-VISION BENEFITS MATTERS

SEC. 101. MODIFICATION OF RATE OF VISUAL IMPAIRMENT FOR PAYMENT OF DISABILITY COMPENSATION.

Section 1114(o) of title 38, United States Code, is amended by striking ''5/200'' and inserting ''20/200''.

SEC. 102. IMPROVEMENT IN COMPENSATION FOR VETERANS IN CERTAIN CASES OF IMPAIRMENT OF VISION INVOLVING BOTH EYES.

Section 1160(a)(1) of title 38, United States Code, is amended—

(1) by striking ''blindness'' both places it appears and inserting ''impairment of vision''; and

(2) by striking ''misconduct;'' and inserting ''misconduct if—

''(A) the impairment of vision in each eye is rated at a visual acuity of 20/200 or less; or

''(B) the peripheral field of vision for each eye is 20 degrees or less;''.

SEC. 103. USE OF NATIONAL DIRECTORY OF NEW HIRES FOR INCOME VERIFICATION PURPOSES FOR CERTAIN VETERANS BENEFITS.

(a) USE OF INFORMATION IN NATIONAL DIRECTORY OF NEW HIRES.—Chapter 53 of title 38, United States Code, is amended by adding at the end the following new section:

''§5320. Use of National Directory of New Hires for income verification purposes

''(a) INFORMATION FROM NATIONAL DIRECTORY OF NEW HIRES.—(1) The Secretary shall furnish to the Secretary of Health and Human Services information in the custody of the Secretary on individuals under the age of 65 who are applicants for or recipients of benefits or services specified in subsection (d) for comparison with information on such individuals in the National Directory of New Hires maintained by the Secretary of Health and Human Services pursuant to section 453 of the Social Security Act (42 U.S.C. 653). The Secretary shall furnish the information on a quarterly basis or at such other intervals as may be determined by the Secretary.

''(2) The Secretary shall furnish information under paragraph (1) with respect to any individual only if doing so is essential to determine the individual's eligibility for benefits and services specified in subsection (d) or the amount of benefits specified in paragraphs (1), (2), and (4) of subsection (d), to which the individual is entitled.

''(3)(A) The Secretary of Health and Human Services shall, in cooperation with the Secretary and in accordance with this subsection—

''(i) compare information in the National Directory of New Hires with information furnished pursuant to paragraph (1); and

''(ii) disclose information in that directory to the Secretary for the purposes specified in this subsection.

''(B) The Secretary of Health and Human Services may make a disclosure in accordance with subparagraph (A) only to the extent that the Secretary of Health and Human Services determines that such disclosure does not interfere with the effective operation of the program under part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.).

''(4) The Secretary may use information resulting from a data match pursuant to this subsection only for the purpose of determining eligibility for benefits and services specified in subsection (d), and the amount of benefits specified in paragraphs (1), (2), and (4) of that subsection, for indivudals under the age of 65.

''(5) The Secretary shall reimburse the Secretary of Health and Human Services for the additional costs incurred by that Secretary in furnishing information under this subsection. Such reimbursement shall be at rates that the Secretary of Health and Human Services determines to be reasonable (and shall include payment for the costs of obtaining, verifying, maintaining, and comparing the information).

''(b) NOTIFICATION TO BENEFICIARIES.—The Secretary shall notify each applicant for, or recipient of, a benefit or service specified in subsection (d) that income information furnished by the applicant to the Secretary may be compared with information obtained by the Secretary from the Secretary of Health and Human Services under subsection (a). The Secretary shall periodically transmit to recipients of such benefits additional notices under this subsection.

''(c) INDEPENDENT VERIFICATION REQUIRED.—The Secretary may terminate, deny, suspend, or reduce any benefit or service described in subsection (d) by reason of information obtained from the Secretary of Health and Human Services under subsection (a) only if the Secretary takes appropriate steps to verify independently information relating to employment and income from employment.

''(d) COVERED BENEFITS AND SERVICES.—The benefits and services specified in this subsection are the following:

''(1) Needs-based pension benefits provided under chapter 15 of this title or under any other law administered by the Secretary.

''(2) Parents' dependency and indemnity compensation provided under section 1315 of this title.

''(3) Health-care services furnished under subsections (a)(2)(G), (a)(3), and (b) of section 1710 of this title.

''(4) Compensation paid under chapter 11 of this title at the 100 percent rate based solely on unemployability and without regard to the fact that the disability or disabilities are not rated as 100 percent disabling under the rating schedule.

''(e) OPPORTUNITY TO CONTEST FINDINGS.—The Secretary shall inform the individual of the findings made by the Secretary on the basis of verified information under subsection (c), and shall give the individual an opportunity to contest such findings in the same manner as applies to other information and findings relating to eligibility for the benefit or service involved.

"(f) SOURCE OF FUNDS FOR ADMINISTRATION OF SECTION.—The Secretary shall pay the expenses of carrying out this section from amounts available to the Department for the payment of compensation and pensions.

"(g) TERMINATION OF AUTHORITY.—The authority of the Secretary to obtain information from the Secretary of Health and Human Services under subsection (a) expires on September 30, 2012.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"5320. Use of National Directory of New Hires for income verification purposes.".

(c) EFFECTIVE DATE.—Section 5320 of title 38, United States Code, as added by subsection (a), shall take effect 270 days after the date of the enactment of this Act.

TITLE II—BURIAL AND MEMORIAL AFFAIRS MATTERS

SEC. 201. PROVISION OF MEDALLION OR OTHER DEVICE FOR PRIVATELY PURCHASED GRAVE MARKERS.

Section 2306(d) of title 38, United States Code, is amended by adding at the end the following new paragraph:

"(5) The Secretary may, upon request, furnish in lieu of a headstone or marker authorized by this subsection a medallion or other device of a design determined by the Secretary to signify the deceased's status as a veteran to be affixed to a headstone or marker purchased at private expense.".

SEC. 202. INCREASE IN ASSISTANCE FOR VETERANS INTERRED IN CEMETERIES OTHER THAN NATIONAL CEMETERIES.

(a) REPEAL OF TIME LIMITATION FOR STATE FILING FOR REIMBURSEMENT FOR INTERMENT COSTS.—

(1) IN GENERAL.—The second sentence of section 3.1604(d)(2) of title 38, Code of Federal Regulations, shall have no further force or effect as it pertains to unclaimed remains of a deceased veteran.

(2) RETROACTIVE APPLICATION.—The provision of paragraph (1) shall take effect as of October 1, 2006.

(b) GRANTS FOR OPERATION AND MAINTENANCE OF STATE VETERANS' CEMETERIES.—

(1) IN GENERAL.—Subsection (a) of section 2408 of title 38, United States Code, is amended—

(A) by inserting "(1)" before "Subject to";

(B) by designating the second sentence as paragraph (2) and indenting the margin of such paragraph, as so designated, two ems from the left margin; and

(C) in paragraph (1), as designated by subparagraph (A) of this paragraph, by striking "assist such State in establishing, expanding, or improving veterans' cemeteries owned by such State." and inserting "assist such State in the following:

"(A) Establishing, expanding, or improving veterans' cemeteries owned by such State.

"(B) Operating and maintaining such cemeteries.".

(2) LIMITATION ON AMOUNTS AWARDED.—Subsection (e) of such section is amended—

(A) by inserting "(1)" before "Amounts"; and

(B) by adding at the end the following new paragraph:

"(2) In any fiscal year, the aggregate amount of grants awarded under this section for the purposes specified in subsection (a)(1)(B) may not exceed $5,000,000.".

(3) CONFORMING AMENDMENTS.—(A) Subsection (b) of such section is amended—

(i) by striking "Grants under this section" and inserting "Grants under this section for the purposes described in subsection (a)(1)(A)"; and

(ii) by striking "a grant under this section" each place it appears and inserting "such a grant".

(B) Subsection (d) of such section is amended by inserting ", or in operating and maintaining a veterans' cemetery," after "veterans' cemetery".

(C) Subsection (f)(1) of such section is amended by inserting ", or in operating and maintaining veterans' cemeteries," after "veterans' cemeteries".

(4) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall prescribe regulations to carry out the amendments made by this subsection.

SEC. 203. MODIFICATION OF AUTHORITIES ON PROVISION OF GOVERNMENT HEADSTONES AND MARKERS FOR BURIALS OF VETERANS AT PRIVATE CEMETERIES.

(a) REPEAL OF EXPIRATION OF AUTHORITY.—Subsection (d) of section 2306 of title 38, United States Code, as amended by section 201 of this Act, is further amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) and (5) (as added by section 201) as paragraphs (3) and (4), respectively.

(b) RETROACTIVE EFFECTIVE DATE.—Notwithstanding subsection (d) of section 502 of the Veterans Education and Benefits Expansion Act of 2001 (Public Law 107–103; 115 Stat. 995; 38 U.S.C. 2306 note), the amendments made to section 2306(d) of title 38, United States Code, by such section 502 and the amendments made by section 402 of the Veterans Benefits, Health Care, and Information Technology Act of 2006 (Public Law 109–461), other than the amendment made by subsection (e) of such section 402, shall take effect as of November 1, 1990, and shall apply with respect to the graves of individuals who have died on or after that day.

Mr. AKAKA. Madam President, I urge my colleagues to support S. 1163, as amended, the Blinded Veterans Paired Organ Act of 2007. This bill would expand benefit eligibility for veterans with service-connected vision impairment and enhance the burial and memorial benefits offered by the Department of Veterans Affairs.

This legislation, which I introduced in April of this year, has subsequently been amended and reported favorably by the Committee on Veterans' Affairs. As amended, S. 1163 would modify the standard that the Department of Veterans Affairs uses when determining blindness and improve compensation for veterans who experience impairment of vision in both eyes. The measure would also enhance burial and memorial benefits for veterans, and further maintain the integrity of veterans benefits by making certain that those in receipt of certain needs-based benefits qualify for such benefits.

Vision impairment is a serious disability that frequently results from injuries sustained on the battlefield. We are all aware that traumatic brain injuries caused by roadside bombs on the Iraqi highways are one of the greatest dangers that our service men and women face in Iraq. These injuries are frequently accompanied by damage to the individual's vision. As of August of this year, VA had granted service-connection for vision impairment to 230 veterans of the conflicts in Iraq and Afghanistan. These veterans face significant readjustment challenges when they return to civilian life. Often, they find that they cannot resume the same occupations or daily activities that were staples of their lives before their injuries.

This bill would enhance disability compensation benefits for two distinct groups of veterans with impaired vision due to service—those with service-connected blindness in one eye who subsequently suffer loss of vision in the other eye later in life and those who receive special monthly compensation for multiple disabilities, including vision impairment. In both cases, this legislation would amend the vision impairment criteria used by VA so as to encompass veterans with 20/200 vision or less, the standard for blindness used by the Social Security Administration and the American Medical Association.

Earlier this session, the House passed a companion bill, H.R. 797, the Dr. James Allen Veteran Vision Equity Act, which would make the same change to the paired organ vision criteria as S. 1163. I take this opportunity to acknowledge the sponsor of that bill, Representative TAMMY BALDWIN of Wisconsin. A long-time ophthalmologist at the VA hospital in Madison, WI, Dr. James Allen, brought the issue to Representative BALDWIN's attention several years ago and she has since worked to make the necessary change on behalf of blinded veterans. Representative BALDWIN and Dr. Allen deserve thanks and credit for their efforts on behalf of veterans.

The amended bill also includes several provisions that would enhance burial and memorial benefits for veterans. I will briefly describe them.

The amended bill would permanently authorize VA to provide government headstones or markers for the privately-marked graves of veterans interred at private cemeteries. Current law authorizes VA to furnish, upon request, an appropriate headstone or marker for the grave of an eligible individual who died after September 10, 2001, and who is buried in a private cemetery, notwithstanding that the grave is marked by a headstone or marker furnished at private expense. Thus, in some cases, an individual's grave may have two markers—one privately-purchased and one furnished by VA. Prior to 2001, this authority had been suspended for 11 years, making those who died between November 1, 1990, and September 10, 2001, ineligible for the benefit. Furthermore, the current authority is only temporary, set to expire on December 31, 2007. This bill would address these temporal constraints by eliminating the sunset and making the authority permanent, and by making the authority retroactive to cover the 11-year gap in current law. In addition, this bill would give VA the authority to furnish a new medallion or other device that could be placed on an existing grave marker in a private cemetery to signify that the deceased was a veteran, in lieu of providing a second marker or headstone.

The amended bill would also repeal the current 2-year window within which States must file for reimbursement from VA for the interment or inurnment of the unclaimed remains of deceased veterans. To assist States in meeting some or all of their cemetery operations and maintenance expenses, current law requires VA to pay to States a $300 plot allowance for the interment or inurnment of eligible veterans and reserve component members. In order to receive plot allowance revenue, States must currently submit claims within 2 years after the permanent burial or cremation of the remains has occurred. However, the 2-year window within which States must file can prove difficult to meet in situations in which remains are not identified as those of a veteran until after the 2-year period has expired.

Finally, the amended bill would authorize $5 million to cover a portion of the operational and maintenance expenses of State cemeteries under criteria to be determined by VA. The need to incentivize greater participation by States in the State cemetery grant program was discussed in a December 19, 2000, VA-contracted report entitled An Assessment of the Burial Benefits Administered by the Department of Veterans Affairs. The report found that an option for better serving veterans and their families was to "provide maintenance support to State veterans cemeteries."

I am pleased to advise my colleagues that the provisions in this bill are paid for by utilizing the National Directory for New Hires to make certain that those in receipt of certain needs-based benefits qualify for such benefits. The savings from this provision more than pays for the expansion of benefits to veterans that are included in this bill.

This is a sensible bill that would provide small but important improvements to benefits of great importance to many veterans and their families. I urge my colleagues to support its passage.

Mr. BROWN. Madam President, I ask unanimous consent that the committee-reported substitute be agreed to; that the bill, as amended, be read a third time; that the Veterans' Affairs Committee then be discharged of H.R. 797, the House companion, and the Senate then proceed to its consideration; that all after the enacting clause be stricken, and the text of S. 1163 be inserted in lieu thereof; that the bill be advanced to third reading, passed, and the motion to reconsider be laid upon the table; that S. 1163 be returned to the calendar; and that any statements relating to the bill be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 1163) was ordered to be engrossed for a third reading and was read the third time.

The bill (H.R. 797), as amended, was ordered to a third reading, was read the third time and passed.

ORDERS FOR MONDAY, NOVEMBER 5, 2007

Mr. BROWN. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 2 p.m. Monday, November 5; that on Monday, following the prayer and pledge, the Journal of Proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders reserved for their use later in the day; that there then be a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each; that at 3 p.m., the Senate proceed to the consideration of H.R. 2419, the farm bill; provided further that there be debate only after the majority manager has offered a substitute amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, NOVEMBER 5, 2007, AT 2 P.M.

Mr. BROWN. Madam President, if there is no further business, I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 12:20 p.m., adjourned until Monday, November 5, 2007, at 2 p.m.

SENATE—*Monday, November 5, 2007*

The Senate met at 2 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the State of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, we are gratefully aware that You are the giver of every good and perfect gift. We are further aware of our own unworthiness of Your goodness.

As our Senators labor today, make them extensions of Your power in our world. May they arrange their priorities according to Your will and view their challenges from an ethical perspective. Lord, use our lawmakers to bring relief to the suffering and to work for greater peace in our world. Help them to walk in Your way, that You may prolong their days and prosper their work. Give them the wisdom to be worthy of respect, self-controlled, and willing to endure. Sustain them in their challenging moments by renewing their faith in You.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 5, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the State of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WEBB thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, today the Senate will be in a period of morning business until 3 p.m. Senators are allowed to speak for up to 10 minutes each. Then, at 3 p.m. today, the Senate will proceed to the farm bill. Once the managers offer the substitute amendment, the bill will be up for debate only for the remainder of today's session. That is the previous order that was entered by the Chair. As I previously announced, there will be no rollcall votes today as a result of what we were able to accomplish last week.

On Tuesday, the House is expected to vote on overriding the President's veto of the water resources bill, which is a very bipartisan bill which passed overwhelmingly both in the House and the Senate. I anticipate the Senate will debate that veto message sometime this week, and a vote on overriding could be as early as Wednesday.

I would remind Members that the President of France will address a joint meeting of Congress Wednesday morning at 11 a.m.

Also this week, the Senate has a lot of other work to do. I have had a lengthy conversation, just a few minutes ago, with the Republican leader. He is aware of the many obligations we have, and it is going to be difficult to get our work done this week. We can get it done, but the reason I mention this, I know Veterans Day is coming and people have a very busy schedule Saturday, Sunday, and Monday. I know I do, and I am sure, like everyone else, they also are obligated. But there are certain things we have to finish. We are going to be out of here for the Thanksgiving recess to go back to our States, to our families, but there is work that obligates us to stay until we finish, and we only have this week and next week to do that.

APPROPRIATIONS

This week, we will receive the conference report for the Veterans and Labor, Health, and Education appropriations bill. This legislation was again supported on a bipartisan basis. It provides the greatest funding increase ever to care for our troops and veterans, who have sacrificed so much for our country. It repairs the woeful conditions we have seen at Walter Reed and at other medical centers. It helps reduce the logjam that is keeping thousands of veterans from receiving health care because the VA has been underfunded during the Bush years.

This bill makes critical investments in America's children and substantially increases the Federal financial commitment to medical research for a multitude of diseases, which the Bush budget goes backward on rather than increasing.

This legislation passed the Senate overwhelmingly because they are good priorities for America. Unfortunately, the President has said he is going to veto this bill. That is unfortunate because this is the same President who has underfunded and shortchanged our troops, our veterans, and other domestic priorities here at home. He argues this bill costs too much. Yet, in the same breath, he reported last week that there is $100 billion being spent in Iraq on infrastructure. And only this much of it is still standing. Most of the money has been wasted. What was attempted to be constructed has been destroyed or construction has been so faulty it simply is not usable. The President is wrong.

It appears the Republicans will attempt to separate the VA portion of the bill. I think that is unfortunate. The minority supported the VA bill and the Labor bill overwhelmingly, and it would be a shame to put up roadblocks to their passage. So I urge all my colleagues to reject that effort so we can pass and send this crucial legislation to the President as soon as possible.

THE FARM BILL

The farm bill. Chairman HARKIN, Senator BAUCUS, and Ranking Members CHAMBLISS and GRASSLEY deserve a lot of credit for working among their caucuses to write the bill we are debating this week. In the 24 years I have been in the Congress, first in the House and now in the Senate—actually, 25 years—no farm bill has embodied as much reform as this one. There are some who say this bill doesn't go far enough in the direction of reform. To those critics, it should be clear there will be an opportunity for Senators to offer amendments during debate. Would I personally like more reform? Of course I would. But I would like to focus on the positive and forward-looking elements that lie at the heart of this bill.

This bill saves billions of dollars by reforming existing programs, which allows new investment to expand food and nutrition programs for families, the elderly, and the disabled, as well as an expansion of the fresh fruits and vegetables programs to all 50 States to improve the health and wellness of America's children. It invests more than $4 billion in conservation programs to protect wetlands, grasslands, and working farms. More than 60 percent of this bill is simply nutrition programs.

This bill takes us a step closer to the vital goal of energy independence, with

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

more than $1 billion for programs that are environmentally responsible while growing the farming economy. We import about 70 percent of our oil. We don't import 70 percent of our food. One reason we don't is because we have farm programs that work. Could they be made better? Of course they could be. But this bill does do some extremely important things.

It responds to the urgent need for permanent disaster assistance, which will help farmers respond and recover from future unavoidable disasters. It invests about $2 billion in specialty crops. What are specialty crops? Strawberries, apples, and those programs that are so important to our country, so that it stops us from having to import as much as we would have to if we didn't have these programs. But with weather changes, some of these farmers have had tremendous losses from which they have not been able to recover. It offers a reasonable compromise on country-of-origin labeling, and it improves competition in the livestock industry.

There will be a number of amendments offered during the floor debate. Senators DORGAN and GRASSLEY will offer an amendment on payment limits. Senators LAUTENBERG and LUGAR will offer an alternative farm bill amendment. Senator MCCONNELL and I understand these amendments are important to Members on both sides of the aisle, and we will work together to ensure ample time is given for consideration.

I am confident and hopeful that this process will result in a truly bipartisan bill which will support our agricultural communities, promote a cleaner environment, and grow our economy. But I do say and alert everybody to this fact: We have had a really good legislative session. Once we get to a bill, we have basically offered amendments on most every bill. I think this bill is going to have trouble with that. We have to complete our work by next Friday, so we will make sure the amendments correctly relate to this bill and everybody will have an opportunity to offer those. We will do our very best to see that is the case. But this bill is a tax bill, and there could be a lot of mischievous amendments offered if it were an open amendment process. I think, with it being late in this year's session of Congress, everyone understands we can't do that. We have work we must complete.

The farm bill is a very bipartisan bill. I think we could seek cloture on the bill right now and probably do a pretty good job because it is really a bipartisan bill. I don't want to have to do it now, but I do want everyone to know we are not going to have an open amendment process, and I have explained that to the Republican leader.

PAKISTAN

Mr. President, this weekend we have seen a crisis unfold in Pakistan. It is an ongoing crisis which has become much more difficult. A leader whom the administration considered a partner in the fight against terrorism and extremism has taken steps away from the path of democracy, and he has suspended fundamental human rights in the process. I have had great hope for Pakistan. Senator Daschle and I took a trip to that part of the world right after Musharraf took power, and we were impressed with him. We came back to the United States, and the State Department had told President Clinton he shouldn't go to Pakistan. He was already headed for India. We prevailed upon him to go to Pakistan, and I am glad the President did go to Pakistan. But things haven't worked out the way I would have hoped.

This unfolding crisis must be watched carefully, and we must be prepared to respond to protect our security and our national interests. I hope all sides will show restraint. Musharraf must keep the promise he made when Senator Daschle and I met with him and when he took power almost 8 years ago—to put Pakistan back on a path toward democracy.

I call upon General Musharraf to return to the constitutional rule of law, release the lawyers and other peaceful protestors he has imprisoned, and restore the path to free and fair elections as soon as possible.

This situation is also a reminder of why we must change the course in Iraq. We have been so focused on Iraq that we have had this situation develop in Israel with the Palestinians. I was stunned this morning to hear the Secretary of State on the news say this is our first meeting, the one that is going to take place in Annapolis. That isn't anything she should boast about.

For 7 years, this administration basically ignored the crisis we have had in the Middle East. We have a bad situation in Iran that we have ignored—no diplomacy, only threats of war. We have this intractable civil war in Iraq which is ongoing and now made more complicated as a result of what is going on in northern Iraq with the Kurds. We have not focused on our diplomacy. Look what has happened in Pakistan because we placed all our emphasis on a person rather than on a country. By staying so bogged down in the Iraq civil war, President Bush has made it harder to respond to the Pakistani problem and other challenges throughout the world.

The Iraq war leaves Secretary Rice and other officials responsible for the Middle East and South Asia with no strategic reserve to respond to humanitarian and other crisis situations. We are reminded that, while the administration has been focused on Iraq, it has failed to craft an effective strategy for eliminating what a recent National Intelligence Estimate described as an al-Qaida safe haven in the Afghanistan-Pakistan border regions, and it has failed to catch Osama bin Laden or his No. 2—Zawahiri.

So today I also call upon President Bush to conduct an expedited end-to-end review of his national security strategy as it relates to the war on terror and Pakistan, including a review of U.S. aid to Pakistan and how we are going to get our troops out of Iraq. I hope President Bush will take a good look at the costs and missed opportunities caused by his stay-the-course approach in Iraq and take steps to craft a more effective strategy for addressing the threats and challenges America faces across the globe.

ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that time for morning business be a full hour.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business until 3:15 p.m., with Senators permitted to speak for up to 10 minutes each.

The Senator from Maryland.

NOMINATION OF MICHAEL MUKASEY

Mr. CARDIN. Mr. President, I have the honor of serving on our Judiciary Committee, which is charged with the responsibility of recommending to this full body whether to confirm Judge Mukasey as the next Attorney General of the United States. In that capacity I have had the chance to sit through the confirmation hearings at which Judge Mukasey testified before our committee for 2 days. I chaired the third panel of independent witnesses and had a chance to question national experts in regard to the issues that I think are important and that must be met by our next Attorney General. I had the opportunity to personally meet with Judge Mukasey in my office to go over the priorities of the Department of Justice and how he would try to reverse some of the problems in that Department. I had the chance to specifically ask written questions to the nominee and got responses on those written questions.

I must tell you, first, I do believe Judge Mukasey is an honorable person. He has a distinguished record of public service, and he would represent a refreshing change within the Department of Justice. He has the ability to restore morale and traditional professionalism, particularly among the career attorneys at the Department of Justice.

But one of the critical issues in evaluating who should be our next Attorney General is whether that individual will exercise the independence that is so required by the Attorney General of the United States; in short, whether he will represent the people of our Nation and not just the President of the United States.

We all know the record of the former Attorney General, Alberto Gonzales. We know about how partisan politics interfered with the selection and promotion of career attorneys at the Department of Justice. We all now know the story of the firing of the U.S. attorneys and how it appears that partisan politics in criminal investigations—criminal investigations—may have interfered with the operation of the Department of Justice. So independence is a critically important factor in the next person to be the Attorney General of the United States.

Because of Judge Mukasey's response to the questions relating to waterboarding, I have concern about his independence. Judge Mukasey refused to say that waterboarding is torture. In reply to questions that were asked, he responded that he would use independent judgment as to what constitutes torture. He said he would prosecute anyone who violated our laws. He said, in fact, if his views conflicted with those of the President of the United States in a fundamental way, and if he were unable to reconcile those differences, he would leave the office rather than compromise his views.

Let me read three questions I asked of the Attorney General nominee. I asked: As Attorney General, would you order the Justice Department to prosecute individuals who, under 18 U.S.C 2340 and 2340(a), committed acts of torture?

Judge Mukasey's answer:

> The Department of Justice has an obligation to bring prosecutions to enforce all valid criminal statutes and, as I explained during the hearing, torture is prohibited by federal law.

I then asked the nominee: Do you believe that any "exceptional circumstances" exist that would justify torture?

His answer was no.

I then asked: As Attorney General, would you authorize the use of torture in any circumstance?

Once again, his answer was no.

I cannot understand why Judge Mukasey will not tell us clearly that waterboarding is illegal under our laws. The fact that he leaves open that waterboarding could be permitted as an interrogation technique has me very concerned.

Judge Mukasey now acknowledges he understands what is generally meant by waterboarding. I gave him the benefit of the doubt during the hearing. He said: I am not familiar with the technique.

That is difficult to understand but—OK. He then had time to reflect and learn about waterboarding as generally understood, waterboarding that has been condemned for literally hundreds of years—since the Spanish Inquisition. He now understands what is generally meant be waterboarding. But during the confirmation hearing and in follow-up questions he would not rule out the potential use. Questions asked during the confirmation hearing did not ask about a specific technique that may have been authorized by the President for interrogating detainees. That is not what was asked. The question that was asked is about waterboarding as generally understood. It was not a hypothetical question.

Waterboarding has been condemned by the United States. The United States prosecuted Japanese soldiers for waterboarding as a war crime after World War II. We brought charges as war crimes for those who would try to use that torture technique against Americans.

In 2005, the Congress passed the McCain amendment which prohibits the use of cruel, inhumane, and degrading treatment and punishment of persons under the detention, custody, and control of the U.S. Government. We also then required that the Army must use the field manual while interrogating detainees.

In 2006, the Army Field Manual specifically prohibited waterboarding. During our final panel of witnesses, I had a chance to question Admiral Hutson, who has a very distinguished record of service to our country—former Navy Judge Advocate General, senior uniformed legal adviser to the Secretary of the Navy and the Chief of Naval Operations. So we had a chance to talk about waterboarding. He said waterboarding is one of the most iconic examples of torture. It was devised during the Spanish Inquisition. Its use has been repudiated for centuries.

Admiral Hutson said we look to the Attorney General as our chief law enforcement officer. He has to be absolutely unequivocal as to what torture is and is not. We need clarity from our principal leaders.

So it appears to me that Judge Mukasey was yielding to the White House pressure on waterboarding in answering the questions of our committee. I find that very troubling. I am looking for an Attorney General who will exercise independent judgment as to what the law of our country is, and that no one is above our law.

On November 1, 2007, President Bush implied if Judge Mukasey answered the questions on waterboarding, he would give "terrorists a window into which techniques we may use and which ones we may not use." I want the President of the United States and the Attorney General of the United States to tell the world, unequivocally, that the United States will not permit the use of torture. I am not clear about the President. We all remember his signing statements to the McCain amendment, which leaves questions as to whether torture could be allowed under some circumstances. Now we are not clear, with Judge Mukasey's answers, as to whether waterboarding could be permitted under some circumstances as a form of torture.

I think it is absolutely clear our leaders must make it apparent to all the United States will not use torture, nor will it ever tolerate any other country using torture or any individuals using torture against an American. If a foreign agent attempts to use waterboarding, as it is generally understood, or any other form of torture against an American, I want our country to use every means at its disposal to hold that offender accountable.

On November 1 the President also said Judge Mukasey could not "go on the record about the details of a classified program he has not been briefed on." I agree with the President of the United States. Judge Mukasey was not asked about specific practices of a classified program. He was requested to give information about waterboarding as generally understood. He had an obligation to answer that question.

The 9/11 Commission, in one of its recommendations to Congress, said the United States should engage its friends to develop a common approach toward the detention and humane treatment of captured terrorists. Instead, we have gone it alone. We have not sought the advice of the international community, and we are paying a heavy price for the manner in which we are proceeding. We are losing our support internationally as it relates to how we treat detainees. We are losing our ability as an international leader, as the leader in fighting for human rights advancements throughout the world. We are losing our leadership and credibility on this issue.

I serve as the Senate cochair of the U.S. Helsinki Commission and delegate to the Organization for Security and Cooperation in Europe. The OSCE-Helsinki process was started in 1975 between the countries in Europe, Central Asia, Canada, and the United States. It is best known for its human rights dimensions. It fought during the Soviet Union days, behind the Iron Curtain—fought to open the process and to defend human rights and to stand against torture. Today we are fighting in the emerging democracies to make it clear the human rights of all people must be respected, and torture cannot be permitted while we are being questioned by the Organization for Security for Cooperation in Europe as to what we are doing.

I am having a hard time finding the right answers, particularly on the issue of torture. As I said at the beginning, Judge Mukasey is a good person and an honest man. On the critical issue of standing up to this administration as an independent adviser against torture, I have my doubts. For that reason, I will be voting against his confirmation in the Judiciary Committee tomorrow.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, the subject about which the Senator from Maryland speaks is a subject of enormous gravity to this country. We have been laboring with this issue in the Intelligence Committee. The issue is coming to a head with regard to this nomination for Attorney General. Clearly, the policy of this country has to be, clearly: There can be no torture.

At the same time, we have a world out there with a great deal of bad guys who are trying to do harm. It is important for us, when they are in our custody, that we get their cooperation in order to get the information in order to protect our country. How to strike that balance with no torture while still able to adequately get the information in the debriefing sessions—or interrogation, if you will—is the delicate balance this country must face and answer that question.

America is a beacon of light to the world. We have to be different. The people who crafted that Constitution of ours said we are going to be different from the rest of the world, and we are going to protect freedom of speech and of religion and of assembly and of the press. We are going to protect our citizens from intrusion into their privacy by the Government, unless there is a check and balance of a separate branch of Government, a judge in the judicial branch, granting an order called a warrant so the Government can invade the privacy of the citizen.

All of these things are under assault because of the abuses we have seen in this administration in the last 6 years. Normally, there would not be the abuses, but there are. That is what brings a lot of necessarily delicate issues into the open, issues we would much prefer to be deciding privately, without the full glare of sunshine, if, in fact, the Government was obeying the law.

But that has not been the case. Thus, again, as the Senator from Maryland points out, we are coming to another very delicate situation; this time with regard to the nomination of a very good man, as the Senator says.

But will he act unlike the previous Attorney General did? Will he act as the lawyer for the people instead of the lawyer for the President? Therein it makes it all the more difficult in some of the decisions we are making.

GLOBAL WARMING

I came here to speak about another subject, that is another one that is exceptionally important to the future not only of America but the future of planet Earth. And that is whether this delicate environment that surrounds this planet in an atmosphere is going to go into cardiac arrest which is going to be irreversible unless we do things now.

There is a step in the right direction, and I wish to thank Senator LIEBERMAN and Senator WARNER for their efforts and their hard work in introducing the climate change legislation called America's Climate Security Act. I am a cosponsor of this act. I am because it is acts such as this that will start us on a path to try to reverse the greenhouse effect that is happening to the planet.

What is the greenhouse effect? It is simply when we start putting greenhouse gases in excess into the atmosphere, gases such as carbon dioxide, CO_2; such as nitrous oxide N_2O. Particularly it is the carbon, carbon dioxide. They come from a variety of sources. Maybe 30 percent of the excess carbon dioxide is coming from our personal modes of transportation. Another 40 percent is coming from our electrical utilities plants. What happens is, if you get too much of these gases, such as CO_2, in the air, as the Sun's rays come in and hit the Earth and bounce off the Earth, that heat that radiates out into space, these gases act like the glass top of a greenhouse and trap in the heat, a greenhouse that stays perfectly warm during the winter because of the Sun's heat coming in and cannot escape once inside.

That is exactly how these greenhouse gases work. So if you get too much of a concentration high in the atmosphere, then the heat cannot radiate into space and the Earth starts to warm. So we have to go at the root cause of the problem—lessening the amount of those gases that act as this greenhouse top surrounding the Earth.

That means cutting emissions from powerplants, from manufacturing plants and from transportation and cutting it significantly. This bill calls for cutting the levels, cutting back to the levels that were emitted in 1990 by 2020.

Then it further says, 30 years after that, we would cut those emissions from the 1990 level another 65 percent. That is the way we are going to avert a catastrophic global warming catastrophic event.

Then the seas are going to continue to rise, the Earth is going to continue to warm. As the Earth warms, the pestilence increases, the storms become more frequent and more ferocious, and if you live in a State as do I, a land we call paradise, but paradise is a peninsula called Florida, sticking down into the middle of oceans on both sides, then you have the greater frequency of the storms, the higher intensity of the storms, and all the greater pestilence that comes along with the storms.

So what this bill does is it sets an overall cap on the greenhouse gas emissions, that would, a matter of law, have to be met over that period of time, 2020, then 2050.

The way you would enforce it, the mechanism would be the buying and selling of credits that companies would have to have in order to get the amount of emissions down to what is the reduced cap.

Now, there has already been a similar plan that has been tried, and that was way back almost 2 decades ago, the plan on reducing acid rain.

It was buying and selling these credits—in some cases auctioning them, under the new bill—and it worked. So we have to get something into law and get on with the process of saving our planet.

Earlier this year, I went with the chairman of the Environment Committee, Senator BOXER. She took Senators on the committee, she was kind enough to allow folks such as myself who were interested in this subject to go. We went to Greenland. Greenland is the place that has the biggest glacier. Why? It is an island that is 1,200 miles long from south to north, it is 500 miles wide. Hundreds of thousands of years ago it was a piece of rock. Then what would happen each year is the water in the Earth would evaporate, it would form clouds, the clouds would be cooled, the clouds would turn, instead of to rain, to snow; the snow would fall, and it would form a layer.

The next year the same thing would occur. When you do that over hundreds of thousands of years, the snow is packed each year, and that layer that is 2 miles thick now becomes a glacier.

What is happening, and what we saw with our own eyes, is that within a few years, already 6 miles of the glacier at its edge is receding. How it recedes is, it breaks off, and in the particular fjord or river we went to, we could see these big chunks of ice falling off the glacier into the fjord, floating down the fjord, and out into the Atlantic Ocean.

When they get into the Atlantic Ocean, they are what you have always heard, an iceberg. What we saw as we went around these icebergs in a little boat, huge mounds of ice, but that is only 10 percent of it above the surface of the water. Ninety percent is underneath. Then they get on out into the Atlantic and they melt.

The long and short of it is, if that entire glacier on Greenland were to melt—this is going to surprise you—the seas of the entire planet would rise 21 feet.

Now, obviously that is going to take a long period of time. But you can imagine if we do not reverse what, in fact, is happening—and do not give me this stuff that one person says global warming is true and another person says it is not true and the press treats it as if one is balancing against the other.

No; 99.99 percent of the scientists say global warming is a fact. A de minimis amount say it is not. Let's recognize the science, and this is where you have seen that major committee in the United Nations receive one-half of the Nobel Prize, along with the former Vice President of the United States.

Global warming is a fact. You can imagine if seas start to rise. Suppose they rise, not 21 feet but 3 feet. Do you know what would happen to the coast of Florida? To the coast of Louisiana? To parts coming in around Hilton Head and Charleston and Houston and even all the way up the eastern seaboard?

The stakes are too high. That is why I am cosponsoring this bill. This bill made some progress last week when it was approved by a subcommittee on the Environment and Public Works Committee. The full committee should be taking it up soon. I hope we get action and we can get out on the floor of the Senate and debate it.

I hope to be able to bring to this debate the information of a bunch of us, led by Senator BOXER, who are going to go to Bali, Indonesia, for a global conference for world climate change to get the input of the other nations of the world that have shown they are a lot more concerned about this than the United States has been in the last few years.

I wish to thank our colleagues, all who have been involved. I wish to thank Senator BOXER for her leadership. I wish to thank Senator WARNER, who did not have to do this; he is retiring from the Senate, the senior Senator from Virginia. He is a conservative Republican, but he knows that planet Earth is in peril.

I wish to thank Senator LIEBERMAN, who has been at the forefront of these environmental issues for years. I am glad to add my voice to their clarion cry for immediate action before it is too late.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is now closed.

FARM, NUTRITION, AND BIOENERGY ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of H.R. 2419, which the clerk the report.

The assistant legislative clerk read as follows:

A bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

AMENDMENT NO. 3500

Mr. HARKIN. Mr. President, I have an amendment at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report.

The Senator from Iowa (Mr. HARKIN), for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY, proposes an amendment numbered 3500.

Mr. HARKIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. HARKIN. Mr. President, that was simply the House bill that came over and was at the desk. On behalf of Senator CHAMBLISS, myself, and others, I offer the substitute amendment as the Senate-passed bill. That is what is now pending at the desk.

Today begins the deliberation and amendments on the 2007 Food and Energy Security Act, otherwise known as the farm bill.

I intend to take some time to lay out basically the farm bill and the different titles, some of the things we did in committee, approaches that were done in the past, and what we are looking at in this farm bill. So I will take some time this afternoon to do that.

As I understand it, under the previous order, there will be no amendments in order today.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. HARKIN. It will be opening statements on the bill itself, and we will proceed to amendments tomorrow at whatever time the Senate convenes.

Mr. President, on behalf of the Senate Committee on Agriculture, Nutrition, and Forestry, I am pleased to bring to the floor the Food and Energy Security Act of 2007, which enjoys broad bipartisan support among all our committee members. In fact, we reported it out by voice vote without a negative vote among the Senators who were present. We had a quorum present.

I thank our ranking member, the senior Senator from Georgia, SAXBY CHAMBLISS, for his leadership and partnership in producing the bill, along with the chairman and ranking member of the Finance Committee, Senator BAUCUS and Senator GRASSLEY, as well as chairman of the Budget Committee, Senator CONRAD.

We generally refer to this legislation as the farm bill. But that title doesn't do justice to the range and scope of the bill. Yes, the bill helps farmers and ranchers who produce an abundance of food and fiber and are contributing ever more to our Nation's energy security. The bill also helps conserve and protect the environment on tens of millions of acres of farmland, ranchland, and wetlands. It is the most important legislation to allow millions of low-income American families put food on the table. It is the single most important legislation for boosting economic growth in jobs and improving the quality of life in rural communities across our Nation.

We have faced a huge challenge in writing this legislation this year. When we wrote the last farm bill in 2002, we had about $73 billion of new money over 10 years to invest. But for this bill, this year, we barely had any funding above baseline. Fortunately, we have had some help from the Finance Committee in obtaining additional funds. We have also reexamined all of the spending in our baseline to come up with budget offsets. We have combined these funds and produced what I believe is a forward-looking bill to make historic investments in energy, conservation, nutrition, rural development, and promoting better diets and health for all Americans. It also maintains a strong safety net for America's farm producers.

The bill looks to the future and creates new opportunities in agriculture and rural communities. Yet I emphasize that this bill complies with the strict pay-as-you-go budget rules we adopted earlier this year.

This legislation continues a strong system of farm income protection. It is a truism that we have heard many times but "no farms, no food." Our Nation needs programs that will help farm and ranch families survive the inevitable downturns in markets, disasters, and crop failures. We need these programs so that the cycles of markets and weather do not force out of agriculture people who are so vital to grow food, fiber and, increasingly, energy for our Nation.

You will notice I referred to cycles in agriculture. That is why I have long been a strong supporter of what is commonly called countercyclical income protection programs for our farmers and ranchers. That is a type of program that pays adequately when farm income falls. Yet it is careful with taxpayers' dollars when farm income is good. Because a countercyclical program is good common sense, I have never been a fan of direct or, as they came to be known in the mid-1990s, freedom-to-farm payments that were enacted in the 1996 farm bill.

Since the freedom-to-farm payments or the direct payments are not countercyclical, what we have found is that they help too little when times are bad for farmers, but they are very hard to justify—direct payments to farmers—when we may be having record prices and high incomes. How can you justify giving sort of "free money" when times are good? So, in my view, a very positive feature of the bill is that we continue the countercyclical income protection system we reinstated in the 2002 bill. We allow farmers at their option to choose a new program, called "average crop revenue," modeled after legislation introduced by Senators DURBIN and BROWN. This new choice for farmers will make farm income protection stronger and more flexible. It will allow farmers better to manage their farm's risk in today's uncertain and evolving farm economy.

Our legislation also includes other improvements in countercyclical income protection. It is reinstituting a higher payment rate in the Milk Income Loss Contract program, or the MILC program, and adjusting certain target prices and loans.

I will explain why I stress the countercyclical elements in this legislation. The farm programs are supposed to be about income protection, helping farm and ranch families survive cycles of hard times—the ravages of wind and weather, pestilence—and to stay in business.

The farm programs are not supposed to be just about USDA commodity program payments and trying to maximize those payments regardless of income. Now, it is true that for over 70 years Federal price and income supports have been the dominant feature of U.S. food and agriculture policy. Yet it is a mistake to suggest that farm program payments are somehow the most important contributor to the past success of American agriculture or to its success in the future. A lot of times, people say these farm programs in the past have been a great success. Look what they have done to help us become the leader in the world in terms of agricultural production. Well, they have been helpful but not the most important.

The most vital elements in the success of American agriculture has been the skill, the dedication, and the hard work of the men and women and families on farms and ranches across the Nation, and also all of the people who develop and supply technology and other production requirements, such as all the new hybrids that have come in in the last 30 to 40 years that increased production exponentially; and, of course, the highly productive land and climate with which our Nation has been so blessed. Thanks to those factors, agricultural productivity—get this—rose some 116 percent from 1960 to 2004, while in other U.S. industries it rose 13 percent. So there has been a 116-percent increase in productivity of agriculture and only 13 percent in the rest of the American economy.

So while this legislation we have today is vitally important, let us not forget the true sources of America's agricultural strength and abundance. For those reasons, I strongly believe that, in addition to a solid countercyclical farm income protection system, we must also make investments to help U.S. agriculture succeed in the future, as I will explain in a moment.

One area in the bill where we are reaching out to help agricultural producers is in initiatives for growers of what we call specialty crops—fruits, vegetables, tree nuts, other horticultural or floricultural crops. Past farm bills focused heavily on a few crops that have come to be known as storable commodities, most notably cotton, rice, corn, soybeans, and wheat, which are, of course, vitally important. However, according to USDA, specialty crops now account for roughly 50 percent of the total value of U.S. crop production.

In this bill before us, we include a dramatic increase in our assistance to specialty crop producers but not in the form of subsidies or payments. They have not asked for those. This legislation will help our Nation's specialty crop growers address the very diverse challenges they face in today's complex and global marketplace.

The programs within this bill will help America's specialty crop producers gain access to overseas markets where they can promote and sell their products. It will also strengthen our national prevention and surveillance system for invasive pests and diseases, which will help protect the stability and health of fruits and vegetables in this country. And, of course, we increase research on specialty crops to prevent the spread of plant-based viruses. For instance, the Clean Plant Network, for which we include $20 million over the life of the bill, will be a tremendous help to our orchard and nursery industries. The Clean Plant Network establishes a national system of diagnostic and research facilities to help ensure that our orchards and nurseries have the safest plant materials possible to grow the fruits and vegetables we need.

We also provide a significant amount of money in this bill to address the trade-related challenges of U.S. specialty crop producers. The current trade deficit for specialty crops in the United States is roughly $2.7 billion. In other words, we import $2.7 billion more in fruits and vegetables, horticulture, items such as that, than we export.

The Market Access Program at USDA provides funding to nonprofit agricultural trade associations and agriculture cooperatives to help promote U.S. agricultural products overseas—in other words, to try to get that balance of payments more in line. The bill invests an additional $94 million in the Market Access Program, which brings the program up to almost $240 million a year. Again, this program has been tremendously popular among specialty crop producers who receive nearly 50 percent of the MAP funding.

The bill also makes crucial investments in the prevention of invasive pests and diseases. A total of $200 million in new funding is provided for a pest and disease program at USDA to enter into cooperative agreements with State departments of agriculture that conduct early plant pest detection and surveillance activities.

To some, the farm bill may seem an abstraction, removed from the pulse of everyday life, but this is not the case. The farm bill touches the lives of millions of Americans every single day, and nowhere is this more evident than in the nutrition title of the farm bill.

In the nutrition sections of this bill, we strengthen America's commitment to fighting hunger and promoting sound health and nutrition. By strengthening food assistance to low-income Americans, the bill that is before us will help millions of Americans who currently live daily in the shadow of hunger. Because of the assistance this bill provides, millions of Americans will put food on their tables, will be better able to afford childcare so they can enter the workforce, will be able to save modest sums for retirement or for the education of their children, and because of this bill, millions of low-income children in schools throughout America will be introduced—some perhaps for the first time—to fresh fruits and vegetables that science tells us are critical to sound health and prevention of diet-related chronic diseases.

The current USDA nutrition assistance programs need to be modernized and strengthened. Nowhere is that more evident than in the persistence of the term "Food Stamp Program." We have all heard of food stamps, even though food stamps, the paper coupons, have long since gone by the wayside. So we renamed it the "Food and Nutrition Program." It is no longer the "Food Stamp Program," it is the "Food and Nutrition Program." We update it in a number of important ways.

We made some progress in the 2002 farm bill, but the economic challenges of low-income Americans, in many respects, multiplied in recent years.

Since 1999, the number of Americans experiencing food insecurity has increased from 31 million to 35 million. Similarly, between 2000 and 2006, median household income in the United States, adjusted for inflation, actually decreased. Over the same period, the number and percentage of American children living in poverty increased. So USDA food assistance has not kept up with inflation or changes in the real world. For example, because of budget cuts enacted in the mid-1990s, the purchasing power of USDA food benefits has continued to erode with each passing year. Similarly, despite growing recognition that low-income Americans require the same incentives to save for their future as others, current rules all but force low-income Americans to spend down their meager savings to rock bottom before they are eligible to receive food assistance during times of insecurity.

These punitive rules on family assets have not been meaningfully addressed since the late 1970s. Let's take the case of a single mother who is working and has a couple of kids. She may be working at a low-income job, but she has put away a little bit of money for a rainy day. She loses her job. Something happens, and she is temporarily unemployed and needs to have food assistance for herself and her children. Right now, she has over $2,000 in savings. She is ineligible for any food assistance. That $2,000 was set in the 1970s and has barely been increased since. If it had kept up with inflation, that would be about $6,000 now. That is one of the items we address in this bill.

Finally, as more and more low-income women have entered the workforce in recent years, Congress has often spoken of the need to support families during this transition from welfare to work, but our actions have not suited and matched our rhetoric. For example, despite the fact that childcare is critical to successful participation of women in the workforce, when calculating income for a household to qualify for food assistance and to set benefit levels, no more than $175 per child per month can be counted as childcare costs despite the fact that the average monthly cost of childcare in 2006 was well over $600.

So I am proud to say this bill addresses all of these issues. It stops the erosion and even increases food assistance for most recipient families. It reforms the asset rules by increasing the asset limit modestly. I wish we could have done more. We just didn't have the money for it, but we did increase it. We also adjusted for inflation. We exempt tax-deferred retirement accounts and education savings accounts from the asset limit. We take that off the table.

It promotes work by allowing the full deduction of childcare costs. They get to deduct that cost. There is no more $175 limit. Whatever your childcare costs, you get to deduct it. I again thank the administration. In their farm bill they proposed earlier this year, this is also one of the key features of the administration's policy, to take away that limit on the childcare deduction.

Fighting hunger and food insecurity is the central mission of the farm bill's nutrition title, but it is not the only mission. In this title, we also seek to address poor health and nutrition among America's children. Much has been said and written about the sad state of nutrition among our kids, manifested in rising rates of type 2 diabetes, cardiovascular disease, and a national epidemic of childhood obesity.

In this bill, we act to improve child nutrition with a major expansion of the Fresh Fruit and Vegetable Program for schools. I was able to initiate this program in the 2002 farm bill.

I have always believed that one of the reasons kids don't eat fresh fruits and vegetables is because they simply don't have the opportunity to do so. I figured, let's give them an opportunity and see what happens. So we began by providing fresh fruits and vegetables—free, I might add—free fresh fruits and vegetables to 100 schools in four States and one Indian reservation. We wanted to test it: What would happen if we gave free fresh fruits and vegetables to kids at school—not in the lunchroom, but when they get the growlies at 9 o'clock in the morning or in the afternoon when they get a little tired or antsy, kids need something to eat. What if they had fresh fruits and vegetables available at those times? What happened is the kids, the teachers, the principals, the parents all loved this program. Not one of the schools that has participated in this program—and it is all voluntary, no one is forced into it—not one school that has participated in this program has asked to drop out. In fact, every school that has participated has begged to stay in it.

By 2005, because other States were clamoring to get into the program, and other schools, we expanded to 10 States and two more Indian reservations. That is how successful it has been. In those States in which we do have the program, the schools that are not getting the free fresh fruits and vegetables are lining up saying: We want it also.

We have seen the positive effects it has had. Kids no longer are eating junk food. Kids are no longer sneaking candy and cookies. They are no longer going to vending machines to get some sugary snack. They are eating fresh fruits and vegetables.

In this bill, we make a quantum leap forward for this program. The bill provides $1 billion—that is right, $1 billion—over 5 years to expand the Fresh Fruit and Vegetable Program to reach nearly 4.5 million children nationwide, with a special focus on high-poverty school districts.

I wish to emphasize that point. I have been to some of these schools where they have the free fresh fruit and vegetables program. I can remember being in one school where some of the fourth-grade kids had never had a fresh apple in their entire lifetime—fourth grade; fresh bananas, they never had such a thing. I remember I was at a class one time, and they had fresh pears. The kids didn't even know what they were—kiwi fruit, strawberries. I remember I went to a school in Iowa once—and our schools let out in the summer after the first crop of strawberries is harvested. The principal told me that by 10 a.m. in the morning, there wasn't a strawberry left in school. Kids eat these fresh fruits. I have actually seen with my own eyes kids eat fresh broccoli. That may come as a surprise to some people, a shock, that kids actually eat fresh broccoli. I have actually seen kids eat fresh spinach.

Because of the popularity of the program, because it has grown, some of the marketers are now packaging fruits and vegetables just for this program, so the kids get a little plastic package, they rip it open, and they have enough in there for a little snack. As I said, it has taken off. It is providing better health, better nutrition for kids. They study better. They behave better.

There was some reticence when we started this program. Teachers said: Oh my gosh, kids will be throwing peels on the floor, apple cores at each other, making a mess of everything. This has not happened. In fact, teachers are now some of the strongest supporters of this program.

So when you go into these schools, you can see these kids eating these foods, ripping open a package and getting little baby spinach leaves, and they have a little tin of ranch dip, they dip it and eat it. I always said I didn't like broccoli until I had fresh broccoli. Who likes cooked broccoli and cooked spinach? It is not good for you. It may be good for you, but fresh is very good.

I emphasize this point because we are expanding this program. I have a goal I have stated, and as long as I am here, I am going to keep fighting for that goal; that is, to make sure this program is available to every elementary school in America within 10 years. I think it will do more to prevent childhood obesity, provide better health, plus when kids start eating these fruits and vegetables—and we have some anecdotal evidence of kids who are eating fresh fruits and vegetables, and they go home and ask their parents: Can we have some of this at home or they go to the store with their parents, when they go shopping, and say: I had this in school, I really liked this fruit or I like these vegetables, can we have this at home? It is going to do a lot for helping get at this problem of childhood obesity and some of the chronic diseases, such as diabetes, among younger kids.

Now, I wish to talk a little bit about the energy title, another very important and kind of a new area for agriculture. The energy title will help farmers in rural communities across the country join in a major transition in which our agricultural sector supplies clean biofuels and renewable energy for all of America. It gives farmers a chance to add biomass crops to their farming operations, with Federal support to protect against the financial risks associated with the transition. It supports rural communities with the development of biorefineries for the production of biofuels and bioproducts. It helps farmers and ranchers and rural small businesses that want to improve their own energy systems through grants and loan guarantees for energy efficiency improvements and renewable energy systems. It emphasizes a particular opportunity—help for farmers and communities to install livestock manure to energy facilities that address environmental and odor problems, while utilizing a valuable energy resource. It will make investments in research that will complement and enhance rural energy production opportunities. Members of the Senate are well aware of the disastrous consequences of America's dependence on foreign oil. No less an authority than Alan Greenspan has said the war in Iraq is about oil. At the same time, with oil prices relentlessly approaching $100 a barrel, our dependence on foreign oil is a threat to both our national security and the health of our economy.

The bigger picture is that new oil discoveries around the world are steadily declining at the same time that global oil consumption is rising. I have a chart to indicate that. These are the billion barrels of oil per year in discoveries, and we can see in the 1930s, the 1950s, a huge increase, the 1960s, the 1970s a little bump up there with Alaska, and then we keep coming down. We can see that global oil discoveries are rapidly, rapidly, rapidly declining. At the same time, we superimposed on that this red line showing consumption. So as the oil discoveries are going down, look at our consumption. It keeps going up and up and up.

Well, the Petroleum Council's report delivered to the Department of Energy this past summer states that:

> It is a hard truth that the global supply of oil and natural gas from the conventional sources relied upon historically is unlikely to meet the projected 50- to 60-percent growth in demand over the next 25 years.

Well, our country needs energy. We need energy to grow and to produce. We need energy for the new kinds of manufacturing we are going to have in this country, for transportation. It is an urgent national priority to accelerate our transition from oil to homegrown, farm-based renewable sources of fuel and electrical power. If we reach our full potential in producing renewable biofuels using feedstocks from our farms and forests, we can replace as much as 30 percent of our transportation fuels by 2030—by 2030.

Right now, current ethanol production is about 7 billion gallons annually. I believe we are headed toward a production of 60 billion gallons of biofuels, requiring 50 to 100 million acres of crop lands dedicated to biomass crops by the year 2030. These charts show the sharp upward trajectory of biofuels over the past 5 years and with the contributions we are making in this bill.

So here is what we have done in biofuels. It doesn't go back very far. If you go back to about the late 1980s, early 1990s—millions of gallons. Not very much. But look at the sharp curve up as we came up in the late 1990s into 2000 and 2005. Then let us look at the projections. Here we are at 2005, and here is 2030 at 60 billion gallons per year. So that is the trajectory. That is the trajectory we are basically on and a lot of us are committed to. Senator LUGAR and I have a bill in that basically—and others have cosponsored it—to mandate we reach that level by 2030.

Well, the energy title in this bill allocates $1.1 billion over 5 years for new investments in farm-based energy. It is imperative we accelerate the transition of biofuels produced from cellulosic feedstocks, in addition to grains and oilseeds, if we want to get to that 60 billion gallons per year. And here, in addition to speeding up the development and evaluation of conversion technologies, we also confront a classic chicken-and-egg dilemma. Entrepreneurs would not build cellulosic biorefineries in the absence of reliable feedstock. Producers would not grow the cellulosic feedstocks unless and until there are biorefineries to produce them. Well, in this bill we address this dilemma very aggressively.

On the supply side, we allocate $130 million over 5 years to the biomass crop transition program. We know it takes a few years to get crops, such as switchgrass or miscanthus or soft pine or fast-growing poplars or whatever it might be, to get them started and established, so farmers are going to need financial assistance during the transition. That is what we provide in the Senate bill.

On the other side, on the demand side, we allocate $300 million to support grants and loans for biorefinery pilot plants, loan guarantees for commercial biorefineries, and support for repowering existing corn ethanol plants and other facilities so they can process cellulosic ethanol.

In addition, we continue the CCC Bioenergy Program with $245 million to support feedstock purchases for advanced biofuels production. We continue the section 9006 program of grants and loan guarantees that we put in the 2002 farm bill. This is for farmers and ranchers to purchase renewable energy systems or energy efficiency systems for their own farm or ranch. The budget for this is $230 million, double what we put in the farm bill in 2002. We are including about $140 million for biomass research, including biomass crop experiments.

A large part of the future of biofuels lies in the use of cellulosic feedstocks. Cellulosic fuels, biofuels, can be produced just about everywhere in the United States. This will expand biofuels production beyond our major corn-producing regions and to places closer to where the fuels are blended and consumed.

I will make this prediction. If we can preserve the Senate energy provisions in conference—maybe get some additional funding for them, which we will try to do—I predict that within 5 years, by the end of the life of this farm bill, we are going to see cellulosic biofuel refineries sprouting up akin to mushrooms all over this country. That will help restore our energy security and our national security. It is good for the environment and good for farmers and the rural economy.

Now, let me talk a little bit about another important part of this farm bill, and that is the conservation title. Agriculture and forest lands account for 69 percent of all the land in the United States. That means farmers, ranchers, and forest landowners are the first line of defense for our environment. They are America's first conservationists. The conservation title of this bill gives them the tools they need for voluntary efforts to conserve oil, to protect water and air quality, to increase wildlife habitat on their land, and maintain and improve our Nation's natural resources for future generations.

The conservation programs are similar to a toolkit to address conservation needs, from the basic function of providing technical assistance on how best to, for instance, protect the waterway from erosion and runoff, to paying for easements, to protect wetlands and grasslands or working farmland that is under the threat of development, to cost-share incentive payments and enhancement payments to help farmers build and adopt new conservation practices.

This bill looks to the future in preserving our natural resources by allocating $4 billion in new budget authority for the conservation title. This is extraordinarily important to the future of farming in the United States. I am pleased we were able to accomplish so much with relatively limited funding. For example, the Wetlands Reserve Program had no baseline to continue to enroll wetlands after this year, so we had to put in new money for that. The Grassland Reserve Program was also out of funds to enroll new land. We had to put new money in for that. The Conservation Security Program's funding had been cut by billions, almost $4 billion over the last 5 years, to pay for agricultural disasters and budget reconciliation. We needed to restore sufficient funding to allow the program to enroll more acres nationwide, and I am pleased to say we have successfully resolved all of these funding challenges.

In addition to maintaining or expanding existing programs, we addressed some new needs in this bill. For example, here in the mid-Atlantic area, where Washington, DC, is located, we devote $165 million to improving conservation to help clean up the Chesapeake Bay. This is money that will be used for upland treatment so all that runoff would not be going into the Chesapeake Bay.

In the Southeast, in order to provide better wildlife habitat, we provide funding to improve the management of trees planted on Conservation Reserve Program acres. I am pleased to join with the committee's ranking member, Senator CHAMBLISS, who was the basic mover behind this.

The conservation title also establishes new incentives for producers to allow voluntary public access to their land for hunting, fishing, and other wildlife-related activities. Senator CONRAD has been a leader on this issue. I am pleased to have cosponsored his legislation, and we have included it in this bill.

The conservation title also makes important policy changes. We have worked to streamline the process to acquire conservation easements in the Wetland Reserve Program, the Farmland Protection Program, and the Grassland Reserve Program. That process has been paper heavy since the beginning. In this bill, we have addressed that to cut down on the paperwork.

In this bill, we make significant improvements in the Conservation Security Program, which was created in the 2002 farm bill to reward farmers and ranchers for good conservation practices on working lands. Now, this was new in the 2002 farm bill. In the past, most conservation programs were lands that were taken out of production, in one way or the other—wetlands, grasslands, the CRP and others. But as we saw more and more land coming into production, a lot of it for ethanol production, more and more marginal lands started coming in and we had to do something about that. In this bill, the program was renamed the Conservation Stewardship Program to reflect the goal of the program to promote the long-term benefits to our Nation by adopting and maintaining good conservation practices.

We have yet to realize the full potential of the Conservation Stewardship Program because of tight restrictions on funding that excluded many producers. Regulations only allowed certain farms and acres to be enrolled in certain designated watersheds every year. In addition, the process resulted in some kinds of crops and production techniques being largely excluded from the program, such as organics, for example. Well, the new Conservation Stewardship Program will eliminate these shortcomings. It will grow rapidly, at a pace of more than 13 million acres a year, which, with the 15 million already enrolled, will total 80 million acres in 5 years.

Acres will be allocated to States based not on watersheds but simply on each State's share of the national eligible acres. Within each State, enrollment will be accomplished through a ranking process that will prioritize producers who are already doing good conservation and who are willing to do even more.

Again, I emphasize that this program we started in 2002 is going to grow rapidly, as I said 80 million acres, and the idea behind it basically is to reward farmers for being good conservationists—those farmers who practice good tillage methods, conservation tillage, who put buffer strips along rivers and streams; those who apply the right amount of fertilizer, not excessive amounts of fertilizer that can run off into our rivers and streams, polluting the Chesapeake Bay and other places.

So again, the idea is to reward good stewardship of our land, and I think it is a good investment. I think it is one that will be broadly supported by the American people. As I said, these kinds of conservation programs are more important than ever. The rising demand for commodities is bringing millions of acres into production. A lot of land that was in the Conservation Reserve Program is now coming out.

We can't force people into the Conservation Reserve Program, and we don't have enough money to bid everything back into it. So if that land is going to be planted for some kind of crop production, then we better help ensure it is done in a conserving manner. So we provide the incentives in the Conservation Stewardship Program to make sure they get the technical assistance, the cost-share, and the payments to prevent erosion and runoff.

As we look to the future, we have to look at these conservation programs not only as a boost to the environment and cleaning up our environment but as a WTO, a World Trade Organization-compliant, non-trade distorting way of assisting farmers and ranchers.

I got the idea for this Conservation Security Program—now renamed Conservation Stewardship Program—traveling through Europe in the late 1990s and looking at their farms and being amazed at the countryside. Then I looked at how much money European countries were giving to help their farmers—a lot more than we were—for conservation. I had to figure this out. How were they providing so much money to farmers—more than we were—but they didn't violate trade rules? Yet the money we were giving to farmers violated trade rules.

It was simply they were making "green payments" to farmers—payments to their farmers for conservation—cleaning up rivers and streams. Green payments. Green payments are under the "green box" of WTO, and it is WTO compliant. So we do not violate any of our agreements under WTO by providing farmers incentives for good conservation.

Now, I mentioned earlier that one element has been overlooked seriously in our farm bills in the past. We put a little bit in the 2002 farm bill dealing with organics, and that was a cost-share for the organic certification. But the fact is, organics is the fastest growing sector in U.S. agriculture. The demand for organic products is so great that it far outpaces our domestic supply. Much of that $2.7 billion of products, all agricultural products coming into this country over what we send out, is organics. I have had people in the organics food business, who sell organic foods, say they can't get it locally; they cannot get it in this country, so they have to import it. Well, we don't have enough farmers getting into organic production, so imports pick up the slack. In this bill, we make it a priority to help farmers who are serious about getting into organic food production, and we help them overcome the challenges of transitioning into this industry.

We include $80 million over 5 years for research into organic production and marketing. We include $5 million for price yields and overall data collection, which we don't even know about. We remove the 5-percent surcharge arbitrarily charged to organic producers who want to reduce their risk by buying crop insurance. Crop insurance had a 5-percent surcharge on it. We removed that. We make EQIP more universally available for farmers to transition into organic agriculture.

Now, one of the problems in organics that we have had is for a farmer to get certified to be organic, you have to have at least 3 years of not using pesticides, that type of thing.

During that 3-year period the farmer cannot sell into the organic market, and receive higher prices, yet still is bearing the costs of making the transition to organic production.

So we have provided some cost-share assistance to help farmers adopt sound conservation practices that are part of the transition to organic production. If they are serious about becoming organic producers, we will provide help in pursuing that opportunity.

Let's also talk about the assistance in this bill addressing global hunger and malnutrition through our food aid and development assistance programs, another part of our bill. We are very proud that over the last half century the United States has been the world's leading donor of food to hungry people. That is a source of great pride to us. U.S. programs are estimated to have helped more than 3.5 billion people over that period. I firmly believe our humanitarian activities throughout the developing world continue to be an essential component of our long-term effort to combat poverty and to build bridges of goodwill to foreign countries. It is a shocking fact that in the

21st century there is an estimated 800 million hungry people in the world, nearly half of them children.

In April, the Government Accountability Office released a study on how to improve the targeting and efficiency of U.S. international food aid programs, a study that Senator CHAMBLISS and I requested last year. I am pleased to report that the agencies involved in the delivery of U.S. food aid are on a path to adopt most of the recommendations made by the GAO. Some of the other recommendations, those that require statutory changes, are addressed in this bill.

We set aside a specific amount of funding under title II food aid for nonemergency development assistance projects. The creation of this "safe box," as it is called, is intended to send a strong message that it is not acceptable for USAID to use nonemergency program funding as the piggy bank to raid if regular appropriations for title II emergency programs are inadequate. It is shortsighted to withdraw assistance from hungry people struggling to break the vicious circle of poverty in order to provide food to even hungrier or more desperate people. To me, this approach is like using one family's seed corn to feed another family. In the end, both families are left hungry, and the first family's efforts to lift themselves out of poverty are hindered. So we address that in this bill.

The trade title also gives USAID authority for a pilot program to conduct local or regional cash purchases of food. For the last few years, the President has requested authority to use up to 25 percent of title II funds for local or regional cash purchases, but this concept needs careful testing before we consider adopting it on a larger scale. I also want to make clear that I see local cash purchases as a complement to donation of U.S. commodities, not as a substitute.

As I have already noted, the funding for this new farm bill is extremely tight, so we were limited in what we could do to increase resources for international food aid. However, the title containing food aid provides an increase for the amount that can be spent in transporting U.S. food commodities under the Food for Progress Program from the current $40 million annually to $48 million.

The Food for Progress Program is aimed at improving economies and helping to build democratic institutions in developing countries and in Eastern European countries transitioning to democracy. Obviously, we would have liked to do more to increase funding for the Food for Progress Program.

I also would have liked to have provided mandatory funds for the excellent McGovern-Dole International Food for Education and Child Nutrition Program, which I helped to establish in law in the 2002 farm bill. The McGovern-Dole program is designed to encourage children in developing countries to go to school and stay in school by providing them free or subsidized food. It has a lot of similarities to the School Lunch Program in this country. In its brief lifetime, the program has helped 19 million kids attend and stay in school in developing countries.

Think about it this way. In the United States, we provide free and reduced-price school lunches all over America and they help families a great deal. We may not think so much about the impact of that because in the overall economy of our nation food costs only about 10 percent of our disposable income on food. In some of the poorest countries, where food may consume perhaps 60 percent or more of disposable income, providing free food to children who attend school is a very big benefit to that family. That food can be the magnet that gets children out of an abusive child labor situation and into school. So it is a great program.

I remember when both Senator Dole and Senator McGovern came to see me about it in the late 1990s, trying to get it into the next farm bill, which we did, and their hopes and dreams for it. I still think if we can put the money into this program and grow it, it could be one of the best things we could do to fight hunger and poverty, to end child labor and to root out some of the harsh economic conditions, anger and frustration that may even lead some to turn to terrorism.

Despite limited new funding, I am proud of the work we have done on food aid and other trade issues in this bill.

We also in this bill help promote farmers markets, which are expanding all over the country. I can remember barely 10 years ago in my State of Iowa you could probably count the number of farmers markets on both hands. Now they are all over. In the Washington, DC, area, and other metropolitan areas, in the last several years we have seen farmers markets springing up all over the place. People want to purchase fresh, locally grown food. However, these are very challenging enterprises. They require grassroots organizing, planning and advertising; farmers have to be recruited; there are regulatory and logistical challenges.

In both the 2002 farm bill and this new farm bill, I have worked to help people overcome some of these barriers to establishing successful farmers markets. In the 2002 farm bill we added a program called the Farmers Market Promotion Program to help people develop and organize farmers markets and to enable direct producer-to-consumer market opportunities. In the legislation before us, we include $30 million for the life of the bill for these types of activities.

Too often farmers can and want to expand production of foods to be sold locally, but they face difficulties finding markets. Larger retail outlets want consistent supplies and abundant quantity, which is something a small farmer just can't provide. This bill seeks to solve this problem by fostering new opportunities for farmers to band together, providing funding through the value-added product market development grant program, as well as loans through the Business and Industry Loan Program. The idea is to promote what we call aggregators, where farmers who grow produce—vegetables or fruits or whatever it might be, or maybe they want to do some free-range chickens or organic meat or something like that—can join together to tap into bigger markets. What we need are aggregators who can go out to this farmer and that farmer and that farmer and say: OK, you bring your beets here and you bring your beets and you bring your beets or you bring your carrots or you bring your eggs or whatever it is. We put them together, and then we can sell them to larger buyers.

That is what we have done in this bill to promote and make it easier for farmers to get their produce to farmers markets.

For rural communities, as we seek to promote new opportunities in production agriculture, we have to realize the success of our farm households is tied not only to what is produced on the farm but the strength of the surrounding economy—rural economic development. Currently, more than 80 percent of total farm household income comes from sources off the farm.

I have a chart that shows that. It is amazing when you look at it. The percent of farm household income from off-farm sources 2 years ago: in the Northern Great Plains, 69.3 percent; in the Heartland, where I am from, Iowa, 66.7 percent; Mississippi Portland, 90.1 percent; Southern Seaboard, 94.9 percent; Northern Crescent, 85.2 percent. I guess we would probably be the least, in the Heartland, 66.7 percent. So even in our area, two-thirds of farming comes from off-farm income sources.

Again, 9 out of 10 people who live in rural America are not farmers. So our committee has a responsibility for crafting public policies that support not only farmers but all of our citizens who live in small towns and rural communities.

Rural America confronts unique challenges because of its low population density, the limited capacity of local governments and other special circumstances. In recent years we have come to appreciate that agriculture and rural development are closely intertwined. They have a common fate. We need to go forward with a policy framework that supports both our farms and our rural economy.

For years many economic development leaders have been frustrated that we have failed to create a more comprehensive approach to rural economic development. That is why I am excited about the Rural Collaborative Investment Program in this bill, which received $135 million in funding over 5 years. This new program provides Federal support for regional collaboration. It is becoming clearer to us that no one rural town or county can go it alone. Rural areas must work together regionally to scale up investments, build competitive economic clusters, and overcome geographic disadvantages.

The Rural Collaborative Investment Program awards innovation grants on a competitive basis to regions that creatively leverage these funds with other Federal, State, private, and philanthropic resources.

It provides incentives for elected officials, leaders of the business community, and nonprofit organizations to come together, to jointly develop plans that work best to improve the economy in their particular area.

Those who develop the best plans will receive significant resources from USDA to help implement their plans. Because of limited Federal funding, many who compete for innovation grants will not get one, but they will still come out winners because they will have gained valuable experience in collaborating across county and town boundaries, and they will have completed a plan of action tailored to their specific area.

Again, this is so essential. If we look at the fact that the majority of farm household income is coming from nonfarm income, what good does it do to help our farm families if all of the small towns dry up and blow away? Already in my own State of Iowa, kids who live on farms and in small towns are riding school buses longer and longer distances as schools consolidate.

Farm families cannot even buy the essentials for their families without driving long distances, because there is not enough business to support local stores. We have small towns in Iowa where churches no longer exist. We have to do something to start enhancing the economic viability of our small towns and communities. That is what we do with the Rural Collaborative Investment Program.

One other key element I want to point out is the promotion of community foundations. You know, rural Americans possess hundreds of billions of dollars in assets. Much of it is in land. Good valuable land. And, quite frankly, a large share of this, I know in my area, and in the upper Midwest—I do not know so much about some other parts of the country, but I bet it holds true almost all over—a large share of the asset value is held by people who are 65 years of age and older.

Well, these farmers, ranchers, businesspeople and others care deeply about their communities. They care deeply about their rural way of life. They care about the institution of the family farm. Many would be more than happy to give a generous share of their wealth back to their communities if they had a credible agency to make good use of the gift.

That is exactly the role that community foundations play. They are the perfect vehicle for bringing together local financing, local brain power, local leadership, to focus on solutions tailored to a given community or group of communities.

The rural development title of this bill also provides $40 million for a new microloan program championed by the Senator from Nebraska, Mr. NELSON. This initiative provides support for organizations that help people of modest means acquire the expertise to start their own businesses. It provides small loans to these new entrepreneurs.

We provide $50 million in new funding for rural hospitals. Each dollar supports about $18 in direct loans, and generates even more dollars in the form of loan guarantees. This funding will help rural hospitals acquire the equipment they need to improve patient care and to computerize their records, for example. In talking about all of the needs in rural America, one of the big needs is health care, and in making sure we have rural hospitals there with primary and emergency care.

We also provide $40 million for the construction of daycare centers. Again, demographics show many young families are leaving rural America. Poll after poll shows they want to stay there. But they need an off-farm job, and to get that off-farm job, they need daycare, and there simply is not much daycare to be had. Access to quality, affordable daycare is a big part of the solution. It is urgently needed.

Another one of the big problems in rural America is the backlog of requests for money for good drinking water and for wastewater systems. This bill provides $135 million to reduce the backlog of these applications.

One other thing that is going to help a lot with rural jobs is the introduction of broadband services to our small towns and communities; and not only to small towns and communities but to the farms themselves. I like to think the extension of broadband to our farms and rural areas is every bit as essential today as the extension of electric lines was to our farms and rural areas back in the rural electrification days of the 1920s and 1930s.

The bill does that. We provide financial resources, we cut down on paperwork. We also cut down—basically we shift from financial assistance going to areas that already have broadband service. We do not need that. We need to get it into areas that do not have it. Broadband is a basic utility, both for the kids who need it for their schoolwork, and for farmers and rural business people in order to do business. I know of instances where in small communities, a small business person was growing his insurance business, but he needed access to broadband. There were, I forget exactly how many, less than 10 people who worked there. But he was going to grow his business. He knew he could, but he knew he needed broadband access. If he had broadband access, he could have stayed in that small town, maybe employed 15 to 20 people. Since he could not do it, he moved to a larger city, Des Moines, our capital. At least he stayed in Iowa, but I would have much preferred if he could have stayed in that small town and community and had broadband service. We need to extend broadband as rapidly as possible.

Let me talk briefly about agricultural research, which has been so important for that 116 percent increase I talked about in agriculture productivity since 1960.

The research title will increase competitive grant opportunities for basic and applied agricultural research; it will strengthen the research, extension, and education programs administered by USDA through our land grant institutions. It will achieve these objectives by restructuring the grant administering agency at USDA and transforming it into a national institute of food and agriculture. This will improve, integrate, and streamline the management of competitive and infrastructure programs, and will require a roadmap to be led by the Under Secretary for Research, Education and Economics, to refocus the research mission at USDA.

As I have said, agricultural research has historically produced enormous benefits from relatively modest funding. In my experience, few people appreciate the transformational impact of breakthroughs in agricultural research. To give one example, consider the work of an Iowan, Dr. Norman Borlaug, beginning in the 1950s. His methods of high-volume crossbreeding and shuttle breeding in order to develop disease-resistant wheat varieties were soon applied to other crops around the world, fostering what was known as the "green revolution" which has saved upwards of a billion lives.

Dr. Borlaug won the Nobel Peace Prize and recently won the Congressional Gold Medal in a very nice ceremony here in the Capitol. But many people still do not realize how his successes in agricultural research have changed the world.

We are continuing to achieve great agronomic breakthroughs in agricultural research, but agricultural research is rapidly changing, and so we need to change the methodologies by which we fund and promote this research. That is what we do in this bill.

With the changes included in this bill, we will elevate the visibility of competitive research programs while strengthening our infrastructure programs—such as the research, extension and education programs—in place at our land grant universities. The National Institute of Food and Agriculture will lay the groundwork for a more robust agricultural research system, which we hope will lead to increased funding in the future, funding, I might add, that has remained flat in the past 20 years in inflation-adjusted dollars. I would also highlight that in the research title we provide $80 million for specialty crops research, such as to advance breeding and mechanization, and to improve the safety—I emphasize the safety—of fruits and vegetables. We also provide $80 million for research in organic agriculture, which as I said earlier is one of the fastest growing parts of our agricultural economy.

The largest obstacle to farm entry for beginning farmers and ranchers is access to two things, credit and land. Since 1990, a portion of the funding in the Farm Service Agency loan programs has been reserved for beginning farmers and ranchers. This bill expands the credit opportunities for beginning farmers by increasing the funding set-aside, and increasing the direct farm ownership and operating loan limit for the first time in over 20 years. Socially disadvantaged farmers face many of the same challenges as beginning farmers do, and so we increase opportunities for them by authorizing wider participation in Farm Service Agency loan programs.

I am also proud of the fact that this is the first farm bill ever to include a livestock title dedicated to the needs of our livestock, poultry, and egg producers, and aimed at promoting animal health and expanding market opportunities.

Consolidation and vertical integration of the livestock and poultry industry has dramatically reduced the number of buyers, and in some regions there are only a few left. This lack of buyers has created an acute need for market reforms and more rigorous USDA enforcement of the Packers and Stockyards Act and the Agricultural Fair Practices Act.

To that end, this bill eliminates two layers of bureaucracy at USDA. It designates a special counsel, so at long last we will have a high-level official at USDA dedicated to overseeing, managing, and enforcing these two acts.

The bill would limit packer ownership of livestock in order to provide stability to the marketplace for independent producers. It provides basic fairness for producers using contracts, so that companies cannot force producers to travel great distances to settle disputes; in other words, to travel clear across the country to where a packer's headquarters might be located.

In addition, this bill makes arbitration voluntary, so producers are not forced into unfriendly terms, requiring mandatory arbitration, in take-it-or-leave-it contracts.

Let me also mention that at the urging of Senator DURBIN and others, the bill requires the creation of a Congressional Bipartisan Food Safety Commission. This commission would be responsible for reviewing the Nation's food safety system, and making recommendations on how best to modernize the current structure.

Over the last year we have had outbreaks of E. coli contamination in bagged spinach, lettuce, and numerous recalls of very large quantities of meat and meat products. Over the weekend and in today's paper I read there are a million pounds of ground beef being recalled from stores in this area, and I do not know what other areas of the country. We have had repeated cases of contaminated food, everything from peanut butter to seafood to hamburger. So the work of this new Congressional Bipartisan Food Safety Commission will both be timely and urgent. Our consumers are basically demanding that.

In sum, I have sought to lay out the comprehensiveness of this bill. A lot of people are focused on payments to farmers. They think that is the farm bill. That is a small part of the farm bill. It is comprehensive. It addresses food safety, as I just mentioned. Food assistance to hungry people abroad, food assistance to hungry people in this country, energy, rural economic development, conservation of our nation's resources.

In energy, the bill opens up new vistas for energy production in this country, biofuels, cellulosic biomass materials; all of this is covered in this bill. So this bill is a strong forward-looking bill. It will be good for farmers, good for rural communities, good for our environment and good for our nation. It will promote our citizen's health, improve our energy security, and it is fiscally responsible. The bill won strong bipartisan support in the committee, and it deserves the same bipartisan support of Senators here on the floor.

As we look ahead to consideration of the bill this week, I hopefully can use the Senate's time productively. Obviously, this is the farm bill. We want to be productive. I encourage Senators, if they have amendments—and I am not encouraging a lot of amendments—to bring their amendments to the floor in a timely fashion. Hopefully, we can complete our work this week and go to conference as soon as possible.

I assume the chairman of the Finance Committee, Mr. BAUCUS, in his opening remarks, will dwell more on the part of the substitute amendment at the desk that includes provisions of the Finance Committee package. It includes a permanent disaster assistance program, tax credits that help offset the cost of conservation programs in the bill, and other tax provisions related to agriculture and energy. I expect Senators Baucus and Grassley will discuss these provisions at greater length. However, I thank them both and the members of the Finance Committee, including the occupant of the chair, for all of their support in helping the Agriculture Committee meet its goals and at the same time stay within our budget guidelines.

I know I have taken a lot of time, but for those who may be watching on monitors, people around the country watching on C-SPAN, and others who think a farm bill is only about payments to farmers, I wanted to show the comprehensiveness of this bill. It touches our lives every day in many ways, from the abundant food and fiber we enjoy to the safety of our food, to fruits and vegetables in schools, to the assistance to a family down on their luck who need some food assistance to feed their children during a time where they may be out of work for a period. It provides funding to help us meet our energy needs, to get us off of the oil pipeline to foreign countries. It saves our soil, provides for clean water and increased wildlife habitat for hunters and fishermen and everyone who enjoys the outdoors. It provides more research into improved agricultural technology and practices—how to do things better, how to be more productive, more safe. We have growing demands on the land. Yet we have to make sure our productivity keeps going up. We have seen tremendous strides in the past because of agricultural research and what we have accomplished there.

I want people to know, this legislation is not only a farm bill. This is a food and energy security bill covering everything—all the food we eat and consume, all the food we produce, all the food we have in our food assistance programs, and, yes, our energy needs as well. That is what this bill is. It is comprehensive. It is a good bill. I encourage the support of all Senators for this legislation.

I thank my ranking member and good friend, Senator CHAMBLISS, first for his stewardship of this committee when he was chairman and for all of the hearings Senator CHAMBLISS had last year all around the country. He came to my State of Iowa. We had a great hearing in Iowa. He laid the groundwork for this bill. It was a smooth transition this year, when our party took over the Senate through the election of last year. We continued that groundwork Senator CHAMBLISS laid for this bill.

People wonder why we took so long. Two reasons: One, the farm bill bills usually take a long time. I have often said this is my seventh farm bill since the time I first entered the House back in 1975. It is a very challenging bill to put all together, especially when one has the budget constraints we had.

In 2002, that sailed through easily. We had $73 billion over baseline. Under the leadership of Senator CONRAD and the Budget Committee, we decided this year we will not resort to deficit spending anymore. We will get out of the hole we are in. We are going to get out of the budget deficits we have had in the past. So we have a pay-go budget, and we met our obligations with this bill in that regard. It took some time to work it out. We also received help from the Finance Committee.

The Finance Committee, for many reasons, had a lot of things on their plate, too, but once the Finance Committee acted, we had our funding through that action, we moved ahead aggressively to finalize the legislation and put the bill together. We had tough negotiations, but farm bills have always been tough negotiations. They have also been good negotiations. They have been done in a spirit of making sure all the pieces fit together.

That is what this farm bill does—it makes many pieces of the jigsaw puzzle fit together. It may not be everything I wanted in the beginning or everything Senator CHAMBLISS wanted in the beginning or anybody else, but that is what this is. It is kind of a grand compromise, if I may say, to put all these things together and to fit them together so the entire country benefits. I say that in the way of thanking Senator CHAMBLISS.

I see Senator CONRAD in the Chamber. I thank him both in his capacity as chairman of the Budget Committee and as a senior member of the Agriculture Committee. He helped us put all these numbers together so they work.

Again, I close my remarks by thanking Senator CHAMBLISS for his stewardship when he was chairman but also for being my partner in putting this legislation together as ranking member. It would be fine with me if we could quickly vote and move this bill to conference. I think Senator CHAMBLISS might agree with me on that. But we will have some amendments this week. I hope we can complete them in a timely fashion.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated November 5, 2007.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
Washington, DC, November 5, 2007.

I certify that the information required by Senate Rule XLIV, related to congressionally directed spending in S. 2302 has been available on a publicly accessible website in a searchable format for at least 48 hours before a vote on the pending bill.

TOM HARKIN,
Chairman.

Mr. HARKIN. I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I begin by letting everybody know this is a mutual admiration society. Senator HARKIN has been a great chairman of the Agriculture Committee. In previous years, back in 2002, when we had this farm bill up for debate, he was chairman then and did a great job of leading us. I think a great product was produced. I was in the House then and had the privilege of working with him as well as other members of this committee, including my good friend, Senator CONRAD, about whom I will have more to say about in a minute. It was a good product we produced back then. As chairman for the last 2 years, I had the pleasure of going around the country and holding eight farm bill field hearings as well as a couple of other informal hearings. We tried to extend every courtesy to Senator HARKIN. He had staff at each one of those. We had a good working relationship for those 2 years.

During this year, when the seat change took place and Senator HARKIN reassumed chairmanship, he extended every single courtesy to me he possibly could. It truly has been a good working relationship, not just on production of this bill but on every other issue we had all year long. Senator HARKIN has been a great partner and a great friend for agriculture. That is what this is all about at the end of the day. It is not about the individual but about those farmers we represent and who live and work all across this great country of ours.

I thank Senator HARKIN for the courtesies he has extended to me. I thank him for the dialog we have had. Where we have had differences, he is exactly right: We have been able to talk through them and work them out. We have come up with a good product. I do concur with him that if we could have a vote tonight, I would certainly be glad to see this behind us to move to conference and begin the delicate and difficult challenge ahead of conferencing this bill with the House. At the end of the day, with his leadership, we are going to make that happen.

I see our friend, Senator CONRAD. He and I forged a good friendship back in 2002, when we were in the conference committee, when I, as a Member of the House, and he, as a Member of this body, agreed on several things that we worked hard together on to make sure were incorporated into the 2002 farm bill.

As we moved into the process of the debate on this farm bill, he also has been a great partner for American agriculture. We have had the opportunity, both with our staffs and without, to have numerous discussions, hours of discussion about the direction in which we ought to go. As I told the Presiding Officer the other day, the one thing I learned about Senator CONRAD early on was that when he tells you something, it is like money in the bank. You can know that what he said is his word and he doesn't budge from it. On difficult issues, we have had to compromise and come to agreement. We have done that in a very professional way.

The product of all of that discussion is this farm bill which the 3 of us have produced and filed here today. It is a good product, and it shows that when we do work together in a bipartisan way—and too often in this body we don't do that, but in this case we have—we can produce what the American people want; that is, a good legislative package.

I rise in support of the bipartisan Food and Energy Security Act of 2007 that was overwhelmingly reported out of the Senate Agriculture Committee on October 25, 2007. This bill is the result of many long hours of hard work on the part of my staff, the staffs of Chairman HARKIN and Budget Committee Chairman CONRAD.

In addition, I have met regularly with Republican members of the Senate Agriculture Committee and tried to address their thoughts and concerns throughout the process. As a result of those outreach efforts, many of the Republican members on the committee played a critical role in constructing this bill. I particularly thank Senator CRAPO for all the hard work he did in crafting the bipartisan conservation title.

In addition, our entire committee worked in a bipartisan fashion and largely was able to accommodate the interests and priorities of almost every member of the Agriculture Committee. I am extremely grateful we were able to report this farm bill out of committee with all but one member of the committee in agreement. It is indeed a luxury to pass a bill out of committee with 20 out of 21 members lending their support. Particularly in this time of increasing political differences and legislative inactivity, it speaks highly of the men and women of our committee that we were able to have a constructive debate that has led to a bipartisan bill that will strengthen American agriculture.

It is my hope and expectation that we will engage in a similarly open, bipartisan process as we consider the farm bill on the floor of the Senate this week and probably into next week. Traditionally, Senate consideration of farm bills has been conducted in an open manner. I see no reason to diverge from that course during this debate.

The substitute amendment we will consider beginning today is an extremely complex piece of legislation. I echo what Senator HARKIN said earlier. We have a Finance Committee piece, and then we have the Agriculture Committee piece. They have been joined together. We would not have been able to produce the Agriculture Committee piece without a contribution from the Finance Committee. The work of Senator BAUCUS and Senator GRASSLEY is extremely important and is melded into the work we did on the Agriculture Committee.

It is complex. Farm bills in and of themselves are extremely complex. When you look at the commodity title where we talk about and use phrases that are not common to most Members of this Senate, most of them don't understand when we start talking about marketing loans or countercyclical payments because they are not used by Members of this body in everyday, ongoing discussions. Likewise, the Finance Committee piece is extremely complex and involves offsets of some programs that most of us don't deal with on a daily basis.

I am hopeful that the process will move in the course that it normally moves along with respect to farm bills. That is we have a free and open debate, everybody has the opportunity to come in and talk about any interest they have in the farm bill and to be able to offer amendments to any portion of the farm bill.

At the end of the day, when all of the votes are counted, I am very confident we are going to come out of here with a very positive, forward-leaning, reform-minded, forward-thinking farm bill that will allow us to go to conference with the House and come out of that conference with a farm bill that provides a safety net, makes the reforms in the right areas of agricultural policy where we need those reforms, and, at the same time, provides the kind of programs we need in nutrition, in school lunch, in energy, as well as in conservation, research, and the other critical portions of this bill.

We will need to carefully and methodically consider all proposals put forth by all Senators, both on the agricultural and finance-related provisions of the bill. It would be counterproductive to attempt to circumvent our careful deliberative process by restricting the consideration of any proposal that is offered. I believe in an open farm bill debate, and I will not support any circumvention of the normal process with respect to amendments that anyone may want to offer.

It is my sincere hope the Senate will agree with our committee and support this farm bill that will strengthen the Nation's food security, protect the livelihood of our farmers and ranchers, preserve our efforts to remain good stewards of the environment, and enhance our Nation's energy security efforts.

I consider a safe, affordable, and abundant food supply a critical national security interest. I realize many people today are far removed from the farm, and it is hard for them to comprehend the complexities of production agriculture and how vitally important it is to the Nation that our agricultural industry can support the diet of American citizens without relying on imported foods and products.

Free market advocates will say we will always be able to buy what we need from other countries. That is true. But I do not want to take that chance. I do not want to rely on other countries for my food, as we do now for energy.

Senator HARKIN just put up some charts that talked about the production of oil. We could have put up similar charts that talk about the production of food. But, at the end of the day, the bottom line is that American farmers and ranchers produce the safest, most abundant, highest quality food supply in the world. When the consumer buys those products at the marketplace, Americans pay less out of every disposable dollar than any other country in the world for that safe, abundant, and high-quality food supply.

Now, despite challenging budgetary constraints, we were able to allocate $3.1 billion in new spending for all farm programs over the life of this bill, thanks in large part to the efforts of Chairman BAUCUS and Ranking Member GRASSLEY of the Finance Committee. Do I wish we had more resources? Sure. But we find ourselves in a different situation today compared to the last time Congress passed a farm bill.

It is ironic that the strong prices we are experiencing today in farm country would make our jobs more difficult in drafting a new farm bill. That being said, key agricultural priorities, including specialty crops, nutrition, conservation, and energy programs all received additional funding, allowing these critical agricultural sectors to realize unprecedented gains that will stimulate production and benefit not only the farmers and ranchers who produce agricultural products, but also the consumers and food aid participants who enjoy them at an affordable price.

Americans enjoy the safest, most affordable, and most abundant food supply in the world—and all of this being done using less than 1 percent of the Federal budget being spent. As a fiscal conservative, I can support that kind of investment any time.

Let me point out that the largest funding increase in this farm bill goes to nutrition. I think in the last farm bill we spent 28 percent of the budget on the commodity title alone. In this farm bill, we are spending approximately 14 percent on the commodity title. We are increasing the nutrition title by over $5 billion, and that is no small accomplishment. The additional resources were made available by reductions in other areas of the bill, including the commodity and crop insurance programs, which have always been the heart and soul of production agriculture.

Senators should understand the delicate compromise this entails, and further efforts to take funds from the farm safety net could stall this bill. The nutrition title is a vital part of this farm bill, and the committee-passed bill makes important improvements to the Food Stamp Program that have long been on the agenda of the antihunger community.

Senator HARKIN alluded to the fact we have increased the asset limit from $2,000 to $3,500. He is exactly right. That is a critical aspect of this bill with regard to the nutrition title. I have been a supporter of trying to increase that to $4,000, which on a cost-of-living scale over the last 20 years that is what it should be. We had hoped to do that. I actually have a bill—it is a stand-alone bill—to do that. But, unfortunately, with the limited funds we have we were not able to do that.

But when we did find some additional money, kind of at the end of the day just before we finished the writing of this bill, Senator HARKIN and I agreed, very quickly, that where we ought to put that money is in the nutrition title to make sure we can do things such as make some of the programs permanent, as well as raise the asset limit, and make sure we have a Food Stamp Program which benefits farmers and ranchers as much as it does the beneficiaries that will be meaningful and will be workable.

I especially thank my dear friend, Bill Bolling, the executive director of the Atlanta Community Food Bank, for not only his counsel as we went through the preparation of this farm bill, but also for hosting the committee's nutrition hearing at his facility this past April. This provided us a great opportunity to better understand the needs of food banks all across America, as well as hear firsthand testimony from Georgians who rely on the food assistance programs that are an important part of this farm bill.

This bill takes important steps to improve the food purchasing power of food stamp participants and makes the Food Stamp Program more accessible to working families with low incomes. By raising the asset limit, exempting certain IRS-approved savings accounts, increasing the standard deduction, and increasing the minimum benefit for food stamps, this legislation will better enable low-income Americans to afford the food and nutrition they need to lead productive lives.

This bill also substantially increases the Federal funding for the Emergency Food Assistance Program from $140 million annually to $250 million annually. These additional resources will help people in need, as well as the local food pantries that provide these important services in communities throughout the country. In addition, the farm bill promotes healthier diets by expanding access to farmers markets, as well as expanding the Fresh Fruit and Vegetable Program to all States by targeting benefits to low-income children.

Again, Senator HARKIN is exactly right. We have farmers markets popping up all over. We have a great system in our State of Georgia that is led by our Commissioner of Agriculture, Tommy Irvin, who has made sure we have very active and viable farmers markets in virtually every area of our State and that farms have access to those markets. It is not just in the metropolitan areas, where the price may be a little bit better, but in the rural parts of Georgia.

Where I live, there is not a community I can think of or a county I can think of that does not have a very active and viable farmers market, where we sell fresh fruits and vegetables and whatever is in season. Whether it is watermelons, cantaloupes, or snap beans, the farmers markets have all of those products readily available for the consumer.

The committee has once again wisely decided to include an energy title in this farm bill. That is not by accident. In 2002, the Congress passed a farm bill that for the first time contained an energy title, and we have expanded this important title in the 2007 bill by including programs to stimulate the production of cellulosic crops that can be converted into energy. The Southeast has not been a participant in this arena to date, but with the expansion of these programs to include cellulosic feedstocks, southeastern farmers will hopefully be able to make fuel from agricultural products, all the way from kudzu to peanut hulls.

Mr. President, 100 percent of the ethanol manufactured in this country today comes from corn. We do not grow corn in the southeastern part of our country, nor do we grow it in the western part of our country in the abundance it is grown in the Midwest. There are reasons for that. But we have the ability because of our long growing season both in the West as well as in the Southeast to grow virtually any crop that is out there.

So by providing funding for the additional research, by providing funding for those investors who want to manufacture ethanol from something besides corn, they now are going to have that funding available to them to invest in the cellulosic production of ethanol. At the same time we are going to encourage farmers to think outside the box, to not just grow the crops that automatically come to mind when you think of "The Farmer in the Dell" or "Old MacDonald."

We are going to have farmers now producing all sorts of alternative crops that can be used in the production of ethanol. I will cite just one instance of that. In Georgia, we have the first cellulosic ethanol plant that has been committed for construction in our part of the world. The investor in this particular cellulosic-producing ethanol facility is going to take a crop we grow with great abundance in the Southeast—and that is pine trees—and he has developed a system that will allow them to take pine trees and convert those pine trees into ethanol. The good news is, when he sticks that pine tree in that cylinder for the manufacture of ethanol, nothing escapes. Nothing comes out in the form of emissions into the air. Everything is used and recycled. So it is an amazing process, and it is exactly the type of entrepreneurial exercise that we are encouraging in this farm bill.

Through the inclusion of this title, we continue to push forward the necessary research, development, and promotion of renewable fuels that will enable America's farmers and ranchers to contribute to the Nation's expanding alternative energy industry. Notably, the energy title receives the largest percentage increase compared to the farm bill baseline, an increase of over $1 billion.

Importantly, this bill takes a fresh look at our commodity programs while continuing the traditional safety net so critical to America's farmers. In addition, we have created a program whereby farmers may choose to manage the inherent risks of agricultural production through a new type of revenue assurance program. I am pleased farmers will have the option to utilize this new Average Crop Revenue Program.

Senator HARKIN has been instrumental in crafting this program. Senators DURBIN and BROWN have been instrumental. I particularly compliment Senator ROBERTS for the great effort he put into digesting this new program that is extremely complex but has the potential of offering farmers and ranchers a new option. It is one of those options where we as a committee and we as a body have been thinking outside the box relative to programs of agricultural policy that benefit farmers and ranchers. I think with the amendment we have in place now in this bill we are going to encourage farmers and ranchers to think about some alternative to the conventional programs we have always had.

I understand several Members have an interest in offering amendments to further limit payments to the hard-working farmers and ranchers in this country. However, I want the Senate to realize the committee-reported bill includes the most significant reforms to payment limitations we have seen in the history of American farm policy. Any amendment that attempts to make Draconian reforms is going to be met with my strong opposition.

I urge my colleagues to compare this bill with current law and recognize the dramatic changes. As my good friend, Senator CONRAD, was quoted in the press the other day as saying, the changes in this bill represent the "most significant reform" in the long-fought battle over payment limitations. He is exactly right. He went on further to say:

> All payments will be attributed to an actual, living, breathing human [being] rather than some paper entity.

Because now we are going to have attribution. We have eliminated three entity, and we have changed the numbers dramatically.

Many of the proponents of significant reform to agricultural policy will argue that only a small percentage of Americans receive any benefit from farm programs. Agriculture economists at the University of Georgia recently released a study on the Community Economic Analysis and Impacts of Georgia Cotton Production. This study focused on one cotton-producing county in the southern part of our State. The cotton production in this one county alone has a $36 million impact on U.S. output and almost a $9 million impact on labor income in the United States. Another interesting result from this study was that each dollar received in Government payments generated $1.37 of new tax revenue in the U.S. economy. Let me repeat that. This study concluded that for every dollar received in Government payments, that $1 generated $1.37 of new tax revenue in the U.S. economy.

The following excerpt came from the October edition of "Southern Farmer" magazine. By extrapolating the results of the University of Georgia study, the columnist Steve Ford notes:

> In summary, if cotton subsidies paid to farmers are $2 billion, $1.2 billion is returned to the federal treasury through tax revenue from economic activity generated by cotton farmers. Economic activity generated by a net investment of $800 million grows the U.S. economy by $28 billion, provides another $800 million in state and local tax revenue, and generates a $7 billion payroll and 230,000 jobs. This investment generates a 3,400 percent return.

Although the study only focused on one small county in Georgia, when expanded, the national impact of the cotton industry and the cotton program is astounding. I hope my colleagues understand our farm program benefits all Americans, not just cotton farmers in south Georgia.

It is vitally important to the farmers and ranchers of Georgia, as well as to farmers and ranchers all across this great Nation, that we uphold the strength of the safety net American agriculture depends on in this farm bill. The agriculture and food sector represents over 15 percent of the gross domestic product of the United States. This bill requires our attention and commitment to the farmers and ranchers who put food on our plates every day. If we go down the path of crippling our farm programs in response to the newspaper editorials, the inevitable result will be the outsourcing of the production of our food and fiber.

While U.S. agriculture exports continue to grow, agriculture imports increased by 10 percent and we are fast approaching a point in time when exports will equal imports. This is the one segment of our economy that has consistently and continually over the last several decades provided a positive balance of trade for our economy. If we let that slip away from us, it is going to be a huge mistake. Let the current energy crisis be a warning sign to every Member of this body. If America becomes as dependent on foreign nations to supply our food and fiber as currently is the case with petroleum, we will threaten the security of this Nation and leave our children's health and diets to the political whims of foreign nations.

Let me say that at the end of the day, the reason we are here is to represent the hard-working men and women who get dirt under their fingernails each and every day to provide the safest, most affordable, and highest quality agriculture products in the world. I hope my colleagues keep those Americans in mind when they debate this critical piece of legislation.

I wish to also discuss several important provisions in the conservation title of the Food and Energy Security Act of 2007. I would like to highlight 5 areas: conservation technical assistance, the Conservation Reserve Wildlife Habitat Program, forest conservation, climate change, and partnerships and cooperation.

U.S. agriculture delivers safe, reliable, high quality food, feed, and fiber to the Nation and to the world, but it also delivers much more. Through their careful stewardship, farmers, ranchers, and private forest landowners also deliver clean water, productive wildlife habitat, and healthy landscapes.

In the 1930s, this Nation made a historic commitment to a conservation partnership with farmers and ranchers. Rooted in our national experience with the devastation of soil erosion at that time, the conservation movement began with the purpose of keeping productive topsoil—and a productive agriculture—in place. Conservation technology was harnessed to meet that challenge.

The Farm Security and Rural Investment Act of 2002 also was historic as it renewed our commitment to the Nation's working lands. Working land—the cropland, grazing land, and forest land that is used to produce our food, feed, and fiber—accounts for nearly 1.3 billion acres, or two-thirds of this Nation's land area. Since the enactment of the 2002 farm bill, conservation measures have been applied on more than 70 million acres of cropland and 125 million acres of grazing land. In addition, more than one million acres of wetlands have been created, restored or enhanced.

In 1935, Congress created the Soil Conservation Service SCS, within the U.S. Department of Agriculture, USDA, to lead conservation efforts at the federal level. SCS was renamed the Natural Resources Conservation Service, NRCS, in 1994. NRCS provides technical, scientifically sound advice and assistance to farmers and ranchers to address their local resource concerns. This technical assistance is the foundation of conservation.

In the 1980s, Congress began to seriously focus on conservation. During the 1990s, Congress accelerated the investment in conservation by creating additional programs, such as the Environmental Quality Incentives Program, EQIP, to share the cost of installing conservation practices with farmers and ranchers. These programs are commonly called financial assistance or cost-share programs. NRCS was given the responsibility of managing most of these programs in addition to maintaining its traditional leadership role in the technical aspects of conservation.

In response to the popularity of the financial assistance programs and their dramatic increases in funding, NRCS has had to focus almost entirely on implementing them. While the financial assistance programs have increased the adoption of conservation practices and awareness of the benefits of conservation across the country, this shift in focus has potential negative consequences for NRCS's ability to maintain its technical base and ensure scientifically valid technical assistance to farmers and ranchers.

Congress is expected to continue to support financial assistance programs well into the future. But in order to help farmers and ranchers put meaningful conservation on the ground, Congress must also maintain NRCS's core technical functions and capabilities—the science, technology development and transfer and resource assessments—that support the programs. Both parts of the portfolio are equally important.

In addition to continuing the investment in financial assistance programs, the Food and Energy Security Act of 2007 also recognizes that the success of the conservation partnership was built on a foundation of proven conservation science, technical assistance, and technology. The legislation updates, clarifies, and consolidates statutes governing technical assistance for easy reference. It defines technical assistance to ensure a common understanding by Congress, stakeholders, farmers and ranchers, and NRCS. The Act reauthorizes the Soil and Water Resources Conservation Act and reaffirms its purpose of informing the direction of conservation policy. It better incorporates monitoring and evaluation into the conservation planning process and conservation programs to reflect increasing demands for a better understanding of the real-world environmental effects of conservation policy and programs.

Especially important to my home State of Georgia and other southeastern states is the creation of a new program within the Conservation Reserve Program (CRP). It will help improve wildlife habitat on CRP acres planted to softwood pine trees. The program is called the Conservation Reserve Wildlife Habitat Program.

Currently, there are about 1.5 million CRP acres in pines in the Southeast. Most of these plantings are extremely dense and have few wildlife benefits. The program provides cost-share and incentive payments to landowners to better manage their pine stands, for example, through the appropriate use of thinning and prescribed fire. Wildlife habitat quality can be rapidly restored in pine forests with the use of these and other forest management strategies. This program will be a significant tool to help reverse the decline of northern bobwhite quails, certain songbirds and other at-risk species in the Southeast.

I sincerely thank the Georgia Department of Natural Resources, Georgia Soil and Water Conservation Commission, National Association of Conservation Districts, and the National Wild Turkey Federation for all of their help developing the program. This was a true grassroots effort.

The Nation's forest resources are a sometimes overlooked but critically important part of our environment and economy. In the United States, approximately 262 million acres of forest are owned by families or individuals. Nearly one million acres of these privately owned forest acres are developed each year. U.S. paper and wood processing generates 1.2 million jobs and $230 billion in annual sales. More than 75 million acres of forests are part of a farm. U.S. forest lands provide two-thirds of the Nation's drinking water, and a single tree can absorb more than 10 pounds of carbon dioxide per year. Unfortunately, 27 million acres of private forest are at risk of insect and disease, and 90 million acres are at risk of wildfire.

The Food and Energy Security Act of 2007 helps private forestland owners improve their land and plan for the future. The conservation title places an increased emphasis on forest resources by defining non-industrial private forest land in the Food Security Act of 1985 and clarifying that technical assistance is available for forest land conservation. Forest management practices and conservation plan development are added to EQIP, as is fire pre-suppression. The Conservation Innovation Grant program encourages forestry projects and emphasizes the development and transfer of innovative conservation technologies.

One particular area I wanted to address in the 2007 farm bill was how agriculture and individual farmers can help tackle climate change. While I am not sure we understand all of the science of climate change, there are some reasonable steps we can take to begin mitigating its effects and ensure agriculture can meaningfully participate in any future emission reduction program developed by Congress.

Agriculture accounts for about 6 percent of all greenhouse gas (GHG) emissions in the United States as measured on a million metric ton carbon equivalent. Since 1995, emissions from the agriculture sector have trended downward. The two primary types of agricultural emissions are methane and nitrous oxide. Methane is released as part of the natural digestive process of animals and manure management at livestock operations. Fertilizer and manure application to soils are the source of nitrous oxide. Carbon captured and stored in U.S. soils partially offsets these emissions, sequestering about one-tenth of all emissions generated by the agriculture sector.

Currently, there are many land management and farm conservation practices that reduce GHG emissions and/or sequester carbon. Examples include land retirement, conservation tillage, and manure and livestock feed management practices. These practices are supported through existing farm bill conservation programs. But looking ahead to the future, there are additional opportunities for agriculture to further reduce emissions and sequester carbon. USDA estimates carbon uptake in agricultural soils could double by 2012, and over the long term agriculture could sequester 2 to 14 percent more carbon dioxide.

I have been encouraged by Federal, state, and private efforts over the past few years to include agriculture in carbon credit trading programs. However, it is time to go beyond the minimum standards that have been set and develop more robust certification, measurement and verification standards. The key area that needs to be addressed is the measurement and verification of offsets generated by agriculture. Other questions that need to be answered are how to distinguish between emissions mitigation and emissions reductions that would occur anyway, what activities should be eligible, and how the actions are measured, monitored, and verified.

I am very pleased the Food and Energy Security Act of 2007 addresses these issues by directing the Secretary of Agriculture to establish uniform standards; design accounting procedures; establish a protocol to report environmental benefits; establish a registry to report and maintain the benefits; and establish a process to verify that a farmer, rancher or forest land owner has implemented the conservation or land management activity. The Secretary is required to coordinate and leverage existing activities in environmental services markets but to focus first on carbon markets.

For several years, farm, conservation, wildlife and environmental groups have promoted cooperative conservation and debated ways to "get more bang for the buck" from the Federal investment in conservation. The 2002 farm bill included an important provision to encourage cooperative conservation through its partnerships and cooperation provisions. Partnerships and cooperation is the next step in locally led conservation as it promotes conservation on a landscape or regional level. Unfortunately, the provisions were not implemented due to a lack of specificity in the bill language regarding the relationship with partners and how funding would flow.

The Farm and Energy Security Act of 2007 resolves these issues and significantly improves partnerships and cooperation. The new provisions authorize the Secretary to undertake a competitive process to designate special projects to address conservation issues related to agricultural and non-industrial private forest land management and production. The Secretary may enter into agreements with eligible partners to provide technical and financial assistance to producers to implement on-the-ground conservation to achieve the objectives of the special project.

The concept of partnerships and cooperation is based on the highly successful Conservation Reserve Enhancement Program (CREP). In a CREP, a state and the Farm Service Agency agree to focus CRP resources on a specific area within a state to address a specific conservation need. The state usually agrees to provide some funding and technical resources to the CREP. With the new partnerships and cooperation, all conservation programs, not just CRP, could be leveraged to address specific conservation needs and to produce watershed or regional conservation objectives.

I would like to provide an example for how the partnerships and cooperation authority could be used. A cannery has closed, and nearby orchards are going out of business. A local watershed council pulls together several partners, such as a state university, a wildlife organization and an organic growers' cooperative. They agree to work together to improve water quality and wildlife habitat while working with interested local producers to transition their orchards to organic grass-based cattle operations.

The watershed council files an application with USDA proposing to conduct local producer outreach; provide training on transitioning to a new agricultural sector, including organic certification and cattle management workshops; assist with tree removal; and assist in implementing habitat diversity practices with workshops, labor, and seed. The council asks for designation of these resources: $10 million in EQIP; $250,000 in the Wildlife Habitat Incentives Program (WHIP); 1,000 acres of Continuous Conservation Reserve Program (CCRP); and 20,000 acres in Grassland Reserve Program easements (GRP).

The State Conservationist and State Executive Director agree with the proposal and set aside the approved resources, which will go to producers participating in the project. When the producer applies for the programs, they certify that they are a project participant. If they are qualified, they bypass the regular program ranking processes and enter into a contract in the identified program(s). Each program in this example stands on its own and all program rules apply. What is different is the streamlined application and the process that works to make the programs seamless in application.

In closing, I would like to repeat a story of an old man down on a hill farm in the South, who sat on his front porch as a newcomer passed by. To make talk, the newcomer said, "Mister, how does the land lie around here?" The old man replied, "Well, I don't know about the land a-lying; it's these real estate people who do the lying."

W.C. Lowdermilk, the Assistant Chief of the Soil Conservation Service in the 1930s said:

> In a very real sense the land does not lie; it bears a record of what men write on it. In a larger sense, a Nation writes its record on the land. This record is easy to read by those who understand the simple language of the land.

Conservation leads to prosperous, healthy societies and stable, self-sufficient countries. It sustains the agricultural productivity that allows for division of labor and the growth and longevity of a society.

In 1938 and 1939, Mr. Lowdermilk studied the record of agriculture in countries where land had been cultivated for many centuries. He sought to learn if the experience of these older civilizations could help in solving the serious soil erosion and land productivity problems in the United States, then struggling with repair of the Dust Bowl and the gullied South. He found that careful land stewardship through terracing, crop rotation and other soil conservation measures enabled societies to flourish for centuries. But neglect of the land, manifested as soil erosion, deforestation, and overgrazing, helped to topple empires and destroy entire civilizations. He concluded that America's future was tied to conservation and that this calling fell to the Nation as well as the farmer and landowner.

Mr. President, I am pleased to have helped develop the conservation title of the Food and Energy Security Act of

2007. I look forward to seeing its resources and programs used by this Nation's farmers, ranchers, and forest landowners for generations to come.

The 2007 Senate farm bill includes a new title not contained in bills in the past of provisions regarding the livestock marketplace. I want to state very clearly that I have tremendous concerns with this title and do not support the vast majority of provisions included.

I know without question that the entire United States Senate is concerned about farmers and ranchers and their ability to succeed in the marketplace. The livestock industry plays a critical role in the health of rural America. Livestock and related industries account for approximately one half of the total farm-gate receipts to U.S. agricultural producers, employ half a million Americans, and create approximately $100 billion in economic activity. It is therefore clearly important that we make certain the livestock industry continues to thrive and make every effort to sustain the economic viability of this critical sector of our economy.

In our efforts to assist constituents in the livestock marketplace, we must exert extreme caution in how we attempt to address the agriculture sector. Our focus must be on expanding the options of producers, rather than restricting their options and penalizing those successful segments of the industry.

It is for this reason that I have serious concerns with some of the provisions in this livestock title. The approach taken in this title is an attempt to regulate the industry to profitability, rather than stimulate innovation and encourage stronger relationships between the various industry segments.

I am pleased that industry—including livestock producers, packers, and retailers—were able to find a compromise on the issue of Mandatory Country of Origin Labeling. While I have long supported a voluntary program, I believe the compromise included in this bill will allow all livestock market participants to benefit from the program without being burdened by unworkable regulations and excessive fines. But outside of this provision, there is very little in this title that I support.

The livestock title includes a provision that would ban the use of mandatory arbitration in livestock contracts unless both parties agree, after the dispute arises, to utilize arbitration. Being from the great State of Georgia, I understand that poultry contract growers must be afforded the right to enter into fair and balanced contracts and to have fair and just means to settle disputes when they arise. But I am concerned that this provision will lead to increased litigation and will not benefit our poultry industry in the long run.

The U.S. Chamber of Commerce opposes the anti-arbitration provisions in the title, because: The long-term effects of such provisions, if enacted, would cause serious damage to the general use and availability of alternative dispute resolution as well as weaken the Federal Arbitration Act.

Wisely, the House of Representatives has taken a different approach to this issue and attempted to strengthen the arbitration process in order to ensure that producers are treated fairly. I prefer the approach utilized by the House, but I recognize that many of the members of the Agriculture Committee view this issue differently.

I also would like to briefly address another provision that greatly troubles me. The livestock title creates a special counsel for agricultural competition at the Department of Agriculture who will absorb all of the responsibilities for enforcing the Packers and Stockyards Act and the Agricultural Fair Practices Act. While I understand the issues that Members are attempting to address by creating this position, I believe we are creating yet another level of bureaucracy at the Department that may in fact make enforcement of the Packers and Stockyards Act even more difficult.

The most troubling aspect of this special counsel provision is that he is given the power to both investigate and prosecute violations under the Packers and Stockyards Act and Agricultural Fair Practices Act. What we effectively do in this legislation is create an Office of Inspector General within the Grain Inspection, Packers and Stockyards Administration (GIPSA), and then give that office the power to prosecute as well. This is simply bad policy, that sets a bad precedent, and will potentially lead to overzealous prosecutions and confuse the current roles in the Department of Agriculture.

USDA is strongly opposed to this Special Counsel provision because it will alter the current structure of USDA in an attempt to address problems that the Department is already addressing. In fiscal year 2007, USDA has handled more enforcement cases of the Packers and Stockyards Act than in any year in the recent past. As a result of these efforts, violators were assessed civil penalties totaling over $450,000 this past fiscal year. It is evident that GIPSA is making tremendous progress in their enforcement efforts. Rather than build on these recent accomplishments, this provision will likely hamper enforcement efforts at GIPSA and create confusion in the livestock marketplace.

The livestock title of this farm bill attempts to create a one-size-fits-all livestock marketplace where all producers are treated the same regardless of economics or free market principles. This approach is simply not reflective of the industry today. Producers have made tremendous investments to improve the genetics, quality, and grades of their livestock in an effort to command a greater return for their products. And, contrary to the popular sentiment reflected in this livestock title, many producers are experiencing great success in their efforts.

One producer from Mason City, IA, eloquently summed up his view of the livestock marketplace in a letter to me and Senator HARKIN. The producer stated: We don't share the grim view of our industry that others hold. We want you to know that our industry is doing well. We are able to prosper under the current law and regulations that apply to our businesses. For many producers, the stability that arises out of the contracts they strike with packing companies are the key to their financial viability, helping them to obtain credit and avoid the harshest consequences of volatility in the markets.

I commend this producer and others like him who have worked hard to secure their position in today's livestock marketplace.

The Georgia Cattlemen's Association also strongly opposes the provisions included in this title. These hard-working men and women have made substantial investments in their businesses in order to compete in today's livestock marketplace. The supposed reforms in this livestock title neglect their hard-fought efforts to secure markets for their superior products. Perhaps 15 years ago, these reforms would have made sense. But today's marketplace has evolved and my Georgia producers and many producers across this country have displayed the American spirit and dedication necessary to evolve with that marketplace and enjoy prosperity.

Rather than reduce the options available to these hard-working Americans, it certainly would make more sense to provide them with every option at their disposal so that they can continue to compete in this evolving marketplace. Attempts to drag the livestock marketplace back to the way business was conducted 15 or 30 years ago will threaten the livelihood of farmers and ranchers, drive down consumer demand for specialized products, and increase costs—not only to packers, but to the producers this livestock title attempts to serve.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I come to the floor today to speak in support of the Food and Energy Security Act of 2007. First, I thank the very able chairman of the Agriculture Committee, Senator HARKIN, and the ranking member, Senator CHAMBLISS, for their leadership on this bill. We wouldn't be here today without their leadership. I, for one, deeply appreciate the time and the effort they have poured into this bill. This has been months of determined effort to produce a consensus bill that can command a supermajority in the Senate. It certainly did in the committee. It passed without a dissenting vote.

First, Chairman HARKIN. I applaud his vision for a new direction for farm policy in America. Make no mistake, this is a very different farm bill because of Chairman HARKIN's determination, leadership, and vision. This farm bill goes in a new direction with a much greater commitment to conservation, one that I think over time will prove to have been very wise, because we all know what is happening in the world. We have to do more through the conservation elements of the program in order to be sustainable over time.

In addition to that, Chairman HARKIN has played a lead role in creating a new option for farmers with the State Revenue Assurance Plan. Of course, he has been a champion for rural development and for reform. Make no mistake, this bill is the beginning of significant reform. If anybody had told us 5 years ago we could get the elimination of the three-entity rule and direct attribution, we would have thought the skies had opened up and there was a whole new day. The fact is it is in this bill.

I also applaud Senator HARKIN's staff. Mark Halverson, his staff director, who you can see is now somewhat gray-haired. Anybody who has gone through what he has goes to gray, because this is tough. This is hard to do. The regional differences are deep across the country, as are the philosophical differences.

Senator CHAMBLISS, the ranking member. We couldn't ask for a better ranking member than Senator CHAMBLISS. He did a terrific job as chairman, but he proved his mettle in helping us bring this farm bill to the floor. He is a consummate professional. I have worked with a lot of people over the years on farm legislation. It is always difficult; It is always contentious. Yet we have produced some very good bills. I think this one is by far the best. Senator CHAMBLISS played an absolutely essential role. Make no mistake, he fought for his people. He did it effectively and in a collegial way, and that is what we would hope for in the Senate. He always had his eye on the ball, and that was to produce a result for American agriculture.

I also salute his staff, the very professional Martha Scott and Bernie Hubert, who were terrific to work with every step of the way; outstanding individuals who reflect well on Senator CHAMBLISS and reflect well on the body.

Additionally, I thank the outstanding work of the chairman of the Finance Committee, Chairman BAUCUS, and the ranking member, Senator GRASSLEY, because without their help, it would have been infinitely more difficult to write this bill. Let's say right at the beginning that we have $8 billion of new resources here; in other words, we are $8 billion above the so-called baseline. The only reason we could do that was because of the help of the Finance Committee. That has made a profound difference. As a result, and as a result of the exceptional leadership of Chairman HARKIN and Ranking Member CHAMBLISS, this bill significantly improves commodity programs and energy. We are now embarked on a massive effort to reduce our dependence on foreign oil. It is in this bill. It is critically important. There are also new resources for nutrition. Changes that have not been made in nutrition in over 30 years have been made in this bill, and people can be proud of it; over $5 billion of new resources for nutrition. We should recall, to all those who are listening, this isn't just a food and energy security bill; this is also at root a nutrition bill. Sixty-six percent of the money in this bill is for nutrition in America. That affects every city and town, every farm gate, every ranch gate in America. Sixty-six percent of the money in this bill is for nutrition. For all of those critics—and there are legions of them out there—especially in some parts of the media who have never bothered to actually look at this bill or read this bill or research what is in it, they should know that 66 percent of this bill is for nutrition. The thing that draws most of their attack, the so-called commodity programs, less than 14 percent; less than $1 in every $7 in this bill is for commodities.

Conservation. Because of Senator HARKIN's vision and leadership, this is by far the most ambitious conservation program ever included in farm legislation, and he is right. He is right to take us in that direction. The people who are the critics should know that conservation and nutrition are at the centerpiece of this legislation, and rural development programs as well.

This legislation is good for farm and ranch families. It is good for rural communities and Main Street businesses. It is an enormous win for consumers and taxpayers. This legislation is the product of countless hours of deliberation that represents a broad consensus.

Let me also say the occupant of the chair, Senator SALAZAR of Colorado, played a key role time after time after time in bringing people together. At the end of the day, what you learn in a legislative body is you have to have an idea, a kernel of an idea for legislation, and it then has to be sold to so many people, and that is the difficult part. Bringing people together is an extraordinary skill. The occupant of the chair, Senator SALAZAR, has it in spades. I have told others we are lucky to have somebody of his character and somebody of his ability to talk to others, even when they disagree, to find areas of agreement. That has been his great gift on this bill.

There are so many others whom I want to single out. Senator DEBBIE STABENOW of Michigan, who is such a passionate advocate for specialty crops. My goodness, Chairman HARKIN, if we heard once, we heard 100 times from her about specialty crops, and boy, she has delivered for those people in this bill, over $2.5 billion of new resources for specialty crops. When you include everything, what a major advance for specialty crops, and there is nothing better than this fresh fruit and vegetable program. Of course, the chairman is the champion of that program, but we are going to go from 14 States that have this fresh fruit and vegetable program for kids in schools, and it is going to go to all 50 States, and a dramatic increase in resources. Because we know—we can see—what is happening in America. We can see what is happening with obesity. We can see there has to be change, and there is dramatic change in this bill—change that I think every Member of this body can be proud of. I mentioned Senator BAUCUS and the role he played as chairman of the Finance Committee. I can look down that table at others who have contributed. This was a team effort, if ever there was a team effort, on both the Republican and Democratic sides.

We appreciate the efforts of so many of our colleagues. I think of our friend from Arkansas, who was so passionate about defending her people, BLANCHE LAMBERT LINCOLN. It is tough when you are in a minority situation. But she was absolutely determined that her people not be hurt. She worked tirelessly to make certain that was the outcome. So I appreciate the efforts of so many.

BEN NELSON of Nebraska, who comes from a farm State much like mine, was so determined, as well, that we write a farm bill that could get through the committee on a strong bipartisan vote and get through the floor on a supermajority, which we have done.

I thank AMY KLOBUCHAR, who was so determined to make certain we would look at cellulosic, recognizing that corn ethanol could not meet the ambitious national goals set by the Congress of the United States, and that we had to turn toward cellulosic. She was right there with ideas, advice, and also a willingness to go colleague to colleague to persuade them of the need. All of these people have made enormous contributions.

Of course, Senator LEAHY's contribution on MILC programs, the former chairman of the committee. We deeply appreciate his contribution as well.

It is difficult to write this bill because, as the chairman said, we have a lot less money this time than last time. Let me put that in terms people will more easily understand, in visual terms. The red line on the chart is the old CBO baseline, what the farm bill would cost. The green bars are what this bill has actually cost and is projected to cost. If you net it all out, you find that the 2002 farm bill cost about $20 billion less than the Congressional Budget Office said it would in August of 2002.

Looking forward, we have $22 billion less in baseline to write this farm bill than was estimated by the CBO in 2002. I took a call from Mr. Chuck Connor, Acting Secretary, telling me they are going to recommend—or say tomorrow that they would recommend a Presidential veto of this legislation. They do it on cost grounds. They have a number they throw out there that has no relationship to reality. It is an imagining on their part. It is their sort of make-believe writing up of the numbers.

The fact is we have $22 billion less in baseline to write this bill than was predicted when we wrote the last one—$22 billion less. So we are $8 billion over the baseline and every penny of it paid for. That is a fact. It is also true that this bill was difficult to write not only because we had less money but because the financial circumstances of the country changed dramatically. The debt of the country increased from $5.8 trillion at the end of 2001 to $8.9 trillion at the end of this year. So we were writing this bill in a totally different environment than the last one. Back then, there were surpluses as far as the eye could see. Now it is red ink, debt. That profoundly changed the circumstance.

In addition to that, we also face a very hostile media environment, especially from the leading newspaper in this town, which hasn't seen a single initiative for farm and ranch families in this country that they like. They have not been positive about one single thing. These headlines say: "Agri-welfare." "Aid is a Bumper Crop to Farmers." "Aid to Ranchers was Diverted for Big Profits." "No Drought Required for Federal Aid."

There are some elements of truth in every story, but the thing they miss is the much larger story. What does the food policy in this country lead to? I will tell you: the lowest cost food in the history of the world. That is what this food policy leads to—the most plentiful and the safest supplies and the most ambitious nutrition programs of any country in the free world. That is what is here.

Do you see one word of that printed in the Washington Post? Do you see one word on the positive things that are here? Not one. They take every little anomaly, every little exception, blow it into a big headline, and take things out of context. They ought to be ashamed of themselves. They take stories from people who have dedicated their careers to dismantling the farm programs of the United States, which are the envy of the world.

Here is what happened to food expenditures as a share of disposable personal income in our country. In 1929, 23 cents out of every dollar went to buy food. Today it is 10 cents. That includes, by the way, eating out. We are down to 10 cents of every dollar going for food in this country.

There is a lot to be proud of in the agricultural policy of the United States. I would put this at the top: Who pays the least for food in the entire world? Who pays the smallest part of their disposable income for food? We do. America pays the least. By the way, these comparisons are looking in the other countries at food purchased for home consumption. Our number is home consumption and eating out. Look. Indonesia, 55 cents out of every dollar goes to buy food. In the Philippines, it is 38 cents. In China, it is 26 cents. In France, it is 15 cents. In Japan, it is 14 cents. Remember, their numbers are food consumed in the home. Our number—10 percent—is food consumed at home and food outside the home. What a dramatic difference it is, what our people are paying out of their disposable income for food and what everybody else in the world is paying. We can be proud of that.

We look at our major competitors—again, the Washington Post never writes this story. Never. You know, we are not in this world alone. There happen to be other countries. We happen to have tough competition. The Europeans are our leading competitors in agriculture. In fact, they are about equal with us in terms of market share. Yet look at what they do for their producers versus what we do for ours. This is a 5-year baseline in the 2007 farm bill. This is what we are doing for nutrition. We are providing five times as much for nutrition over the 5 years as we are for commodities—five times as much for nutrition as for commodities.

The Washington Post, why don't you write that story and tell people the whole story? The other element I wished to mention that I was leading up to was what is happening with what the Europeans, our leading competitors, do for their producers versus what we do for ours. Washington Post, why don't you write this story? European Union, $134 billion—and this is after their cap reform. This is what they are spending on farm supports, more than three times greater than the United States at $43 billion. I don't see the Washington Post telling this story. I don't see them ever helping the American people to understand what we are up against in the real world—that our major competitors are spending more than three times as much as we are to support their producers.

What happens if you pull the rug out from under our producers? What would happen? Mass bankruptcy, that is what would happen. Is that what we want to do in this country? Do you want to bankrupt American agriculture? Do you want to bankrupt farm and ranch families? I don't think so. So people need to think a little more carefully than some of these columns I have seen written do. They owe it to the American people to tell the whole story of what American food policy has meant.

I am going to also look at what our European friends are doing on export subsidies. This is a pie chart of what the Europeans are doing on export subsidies. They account for 87 percent of the export subsidies in the world—the Europeans. The United States is this little sliver, 1 percent. The European Union is outgunning us 87 to 1. These are the hard realities that those of us who have a responsibility for writing agricultural policy have to cope with. Those of us who have actual responsibility, those of us who will be held accountable, the people in this Chamber, have to deal with reality, not fantasy, not misrepresentations, not the exceptions. We have to deal with what is right at the heart of the effect of American farm policy.

I would like to read one paragraph from the Wall Street Journal article from September 28 of this year. That article said this:

> The prospect for a long boom is riveting economists because the declining real price of grain has long been one of the unsung forces behind the development of the global economy. Thanks to steadily improving seeds, synthetic fertilizer and more powerful farm equipment, the productivity of farmers in the West and Asia has stayed so far ahead of population growth that prices of corn and wheat, adjusted for inflation, had dropped 75 percent and 69 percent, respectively, since 1974.

Let me repeat that:

> Thanks to steadily improving seeds, synthetic fertilizer and more powerful farm equipment, the productivity of farmers in the West and Asia has stayed so far ahead of population growth that prices of corn and wheat, adjusted for inflation, had dropped 75 percent and 69 percent, respectively, since 1974. Among other things, falling grain prices made food more affordable for the world's poor, helping shrink the percentage of the world's population that is malnourished.

You never see that report in the Washington Post—not once, no. To characterize this bill and this policy as a giveaway to farmers is not accurate or warranted. Total farm bill outlays for the commodity, conservation, nutrition, energy, and other priorities are estimated to represent less than 2 percent of total Federal outlays. Here is total Federal outlays. Here is what is going to the farm bill. This farm bill is going to be less than 2 percent of total Federal expenditure, and the commodity provisions that draw the fire are one-quarter of 1 percent.

We used to talk about the farm bill—the last farm bill being 3 percent of Federal outlays. Now we are down to less than 2 percent. Those who run out and—as the administration apparently will do tomorrow—chastise this bill for its spending, why don't they put it in perspective and level with the American people? Why don't they tell the whole story? Why don't they tell them that the old farm bill used to consume 3 percent of the Federal budget? This is down to 2 percent, and the commodity programs that used to be one-third of 1 percent are down to one-quarter of 1 percent. Why not tell the whole story? Why not give people the facts from which they can make a reasoned judgment?

We know the European Union is spending three times as much to help their producers as we spend to support ours. We know they are outspending us on export subsidies 87 to 1. We know the European Union is not the only culprit and that Brazil, Argentina, and China are gaining unfair market advantage through hidden subsidies.

I know what this means to my State. My State of North Dakota, according to North Dakota State University, says that without the farm bill, net farm income in North Dakota would have decreased from $77,000 per farm to about $13,000 per farm—a reduction of $64,000. That is how significant this is. The average net farm income for all farms was $77,000. Without the provisions of the farm bill, net farm income would average $13,000. The 2002 farm bill decreases the income variability by 47 percent. These are facts.

So I conclude that our current farm policy is working not just for farmers but for consumers and taxpayers. But that is not just my conclusion. Over the past 2 years, I have engaged in long conversations with people all across my State. They told me the 2002 farm bill had been a great success, and they recommended that we build on those successes by maintaining and rebalancing commodity programs, by promoting energy production in America so we are less dependent on foreign sources, so that instead of turning to the Middle East, we can look to the Midwest. Wouldn't that be great for America? We are spending almost $300 billion a year importing foreign oil. How much better would our country be if that money could be spent here rather than sending it to places all over the world?

The people back home have told me that ensuring predictable help is available for producers stricken by disastrous weather should be part of the farm bill, that we should enhance the conservation of our land and provide new resources for nutrition. All of those items are in this farm bill, and those who wrote it deserve to be proud.

Let me briefly talk about what I see as the high points of the bill before us.

In the commodity programs, this bill strengthens the producer safety net by rebalancing support for many crops. It leaves direct payments untouched. It increases loan rates for key American commodities, such as wheat, barley, sunflowers, and canola. It provides higher target prices for wheat, barley, oats, soybeans, and minor oil seeds that have for many years been treated less generously, less fairly than other commodities. Finally, it provides a new target price program for the pulse crops.

The Sugar Program sees modest improvements. There is a new sugar loan rate, a sugar-to-ethanol program modeled after what they do in Brazil that has led them to energy independence. They were at one time far more dependent than we are. They were getting 80 percent of their energy supplies from abroad. They are now on the brink of energy independence. There is a higher sugar storage rate, and the bill improves the safety net for dairy producers.

Specialty crop growers are getting a substantial boost under this bill. There is $2.5 billion of increased funding for nutrition, research, production, and market promotion programs that will further grow our fruit and vegetable industry.

There are also reforms to eliminate abuse and make farm programs more transparent. These include elimination of the three-entity rule and the requirement for direct attribution of farm program payments. If somebody is listening and says: What does that mean? very simply, it means there is going to have to be a living, breathing human out there getting farm program payments. They are not going to be able to hide behind a mishmash of legalisms, they are not going to be able to hide behind paper entities and nobody knows who gets the money.

This bill provides a new State revenue-based countercyclical program and contains a supplemental agricultural disaster assistance program that was crafted as part of the Senate Finance Committee work.

In particular, I again recognize Senator BAUCUS for his leadership on taking a concept advanced by the National Association of State Departments of Agriculture and making it a reality. It is extremely well thought out.

We are also aware of the tremendous financial pain caused by droughts, floods, hurricanes, and other acts of nature. When disasters occur, we respond, but sometimes those responses come much later than they should. A standing disaster assistance program sets us on a predictable and logical path to deal with disaster-related conditions for our farmers and ranchers.

In North Dakota 2 years ago, we faced conditions such as massive flooding, water as far as the eye could see, and there was no relief for 2 long years. That should not happen in America.

This supplemental disaster program has the following elements: a supplemental revenue assistance program that provides payments when the whole farm revenue falls below the whole farm revenue guarantee; an improved noninsured assistance program to more fairly protect crops that are not currently covered by crop insurance. Some crops are not covered by crop insurance. That doesn't mean there is not a program. Under the current law, the most people can hope to recover is 27.5 percent of what they lose—27.5 percent. That is the most they can possibly recover of losses they might suffer because of a natural disaster, 27.5 percent. Under this program, they will be able to do better.

There is a livestock loss assistance program to indemnify producers when deaths occur due to disaster-related conditions, a tree assistance program to help restore and replace damaged orchards and vineyards, and a speciality crop pest and disease prevention program to reduce the likelihood of disaster-related losses due to pest infestation.

The supplemental disaster program was built on sound principles authored by the State commissioners of agriculture: One, a predictable agriculture disaster program; two, it covers program crops, speciality crops, forage, and livestock; three, it provides assistance as a percentage of the difference between actual and expected whole farm crop revenue; it complements crop insurance and noninsured assistance programs. In fact, it creates an incentive to buy up. That is exactly what we should be doing, and that is in this bill.

This program is designed to be made available soon after a disaster hits, not after the auction signs go up. This picture is from my hometown newspaper earlier this year. "First the drought, then the auction." This picture is showing a farm auction in North Dakota from the perspective of this fellow's boot. I have been to these auctions. I have watched the mother of the family crying at the kitchen table after losing a farm that was in the family for 5 generations. I have seen farmers and their kids and the looks of agony on their faces as everything they have known is taken in a few hours. I have seen it. Anybody who has felt the emotion knows what I am talking about—incredibly good and decent people who lost it all, not because of something they did but because of the vagaries of Mother Nature, because of disease, because of movements in a market that are the most difficult to predict, other than the energy markets, of any market in this country.

If we want farm and ranch families to just be wiped out by natural disasters, we can do that, but that isn't America. When Katrina hit, Americans rushed to help out. My wife and I called the Red Cross to make our donation, and the man answering the phone told me he had never seen such an outpouring in his life of just average citizens digging in their own pockets to help people in another part of the country. That is America.

There is a history in farm country: If your neighbor gets sick and the crop needs to be harvested, all the neighbors come together and go out and harvest that farmer's crop. If a barn burns down, they don't wait for the insurance settlement; the neighbors get together and they build that barn back up. That is a good thing. That is right at the heart of what makes America a great place.

Let me briefly talk about the energy title that helps us reduce our dependence on foreign oil. The reason the bill is called the Food and Energy Security Act is because it makes smart investments in breaking our long-term dependence on foreign oil. That is why the energy title is the most exciting piece of this legislation, to me. It focuses on developing cellulosic ethanol. We cannot reach the level of ethanol use Congress has called for without it. There are simply limits to what corn-based ethanol can produce. With a cellulosic ethanol industry that can turn prairie grass or wood waste into fuel, we will be able to take full advantage of the agricultural abundance of our country. We have set ourselves on a path to freedom from relying on foreign despots for the energy we need.

This energy title will provide more than $2.5 billion, including the Finance Committee tax credits, to encourage production of advanced biofuels and renewable energy. The farm bill assists with biofuel and renewable energy production in several ways: It provides assistance for the establishment of renewable biomass crops; it includes grants and loan guarantees to develop advanced biofuels refineries; it provides an incentive for increased production of advanced biofuels; it helps farmers and rural small businesses invest in energy efficiency and renewable energy technologies; and it accelerates research and development of advanced biofuels.

I think this is the most exciting part of this bill. It is in every American's interest that we do this and we do it sooner rather than later. It is in this bill. It deserves people's support.

The conservation title enhances the conservation of our land with a $4.5 billion expansion from our current conservation efforts. It fully funds successful programs, such as the Wetlands Reserve Program, which is important environmentally, and the Grasslands Reserve Program. It also maintains the overall acreage limit for the Conservation Reserve Program.

Additionally, $20 million is provided to fund the Open Fields Initiative that I offered with Senator ROBERTS. Open Fields underwrites State programs that offer incentives to farmers and ranchers who voluntarily open their land to hunting, fishing, and people who might just want to take a walk or look at birds.

I am proud this bill boosts nutrition funding by almost $5.3 billion over 5 years. That is more than $1 billion higher than the House adds for nutrition. In fact, nutrition gets a bigger increase than any other area in this bill. Within that total, $1 billion for the fresh fruit and vegetable program that the chairman has championed is going to make a difference to kids in every State in the Union. Previously, we could only provide assistance to 14 States. Now every State in the Nation will be able to have a fresh fruit and vegetable program. We have also increased funding for the Emergency Food Assistance Program by $550 million over 5 years. This additional funding will allow food banks to serve those most in need. Who among us has not heard from our food banks that they are having an increasing difficulty meeting the demands made on them?

Finally, we have updated a number of food stamp policies for the first time in 30 years. These changes represent an additional $3.7 billion for that program.

In addition to all the important improvements I noted, this bill is fully paid for. It complies with the new pay-go budget discipline, and that has not been easy. We will hear from the administration tomorrow that somehow we have come up with $36 billion or $38 billion of new money. They arrived at that total by the most creative accounting I have ever seen.

The fact is this bill is $8 billion over baseline. The further fact is that this bill allowed us $22 billion less than we had when we wrote the last farm bill. Anybody who suggests this isn't fiscally responsible is not looking very hard.

When the 2002 farm bill was written, the Ag Committee had $73.5 billion in new resources to utilize in addressing the challenges of that bill. As many in this body remember, that was not an easy process. Well, this year the Agriculture Committee, working in close cooperation with the Senate Finance Committee, had only $8 billion above baseline in new funding resources. And as I have indicated, even with that, we were $22 billion below on a baseline basis of what was available for writing the last farm bill. At the same time, by rebalancing and reformulating the commodity title and establishing a standing Agriculture Disaster Assistance Program, the committee has been able to maintain and improve the economic safety net for our farmers, including those who produce specialty crops. At the same time, the adjustments made in the commodity title, when coupled with the funding made available by the Finance Committee, allow this legislation to provide about $10.7 billion that is used to address other priorities within the jurisdiction of the Agriculture Committee.

So hear me now. Hear me now. We have reduced the commodity portion. We have reduced crop insurance. Commodities provide 34 percent, crop insurance provides 32 percent, and the Finance Committee provided 28 percent. Those are the funding sources to increase conservation by 39.4 percent of the total, nutrition got 46.8 percent of the increases, energy 9 percent, and other 4.7 percent. So this is where the money came from. It came from commodities and crop insurance and it went to conservation and nutrition. That is a fact.

That is not the only fact we ought to draw people's attention to. We also ought to point out that if you look ahead on this farm bill to where all the money goes—you look at this whole bill and where the money goes—66 percent goes to nutrition, conservation 9 percent, crop insurance 7.6 percent, commodity programs 13.6 percent—a dramatic reduction from the previous farm bill. And that is a fact. That is a fact. I think in the last farm bill commodities were at about 15 percent.

So this has been no easy task, but the farm bill we are considering represents a tremendous effort by Chairman HARKIN, by Ranking Member CHAMBLISS, as well as by Chairman BAUCUS and Ranking Member GRASSLEY. I tell you, I have never seen a better team effort in this Chamber, a more bipartisan effort than was made on this farm bill. When has a farm bill ever come out of the committee—with 21 Members of the Senate on that committee—when has a farm bill ever come out without a dissenting vote? I have been here 21 years. I have never seen that kind of bipartisan support as we saw for this bill. And why? Because it is deserved. It is deserved because this bill breaks new ground. It is the beginning of reform. It commits substantial new resources to nutrition that is already by far the biggest part of farm legislation, and it has the hope for America being able to reduce its dependence on foreign energy. That is right at the heart of this bill. That is why we call it the Food and Energy Security Act.

I commend the leaders for their hard work. It has been the result of months of bipartisan collaboration. And, as I have said, it is fully paid for. Over the next several days, I expect we will hear some colleagues unfairly criticize the bill for providing an economic safety net for our producers. Let me remind my colleagues that current law is estimated by CBO to spend almost 15 percent of total mandatory outlays for the commodity programs, with 66 percent of the estimated outlays going to support food stamps and other nutrition programs to the needy, and just under 8 percent of the outlays are for resource conservation programs.

Under the bill proposed by the Senate Agriculture Committee, the amount for commodity programs is reduced more than 11 percent to 13.6 percent of total outlays. Spending for nutrition programs remains at about two-thirds of total outlays, and conservation spending is increased nearly 17 percent to 9 percent of total estimated spending.

In closing, this farm bill represents an investment in American agriculture that will benefit our producers, our rural communities, our Main Street businesses, taxpayers, and consumers, and particularly the most needy among us. It deserves the support of every Senator.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, before I make my comments on the farm bill, I want to follow up on something that the Senator from North Dakota said about the bipartisanship of this bill, and that is to remind people who might be listening that what they see on the evening news about dissension within Congress does not present a very clear picture of the way Congress operates.

We can all say there is too much partisanship, but in the final analysis, at least as far as the Senate goes, nothing is ever going to get done here unless it is bipartisan. So I compliment the Senator from North Dakota for speaking about the bipartisanship of the farm bill that is now before the Senate, but I take that opportunity to remind people when you have 51 Democrats and 49 Republicans and you have a filibuster, it takes 60 votes to move forward to stop a filibuster and to get finality on a bill. We would never get anything done in the Senate if it weren't at least somewhat bipartisan.

I say to the American people who watch television at night and get fed up because there is talk about too much partisanship going on in the Congress and too many things being done to make one party look better than the other party and vice versa, this farm bill is an example of how things get done in the Senate because parties must work together or nothing would get done. This farm bill will be passed by the Senate for the reason that it is bipartisan.

I thank my colleagues who have worked so hard on this bill, particularly the leadership of the Senate Agriculture Committee, and Senator HARKIN for his leadership in this area. It is a lot of hard work to bring a bill to the floor that supports rural America when you consider only about 2 percent of the people in this country are producing the food that the other 98 percent eat.

While this bill isn't perfect, it is something that will help the family farmers. The most important job the committee has to do every 5 years is to write a farm bill. It is not all we do. We operate in a lot of different areas. But one of the most important things the Agriculture Committee does is provide a safety net for farmers, and we generally review and rewrite that piece of legislation every 5 or 6 years.

I am glad that in addition to the Agriculture Committee being involved in this bill, as the Senator from North Dakota has pointed out, the Finance Committee has had a part of the action, because we were able to contribute to that process and free up over $3 billion for the Agriculture Committee to spend on priorities that are very important for the Agriculture Committee.

What is more, for the first time I am aware of, we will be merging our agricultural tax policy with the Agriculture Committee's authorization and spending policy. This bipartisan tax package frees up conservation dollars for programs that we have backlogs in, closes tax loopholes, provides support for our growing cellulosic technology for ethanol, encourages rural economic development, and helps family farmers to get started in the business of agriculture.

I have never been a big proponent for a permanent disaster program, but there are a few key items I want to point out about the bill that is before us. This program will set up a permanent system to administer disaster aid. We won't have to go through the trouble then of setting up a new way to administer a disaster program every time we do an ad hoc disaster package, as we have done from year to year as disasters might happen.

Also, what is most important to me about this part of the farm bill that comes from the Finance Committee is that it is tied directly to crop insurance. We want to promote farmers managing their own risk, and one way to do that is through the crop insurance program. Now, the crop insurance program might not cover all disasters, so that is why this program is set up. But as a precondition to participating in the disaster program that is in the Finance Committee's provisions that are going to go into this farm bill is that each farmer who wants to benefit from it has crop insurance.

In my home State of Iowa, we have a very successful crop insurance system. I like that farmers have to take risk mitigation into their own hands. Tying the two together was the only way it would work. I know this body will be looking at additional provisions that might affect the crop insurance program. I am not opposed to changes, but I urge my colleagues to be careful that we don't undermine a successful risk tool for our farmers. I believe we should give producers as many tools as possible to provide them an adequate safety net. An optional revenue protection program is a step in the right direction. Farmers should be able to make the best choices for their individual operations based upon the level of risk management that they, as their own manager, decide they need. I am glad to see that option included in the farm bill, and I look forward to anybody suggesting improvements in that program.

One of the most important titles in the Agriculture Committee bill, and it is added for the first time to a farm bill, is the livestock competition title. I am glad to see a compromise on legislation that we call COOL—an acronym for country-of-origin labeling—and I look forward to the law being implemented quickly. This COOL legislation was actually passed 5 years ago, but it has been held up by action on separate appropriations bills over the years so that this law has never been implemented. Hopefully, once and for all, it will be implemented, because it is a darned good time to let consumers know where their food comes from. The country of origin of their food is as important as their knowing the country of origin of any other product they might buy as a consumer in the United States. That is the law for every other product that consumers buy—that they know what country it comes from—so why not the same requirement for food as well?

We have also put a ban on mandatory arbitration in production contracts. This isn't to say a producer can't agree to arbitration once a dispute arises. In fact, I am very much a supporter of the process called arbitration, but I am very much opposed to mandatory arbitration. Because of this legislation, processors can no longer force these arbitration clauses on farmers who have no choice but to sign the contract for lack of competition.

I am also very pleased that my amendment to ban packer ownership for owning or feeding livestock has been accepted into this package by Senator HARKIN and other leaders on the committee. This is very good news for small livestock producers who deserve to make sure the competitive marketplace is working. One of the things that brings this about is the meat processing industry has said very clearly from time to time: Why do they own livestock? They own livestock—they say, in their words—because when prices are high, they can kill their own livestock. When prices are low, they buy from the farmer. I think it is easy to see how demoralizing that is to the family farmer when he sees, working hard to produce a product, that somehow he can be undercut by the vertical integration of meat packers owning their own livestock.

While this does not accomplish all that we need in this area of enhanced competition for the family farmer, it is an important first step toward remedying the biggest problem facing farmers today, the problem of concentration in agriculture, particularly in agribusiness. Senator HARKIN and I, along with other Members of this body, will be offering additional reforms that are critical to a vibrant future in the livestock industry. I call on my fellow Senators to support the livestock title and these additional reforms.

Another issue I have been working to address through the farm bill relates to the administrative rules issued by a department unrelated to agriculture, the Department of Homeland Security—well, related in the sense that they have responsibilities to make sure that products coming into our country are safe. But this regulation I am talking about is their attempt to regulate stored quantities of propane energy sources.

Earlier this year, the Department of Homeland Security issued regulations that required registration of all propane tanks storing 7,500 pounds of propane. These regulations were unduly burdensome and disproportionately impacting rural American homeowners, farmers, and rural small businesses. Senator HARKIN included a provision in the farm bill that I authored that would reduce this impact on rural Americans.

Coincidentally, after the provision was included, the Department of Homeland Security stepped up and increased the threshold quantity of propane, exempting many small homeowners, farmers, and small businesses by excluding tanks smaller than 10,000 pounds of propane and raising the threshold to 60,000 pounds per large tanks. That is a movement in the right direction. This change in regulation by the Department of Homeland Security is welcome, but the Department should have alerted everyone in advance and eliminated the need for us to include a provision in this bill at all. That said, we are currently working on some new language that would ensure that the Department of Homeland Security reports to Congress on the impact its new rule will have and ensure that rural Americans are not disproportionately impacted.

As a family farmer on the Agriculture Committee, I have made it my job to look out for small- and medium-sized family farmers. However, the position of the family farmer has become increasingly weaker as there has been consolidation in agribusiness, and it seems to have reached an alltime high. Farmers today have fewer buyers for their products and fewer suppliers to buy their inputs from. It seems this concentration is more now than ever before. The result is an increasing loss of family farms and the smallest farm share of the consumer dollar in history. It is important for us to remember that family farmers ultimately derive their income from the agricultural marketplace, not from the farm belt. Family farmers have, unfortunately, been in a position of weakness in selling their products to large processors and in buying their imports from large suppliers.

I have been fighting for real payment limitations since the last farm bill. I have, to some extent, over a period of decades in Congress, helped to pass farm bills. Senator DORGAN of North Dakota and I realize that a hard cap on payments is a most effective tool in helping our small farmers get a level playing field with the corporate megafarms. Ask a taxpayer if a quarter of a million dollars is enough for a farmer. That is what our cap is going to be. I think we would all know the answer to that question would be very positive.

The family farmer continues to struggle with land prices literally skyrocketing. Landlords know what kind of payments the farmer is getting and takes that into account in the rent they charge. We cannot sit idly by and do nothing while family farmers suffer. I certainly am not going to. That is why I pushed for reform in our laws that has an effect on family farmers and particularly in helping young farmers get started in farming.

The time for real reform is now. Our family farmers deserve it. I think we have a good start on a good package for rural America. An adequate safety net will assure us a safe and abundant food supply. It is critical to our economic and energy independence for the future. I look forward to the debate over the next few days to improve this bill, and I would like to highlight the issue of a hard cap on farm payments.

Presently, we have 10 percent of the large farmers in America getting 72 percent of all the money we put into a farm bill. There is nothing wrong with big farmers getting bigger, but there is something wrong when we have subsidies and farm programs going to big farmers who are getting bigger partly because of subsidies. What we want to do is maintain urban support for a farm safety net for farmers. It seems, in order to maintain that safety net, we are going to have to maintain credibility with urban taxpayers and urban consumers. We cannot do that very easily when big farmers—10 percent—are getting 72 percent of the benefits out of it because the taxpayers in the cities are going to start raising the question: What is this farm safety net all about if it is only helping the biggest of farmers? To get a farm bill through the House of Representatives, where urban representation is so all-powerful, it is very important for us to take that into consideration.

Another factor we need to take into consideration is the extent, as I have already alluded to, this drives up the cash rent, so it is very difficult for a generation of new farmers to start farming when they have the unfair competition of 10 percent of biggest farmers getting 72 percent of the benefits out of the farm program.

Then it seems to me we ought to take into consideration what has been the history of the safety net for family farmers. It generally has been targeted toward medium- and small-sized farmers. Why? Because these are the people, when they have an opportunity to farm and things happen that are beyond their control—that could be a natural disaster; that could be Nixon freezing beef prices, as he did; it could be, in the same administration, prohibiting the export of soybeans when they got $13 a bushel, driving it down to maybe $3 a bushel in just a matter of a few days. You can have international war. You can have energy at a high price as it is now because of OPEC. All of these are beyond the control of the family farmer. The small- and medium-sized farmer does not have the ability to withstand some of these things that are beyond his control. But there is a certain level of efficiency, a certain level of bigness in farming where you have enough staying power so that you can withstand some of that.

We, through payment limits, have tended to target the farm program toward small- and medium-sized farmers. It is quite obvious that when 10 percent of the biggest farmers get 72 percent of the benefit out of the farm program, that targeting is no longer the case. What Senator DORGAN and I are trying to do in our amendments that will come up shortly is to make sure we keep that targeting and safety net what it really is—a safety net to help people when they have problems beyond their own control, to overcome them, to survive in business, to keep producing. Why? Because we have come to the conclusion, after a century and a half, that the family farmer is the most efficient food-producing institution anywhere in the world. We ought to maintain it. We ought to keep it strong. This legislation will do that. Some improvements we can make in that legislation in the areas of payment caps will help even more so.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I am pleased to come to the floor of the Senate to support the farm bill. I believe the committee has produced a good bill. I believe, as my colleagues Senator CONRAD and Senator GRASSLEY have said, and before them Senator HARKIN and CHAMBLISS—they have talked about the need for a farm bill, No. 1, and, No. 2, the ability to produce a bill that gives farmers some hope.

It is late in the year. My hope is we can pass a bill here, go to conference with the House, and give farmers and their lenders and others some certainty by the end of this year about what the rules will be, what the farm program will be as they begin to think about getting into the fields in the spring. They are already planning for spring planting, and they need to understand what the rules are.

This is a very important debate. I congratulate and say to my colleagues: You have done a good job. It has been bipartisan. I, like my colleague from Iowa, Senator GRASSLEY, believe we can improve it in a couple of places. I believe we can do that, but I support this bill.

I want to try to give some description to what this is about. It is not just about statistics. It is not just about theory. It is about people who populate this country, living out on the land by themselves, under a yard light, trying to raise a family, trying to raise a crop, risking everything. They are called family farmers and ranchers. In most cases, they live out in the country alone. It is them against the odds. They are having to confront uncertain weather, uncertain commodity prices, and uncertain international events that can affect whether they can make a living or not—all of these things.

We are here in suits and ties, and we debate. What a wonderful thing. Unlike us, the farmers take a shower after work. We take a shower before work, and then we put on a suit and tie. But the family farmers in this country, in most cases they get up and do chores. They say it is doing chores—5, 6 in the morning, get up, get out, and get busy. They work hard all day, and they are out there by themselves. They are a sole proprietor running their own business, living under a yard light, hoping things go well. They plant a crop; they plant a seed in the ground. They hope it will grow. Maybe it will. They hope they don't get too much rain. They hope they get enough rain. They hope if the seed grows it doesn't develop some sort of plant disease. They hope it doesn't hail, and they hope at some point they will be able to harvest it. And when they harvest it, they hope there will be a price at the elevator that gives them half a shot at making a profit.

These are all hopes. The only way a farmer can live is on hope—hope that things will be better, hope that tomorrow is going to be better. These are families who live on hope.

This piece of legislation, this farm bill, gives those families some assurance, a safety net, to get them over difficult times.

When price swings move up and down, this safety net is a bridge over those price valleys that say to family farmers: We think you matter to this country. We think the fact that you exist makes a difference. We think the fact that families produce America's food makes a difference to this country.

Now, family farms produce a lot more than crops. They also produce communities. I come from one of those communities, 300 people. The arteries that fed life into that small community were the family farmers all around it. On Saturday nights, you could not find a parking place on Main Street because family farmers came to town to talk about the weather, talk about the crops, visit with neighbors. It is what a rural lifestyle is about. It is about producing communities.

An author named Critchfield once described family values in America. He said: Family farms are the very seedbed of family values.

And those family values roll from the family farms to small towns to big towns to nurture and refresh the value system of this country.

There is a poet in North Dakota who is a farmer and rancher named Rodney Nelson. Rodney wrote a piece that asked, plaintively: What is it worth? It says exactly what should be said here. He asked this question: What is it worth for a kid to know how to plow a field? What is it worth for a kid to know how to grease a combine? What is it worth for a kid to know how to pour cement? What is it worth for a kid to know how to weld a seam? What is it worth for a kid to know how to build a lean-to? What is it worth? He said: All of those skills you learn on the family farm. It is the only university in our country where they teach all of those skills. What is it worth to the country, he asks?

It is a good question. I hope the answer is rooted in a farm bill that says to those family farms: We want you to have a chance to continue because we think you add great value to our country, to our culture.

There are many who do not have the foggiest notion of what family farming is about. I remember I took a Congressman with me from the east coast to come to North Dakota on a trip some while ago. We went to North Dakota, and one of the stops was at a dairy barn, George Doll's dairy barn, north of New Salem, ND.

We stood in that dairy barn with the soft light of the late afternoon coming through the boards on that barn. The cattle came in to be milked. The milk cows came in and went to their assigned stanchions, and George Doll and his wife began milking 80 cows.

And my colleague from the east coast, in a blue pin-stripped suit, observed this standing in that dairy barn, and realized this is a lot of work. So, finally, he said to me: How often do they do this, BYRON?

I said: Well, they do this twice a day. They do this in the morning and again in the evening.

I said to George: What time do you get up?

He said: We start about 5 in the morning, then we do it about 5 in the evening.

Then he watched for a while more and then he said to George, he said: George, do you have to do this on weekends?

He did not know you milk cows 7 days a week, twice a day. He did not know that. There would have been no reason to know that milk comes from anywhere but a carton, unless you go to a farm that is milking cows and see what kind of work it is.

So it seems to me there is much to be said about the value system, in talking about family farming.

Now, I wish to make one other point. Some talk about agriculture. I prefer to talk about family farming. If this is not about family farms, we do not need the bill. We would have probably separate pieces of legislation dealing with nutrition and so on, food stamps.

But it seems to me the question of a safety net is almost exclusively the question: Do we want to try to help family farmers through tough times? The big corporate agrifactories, they can make it through tough times. If you have a real tough time, price depressions and other things, the big corporate agrifactories, they can make it through there, but the family farms get washed away. So we developed instead a safety net. That safety net is rooted in the legislation before us, which incidentally I think improves the safety net.

That is why I like this bill. It also includes a disaster title. That is why I like this bill. I think it was important to do. I had included a separate piece of legislation calling for a disaster title. I am very pleased this bill contains a disaster title.

Now, my colleague from Iowa indicated he felt there should be some additional reform, as do I, so we will offer, perhaps tomorrow or perhaps a day later, a piece of legislation that will provide some further limitations on payments.

Why would we do that? Because I worry what is going to happen is we are going to erode the support for the farm program if we do not provide the reforms and changes that are necessary. One of those reforms, and part of that change is payment limitations, so that we are structuring this to try to provide the most help to family-sized farms.

I do not have anything against big corporate agrifactories. If they want to farm two or three counties, God bless them. But I do not think the Federal Government has a responsibility to be their banker. They are big enough to be a big corporate agrifactory, and they have got the financial strength to get through tough times.

We ought to provide a safety net to help those families through tough times to stay on the land. So the proposal we offer is a proposal that does say a couple of important things: One, there is a payment limitation of $250,000, a hard cap.

I will admit the piece of legislation that has come to the floor of the Senate includes some significant improvements. It eliminates the three entity rule, which is a significant reform. It has an adjusted gross income requirement, of sorts. So it does make some progress in a couple of areas. But it does not, for example, cap payments for all of the payments. It has been said that the committee bill caps payments at $200,000.

But it leaves out the LDP, the marketing loan, or loan deficiency payment. Because it exempts marketing loans and makes them unlimited, every single bushel of commodity in America has effectively an unlimited price support.

Well, there needs to be a limitation on that, on the direct payment, the countercyclical payment, and the marketing loan, which produces an LDP. There ought to be a limitation.

Second, it seems to me reasonable that we would limit farm program payments to those who are actively involved in farming. That ought not be radical. An arts patron from San Francisco, I will not use her name, but a patron of the arts in San Francisco gets $1.2 million in support payments over three years. An arts patron who has nothing to do with farming, her grandfather had something to do with farming, but she does not, she collects $1.2 million from the farm program.

Is that sort of thing going to ruin the reputation of the farm program at some point? I think it will. Another related problem is what they call cowboy starter kits. They have a situation in rice country where, going back to 1985, if you grew rice on the land, you now own that land, and it is still rural land, you do not have to produce rice for a quarter century, you get a farm program payment. You do not have to be a farmer to get the payment.

In Texas, north of Houston, they were selling cowboy starter kits. Ten acres of land, put a house on 1 acre, run a horse on 9 acres. You have never farmed, you do not have to farm, and you have 9 acres you can get farm program price supports because they grew rice on it 20 years ago. That is not justifiable.

One of the ways to shut that done, of course, very simply and very effectively, is to say: If you are going to get benefits, you have to have some real tangible connection to farming.

So my colleague, Senator GRASSLEY, and I will offer an amendment that is very simple. It is not at amendment that is attempting to undo this important piece of legislation, it is an attempt to improve it and improve it in a way that will give it even more credibility.

A payment limitation of $250,000 and a requirement that you have active involvement in farming if you are going to get a farm program benefit. So that is what we would intend to do. My hope is that working with Senator HARKIN and Senator CHAMBLISS, we will be able to offer that, perhaps tomorrow.

I would be willing to come in the morning, and with my colleague, if he is available, I see he is still on the floor, and perhaps we can reach agreement, offer an amendment, and have that debate.

At any rate, it is my hope to be helpful to both the chairman and ranking member to move this legislation. We are going to have a couple of these discussions where there will be disagreement, we will have a vote, we will see what the view of the Senate is. But I want this piece of legislation to be done. I would like to improve it some. But I give this bill good marks. I am going to be a supporter on the floor of the Senate, working to try to get this through the Senate, get it passed, get it to conference so we can tell family farmers: Here is what we are going to do. Here are the rules.

I might say, finally, I hope when we have completed our work, I hope the President will be supportive as well. That is another part of this process. I know many are working with the President for that support.

As I have indicated earlier, I know there are thousands, tens of thousands, hundreds of thousands of farmers out around the country waiting for an answer. What will the farm program be as they begin to think about getting into the fields next spring? They can hardly wait. That is the nature of being a farmer.

I mean they want to get on a tractor, they want to get moving, they want to plant some seeds, they want to buy some cattle. That is the way it is because they live on hope.

My expectation is we can give them much greater hope if we pass a piece of legislation that says to them: This country wants to invest in your future. If you are a farmer living out there alone, trying to raise a crop and a family and you run through a tough patch, you run through some tough times, we want to help you.

The farm bill says to those farmers: You are not alone. This country believes in the merit and value of having a network of family farms populating this country, producing food for a hungry country.

Having said all that, let me again thank my colleagues for the bill they have produced. I look forward to being here tomorrow with my colleague, Senator GRASSLEY, and offering an amendment. Then further, working this week, perhaps by the end of this week or at least into next week, to get this piece of legislation through and get a final vote on it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak for 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION REFORM

Mr. GRASSLEY. Mr. President, earlier this year, the Senate tried to solve the very complex and emotional issue of immigration reform. The immigration bill we considered included border security, interior enforcement, and amnesty.

It also included many needed reforms to our legal immigration process. I said throughout the debate that Congress needs a long-term solution to the immigration issue. We cannot pass a bandaid approach that includes a path to citizenship for law breakers; rather, Congress needs to improve our legal immigration channels.

I firmly believe companies want to hire legal workers, and people want to enter the United States legally. If we fix our visa policies, we can restore integrity to our immigration system, and all parties can benefit. But if we cannot pass a comprehensive bill—and I think as time goes on it is going to look more difficult as we go into an election year—if we cannot pass such a comprehensive bill, I think that we should consider passing legislation we can agree on.

I am taking the floor at this time to talk about the H–1B visa provisions that were included in the immigration bill and ask my colleagues to take a second look at these needed reforms.

Many companies use H–1B programs. It has served a valuable purpose. But we need to reevaluate how this program operates and work to make it more effective. The H–1B program was officially created in 1990, although we have brought foreign workers legally into our country for over 30 years.

It was brought into existence to serve American employers that needed high-tech workers. It was created to file a void in the U.S. labor force. The visa holders were intended to file jobs for a temporary amount of time, while the country invested in American workers to pick up the skills our economy needed.

We attached fees to the visas that now bring in millions of dollars. These fees and the dollars that come with it are invested in training grants to educate our own workforce. We use the funds to put kids through school for science, technology, engineering, and math skills. We provide students with scholarships with the hope that they will replace imported foreign workers.

Unfortunately, the H–1B program is so popular, it is now replacing the U.S. labor force rather than supplementing it. The high-tech and business community is begging Congress to raise or eliminate the annual cap that currently stands at 85,000 visas each year. These numbers do not include and account for those who are exempt from the cap. For instance, we don't count employees at institutions of higher education or nonprofit research organizations. We don't count those who change jobs or renew their H–1B visa. My point is, we have many more than 85,000 H–1B visas distributed each year. I am here to tell my colleagues that increasing the visa supply is not the only solution to the so-called shortage of high-tech workers.

Since March of this year, the Senator from Illinois, Mr. DURBIN, and I have taken a good look at the H–1B visa program. We have raised issues with the Citizenship and Immigration Service as well as the Department of Labor. We have asked questions of companies that use the H–1B visa, and I have raised issues with attorneys who advise their clients on how to get around the permanent employment regulations. I would like to share what I have learned. I want to give some fraud and abuse examples. Unfortunately, there are some bad apples in the H–1B visa program.

In 2005, a man was charged with fraud and misuse of visas, money laundering, and mail fraud for his participation in a multistate scam to smuggle Indian and Pakistani nationals into the United States with fraudulently obtained H–1B visas. The man created fictitious companies, often renting only a cubicle simply to have a mailing address. He fabricated tax returns and submitted over 1,000 false visa petitions.

Another man pled guilty last August to charges of fraud and conspiracy. This man and an attorney charged foreign nationals thousands of dollars to fraudulently obtain H–1B visas. He provided false documents to substantiate their H–1B petitions. The Programmer's Guild, a group representing U.S. worker interests, filed over 300 discrimination complaints in the first half of 2006 against companies that posted "H–1B visa holder only" ads on job boards. Anyone can go on the Internet and find jobs that target H–1B visa holders.

There are more than just national anecdotes, however. Everyday Americans are affected. Since looking into the H–1B visa program, some of my constituents have come to me and spoken out against abuses they see. One of my constituents has shared copies of e-mails showing how he is often bombarded with requests by companies that want to lease their H–1B workers to that Iowan. There are companies with H–1B workers who are so-called "on the bench," meaning they are ready to be deployed to a project. Hundreds of foreign workers are standing by waiting for work. Some call these H–1B "factory firms." This Iowan even said one company went so far as to require him to sign a memorandum of understanding that helps the H–1B factory firm justify to the Federal Government that they have adequate business opportunity that requires additional visa holders. It is a complete falsification of the market justification for additional H–1B workers.

These firms are making a commodity out of H–1B workers. They have visa holders but are looking for work. It is supposed to be the other way around. There should be a shortage or a need, first and foremost. Then and only then do we allow foreign workers to fill these jobs temporarily.

Another constituent sent me a letter saying that he saw firsthand how foreign workers were brought in while Iowans with similar qualifications were let go. He tells me he is a computer professional with over 20 years experience. He was laid off and has yet to find a job. He states:

> I believe [my employer] has a history of hiring H–1B computer personnel at the expense of qualified American citizens.

Another Iowan from Cedar Falls wrote in support of our review of the H–1B program. He is a computer programmer with a master's degree and over 20 years of work experience in that field. He says:

> Despite all of my qualifications, in the last four years I have applied to over 3,700 positions and have received no job offers.

He believes he is in constant competition with H–1B visa holders.

I received a letter from a man in Arizona who works for a company that employs dozens of H–1B workers. When he asked his supervisor why so many foreign nationals were being hired, the head of human resources said:

> If the company has an American and a person from India, both with the same skill set, the company will hire the person from India because they can pay them less.

These are firsthand stories from U.S. workers. I ask those begging for an increase in foreign workers to explain these cases to me. Why are Americans struggling to get jobs as software developers, data processors, and program analysts?

Senator DURBIN and I inquired with several foreign-based companies that use the H–1B program. Rather than sending a letter to all companies that use the program, which would be over 200 companies, we decided to start our investigation with foreign-based entities. Our intention was to learn how foreign companies are using our visas. We learned that the top nine foreign-based companies used 20,000 visas in 2006. Think of what a high percentage that is of the 85,000, just nine foreign-based companies, 20,000 visas in the year 2006. I say that twice for emphasis. It just so happens that Indian companies are using one-third of the available visas we allocate each year, but there is more to learn. We are not done asking questions. We, meaning Senator DURBIN and I, continue to talk to U.S.-based companies and companies in our own States that use the program.

The Citizenship and Immigration Service also has concerns. Our review has prompted discussion among the executive branch, businesses, labor unions, and workers, and workers are the ones we are concerned about. So we are not the only ones asking questions. The U.S. Citizenship and Immigration Service is also worried about fraud in the program. This agency's investigative arm, that subdivision called the Fraud Detection and National Security unit, is doing a fraud assessment of the H–1B and L visa programs. I asked the unit to brief my staff on their work, and they reported they are not finished with analyzing the data. Senator COLLINS of Maine and I put the agency on notice that we are anxiously awaiting this report so we may continue our quest to reform the program appropriately. In the meantime, the bill Senator DURBIN and I introduced includes measures to rein in the abuse. It goes a long ways to close some loopholes to protect American workers. It is our hope that these measures will bring the program back to its original mission; that is, to help U.S.-based companies find highly skilled workers to fill the shortage for a temporary period of time. That is what the H–1B visa program is all about.

Under current law, companies can bring in foreign workers on an H–1B visa without first attempting to hire an American. Our bill would require every employer to attest that it is not displacing a U.S. worker by hiring an H–1B visa holder and that the employer has taken good-faith steps to recruit U.S. workers for the jobs in which an H–1B visa holder is being sought. Why would anyone oppose this measure? Our bill also gives more oversight and investigative authority to the Department of Labor. Right now the Department may only review labor certification for "clear indication of fraud and misrepresentation." The Secretary of Labor is unable to review applications for anything but what the law calls incompleteness and cannot initiate an investigation unless requested. This means the Labor Department in effect is required to turn a blind eye to information that is suspicious.

To remedy this problem, our bill provides the Department of Labor the ability to initiate an investigation on its own and gives the Department of Labor more time to review applications. The Department could also do random audits of any company that uses the program. Aside from these measures, our bill would prohibit employers to only advertise available jobs to H–1B visa holders. It would encourage information sharing between the Department of Labor and the Department of Homeland Security. It would double the penalties for employer noncompliance with the H–1B program requirements.

I am happy to report that most of these commonsense solutions were included in the immigration bill. I challenge any of my colleagues to oppose these needed reforms before we talk about increasing the number of H–1B visas or at the very least in conjunction with that process.

Today I take the floor to tell my colleagues that I am willing to work on this issue before the end of the year. I know businesses want more visas. I know groups that represent workers and visa holders want reforms. I know the American people want a sensible system in place that gives their children a chance at these highly skilled jobs. Some of my colleagues think the solution is increasing the annual cap on H–1B visas and doing nothing else. Before we agree to import more foreign workers, let's restore integrity in this H–1B program. The system needs a makeover. I am willing to consider an increase in the H–1B visa supply, but only if reforms are included. We must fix the loopholes before we just allow more foreign workers to come in and take jobs that Americans want to do. I would think my colleagues would want this program to work as it was intended by its original authors. My colleagues should want to protect the jobs of our various constituencies and help our businesses find the workers they truly need.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak therein for up to 15 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

(The remarks of Mr. WHITEHOUSE pertaining to the introduction of S. 2305 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

CHANGES TO S. CON. RES. 21

Mr. CONRAD. Mr. President, section 307 of S. Con. Res. 21, the 2008 budget resolution, permits the chairman of the Senate Budget Committee to revise the allocations, aggregates, and other appropriate levels for legislation, including one or more bills and amendments, that reauthorizes the 2002 farm bill or similar or related programs, provides for revenue changes, or any combination thereof. Section 307 authorizes the revisions provided that certain conditions are met, including that amounts provided in the legislation for the above purposes not exceed $20 billion over the period of fiscal years 2007 through 2012 and that the legislation not worsen the deficit over the period of the total of fiscal years 2007 through 2012 or the period of the total of fiscal years 2007 through 2017.

The Senate is considering an amendment in the nature of a substitute to H.R. 2419 that consolidates the following: S. 2302, the Food and Energy Security Act of 2007, which was reported by the Senate Committee on Agriculture, Nutrition, and Forestry on November 2, 2007; S. 2242, the Heartland, Habitat, Harvest, and Horticulture Act of 2007, which was reported by the Senate Committee on Finance on October 25, 2007; and a number of technical and other corrections made to both bills. I find that the consolidated legislation satisfies the conditions of the deficit-neutral reserve fund for the farm bill. I am pleased to report to the Senate that this legislation is fully paid for over both the 2007 through 2012 time period and the 2007 through 2017 time period. Therefore, pursuant to section 307, I am adjusting the aggregates in the 2008 budget resolution, as well as the allocation provided to the Senate Committee on Agriculture, Nutrition, and Forestry.

I ask unanimous consent to have the following revisions to S. Con. Res. 21 printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 307 DEFICIT-NEUTRAL RESERVE FUND FOR THE FARM BILL

[In billions of dollars]

Section 101	
(1)(A) Federal Revenues:	
FY 2007	1,900.340
FY 2008	2,024.835
FY 2009	2,121.607
FY 2010	2,176.229
FY 2011	2,357.094
FY 2012	2,498.971
(1)(B) Change in Federal Revenues:	
FY 2007	−4.366
FY 2008	−25.961
FY 2009	14.681
FY 2010	12.508
FY 2011	−37.456
FY 2012	−98.125
(2) New Budget Authority:	
FY 2007	2,371.470
FY 2008	2,508.833
FY 2009	2,526.124
FY 2010	2,581.369
FY 2011	2,696.797
FY 2012	2,737.578
(3) Budget Outlays:	
FY 2007	2,294.862
FY 2008	2,471.548
FY 2009	2,573.005
FY 2010	2,609.873
FY 2011	2,702.839
FY 2012	2,716.392

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 307 DEFICIT-NEUTRAL RESERVE FUND FOR THE FARM BILL

[In millions of dollars]

Current Allocation to Senate Agriculture, Nutrition, and Forestry Committee:	
FY 2007 Budget Authority	14,284
FY 2007 Outlays	14,056
FY 2008 Budget Authority	13,464
FY 2008 Outlays	12,939
FY 2008–2012 Budget Authority	67,878
FY 2008–2012 Outlays	65,557
Adjustments:	
FY 2007 Budget Authority	0
FY 2007 Outlays	0
FY 2008 Budget Authority	3,624
FY 2008 Outlays	1,690
FY 2008–2012 Budget Authority	9,003
FY 2008–2012 Outlays	5,492
Revised Allocation to Senate Agriculture, Nutrition, and Forestry Committee:	
FY 2007 Budget Authority	14,284
FY 2007 Outlays	14,056
FY 2008 Budget Authority	17,088
FY 2008 Outlays	14,629
FY 2008–2012 Budget Authority	76,881
FY 2008–2012 Outlays	71,049

HONORING OUR ARMED FORCES

CAPTAIN TIMOTHY I. MC GOVERN

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave soldier from Idaville, IN. CPT Timothy McGovern, 28 years old, died October 31 in Mosul, Iraq. Captain McGovern died of injuries he sustained when an improvised explosive device detonated near his vehicle. With an optimistic future before him, Timothy risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Timothy was a graduate of Twin Lakes High School and Purdue University, where he began his military service in the Reserve Officers Training Corps. At Twin Lakes, he was a leader on the football team and ran on the track team. His football coach and uncle, Mike Wright, said that he could depend on Timothy on the field because of his intelligence and positive attitude. He always supported his teammates. Later in life, he would support his fellow soldiers.

Timothy wanted to be a soldier nearly all his life, and he believed strongly in the goals of our engagement in Iraq. Two weeks before his death, Timothy spoke to a local radio station about the positive impact Americans at home can have on the morale of the soldiers abroad, saying, "Any support they get, any letters they get, anything like that is great for morale and lets the soldiers here know that people still care about them and care about what they're doing."

Timothy was serving a second tour of duty when he died. He was a member of the 2nd Battalion, 7th Cavalry Regiment, 1st Cavalry Division from Fort Bliss, TX. For his service and sacrifice, he was awarded the Purple Heart and the Bronze Star. Timothy is survived by his parents, LTC Colonel Bill McGovern and Jonell McGovern, and his sister, Miranda.

Today, I join Timothy's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Timothy. Today and always, Timothy will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Timothy's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Timothy's actions will live on far longer that any record of these words.

It is my sad duty to enter the name of CPT Timothy I. McGovern in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged and the unfortunate pain that comes with the loss of our heroes, I hope that families like Timothy's can find comfort in the words of the prophet Isaiah, who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Timothy.

HEALTHY AMERICANS ACT

Mr. COLEMAN. Mr. President, as I travel and talk to folks across Minnesota, one thing is abundantly clear—Minnesotans, like most Americans, are more concerned about health care than just about any other issue—and for good reason.

As a Nation, we are spending about $2.2 trillion on health care each year, about 16 percent of GDP. This is more than twice what many other developed countries spend, yet 47 million of our fellow Americans are uninsured. And even those with insurance are worried. Worried about the escalating cost of premiums, whether their children will be covered, or whether they will lose their health plan at work.

One thing we can all agree on is that inaction is not an option. As these concerns grow and the costs continue to increase, the problem will only get more complex and more difficult to solve. The time for solutions is now.

It is in the spirit of finding a solution to our Nation's health care crisis that I recently joined four of my Republican colleagues as a cosponsor of Senator RON WYDEN's Healthy Americans Act. While this is certainly not a perfect solution, it is not "Government-run" or "single-payer" health care. It is a private market, consumer-focused proposal that serves as a good place to start the discussion. Yet, as a cosponsor, I think it is also important that I point out some of the areas where I disagree with this legislation.

One area of concern has to do with transitioning people from employer-based insurance to the private market. The Healthy Americans Act severs the ties between employment and health insurance and shifts everyone into the individual market. Instead, I think the Government should level the playing field regarding taxation of health benefits, so workers can leave their employer, start a new business, change jobs, or spend more time at home with their family without risking their health care coverage.

Another area where I strongly disagree with Senator WYDEN is his requirement that health insurance companies cover abortions. I have never wavered in my support for pro-life policies. While I am willing to work with Senator WYDEN on this bill in the interest of improving access to health insurance, I will absolutely not support passage of any legislation that requires coverage of abortions. This is one area of the bill that must be reconsidered.

I have also expressed concerns to my colleagues about using the Federal Employees Health Benefits Plan, FEHBP, as the standard for health insurance. While I certainly believe people should have access to this level of coverage, I don't think it should be the only option. My vision of health reform does not include this one-size-fits-all approach. Instead, I support giving people access to a variety of health insurance options and the ability to make informed choices.

While these are a few of the areas where I disagree with Senator WYDEN, there are definitely provisions in this bill that I will work to preserve or even expand upon. I am pleased that the legislation focuses on more than just expanding coverage but also on reforming the health care system and providing peace of mind that a person's coverage won't end when his or her employment situation changes. The Healthy Americans Act provides incentives for preventive health care, expands wellness programs, and emphasizes important cost containment measures. It also promotes greater adoption of health information technology and enacts vital medical malpractice reforms.

As you can probably see, the Healthy Americans Act is a work in progress. But as I said before, it is a good place to start the discussion. That is why I look forward to working with Senator WYDEN and all of the cosponsors of the Healthy Americans Act to make sure we come up with a proposal that provides the health care choices we all want, the quality we need, and the health care security the American people deserve.

NATIONAL ADOPTION DAY

Mr. JOHNSON. Mr. President, I wish to acknowledge National Adoption Awareness Month and National Adoption Day on Nov. 17, 2007. With over 114,000 children available for adoption out of the U.S. foster care system, I think it is crucial to celebrate those lawyers, social workers, officials and, most importantly, parents who help many children move from foster homes to adoptive families.

Adoption has personally touched my life this year as two new children have been welcomed as members of my family. My son Brendan and his wife Jana recently adopted Trualem, age 11, and Peneal, age 8, from Ethiopia. I am now a proud grandfather of five, and our family is larger and richer with them in it.

National Adoption Day was started in 2000 by the Alliance for Children's Rights, the Freddie Mac Foundation, and the Dave Thomas Foundation for Adoption and helped complete foster care adoptions in nine jurisdictions in its first year. National Adoption Day has quickly grown since that time. In 2006, a milestone was surpassed, as National Adoption Day was celebrated in all 50 States, the District of Columbia, and Puerto Rico for the first time. In total last year, over 3,300 adoptions were finalized on National Adoption Day.

I am committed to assisting children in the United States to find stable, loving, and permanent homes. Additionally, I support the goals of National Adoption Day to encourage others to adopt children from foster care, to build stronger ties between local adoption agencies, courts, and adoption advocacy organizations, and to continue to research and learn more about families wanting to adopt and the children waiting to be adopted.

I am proud that Members of the Senate continue to support ways to make adoption easier and more affordable. Since the cost of adoption can be very high, we ought to do what we can to lessen this initial burden for the exceptional people who provide caring homes for children. Adoption proceedings and legal fees for some domestic adoptions can cost more than $40,000. To ease some of this burden, Congress adopted a $10,000 tax credit for adoption expenses. If we ask individuals to care for and adopt children, we must provide some relief from the financial burdens associated with that care. The adoption tax credit is an effective vehicle to provide this relief, and it is vitally important that this tax credit does not expire at the end of 2010.

In keeping with the celebration of adoption, this year I am proud to recognize Audrey Kirkpatrick as an Angel in Adoption. Audrey is a social worker with Catholic Social Services in Rapid City, SD. She is an integral part of Catholic Social Services offering her knowledge to fellow employees and often her services to birth mothers and adoptive families 24 hours per day.

I am also proud to recognize the Amiotte family, whose portrait is displayed in my front office as a part of the Voice of Adoption Adoptive Family Portrait Project. David and Malinda Amiotte began their foster care experience not planning to adopt. However, after meeting and growing attached to biological siblings Medina and David, and biological sisters JoAnne and Karen, David and Malinda wanted to keep these sibling groups together. Despite challenges with the legal process, adoptions for all of their children have been finalized, and I wish them many years of happiness in the future.

The commitment of adoptive parents in South Dakota and throughout our country to provide children with safe, permanent, and loving homes will, of course, have a positive impact on their lives. As we celebrate National Adoption Awareness Month and National Adoption Day, I call on my colleagues to continue supporting efforts to make adoption easier for parents, children, and other important participants in the adoption process.

DISCRIMINATION AGAINST WOMEN

Ms. KLOBUCHAR. Mr. President, I would like to add my voice to the growing chorus, in the Senate and across the world, supporting Senate ratification of the Convention on the Elimination of All Forms of Discrimination Against Women.

While we have made great strides towards eradicating blatant discrimination based on race or social class in our country, far too many women around the world continue to face oppression and violence simply because of their gender.

While it may be easy to believe that this only is a foreign problem, one that does not exist in our homes, this is simply not the case. An estimated 30 percent of American women experience some form of assault in their lifetime. And even if women do not experience violence, discrimination can take many other forms. Hundreds of millions of women across the globe are living their lives facing oppression. Despite all the advancements towards social equality, there still exists a strong undercurrent of gender-based prejudice.

Beyond simply striking it from our laws, we must also strike it from our hearts and demonstrate that ending discrimination means recognizing basic rights. All women should have access to health care. All women should have access to education. And all women should be allowed to live their lives free of fear.

The United States has always represented a beacon of hope and opportunity to oppressed peoples around the world. While our Nation is among the best in ensuring equal rights and opportunities to women, we must never grow complacent in this constant struggle or believe that we have conquered sex-based discrimination.

That is why I believe it is so important that the Senate ratify the Convention on the Elimination of All Forms of Discrimination Against Women. Ratification of this Convention represents a step towards empowerment, not just of American women but women everywhere.

Ratification also presents an opportunity to reassert American values to the world. At a time when our Nation's image abroad is under assault and our commitment to fundamental human rights and norms has been questioned, it is critical that we reaffirm our repudiation of discrimination in all forms.

The full realization of women's rights is vital to the development and well-being of people of all nations. The United States becoming a member of this convention is an important step toward that reality.

I urge my colleagues to join me in calling for the prompt ratification of the Convention on the Elimination of All Forms of Discrimination Against Women.

ADDITIONAL STATEMENTS

CHESHIRE HIGH SCHOOL GIRLS SWIM TEAM

• Mr. DODD. Mr. President, I offer my heartfelt congratulations to some of Connecticut's finest high school athletes: the girls swim team of Cheshire High School. Cheshire High recently set a national record with an astounding 235 dual meet wins in a row.

With its victory, Cheshire High breaks a record that had been held for 13 years by Elkhart Central High in Indiana—one of the longest-standing, most respected marks in high school swimming. Even more incredibly, the Connecticut streak dates back all the way to 1986, before any members of the current team were born.

Their record-setting night brought together parents who decorated the pool, painted their faces, and dressed up as the school's Ram mascot; more than 200 paying spectators; and the support of an entire community. For a town still struggling to overcome the memory of last July's notorious home-invasion murders, it was a joyous community celebration; I hope it will go a little way toward restoring the spirit of this Connecticut town.

For their teamwork and success, I applaud the Cheshire High swimmers:

Megan Aitro, Tara Aitro, Olivia Amato, Alexandria Barry, Jessica Bauer, Kailee Brown, Bridget Carmichael, Alyssa Carofano, Tina Chang, Katherine Collins, Kayla DeLuca, Adriana DiCenzo, Nicole Dicks, Rachael Dioses, Kelly Dolyak, Danielle Forrest, Amy Hudak, Kathryn Hummel, Kimberly Jerome, Jasmine Liu, Samantha Loignon, Shirin Lowell, Sofia Martone, Alexandra Maurice, Mairin McKinlay, Jessica Metcalf, Melissa Metcalf, Michaela Morr, Jessica Morse, Megan Mostoller, Stephanie Nguyen, Catherine Patrell, Brianna Perazella, Lauren Piccolino, Emilie Ptaszynski, Elissa Rosenfield, Sarah Schulefand, Morgan Schwenn, Meghan Shanahan, Sydney Smith, Jennifer Thompson, Margaret Tooley, Emma Velcofsky, and Elizabeth Visconti.

Congratulations are due as well their assistant coaches, William Lapman and Kristen Shanley, and their dedicated coach, Ed Aston, whom his team pulled, fully dressed, into the pool once the record was broken.

It is a true team, and town, achievement; and if I could list here the names of all 278 athletes who contributed their part to the streak, I certainly would. Instead I simply extend my admiration and my best wishes for many more wins to come.•

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2262. An act to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes.

H.R. 3920. An act to amend the Trade Act of 1974 to reauthorize trade adjustment assistance, to extend trade adjustment assistance to service workers and firms, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2262. An act to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3920. An act to amend the Trade Act of 1974 to reauthorize trade adjustment assistance, to extend trade adjustment assistance to service workers and firms, and for other purposes; to the Committee on Finance.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LEAHY for the committee on the Judiciary.

John Daniel Tinder, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DOMENICI (for himself, Mr. KENNEDY, Mr. SPECTER, and Mr. LEAHY):

S. 2304. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants for the improved mental health treatment and services provided to offenders with mental illnesses, and for other purposes; to the Committee on the Judiciary.

By Mr. WHITEHOUSE (for himself, Mr. LEAHY, Mrs. FEINSTEIN, Mr. FEINGOLD, Mr. NELSON of Florida, Mr. BROWN, Ms. KLOBUCHAR, Mrs. CLINTON, Mr. KERRY, Mr. MENENDEZ, Mr. OBAMA, Mr. SCHUMER, and Mr. DODD):

S. 2305. A bill to prevent voter caging; to the Committee on Rules and Administration.

By Mr. DORGAN (for himself, Mr. LUGAR, Ms. CANTWELL, Mr. CRAIG, Mr. JOHNSON, Mrs. MCCASKILL, and Ms. KLOBUCHAR):

S. 2306. A bill to encourage and facilitate the use of renewable fuel in the United States; to the Committee on Energy and Natural Resources.

By Mr. KERRY (for himself and Ms. SNOWE):

S. 2307. A bill to amend the Global Change Research Act of 1990, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. TESTER:

S. 2308. A bill to improve the efficiency of customs and other services at the Wild Horse, Montana port of entry; to the Committee on Finance.

SUBMISSIÓN OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. ALEXANDER, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Ms. CANTWELL, Mr. CORKER, Mr. CRAPO, Mr. DOMENICI, Mr. GRAHAM, Mr. KERRY, Mr. LEVIN, Mrs. LINCOLN, Ms. MURKOWSKI, Mr. ROBERTS, Mr. SALAZAR, Mr. SCHUMER, Mr. SMITH, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. CONRAD, and Mrs. DOLE):

S. Res. 366. A resolution designating November 2007 as "National Methamphetamine Awareness Month", to increase awareness of methamphetamine abuse; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 400

At the request of Mr. SUNUNU, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 400, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.

S. 439

At the request of Mr. REID, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 439, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 450

At the request of Mr. ENSIGN, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 450, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 661

At the request of Mr. CASEY, his name was added as a cosponsor of S. 661, a bill to establish kinship navigator programs, to establish guardianship assistance payments for children, and for other purposes.

S. 759

At the request of Mr. WEBB, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 759, a bill to prohibit the use of funds for military operations in Iran.

S. 773

At the request of Mr. WARNER, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 773, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 836

At the request of Mr. LAUTENBERG, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 836, a bill to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants.

S. 1159

At the request of Mr. HAGEL, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1159, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 1551

At the request of Mr. BROWN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1551, a bill to amend the Public Health Service Act with respect to making progress toward the goal of eliminating tuberculosis, and for other purposes.

S. 1580

At the request of Mr. INOUYE, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Maine (Ms. SNOWE), the Senator from California (Mrs. BOXER) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 1580, a bill to reauthorize the Coral Reef Conservation Act of 2000, and for other purposes.

S. 1638

At the request of Mr. LEAHY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1638, a bill to adjust the salaries of Federal justices and judges, and for other purposes.

S. 1661

At the request of Mr. DORGAN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1661, a bill to communicate United States travel policies and improve marketing and other activities designed to increase travel in the United States from abroad.

S. 1854

At the request of Mr. REID, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1854, a bill to amend the Social Security Act and the Public Health Service Act to improve elderly suicide early intervention and prevention strategies, and for other purposes.

S. 1876

At the request of Mr. BIDEN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1876, a bill to prohibit extraterritorial detention and rendition, except under limited circumstances, to modify the definition of "unlawful enemy combatant" for purposes of military commissions, to extend statutory habeas corpus to detainees, and for other purposes.

S. 1956

At the request of Mr. BAUCUS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1956, a bill to amend part E of title IV of the Social Security Act to provide equitable access for foster care and adoption services for Indian children in tribal areas, and for other purposes.

S. 1963

At the request of Mr. ROCKEFELLER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1963, a bill to amend the Internal Revenue Code of 1986 to allow bonds guaranteed by the Federal home loan banks to be treated as tax exempt bonds.

S. 1991

At the request of Mr. BUNNING, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1991, a bill to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of extending the Lewis and Clark National Historic Trail to include additional sites associated with the preparation and return phases of the expedition, and for other purposes.

S. 2056

At the request of Mr. ROCKEFELLER, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2056, a bill to amend title XVIII of the Social Security Act to restore financial stability to Medicare anesthesiology teaching programs for resident physicians.

S. 2058

At the request of Mr. LEVIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2058, a bill to amend the Commodity Exchange Act to close the Enron loophole, prevent price manipulation and excessive speculation in the trading of energy commodities, and for other purposes.

S. 2119

At the request of Mr. JOHNSON, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2119, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 2136

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2136, a bill to address the treatment of primary mortgages in bankruptcy, and for other purposes.

S. 2164

At the request of Mr. INHOFE, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 2164, a bill to establish a Science and Technology Scholarship Program to award scholarships to recruit and prepare students for careers in the National Weather Service and in National Oceanic and Atmospheric Administration marine research, atmospheric research, and satellite programs and for other purposes.

S. 2166

At the request of Mr. CASEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2166, a bill to provide for greater responsibility in lending and expanded cancellation of debts owed to the United States and the international financial institutions by low-income countries, and for other purposes.

S. 2168

At the request of Mr. LEAHY, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 2168, a bill to amend title 18, United States Code, to enable increased federal prosecution of identity theft crimes and to allow for restitution to victims of identity theft.

S. 2237

At the request of Mr. BIDEN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2237, a bill to fight crime.

S. 2272

At the request of Mr. VITTER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2272, a bill to designate the facility of the United States Postal Service known as the Southpark Station in Alexandria, Louisiana, as the John "Marty" Thiels Southpark Station, in honor and memory of Thiels, a Louisiana postal worker who was killed in the line of duty on October 4, 2007.

S. 2300

At the request of Mr. KERRY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2300, a bill to improve the Small Business Act, and for other purposes.

S.J. RES. 22

At the request of Mr. BAUCUS, the names of the Senator from Florida (Mr. MARTINEZ) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Centers for Medicare & Medicaid Services within the Department of Health and Human Services relating to Medicare coverage for the use of erythropoiesis stimulating agents in cancer and related neoplastic conditions.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOMENICI (for himself, Mr. KENNEDY, Mr. SPECTER, and Mr. LEAHY):

S. 2304. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants for the improved mental health treatment and services provided to offenders with mental illnesses, and for other purposes; to the Committee on the Judiciary.

Mr. DOMENICI. Mr. President, I rise today with my colleagues, Senator KENNEDY, Senator LEAHY, and Senator SPECTER to introduce the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2007. This bill will reauthorize and improve several programs intended to provide Federal support for collaborations between criminal justice and mental health systems.

It is estimated that approximately 16 percent of adult U.S. jail and prison inmates suffer from mental illness and the numbers are even higher in the juvenile justice system. Many of these individuals are not violent or habitual criminals. Most have been charged or convicted of nonviolent crimes that are a direct consequence of not having received needed treatment and supportive services for their mental illness.

The presence of defendants with mental illnesses in the criminal justice system imposes substantial costs on that system and can cause significant harm to defendants. In response to this problem, a number of communities around the country are implementing mental health courts, a specialty-court model that utilizes a separate docket, coupled with regular judicial supervision, to respond to individuals with mental illnesses who come in contact with the justice system.

This past spring, I visited the courtroom of Judge Michael Vigil in the First Judicial Court of Santa Fe, NM. Judge Vigil operates a mental health court that helps individuals who have been involved in nonviolent crimes that do not involve weapons and who have been diagnosed with a mental illness. It is a 14-month program that attempts to keep defendants with mental illness out of jail. The court meets every Friday for about an hour. Defendants are required to attend individually designed therapy sessions, take their medications, and submit to random drug tests and breathalyzer tests. The appearances before Judge Vigil are akin to "check-ups" to make sure the defendant is on course, taking his or her medications, and that the defendant is in good health. If a participant violates the rules, they are sanctioned. If the violations are serious enough, the defendant can be removed from the program and sentenced to jail.

The day I visited Judge Vigil's court, I witnessed a participant graduate from the program. I spoke with the defendant and his mother after the hearing. They told me how this program had helped turn his life around. Participation in this program had kept him out of jail and more importantly helped him access treatment, housing, and other critical supports. By addressing the mental illness that contributed to his criminal act, this man received the services he needed to hopefully prevent him from repeating his crime or committing a more serious crime. Furthermore, the program helped reduce the burden on the judicial system allowing for resources to be focused on violent criminals.

Many communities are not prepared to meet the comprehensive treatment and needs of individuals with mental illness when they enter the criminal justice system. The bill we are introducing today is intended to help provide resources to help States and counties design and implement collaborative efforts between criminal justice and mental health structures. The bill will reauthorize the Mentally Ill Offender Treatment and Crime Reduction grant program and reauthorize the Mental Health Courts Program. It will create a new grant program to help law enforcement identify and respond to incidents involving persons with mental illness and it will fund a study and report on the prevalence of mentally ill offenders in the criminal justice system. All of these reforms will help to address this problem from both a public safety and a public health point of view. This will help save taxpayers money, improve public safety, and link individuals with the treatment they need to become productive members of their community.

Certainly, not every crime committed by an individual diagnosed with a mental illness is attributable to their illness or to the failure of public mental health. Mental health courts are not a panacea for addressing the needs of the growing number of people with mental illnesses who come in contact with the criminal justice system. But they should be one part of the solution. Evidence has shown that in communities where mental health and criminal justice interests work collaboratively on solutions it can make a significant impact in fostering recovery, improving treatment outcomes and decreasing recidivism.

I want to thank my good friends for working with me on this very important issue. I appreciate their commitment to advancing these important programs and I look forward to working with them to pass this legislation this Congress.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows.

S. 2304

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Reauthorization of the Adult and Juvenile Collaboration Program Grants.
Sec. 4. Law enforcement response to mentally ill offenders improvement grants.
Sec. 5. Improving the mental health courts grant program.
Sec. 6. Study and report on prevalence of mentally ill offenders.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Communities nationwide are struggling to respond to the high numbers of people with mental illnesses involved at all points in the criminal justice system.

(2) A 1999 study by the Department of Justice estimated that 16 percent of people incarcerated in prisons and jails in the United States, which is more than 300,000 people, suffer from mental illnesses.

(3) Los Angeles County Jail and New York's Rikers Island jail complex hold more people with mental illnesses than the largest psychiatric inpatient facilities in the United States.

(4) State prisoners with a mental health problem are twice as likely as those without a mental health problem to have been homeless in the year before their arrest.

SEC. 3. REAUTHORIZATION OF THE ADULT AND JUVENILE COLLABORATION PROGRAM GRANTS.

(a) AUTHORIZATION OF APPROPRIATIONS THROUGH 2013.—Section 2991(h) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(1) in paragraph (1), by striking at the end "and";

(2) in paragraph (2), by striking "for fiscal years 2006 through 2009." and inserting "for each of the fiscal years 2006 and 2007; and"; and

(3) by adding at the end the following new paragraph:

"(3) $75,000,000 for each of the fiscal years 2008 through 2013.".

(b) ALLOCATION OF FUNDING FOR ADMINISTRATIVE PURPOSES.—Section 2991(h) of such title is further amended—

(1) by redesignating paragraphs (1), (2), and (3) (as added by subsection (a)(3)) as subparagraphs (A), (B), and (C), respectively;

(2) by striking "There are authorized" and inserting "(1) IN GENERAL.—There are authorized"; and

(3) by adding at the end the following new paragraph:

"(2) ALLOCATION OF FUNDING FOR ADMINISTRATIVE PURPOSES.—For fiscal year 2008 and each subsequent fiscal year, of the amounts authorized under paragraph (1) for such fiscal year, the Attorney General may obligate not more than 3 percent for the administrative expenses of the Attorney General in carrying out this section for such fiscal year.".

(c) ADDITIONAL APPLICATIONS RECEIVING PRIORITY.—Subsection (c) of such section is amended to read as follows:

"(c) PRIORITY.—The Attorney General, in awarding funds under this section, shall give priority to applications that—

"(1) promote effective strategies by law enforcement to identify and to reduce risk of harm to mentally ill offenders and public safety;

"(2) promote effective strategies for identification and treatment of female mentally ill offenders; or

"(3)(A) demonstrate the strongest commitment to ensuring that such funds are used to promote both public health and public safety;

"(B) demonstrate the active participation of each co-applicant in the administration of the collaboration program;

"(C) document, in the case of an application for a grant to be used in whole or in part to fund treatment services for adults or juveniles during periods of incarceration or detention, that treatment programs will be available to provide transition and reentry services for such individuals; and

"(D) have the support of both the Attorney General and the Secretary.".

SEC. 4. LAW ENFORCEMENT RESPONSE TO MENTALLY ILL OFFENDERS IMPROVEMENT GRANTS.

(a) IN GENERAL.—Part HH of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding at the end the following new section:

"SEC. 2992. LAW ENFORCEMENT RESPONSE TO MENTALLY ILL OFFENDERS IMPROVEMENT GRANTS.

"(a) AUTHORIZATION.—The Attorney General is authorized to make grants to States, units of local government, Indian tribes, and tribal organizations for the following purposes:

"(1) TRAINING PROGRAMS.—To provide for programs that offer law enforcement personnel specialized and comprehensive training in procedures to identify and respond appropriately to incidents in which the unique needs of individuals with mental illnesses are involved.

"(2) RECEIVING CENTERS.—To provide for the development of specialized receiving centers to assess individuals in the custody of law enforcement personnel for mental health and substance abuse treatment needs.

"(3) IMPROVED TECHNOLOGY.—To provide for computerized information systems (or to improve existing systems) to provide timely information to law enforcement personnel and criminal justice system personnel to improve the response of such respective personnel to mentally ill offenders.

"(4) COOPERATIVE PROGRAMS.—To provide for the establishment and expansion of cooperative efforts by criminal and juvenile justice agencies and mental health agencies to promote public safety through the use of effective intervention with respect to mentally ill offenders.

"(5) CAMPUS SECURITY PERSONNEL TRAINING.—To provide for programs that offer campus security personnel training in procedures to identify and respond appropriately to incidents in which the unique needs of individuals with mental illnesses are involved.

"(b) BJA TRAINING MODELS.—For purposes of subsection (a)(1), the Director of the Bureau of Justice Assistance shall develop training models for training law enforcement personnel in procedures to identify and respond appropriately to incidents in which the unique needs of individuals with mental illnesses are involved.

"(c) MATCHING FUNDS.—The Federal share of funds for a program funded by a grant received under this section may not exceed 75 percent of the costs of the program unless the Attorney General waives, wholly or in part, such funding limitation. The non-Federal share of payments made for such a program may be made in cash or in-kind fairly evaluated, including planned equipment or services.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department of Justice to carry out this section $10,000,000 for each of the fiscal years 2008 through 2013.".

(b) CONFORMING AMENDMENT.—Such part is further amended by amending the part heading to read as follows: "**GRANTS TO IMPROVE TREATMENT OF OFFENDERS WITH MENTAL ILLNESSES**".

SEC. 5. IMPROVING THE MENTAL HEALTH COURTS GRANT PROGRAM.

(a) REAUTHORIZATION OF THE MENTAL HEALTH COURTS GRANT PROGRAM.—Section

1001(a)(20) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(20)) is amended by striking "fiscal years 2001 through 2004" and inserting "fiscal years 2008 through 2013".

(b) ADDITIONAL GRANT USES AUTHORIZED.—Section 2201 of such title (42 U.S.C. 3796ii) is amended—

(1) in paragraph (1) at the end, by striking "and";

(2) in paragraph (2) at the end, by striking the period and adding "; and"; and

(3) by adding at the end the following new paragraphs:

"(3) pretrial services and related treatment programs for offenders with mental illnesses; and

"(4) developing, implementing, or expanding programs that are alternatives to incarceration for offenders with mental illnesses.".

SEC. 6. STUDY AND REPORT ON PREVALENCE OF MENTALLY ILL OFFENDERS.

(a) STUDY.—The Attorney General shall provide for a study of the following:

(1) The rate of occurrence of serious mental illnesses in each of the following populations:

(A) Individuals, including juveniles, on probation.

(B) Individuals, including juveniles, incarcerated in a jail.

(C) Individuals, including juveniles, incarcerated in a prison.

(D) Individuals, including juveniles, on parole.

(2) For each population described in paragraph (1), the percentage of individuals with serious mental illnesses who, at the time of the arrest, are eligible to receive Supplemental Security Income benefits, Social Security Disability Insurance benefits, or medical assistance under a State plan for medical assistance under title XIX of the Social Security Act.

(3) For each such population, with respect to a year, the percentage of individuals with serious mental illnesses who—

(A) were homeless (as defined in section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302)) at the time of arrest; and

(B) were homeless (as so defined) during any period in the previous year.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Attorney General shall submit to Congress a report on the results of the study under subsection (a).

(c) DEFINITION OF SERIOUS MENTAL ILLNESS.—For purposes of this section, the term "serious mental illness" has the meaning given such term for purposes of title V of the Public Health Service Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $2,000,000 for 2008.

Mr. KENNEDY. Mr. President, it is a privilege to join my colleague from New Mexico in introducing the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2007. This bipartisan, bicameral legislation will authorize continued Federal support for cooperation between the criminal justice and mental health systems on jail diversion, correctional treatment, and community reentry of offenders with a mental illness, and cross-training of criminal justice and mental health personnel. With full funding, this proposal has the potential to achieve significant reforms in the treatment of offenders diagnosed with a mental illness.

I commend Senator DOMENICI for his leadership on this bill and on many other initiatives to improve our Nation's mental health systems. I also welcome the support and leadership of Representatives SCOTT and FORBES in the House of Representatives. We all agree that this legislation can promote cooperative initiatives that will significantly reduce recidivism and improve treatment outcomes.

Based on the most recent studies by the Bureau of Justice, more than half of all prison and jail inmates had a mental health problem in 2005, including 56 percent of inmates in State prisons, 45 percent of Federal prisoners and 64 percent of jail inmates. The high rate of symptoms of mental illness among jail inmates may reflect the role of local jails in the criminal justice system, which operate as locally-run correctional facilities that receive offenders pending arraignment, trial, conviction or sentencing. Among other functions, local jails also hold mentally ill persons pending their relocation in appropriate mental health facilities.

Far too often, individuals encounter the criminal justice system when what is really needed is treatment and support for mental illness. Families often resort to the police in desperation in order to obtain treatment for a loved one suffering from an extreme episode of a mental illness. During such extreme distress, families may face no other alternative, because persons with symptoms such as paranoia, exaggerated actions or impaired judgment may be unable to recognize the need for treatment.

It is unconscionable, and may well be unconstitutional, for these vulnerable individuals to be further marginalized once they are incarcerated. Too often, they are denied even minimal treatment because of inadequate resources.

Most mentally ill offenders who come into contact with the criminal justice system are charged with low-level, nonviolent crimes. Once behind bars, they may well face an environment that further exacerbates symptoms of mental illness, which might otherwise be manageable with proper treatment. Caught in a revolving door, they may soon be back in prison as a result of insufficient and inadequate transitional services when they are released.

This bill reauthorizes critical programs to move away from troubled systems that often result in the escalating incarceration of individuals with mental illness. Through this legislation, State and local correctional facilities will be able to create appropriate, cost-effective solutions. Low-level, nonviolent mentally ill offenders will have greater access to continuity of care.

Congress must also address an unfunded mandate that has been imposed on the States for decades. In Estelle v. Gamble in 1967, the Supreme Court held that deliberate indifference to serious medical needs of inmates is unconstitutional, "whether the indifference is manifested by prison doctors in their response to the prisoner's needs or by prison guards in intentionally denying or delaying access to medical care or intentionally interfering with the treatment once prescribed." In Ruiz v. Estelle in 1980, the Supreme Court established minimum standards for mental health services in correctional settings. Yet more than twenty years later, Federal, State, and local facilities still do not have nearly enough resources to come even close to meeting these constitutional requirements.

Congress must do its part to assist State and local governments in meeting this burden. We cannot tolerate a system that fails to meet constitutional safeguards, or that fails to dedicate resources effectively so that people will get help instead of jail time. As a result of State budget cuts, more and more communities are looking to the Federal Government for support.

This call for change can not be ignored. We have seen too many news stories reflecting the need for action on this issue. A New York Times editorial by Bernard Harcourt on January 15, 2007, highlighted problems facing the mentally ill behind bars, noting 2 extreme examples in different parts of the country. In August 2006, a prison inmate, described by authorities as "floridly psychotic," died in Michigan shackled to a concrete slab, waiting for a mental health transfer that never happened. Six months later, the head of Florida's social services department resigned in the face of charges for failing to transfer severely mentally ill jail inmates to State hospitals.

To date, we have seen only a fraction of the possible potential under this legislation, because only 50 planning and implementation grants have been awarded. Because of limited Federal funding, only 11 percent of applicants were able to receive 1 of these grants for which there is high demand. In Massachusetts, the Norfolk District Attorney's office received one of the planning grants. Right now, the office is working hard to implement a program to ensure that a trained mental health professional will serve in police departments, so that a qualified person on the scene can assist in a situation involving a mentally ill person.

The program will also reduce the likelihood that a mentally ill person charged with a low-level crime will be inappropriately jailed, and will give such persons the treatment they need and provide life skills training, housing placement, vocational training and job placement. Several local mental health centers have already expressed their support for the program and their willingness to cooperate in providing valuable services to this long-neglected population.

The expanded funding in this bill could help support ongoing efforts like the Massachusetts Mental Health Diversion & Integration Program, MMHDIP, which is part of the Center for Mental Health Services Research at the University of Massachusetts Medical School. The center for Mental Health Services Research has supported a series of research and training programs to assist persons with mental illness who come in contact with the criminal justice system and have worked with police departments in Boston, Worcester, and Attleboro. The center is also working on programs to develop evidence on which future practices may be based. They also disseminate best practices for crisis intervention and risk management to police, courts, probation, prosecutors, defense attorneys, schools, and social service providers. The goal of the program is to reduce reliance on the criminal justice system as an access point for social service provision, thereby freeing police and other portions of the criminal justice system to more effectively fulfill their public safety function.

The current programs in Massachusetts reflect the continuing legacy of the nationwide movement that began when Dorothea Dix entered an East Cambridge Jail in 1841. Discovering that the mentally ill inmates were being housed together in terrible conditions without any heat, Dorothea began documenting prison conditions for the mentally ill throughout our Commonwealth. Her advocacy, and her determination to pursue ideas that seemed radical at the time, achieved significant reforms in Massachusetts. She went on to lead the first national legislation to provide for the mentally ill. Today, we are still a long way to achieve the goals set forth by Dorothea so many years ago.

In every State, interactions between law enforcement and individuals suffering from mental illness continue to rise and the need for effective solutions is critical. This legislation will continue to “foster local collaborations” between law enforcement and mental health providers. What works in one community will not necessarily work or be desired in another—solutions must take into account the existing problem as well as the social and political dynamics within each community. With so many complex issues involved at the intersection of mental illness and the criminal justice system, no magic solution will solve the problems faced in communities across America. This bill encourages funding for specialized programs that will most effectively address the needs of these local communities. With this legislation, Congress will join local communities in their response to this problem.

In addition, members of State and local law enforcement need access to training and other alternatives to improve safety and responsiveness. The bill reauthorizes the Mentally Ill Offender Treatment Program and increases the funding to $75 million a year. The legislation also authorizes $10 million for grants to States and local governments to train law enforcement personnel on procedures to identify and respond more appropriately to persons with mental illnesses, and to develop specialized receiving centers to assess individuals in custody.

In his last public bill signing in 1963, President Kennedy signed a $3 billion authorization bill to create a national network of community mental health facilities across the country. With the escalation of the Vietnam War, not one penny of the $3 billion was ever appropriated. Now, decades later, we face a crisis in which far too many mentally ill individuals are facing jail time rather than treatment.

Last year, more than 1 million persons with serious mental illnesses were arrested. Noting the breadth of this national problem, Judge Leifman of the Criminal Division of the Miami-Dade County Court has stated that, “Jails and prisons have become the asylums of the new millennium.”

The broad support for this legislation—ranging from the Council of State Governments, the National Alliance on Mental Illness, the National Sheriffs Association, the Bazelon Center for Mental Health Law, the National Council for Community Behavioral Healthcare, the National Alliance for the Mentally Ill, the Council of State Governments, the Campaign for Mental Health Reform and Mental Health America—demonstrates that it will provide much-needed support to help solve this complex problem. The courts, law enforcement, corrections and mental health communities have all come together in support of this legislation, and Congress must respond.

Individuals and their loved ones struggle with countless challenges and barriers during a mental health crisis. With this bill, Congress can provide significant support to needed cooperation efforts between law enforcement and mental health experts. I urge my colleagues to support this legislation, so that we can achieve its enactment before the end of this current session of Congress.

Mr. LEAHY. I have joined today with Senators DOMENICI, KENNEDY, and SPECTER to introduce legislation to reauthorize the Mentally Ill Offender Treatment and Crime Reduction Act. I was a sponsor of the original authorization of this act in 2004, and I am proud that these programs have helped our State and local governments reduce crime by providing more effective treatment for the mentally ill.

All too often, people with mental illness rotate repeatedly between the criminal justice system and the streets of our communities, committing a series of minor offenses. Offenders find themselves in prisons or jails, where little or no appropriate medical care is available for them. This bill gives State and local governments the tools to break this cycle, for the good of law enforcement, corrections officers, the public's safety, and mentally ill offenders. More than 16 percent of adults incarcerated in U.S. jails and prisons have a mental illness, about 20 percent of youth in the juvenile justice system have serious mental health problems, and almost half the inmates in prison with a mental illness were incarcerated for committing a nonviolent crime. This is a serious problem that I hear about often when I talk with law enforcement officials and others in Vermont.

Under this bill, State and local governments can apply for funding to create or expand mental health courts or other court-based programs, which can divert qualified offenders from prison to receive treatment; create or expand programs to provide specialized training for criminal justice and mental health system personnel; create or expand local treatment programs that serve individuals with mental illness or co-occurring mental illness and substance abuse disorders; and promote and provide mental health treatment for those incarcerated in or released from a penal or correctional institution.

The grants created under this program have been in high demand, but only about 11 percent of the applications submitted have been able to receive funding due to inadequate Federal funds. This bill would increase funding of these programs and authorize $75 million to help communities address the needs of the mentally ill in our justice system. The bill also provides $10 million for law enforcement training grant programs to help law enforcement recognize and respond to incidents involving mentally ill persons.

This legislation brings together law enforcement, corrections, and mental health professionals to help respond to the needs of our communities. They know that the states have been dealing with the unique problems created by mentally ill offenders for many years, and that a federal support is invaluable. I look forward to working with them, and with Senators DOMENICI, KENNEDY, SPECTER, and other Members, to see this bill enacted this Congress.

By Mr. WHITEHOUSE (for himself, Mr. LEAHY, Mrs. FEINSTEIN, Mr. FEINGOLD, Mr. NELSON of Florida, Mr. BROWN, Ms. KLOBUCHAR, Mrs. CLINTON, Mr. KERRY, Mr. MENENDEZ, Mr. OBAMA, Mr. SCHUMER, and Mr. DODD):

S. 2305. A bill to prevent voter caging, to the Committee on Rules and Administration.

Mr. WHITEHOUSE. Mr. President, it is an unfortunate reality that with so much at stake in the ballot box, organized efforts to suppress the vote go nearly as far back as the right to vote itself. These efforts have cast a shadow over what Justice Earl Warren called "the essence of a Democratic society": the right to vote freely for the candidate of one's choice.

The first voter suppression in America was direct: blanket restrictions based on race, based on gender, based on class. Over the years, these overt efforts were eventually replaced by more indirect and nefarious means: poll taxes, literacy tests, Whites-only primaries, and myriad other disenfranchisement laws aimed directly at minority voters. These crafty legal obstacles were often supplemented by blunt physical violence. But despite the many and varied efforts to impede the franchise, American democracy has shown an extraordinary resilience—and the American people have shown an abiding dedication, sometimes paying with life and limb, to defend the right of their fellow citizens to vote.

This Senate, of course, has a checkered past on voting rights. For many years, the Senate is where civil rights bills came to die, stalled by filibusters and tangled in parliamentary technique. Eventually, of course, the tide turned, and Congress ushered in a series of laws that remain among the most important ever enacted: the 24th amendment banning poll taxes; the Civil Rights Act; and the Voting Rights Act of 1965, which banned literacy tests, authorized the Attorney General to appoint Federal voting examiners to ensure fair administration of elections, and required the Federal Government to "pre-clear" certain changes in the voting laws of local jurisdictions.

That law has been improved and reauthorized a number of times—as recently as last year—and is a cornerstone of our democracy. Nevertheless, as we all know, efforts to suppress the vote persist and continue to erode the promise of democracy for many Americans. For example, in the last election cycle, we saw organized efforts to deceive voters by sending out fliers with false information about the location of polling places or with phony endorsements, we saw threats that immigrants could be imprisoned if they voted.

The Judiciary Committee, under the wise leadership of Chairman LEAHY, has responded with the Deceptive Practices and Voter Intimidation Prevention Act, which would criminalize various forms of voter intimidation and election misinformation.

In recent years, we have also seen the rise of another voter suppression tactic, which has come to be known as "vote caging." Caging is a voter suppression tactic whereby a political campaign sends mail marked "do not forward/return to sender" to a targeted group of voters—often targeted into minority neighborhoods. The campaign then challenges the right of those citizens whose mail was returned as "undeliverable" on the grounds that the voter does not live at the registered address. Of course, as the Presiding Officer knows, there are many reasons why a piece of mail might be "returned to sender" that have nothing whatsoever to do with the voter's eligibility. For example, a voter might be an active member of the armed services and stationed far from home or a student lawfully registered at their parents' address. Even a typographical error during entry of the voter's registration information might result in a "false negative." Nevertheless, these individuals end up facing a challenge to their vote and possibly losing their right to vote.

Caging came into the media spotlight this summer during Congress's investigation into the political dismissal of U.S. attorneys, but this practice is not new, and it is not rare. In fact, since 1982, the Republican National Committee has been operating under a consent decree, filed in New Jersey U.S. District Court, which states that the RNC shall "refrain from undertaking any ballot security activities in polling places or election districts where the racial or ethnic composition of such districts is a factor in the decision to conduct, or the actual conduct of, such activities."

This consent decree was entered into after the Republican National Committee, during the 1981 New Jersey gubernatorial election, initiated a massive voter-caging operation, sending mailers marked "do not forward" to voters in predominantly African-American and Latino neighborhoods throughout the State. The Republican National Committee then compiled a caging list based solely on the returned letters and challenged these voters at the polls. They did it again in Louisiana, in 1986, when the Republican National Committee hired a consultant to send 350,000 pieces of mail marked "do not forward" to districts that were mostly African American, and the consent decree was then modified to require the U.S. District Court in New Jersey to preclear any so-called ballot security programs undertaken by the Republican National Committee.

However, in part because the Federal consent decree does not apply to State parties or other campaigns, caging has continued. During the past few election cycles, there has been credible evidence of caging in Ohio, in Florida, in Pennsylvania, and elsewhere. Not every caging operation has been successful, but the failure of a voter suppression attempt is no excuse for it. Therefore, I am introducing the Caging Prohibition Act, which would prohibit challenging a person's eligibility to vote—or to register to vote—based on a caging list. Simply put, eligible voters should not fear their right to vote might be challenged at the polls because a single piece of mail never reached them.

The bill would also require any private party who challenges the right of another citizen to vote—or to register to vote—to set forth in writing, under penalty of perjury, the specific grounds for the alleged ineligibility. The principle here is simple: If you are going to challenge one of your fellow citizen's right to vote, you should at least have cause and be willing to stand behind it.

I am very proud of the extraordinary group of Senators who have agreed to be original cosponsors of this piece of legislation: Chairman LEAHY of the Judiciary Committee, Senator FEINSTEIN, Senator DODD, Senator KERRY, Senator FEINGOLD, Senator SCHUMER, Senator NELSON of Florida, Senator CLINTON, Senator OBAMA, Senator MENENDEZ, Senator BROWN, and Senator KLOBUCHAR. I was proud to work closely with the Brennan Center for Social Justice and the Lawyers Committee for Civil Rights Under Law to develop the language of this bill. I would also like to thank People for the American Way for its support of this legislation.

In the 1964 case of Reynolds v. Sims, the U.S. Supreme Court stated:

> [T]he right to exercise the franchise in a free and unimpaired matter is preservative of other basic civil and political rights. . . .

In other words, every right we have depends upon the right to vote. Organized voter-suppression efforts, including vote-caging schemes, infringe on this right and undermine our democracy. Congress should rise to the occasion and say "enough is enough" to vote caging.

I thank my many distinguished colleagues who have cosponsored this bill, and I ask my colleagues on both sides of the aisle to join us in stopping this nefarious voter suppression activity.

By Mr. KERRY (for himself and Ms. SNOWE):

S. 2307. A bill to amend the Global Change Research Act of 1990, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I am pleased to join with Senator KERRY in introducing the Global Change Research Improvement Act of 2007, that amends and strengthens the existing U.S. climate change research and assessment program that will ultimately benefit all of the citizens of our Nation. Our intent is to improve upon the basic research and products that the Federal Government develops on climate change and its inherent impacts. We believe our legislation would refocus the emphasis of the Nation's climate change program and fulfill the need for relevant information for States, and local and nongovernmental decisionmakers.

In addition, the creation of a new National Climate Service within the National Oceanic and Atmospheric Administration, NOAA, will provide climate change forecasting on a regular basis to end-users, and create a permanent network for the delivery of such information so that decision makers in every city and town, county and State, and the Federal Government can make timely planning decisions to deal with impacts and develop adaptation methodologies.

The legislation also calls for an Abrupt Climate Change Research Program within NOAA—a program I have been supporting for at least 5 years now—so that scientists can gather more knowledge about a change in the climate that occurs so rapidly or unexpectedly that human or natural systems have difficulty adapting to the change. I am proud to say that my alma mater, the University of Maine at Orono, has a world renowned abrupt climate change research program under the direction of Dr. Paul Mayewski. He and his colleague Dr. George Denton, UMaine Libra Professor of Geological Sciences have been major contributors to research on abrupt climate change. There is a need for a national research program to coordinate and further research on past climate shifts so that scientists can better predict what future climate change holds for our fragile planet.

The Global Change Research Program, GCRP, the country's climate research and assessment program, was established in law by the Global Change Research Act of 1990. Consider what has happened technologically since then, what was generally unheard of at that time. We now drive hybrid cars, we are tuned into iPods, we use hand held blackberries for instant communication, we have much more advanced and high speed computers for modeling and, most importantly for our legislation, more comprehensive knowledge and understanding of climate change through 17 more years of peer-reviewed scientific research, monitoring, and assessments. Our nation's climate change research program needs restructuring so that we can turn that knowledge into timely and useful information for decisionmakers. This is exactly what our bill does.

Unfortunately, the overall GCRP program's budget has been steadily declining since fiscal year 2004, which is alarming since, at the same time, we have a growing need, a truly urgent need, to better understand and predict climate change. Over the past several years, independent reports, including a review by the National Academy of Sciences, have documented weaknesses and gaps in the current implementation of the GCRP. In fact, a Federal district court found that the current administration had failed to comply with the statute's mandate to provide regular assessments of the impacts of climate change on critical resources; no such assessment has been published since October 31, 2000.

Our legislation makes important changes to address these weaknesses and gaps, making important changes to strengthen the mandate to provide assessments, enabling the GCRP to perform critical climate observations and research on climate systems; improve our ability to predict climate impacts at national, regional and local levels; and, importantly, to communicate those impacts in a timely and useful fashion to State and local decisionmakers, resource managers, and other stakeholders.

Back in the 14th century, a Franciscan friar William of Ocklam came up with the principle that has, through the ages, been called Occam's razor. The Latin explanation "entia non sunt multiplicanda praeter necessitatem," which paraphrased means, "All things being equal, the simplest solution tends to be the right one." This is what Senator KERRY and I are attempting to accomplish with this bill, to simply focus rather than to continue to multiply and to dilute how our climate change research programs are currently carried out with no real usable information for the decisionmakers who must deal with the problems of global warming. We hope our colleagues agree with these necessary improvements and will join us with their support.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 366—DESIGNATING NOVEMBER 2007 AS "NATIONAL METHAMPHETAMINE AWARENESS MONTH", TO INCREASE AWARENESS OF METHAMPHETAMINE ABUSE

Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. ALEXANDER, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Ms. CANTWELL, Mr. CORKER, Mr. CRAPO, Mr. DOMENICI, Mr. GRAHAM, Mr. KERRY, Mr. LEVIN, Mrs. LINCOLN, Ms. MURKOWSKI, Mr. ROBERTS, Mr. SALAZAR, Mr. SCHUMER, Mr. SMITH, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. CONRAD, and Mrs. DOLE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 366

Whereas methamphetamine, an easily manufactured drug of the amphetamine group, is a powerful and addictive central nervous system stimulant with long-lasting effects;

Whereas the National Association of Counties found that methamphetamine is the number 1 illegal drug problem for 47 percent of the counties in the United States, a higher percentage than that of any other drug;

Whereas 4 out of 5 county sheriffs report that, while local methamphetamine production is down, methamphetamine abuse is not (½ of the Nation's sheriffs report abuse of the drug has stayed the same and nearly ⅓ say that it has increased);

Whereas the highest rates of methamphetamine use among all ethnic groups occur within Native American communities;

Whereas the consequence of methamphetamine use by many young adults in the Native American community has been death, including methamphetamine-related suicides;

Whereas crime related to methamphetamine abuse continues to increase, with 55 percent of sheriffs reporting increases in robberies and burglaries during the last year;

Whereas most illegal methamphetamine available in the United States is produced in large clandestine laboratories in Mexico and smuggled into this country;

Whereas methamphetamine labs are costly to clean up in that every pound of methamphetamine produced can yield up to 5 pounds of toxic waste, representing a public danger to adults and children;

Whereas the profile of methamphetamine users is changing, as ⅗ of the Nation's sheriffs report increased methamphetamine use by women and ½ of the Nation's sheriffs report increased use by teens;

Whereas, in surveys on the abuse of methamphetamine among teens, many of the respondents said that the drug was easy to get and believed there is little risk in trying it;

Whereas other National Association of Counties surveys have shown that methamphetamine also places significant burdens on local social service and health care resources, increasing out-of-home placements for children, sending more people to public hospital emergency rooms than any other drug, and producing an ever-growing need for methamphetamine treatment programs; and

Whereas the establishment of a National Methamphetamine Awareness month would increase awareness of methamphetamine and educate the public on effective ways to help prevent methamphetamine use at the Federal, State, and local levels: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 2007 as "National Methamphetamine Awareness Month" to increase awareness of methamphetamine abuse; and

(2) encourages the people of the United States and interested groups to observe National Methamphetamine Awareness Month with appropriate educational programs and outreach activities.

Mr. BAUCUS. Mr. President, I am pleased to join with my colleague Senator GRASSLEY, as well as Senators ALEXANDER, BIDEN, BINGAMAN, BOND, CANTWELL, CORKER, CRAPO, DOMENICI, GRAHAM, KERRY, LEVIN, LINCOLN, MURKOWSKI, ROBERTS, SALAZAR, SCHUMER, SMITH, STABENOW, TESTER, and THUNE in submitting a resolution designating November 2007 as National Methamphetamine Awareness Month.

It is the sense of the Senate to increase awareness of methamphetamine and call upon the people of the U.S. to observe this month with appropriate methamphetamine educational programs and outreach activities.

Methamphetamine is devastating families and communities across the Nation.

It has been more than 1 year since enactment of the Combat Methamphetamine Epidemic Act. Methamphetamine lab seizures declined 42 percent nationwide last year, as a result of regulations on the sale of pseudoephedrine and ephedrine. These are the over the counter drugs which are often used in the production of methamphetamine.

But our work is not done. Methamphetamine is still the number one law enforcement problem. The National Association of Counties found that methamphetamine is the number one illegal drug problem for 47 percent of the counties in the country.

Four out of five county sheriffs report that while local methamphetamine production is down, methamphetamine abuse is not.

Methamphetamine users are changing. Three-fifths of the Nation's sheriffs report increased methamphetamine use by women. Half of the Nation's sheriffs report increased use by teens.

Surveys on methamphetamine abuse among teens show that many of the respondents said the drug was easy to get, and believed there was little risk in trying it. Methamphetamine is still far too readily available.

As a result, local social service and health care resources are stretched thin, and more and more children are being sent to foster homes.

These issues are even more apparent within tribal communities. I am very concerned that the highest rates of methamphetamine use among all ethnic groups occur within the Native American communities.

Last year, Carl Venne, Crow Tribal Chairman, testified before the Finance Committee. Chairman Venne told of the grave effects of meth on the Apsaalooka Nation. He said, "There is no entity or organization on the Crow Reservation that is exempt from the devastating destruction of Meth."

And while the regulations under the Combat Meth Act have stifled meth production here in the United States, the production has shifted to keep up with the ever-growing demand. Most illegal methamphetamine available in the U.S. is produced in large clandestine laboratories in Mexico and smuggled into this country. We must do more to break the meth supply chain at the border.

We must do more to end the demand for this devastating drug. We need to redouble our efforts and intensify methamphetamine education, prevention, and treatment. In this way, we show our resolve to bring to an end the problem of meth.

Thus, I stand here today, asking my fellow colleagues on both sides of the aisle to join us in support of designating November 2007 National Methamphetamine Awareness Month.

Conducting educational programs and outreach activities in November will give us an opportunity to talk with folks at home and focus on ways to fight methamphetamine across America.

I urge everyone to join us in support of this legislation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3499. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table.

SA 3500. Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) proposed an amendment to the bill H.R. 2419, supra.

SA 3501. Mr. BARRASSO (for himself, Mr. CRAIG, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 2419, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3499. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 9005 of the Farm Security and Rural Investment Act of 2002 (as amended by section 9001) and insert the following:

"SEC. 9005. BIOREFINERY AND REPOWERING ASSISTANCE.

"(a) PURPOSE.—The purpose of this section is to assist in the development of new or emerging technologies for the use of renewable biomass or other sources of renewable energy—

"(1) to develop advanced biofuels;

"(2) to increase the energy independence of the United States by promoting the replacement of energy generated from fossil fuels with energy generated from a renewable energy source;

"(3) to promote resource conservation, public health, and the environment;

"(4) to diversify markets for raw agricultural and forestry products, and agriculture waste material; and

"(5) to create jobs and enhance the economic development of the rural economy.

"(b) DEFINITION OF REPOWER.—In this section, the term 'repower' means to substitute the production of heat or power from a fossil fuel source with heat or power from sources of renewable energy.

"(c) ASSISTANCE.—

"(1) IN GENERAL.—The Secretary shall make available to eligible entities described in subsection (d)—

"(A) grants to assist in paying the costs of—

"(i) development and construction of pilot- and demonstration-scale biorefineries intended to demonstrate the commercial viability of 1 or more processes for converting renewable biomass to advanced biofuels;

"(ii) repowering a biomass conversion facility, power plant, or manufacturing facility, in whole or in part;

"(iii) conducting a study to determine the feasibility of repowering a biomass conversion facility, power plant, or manufacturing facility, in whole or in part; or

"(iv) development and demonstration of harvesting, transportation, preprocessing, and storage technologies relating to the production and use of renewable biomass feedstocks in biorefineries and repowering projects; and

"(B) guarantees for loans made to fund—

"(i) the development and construction of commercial-scale biorefineries; or

"(ii) the repowering of a biomass conversion facility, power plant, or manufacturing facility, in whole or in part.

"(2) PREFERENCE.—In selecting projects to receive grants and loan guarantees under this section, the Secretary shall give preference to projects that receive or will receive financial support from the State in which the project is carried out.

"(d) ELIGIBLE ENTITIES.—An eligible entity under this section is—

"(1) an individual;

"(2) a corporation;

"(3) a farm cooperative;

"(4) a rural electric cooperative or public power entity;

"(5) an association of agricultural producers;

"(6) a State or local energy agency or office;

"(7) an Indian tribe;

"(8) an institution of higher education;

"(9) a consortium comprised of any individuals or entities described in any of paragraphs (1) through (8); or

"(10) any other similar entity, as determined by the Secretary.

"(e) GRANTS.—

"(1) IN GENERAL.—The Secretary shall award grants under subsection (c)(1)(A) on a competitive basis.

"(2) SELECTION CRITERIA.—

"(A) GRANTS FOR DEVELOPMENT AND CONSTRUCTION OF PILOT AND DEMONSTRATION SCALE BIOREFINERIES.—

"(i) IN GENERAL.—In awarding grants for development and construction of pilot and demonstration scale biorefineries under subsection (c)(1)(A)(i), the Secretary shall select projects based on the likelihood that the projects will demonstrate the commercial viability of a new or emerging process for converting renewable biomass into advanced biofuels.

"(ii) FACTORS.—The factors to be considered under clause (i) may include—

"(I) the potential market for 1 or more products;

"(II) the level of financial participation by the applicants;

"(III) the availability of adequate funding from other sources;

"(IV) the participation of producer associations and cooperatives;

"(V) the beneficial impact on resource conservation, public health, and the environment;

"(VI) the timeframe in which the project will be operational;

"(VII) the potential for rural economic development;

"(VIII) the participation of multiple eligible entities; and

"(IX) the potential for developing advanced industrial biotechnology approaches.

"(B) GRANTS FOR REPOWERING.—In selecting projects to receive grants for repowering under clauses (ii) and (iii) of subsection (c)(1)(A), the Secretary shall consider—

"(i) the change in energy efficiency that would result from the proposed repowering of the eligible entity;

"(ii) the reduction in fossil fuel use that would result from the proposed repowering; and

"(iii) the volume of renewable biomass located in such proximity to the eligible entity as to make local sourcing of feedstock economically practicable.

"(C) GRANTS FOR HARVESTING, TRANSPORTATION, PREPROCESSING, AND STORAGE OF RENEWABLE BIOMASS FEEDSTOCKS.—In selecting projects to receive grants for the development and demonstration of harvesting, transportation, preprocessing, and storage technologies relating to the production and use of biomass feedstocks in biorefineries and repowering projects, the Secretary shall consider—

"(i) the regional diversity and availability of renewable biomass; and

"(ii) the economic and energy potential for use of the proposed type of renewable biomass.

"(3) COST SHARING.—

"(A) LIMITS.—

"(i) DEVELOPMENT AND CONSTRUCTION OF PILOT AND DEMONSTRATION SCALE BIOREFINERIES.—The amount of a grant awarded for development and construction of a biorefinery under subsection (c)(1)(A)(i) shall not exceed 50 percent of the cost of the project.

"(ii) REPOWERING.—The amount of a grant awarded for repowering under subsection (c)(1)(A)(ii) shall not exceed 20 percent of the cost of the project.

"(iii) FEASIBILITY STUDY FOR REPOWERING.—The amount of a grant awarded for a feasibility study for repowering under subsection (c)(1)(A)(iii) shall not exceed an amount equal to the lesser of—

"(I) an amount equal to 50 percent of the total cost of conducting the feasibility study; and

"(II) $150,000.

"(iv) HARVESTING, TRANSPORTATION, PREPROCESSING, AND STORAGE.—The amount of a grant awarded for harvesting, transportation, preprocessing, and storage under subsection (c)(1)(A)(iv) shall not exceed an amount equal to 50 percent of the cost of the project.

"(B) FORM OF GRANTEE SHARE.—

"(i) IN GENERAL.—The grantee share of the cost of a project may be made in the form of cash or the provision of services, material, or other in-kind contributions.

"(ii) LIMITATION.—The amount of the grantee share of the cost of a project that is made in the form of the provision of services, material, or other in-kind contributions shall not exceed 15 percent of the amount of the grantee share determined under subparagraph (A).

"(f) LOAN GUARANTEES.—

"(1) CONDITIONS.—As a condition of making a loan guarantee under subsection (c)(1)(B), the Secretary shall require—

"(A) demonstration of binding commitments to cover, from sources other than Federal funds, at least 20 percent of the total cost of the project described in the application;

"(B) in the case of a new or emerging technology, demonstration that the project design has been validated through a technical review and subsequent operation of a pilot or demonstration scale facility that can be scaled up to commercial size; and

"(C) demonstration that the applicant provided opportunities to local investors (as determined by the Secretary) to participate in the financing or ownership of the biorefinery.

"(2) LOCAL OWNERSHIP.—The Secretary shall give preference under subsection (c)(1)(B) to applications for projects with significant local ownership.

"(3) APPROVAL.—Not later than 90 days after the Secretary receives an application for a loan guarantee under subsection (c)(1)(B), the Secretary shall approve or disapprove the application.

"(4) LIMITATIONS.—

"(A) MAXIMUM AMOUNT OF LOAN GUARANTEED.—

"(i) COMMERCIAL-SCALE BIOREFINERIES.—Subject to clause (iii), the principal amount of a loan guaranteed under subsection (c)(1)(B)(i) may not exceed $250,000,000.

"(ii) REPOWERING.—Subject to clause (iii), the principal amount of a loan guaranteed under subsection (c)(1)(B)(ii) may not exceed $70,000,000.

"(iii) RELATIONSHIP TO OTHER FEDERAL FUNDING.—The amount of a loan guaranteed under subsection (c)(1)(B) shall be reduced by the amount of other Federal funding that the entity receives for the same project.

"(B) MAXIMUM PERCENTAGE OF LOAN GUARANTEED.—A loan guaranteed under subsection (c)(1)(B) shall be in an amount not to exceed 80 percent of the project costs, as determined by the Secretary.

"(C) AUTHORITY TO GUARANTEE ENTIRE AMOUNT OF THE LOAN.—The Secretary may guarantee up to 100 percent of the principal and interest due on a loan guaranteed under subsection (c)(1)(B).

"(g) CONSULTATION.—In carrying out this section, the Secretary shall consult with the Secretary of Energy.

"(h) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use for the cost of grants and loan guarantees to carry out this section $300,000,000 for fiscal year 2008, to remain available until expended.".

SA 3500. Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) proposed an amendment to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Food and Energy Security Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—PRODUCER INCOME PROTECTION PROGRAMS

Sec. 1001. Definitions.

Subtitle A—Traditional Payments and Loans

PART I—DIRECT PAYMENTS AND COUNTER-CYCLICAL PAYMENTS

Sec. 1101. Base acres and payment acres for a farm.
Sec. 1102. Payment yields.
Sec. 1103. Availability of direct payments.
Sec. 1104. Availability of counter-cyclical payments.
Sec. 1105. Producer agreement required as condition of provision of direct payments and counter-cyclical payments.
Sec. 1106. Planting flexibility.
Sec. 1107. Special rule for long grain and medium grain rice.
Sec. 1108. Period of effectiveness.

PART II—MARKETING ASSISTANCE LOANS AND LOAN DEFICIENCY PAYMENTS

Sec. 1201. Availability of nonrecourse marketing assistance loans for loan commodities.
Sec. 1202. Loan rates for nonrecourse marketing assistance loans.
Sec. 1203. Term of loans.
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Sec. 1205. Loan deficiency payments.
Sec. 1206. Payments in lieu of loan deficiency payments for grazed acreage.
Sec. 1207. Special marketing loan provisions for upland cotton.
Sec. 1208. Special competitive provisions for extra long staple cotton.
Sec. 1209. Availability of recourse loans for high moisture feed grains and seed cotton.
Sec. 1210. Adjustments of loans.

PART III—PEANUTS

Sec. 1301. Definitions.
Sec. 1302. Base acres for peanuts for a farm.
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Sec. 1305. Producer agreement required as condition on provision of direct payments and counter-cyclical payments.
Sec. 1306. Planting flexibility.
Sec. 1307. Marketing assistance loans and loan deficiency payments for peanuts.
Sec. 1308. Adjustments of loans.

Subtitle B—Average Crop Revenue Program

Sec. 1401. Availability of average crop revenue payments.
Sec. 1402. Producer agreement as condition of average crop revenue payments.
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Subtitle C—Sugar

Sec. 1501. Sugar program.
Sec. 1502. Storage facility loans.
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Sec. 1601. Dairy product price support program.
Sec. 1602. National dairy market loss payments.
Sec. 1603. Dairy export incentive and dairy indemnity programs.
Sec. 1604. Funding of dairy promotion and research program.
Sec. 1605. Revision of Federal marketing order amendment procedures.
Sec. 1606. Dairy forward pricing program.
Sec. 1607. Report on Department of Agriculture reporting procedures for nonfat dry milk.
Sec. 1608. Federal Milk Marketing Order Review Commission.
Sec. 1609. Mandatory reporting of dairy commodities.

Subtitle E—Administration

Sec. 1701. Administration generally.
Sec. 1702. Suspension of permanent price support authority.
Sec. 1703. Payment limitations.
Sec. 1704. Adjusted gross income limitation.
Sec. 1705. Availability of quality incentive payments for certain producers.
Sec. 1706. Hard white wheat development program.
Sec. 1707. Durum wheat quality program.
Sec. 1708. Storage facility loans.
Sec. 1709. Personal liability of producers for deficiencies.
Sec. 1710. Extension of existing administrative authority regarding loans.
Sec. 1711. Assignment of payments.

Sec. 1712. Cotton classification services.
Sec. 1713. Designation of States for cotton research and promotion.
Sec. 1714. Government publication of cotton price forecasts.
Sec. 1715. State, county, and area committees.
Sec. 1716. Prohibition on charging certain fees.
Sec. 1717. Signature authority.
Sec. 1718. Modernization of Farm Service Agency.
Sec. 1719. Geospatial systems.
Sec. 1720. Leasing office space.
Sec. 1721. Repeals.

Subtitle F—Specialty Crop Programs

Sec. 1801. Definitions.

PART I—MARKETING, INFORMATION, AND EDUCATION

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"SUBCHAPTER D—HEALTHY FORESTS RESERVE PROGRAM

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"SUBCHAPTER A—COMPREHENSIVE STEWARDSHIP INCENTIVES PROGRAM

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SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term "Secretary" means the Secretary of Agriculture.

TITLE I—PRODUCER INCOME PROTECTION PROGRAMS

SEC. 1001. DEFINITIONS.

In this title (other than part III of subtitle A):

(1) AVERAGE CROP REVENUE PAYMENT.—The term "average crop revenue payment" means a payment made to producers on a farm under section 1401.

(2) BASE ACRES.—The term "base acres", with respect to a covered commodity on a farm, means the number of acres established under section 1101 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911) as in effect on the day before the date of enactment of this Act, subject to any adjustment under section 1101 of this Act.

(3) COUNTER-CYCLICAL PAYMENT.—The term "counter-cyclical payment" means a payment made to producers on a farm under section 1104.

(4) COVERED COMMODITY.—The term "covered commodity" means wheat, corn, grain sorghum, barley, oats, upland cotton, long grain rice, medium grain rice, pulse crops, soybeans, and other oilseeds.

(5) DIRECT PAYMENT.—The term "direct payment" means a payment made to producers on a farm under section 1103.

(6) EFFECTIVE PRICE.—The term "effective price", with respect to a covered commodity for a crop year, means the price calculated by the Secretary under section 1104 to determine whether counter-cyclical payments are required to be made for that crop year.

(7) EXTRA LONG STAPLE COTTON.—The term "extra long staple cotton" means cotton that—

(A) is produced from pure strain varieties of the Barbadense species or any hybrid of the species, or other similar types of extra long staple cotton, designated by the Secretary, having characteristics needed for various end uses for which United States upland cotton is not suitable and grown in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of the varieties or types; and

(B) is ginned on a roller-type gin or, if authorized by the Secretary, ginned on another type gin for experimental purposes.

(8) LOAN COMMODITY.—The term "loan commodity" means wheat, corn, grain sorghum, barley, oats, upland cotton, extra long staple cotton, long grain rice, medium grain rice, soybeans, other oilseeds, wool, mohair, honey, dry peas, lentils, small chickpeas, and large chickpeas.

(9) MEDIUM GRAIN RICE.—The term "medium grain rice" includes short grain rice.

(10) OTHER OILSEED.—The term "other oilseed" means a crop of sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, camelina, or any oilseed designated by the Secretary.

(11) PAYMENT ACRES.—The term "payment acres" means, in the case of direct payments and counter-cyclical payments, 85 percent of the base acres of a covered commodity on a farm on which direct payments or counter-cyclical payments are made.

(12) PAYMENT YIELD.—The term "payment yield" means the yield established for direct

payments and counter-cyclical payments under section 1102 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912) as in effect on the day before the date of enactment of this Act, or under section 1102 of this Act, for a farm for a covered commodity.

(13) PRODUCER.—

(A) IN GENERAL.—The term "producer" means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(B) HYBRID SEED.—In determining whether a grower of hybrid seed is a producer, the Secretary shall—

(i) not take into consideration the existence of a hybrid seed contract; and

(ii) ensure that program requirements do not adversely affect the ability of the grower to receive a payment under this title.

(14) PULSE CROP.—The term "pulse crop" means dry peas, lentils, small chickpeas, and large chickpeas.

(15) STATE.—The term "State" means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(16) TARGET PRICE.—The term "target price" means the price per bushel, pound, or hundredweight (or other appropriate unit) of a covered commodity used to determine the payment rate for counter-cyclical payments.

(17) UNITED STATES.—The term "United States", when used in a geographical sense, means all of the States.

Subtitle A—Traditional Payments and Loans

PART I—DIRECT PAYMENTS AND COUNTER-CYCLICAL PAYMENTS

SEC. 1101. BASE ACRES AND PAYMENT ACRES FOR A FARM.

(a) ADJUSTMENT OF BASE ACRES.—

(1) IN GENERAL.—The Secretary shall provide for an adjustment, as appropriate, in the base acres for covered commodities for a farm whenever the following circumstances occurs:

(A) A conservation reserve contract entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) with respect to the farm expires or is voluntarily terminated.

(B) Cropland is released from coverage under a conservation reserve contract by the Secretary.

(C) The producer has eligible pulse crop or camelina acreage.

(D) The producer has eligible oilseed acreage as the result of the Secretary designating additional oilseeds.

(2) SPECIAL CONSERVATION RESERVE ACREAGE PAYMENT RULES.—For the crop year in which a base acres adjustment under subparagraph (A) or (B) of paragraph (1) is first made, the owner of the farm shall elect to receive either direct payments and counter-cyclical payments with respect to the acreage added to the farm under this subsection or a prorated payment under the conservation reserve contract, but not both.

(b) PREVENTION OF EXCESS BASE ACRES.—

(1) REQUIRED REDUCTION.—If the sum of the base acres for a farm, together with the acreage described in paragraph (2) exceeds the actual cropland acreage of the farm, the Secretary shall reduce the base acres for 1 or more covered commodities for the farm or the base acres for peanuts for the farm so that the sum of the base acres and acreage described in paragraph (2) does not exceed the actual cropland acreage of the farm.

(2) OTHER ACREAGE.—For purposes of paragraph (1), the Secretary shall include the following:

(A) Any base acres for peanuts for the farm.

(B) Any acreage on the farm enrolled in the conservation reserve program or wetlands reserve program under chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.).

(C) Any other acreage on the farm enrolled in a Federal conservation program for which payments are made in exchange for not producing an agricultural commodity on the acreage.

(D) Any eligible pulse crop or camelina acreage, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911(a)(2)).

(E) If the Secretary designates additional oilseeds, any eligible oilseed acreage, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911(a)(2)).

(3) SELECTION OF ACRES.—The Secretary shall give the owner of the farm the opportunity to select the base acres for a covered commodity or the base acres for peanuts for the farm against which the reduction required by paragraph (1) will be made.

(4) EXCEPTION FOR DOUBLE-CROPPED ACREAGE.—In applying paragraph (1), the Secretary shall make an exception in the case of double cropping, as determined by the Secretary.

(5) COORDINATED APPLICATION OF REQUIREMENTS.—The Secretary shall take into account section 1302(b) when applying the requirements of this subsection.

(c) PERMANENT REDUCTION IN BASE ACRES.—

(1) IN GENERAL.—The owner of a farm may reduce, at any time, the base acres for any covered commodity for the farm.

(2) ADMINISTRATION.—The reduction shall be permanent and made in the manner prescribed by the Secretary.

SEC. 1102. PAYMENT YIELDS.

(a) ESTABLISHMENT AND PURPOSE.—For the purpose of making direct payments and counter-cyclical payments under this subtitle, the Secretary shall provide for the establishment of a yield for each farm for any designated oilseed, camelina, or eligible pulse crop for which a payment yield was not established under section 1102 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912) in accordance with this section.

(b) PAYMENT YIELDS FOR DESIGNATED OILSEEDS, CAMELINA, AND ELIGIBLE PULSE CROPS.—

(1) DETERMINATION OF AVERAGE YIELD.—In the case of designated oilseeds, camelina, and eligible pulse crops, the Secretary shall determine the average yield per planted acre for the designated oilseed, camelina, or pulse crop on a farm for the 1998 through 2001 crop years, excluding any crop year in which the acreage planted to the designated oilseed, camelina, or pulse crop was zero.

(2) ADJUSTMENT FOR PAYMENT YIELD.—

(A) IN GENERAL.—The payment yield for a farm for a designated oilseed, camelina, or eligible pulse crop shall be equal to the product of the following:

(i) The average yield for the designated oilseed, camelina, or pulse crop determined under paragraph (1).

(ii) The ratio resulting from dividing the national average yield for the designated oilseed, camelina, or pulse crop for the 1981 through 1985 crops by the national average yield for the designated oilseed, camelina, or pulse crop for the 1998 through 2001 crops.

(B) NO NATIONAL AVERAGE YIELD INFORMATION AVAILABLE.—To the extent that national average yield information for a designated oilseed, camelina, or pulse crop is not available, the Secretary shall use such information as the Secretary determines to be fair and equitable to establish a national average yield under this section.

(3) USE OF PARTIAL COUNTY AVERAGE YIELD.—If the yield per planted acre for a crop of a designated oilseed, camelina, or pulse crop for a farm for any of the 1998 through 2001 crop years was less than 75 percent of the county yield for that designated oilseed, camelina, or pulse crop, the Secretary shall assign a yield for that crop year equal to 75 percent of the county yield for the purpose of determining the average under paragraph (1).

(4) NO HISTORIC YIELD DATA AVAILABLE.—In the case of establishing yields for designated oilseeds, camelina, and eligible pulse crops, if historic yield data is not available, the Secretary shall use the ratio for dry peas calculated under paragraph (2)(A)(ii) in determining the yields for designated oilseeds, camelina, and eligible pulse crops, as determined to be fair and equitable by the Secretary.

SEC. 1103. AVAILABILITY OF DIRECT PAYMENTS.

(a) PAYMENT REQUIRED.—Except as provided in section 1401, for each of the 2008 through 2012 crop years of each covered commodity (other than pulse crops), the Secretary shall make direct payments to producers on farms for which payment yields and base acres are established.

(b) PAYMENT RATE.—The payment rates used to make direct payments with respect to covered commodities for a crop year are as follows:

(1) Wheat, $0.52 per bushel.

(2) Corn, $0.28 per bushel.

(3) Grain sorghum, $0.35 per bushel.

(4) Barley, $0.24 per bushel.

(5) Oats, $0.024 per bushel.

(6) Upland cotton, $0.0667 per pound.

(7) Long grain rice, $2.35 per hundredweight.

(8) Medium grain rice, $2.35 per hundredweight.

(9) Soybeans, $0.44 per bushel.

(10) Other oilseeds, $0.80 per hundredweight.

(c) PAYMENT AMOUNT.—The amount of the direct payment to be paid to the producers on a farm for a covered commodity for a crop year shall be equal to the product of the following:

(1) The payment rate specified in subsection (b).

(2) The payment acres of the covered commodity on the farm.

(3) The payment yield for the covered commodity for the farm.

(d) TIME FOR PAYMENT.—

(1) IN GENERAL.—In the case of each of the 2008 through 2012 crop years, the Secretary shall make direct payments under this section not earlier than October 1 of the calendar year in which the crop of the covered commodity is harvested.

(2) ADVANCE PAYMENTS.—

(A) OPTION.—At the option of the producers on a farm, the Secretary shall pay in advance up to 22 percent of the direct payment for a covered commodity for any of the 2008 through 2011 crop years to the producers on a farm.

(B) MONTH.—

(i) SELECTION.—Subject to clauses (ii) and (iii), the producers on a farm shall select the month during which the advance payment for a crop year will be made.

(ii) OPTIONS.—The month selected may be any month during the period—

(I) beginning on December 1 of the calendar year before the calendar year in which the crop of the covered commodity is harvested; and

(II) ending during the month within which the direct payment would otherwise be made.

(iii) CHANGE.—The producers on a farm may change the selected month for a subsequent advance payment by providing advance notice to the Secretary.

(3) REPAYMENT OF ADVANCE PAYMENTS.—If a producer on a farm that receives an advance direct payment for a crop year ceases to be a producer on that farm, or the extent to which the producer shares in the risk of producing a crop changes, before the date the remainder of the direct payment is made, the producer shall be responsible for repaying the Secretary the applicable amount of the advance payment, as determined by the Secretary.

SEC. 1104. AVAILABILITY OF COUNTER-CYCLICAL PAYMENTS.

(a) PAYMENT REQUIRED.—Subject to sections 1107 and 1401, for each of the 2008 through 2012 crop years for each covered commodity, the Secretary shall make counter-cyclical payments to producers on farms for which payment yields and base acres are established with respect to the covered commodity if the Secretary determines that the effective price for the covered commodity is less than the target price for the covered commodity.

(b) EFFECTIVE PRICE.—

(1) COVERED COMMODITIES OTHER THAN RICE.—Except as provided in paragraph (2), for purposes of subsection (a), the effective price for a covered commodity is equal to the sum of the following:

(A) The higher of the following:

(i) The national average market price received by producers during the 12-month marketing year for the covered commodity, as determined by the Secretary.

(ii) The national average loan rate for a marketing assistance loan for the covered commodity in effect for the applicable period under part II.

(B) The payment rate in effect for the covered commodity under section 1103 for the purpose of making direct payments with respect to the covered commodity.

(2) RICE.—In the case of long grain rice and medium grain rice, for purposes of subsection (a), the effective price for each type or class of rice is equal to the sum of the following:

(A) The higher of the following:

(i) The national average market price received by producers during the 12-month marketing year for the type or class of rice, as determined by the Secretary.

(ii) The national average loan rate for a marketing assistance loan for the type or class of rice in effect for the applicable period under part II.

(B) The payment rate in effect for the type or class of rice under section 1103 for the purpose of making direct payments with respect to the type or class of rice.

(c) TARGET PRICE.—

(1) IN GENERAL.—For purposes of each of the 2008 through 2012 crop years, the target prices for covered commodities shall be as follows:

(A) Wheat, $4.20 per bushel.

(B) Corn, $2.63 per bushel.

(C) Grain sorghum, $2.63 per bushel.

(D) Barley, $2.63 per bushel.

(E) Oats, $1.83 per bushel.

(F) Upland cotton, $0.7225 per pound.

(G) Long grain rice, $10.50 per hundredweight.

(H) Medium grain rice, $10.50 per hundredweight.

(I) Soybeans, $6.00 per bushel.

(J) Other oilseeds, $12.74 per hundredweight.

(K) Dry peas, $8.33 per hundredweight.

(L) Lentils, $12.82 per hundredweight.

(M) Small chickpeas, $10.36 per hundredweight.

(N) Large chickpeas, $12.82 per hundredweight.

(2) SEPARATE TARGET PRICE.—The Secretary may not establish a target price for a covered commodity that is different from the target price specified in paragraph (1) for the covered commodity.

(d) PAYMENT RATE.—The payment rate used to make counter-cyclical payments with respect to a covered commodity for a crop year shall be equal to the difference between—

(1) the target price for the covered commodity; and

(2) the effective price determined under subsection (b) for the covered commodity.

(e) PAYMENT AMOUNT.—If counter-cyclical payments are required to be paid for any of the 2008 through 2012 crop years of a covered commodity, the amount of the counter-cyclical payment to be paid to the producers on a farm for that crop year shall be equal to the product of the following:

(1) The payment rate specified in subsection (d).

(2) The payment acres of the covered commodity on the farm.

(3) The payment yield for the covered commodity for the farm.

(f) TIME FOR PAYMENTS.—

(1) GENERAL RULE.—If the Secretary determines under subsection (a) that counter-cyclical payments are required to be made under this section for the crop of a covered commodity, the Secretary shall make the counter-cyclical payments for the crop beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity.

(2) AVAILABILITY OF PARTIAL PAYMENTS.—

(A) IN GENERAL.—If, before the end of the 12-month marketing year for a covered commodity, the Secretary estimates that counter-cyclical payments will be required for the crop of the covered commodity, the Secretary shall give producers on a farm the option to receive partial payments of the counter-cyclical payment projected to be made for that crop of the covered commodity.

(B) ELECTION.—

(i) IN GENERAL.—The Secretary shall allow producers on a farm to make an election to receive partial payments for a covered commodity under subparagraph (A) at any time but not later than 30 days prior to the end of the marketing year for that covered commodity.

(ii) DATE OF ISSUANCE.—The Secretary shall issue the partial payment after the date of an announcement by the Secretary but not later than 30 days prior to the end of the marketing year.

(3) TIME FOR PARTIAL PAYMENTS.—When the Secretary makes partial payments for a covered commodity for any of the 2008 through 2010 crop years—

(A) the first partial payment shall be made after completion of the first 180 days of the marketing year for the covered commodity; and

(B) the final partial payment shall be made beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity.

(4) AMOUNT OF PARTIAL PAYMENT.—

(A) FIRST PARTIAL PAYMENT.—For each of the 2008 through 2010 crops of a covered commodity, the first partial payment under paragraph (3) to the producers on a farm may not exceed 40 percent of the projected counter-cyclical payment for the covered commodity for the crop year, as determined by the Secretary.

(B) FINAL PAYMENT.—The final payment for a covered commodity for a crop year shall be equal to the difference between—

(i) the actual counter-cyclical payment to be made to the producers for the covered commodity for that crop year; and

(ii) the amount of the partial payment made to the producers under subparagraph (A).

(5) REPAYMENT.—The producers on a farm that receive a partial payment under this subsection for a crop year shall repay to the Secretary the amount, if any, by which the total of the partial payments exceed the actual counter-cyclical payment to be made for the covered commodity for that crop year.

SEC. 1105. PRODUCER AGREEMENT REQUIRED AS CONDITION OF PROVISION OF DIRECT PAYMENTS AND COUNTER-CYCLICAL PAYMENTS.

(a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

(1) REQUIREMENTS.—Before the producers on a farm may receive direct payments or counter-cyclical payments with respect to the farm, the producers shall agree, during the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

(C) to comply with the planting flexibility requirements of section 1106;

(D) to use the land on the farm, in a quantity equal to the attributable base acres for the farm and any base acres for peanuts for the farm under part III, for an agricultural or conserving use, and not for a nonagricultural commercial, industrial, or residential use (including land subdivided and developed into residential units or other nonfarming uses, or that is otherwise no longer intended to be used in conjunction with a farming operation), as determined by the Secretary; and

(E) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary, if the agricultural or conserving use involves the noncultivation of any portion of the land referred to in subparagraph (D).

(2) COMPLIANCE.—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with the requirements of paragraph (1).

(3) MODIFICATION.—At the request of the transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the objectives of this subsection, as determined by the Secretary.

(b) TRANSFER OR CHANGE OF INTEREST IN FARM.—

(1) TERMINATION.—

(A) IN GENERAL.—Except as provided in paragraph (2), a transfer of (or change in) the interest of the producers on a farm in base acres for which direct payments or counter-cyclical payments are made shall result in the termination of the payments with respect to the base acres, unless the transferee or owner of the acreage agrees to assume all obligations under subsection (a).

(B) EFFECTIVE DATE.—The termination shall take effect on the date determined by the Secretary.

(2) EXCEPTION.—If a producer entitled to a direct payment or counter-cyclical payment dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment, in accordance with rules issued by the Secretary.

(c) ACREAGE REPORTS.—

(1) IN GENERAL.—As a condition on the receipt of any benefits under this part or part II, the Secretary shall require producers on a farm to submit to the Secretary annual acreage reports with respect to all cropland on the farm.

(2) PENALTIES.—No penalty with respect to benefits under this part or part II shall be assessed against the producers on a farm for an inaccurate acreage report unless the producers on the farm knowingly and willfully falsified the acreage report.

(d) TENANTS AND SHARECROPPERS.—In carrying out this subtitle, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

(e) SHARING OF PAYMENTS.—The Secretary shall provide for the sharing of direct payments and counter-cyclical payments among the producers on a farm on a fair and equitable basis.

SEC. 1106. PLANTING FLEXIBILITY.

(a) PERMITTED CROPS.—Subject to subsection (b), any commodity or crop may be planted on base acres on a farm.

(b) LIMITATIONS REGARDING CERTAIN COMMODITIES.—

(1) GENERAL LIMITATION.—The planting of an agricultural commodity specified in paragraph (3) shall be prohibited on base acres unless the commodity, if planted, is destroyed before harvest.

(2) TREATMENT OF TREES AND OTHER PERENNIALS.—The planting of an agricultural commodity specified in paragraph (3) that is produced on a tree or other perennial plant shall be prohibited on base acres.

(3) COVERED AGRICULTURAL COMMODITIES.—Paragraphs (1) and (2) apply to the following agricultural commodities:

(A) Fruits.

(B) Vegetables (other than mung beans and pulse crops).

(C) Wild rice.

(c) EXCEPTIONS.—Paragraphs (1) and (2) of subsection (b) shall not limit the planting of an agricultural commodity specified in paragraph (3) of that subsection—

(1) in any region in which there is a history of double-cropping of covered commodities with agricultural commodities specified in subsection (b)(3), as determined by the Secretary, in which case the double-cropping shall be permitted;

(2) on a farm that the Secretary determines has a history of planting agricultural commodities specified in subsection (b)(3) on base acres, except that direct payments and counter-cyclical payments shall be reduced by an acre for each acre planted to such an agricultural commodity; or

(3) by the producers on a farm that the Secretary determines has an established planting history of a specific agricultural commodity specified in subsection (b)(3), except that—

(A) the quantity planted may not exceed the average annual planting history of such agricultural commodity by the producers on the farm in the 1991 through 1995 or 1998 through 2001 crop years (excluding any crop year in which no plantings were made), as determined by the Secretary; and

(B) direct payments and counter-cyclical payments shall be reduced by an acre for each acre planted to such agricultural commodity.

(d) PLANTING TRANSFERABILITY PILOT PROJECT.—

(1) PILOT PROJECT AUTHORIZED.—In addition to the exceptions provided in subsection (c), the Secretary shall carry out a pilot project in the State of Indiana under which paragraphs (1) and (2) of subsection (b) shall not limit the planting of tomatoes grown for processing on up to 10,000 base acres during each of the 2008 through 2009 crop years.

(2) CONTRACT AND MANAGEMENT REQUIREMENTS.—To be eligible for selection to participate in the pilot project, the producers on a farm shall—

(A) have entered into a contract to produce tomatoes for processing; and

(B) agree to produce the tomatoes as part of a program of crop rotation on the farm to achieve agronomic and pest and disease management benefits.

(3) TEMPORARY REDUCTION IN BASE ACRES.—The base acres on a farm participating in the pilot program for a crop year shall be reduced by an acre for each acre planted to tomatoes under the pilot program.

(4) RECALCULATION OF BASE ACRES.—

(A) IN GENERAL.—If the Secretary recalculates base acres for a farm while the farm is included in the pilot project, the planting and production of tomatoes on base acres for which a temporary reduction was made under this section shall be considered to be the same as the planting and production of a covered commodity.

(B) PROHIBITION.—Nothing in this paragraph provides authority for the Secretary to recalculate base acres for a farm.

SEC. 1107. SPECIAL RULE FOR LONG GRAIN AND MEDIUM GRAIN RICE.

(a) CALCULATION METHOD.—Subject to subsections (b) and (c), for the purposes of determining the amount of the counter-cyclical payments to be paid to the producers on a farm for long grain rice and medium grain rice under section 1104, the base acres of rice on the farm shall be apportioned using the 4-year average of the percentages of acreage planted in the applicable State to long grain rice and medium grain rice during the 2003 through 2006 crop years, as determined by the Secretary.

(b) PRODUCER ELECTION.—As an alternative to the calculation method described in subsection (a), the Secretary shall provide producers on a farm the opportunity to elect to apportion rice base acres on the farm using the 4-year average of—

(1) the percentages of acreage planted on the farm to long grain rice and medium grain rice during the 2003 through 2006 crop years;

(2) the percentages of any acreage on the farm that the producers were prevented from planting to long grain rice and medium grain rice during the 2003 through 2006 crop years because of drought, flood, other natural disaster, or other condition beyond the control of the producers, as determined by the Secretary; and

(3) in the case of a crop year for which a producer on a farm elected not to plant to long grain and medium grain rice during the 2003 through 2006 crop years, the percentages of acreage planted in the applicable State to long grain rice and medium grain rice, as determined by the Secretary.

(c) LIMITATION.—In carrying out this section, the Secretary shall use the same total base acres, payment acres, and payment yields established with respect to rice under sections 1101 and 1102 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911, 7912), as in effect on the day before the date of enactment of this Act, subject to any adjustment under section 1101 of this Act.

SEC. 1108. PERIOD OF EFFECTIVENESS.

This part shall be effective beginning with the 2008 crop year of each covered commodity through the 2012 crop year.

PART II—MARKETING ASSISTANCE LOANS AND LOAN DEFICIENCY PAYMENTS

SEC. 1201. AVAILABILITY OF NONRECOURSE MARKETING ASSISTANCE LOANS FOR LOAN COMMODITIES.

(a) NONRECOURSE LOANS AVAILABLE.—

(1) AVAILABILITY.—Except as provided in section 1401, for each of the 2008 through 2012 crops of each loan commodity, the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for loan commodities produced on the farm.

(2) TERMS AND CONDITIONS.—The marketing assistance loans shall be made under terms and conditions that are prescribed by the Secretary and at the loan rate established under section 1202 for the loan commodity.

(b) ELIGIBLE PRODUCTION.—The producers on a farm shall be eligible for a marketing assistance loan under subsection (a) for any quantity of a loan commodity produced on the farm.

(c) TREATMENT OF CERTAIN COMMINGLED COMMODITIES.—In carrying out this part, the Secretary shall make loans to producers on a farm that would be eligible to obtain a marketing assistance loan, but for the fact the loan commodity owned by the producers on the farm is commingled with loan commodities of other producers in facilities unlicensed for the storage of agricultural commodities by the Secretary or a State licensing authority, if the producers obtaining the loan agree to immediately redeem the loan collateral in accordance with section 166 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7286).

(d) COMPLIANCE WITH CONSERVATION AND WETLANDS REQUIREMENTS.—As a condition of the receipt of a marketing assistance loan under subsection (a), the producer shall comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.) and applicable wetland protection requirements under subtitle C of title XII of the Act (16 U.S.C. 3821 et seq.) during the term of the loan.

SEC. 1202. LOAN RATES FOR NONRECOURSE MARKETING ASSISTANCE LOANS.

(a) LOAN RATES.—For each of the 2008 through 2012 crop years, the loan rate for a marketing assistance loan under section 1201 for a loan commodity shall be equal to the following:

(1) In the case of wheat, $2.94 per bushel.

(2) In the case of corn, $1.95 per bushel.

(3) In the case of grain sorghum, $1.95 per bushel.

(4) In the case of barley, $1.95 per bushel.

(5) In the case of oats, $1.39 per bushel.

(6) In the case of the base quality of upland cotton, $0.52 per pound.

(7) In the case of extra long staple cotton, $0.7977 per pound.

(8) In the case of long grain rice, $6.50 per hundredweight.

(9) in the case of medium grain rice, $6.50 per hundredweight.

(10) In the case of soybeans, $5.00 per bushel.

(11) In the case of other oilseeds, $10.09 per hundredweight.

(12) In the case of dry peas, $5.40 per hundredweight.

(13) In the case of lentils, $11.28 per hundredweight.

(14) In the case of small chickpeas, $7.43 per hundredweight.

(15) In the case of large chickpeas, $11.28 per hundredweight.

(16) In the case of graded wool, $1.20 per pound.

(17) In the case of nongraded wool, $0.40 per pound.

(18) In the case of mohair, $4.20 per pound.

(19) In the case of honey, $0.72 per pound.

(b) Single County Loan Rate for Other Oilseeds.—The Secretary shall establish a single loan rate in each county for each kind of other oilseeds described in subsection (a)(10).

(c) Grading Basis for Marketing Loans for Pulse Crops.—The loan rate for pulse crops—

(1) shall be based on a grade not less than grade number 2 or other grade factors, including the fair and average quality of the 1 or more crops in any year; and

(2) may be adjusted by the Secretary to reflect the normal market discounts for grades less than number 2 quality.

(d) Corn and Grain Sorghum.—The Secretary shall—

(1) establish a single county loan rate for corn and grain sorghum in each county;

(2) establish a single national average loan rate for corn and grain sorghum; and

(3) determine each county loan rate and the national average loan rate for corn and grain sorghum, and any and all other program loan rates applicable to corn and grain sorghum, from a data set that includes prices for both corn and grain sorghum.

SEC. 1203. TERM OF LOANS.

(a) Term of Loan.—In the case of each loan commodity, a marketing assistance loan under section 1201 shall have a term of 9 months beginning on the first day of the first month after the month in which the loan is made.

(b) Extensions Prohibited.—The Secretary may not extend the term of a marketing assistance loan for any loan commodity.

SEC. 1204. REPAYMENT OF LOANS.

(a) General Rule.—The Secretary shall permit the producers on a farm to repay a marketing assistance loan under section 1201 for a loan commodity (other than upland cotton, long grain rice, medium grain rice, extra long staple cotton, and confectionery and each other kind of sunflower seed (other than oil sunflower seed)) at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) a rate that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of the commodity by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing the commodity;

(D) allow the commodity produced in the United States to be marketed freely and competitively, both domestically and internationally; and

(E) minimize discrepancies in marketing loan benefits across State boundaries and across county boundaries.

(b) Repayment Rates for Upland Cotton, Long Grain Rice, and Medium Grain Rice.—The Secretary shall permit producers to repay a marketing assistance loan under section 1201 for upland cotton, long grain rice, and medium grain rice at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) the prevailing world market price for the commodity (adjusted to United States quality and location), as determined by the Secretary.

(c) Repayment Rates for Extra Long Staple Cotton.—Repayment of a marketing assistance loan for extra long staple cotton shall be at the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)).

(d) Prevailing World Market Price.—For purposes of this section and section 1207, the Secretary shall prescribe by regulation—

(1) a formula to determine—

(A) the prevailing world market price for upland cotton (adjusted to United States quality and location); and

(B) the prevailing world market price for long grain rice and medium grain rice, adjusted to United States quality and location; and

(2) a mechanism by which the Secretary shall announce periodically the prevailing world market price for upland cotton, long grain rice, and medium grain rice.

(e) Adjustment of Prevailing World Market Price for Upland Cotton.——

(1) In general.—During the period beginning on the date of enactment of this Act and ending July 31, 2013, the Secretary may further adjust the prevailing world market price for upland cotton (adjusted to United States quality and location) if the Secretary determines the adjustment is necessary—

(A) to minimize potential loan forfeitures;

(B) to minimize the accumulation of stocks of upland cotton by the Federal Government;

(C) to allow upland cotton produced in the United States to be marketed freely and competitively, both domestically and internationally;

(D) to ensure that upland cotton produced in the United States is competitive in world markets; and

(E) to ensure an appropriate transition between current-crop and forward-crop price quotations, except that the Secretary may use forward-crop price quotations prior to July 31 of a marketing year only if—

(i) there are insufficient current-crop price quotations; and

(ii) the forward-crop price quotation is the lowest such quotation available.

(2) Guidelines for additional adjustments.—In making adjustments under this subsection, the Secretary shall establish a mechanism for determining and announcing the adjustments in order to avoid undue disruption in the United States market.

(f) Repayment Rates for Confectionery and Other Kinds of Sunflower Seeds.—The Secretary shall permit the producers on a farm to repay a marketing assistance loan under section 1201 for confectionery and each other kind of sunflower seed (other than oil sunflower seed) at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) the repayment rate established for oil sunflower seed.

(g) Quality Grades for Pulse Crops.—The loan repayment rate for pulse crops shall be based on the quality grades for the applicable commodity specified in section 1202(c).

(h) Payment of Cotton Storage Costs.—Effective for the 2008 through 2012 crop years, the Secretary shall use the funds of the Commodity Credit Corporation to provide cotton storage payments in the same manner, and at the same rates, as the Secretary provided those payments for the 2006 crop of cotton.

SEC. 1205. LOAN DEFICIENCY PAYMENTS.

(a) Availability of Loan Deficiency Payments.—

(1) In general.—Except as provided in subsection (d) and section 1401, the Secretary may make loan deficiency payments available to producers on a farm that, although eligible to obtain a marketing assistance loan under section 1201 with respect to a loan commodity, agree to forgo obtaining the loan for the commodity in return for loan deficiency payments under this section.

(2) Unshorn pelts, hay, and silage.—

(A) Marketing assistance loans.—Subject to subparagraph (B), nongraded wool in the form of unshorn pelts and hay and silage derived from a loan commodity are not eligible for a marketing assistance loan under section 1201.

(B) Loan deficiency payment.—Effective for the 2008 through 2012 crop years, the Secretary may make loan deficiency payments available under this section to producers on a farm that produce unshorn pelts or hay and silage derived from a loan commodity.

(b) Computation.—A loan deficiency payment for a loan commodity or commodity referred to in subsection (a)(2) shall be computed by multiplying—

(1) the payment rate determined under subsection (c) for the commodity; by

(2) the quantity of the commodity produced by the eligible producers, excluding any quantity for which the producers obtain a marketing assistance loan under section 1201.

(c) Payment Rate.—

(1) In general.—In the case of a loan commodity, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for the loan commodity; exceeds

(B) the rate at which a marketing assistance loan for the loan commodity may be repaid under section 1204.

(2) Unshorn pelts.—In the case of unshorn pelts, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for ungraded wool; exceeds

(B) the rate at which a marketing assistance loan for ungraded wool may be repaid under section 1204.

(3) Hay and silage.—In the case of hay or silage derived from a loan commodity, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for the loan commodity from which the hay or silage is derived; exceeds

(B) the rate at which a marketing assistance loan for the loan commodity may be repaid under section 1204.

(d) Exception for Extra Long Staple Cotton.—This section shall not apply with respect to extra long staple cotton.

(e) EFFECTIVE DATE FOR PAYMENT RATE DETERMINATION.—

(1) LOSS OF BENEFICIAL INTEREST.—The Secretary shall determine the amount of the loan deficiency payment to be made under this section to the producers on a farm with respect to a quantity of a loan commodity or commodity referred to in subsection (a)(2) using the payment rate in effect under subsection (c) as soon as practicable after the date on which the producers on the farm lose beneficial interest.

(2) ON-FARM CONSUMPTION.—For the quantity of a loan commodity or commodity referred to in subsection (a)(2) consumed on a farm, the Secretary shall provide procedures to determine a date on which the producers on the farm lose beneficial interest.

(3) APPLICABILITY.—This subsection does not apply for the 2009 through 2012 crop years.

SEC. 1206. PAYMENTS IN LIEU OF LOAN DEFICIENCY PAYMENTS FOR GRAZED ACREAGE.

(a) ELIGIBLE PRODUCERS.—

(1) IN GENERAL.—Except as provided in section 1401, effective for the 2008 through 2012 crop years, in the case of a producer that would be eligible for a loan deficiency payment under section 1205 for wheat, barley, or oats, but that elects to use acreage planted to the wheat, barley, or oats for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of the wheat, barley, or oats on that acreage.

(2) GRAZING OF TRITICALE ACREAGE.—Effective for the 2008 through 2012 crop years, with respect to a producer on a farm that uses acreage planted to triticale for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of triticale on that acreage.

(b) PAYMENT AMOUNT.—

(1) IN GENERAL.—The amount of a payment made under this section to a producer on a farm described in subsection (a)(1) shall be equal to the amount determined by multiplying—

(A) the loan deficiency payment rate determined under section 1205(c) in effect, as of the date of the agreement, for the county in which the farm is located; by

(B) the payment quantity determined by multiplying—

(i) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of wheat, barley, or oats; and

(ii) the payment yield in effect for the calculation of direct payments under part I with respect to that loan commodity on the farm or, in the case of a farm without a payment yield for that loan commodity, an appropriate yield established by the Secretary in a manner consistent with section 1102(c).

(2) GRAZING OF TRITICALE ACREAGE.—The amount of a payment made under this section to a producer on a farm described in subsection (a)(2) shall be equal to the amount determined by multiplying—

(A) the loan deficiency payment rate determined under section 1205(c) in effect for wheat, as of the date of the agreement, for the county in which the farm is located; by

(B) the payment quantity determined by multiplying—

(i) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of triticale; and

(ii) the payment yield in effect for the calculation of direct payments under part I with respect to wheat on the farm or, in the case of a farm without a payment yield for wheat, an appropriate yield established by the Secretary in a manner consistent with section 1102(c).

(c) TIME, MANNER, AND AVAILABILITY OF PAYMENT.—

(1) TIME AND MANNER.—A payment under this section shall be made at the same time and in the same manner as loan deficiency payments are made under section 1205.

(2) AVAILABILITY.—

(A) IN GENERAL.—The Secretary shall establish an availability period for the payments authorized by this section.

(B) CERTAIN COMMODITIES.—In the case of wheat, barley, and oats, the availability period shall be consistent with the availability period for the commodity established by the Secretary for marketing assistance loans authorized by this part.

(d) PROHIBITION ON CROP INSURANCE INDEMNITY OR NONINSURED CROP ASSISTANCE.—A 2008 through 2012 crop of wheat, barley, oats, or triticale planted on acreage that a producer elects, in the agreement required by subsection (a), to use for the grazing of livestock in lieu of any other harvesting of the crop shall not be eligible for an indemnity under a policy or plan of insurance authorized under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or noninsured crop assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

SEC. 1207. SPECIAL MARKETING LOAN PROVISIONS FOR UPLAND COTTON.

(a) SPECIAL IMPORT QUOTA.—

(1) DEFINITION OF SPECIAL IMPORT QUOTA.—In this subsection, the term "special import quota" means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(2) ESTABLISHMENT.—

(A) IN GENERAL.—The President shall carry out an import quota program during the period beginning on the date of the enactment of this Act through July 31, 2013, as provided in this subsection.

(B) PROGRAM REQUIREMENTS.—Whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 $\frac{3}{32}$-inch cotton, delivered to a definable and significant international market, as determined by the Secretary, exceeds the prevailing world market price, there shall immediately be in effect a special import quota.

(3) QUANTITY.—The quota shall be equal to 1 week's consumption of cotton by domestic mills at the seasonally adjusted average rate of the most recent 3 months for which data are available.

(4) APPLICATION.—The quota shall apply to upland cotton purchased not later than 90 days after the date of the Secretary's announcement under paragraph (2) and entered into the United States not later than 180 days after that date.

(5) OVERLAP.—A special quota period may be established that overlaps any existing quota period if required by paragraph (2), except that a special quota period may not be established under this subsection if a quota period has been established under subsection (b).

(6) PREFERENTIAL TARIFF TREATMENT.—The quantity under a special import quota shall be considered to be an in-quota quantity for purposes of—

(A) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(B) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(C) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(D) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 10 week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.

(b) LIMITED GLOBAL IMPORT QUOTA FOR UPLAND COTTON.—

(1) DEFINITIONS.—In this subsection:

(A) SUPPLY.—The term "supply" means, using the latest official data of the Bureau of the Census, the Department of Agriculture, and the Department of the Treasury—

(i) the carry-over of upland cotton at the beginning of the marketing year (adjusted to 480-pound bales) in which the quota is established;

(ii) production of the current crop; and

(iii) imports to the latest date available during the marketing year.

(B) DEMAND.—The term "demand" means—

(i) the average seasonally adjusted annual rate of domestic mill consumption of cotton during the most recent 3 months for which data are available; and

(ii) the larger of—

(I) average exports of upland cotton during the preceding 6 marketing years; or

(II) cumulative exports of upland cotton plus outstanding export sales for the marketing year in which the quota is established.

(C) LIMITED GLOBAL IMPORT QUOTA.—The term "limited global import quota" means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(2) PROGRAM.—The President shall carry out an import quota program that provides that whenever the Secretary determines and announces that the average price of the base quality of upland cotton, as determined by the Secretary, in the designated spot markets for a month exceeded 130 percent of the average price of the quality of cotton in the markets for the preceding 36 months, notwithstanding any other provision of law, there shall immediately be in effect a limited global import quota subject to the following conditions:

(A) QUANTITY.—The quantity of the quota shall be equal to 21 days of domestic mill consumption of upland cotton at the seasonally adjusted average rate of the most recent 3 months for which data are available or as estimated by the Secretary.

(B) QUANTITY IF PRIOR QUOTA.—If a quota has been established under this subsection during the preceding 12 months, the quantity of the quota next established under this subsection shall be the smaller of 21 days of domestic mill consumption calculated under subparagraph (A) or the quantity required to increase the supply to 130 percent of the demand.

(C) PREFERENTIAL TARIFF TREATMENT.—The quantity under a limited global import quota shall be considered to be an in-quota quantity for purposes of—

(i) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(ii) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(iii) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(iv) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(D) QUOTA ENTRY PERIOD.—When a quota is established under this subsection, cotton may be entered under the quota during the 90-day period beginning on the date the quota is established by the Secretary.

(3) NO OVERLAP.—Notwithstanding paragraph (2), a quota period may not be established that overlaps an existing quota period or a special quota period established under subsection (a).

(c) ECONOMIC ADJUSTMENT ASSISTANCE TO USERS OF UPLAND COTTON.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall, on a monthly basis, provide economic adjustment assistance to domestic users of upland cotton in the form of payments for all documented use of that upland cotton during the previous monthly period regardless of the origin of the upland cotton.

(2) VALUE OF ASSISTANCE.—

(A) BEGINNING PERIOD.—During the period beginning on August 1, 2008, and ending on June 30, 2013, the value of the assistance provided under paragraph (1) shall be 4 cents per pound.

(B) SUBSEQUENT PERIOD.—Effective beginning on July 1, 2013, the value of the assistance provided under paragraph (1) shall be 0 cents per pound.

(3) ALLOWABLE PURPOSES.—Economic adjustment assistance under this subsection shall be made available only to domestic users of upland cotton that certify that the assistance shall be used only to acquire, construct, install, modernize, develop, convert, or expand land, plant, buildings, equipment, facilities, or machinery.

(4) REVIEW OR AUDIT.—The Secretary may conduct such review or audit of the records of a domestic user under this subsection as the Secretary determines necessary to carry out this subsection.

(5) IMPROPER USE OF ASSISTANCE.—If the Secretary determines, after a review or audit of the records of the domestic user, that economic adjustment assistance under this subsection was not used for the purposes specified in paragraph (3), the domestic user shall be—

(A) liable to repay the assistance to the Secretary, plus interest, as determined by the Secretary; and

(B) ineligible to receive assistance under this subsection for a period of 1 year following the determination of the Secretary.

SEC. 1208. SPECIAL COMPETITIVE PROVISIONS FOR EXTRA LONG STAPLE COTTON.

(a) COMPETITIVENESS PROGRAM.—Notwithstanding any other provision of law, during the period beginning on the date of the enactment of this Act through July 31, 2013, the Secretary shall carry out a program—

(1) to maintain and expand the domestic use of extra long staple cotton produced in the United States;

(2) to increase exports of extra long staple cotton produced in the United States; and

(3) to ensure that extra long staple cotton produced in the United States remains competitive in world markets.

(b) PAYMENTS UNDER PROGRAM; TRIGGER.—Under the program, the Secretary shall make payments available under this section whenever—

(1) for a consecutive 4-week period, the world market price for the lowest priced competing growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is below the prevailing United States price for a competing growth of extra long staple cotton; and

(2) the lowest priced competing growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is less than 134 percent of the loan rate for extra long staple cotton.

(c) ELIGIBLE RECIPIENTS.—The Secretary shall make payments available under this section to domestic users of extra long staple cotton produced in the United States and exporters of extra long staple cotton produced in the United States that enter into an agreement with the Commodity Credit Corporation to participate in the program under this section.

(d) PAYMENT AMOUNT.—Payments under this section shall be based on the amount of the difference in the prices referred to in subsection (b)(1) during the fourth week of the consecutive 4-week period multiplied by the amount of documented purchases by domestic users and sales for export by exporters made in the week following such a consecutive 4-week period.

SEC. 1209. AVAILABILITY OF RECOURSE LOANS FOR HIGH MOISTURE FEED GRAINS AND SEED COTTON.

(a) HIGH MOISTURE FEED GRAINS.—

(1) DEFINITION OF HIGH MOISTURE STATE.—In this subsection, the term "high moisture state" means corn or grain sorghum having a moisture content in excess of Commodity Credit Corporation standards for marketing assistance loans made by the Secretary under section 1201.

(2) RECOURSE LOANS AVAILABLE.—For each of the 2008 through 2012 crops of corn and grain sorghum, the Secretary shall make available recourse loans, as determined by the Secretary, to producers on a farm that—

(A) normally harvest all or a portion of their crop of corn or grain sorghum in a high moisture state;

(B) present—

(i) certified scale tickets from an inspected, certified commercial scale, including a licensed warehouse, feedlot, feed mill, distillery, or other similar entity approved by the Secretary, pursuant to regulations issued by the Secretary; or

(ii) field or other physical measurements of the standing or stored crop in regions of the United States, as determined by the Secretary, that do not have certified commercial scales from which certified scale tickets may be obtained within reasonable proximity of harvest operation;

(C) certify that they were the owners of the feed grain at the time of delivery to, and that the quantity to be placed under loan under this subsection was in fact harvested on the farm and delivered to, a feedlot, feed mill, or commercial or on-farm high-moisture storage facility, or to a facility maintained by the users of corn and grain sorghum in a high moisture state; and

(D) comply with deadlines established by the Secretary for harvesting the corn or grain sorghum and submit applications for loans under this subsection within deadlines established by the Secretary.

(3) ELIGIBILITY OF ACQUIRED FEED GRAINS.—A loan under this subsection shall be made on a quantity of corn or grain sorghum of the same crop acquired by the producer equivalent to a quantity determined by multiplying—

(A) the acreage of the corn or grain sorghum in a high moisture state harvested on the producer's farm; by

(B) the lower of the farm program payment yield used to make counter-cyclical payments under part I or the actual yield on a field, as determined by the Secretary, that is similar to the field from which the corn or grain sorghum was obtained.

(b) RECOURSE LOANS AVAILABLE FOR SEED COTTON.—For each of the 2008 through 2012 crops of upland cotton and extra long staple cotton, the Secretary shall make available recourse seed cotton loans, as determined by the Secretary, on any production.

(c) REPAYMENT RATES.—Repayment of a recourse loan made under this section shall be at the loan rate established for the commodity by the Secretary, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)).

SEC. 1210. ADJUSTMENTS OF LOANS.

(a) ADJUSTMENT AUTHORITY.—Subject to subsections (e) and (f), the Secretary may make appropriate adjustments in the loan rates for any loan commodity (other than cotton) for differences in grade, type, quality, location, and other factors.

(b) MANNER OF ADJUSTMENT.—The adjustments under subsection (a) shall, to the maximum extent practicable, be made in such a manner that the average loan level for the commodity will, on the basis of the anticipated incidence of the factors, be equal to the level of support determined in accordance with this subtitle and subtitles B through E.

(c) ADJUSTMENT ON COUNTY BASIS.—

(1) IN GENERAL.—The Secretary may establish loan rates for a crop for producers in individual counties in a manner that results in the lowest loan rate being 95 percent of the national average loan rate, if those loan rates do not result in an increase in outlays.

(2) PROHIBITION.—Adjustments under this subsection shall not result in an increase in the national average loan rate for any year.

(d) ADJUSTMENT IN LOAN RATE FOR COTTON.—

(1) IN GENERAL.—The Secretary may make appropriate adjustments in the loan rate for cotton for differences in quality factors.

(2) REVISIONS TO QUALITY ADJUSTMENTS FOR UPLAND COTTON.—

(A) IN GENERAL.—Not later than 180 days after the enactment of this Act and after consultation with the private sector in accordance with paragraph (3), the Secretary shall implement revisions in the administration of the marketing assistance loan program for upland cotton to more accurately and efficiently reflect market values for upland cotton.

(B) MANDATORY REVISIONS.—Revisions under subparagraph (A) shall include—

(i) the elimination of warehouse location differentials;

(ii) the establishment of differentials for the various quality factors and staple lengths of cotton based on a 3-year, weighted moving average of the weighted designated spot market regions, as determined by regional production;

(iii) the elimination of any artificial split in the premium or discount between upland cotton with a 32 or 33 staple length due to micronaire; and

(iv) a mechanism to ensure that no premium or discount is established that exceeds the premium or discount associated with a leaf grade that is 1 better than the applicable color grade.

(C) DISCRETIONARY REVISIONS.—Revisions under subparagraph (A) may include—

(i) the use of non-spot market price data, in addition to spot market price data, that would enhance the accuracy of the price information used in determining quality adjustments under this subsection;

(ii) adjustments in the premiums or discounts associated with upland cotton with a staple length of 33 or above due to micronaire with the goal of eliminating any unnecessary artificial splits in the calculations of the premiums or discounts; and

(iii) such other adjustments as the Secretary determines appropriate, after consultations conducted in accordance with paragraph (3).

(3) CONSULTATION WITH PRIVATE SECTOR.—

(A) PRIOR TO REVISION.—Prior to implementing any revisions to the administration of the marketing assistance loan program for upland cotton, the Secretary shall consult with a private sector committee that—

(i) is in existence as of the date of enactment of this Act;

(ii) has a membership that includes representatives of the production, ginning, warehousing, cooperative, and merchandising segments of the United States cotton industry; and

(iii) has developed recommendations concerning the revisions.

(B) REVIEW OF ADJUSTMENTS.—The Secretary shall consult with the committee described in subparagraph (A) when conducting a review of adjustments in the operation of the loan program for upland cotton in accordance with paragraph (4).

(C) INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to consultations under this subsection.

(4) REVIEW OF ADJUSTMENTS.—The Secretary may review the operation of the upland cotton quality adjustments implemented pursuant to this subsection and may make further revisions to the administration of the loan program for upland cotton, by—

(A) revoking or revising any actions taken under paragraph (2)(B); or

(B) revoking or revising any actions taken or authorized to be taken under paragraph (2)(C).

(5) ADJUSTMENTS IN EFFECT PRIOR TO REVISION.—The quality differences (premiums and discounts for quality factors) applicable to the loan program for upland cotton (prior to any revisions in accordance with this subsection) shall be established by the Secretary by giving equal weight to—

(A) loan differences for the preceding crop; and

(B) market differences for the crop in the designated United States spot markets.

(e) CORN AND GRAIN SORGHUM.—In the case of corn and grain sorghum, the Secretary—

(1) shall administer the applicable loan, marketing loan, and related programs using a single loan rate for corn and grain sorghum that is identical in each individual county;

(2) shall provide that any adjustment in the corn and grain sorghum loan rate for location shall be determined and applied on the basis of the combined corn and grain sorghum data set in a manner that any transportation adjustment shall be the same for corn and grain sorghum in each individual county; and

(3) may provide for adjustments for grade, type, and quality, as appropriate, for the corn or grain sorghum involved in each specific transaction.

(f) RICE.—The Secretary shall not make adjustments in the loan rates for long grain rice and medium grain rice, except for differences in grade and quality (including milling yields).

PART III—PEANUTS

SEC. 1301. DEFINITIONS.

In this part:

(1) BASE ACRES FOR PEANUTS.—The term "base acres for peanuts" means the number of acres assigned to a farm pursuant to section 1302 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7952), as in effect on the day before the date of enactment of this Act, subject to any adjustment under section 1302 of this Act.

(2) COUNTER-CYCLICAL PAYMENT.—The term "counter-cyclical payment" means a payment made to producers on a farm under section 1304.

(3) DIRECT PAYMENT.—The term "direct payment" means a direct payment made to producers on a farm under section 1303.

(4) EFFECTIVE PRICE.—The term "effective price" means the price calculated by the Secretary under section 1304 for peanuts to determine whether counter-cyclical payments are required to be made under that section for a crop year.

(5) PAYMENT ACRES.—The term "payment acres" means 85 percent of the base acres for peanuts.

(6) PAYMENT YIELD.—The term "payment yield" means the yield established for direct payments and counter-cyclical payments under section 1302 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7952), as in effect on the day before the date of enactment of this Act, for a farm for peanuts.

(7) PRODUCER.—

(A) IN GENERAL.—The term "producer" means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop on a farm and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(B) HYBRID SEED.—In determining whether a grower of hybrid seed is a producer, the Secretary shall—

(i) not take into consideration the existence of a hybrid seed contract; and

(ii) ensure that program requirements do not adversely affect the ability of the grower to receive a payment under this part.

(8) STATE.—The term "State" means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(9) TARGET PRICE.—The term "target price" means the price per ton of peanuts used to determine the payment rate for counter-cyclical payments.

(10) UNITED STATES.—The term "United States", when used in a geographical sense, means all of the States.

SEC. 1302. BASE ACRES FOR PEANUTS FOR A FARM.

(a) ADJUSTMENT OF BASE ACREAGE FOR PEANUTS.—

(1) TREATMENT OF CONSERVATION RESERVE CONTRACT ACREAGE.—The Secretary shall provide for an adjustment, as appropriate, in the base acres for peanuts for a farm whenever either of the following circumstances occur:

(A) A conservation reserve contract entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) with respect to the farm expires or is voluntarily terminated.

(B) Cropland is released from coverage under a conservation reserve contract by the Secretary.

(C) The producer has eligible pulse crop or camelina acreage.

(D) The producer has eligible oilseed acreage as the result of the Secretary designating additional oilseeds.

(2) SPECIAL CONSERVATION RESERVE ACREAGE PAYMENT RULES.—For the crop year in which a base acres for peanuts adjustment under paragraph (1) is first made, the owner of the farm shall elect to receive either direct payments and counter-cyclical payments with respect to the acreage added to the farm under this subsection or a prorated payment under the conservation reserve contract, but not both.

(b) PREVENTION OF EXCESS BASE ACRES FOR PEANUTS.—

(1) REQUIRED REDUCTION.—If the sum of the base acres for peanuts for a farm, together with the acreage described in paragraph (2), exceeds the actual cropland acreage of the farm, the Secretary shall reduce the base acres for peanuts for the farm or the base acres for 1 or more covered commodities for the farm so that the sum of the base acres for peanuts and acreage described in paragraph (2) does not exceed the actual cropland acreage of the farm.

(2) OTHER ACREAGE.—For purposes of paragraph (1), the Secretary shall include the following:

(A) Any base acres for the farm for a covered commodity.

(B) Any acreage on the farm enrolled in the conservation reserve program or wetlands reserve program under chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.).

(C) Any other acreage on the farm enrolled in a Federal conservation program for which payments are made in exchange for not producing an agricultural commodity on the acreage.

(D) Any eligible pulse crop or camelina acreage, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911(a)(2)).

(E) If the Secretary designates additional oilseeds, any eligible oilseed acreage, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911(a)(2)).

(3) SELECTION OF ACRES.—The Secretary shall give the owner of the farm the opportunity to select the base acres for peanuts or the base acres for covered commodities against which the reduction required by paragraph (1) will be made.

(4) EXCEPTION FOR DOUBLE-CROPPED ACREAGE.—In applying paragraph (1), the Secretary shall make an exception in the case of double cropping, as determined by the Secretary.

(5) COORDINATED APPLICATION OF REQUIREMENTS.—The Secretary shall take into account section 1101(b) when applying the requirements of this subsection.

(c) PERMANENT REDUCTION IN BASE ACRES FOR PEANUTS.—

(1) IN GENERAL.—The owner of a farm may reduce, at any time, the base acres for peanuts assigned to the farm.

(2) ADMINISTRATION.—The reduction shall be permanent and made in the manner prescribed by the Secretary.

SEC. 1303. AVAILABILITY OF DIRECT PAYMENTS FOR PEANUTS.

(a) PAYMENT REQUIRED.—Except as provided in section 1401, for each of the 2008 through 2012 crop years for peanuts, the Secretary shall make direct payments to the producers on a farm to which a payment yield and base acres for peanuts are established.

(b) PAYMENT RATE.—The payment rate used to make direct payments with respect to peanuts for a crop year shall be equal to $36 per ton.

(c) PAYMENT AMOUNT.—The amount of the direct payment to be paid to the producers on a farm for the 2008 through 2012 crops of peanuts shall be equal to the product of the following:

(1) The payment rate specified in subsection (b).

(2) The payment acres on the farm.

(3) The payment yield for the farm.

(d) TIME FOR PAYMENT.—

(1) IN GENERAL.—In the case of each of the 2008 through 2012 crop years, the Secretary shall make direct payments under this section not earlier than October 1 of the calendar year in which the crop is harvested.

(2) ADVANCE PAYMENTS.—

(A) OPTION.—At the option of the producers on a farm, the Secretary shall pay in advance up to 22 percent of the direct payment for peanuts for any of the 2008 through 2011 crop years to the producers on a farm.

(B) MONTH.—

(i) SELECTION.—Subject to clauses (ii) and (iii), the producers on a farm shall select the month during which the advance payment for a crop year will be made.

(ii) OPTIONS.—The month selected may be any month during the period—

(I) beginning on December 1 of the calendar year before the calendar year in which the crop of peanuts is harvested; and

(II) ending during the month within which the direct payment would otherwise be made.

(iii) CHANGE.—The producers on a farm may change the selected month for a subsequent advance payment by providing advance notice to the Secretary.

(3) REPAYMENT OF ADVANCE PAYMENTS.—If a producer on a farm that receives an advance direct payment for a crop year ceases to be a producer on that farm, or the extent to which the producer shares in the risk of producing a crop changes, before the date the remainder of the direct payment is made, the producer shall be responsible for repaying the Secretary the applicable amount of the advance payment, as determined by the Secretary.

SEC. 1304. AVAILABILITY OF COUNTER-CYCLICAL PAYMENTS FOR PEANUTS.

(a) PAYMENT REQUIRED.—Except as provided in section 1401, for each of the 2008 through 2012 crop years for peanuts, the Secretary shall make counter-cyclical payments to producers on farms for which payment yields and base acres for peanuts are established if the Secretary determines that the effective price for peanuts is less than the target price for peanuts.

(b) EFFECTIVE PRICE.—For purposes of subsection (a), the effective price for peanuts is equal to the sum of the following:

(1) The higher of the following:

(A) The national average market price for peanuts received by producers during the 12-month marketing year for peanuts, as determined by the Secretary.

(B) The national average loan rate for a marketing assistance loan for peanuts in effect for the applicable period under this part.

(2) The payment rate in effect for peanuts under section 1303 for the purpose of making direct payments.

(c) TARGET PRICE.—For purposes of subsection (a), the target price for peanuts shall be equal to $495 per ton.

(d) PAYMENT RATE.—The payment rate used to make counter-cyclical payments for a crop year shall be equal to the difference between—

(1) the target price; and

(2) the effective price determined under subsection (b).

(e) PAYMENT AMOUNT.—If counter-cyclical payments are required to be paid for any of the 2008 through 2012 crops of peanuts, the amount of the counter-cyclical payment to be paid to the producers on a farm for that crop year shall be equal to the product of the following:

(1) The payment rate specified in subsection (d).

(2) The payment acres on the farm.

(3) The payment yield for the farm.

(f) TIME FOR PAYMENTS.—

(1) GENERAL RULE.—If the Secretary determines under subsection (a) that counter-cyclical payments are required to be made under this section for a crop year, the Secretary shall make the counter-cyclical payments for the crop year beginning on October 1 or as soon as practicable after the end of the marketing year.

(2) AVAILABILITY OF PARTIAL PAYMENTS.—

(A) IN GENERAL.—If, before the end of the 12-month marketing year, the Secretary estimates that counter-cyclical payments will be required under this section for a crop year, the Secretary shall give producers on a farm the option to receive partial payments of the counter-cyclical payment projected to be made for the crop.

(B) ELECTION.—

(i) IN GENERAL.—The Secretary shall allow participants to make an election to receive partial payments under subparagraph (A) at any time but not later than 30 days prior to the end of the marketing year for the crop.

(ii) DATE OF ISSUANCE.—The Secretary shall issue the partial payment after the date of an announcement by the Secretary but not later than 30 days prior to the end of the marketing year.

(3) TIME FOR PARTIAL PAYMENTS.—When the Secretary makes partial payments available for any of the 2008 through 2010 crop years—

(A) the first partial payment shall be made after completion of the first 180 days of the marketing year for that crop; and

(B) the final partial payment shall be made on October 1 of the fiscal year starting in the same calendar year as the end of the marketing year for that crop.

(4) AMOUNT OF PARTIAL PAYMENTS.—

(A) FIRST PARTIAL PAYMENT.—For each of the 2008 through 2010 crop years, the first partial payment under paragraph (3) to the producers on a farm may not exceed 40 percent of the projected counter-cyclical payment for the crop year, as determined by the Secretary.

(B) FINAL PAYMENT.—The final payment for a crop year shall be equal to the difference between—

(i) the actual counter-cyclical payment to be made to the producers for that crop year; and

(ii) the amount of the partial payment made to the producers under subparagraph (A).

(5) REPAYMENT.—The producers on a farm that receive a partial payment under this subsection for a crop year shall repay to the Secretary the amount, if any, by which the total of the partial payments exceed the actual counter-cyclical payment to be made for that crop year.

SEC. 1305. PRODUCER AGREEMENT REQUIRED AS CONDITION ON PROVISION OF DIRECT PAYMENTS AND COUNTER-CYCLICAL PAYMENTS.

(a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

(1) REQUIREMENTS.—Before the producers on a farm may receive direct payments or counter-cyclical payments under this part with respect to the farm, the producers shall agree, during the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

(C) to comply with the planting flexibility requirements of section 1306;

(D) to use the land on the farm, in a quantity equal to the attributable base acres for peanuts and any base acres for the farm under part I, for an agricultural or conserving use, and not for a nonagricultural commercial, industrial, or residential use (including land subdivided and developed into residential units or other nonfarming uses, or that is otherwise no longer intended to be used in conjunction with a farming operation), as determined by the Secretary; and

(E) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary, if the agricultural or conserving use involves the noncultivation of any portion of the land referred to in subparagraph (D).

(2) COMPLIANCE.—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with the requirements of paragraph (1).

(3) MODIFICATION.—At the request of the transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the objectives of this subsection, as determined by the Secretary.

(b) TRANSFER OR CHANGE OF INTEREST IN FARM.—

(1) TERMINATION.—

(A) IN GENERAL.—Except as provided in paragraph (2), a transfer of (or change in) the interest of the producers on a farm in the base acres for peanuts for which direct payments or counter-cyclical payments are made shall result in the termination of the payments with respect to those acres, unless the transferee or owner of the acreage agrees to assume all obligations under subsection (a).

(B) EFFECTIVE DATE.—The termination shall take effect on the date determined by the Secretary.

(2) EXCEPTION.—If a producer entitled to a direct payment or counter-cyclical payment dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment, in accordance with rules issued by the Secretary.

(c) ACREAGE REPORTS.—

(1) IN GENERAL.—As a condition on the receipt of any benefits under this part, the Secretary shall require producers on a farm to submit to the Secretary annual acreage reports with respect to all cropland on the farm.

(2) PENALTIES.—No penalty with respect to benefits under this part shall be assessed against the producers on a farm for an inaccurate acreage report unless the producers on the farm knowingly and willfully falsified the acreage report.

(d) TENANTS AND SHARECROPPERS.—In carrying out this part, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

(e) SHARING OF PAYMENTS.—The Secretary shall provide for the sharing of direct payments and counter-cyclical payments among the producers on a farm on a fair and equitable basis.

SEC. 1306. PLANTING FLEXIBILITY.

(a) PERMITTED CROPS.—Subject to subsection (b), any commodity or crop may be planted on the base acres for peanuts on a farm.

(b) LIMITATIONS REGARDING CERTAIN COMMODITIES.—

(1) GENERAL LIMITATION.—The planting of an agricultural commodity specified in paragraph (3) shall be prohibited on base acres for peanuts unless the commodity, if planted, is destroyed before harvest.

(2) TREATMENT OF TREES AND OTHER PERENNIALS.—The planting of an agricultural commodity specified in paragraph (3) that is produced on a tree or other perennial plant shall be prohibited on base acres for peanuts.

(3) COVERED AGRICULTURAL COMMODITIES.—Paragraphs (1) and (2) apply to the following agricultural commodities:

(A) Fruits.

(B) Vegetables (other than mung beans and pulse crops).

(C) Wild rice.

(c) EXCEPTIONS.—Paragraphs (1) and (2) of subsection (b) shall not limit the planting of an agricultural commodity specified in paragraph (3) of that subsection—

(1) in any region in which there is a history of double-cropping of peanuts with agricultural commodities specified in subsection (b)(3), as determined by the Secretary, in which case the double-cropping shall be permitted;

(2) on a farm that the Secretary determines has a history of planting agricultural commodities specified in subsection (b)(3) on the base acres for peanuts, except that direct payments and counter-cyclical payments shall be reduced by an acre for each acre planted to such an agricultural commodity; or

(3) by the producers on a farm that the Secretary determines has an established planting history of a specific agricultural commodity specified in subsection (b)(3), except that—

(A) the quantity planted may not exceed the average annual planting history of such agricultural commodity by the producers on the farm in the 1991 through 1995 or 1996 through 2001 crop years (excluding any crop year in which no plantings were made), as determined by the Secretary; and

(B) direct payments and counter-cyclical payments shall be reduced by an acre for each acre planted to such agricultural commodity.

SEC. 1307. MARKETING ASSISTANCE LOANS AND LOAN DEFICIENCY PAYMENTS FOR PEANUTS.

(a) NONRECOURSE LOANS AVAILABLE.—

(1) AVAILABILITY.—Except as provided in section 1401, for each of the 2008 through 2012 crops of peanuts, the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for peanuts produced on the farm.

(2) TERMS AND CONDITIONS.—The loans shall be made under terms and conditions that are prescribed by the Secretary and at the loan rate established under subsection (b).

(3) ELIGIBLE PRODUCTION.—The producers on a farm shall be eligible for a marketing assistance loan under this subsection for any quantity of peanuts produced on the farm.

(4) TREATMENT OF CERTAIN COMMINGLED COMMODITIES.—In carrying out this subsection, the Secretary shall make loans to producers on a farm that would be eligible to obtain a marketing assistance loan, but for the fact the peanuts owned by the producers on the farm are commingled with other peanuts in facilities unlicensed for the storage of agricultural commodities by the Secretary or a State licensing authority, if the producers obtaining the loan agree to immediately redeem the loan collateral in accordance with section 166 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7286).

(5) OPTIONS FOR OBTAINING LOAN.—A marketing assistance loan under this subsection, and loan deficiency payments under subsection (e), may be obtained at the option of the producers on a farm through—

(A) a designated marketing association or marketing cooperative of producers that is approved by the Secretary; or

(B) the Farm Service Agency.

(6) STORAGE OF LOAN PEANUTS.—As a condition on the Secretary's approval of an individual or entity to provide storage for peanuts for which a marketing assistance loan is made under this section, the individual or entity shall agree—

(A) to provide such storage on a nondiscriminatory basis; and

(B) to comply with such additional requirements as the Secretary considers appropriate to accomplish the purposes of this section and promote fairness in the administration of the benefits of this section.

(7) STORAGE, HANDLING, AND ASSOCIATED COSTS.—

(A) IN GENERAL.—Beginning with the 2007 crop of peanuts, to ensure proper storage of peanuts for which a loan is made under this section or section 1307 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7957), the Secretary shall use the funds of the Commodity Credit Corporation to pay handling and other associated costs (other than storage costs) incurred at the time at which the peanuts are placed under loan, as determined by the Secretary.

(B) REDEMPTION AND FORFEITURE.—The Secretary shall—

(i) require the repayment of handling and other associated costs paid under subparagraph (A) for all peanuts pledged as collateral for a loan that is redeemed under this section or section 1307 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7957); and

(ii) pay storage, handling, and other associated costs for all peanuts pledged as collateral that are forfeited under this section or section 1307 of that Act.

(8) MARKETING.—A marketing association or cooperative may market peanuts for which a loan is made under this section in any manner that conforms to consumer needs, including the separation of peanuts by type and quality.

(b) LOAN RATE.—The loan rate for a marketing assistance loan for peanuts under subsection (a) shall be equal to $355 per ton.

(c) TERM OF LOAN.—

(1) IN GENERAL.—A marketing assistance loan for peanuts under subsection (a) shall have a term of 9 months beginning on the first day of the first month after the month in which the loan is made.

(2) EXTENSIONS PROHIBITED.—The Secretary may not extend the term of a marketing assistance loan for peanuts under subsection (a).

(d) REPAYMENT RATE.—The Secretary shall permit producers on a farm to repay a marketing assistance loan for peanuts under subsection (a) at a rate that is the lesser of—

(1) the loan rate established for peanuts under subsection (b), plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) a rate that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of peanuts by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing peanuts; and

(D) allow peanuts produced in the United States to be marketed freely and competitively, both domestically and internationally.

(e) LOAN DEFICIENCY PAYMENTS.—

(1) AVAILABILITY.—The Secretary may make loan deficiency payments available to producers on a farm that, although eligible to obtain a marketing assistance loan for peanuts under subsection (a), agree to forgo obtaining the loan for the peanuts in return for loan deficiency payments under this subsection.

(2) COMPUTATION.—A loan deficiency payment under this subsection shall be computed by multiplying—

(A) the payment rate determined under paragraph (3) for peanuts; by

(B) the quantity of the peanuts produced by the producers, excluding any quantity for which the producers obtain a marketing assistance loan under subsection (a).

(3) PAYMENT RATE.—For purposes of this subsection, the payment rate shall be the amount by which—

(A) the loan rate established under subsection (b); exceeds

(B) the rate at which a loan may be repaid under subsection (d).

(4) EFFECTIVE DATE FOR PAYMENT RATE DETERMINATION.—

(A) IN GENERAL.—The Secretary shall determine the amount of the loan deficiency payment to be made under this subsection to the producers on a farm with respect to a quantity of peanuts using the payment rate in effect under paragraph (3) as soon as practicable after the date on which the producers on the farm lose beneficial interest.

(B) APPLICABILITY.—This paragraph does not apply for the 2009 through 2012 crop years.

(f) COMPLIANCE WITH CONSERVATION AND WETLANDS REQUIREMENTS.—As a condition of the receipt of a marketing assistance loan under subsection (a), the producer shall comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.) and applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.) during the term of the loan.

(g) REIMBURSABLE AGREEMENTS AND PAYMENT OF ADMINISTRATIVE EXPENSES.—The Secretary may implement any reimbursable agreements or provide for the payment of administrative expenses under this part only in a manner that is consistent with such activities in regard to other commodities.

SEC. 1308. ADJUSTMENTS OF LOANS.

(a) ADJUSTMENT AUTHORITY.—The Secretary may make appropriate adjustments in the loan rates for peanuts for differences in grade, type, quality, location, and other factors.

(b) MANNER OF ADJUSTMENT.—The adjustments under subsection (a) shall, to the maximum extent practicable, be made in such a manner that the average loan level for peanuts will, on the basis of the anticipated incidence of the factors, be equal to the level of support determined in accordance with this subtitle and subtitles B through E.

(c) ADJUSTMENT ON COUNTY BASIS.—

(1) IN GENERAL.—The Secretary may establish loan rates for a crop of peanuts for producers in individual counties in a manner that results in the lowest loan rate being 95 percent of the national average loan rate, if those loan rates do not result in an increase in outlays.

(2) PROHIBITION.—Adjustments under this subsection shall not result in an increase in the national average loan rate for any year.

Subtitle B—Average Crop Revenue Program

SEC. 1401. AVAILABILITY OF AVERAGE CROP REVENUE PAYMENTS.

(a) AVAILABILITY AND ELECTION OF ALTERNATIVE APPROACH.—

(1) AVAILABILITY OF AVERAGE CROP REVENUE PAYMENTS.—As an alternative to receiving payments or loans under subtitle A with respect to all covered commodities and peanuts on a farm (other than loans for graded and nongraded wool, mohair, and honey), the Secretary shall give the producers on the farm an opportunity to make a 1-time election to instead receive average crop revenue payments under this section for—

(A) the 2010, 2011, and 2012 crop years;

(B) the 2011 and 2012 crop years; or

(C) the 2012 crop year.

(2) ELECTION; TIME FOR ELECTION.—

(A) IN GENERAL.—The Secretary shall provide notice to producers regarding the opportunity to make the election described in paragraph (1).

(B) NOTICE REQUIREMENTS.—The notice shall include—

(i) notice of the opportunity of the producers on a farm to make the election; and

(ii) information regarding the manner in which the election must be made and the time periods and manner in which notice of the election must be submitted to the Secretary.

(3) ELECTION DEADLINE.—Within the time period and in the manner prescribed pursuant to paragraph (2), the producers on a farm shall submit to the Secretary notice of the election made under paragraph (1).

(4) EFFECT OF FAILURE TO MAKE ELECTION.—If the producers on a farm fail to make the election under paragraph (1) or fail to timely notify the Secretary of the election made, as required by paragraph (3), the producers shall be deemed to have made the election to receive payments and loans under subtitle A for all covered commodities and peanuts on the farm for the applicable crop year.

(b) PAYMENTS REQUIRED.—

(1) IN GENERAL.—In the case of producers on a farm who make the election under subsection (a) to receive average crop revenue payments, for any of the 2010 through 2012 crop years for all covered commodities and peanuts, the Secretary shall make average crop revenue payments available to the producers on a farm in accordance with this subsection.

(2) FIXED PAYMENT COMPONENT.—Subject to paragraph (3), in the case of producers on a farm described in paragraph (1), the Secretary shall make average crop revenue payments available to the producers on a farm for each crop year in an amount equal to not less than the product obtained by multiplying—

(A) $15 per acre; and

(B) 100 percent of the quantity of base acres on the farm for all covered commodities and peanuts (as adjusted in accordance with the terms and conditions of section 1101 or 1302, as determined by the Secretary).

(3) REVENUE COMPONENT.—The Secretary shall increase the amount of the average crop revenue payments available to the producers on a farm in a State for a crop year if—

(A) the actual State revenue for the crop year for the covered commodity or peanuts in the State determined under subsection (c); is less than

(B) the average crop revenue program guarantee for the crop year for the covered commodity or peanuts in the State determined under subsection (d).

(4) TIME FOR PAYMENTS.—In the case of each of the 2010 through 2012 crop years, the Secretary shall make average crop revenue payments beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity or peanuts.

(c) ACTUAL STATE REVENUE.—

(1) IN GENERAL.—For purposes of subsection (b)(3)(A), the amount of the actual State revenue for a crop year of a covered commodity shall equal the product obtained by multiplying—

(A) the actual State yield for each planted acre for the crop year for the covered commodity or peanuts determined under paragraph (2); and

(B) the average crop revenue program harvest price for the crop year for the covered commodity or peanuts determined under paragraph (3).

(2) ACTUAL STATE YIELD.—For purposes of paragraph (1)(A) and subsection (d)(1)(A), the actual State yield for each planted acre for a crop year for a covered commodity or peanuts in a State shall equal (as determined by the Secretary)—

(A) the quantity of the covered commodity or peanuts that is produced in the State during the crop year; divided by

(B) the number of acres that are planted to the covered commodity or peanuts in the State during the crop year.

(3) AVERAGE CROP REVENUE PROGRAM HARVEST PRICE.—

(A) IN GENERAL.—For purposes of paragraph (1)(B), subject to subparagraph (B), the average crop revenue program harvest price for a crop year for a covered commodity or peanuts in a State shall equal the harvest price that is used to calculate revenue under revenue coverage plans that are offered for the crop year for the covered commodity or peanuts in the State under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(B) ASSIGNED PRICE.—If the Secretary cannot establish the harvest price for a crop year for a covered commodity or peanuts in a State in accordance with subparagraph (A), the Secretary shall assign a price for the covered commodity or peanuts in the State on the basis of comparable price data.

(d) AVERAGE CROP REVENUE PROGRAM GUARANTEE.—

(1) IN GENERAL.—The average crop revenue program guarantee for a crop year for a covered commodity or peanuts in a State shall equal 90 percent of the product obtained by multiplying—

(A) the expected State yield for each planted acre for the crop year for the covered commodity or peanuts in a State determined under paragraph (2); and

(B) the average crop revenue program preplanting price for the crop year for the covered commodity or peanuts determined under paragraph (3).

(2) EXPECTED STATE YIELD.—

(A) IN GENERAL.—For purposes of paragraph (1)(A), subject to subparagraph (B), the expected State yield for each planted acre for a crop year for a covered commodity or peanuts in a State shall equal the projected yield for the crop year for the covered commodity or peanuts in the State, based on a linear regression trend of the yield per acre planted to the covered commodity or peanuts in the State during the 1980 through 2006 period using National Agricultural Statistics Service data.

(B) ASSIGNED YIELD.—If the Secretary cannot establish the expected State yield for each planted acre for a crop year for a covered commodity or peanuts in a State in accordance with subparagraph (A) or if the linear regression trend of the yield per acre planted to the covered commodity or peanuts in the State (as determined under subparagraph (A)) is negative, the Secretary shall assign an expected State yield for each planted acre for the crop year for the covered commodity or peanuts in the State on the basis of expected State yields for planted acres for the crop year for the covered commodity or peanuts in similar States.

(3) AVERAGE CROP REVENUE PROGRAM PRE-PLANTING PRICE.—

(A) IN GENERAL.—For purposes of paragraph (1)(B), subject to subparagraphs (B) and (C), the average crop revenue program pre-planting price for a crop year for a covered commodity or peanuts in a State shall equal the average price that is used to calculate revenue under revenue coverage plans that are offered for the covered commodity in the State under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop year and the preceding 2 crop years.

(B) ASSIGNED PRICE.—If the Secretary cannot establish the pre-planting price for a crop year for a covered commodity or peanuts in a State in accordance with subparagraph (A), the Secretary shall assign a price for the covered commodity or peanuts in the State on the basis of comparable price data.

(C) MINIMUM AND MAXIMUM PRICE.—In the case of each of the 2011 through 2012 crop years, the average crop revenue program pre-planting price for a crop year for a covered commodity or peanuts under subparagraph (A) shall not decrease or increase more than 15 percent from the pre-planting price for the preceding year.

(e) PAYMENT AMOUNT.—If average crop revenue payments are required to be paid for any of the 2010 through 2012 crop years of a covered commodity or peanuts under subsection (b)(3), in addition to the amount payable under subsection (b)(2), the amount of the average crop revenue payment to be paid to the producers on the farm for the crop year under this section shall be increased by an amount equal to the product obtained by multiplying—

(1) the difference between—

(A) the average crop revenue program guarantee for the crop year for the covered commodity or peanuts in the State determined under subsection (d); and

(B) the actual State revenue from the crop year for the covered commodity or peanuts in the State determined under subsection (c);

(2) 85 percent of the quantity of base acres on the farm for the covered commodity or peanuts (as adjusted in accordance with the terms and conditions of section 1101 or 1302, as determined by the Secretary);

(3) the quotient obtained by dividing—

(A)(i) the yield used to calculate crop insurance coverage for the commodity or peanuts on the farm under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) (commonly referred to as "actual production history"); or

(ii) if actual production history for the commodity or peanuts on the farm is not available, a comparable yield as determined by the Secretary; by

(B) the expected State yield for the crop year, as determined under subsection (d)(2); and

(4) 90 percent.

(f) RECOURSE LOANS.—For each of the 2010 through 2012 crops of a covered commodity or peanuts, the Secretary shall make available to producers on a farm who elect to receive payments under this section recourse loans, as determined by the Secretary, on any production of the covered commodity.

SEC. 1402. PRODUCER AGREEMENT AS CONDITION OF AVERAGE CROP REVENUE PAYMENTS.

(a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

(1) REQUIREMENTS.—Before the producers on a farm may receive average crop revenue payments with respect to the farm, the producers shall agree, and in the case of subparagraph (C), the Farm Service Agency shall certify, during the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.); and

(C) that the individuals or entities receiving payments are producers;

(D) to use the land on the farm, in a quantity equal to the attributable base acres for the farm and any base acres for peanuts for the farm under part III of subtitle A, for an agricultural or conserving use, and not for a nonagricultural commercial, industrial, or residential use (including land subdivided and developed into residential units or other nonfarming uses, or that is otherwise no longer intended to be used in conjunction with a farming operation), as determined by the Secretary; and

(E) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary, if the agricultural or conserving use involves the noncultivation of any portion of the land referred to in subparagraph (D).

(2) COMPLIANCE.—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with the requirements of paragraph (1).

(3) MODIFICATION.—At the request of the transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the objectives of this subsection, as determined by the Secretary.

(b) TRANSFER OR CHANGE OF INTEREST IN FARM.—

(1) TERMINATION.—

(A) IN GENERAL.—Except as provided in paragraph (2), a transfer of (or change in) the interest of the producers on a farm for which average crop revenue payments are made shall result in the termination of the payments, unless the transferee or owner of the farm agrees to assume all obligations under subsection (a).

(B) EFFECTIVE DATE.—The termination shall take effect on the date determined by the Secretary.

(2) EXCEPTION.—If a producer entitled to an average crop revenue payment dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment, in accordance with rules issued by the Secretary.

(c) ACREAGE REPORTS.—

(1) IN GENERAL.—As a condition on the receipt of any benefits under this subtitle, the Secretary shall require producers on a farm to submit to the Secretary annual acreage reports with respect to all cropland on the farm.

(2) PENALTIES.—No penalty with respect to benefits under subtitle shall be assessed against the producers on a farm for an inaccurate acreage report unless the producers on the farm knowingly and willfully falsified the acreage report.

(d) TENANTS AND SHARECROPPERS.—In carrying out this subtitle, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

(e) SHARING OF PAYMENTS.—The Secretary shall provide for the sharing of average crop revenue payments among the producers on a farm on a fair and equitable basis.

(f) AUDIT AND REPORT.—Each year, to ensure, to the maximum extent practicable, that payments are received only by producers, the Secretary shall—

(1) conduct an audit of average crop revenue payments; and

(2) submit to Congress a report that describes the results of that audit.

SEC. 1403. PLANTING FLEXIBILITY.

(a) PERMITTED CROPS.—Subject to subsection (b), any commodity or crop may be planted on base acres on a farm for which the producers on a farm elect to receive average crop revenue payments (referred to in this section as "base acres").

(b) LIMITATIONS REGARDING CERTAIN COMMODITIES.—

(1) GENERAL LIMITATION.—The planting of an agricultural commodity specified in paragraph (3) shall be prohibited on base acres unless the commodity, if planted, is destroyed before harvest.

(2) TREATMENT OF TREES AND OTHER PERENNIALS.—The planting of an agricultural commodity specified in paragraph (3) that is produced on a tree or other perennial plant shall be prohibited on base acres.

(3) COVERED AGRICULTURAL COMMODITIES.—Paragraphs (1) and (2) apply to the following agricultural commodities:

(A) Fruits.

(B) Vegetables (other than mung beans and pulse crops).

(C) Wild rice.

(c) EXCEPTIONS.—Paragraphs (1) and (2) of subsection (b) shall not limit the planting of an agricultural commodity specified in paragraph (3) of that subsection—

(1) in any region in which there is a history of double-cropping of covered commodities with agricultural commodities specified in subsection (b)(3), as determined by the Secretary, in which case the double-cropping shall be permitted;

(2) on a farm that the Secretary determines has a history of planting agricultural commodities specified in subsection (b)(3) on base acres, except that average crop revenue payments shall be reduced by an acre for each acre planted to such an agricultural commodity; or

(3) by the producers on a farm that the Secretary determines has an established planting history of a specific agricultural commodity specified in subsection (b)(3), except that—

(A) the quantity planted may not exceed the average annual planting history of such agricultural commodity by the producers on the farm in the 1991 through 1995 or 1998 through 2001 crop years (excluding any crop year in which no plantings were made), as determined by the Secretary; and

(B) average crop revenue payments shall be reduced by an acre for each acre planted to such agricultural commodity.

(d) PLANTING TRANSFERABILITY PILOT PROJECT.—Producers on a farm that elect to receive average crop revenue payments shall be eligible to participate in the pilot program established under section 1106(d) under the same terms and conditions as producers that receive direct payments and counter-cyclical payments.

(e) PRODUCTION OF FRUITS OR VEGETABLES FOR PROCESSING.—

(1) IN GENERAL.—Subject to paragraphs (2) through (4), effective beginning with the 2010 crop years, producers on a farm that elect to receive average crop revenue payments, with the consent of the owner of and any other producers on the farm, may reduce the base acres for a covered commodity for the farm if the reduced acres are used for the planting and production of fruits or vegetables for processing.

(2) REVERSION TO BASE ACRES FOR COVERED COMMODITY.—Any reduced acres on a farm devoted to the planting and production of fruits or vegetables during a crop year under paragraph (1) shall be included in base acres for the covered commodity for the subsequent crop year, unless the producers on the farm make the election described in paragraph (1) for the subsequent crop year.

(3) RECALCULATION OF BASE ACRES.—

(A) IN GENERAL.—Subject to subparagraph (B), if the Secretary recalculates base acres for a farm, the planting and production of fruits or vegetables for processing under paragraph (1) shall be considered to be the same as the planting, prevented planting, or production of a covered commodity.

(B) AUTHORITY.—Nothing in this subsection provides authority for the Secretary to recalculate base acres for a farm covered by this subsection other than as provided in this subsection.

(4) LIMITATIONS.—

(A) IN GENERAL.—This subsection applies in land located in each of the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Ohio, and Wisconsin.

(B) ACREAGE LIMIT.—The total number of base acres that may be reduced in any State under this subsection shall not exceed 10,000.

Subtitle C—Sugar

SEC. 1501. SUGAR PROGRAM.

Section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) is amended to read as follows:

"SEC. 156. SUGAR PROGRAM.

"(a) SUGARCANE.—The Secretary shall make loans available to processors of domestically grown sugarcane at a rate equal to—

"(1) 18.00 cents per pound for raw cane sugar for the 2008 crop year;

"(2) 18.25 cents per pound for raw cane sugar for the 2009 crop year;

"(3) 18.50 cents per pound for raw cane sugar for the 2010 crop year;

"(4) 18.75 cents per pound for raw cane sugar for the 2011 crop year; and

"(5) 19.00 cents per pound for raw cane sugar for the 2012 crop year.

"(b) SUGAR BEETS.—The Secretary shall make loans available to processors of domestically grown sugar beets at a rate per pound for refined beet sugar that is equal to 128.5 percent of the loan rate per pound of raw cane sugar for the applicable crop year under subsection (a).

"(c) TERM OF LOANS.—

"(1) IN GENERAL.—A loan under this section during any fiscal year shall be made available not earlier than the beginning of the fiscal year and shall mature at the earlier of—

"(A) the end of the 9-month period beginning on the first day of the first month after the month in which the loan is made; or

"(B) the end of the fiscal year in which the loan is made.

"(2) SUPPLEMENTAL LOANS.—In the case of a loan made under this section in the last 3 months of a fiscal year, the processor may repledge the sugar as collateral for a second loan in the subsequent fiscal year, except that the second loan shall—

"(A) be made at the loan rate in effect at the time the second loan is made; and

"(B) mature in 9 months less the quantity of time that the first loan was in effect.

"(d) Loan Type; Processor Assurances.—

"(1) Nonrecourse loans.—The Secretary shall carry out this section through the use of nonrecourse loans.

"(2) Processor assurances.—

"(A) In general.—The Secretary shall obtain from each processor that receives a loan under this section such assurances as the Secretary considers adequate to ensure that the processor will provide payments to producers that are proportional to the value of the loan received by the processor for the sugar beets and sugarcane delivered by producers to the processor.

"(B) Minimum payments.—

"(i) In general.—Subject to clause (ii), the Secretary may establish appropriate minimum payments for purposes of this paragraph.

"(ii) Limitation.—In the case of sugar beets, the minimum payment established under clause (i) shall not exceed the rate of payment provided for under the applicable contract between a sugar beet producer and a sugar beet processor.

"(3) Administration.—The Secretary may not impose or enforce any prenotification requirement, or similar administrative requirement not otherwise in effect on the date of enactment of the Food and Energy Security Act of 2007, that has the effect of preventing a processor from electing to forfeit the loan collateral (of an acceptable grade and quality) on the maturity of the loan.

"(e) Loans for In-Process Sugar.—

"(1) Definition of in-process sugars and syrups.—In this subsection, the term 'in-process sugars and syrups' does not include raw sugar, liquid sugar, invert sugar, invert syrup, or other finished product that is otherwise eligible for a loan under subsection (a) or (b).

"(2) Availability.—The Secretary shall make nonrecourse loans available to processors of a crop of domestically grown sugarcane and sugar beets for in-process sugars and syrups derived from the crop.

"(3) Loan rate.—The loan rate shall be equal to 80 percent of the loan rate applicable to raw cane sugar or refined beet sugar, as determined by the Secretary on the basis of the source material for the in-process sugars and syrups.

"(4) Further processing on forfeiture.—

"(A) In general.—As a condition of the forfeiture of in-process sugars and syrups serving as collateral for a loan under paragraph (2), the processor shall, within such reasonable time period as the Secretary may prescribe and at no cost to the Commodity Credit Corporation, convert the in-process sugars and syrups into raw cane sugar or refined beet sugar of acceptable grade and quality for sugars eligible for loans under subsection (a) or (b).

"(B) Transfer to corporation.—Once the in-process sugars and syrups are fully processed into raw cane sugar or refined beet sugar, the processor shall transfer the sugar to the Commodity Credit Corporation.

"(C) Payment to processor.—On transfer of the sugar, the Secretary shall make a payment to the processor in an amount equal to the amount obtained by multiplying—

"(i) the difference between—

"(I) the loan rate for raw cane sugar or refined beet sugar, as appropriate; and

"(II) the loan rate the processor received under paragraph (3); by

"(ii) the quantity of sugar transferred to the Secretary.

"(5) Loan conversion.—If the processor does not forfeit the collateral as described in paragraph (4), but instead further processes the in-process sugars and syrups into raw cane sugar or refined beet sugar and repays the loan on the in-process sugars and syrups, the processor may obtain a loan under subsection (a) or (b) for the raw cane sugar or refined beet sugar, as appropriate.

"(6) Term of loan.—The term of a loan made under this subsection for a quantity of in-process sugars and syrups, when combined with the term of a loan made with respect to the raw cane sugar or refined beet sugar derived from the in-process sugars and syrups, may not exceed 9 months, consistent with subsection (d).

"(f) Feedstock Flexibility Program for Bioenergy Producers.—

"(1) Definitions.—In this subsection:

"(A) Bioenergy.—The term 'bioenergy' means fuel grade ethanol and other biofuel.

"(B) Bioenergy producer.—The term 'bioenergy producer' means a producer of bioenergy that uses an eligible commodity to produce bioenergy under this subsection.

"(C) Eligible commodity.—The term 'eligible commodity' means a form of raw or refined sugar or in-process sugar that is eligible—

"(i) to be marketed in the United States for human consumption; or

"(ii) to be used for the extraction of sugar for human consumption.

"(D) Eligible entity.—The term 'eligible entity' means an entity located in the United States that markets an eligible commodity in the United States.

"(2) Feedstock flexibility program.—

"(A) Purchases and sales.—For each of fiscal years 2008 through 2012, the Secretary shall purchase eligible commodities from eligible entities and sell such commodities to bioenergy producers for the purpose of producing bioenergy in a manner that ensures that this section is operated at no cost to the Federal Government and avoids forfeitures to the Commodity Credit Corporation.

"(B) Competitive procedures.—In carrying out the purchases and sales required under subparagraph (A), the Secretary shall, to the maximum extent practicable, use competitive procedures, including the receiving, offering, and accepting of bids, when entering into contracts with eligible entities and bioenergy producers, provided that the procedures are consistent with the purposes of subparagraph (A).

"(C) Limitation.—The purchase and sale of eligible commodities under subparagraph (A) shall only be made for a fiscal year for which the purchases and sales are necessary to ensure that the program under this section is operated at no cost to the Federal Government by avoiding forfeitures to the Commodity Credit Corporation.

"(3) Notice.—

"(A) In general.—As soon as practicable after the date of enactment of the Food and Energy Security Act of 2007, and each September 1 thereafter through fiscal year 2012, the Secretary shall provide notice to eligible entities and bioenergy producers of the quantity of eligible commodities that shall be made available for purchase and sale for the subsequent fiscal year under this subsection.

"(B) Reestimates.—Not later than the first day of each of the second through fourth quarters of each of fiscal years 2008 through 2012, the Secretary shall reestimate the quantity of eligible commodities determined under subparagraph (A), and provide notice and make purchases and sales based on the reestimates.

"(4) Commodity credit corporation inventory.—To the extent that an eligible commodity is owned and held in inventory by the Commodity Credit Corporation (accumulated pursuant to the program under this section), the Secretary shall sell the eligible commodity to bioenergy producers under this subsection.

"(5) Transfer rule; storage fees.—

"(A) General transfer rule.—Except as provided in subparagraph (C), the Secretary shall ensure that bioenergy producers that purchase eligible commodities pursuant to this subsection take possession of the eligible commodities not later than 30 calendar days after the date of the purchase from the Commodity Credit Corporation.

"(B) Payment of storage fees prohibited.—

"(i) In general.—The Secretary shall, to the maximum extent practicable, carry out this subsection in a manner that ensures no storage fees are paid by the Commodity Credit Corporation in the administration of this subsection.

"(ii) Exception.—Clause (i) shall not apply with respect to any commodities owned and held in inventory by the Commodity Credit Corporation (accumulated pursuant to the program under this section).

"(C) Option to prevent storage fees.—

"(i) In general.—The Secretary may enter into contracts with bioenergy producers to sell eligible commodities to the bioenergy producers prior in time to entering into contracts with eligible entities to purchase the eligible commodities to be used to satisfy the contracts entered into with the bioenergy producers.

"(ii) Special transfer rule.—If the Secretary makes a sale and purchase referred to in clause (i), the Secretary shall ensure that the bioenergy producer that purchased eligible commodities takes possession of the eligible commodities not later than 30 calendar days after the date on which the Commodity Credit Corporation purchases the eligible commodities.

"(6) Relation to other laws.—If sugar that is subject to a marketing allotment under part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa et seq.) is the subject of a payment under this subsection, the sugar shall be considered marketed and shall count against the allocation of a processor of an allotment under that part, as applicable.

"(7) Funding.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation, including the use of such sums as are necessary, to carry out this subsection.

"(g) Avoiding Forfeitures; Corporation Inventory Disposition.—

"(1) In general.—Subject to subsection (d)(3), to the maximum extent practicable, the Secretary shall operate the program established under this section at no cost to the Federal Government by avoiding the forfeiture of sugar to the Commodity Credit Corporation.

"(2) Inventory disposition.—

"(A) In general.—To carry out paragraph (1), the Commodity Credit Corporation may accept bids to obtain raw cane sugar or refined beet sugar in the inventory of the Commodity Credit Corporation from (or otherwise make available such commodities, on appropriate terms and conditions, to) processors of sugarcane and processors of sugar beets (acting in conjunction with the producers of the sugarcane or sugar beets processed by the processors) in return for the reduction of production of raw cane sugar or refined beet sugar, as appropriate.

"(B) BIOENERGY FEEDSTOCK.—Sugar beets or sugarcane planted on acreage diverted from production to achieve any reduction required under subparagraph (A) may not be used for any commercial purpose other than as a bioenergy feedstock.

"(C) ADDITIONAL AUTHORITY.—The authority provided under this paragraph is in addition to any authority of the Commodity Credit Corporation under any other law.

"(h) INFORMATION REPORTING.—

"(1) DUTY OF PROCESSORS AND REFINERS TO REPORT.—A sugarcane processor, cane sugar refiner, and sugar beet processor shall furnish the Secretary, on a monthly basis, such information as the Secretary may require to administer sugar programs, including the quantity of purchases of sugarcane, sugar beets, and sugar, and production, importation, distribution, and stock levels of sugar.

"(2) DUTY OF PRODUCERS TO REPORT.—

"(A) PROPORTIONATE SHARE STATES.—As a condition of a loan made to a processor for the benefit of a producer, the Secretary shall require each producer of sugarcane located in a State (other than the Commonwealth of Puerto Rico) in which there are in excess of 250 producers of sugarcane to report, in the manner prescribed by the Secretary, the sugarcane yields and acres planted to sugarcane of the producer.

"(B) OTHER STATES.—The Secretary may require each producer of sugarcane or sugar beets not covered by subparagraph (A) to report, in a manner prescribed by the Secretary, the yields of, and acres planted to, sugarcane or sugar beets, respectively, of the producer.

"(3) DUTY OF IMPORTERS TO REPORT.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall require an importer of sugars, syrups, or molasses to be used for human consumption or to be used for the extraction of sugar for human consumption to report, in the manner prescribed by the Secretary, the quantities of the products imported by the importer and the sugar content or equivalent of the products.

"(B) TARIFF-RATE QUOTAS.—Subparagraph (A) shall not apply to sugars, syrups, or molasses that are within the quantities of tariff-rate quotas that are subject to the lower rate of duties.

"(4) INFORMATION ON MEXICO.—

"(A) COLLECTION.—The Secretary shall collect—

"(i) information of the production, consumption, stocks, and trade of sugar in Mexico, including United States exports of sugar to Mexico; and

"(ii) publicly-available information on Mexican production, consumption, and trade of high fructose corn syrups to Mexico.

"(B) PUBLICATION.—The date collected under subparagraph (A) shall be published in each edition of the World Agricultural Supply and Demand Estimates.

"(5) PENALTY.—Any person willfully failing or refusing to furnish the information required under paragraph (1), (2), or (3), or furnishing willfully any false information, shall be subject to a civil penalty of not more than $10,000 for each such violation.

"(6) MONTHLY REPORTS.—Taking into consideration the information received under this subsection, the Secretary shall publish on a monthly basis composite data on production, imports, distribution, and stock levels of sugar.

"(i) SUBSTITUTION OF REFINED SUGAR.—For purposes of Additional U.S. Note 6 to chapter 17 of the Harmonized Tariff Schedule of the United States and the reexport programs and polyhydric alcohol program administered by the Secretary, all refined sugars (whether derived from sugar beets or sugarcane) produced by cane sugar refineries and beet sugar processors shall be fully substitutable for the export of sugar and sugar-containing products under those programs.

"(j) EFFECTIVE PERIOD.—

"(1) IN GENERAL.—This section shall be effective only for the 2008 through 2012 crops of sugar beets and sugarcane.

"(2) TRANSITION.—The Secretary shall make loans for raw cane sugar and refined beet sugar available for the 2007 crop year on the terms and conditions provided in this section as in effect on the day before the date of enactment of the Food and Energy Security Act of 2007.".

SEC. 1502. STORAGE FACILITY LOANS.

Section 1402(c) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7971(c)) is amended—

(1) in paragraph (1), by striking "and" at the end;

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following:

"(2) not include any penalty for prepayment"; and

(4) in paragraph (3) (as redesignated by paragraph (2)), by inserting "other" after "on such".

SEC. 1503. COMMODITY CREDIT CORPORATION STORAGE PAYMENTS.

Subtitle E of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7281 et seq.) is amended by adding at the end the following:

"SEC. 167. COMMODITY CREDIT CORPORATION STORAGE PAYMENTS.

"(a) INITIAL CROP YEARS.—Notwithstanding any other provision of law, for each of the 2008 through 2011 crop years, the Commodity Credit Corporation shall establish rates for the storage of forfeited sugar in an amount that is not less than—

"(1) in the case of refined sugar, 15 cents per hundredweight of refined sugar per month; and

"(2) in the case of raw cane sugar, 10 cents per hundredweight of raw cane sugar per month.

"(b) SUBSEQUENT CROP YEARS.—For each of the 2012 and subsequent crop years, the Commodity Credit Corporation shall establish rates for the storage of forfeited sugar in the same manner as was used on the day before the date of enactment of this section.".

SEC. 1504. FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.

(a) DEFINITIONS.—Section 359a of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa) is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following:

"(2) MARKET.—

"(A) IN GENERAL.—The term 'market' means to sell or otherwise dispose of in commerce in the United States.

"(B) INCLUSIONS.—The term 'market' includes—

"(i) the forfeiture of sugar under the loan program for sugar established under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272); and

"(ii) with respect to any integrated processor and refiner, the movement of raw cane sugar into the refining process.

"(C) MARKETING YEAR.—Forfeited sugar described in subparagraph (B)(i) shall be considered to have been marketed during the crop year for which a loan is made under the loan program described in that subparagraph.".

(b) FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.—Section 359b of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb) is amended to read as follows:

"SEC. 359. FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.

"(a) IN GENERAL.—

"(1) IN GENERAL.—By the beginning of each crop year, the Secretary shall establish for that crop year appropriate allotments under section 359c for the marketing by processors of sugar processed from sugar cane, sugar beets, or in-process sugar (whether produced domestically or imported) at a level that is—

"(A) sufficient to maintain raw and refined sugar prices at a level that will result in no forfeitures of sugar to the Commodity Credit Corporation under the loan program for sugar established under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272); but

"(B) not less than 85 percent of the estimated quantity of sugar consumption for domestic food use for the crop year.

"(2) PRODUCTS.—The Secretary may include sugar products, the majority content of which is sucrose for human consumption, derived from sugarcane, sugar beets, molasses, or sugar in the allotments under paragraph (1) if the Secretary determines it to be appropriate for purposes of this part.

"(b) COVERAGE OF ALLOTMENTS.—

"(1) IN GENERAL.—Marketing allotments under this part shall apply to the marketing by processors of sugar intended for domestic human food use that has been processed from sugar cane, sugar beets, or in-process sugar, whether produced domestically or imported.

"(2) EXCEPTIONS.—Marketing allotments under this part shall not apply to sugar sold—

"(A) to facilitate the exportation of the sugar to a foreign country;

"(B) to enable another processor to fulfill an allocation established for that processor; or

"(C) for uses other than domestic human food use.

"(3) REQUIREMENT.—The sale of sugar described in paragraph (2)(B) shall be—

"(A) made prior to May 1; and

"(B) reported to the Secretary.

"(c) PROHIBITIONS.—

"(1) IN GENERAL.—During all or part of any crop year for which marketing allotments have been established, no processor of sugar beets or sugarcane shall market for domestic human food use a quantity of sugar in excess of the allocation established for the processor, except—

"(A) to enable another processor to fulfill an allocation established for that other processor; or

"(B) to facilitate the exportation of the sugar.

"(2) CIVIL PENALTY.—Any processor who knowingly violates paragraph (1) shall be liable to the Commodity Credit Corporation for a civil penalty in an amount equal to 3 times the United States market value, at the time of the commission of the violation, of that quantity of sugar involved in the violation.".

(c) ESTABLISHMENT OF FLEXIBLE MARKETING ALLOTMENTS.—Section 359c of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359cc) is amended—

(1) by striking subsection (b) and inserting the following:

"(b) OVERALL ALLOTMENT QUANTITY.—

"(1) IN GENERAL.—The Secretary shall establish the overall quantity of sugar to be allotted for the crop year (referred to in this part as the 'overall allotment quantity') at a level that is—

"(A) sufficient to maintain raw and refined sugar prices above the level that will result in no forfeiture of sugar to the Commodity Credit Corporation; but

"(B) not less than a quantity equal to 85 percent of the estimated sugar consumption for domestic food use for the crop year.

"(2) ADJUSTMENT.—Subject to paragraph (1), the Secretary shall adjust the overall allotment quantity to maintain—

"(A) raw and refined sugar prices above forfeiture levels to avoid the forfeiture of sugar to the Commodity Credit Corporation; and

"(B) adequate supplies of raw and refined sugar in the domestic market."; and

(2) by striking subsection (h).

(d) ALLOCATION OF MARKETING ALLOTMENTS.—Section 359d(b) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359dd(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking "subparagraphs (C) and (D)" and inserting "subparagraph (C)";

(B) by striking subparagraph (C);

(C) by redesignating subparagraphs (D) through (F) as subparagraphs (C) through (E), respectively;

(D) in subparagraph (D) (as so redesignated)—

(i) in clause (i), by striking "subparagraphs (B) and (D)" and inserting "subparagraphs (B) and (C)"; and

(ii) in clause (iii)(II), by striking "subparagraph (B) or (D)" as "subparagraph (B) or (C)"; and

(E) in subparagraph (E) (as so redesignated), by striking "Except as otherwise provided in section 359f(c)(8), if" and inserting "If"; and

(2) in paragraph (2), by striking subparagraphs (H) and (I) and inserting the following:

"(H) NEW ENTRANTS STARTING PRODUCTION OR REOPENING FACTORIES.—

"(i) DEFINITION OF NEW ENTRANT.—

"(I) IN GENERAL.—In this subparagraph, the term 'new entrant' means an individual, corporation, or other entity that—

"(aa) does not have an allocation of the beet sugar allotment under this part;

"(bb) is not affiliated with any other individual, corporation, or entity that has an allocation of beet sugar under this part (referred to in this clause as a 'third party'); and

"(cc) will process sugar beets produced by sugar beet growers under contract with the new entrant for the production of sugar at the new or re-opened factory that is the basis for the new entrant allocation.

"(II) AFFILIATION.—For purposes of subclause (I)(bb), a new entrant and a third party shall be considered to be affiliated if—

"(aa) the third party has an ownership interest in the new entrant;

"(bb) the new entrant and the third party have owners in common;

"(cc) the third party has the ability to exercise control over the new entrant by organizational rights, contractual rights, or any other means;

"(dd) the third party has a contractual relationship with the new entrant by which the new entrant will make use of the facilities or assets of the third party; or

"(ee) there are any other similar circumstances by which the Secretary determines that the new entrant and the third party are affiliated.

"(ii) ALLOCATION FOR A NEW ENTRANT THAT HAS CONSTRUCTED A NEW FACTORY OR REOPENED A FACTORY THAT WAS NOT OPERATED SINCE BEFORE 1998.—If a new entrant constructs a new sugar beet processing factory, or acquires and reopens a sugar beet processing factory that last processed sugar beets prior to the 1998 crop year and there is no allocation currently associated with the factory, the Secretary shall—

"(I) assign an allocation for beet sugar to the new entrant that provides a fair and equitable distribution of the allocations for beet sugar so as to enable the new entrant to achieve a factory utilization rate comparable to the factory utilization rates of other similarly-situated processors; and

"(II) reduce the allocations for beet sugar of all other processors on a pro rata basis to reflect the allocation to the new entrant.

"(iii) ALLOCATION FOR A NEW ENTRANT THAT HAS ACQUIRED AN EXISTING FACTORY WITH A PRODUCTION HISTORY.—

"(I) IN GENERAL.—If a new entrant acquires an existing factory that has processed sugar beets from the 1998 or subsequent crop year and has a production history, on the mutual agreement of the new entrant and the company currently holding the allocation associated with the factory, the Secretary shall transfer to the new entrant a portion of the allocation of the current allocation holder to reflect the historical contribution of the production of the acquired factory to the total allocation of the current allocation holder.

"(II) PROHIBITION.—In the absence of a mutual agreement described in subclause (I), the new entrant shall be ineligible for a beet sugar allocation.

"(iv) APPEALS.—Any decision made under this subsection may be appealed to the Secretary in accordance with section 359i.".

(e) REASSIGNMENT OF DEFICITS.—Section 359e(b) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ee(b)) is amended in paragraphs (1)(D) and (2)(C), by inserting "of raw cane sugar" after "imports" each place it appears.

(f) PROVISIONS APPLICABLE TO PRODUCERS.—Section 359f(c) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ff(c)) is amended—

(1) by striking paragraph (8);

(2) by redesignating paragraphs (1) through (7) as paragraphs (2) through (8), respectively;

(3) by inserting before paragraph (2) (as so redesignated) the following:

"(1) DEFINITION OF SEED.—

"(A) IN GENERAL.—In this subsection, the term 'seed' means only those varieties of seed that are dedicated to the production of sugarcane from which is produced sugar for human consumption.

"(B) EXCLUSION.—The term 'seed' does not include seed of a high-fiber cane variety dedicated to other uses, as determined by the Secretary";

(4) in paragraph (3) (as so redesignated)—

(A) in the first sentence—

(i) by striking "paragraph (1)" and inserting "paragraph (2)"; and

(ii) by inserting "sugar produced from" after "quantity of"; and

(B) in the second sentence, by striking "paragraph (7)" and inserting "paragraph (8)"; and

(5) in paragraph (8) (as so redesignated), by inserting "sugar from" after "the amount of".

(g) SPECIAL RULES.—Section 359g of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359gg) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) TRANSFER OF ACREAGE BASE HISTORY.—

"(1) IN GENERAL.—For the purpose of establishing proportionate shares for sugarcane farms under section 359f(c), the Secretary, on application of any producer, with the written consent of all owners of a farm, may transfer the acreage base history of the farm to any other parcels of land of the applicant.

"(2) CONVERTED ACREAGE BASE.—

"(A) IN GENERAL.—Sugarcane base acreage established under section 359f(c) that has been or is converted to nonagricultural use on or after the date of the enactment of this paragraph may be transferred to other land suitable for the production of sugarcane that can be delivered to a processor in a proportionate share in accordance with this paragraph.

"(B) NOTIFICATION.—Not later than 90 days after the date of the enactment of this paragraph and at the subsequent conversion of any sugarcane base acreage to a nonagricultural use, the Administrator of the Farm Service Agency shall notify the 1 or more affected landowners of the transferability of the applicable sugarcane base acreage.

"(C) INITIAL TRANSFER PERIOD.—Not later than the end of the 90-day period beginning on the date of receipt of the notification under subparagraph (B), the owner of the base attributable to the acreage at the time of the conversion shall transfer the base to 1 or more farms owned by the owner.

"(D) GROWER OF RECORD.—If a transfer under subparagraph (C) cannot be accomplished during the period specified in that subparagraph, the grower of record with regard to the base acreage on the date on which the acreage was converted to nonagricultural use shall—

"(i) be notified; and

"(ii) have 90 days from the date of the receipt of the notification to transfer the base to 1 or more farms operated by the grower.

"(E) POOL DISTRIBUTION.—

"(i) IN GENERAL.—If transfers under subparagraphs (B) and (C) cannot be accomplished during the periods specified in those subparagraphs, the county committee of the Farm Service Agency for the applicable county shall place the acreage base in a pool for possible assignment to other farms.

"(ii) ACCEPTANCE OF REQUESTS.—After providing reasonable notice to farm owners, operators, and growers of record in the county, the county committee shall accept requests from owners, operators, and growers of record in the county.

"(iii) ASSIGNMENT.—The county committee shall assign the base acreage to other farms in the county that are eligible and capable of accepting the base acreage, based on a random selection from among the requests received under clause (ii).

"(F) STATEWIDE REALLOCATION.—

"(i) IN GENERAL.—Any base acreage remaining unassigned after the transfers and processes described in subparagraphs (A) through (E) shall be made available to the State committee of the Farm Service Agency for allocation among the remaining county committees representing counties with farms eligible for assignment of the base, based on a random selection.

"(ii) ALLOCATION.—Any county committee receiving base acreage under this subparagraph shall allocate the base acreage to eligible farms using the process described in subparagraph (E).

"(G) STATUS OF REASSIGNED BASE.—After base acreage has been reassigned in accordance with this subparagraph, the base acreage shall—

"(i) remain on the farm; and

"(ii) be subject to the transfer provisions of paragraph (1)."; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by inserting "affected" before "cropshare owners" each place it appears; and

(ii) by striking ", and from the processing company holding the applicable allocation for such shares,"; and

(B) in paragraph (2), by striking "based on" and all that follows through the end of subparagraph (B) and inserting "based on—

"(A) the number of acres of sugarcane base being transferred; and

"(B) the pro rata amount of allocation at the processing company holding the applicable allocation that equals the contribution of the grower to allocation of the processing company for the sugarcane base acreage being transferred.".

(h) APPEALS.—Section 359i of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ii) is amended—

(1) in subsection (a), by inserting "or 359g(d)" after "359f"; and

(2) by striking subsection (c).

(i) REALLOCATING SUGAR QUOTA IMPORT SHORTFALLS.—Section 359k of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359kk) is repealed.

(j) ADMINISTRATION OF TARIFF RATE QUOTAS.—Part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa) (as amended by subsection (i)) is amended by adding at the end the following:

"SEC. 359k. ADMINISTRATION OF TARIFF RATE QUOTAS.

"(a) IN GENERAL.—Notwithstanding any other provision of law, at the beginning of the quota year, the Secretary shall establish the tariff-rate quotas for raw cane sugar and refined sugars (other than specialty sugar) at the minimum necessary to comply with obligations under international trade agreements that have been approved by Congress.

"(b) ADJUSTMENT.—

"(1) BEFORE APRIL 1.—Before April 1 of each fiscal year, if there is an emergency shortage of sugar in the United States market that is caused by a war, flood, hurricane, or other natural disaster, or other similar event as determined by the Secretary—

"(A) the Secretary shall take action to increase the supply of sugar in accordance with sections 359c(b)(2) and 359e(b); and

"(B) if there is still a shortage of sugar in the United States market, and marketing of domestic sugar has been maximized, the Secretary may increase the tariff-rate quota for refined sugars sufficient to accommodate the supply increase, if the further increase will not threaten to result in the forfeiture of sugar pledged as collateral for a loan under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272).

"(2) ON OR AFTER APRIL 1.—On or after April 1 of each fiscal year—

"(A) the Secretary may take action to increase the supply of sugar in accordance with sections 359c(b)(2) and 359e(b); and

"(B) if there is still a shortage of sugar in the United States market, and marketing of domestic sugar has been maximized, the Secretary may increase the tariff-rate quota for raw cane sugar if the further increase will not threaten to result in the forfeiture of sugar pledged as collateral for a loan under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272).".

(k) PERIOD OF EFFECTIVENESS.—Part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa) (as amended by subsection (j)) is amended by adding at the end the following:

"SEC. 359l. PERIOD OF EFFECTIVENESS.

"(a) IN GENERAL.—This part shall be effective only for the 2008 through 2012 crop years for sugar.

"(b) TRANSITION.—The Secretary shall administer flexible marketing allotments for sugar for the 2007 crop year for sugar on the terms and conditions provided in this part as in effect on the day before the date of enactment of this section.".

(l) UNITED STATES MEMBERSHIP IN THE INTERNATIONAL SUGAR ORGANIZATION.—Not later than 1 year after the date of enactment of this Act, the Secretary shall work with the Secretary of State to restore, to the maximum extent practicable, United States membership in the International Sugar Organization.

SEC. 1505. SENSE OF THE SENATE REGARDING NAFTA SUGAR COORDINATION.

It is the sense of the Senate that in order to improve the operations of the North American Free Trade Agreement—

(1) the United States Government and the Government of Mexico should coordinate the operation of their respective sugar policies; and

(2) the United States Government should consult with the Government of Mexico on policies to avoid disruptions of the United States sugar market and the Mexican sugar market in order to maximize the benefits of sugar policies for growers, processors, and consumers of sugar in the United States and Mexico.

Subtitle D—Dairy

SEC. 1601. DAIRY PRODUCT PRICE SUPPORT PROGRAM.

(a) SUPPORT ACTIVITIES.—During the period beginning on January 1, 2008, and ending on December 31, 2012, the Secretary shall support the price of cheddar cheese, butter, and nonfat dry milk through the purchase of such products made from milk produced in the United States.

(b) PURCHASE PRICE.—To carry out subsection (a), the Secretary shall purchase cheddar cheese, butter, and nonfat dry milk at prices that are equivalent to—

(1) in the case of cheddar cheese—

(A) in blocks, not less than $1.13 per pound;

(B) in barrels, not less than $1.10 per pound;

(2) in the case of butter, not less than $1.05 per pound; and

(3) in the case of nonfat dry milk, not less than $0.80 per pound.

(c) UNIFORM PURCHASE PRICE.—The prices that the Secretary pays for cheese, butter, or nonfat dry milk under this section shall be uniform for all regions of the United States.

(d) SALES FROM INVENTORIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), in the case of each commodity specified in subsection (b) that is available for unrestricted use in inventories of the Commodity Credit Corporation, the Secretary may sell the commodity at the market prices prevailing for that commodity at the time of sale.

(2) MINIMUM AMOUNT.—The sale price described in paragraph (1) may not be less than 110 percent of the minimum purchase price specified in subsection (b) for that commodity.

SEC. 1602. NATIONAL DAIRY MARKET LOSS PAYMENTS.

(a) DEFINITIONS.—In this section:

(1) CLASS I MILK.—The term "Class I milk" means milk (including milk components) classified as Class I milk under a Federal milk marketing order.

(2) ELIGIBLE PRODUCTION.—The term "eligible production" means milk produced by a producer in a participating State.

(3) FEDERAL MILK MARKETING ORDER.—The term "Federal milk marketing order" means an order issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937.

(4) PARTICIPATING STATE.—The term "participating State" means each State.

(5) PRODUCER.—The term "producer" means an individual or entity that directly or indirectly (as determined by the Secretary)—

(A) shares in the risk of producing milk; and

(B) makes contributions (including land, labor, management, equipment, or capital) to the dairy farming operation of the individual or entity that are at least commensurate with the share of the individual or entity of the proceeds of the operation.

(b) PAYMENTS.—The Secretary shall offer to enter into contracts with producers on a dairy farm located in a participating State under which the producers receive payments on eligible production.

(c) AMOUNT.—Payments to a producer under this section shall be calculated by multiplying (as determined by the Secretary)—

(1) the payment quantity for the producer during the applicable month established under subsection (d);

(2) the amount equal to—

(A) $16.94 per hundredweight; less

(B) the Class I milk price per hundredweight in Boston under the applicable Federal milk marketing order; by

(3)(A) for the period beginning October 1, 2007, and ending September 30, 2008, 34 percent;

(B) for the period beginning October 1, 2008, and ending August 31, 2012, 45 percent; and

(C) for the period beginning September 1, 2012, and thereafter, 34 percent.

(d) PAYMENT QUANTITY.—

(1) IN GENERAL.—Subject to paragraph (2), the payment quantity for a producer during the applicable month under this section shall be equal to the quantity of eligible production marketed by the producer during the month.

(2) LIMITATION.—

(A) IN GENERAL.—The payment quantity for all producers on a single dairy operation for which the producers receive payments under subsection (b) shall not exceed—

(i) for the period beginning October 1, 2007, and ending September 30, 2008, 2,400,000 pounds;

(ii) for the period beginning October 1, 2008, and ending August 31, 2012, 4,150,000 pounds; and

(iii) effective beginning September 1, 2012, 2,400,000 pounds.

(B) STANDARDS.—For purposes of determining whether producers are producers on separate dairy operations or a single dairy operation, the Secretary shall apply the same standards as were applied in implementing the dairy program under section 805 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–387; 114 Stat. 1549A–50).

(3) RECONSTITUTION.—The Secretary shall ensure that a producer does not reconstitute a dairy operation for the sole purpose of receiving additional payments under this section.

(e) PAYMENTS.—A payment under a contract under this section shall be made on a monthly basis not later than 60 days after the last day of the month for which the payment is made.

(f) SIGNUP.—The Secretary shall offer to enter into contracts under this section during the period beginning on the date that is 90 days after the date of enactment of this Act and ending on September 30, 2012.

(g) DURATION OF CONTRACT.—

(1) IN GENERAL.—Except as provided in paragraph (2), any contract entered into by producers on a dairy farm under this section shall cover eligible production marketed by the producers on the dairy farm during the period starting with the first day of month the producers on the dairy farm enter into the contract and ending on September 30, 2012.

(2) VIOLATIONS.—If a producer violates the contract, the Secretary may—

(A) terminate the contract and allow the producer to retain any payments received under the contract; or

(B) allow the contract to remain in effect and require the producer to repay a portion of the payments received under the contract based on the severity of the violation.

SEC. 1603. DAIRY EXPORT INCENTIVE AND DAIRY INDEMNITY PROGRAMS.

(a) DAIRY EXPORT INCENTIVE PROGRAM.—Section 153(a) of the Food Security Act of 1985 (15 U.S.C. 713a–14(a)) is amended by striking "2007" and inserting "2012".

(b) DAIRY INDEMNITY PROGRAM.—Section 3 of Public Law 90–484 (7 U.S.C. 450*l*) is amended by striking "2007" and inserting "2012".

SEC. 1604. FUNDING OF DAIRY PROMOTION AND RESEARCH PROGRAM.

Section 113(e)(2) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(e)(2)) is amended by striking "2007" and inserting "2012".

SEC. 1605. REVISION OF FEDERAL MARKETING ORDER AMENDMENT PROCEDURES.

Section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by striking subsection (17) and inserting the following:

"(17) PROVISIONS APPLICABLE TO AMENDMENTS.—

"(A) APPLICABILITY TO AMENDMENTS.—The provisions of this section and section 8d applicable to orders shall be applicable to amendments to orders.

"(B) SUPPLEMENTAL RULES OF PRACTICE.—

"(i) IN GENERAL.—Not later than 60 days after the date of enactment of this subparagraph, the Secretary shall issue, using informal rulemaking, supplemental rules of practice to define guidelines and timeframes for the rulemaking process relating to amendments to orders.

"(ii) ISSUES.—At a minimum, the supplemental rules of practice shall establish—

"(I) proposal submission requirements;

"(II) pre-hearing information session specifications;

"(III) written testimony and data request requirements;

"(IV) public participation timeframes; and

"(V) electronic document submission standards.

"(iii) EFFECTIVE DATE.—The supplemental rules of practice shall take effect not later than 120 days after the date of enactment of this subparagraph, as determined by the Secretary.

"(C) HEARING TIMEFRAMES.—

"(i) IN GENERAL.—Not more than 30 days after the receipt of a proposal for an amendment hearing regarding a milk marketing order, the Secretary shall—

"(I) issue a notice providing an action plan and expected timeframes for completion of the hearing not more than 180 days after the date of the issuance of the notice;

"(II)(aa) issue a request for additional information to be used by the Secretary in making a determination regarding the proposal; and

"(bb) if the additional information is not provided to the Secretary within the timeframe requested by the Secretary, issue a denial of the request; or

"(III) issue a denial of the request.

"(ii) NOTICE.—A notice issued under clause (i)(I) shall be individualized for each proceeding and take into consideration—

"(I) the number of orders affected;

"(II) the complexity of issues involved; and

"(III) the extent of the analyses required by applicable Executive orders (including Executive orders relating to civil rights, regulatory flexibility, and economic impact).

"(iii) RECOMMENDED DECISIONS.—A recommended decision on a proposed amendment to an order shall be issued not later than 90 days after the deadline established after the hearing for the submission of post-hearing briefs, unless otherwise provided in the initial notice issued under clause (i)(I).

"(iv) FINAL DECISIONS.—A final decision on a proposed amendment to an order shall be issued not later than 60 days after the deadline for submission of comments and exceptions to the recommended decision issued under clause (ii), unless otherwise provided in the initial notice issued under clause (i)(I).

"(D) INDUSTRY ASSESSMENTS.—If the Secretary determines it is necessary to improve or expedite rulemaking under this subsection, the Secretary may impose an assessment on the affected industry to supplement appropriated funds for the procurement of service providers, such as court reporters.

"(E) USE OF INFORMAL RULEMAKING.—The Secretary may use rulemaking under section 553 of title 5, United States Code, to amend orders, other than provisions of orders that directly affecting milk prices.

"(F) MONTHLY FEED AND FUEL COSTS FOR MAKE ALLOWANCES.—As part of any hearing to adjust make allowances under marketing orders, the Secretary shall—

"(i) determine the average monthly prices of feed and fuel incurred by dairy producers in the relevant marketing area;

"(ii) consider the most recent monthly feed and fuel price data available; and

"(iii) consider those prices in determining whether or not to adjust make allowances.".

SEC. 1606. DAIRY FORWARD PRICING PROGRAM.

(a) IN GENERAL.—Section 23 of the Agricultural Adjustment Act (7 U.S.C. 627), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(1) in the section heading, by striking "**PILOT**";

(2) by striking subsection (a) and inserting the following:

"(a) PROGRAM REQUIRED.—The Secretary of Agriculture shall establish a program under which milk producers and cooperative associations of producers are authorized to voluntarily enter into forward price contracts with milk handlers.";

(3) in subsection (c)—

(A) in the subsection heading, by striking "PILOT"; and

(B) in paragraph (1), by striking "pilot";

(4) by striking subsections (d) and (e); and

(5) by adding at the end the following:

"(d) VOLUNTARY PROGRAM.—

"(1) IN GENERAL.—A milk handler may not require participation in a forward price contract as a condition of the handler receiving milk from a producer or cooperative association of producers.

"(2) EFFECT OF NONPARTICIPATION.—A producer or cooperative association that does not enter into a forward price contract may continue to have milk priced under the minimum payment provisions of the applicable milk marketing order.

"(3) COMPLAINTS.—The Secretary shall—

"(A) investigate complaints made by producers or cooperative associations of coercion by handlers to enter into forward price contracts; and

"(B) if the Secretary finds evidence of coercion, take appropriate action.

"(e) DURATION.—No forward price contract under this section may—

"(1) be entered into after September 30, 2012; or

"(2) may extend beyond September 30, 2015.".

(b) CONFORMING AMENDMENTS.—Section 23 of the Agricultural Adjustment Act (7 U.S.C. 627), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by striking "cooperatives" each place it appears in subsections (b) and (c)(2) and inserting "cooperative associations of producers".

SEC. 1607. REPORT ON DEPARTMENT OF AGRICULTURE REPORTING PROCEDURES FOR NONFAT DRY MILK.

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report regarding Department of Agriculture reporting procedures for nonfat dry milk and the impact of the procedures on Federal milk marketing order minimum prices during the period beginning on July 1, 2006, and ending on the date of the enactment of this Act.

SEC. 1608. FEDERAL MILK MARKETING ORDER REVIEW COMMISSION.

(a) DEFINITION OF ASCARR INSTITUTION.—In this section:

(1) IN GENERAL.—The term "ASCARR Institution" means a public college or university offering a baccalaureate or higher degree in the study of agriculture.

(2) EXCLUSIONS.—The term "ASCARR Institution" does not include an institution eligible to receive funds under—

(A) the Act of July 2, 1862 (commonly known as the "First Morrill Act") (7 U.S.C. 301 et seq.);

(B) the Act of August 30, 1890 (commonly known as the "Second Morrill Act") (7 U.S.C. 321 et seq.); or

(C) the Equity in Educational Land-Grant Status Act of 1994 (Public Law 103–382; 7 U.S.C. 301 note).

(b) ESTABLISHMENT.—Subject to the availability of funds appropriated to carry out this section, the Secretary shall establish a commission to be known as the "Federal Milk Marketing Order Review Commission" (referred to in this section as the "Commission"), which shall conduct a comprehensive review and evaluation of—

(1) the Federal milk marketing order system in effect on the date of enactment of this Act; and

(2) non-Federal milk marketing order systems.

(c) ELEMENTS OF REVIEW AND EVALUATION.—As part of the review and evaluation under subsection (b), the Commission shall consider legislative and regulatory options for—

(1) ensuring that the competitiveness of dairy products with other competing products in the marketplace is preserved and enhanced;

(2) enhancing the competitiveness of United States dairy producers in world markets;

(3) increasing the responsiveness of the Federal milk marketing order system to market forces;

(4) streamlining and expediting the process by which amendments to Federal milk market orders are adopted;

(5) simplifying the Federal milk marketing order system;

(6) evaluating whether the Federal milk marketing order system, established during the Great Depression, continues to serve the interests of the public, dairy processors, and dairy producers;

(7) evaluating whether Federal milk marketing orders are operating in a manner to minimize costs to taxpayers and consumers;

(8) evaluating the nutritional composition of milk, including the potential benefits and costs of adjusting the milk content standards;

(9) evaluating the economic benefits to milk producers of establishing a 2-class system of classifying milk consisting of a fluid milk class and a manufacturing grade milk class, with the price of both classes determined using the component prices of butterfat, protein, and other solids; and

(10) evaluating a change in advance pricing that is used to calculate the advance price of Class II skim milk under Federal milk marketing orders using the 4-week component prices that are used to calculate prices for Class III and Class IV milk.

(d) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall consist of 18 members.

(2) MEMBERS.—As soon as practicable after the date on which funds are first made available to carry out this section—

(A) 2 members of the Commission shall be appointed by the Chairman of the Committee on Agriculture of the House of Representatives, in consultation with the ranking member of the Committee on Agriculture of the House of Representatives;

(B) 2 members of the Commission shall be appointed by the Chairman of the Committee on Agriculture, Nutrition, and Forestry of the Senate, in consultation with the ranking member of the Committee on Agriculture, Nutrition and Forestry of the Senate; and

(C) 14 members of the Commission shall be appointed by the Secretary.

(3) SPECIAL APPOINTMENT REQUIREMENTS.—In the case of members of the Commission appointed under paragraph (2)(C), the Secretary shall ensure that—

(A) at least 1 member represents a national consumer organization;

(B) at least 4 members represent land-grant colleges or universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)) or ASCARR institutions with accredited dairy economic programs, with at least 2 of those members being experts in the field of economics;

(C) at least 1 member represents the food and beverage retail sector; and

(D) 4 dairy producers and 4 dairy processors are appointed in a manner that will—

(i) balance geographical distribution of milk production and dairy processing;

(ii) reflect all segments of dairy processing; and

(iii) represent all regions of the United States equitably, including States that operate outside of a Federal milk marketing order.

(4) CHAIR.—The Commission shall elect 1 of the members of the Commission to serve as chairperson for the duration of the proceedings of the Commission.

(5) VACANCY.—Any vacancy occurring before the termination of the Commission shall be filled in the same manner as the original appointment.

(6) COMPENSATION.—A member of the Commission shall serve without compensation, but shall be reimbursed by the Secretary from existing budget authority for necessary and reasonable expenses incurred in the performance of the duties of the Commission.

(e) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of the first meeting of the Commission, the Commission shall submit to Congress and the Secretary a report describing the results of the review and evaluation conducted under this section, including such recommendations regarding the legislative and regulatory options considered under subsection (c) as the Commission considers to be appropriate.

(2) SUPPORT.—The report findings shall reflect, to the maximum extent practicable, a consensus opinion of the Commission members, but the report may include majority and minority findings regarding those matters for which consensus was not reached.

(f) ADVISORY NATURE.—The Commission is wholly advisory in nature and the recommendations of the Commission are nonbinding.

(g) NO EFFECT ON EXISTING PROGRAMS.—The Secretary shall not allow the existence of the Commission to impede, delay, or otherwise affect any decisionmaking process of the Department of Agriculture, including any rulemaking procedures planned, proposed, or near completion.

(h) ADMINISTRATIVE ASSISTANCE.—The Secretary shall provide such administrative support to the Commission, and expend such funds as necessary from budget authority available to the Secretary, as is necessary to carry out this section.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

(j) TERMINATION OF EFFECTIVENESS.—The authority provided by this section terminates effective on the date of the submission of the report under subsection (e).

SEC. 1609. MANDATORY REPORTING OF DAIRY COMMODITIES.

Section 273 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1637b) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

"(a) DAILY REPORTING.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Food and Energy Security Act of 2007, the Secretary shall require corporate officers or officially-designated representatives of each dairy processor to report to the Secretary on each daily reporting day designated by the Secretary, not later than 10:00 a.m. Central Time, for each sales transaction involving a dairy commodity, information concerning—

"(A) the sales price;

"(B) the quantity sold;

"(C) the location of the sales transaction; and

"(D) product characteristics, including—

"(i) moisture level;

"(ii) packaging size;

"(iii) grade;

"(iv) if appropriate, fat, protein, or other component level;

"(v) heat level for dried products; and

"(vi) other defining product characteristics used in transactions.

"(2) PUBLICATION.—The Secretary shall make the information reported under paragraph (1) available to the public not less frequently than once each reporting day, categorized by location and product characteristics.

"(3) FEDERAL ORDER PRICES.—If the Secretary uses dairy product prices to establish minimum prices in accordance with section 8c(5) of the Agricultural Adjustment Act (7 U.S.C. 608c(5)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, the Secretary shall use daily prices published under paragraph (2) to determine such prices.

"(4) EXEMPTION FOR SMALL PROCESSORS.—A processor that processes 1,000,000 pounds of milk or less per year shall be exempt from daily reporting requirements under this subsection."; and

(2) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

Subtitle E—Administration

SEC. 1701. ADMINISTRATION GENERALLY.

(a) USE OF COMMODITY CREDIT CORPORATION.—Except as otherwise provided in subtitles A through D and this subtitle, the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out subtitles A through D and this subtitle.

(b) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this title shall be final and conclusive.

(c) REGULATIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this title and the amendments made by this title.

(2) PROCEDURE.—The promulgation of the regulations and administration of this title and the amendments made by this title shall be made without regard to—

(A) chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act");

(B) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(C) the notice and comment provisions of section 553 of title 5, United States Code.

(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this subsection, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

(d) ADJUSTMENT AUTHORITY RELATED TO TRADE AGREEMENTS COMPLIANCE.—

(1) REQUIRED DETERMINATION; ADJUSTMENT.—If the Secretary determines that expenditures under subtitles A through D and this subtitle that are subject to the total allowable domestic support levels under the Uruguay Round Agreements (as defined in section 2 of the Uruguay Round Agreements

Act (19 U.S.C. 3501)) will exceed such allowable levels for any applicable reporting period, the Secretary shall, to the maximum extent practicable, make adjustments in the amount of such expenditures during that period to ensure that such expenditures do not exceed such allowable levels.

(2) CONGRESSIONAL NOTIFICATION.—Before making any adjustment under paragraph (1), the Secretary shall submit to the Committee on Agriculture of the House of Representatives or the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the determination made under that paragraph and the extent of the adjustment to be made.

(e) TREATMENT OF ADVANCE PAYMENT OPTION.—Section 1601(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7991(d)) is amended—

(1) in paragraph (1), by striking "and" at the end;

(2) in paragraph (2), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(3) the advance payment of direct payments and counter-cyclical payments under title I of the Food and Energy Security Act of 2007.".

SEC. 1702. SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITY.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—The following provisions of the Agricultural Adjustment Act of 1938 shall not be applicable to the 2008 through 2012 crops of covered commodities and sugar and shall not be applicable to milk during the period beginning on the date of enactment of this Act through December 31, 2012:

(1) Parts II through V of subtitle B of title III (7 U.S.C. 1326 et seq.).

(2) In the case of upland cotton, section 377 (7 U.S.C. 1377).

(3) Subtitle D of title III (7 U.S.C. 1379a et seq.).

(4) Title IV (7 U.S.C. 1401 et seq.).

(b) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 shall not be applicable to the 2008 through 2012 crops of covered commodities and sugar and shall not be applicable to milk during the period beginning on the date of enactment of this Act and through December 31, 2012:

(1) Section 101 (7 U.S.C. 1441).

(2) Section 103(a) (7 U.S.C. 1444(a)).

(3) Section 105 (7 U.S.C. 1444b).

(4) Section 107 (7 U.S.C. 1445a).

(5) Section 110 (7 U.S.C. 1445e).

(6) Section 112 (7 U.S.C. 1445g).

(7) Section 115 (7 U.S.C. 1445k).

(8) Section 201 (7 U.S.C. 1446).

(9) Title III (7 U.S.C. 1447 et seq.).

(10) Title IV (7 U.S.C. 1421 et seq.), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(11) Title V (7 U.S.C. 1461 et seq.).

(12) Title VI (7 U.S.C. 1471 et seq.).

(c) SUSPENSION OF CERTAIN QUOTA PROVISIONS.—The joint resolution entitled "A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended", approved May 26, 1941 (7 U.S.C. 1330 and 1340), shall not be applicable to the crops of wheat planted for harvest in the calendar years 2008 through 2012.

SEC. 1703. PAYMENT LIMITATIONS.

(a) EXTENSION OF LIMITATIONS.—Sections 1001 and 1001C(a) of the Food Security Act of 1985 (7 U.S.C. 1308, 1308-3(a)) are amended by striking "Farm Security and Rural Investment Act of 2002" each place it appears and inserting "Food and Energy Security Act of 2007".

(b) REVISION OF LIMITATIONS.—

(1) DEFINITIONS.—Section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308) is amended—

(A) in the matter preceding paragraph (1), by inserting "and section 1001A" after "section";

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (5); and

(C) by inserting after paragraph (1) the following:

"(2) FAMILY MEMBER.—The term 'family member' means an individual to whom a member in the farming operation is related as lineal ancestor, lineal descendant, sibling, or spouse.

"(3) LEGAL ENTITY.—The term 'legal entity' means an entity that is created under Federal or State law and that—

"(A) owns land or an agricultural commodity; or

"(B) produces an agricultural commodity.

"(4) PERSON.—The term 'person' means a natural person, and does not include a legal entity.".

(2) LIMITATION ON DIRECT PAYMENTS AND COUNTER-CYCLICAL PAYMENTS.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by striking subsections (b), (c) and (d) and inserting the following:

"(b) LIMITATION ON DIRECT AND COUNTER-CYCLICAL PAYMENTS FOR COVERED COMMODITIES (OTHER THAN PEANUTS).—

"(1) DIRECT PAYMENTS.—The total amount of direct payments received, directly or indirectly, by a person or legal entity (except a joint venture or a general partnership) for any crop year under part I of subtitle A of title I of the Food and Energy Security Act of 2007 for 1 or more covered commodities (except for peanuts), or average crop revenue payments determined under section 1401(b)(2) of that Act, may not exceed $40,000.

"(2) COUNTER-CYCLICAL PAYMENTS.—The total amount of counter-cyclical payments received, directly or indirectly, by a person or legal entity (except a joint venture or a general partnership) for any crop year under part I of subtitle A of title I of the Food and Energy Security Act of 2007 for one or more covered commodities (except for peanuts), or average crop revenue payments determined under section 1401(b)(3) of that Act, may not exceed $60,000.

"(c) LIMITATION ON DIRECT PAYMENTS AND COUNTER-CYCLICAL PAYMENTS FOR PEANUTS.—

"(1) DIRECT PAYMENTS.—The total amount of direct payments received, directly or indirectly, by a person or legal entity (except a joint venture or a general partnership) for any crop year under part III of subtitle A of title I of the Food and Energy Security Act of 2007 for peanuts, or average crop revenue payments determined under section 1401(b)(2) of that Act, may not exceed $40,000.

"(2) COUNTER-CYCLICAL PAYMENTS.—The total amount of counter-cyclical payments received, directly or indirectly, by a person or legal entity (except a joint venture or a general partnership) for any crop year under part III of subtitle A of title I of the Food and Energy Security Act of 2007 for peanuts, or average crop revenue payments determined under section 1401(b)(3) of that Act, may not exceed $60,000.".

"(d) LIMITATION ON APPLICABILITY.—Nothing in this section authorizes any limitation on any benefit associated with the marketing assistance loan program or the loan deficiency payment program under title I of the Food and Energy Security Act of 2007.".

(3) DIRECT ATTRIBUTION.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by striking subsection (e) and redesignating subsections (f) and (g) as (g) and (h), respectively, and inserting the following:

"(e) ATTRIBUTION OF PAYMENTS.—

"(1) IN GENERAL.—In implementing subsections (b) and (c) and a program described in section 1001D(b)(2)(C), the Secretary shall issue such regulations as are necessary to ensure that the total amount of payments are attributed to a person by taking into account the direct and indirect ownership interests of the person in a legal entity that is eligible to receive the payments.

"(2) PAYMENTS TO A PERSON.—Each payment made directly to a person shall be combined with the pro rata interest of the person in payments received by a legal entity in which the person has a direct or indirect ownership interest unless the payments of the legal entity have been reduced by the pro rata share of the person.

"(3) PAYMENTS TO A LEGAL ENTITY.—

"(A) IN GENERAL.—Each payment made to a legal entity shall be attributed to those persons who have a direct or indirect ownership interest in the legal entity unless the payment to the legal entity has been reduced by the pro rata share of the person.

"(B) ATTRIBUTION OF PAYMENTS.—

"(i) PAYMENT LIMITS.—Except as provided in clause (ii), payments made to a legal entity shall not exceed the amounts specified in subsections (b) and (c).

"(ii) EXCEPTION FOR JOINT VENTURES AND GENERAL PARTNERSHIPS.—Payments made to a joint venture or a general partnership shall not exceed, for each payment specified in subsections (b) and (c), the amount determined by multiplying the maximum payment amount specified in subsections (b) and (c) by the number of persons and legal entities (other than joint ventures and general partnerships) that comprise the ownership of the joint venture or general partnership.

"(iii) REDUCTION.—Payments made to a legal entity shall be reduced proportionately by an amount that represents the direct or indirect ownership in the legal entity by any individual or legal entity that has otherwise exceeded the applicable maximum payment limitation.

"(4) 4 LEVELS OF ATTRIBUTION FOR EMBEDDED LEGAL ENTITIES.—

"(A) IN GENERAL.—Attribution of payments made to legal entities shall be traced through 4 levels of ownership in legal entities.

"(B) FIRST LEVEL.—Any payments made to a legal entity (a first-tier legal entity) that is owned in whole or in part by a person shall be attributed to the person in an amount that represents the direct ownership in the first-tier legal entity by the person.

"(C) SECOND LEVEL.—

"(i) IN GENERAL.—Any payments made to a first-tier legal entity that is owned (in whole or in part) by another legal entity (a second-tier legal entity) shall be attributed to the second-tier legal entity in proportion to the ownership of the second-tier legal entity in the first-tier legal entity.

"(ii) OWNERSHIP BY A PERSON.—If the second-tier legal entity is owned (in whole or in part) by a person, the amount of the payment made to the first-tier legal entity shall be attributed to the person in the amount that represents the indirect ownership in the first-tier legal entity by the person.

"(D) THIRD AND FOURTH LEVELS.—

"(i) IN GENERAL.—Except as provided in clause (ii), the Secretary shall attribute payments at the third and fourth tiers of ownership in the same manner as specified in subparagraph (C).

"(ii) FOURTH-TIER OWNERSHIP.—If the fourth-tier of ownership is that of a fourth-tier legal entity and not that of a person, the Secretary shall reduce the amount of the payment to be made to the first-tier legal entity in the amount that represents the indirect ownership in the first-tier legal entity by the fourth-tier legal entity.

"(f) SPECIAL RULES.—

"(1) MINOR CHILDREN.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), payments received by a child under the age of 18 shall be attributed to the parents of the child.

"(B) REGULATIONS.—The Secretary shall issue regulations specifying the conditions under which payments received by a child under the age of 18 will not be attributed to the parents of the child.

"(2) MARKETING COOPERATIVES.—Subsections (b) and (c) shall not apply to a cooperative association of producers with respect to commodities produced by the members of the association that are marketed by the association on behalf of the members of the association but shall apply to the producers as persons.

"(3) TRUSTS AND ESTATES.—

"(A) IN GENERAL.—With respect to irrevocable trusts and estates, the Secretary shall administer this section through section 1001F in such manner as the Secretary determines will ensure the fair and equitable treatment of the beneficiaries of the trusts and estates.

"(B) IRREVOCABLE TRUST.—

"(i) IN GENERAL.—In order for a trust to be considered an irrevocable trust, the terms of the trust agreement shall not—

"(I) allow for modification or termination of the trust by the grantor;

"(II) allow for the grantor to have any future, contingent, or remainder interest in the corpus of the trust; or

"(III) except as provided in clause (ii), provide for the transfer of the corpus of the trust to the remainder beneficiary in less than 20 years beginning on the date the trust is established.

"(ii) EXCEPTION.—Clause (i)(III) shall not apply in a case in which the transfer is—

"(I) contingent on the remainder beneficiary achieving at least the age of majority; or

"(II) is contingent on the death of the grantor or income beneficiary.

"(C) REVOCABLE TRUST.—For the purposes of this section through section 1001F, a revocable trust shall be considered to be the same person as the grantor of the trust.

"(4) CASH RENT TENANTS.—

"(A) DEFINITION.—In this paragraph, the term 'cash rent tenant' means a person or legal entity that rents land—

"(i) for cash; or

"(ii) for a crop share guaranteed as to the amount of the commodity to be paid in rent.

"(B) RESTRICTION.—A cash rent tenant who makes a significant contribution of active personal management, but not of personal labor, with respect to a farming operation shall be eligible to receive a payment described in subsection (b) or (c) only if the tenant makes a significant contribution of equipment to the farming operation.

"(5) FEDERAL AGENCIES.—

"(A) IN GENERAL.—A Federal agency shall not be eligible to receive any payment described in subsection (b) or (c).

"(B) LAND RENTAL.—A lessee of land owned by a Federal agency may receive a payment described in subsection (b) or (c) if the lessee otherwise meets all applicable criteria.

"(6) STATE AND LOCAL GOVERNMENTS.—

"(A) IN GENERAL.—Except as provided in subsection (g), a State or local government, or political subdivision or agency of the government, shall not be eligible to receive a payment described in subsection (b) or (c).

"(B) TENANTS.—A lessee of land owned by a State or local government, or political subdivision or agency of the government, may receive payments described in subsections (b) and (c) if the lessee otherwise meet all applicable criteria.

"(7) CHANGES IN FARMING OPERATIONS.—

"(A) IN GENERAL.—In the administration of this section through section 1001F, the Secretary may not approve any change in a farming operation that otherwise will increase the number of persons to which the limitations under this section are applied unless the Secretary determines that the change is bona fide and substantive.

"(B) FAMILY MEMBERS.—The addition of a family member to a farming operation under the criteria set out in section 1001A shall be considered a bona fide and substantive change in the farming operation.

"(8) DEATH OF OWNER.—

"(A) IN GENERAL.—If any ownership interest in land or a commodity is transferred as the result of the death of a program participant, the new owner of the land or commodity may, if the person is otherwise eligible to participate in the applicable program, succeed to the contract of the prior owner and receive payments subject to this section without regard to the amount of payments received by the new owner.

"(B) LIMITATIONS ON PRIOR OWNER.—Payments made under this paragraph shall not exceed the amount to which the previous owner was entitled to receive under the terms of the contract at the time of the death of the prior owner.".

(c) REPEAL OF 3-ENTITY RULE.—Section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308–1) is amended—

(1) in the section heading, by striking "**PREVENTION OF CREATION OF ENTITIES TO QUALIFY AS SEPARATE PERSONS**" and inserting "**NOTIFICATION OF INTERESTS**"; and

(2) by striking subsection (a) and inserting the following:

"(a) NOTIFICATION OF INTERESTS.—To facilitate administration of section 1001 and this section, each person or legal entity receiving payments described in subsections (b) and (c) of section 1001 as a separate person or legal entity shall separately provide to the Secretary, at such times and in such manner as prescribed by the Secretary—

"(1) the name and social security number of each individual, or the name and taxpayer identification number of each legal entity, that holds or acquires an ownership interest in the separate person or legal entity; and

"(2) the name and taxpayer identification number of each legal entity in which the person or legal entity holds an ownership interest.".

(d) AMENDMENT FOR CONSISTENCY.—Section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308–1) is amended by striking subsection (b) and inserting the following:

"(b) ACTIVELY ENGAGED.—

"(1) IN GENERAL.—To be eligible to receive a payment described in subsection (b) or (c) of section 1001, a person or legal entity shall be actively engaged in farming with respect to a farming operation as provided in this subsection or subsection (c).

"(2) CLASSES ACTIVELY ENGAGED.—Except as provided in subsections (c) and (d)—

"(A) a person (including a person participating in a farming operation as a partner in a general partnership, a participant in a joint venture, a grantor of a revocable trust, or a participant in a similar entity, as determined by the Secretary) shall be considered to be actively engaged in farming with respect to a farming operation if—

"(i) the person makes a significant contribution (based on the total value of the farming operation) to the farming operation of—

"(I) capital, equipment, or land; and

"(II) personal labor or active personal management;

"(ii) the person's share of the profits or losses from the farming operation is commensurate with the contributions of the person to the farming operation; and

"(iii) the contributions of the person are at risk;

"(B) a legal entity that is a corporation, joint stock company, association, limited partnership, charitable organization, or other similar entity determined by the Secretary (including any such legal entity participating in the farming operation as a partner in a general partnership, a participant in a joint venture, a grantor of a revocable trust, or as a participant in a similar legal entity as determined by the Secretary) shall be considered as actively engaged in farming with respect to a farming operation if—

"(i) the legal entity separately makes a significant contribution (based on the total value of the farming operation) of capital, equipment, or land;

"(ii) the stockholders or members collectively make a significant contribution of personal labor or active personal management to the operation; and

"(iii) the standards provided in clauses (ii) and (iii) of subparagraph (A), as applied to the legal entity, are met by the legal entity;

"(C) if a legal entity that is a general partnership, joint venture, or similar entity, as determined by the Secretary, separately makes a significant contribution (based on the total value of the farming operation involved) of capital, equipment, or land, and the standards provided in clauses (ii) and (iii) of subparagraph (A), as applied to the legal entity, are met by the legal entity, the partners or members making a significant contribution of personal labor or active personal management shall be considered to be actively engaged in farming with respect to the farming operation involved; and

"(D) in making determinations under this subsection regarding equipment and personal labor, the Secretary shall take into consideration the equipment and personal labor normally and customarily provided by farm operators in the area involved to produce program crops.

"(c) SPECIAL CLASSES ACTIVELY ENGAGED.—

"(1) LANDOWNER.—A person or legal entity that is a landowner contributing the owned land to a farming operation shall be considered to be actively engaged in farming with respect to the farming operation if—

"(A) the landowner receives rent or income for the use of the land based on the production on the land or the operating results of the operation; and

"(B) the person or legal entity meets the standards provided in clauses (ii) and (iii) of subsection (b)(2)(A).

"(2) ADULT FAMILY MEMBER.—If a majority of the participants in a farming operation are family members, an adult family member shall be considered to be actively engaged in farming with respect to the farming operation if the person—

"(A) makes a significant contribution, based on the total value of the farming operation, of active personal management or personal labor; and

"(B) with respect to such contribution, meets the standards provided in clauses (ii) and (iii) of subsection (b)(2)(A).

"(3) SHARECROPPER.—A sharecropper who makes a significant contribution of personal labor to a farming operation shall be considered to be actively engaged in farming with respect to the farming operation if the contribution meets the standards provided in clauses (ii) and (iii) of subsection (b)(2)(A).

"(4) GROWERS OF HYBRID SEED.—In determining whether a person or legal entity growing hybrid seed under contract shall be considered to be actively engaged in farming, the Secretary shall not take into consideration the existence of a hybrid seed contract.

"(5) CUSTOM FARMING SERVICES.—

"(A) IN GENERAL.—A person or legal entity receiving custom farming services shall be considered separately eligible for payment limitation purposes if the person or legal entity is actively engaged in farming based on subsection (b)(2) or paragraphs (1) through (4) of this subsection.

"(B) PROHIBITION.—No other rules with respect to custom farming shall apply.

"(6) SPOUSE.—If 1 spouse (or estate of a deceased spouse) is determined to be actively engaged, the other spouse shall be determined to have met the requirements of subsection (b)(2)(A)(i)(II).

"(d) CLASSES NOT ACTIVELY ENGAGED.—

"(1) CASH RENT LANDLORD.—A landlord contributing land to a farming operation shall not be considered to be actively engaged in farming with respect to the farming operation if the landlord receives cash rent, or a crop share guaranteed as to the amount of the commodity to be paid in rent, for the use of the land.

"(2) OTHER PERSONS AND LEGAL ENTITIES.—Any other person or legal entity that the Secretary determines does not meet the standards described in subsections (b)(2) and (c) shall not be considered to be actively engaged in farming with respect to a farming operation.".

(e) DENIAL OF PROGRAM BENEFITS.—Section 1001B of the Food Security Act of 1985 (7 U.S.C. 1308–2) is amended to read as follows:

"SEC. 1001B. DENIAL OF PROGRAM BENEFITS.

"(a) 2-YEAR DENIAL OF PROGRAM BENEFITS.—A person or legal entity shall be ineligible to receive payments specified in subsections (b) and (c) of section 1001 for the crop year, and the succeeding crop year, in which the Secretary determines that the person or legal entity—

"(1) failed to comply with section 1001A(b) and adopted or participated in adopting a scheme or device to evade the application of section 1001, 1001A, or 1001C; or

"(2) intentionally concealed the interest of the person or legal entity in any farm or legal entity engaged in farming.

"(b) EXTENDED INELIGIBILITY.—If the Secretary determines that a person or legal entity, for the benefit of the person or legal entity or the benefit of any other person or legal entity, has knowingly engaged in, or aided in the creation of a fraudulent document, presented false information that was material and relevant to the administration of sections 1001 through 1001F, or committed other equally serious actions (as identified in regulations issued by the Secretary), the Secretary may for a period not to exceed 5 crop years deny the issuance of payments to the person or legal entity.

"(c) PRO RATA DENIAL.—

"(1) IN GENERAL.—Payments otherwise owed to a person or legal entity described in subsections (a) or (b) shall be denied in a pro rata manner based on the ownership interest of the person or legal entity in a farm.

"(2) CASH RENT TENANT.—Payments otherwise payable to the person or legal entity described in subsection (a) or (b) who is a cash rent tenant on a farm owned or under the control of the person or legal entity shall be denied.

"(d) JOINT AND SEVERAL LIABILITY.—Any member of any legal entity (including partnerships and joint ventures) determined to have knowingly participated in a scheme or device to evade, or that has the purpose of evading, sections 1001, 1001A, or 1001C shall be jointly and severally liable for any amounts that are payable to the Secretary as the result of the scheme or device (including amounts necessary to recover those amounts).

"(e) RELEASE.—The Secretary may partially or fully release from liability any person or legal entity who cooperates with the Secretary in enforcing sections 1001, 1001A, and 1001C, and this section.".

(f) CONFORMING AMENDMENTS.—

(1) Section 1009(e) of the Food Security Act of 1985 (7 U.S.C. 1308a(e)) is amended in the second sentence by striking "of $50,000".

(2) Section 609(b)(1) of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471g(b)(1)) is amended by inserting "(before the amendment made by section 1703(a) of the Food and Energy Security Act of 2007)" after "1985".

(3) Section 524(b)(3) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)(3)) is amended by inserting "(before the amendment made by section 1703(a) of the Food and Energy Security Act of 2007)" after "1308(5)))".

(4) Section 196(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(i)) is amended in paragraphs (1)(A) and (5) by inserting "(before the amendment made by section 1703(a) of the Food and Energy Security Act of 2007)" after "1308)" each place it appears.

(5) Section 10204(c)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8204(c)(1)) is amended by inserting "(before the amendment made by section 1703(a) of the Food and Energy Security Act of 2007)" after "1308)".

(6) Section 1271(c)(3)(A) of the Food, Agriculture, Conservation, and Trade Act of 1990 (16 U.S.C. 2106a(c)(3)(A)) is amended by inserting "(before the amendment made by section 1703(a) of the Food and Energy Security Act of 2007)" after "1308)".

(7) Section 291(2) of the Trade Act of 1974 (19 U.S.C. 2401(2) is amended by inserting "(before the amendment made by section 1703(a) of the Food and Energy Security Act of 2007)" before the period at the end.

(g) TRANSITION.—Section 1001, 1001A, and 1001B of the Food Security Act of 1985 (7 U.S.C. 1308, 1308–1, 1308–2), as in effect on the day before the date of the enactment of this Act, shall continue to apply with respect to the 2007 crop of any covered commodity or peanuts.

SEC. 1704. ADJUSTED GROSS INCOME LIMITATION.

(a) EXTENSION OF ADJUSTED GROSS INCOME LIMITATION.—Section 1001D(e) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(e)) is amended by striking "2007" and inserting "2012".

(b) ALLOCATION OF INCOME.—Section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(a)) is amended by adding at the end the following:

"(3) ALLOCATION OF INCOME.—On the request of any individual filing a joint tax return, the Secretary shall provide for the allocation of adjusted gross income among the individuals filing the return based on a certified statement provided by a certified public accountant or attorney specifying the manner in which the income would have been declared and reported if the individuals had filed 2 separate returns, if the Secretary determines that the calculation is consistent with the information supporting the filed joint return.".

(c) MODIFICATION OF LIMITATION.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a) is amended by striking subsection (b) and inserting the following:

"(b) LIMITATION.—

"(1) CROP YEARS.—

"(A) 2009 CROP YEAR.—Notwithstanding any other provision of law, an individual or entity shall not be eligible to receive any benefit described in paragraph (2)(A) during the 2009 crop year if the average adjusted gross income of the individual or entity exceeds $1,000,000, unless not less than 66.66 percent of the average adjusted gross income of the individual or entity is derived from farming, ranching, or forestry operations, as determined by the Secretary.

"(B) 2010 AND SUBSEQUENT CROP YEARS.—Notwithstanding any other provision of law, an individual or entity shall not be eligible to receive any benefit described in paragraph (2)(A) during any of the 2010 and subsequent crop years if the average adjusted gross income of the individual or entity exceeds $750,000, unless not less than 66.66 percent of the average adjusted gross income of the individual or entity is derived from farming, ranching, or forestry operations, as determined by the Secretary.

"(C) CONSERVATION PROGRAMS.—Notwithstanding any other provision of law, an individual or entity shall not be eligible to receive any benefit described in paragraph (2)(B) during a crop year if the average adjusted gross income of the individual or entity exceeds $2,500,000, unless not less than 75 percent of the average adjusted gross income of the individual or entity is derived from farming, ranching, or forestry operations, as determined by the Secretary.

"(2) COVERED BENEFITS.—

"(A) IN GENERAL.—Subparagraphs (A) and (B) of paragraph (1) apply with respect to the following:

"(i) A direct payment or counter-cyclical payment under part I or III of subtitle A of title I of the Food and Energy Security Act of 2007.

"(ii) A marketing loan gain or loan deficiency payment under part II or III of subtitle A of title I of the Food and Energy Security Act of 2007.

"(iii) An average crop revenue payment under subtitle B of title I of Food and Energy Security Act of 2007.

"(B) CONSERVATION PROGRAMS.—Paragraph (1)(C) applies with respect to a payment under any program under—

"(i) title XII of this Act;

"(ii) title II of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 116 Stat. 223); or

"(iii) title II of the Food and Energy Security Act of 2007.

"(3) INCOME DERIVED FROM FARMING, RANCHING OR FORESTRY OPERATIONS.—In determining what portion of the average adjusted gross income of an individual or entity is derived from farming, ranching, or forestry operations, the Secretary shall include income derived from—

"(A) the production of crops, livestock, or unfinished raw forestry products;

"(B) the sale, including the sale of easements and development rights, of farm, ranch, or forestry land or water or hunting rights;

"(C) the sale of equipment to conduct farm, ranch, or forestry operations;

"(D) the rental or lease of land used for farming, ranching, or forestry operations, including water or hunting rights;

"(E) the provision of production inputs and services to farmers, ranchers, and foresters;

"(F) the processing (including packing), storing (including shedding), and transporting of farm, ranch, and forestry commodities;

"(G) the sale of land that has been used for agriculture; and

"(H) payments or other income attributable to benefits received under any program authorized under title I or II of the Food and Energy Security Act of 2007.".

(d) Transition.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a), as in effect on the day before the date of the enactment of this Act, shall continue to apply with respect to the 2007 and 2008 crops of any covered commodity or peanuts.

SEC. 1705. AVAILABILITY OF QUALITY INCENTIVE PAYMENTS FOR CERTAIN PRODUCERS.

(a) Incentive Payments Required.—Subject to subsection (b), the Secretary shall use funds made available under subsection (f) to provide quality incentive payments for the production of oilseeds with specialized traits that enhance human health, as determined by the Secretary.

(b) Covered Oilseeds.—The Secretary shall make payments under this section only for the production of an oilseed variety that has, as determined by the Secretary—

(1) been demonstrated to improve the health profile of the oilseed for use in human consumption by—

(A) reducing or eliminating the need to partially hydrogenate the oil derived from the oilseed for use in human consumption; or

(B) adopting new technology traits; and

(2) 1 or more impediments to commercialization.

(c) Request for Proposals.—

(1) Issuance.—If funds are made available to carry out this section for a crop year, the Secretary shall issue a request for proposals for payments under this section.

(2) Multiyear proposals.—An entity may submit a multiyear proposal for payments under this section.

(3) Content of proposals.—A proposal for payments under this section shall include a description of—

(A) each oilseed variety described in subsection (b) and the value of the oilseed variety as a matter of public policy;

(B) a range for the amount of total per bushel or hundredweight premiums to be paid to producers;

(C) a per bushel or hundredweight amount of incentive payments requested for each year under this section that does not exceed ⅓ of the total premium offered for any year;

(D) the period of time, not to exceed 4 years, during which incentive payments are to be provided to producers; and

(E) the targeted total quantity of production and estimated acres needed to produce the targeted quantity for each year under this section.

(d) Contracts for Production.—

(1) In general.—The Secretary shall approve successful proposals submitted under subsection (c) on a timely basis so as to allow production contracts to be entered into with producers in advance of the spring planting season for the 2009 crop year.

(2) Timing of payments.—The Secretary shall make payments to producers under this section after the Secretary receives documentation that the premium required under a contract has been made to covered producers.

(e) Administration.—If funding provided for a crop year is not fully allocated under the initial request for proposals under subsection (c), the Secretary shall issue additional requests for proposals for subsequent crop years under this section.

(f) Proprietary Information.—The Secretary shall protect proprietary information provided to the Secretary for the purpose of administering this section.

(g) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $400,000,000 for the period of fiscal years 2008 through 2012.

SEC. 1706. HARD WHITE WHEAT DEVELOPMENT PROGRAM.

(a) Definitions.—In this section:

(1) Eligible hard white wheat seed.—The term "eligible hard white wheat seed" means hard white wheat seed that, as determined by the Secretary, is—

(A) certified;

(B) of a variety that is suitable for the State in which the seed will be planted;

(C) rated at least superior with respect to quality; and

(D) specifically approved under a seed establishment program established by the State Department of Agriculture and the State Wheat Commission of the 1 or more States in which the seed will be planted.

(2) Program.—The term "program" means the hard white wheat development program established under subsection (b)(1).

(3) Secretary.—The term "Secretary" means the Secretary of Agriculture, in consultation with the State Departments of Agriculture and the State Wheat Commissions of the States in regions in which hard white wheat is produced, as determined by the Secretary.

(b) Establishment.—

(1) In general.—The Secretary shall establish a hard white wheat development program in accordance with paragraph (2) to promote the establishment of hard white wheat as a viable market class of wheat in the United States by encouraging production of at least 240,000,000 bushels of hard white wheat by 2012.

(2) Payments.—

(A) In general.—Subject to subparagraphs (B) and (C) and subsection (c), the Secretary shall make available incentive payments to producers of each of the 2008 through 2012 crops of hard white wheat.

(B) Acreage limitation.—The Secretary shall carry out subparagraph (A) subject to a regional limitation determined by the Secretary on the number of acres for which payments may be received that takes into account planting history and potential planting, but does not exceed a total of 2,900,000 acres or the equivalent volume of production based on a yield of 50 bushels per acre.

(C) Payment limitations.—Payments to producers on a farm described in subparagraph (A) shall be—

(i) in an amount that is not less than $0.20 per bushel; and

(ii) in an amount that is not less than $2.00 per acre for planting eligible hard white wheat seed.

(c) Funding.—The Secretary shall make available $35,000,000 of funds of the Commodity Credit Corporation during the period of crop years 2008 through 2012 to provide incentive payments to producers of hard white wheat under this section.

SEC. 1707. DURUM WHEAT QUALITY PROGRAM.

(a) In General.—Subject to the availability of funds under subsection (c), the Secretary shall provide compensation to producers of durum wheat in an amount not to exceed 50 percent of the actual cost of fungicides applied to a crop of durum wheat of the producers to control Fusarium head blight (wheat scab) on acres certified to have been planted to Durum wheat in a crop year.

(b) Insufficient Funds.—If the total amount of funds appropriated for a fiscal year under subsection (c) are insufficient to fulfill all eligible requests for compensation under this section, the Secretary shall prorate the compensation payments in a manner determined by the Secretary to be equitable.

(c) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2008 through 2012.

SEC. 1708. STORAGE FACILITY LOANS.

(a) In General.—As soon as practicable after the date of enactment of this Act, the Secretary shall establish a storage facility loan program to provide funds for producers of grains, oilseeds, pulse crops, hay, renewable biomass, and other storable commodities (other than sugar), as determined by the Secretary, to construct or upgrade storage and handling facilities for the commodities.

(b) Eligible Producers.—A storage facility loan under this section shall be made available to any producer described in subsection (a) that, as determined by the Secretary—

(1) has a satisfactory credit history;

(2) has a need for increased storage capacity; and

(3) demonstrates an ability to repay the loan.

(c) Term of Loans.—A storage facility loan under this section shall have a maximum term of 12 years.

(d) Loan Amount.—The maximum principal amount of a storage facility loan under this section shall be $500,000.

(e) Loan Disbursements.—The Secretary shall provide for partial disbursements of loan principal, as determined to be appropriate and subject to acceptable documentation, to facilitate the purchase and construction of eligible facilities.

(f) Loan Security.—Approval of a storage facility loan under this section shall—

(1) for loan amounts of less than $150,000, not require a lien on the real estate parcel on which the storage facility is locate;

(2) for loan amounts equal to or more than $150,000, not require a severance agreement from the holder of any prior lien on the real estate parcel on which the storage facility is located, if the borrower—

(A) agrees to increase the down payment on the storage facility loan by an amount determined appropriate by the Secretary; or

(B) provides other security acceptable to the Secretary; and

(3) allow a borrower, upon the approval of the Secretary, to define a subparcel of real estate as security for the storage facility loan if the subparcel is—

(A) of adequate size and value to adequately secure the loan; and

(B) not subject to any other liens or mortgages that are superior to the lien interest of the Commodity Credit Corporation.

SEC. 1709. PERSONAL LIABILITY OF PRODUCERS FOR DEFICIENCIES.

Section 164 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7284) is amended by striking "and title I of the Farm Security and Rural Investment Act of 2002" each place it appears and inserting "title I of the Farm Security and Rural Investment Act of 2002, and title I of the Food and Energy Security Act of 2007".

SEC. 1710. EXTENSION OF EXISTING ADMINISTRATIVE AUTHORITY REGARDING LOANS.

Section 166 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7286) is amended in subsections (a) and (c)(1) by striking "and subtitle B and C of title I of the Farm Security and Rural Investment Act of 2002" each place it appears and inserting "title I of the Farm Security and Rural Investment Act of 2002, and title I of the Food and Energy Security Act of 2007".

SEC. 1711. ASSIGNMENT OF PAYMENTS.

(a) In General.—The provisions of section 8(g) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(g)), relating to assignment of payments, shall apply to payments made under the authority of subtitles A through E and this subtitle.

(b) Notice.—The producer making the assignment, or the assignee, shall provide the Secretary with notice, in such manner as the Secretary may require, of any assignment made under this section.

SEC. 1712. COTTON CLASSIFICATION SERVICES.

Section 3a of the Act of March 3, 1927 (7 U.S.C. 473a), is amended to read as follows:

"SEC. 3a. COTTON CLASSIFICATION SERVICES.

"(a) In General.—The Secretary of Agriculture (referred to in this section as the 'Secretary') shall—

"(1) make cotton classification services available to producers of cotton; and

"(2) provide for the collection of classification fees from participating producers or agents that voluntarily agree to collect and remit the fees on behalf of producers.

"(b) Use of Fees.—Classification fees collected under subsection (a)(2) and the proceeds from the sales of samples submitted under this section shall, to the maximum extent practicable, be used to pay the cost of the services provided under this section, including administrative and supervisory costs.

"(c) Consultation.—

"(1) In general.—In establishing the amount of fees under this section, the Secretary shall consult with representatives of the United States cotton industry.

"(2) Exemption.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to consultations with representatives of the United States cotton industry under this section.

"(d) Crediting of Fees.—Any fees collected under this section and under section 3d, late payment penalties, the proceeds from the sales of samples, and interest earned from the investment of such funds shall—

"(1) be credited to the current appropriation account that incurs the cost of services provided under this section and section 3d; and

"(2) remain available without fiscal year limitation to pay the expenses of the Secretary in providing those services.

"(e) Investment of Funds.—Funds described in subsection (d) may be invested—

"(1) by the Secretary in insured or fully collateralized, interest-bearing accounts; or

"(2) at the discretion of the Secretary, by the Secretary of the Treasury in United States Government debt instruments.

"(f) Lease Agreements.—Notwithstanding any other provision of law, the Secretary may enter into long-term lease agreements that exceed 5 years or may take title to property (including through purchase agreements) for the purpose of obtaining offices to be used for the classification of cotton in accordance with this Act, if the Secretary determines that action would best effectuate the purposes of this Act.

"(g) Authorization of Appropriations.—To the extent that financing is not available from fees and the proceeds from the sales of samples, there are authorized to be appropriated such sums as are necessary to carry out this section.".

SEC. 1713. DESIGNATION OF STATES FOR COTTON RESEARCH AND PROMOTION.

Section 17(f) of the Cotton Research and Promotion Act (7 U.S.C. 2116(f)) is amended—

(1) by striking "(f) The term" and inserting the following:

"(f) Cotton-Producing State.—

"(1) In general.—The term";

(2) by striking "more, and the term" and all that follows through the end of the subsection and inserting the following: "more.

"(2) Inclusions.—The term 'cotton-producing State' includes—

"(A) any combination of States described in paragraph (1); and

"(B) effective beginning with the 2008 crop of cotton, the States of Kansas, Virginia, and Florida.".

SEC. 1714. GOVERNMENT PUBLICATION OF COTTON PRICE FORECASTS.

Section 15 of the Agricultural Marketing Act (12 U.S.C. 1141j) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e) through (g) as subsections (d) through (f), respectively.

SEC. 1715. STATE, COUNTY, AND AREA COMMITTEES.

Section 8(b)(5)(B)(ii) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)(5)(B)(ii)) is amended—

(1) by redesignating subclauses (I) and (II) as items (aa) and (bb), respectively, and indenting appropriately;

(2) in the matter preceding item (aa) (as redesignated by paragraph (1)), by striking "A committee established" and inserting the following:

"(I) In general.—Except as provided in subclause (II), a committee established"; and

(3) by adding at the end the following:

"(II) Combination or consolidation of areas.—A committee established by combining or consolidating 2 or more county or area committees shall consist of not fewer than 3 nor more than 11 members that—

"(aa) are fairly representative of the agricultural producers within the area covered by the county, area, or local committee; and

"(bb) are elected by the agricultural producers that participate or cooperate in programs administered within the area under the jurisdiction of the county, area, or local committee.

"(III) Representation of socially disadvantaged farmers and ranchers.—The Secretary shall ensure, to the extent practicable, that representation of socially disadvantaged farmers and ranchers is maintained on combined or consolidated committees.

"(IV) Eligibility for membership.—Notwithstanding any other producer eligibility requirements for service on county or area committees, if a county or area is consolidated or combined, a producer shall be eligible to serve only as a member of the county or area committee that the producer elects to administer the farm records of the producer.".

SEC. 1716. PROHIBITION ON CHARGING CERTAIN FEES.

Public Law 108–470 (7 U.S.C. 7416a) is amended—

(1) in subsection (a), by striking "may" and inserting "shall"; and

(2) by adding at the end the following:

"(c) Prohibition on Charging Certain Fees.—The Secretary may not charge any fees or related costs for the collection of commodity assessments pursuant to this Act.".

SEC. 1717. SIGNATURE AUTHORITY.

In carrying out this title and title II and amendments made by those titles, if the Secretary approves a document containing signatures of program applicants, the Secretary shall not subsequently determine the document is inadequate or invalid because of the lack of authority of any applicant signing the document on behalf of the applicant or any other individual, entity, general partnership, or joint venture, or the documents relied upon were determined inadequate or invalid, unless the applicant knowingly and willfully falsified the evidence of signature authority or a signature.

SEC. 1718. MODERNIZATION OF FARM SERVICE AGENCY.

The Secretary shall modernize the Farm Service Agency information technology and communication systems to ensure timely and efficient program delivery at national, State, and County offices.

SEC. 1719. GEOSPATIAL SYSTEMS.

(a) In General.—The Secretary shall ensure that all agencies of the Department of Agriculture consolidate the geospatial systems of the agencies into a single enterprise system that ensures that geospatial data is shareable, portable, and standardized.

(b) Requirements.—In carrying out subsection (a), the Secretary shall—

(1) identify common datasets;

(2) give responsibility for managing each identified dataset to the agency best suited for collecting and maintaining that data, as determined by the Secretary; and

(3) make every effort to minimize the duplication of efforts.

(c) Availability of Data.—The Secretary shall ensure, to the maximum extent practicable, that data is readily available to all agencies beginning not later than 2 years after the date of enactment of this Act.

SEC. 1720. LEASING OFFICE SPACE.

The Secretary may use the funds, facilities, and authorities of the Commodity Credit Corporation to lease space for use by agencies of the Department of Agriculture in cases in which office space would be jointly occupied by the agencies.

SEC. 1721. REPEALS.

(a) Commission on Application of Payment Limitations.—Section 1605 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7993) is repealed.

(b) Renewed Availability of Market Loss Assistance and Certain Emergency Assistance to Persons That Failed To Receive Assistance Under Earlier Authorities.—Section 1617 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8000) is repealed.

Subtitle F—Specialty Crop Programs

SEC. 1801. DEFINITIONS.

In this subtitle:

(1) Specialty crop.—The term "specialty crop" has the meaning given the term in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108–465).

(2) State.—The term "State" means each of the several States of the United States.

(3) STATE DEPARTMENT OF AGRICULTURE.—The term "State department of agriculture" means the agency, commission, or department of a State government responsible for protecting and promoting agriculture in the State.

PART I—MARKETING, INFORMATION, AND EDUCATION

SEC. 1811. FRUIT AND VEGETABLE MARKET NEWS ALLOCATION.

(a) IN GENERAL.—The Secretary, acting through the Administrator of the Agricultural Marketing Service, shall carry out market news activities to provide timely price information of United States fruits and vegetables in the United States.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $9,000,000 for each of fiscal years 2008 through 2012, to remain available until expended.

SEC. 1812. FARMERS' MARKET PROMOTION PROGRAM.

Section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005) is amended—

(1) in subsection (a), by inserting "and to promote direct producer-to-consumer marketing" before the period at the end;

(2) in subsection (b)(1)(B), by striking "infrastructure" and inserting "marketing opportunities";

(3) in subsection (c)(1), by inserting "or a producer network or association" after "cooperative"; and

(4) by striking subsection (e) and inserting the following:

"(e) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section—

"(1) $5,000,000 for each of fiscal years 2008 through 2011; and

"(2) $10,000,000 for fiscal year 2012.".

SEC. 1813. FOOD SAFETY INITIATIVES.

(a) INITIATIVE AUTHORIZED.—The Secretary may carry out a food safety education program to educate the public and persons in the fresh produce industry about—

(1) scientifically proven practices for reducing microbial pathogens on fresh produce; and

(2) methods of reducing the threat of cross-contamination of fresh produce through unsanitary handling practices.

(b) COOPERATION.—The Secretary may carry out the education program in cooperation with public and private partners.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $1,000,000.

SEC. 1814. CENSUS OF SPECIALTY CROPS.

(a) ESTABLISHMENT.—Not later than September 30, 2008, and each 5 years thereafter, the Secretary shall conduct a census of specialty crops to assist in the regularly development and dissemination of information relative to specialty crops.

(b) RELATION TO OTHER CENSUS.—The Secretary may include the census of specialty crops in the census on agriculture.

PART II—ORGANIC PRODUCTION

SEC. 1821. ORGANIC DATA COLLECTION AND PRICE REPORTING.

Section 2104 of the Organic Foods Production Act of 1990 (7 U.S.C. 6503) is amended by adding at the end the following:

"(e) DATA COLLECTION AND PRICE REPORTING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use $5,000,000 for the period of fiscal years 2008 through 2012—

"(1) to collect data relating to organic agriculture;

"(2) to identify and publish organic production and market data initiatives and surveys;

"(3) to expand, collect, and publish organic census data analyses;

"(4) to fund comprehensive reporting of prices relating to organically-produced agricultural products;

"(5) to conduct analysis relating to organic production, handling, distribution, retail, and trend studies;

"(6) to study and perform periodic updates on the effects of organic standards on consumer behavior; and

"(7) to conduct analyses for organic agriculture using the national crop table.".

SEC. 1822. EXEMPTION OF CERTIFIED ORGANIC PRODUCTS FROM ASSESSMENTS.

Section 501(e) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401(e)) is amended by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—Notwithstanding any provision of a commodity promotion law, a person that produces and markets organic products shall be exempt from the payment of an assessment under a commodity promotion law with respect to that portion of agricultural commodities that the person—

"(A) produces on a certified organic farm (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502); and

"(B) produces or markets as organically produced (as so defined).".

SEC. 1823. NATIONAL ORGANIC CERTIFICATION COST SHARE PROGRAM.

Section 10606 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 6523) is amended to read as follows:

"SEC. 10606. NATIONAL ORGANIC CERTIFICATION COST-SHARE PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) PROGRAM.—The term 'program' means the national certification cost-share program established under subsection (b).

"(2) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture, acting through the Agricultural Marketing Service.

"(b) ESTABLISHMENT.—The Secretary shall use amounts made available under subsection (f) to establish a national organic certification cost-share program under which the Secretary shall make payments to States to assist producers and handlers of agricultural products in obtaining certification under the national organic production program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).

"(c) FEDERAL SHARE.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall pay under this section not more than 75 percent of the costs incurred by a producer or handler in obtaining certification under the national organic production program, as certified to and approved by the Secretary.

"(2) MAXIMUM AMOUNT.—The maximum amount of a payment made to a producer or handler under this section shall be $750.

"(d) RECORDKEEPING REQUIREMENTS.—

"(1) IN GENERAL.—The Secretary shall—

"(A) keep accurate, up-to-date records of requests and disbursements from the program; and

"(B) require accurate and consistent recordkeeping from each State and entity that receives program payments.

"(2) FEDERAL REQUIREMENTS.—Not later than 30 days after the last day on which a State may request funding under the program, the Secretary shall—

"(A) determine the number of States requesting funding and the amount of each request; and

"(B) distribute the funding to the States.

"(3) STATE REQUIREMENTS.—An annual funding request from a State shall include data from the program during the preceding year, including—

"(A) a description of—

"(i) the entities that requested reimbursement;

"(ii) the amount of each reimbursement request; and

"(iii) any discrepancies between the amount requested and the amount provided;

"(B) data to support increases in requests expected in the coming year, including information from certifiers or other data showing growth projections; and

"(C) an explanation of any case in which an annual request is lower than the request of the preceding year.

"(e) REPORTING.—Not later than March 1 of each year, the Secretary shall submit to Congress a report that describes the expenditures for each State under the program during the previous fiscal year, including the number of producers and handlers served by the program in the previous fiscal year.

"(f) FUNDING.—

"(1) IN GENERAL.—Not later than 30 days after the date of enactment of the Food and Energy Security Act of 2007, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture to carry out this section $22,000,000, to remain available until expended.

"(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under paragraph (1), without further appropriation.".

SEC. 1824. NATIONAL ORGANIC PROGRAM.

Section 2123 of the Organic Foods Production Act of 1990 (7 U.S.C. 6522) is amended—

(1) by striking "There are" and inserting the following:

"(a) IN GENERAL.—There are"; and

(2) by adding at the end the following:

"(b) NATIONAL ORGANIC PROGRAM.—Notwithstanding any other provision of law, in order to carry out the activities of the Agricultural Marketing Service under the national organic program established under this title, there are authorized to be appropriated—

"(1) $5,000,000 for fiscal year 2008;

"(2) $6,500,000 for fiscal year 2009;

"(3) $8,000,000 for fiscal year 2010;

"(4) $9,500,000 for fiscal year 2011; and

"(5) $11,000,000 for fiscal year 2012.".

PART III—INTERNATIONAL TRADE

SEC. 1831. FOREIGN MARKET ACCESS STUDY AND STRATEGY PLAN.

(a) DEFINITION OF URUGUAY ROUND AGREEMENTS.—In this section, the term "Uruguay Round Agreements" includes any agreement described in section 101(d) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)).

(b) STUDY.—The Comptroller General of the United States shall study—

(1) the extent to which United States specialty crops have or have not benefitted from any reductions of foreign trade barriers, as provided for in the Uruguay Round Agreements; and

(2) the reasons why United States specialty crops have or have not benefitted from such trade-barrier reductions.

(c) STRATEGY PLAN.—The Secretary shall prepare a foreign market access strategy plan based on the study in subsection (b), to increase exports of specialty crops, including an assessment of the foreign trade barriers that are incompatible with the Uruguay Round Agreements and a strategy for removing those barriers.

(d) REPORT.—Not later than 18 months after the date of enactment of this Act—

(1) the Comptroller General shall submit to Congress a report that contains the results of the study; and

(2) the Secretary shall submit to Congress the strategy plan.

SEC. 1832. MARKET ACCESS PROGRAM.

Section 211(c) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)) is amended by adding at the end the following:

"(3) MINIMUM ALLOCATION FOR SALE AND EXPORT PROPOSAL.—

"(A) IN GENERAL.—In providing funds under paragraph (2), to the maximum extent practicable, the Secretary shall use not less than 50 percent of any of the funds made available in excess of $200,000,000 to carry out the market access program each fiscal year to provide assistance for proposals submitted by eligible trade organizations to promote the sale and export of specialty crops.

"(B) UNALLOCATED FUNDS.—If, by March 31 of any fiscal year, the Secretary determines that the total amount of funds made available to carry out the market access program are in excess of the amounts necessary to promote the sale and export of specialty crops during the fiscal year, the Secretary may use the excess funds to provide assistance for any other proposals submitted by eligible trade organizations consistent with the priorities described in paragraph (2).".

SEC. 1833. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.

Section 3205 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5680) is amended by striking subsection (d) and inserting the following:

"(d) PETITION.—A participant in the program may petition the Secretary for an extension of a project carried out under this section that exceeds, or will exceed, applicable time restrictions.

"(e) FUNDING.—

"(1) IN GENERAL.—The Secretary shall make available to carry out the program under this section—

"(A) $6,800,000 of funds of, or an equal value of commodities owned by, the Commodity Credit Corporation for each of fiscal years 2008 through 2011; and

"(B) $2,000,000 of funds of, or an equal value of commodities owned by, the Commodity Credit Corporation for fiscal year 2012 and each subsequent fiscal year.

"(2) CARRYOVER OF UNOBLIGATED FUNDS.—In a case in which the total amount of funds or commodities made available under paragraph (1) for a fiscal year is not obligated in that fiscal year, the Secretary shall make available in the subsequent fiscal year an amount equal to—

"(A) the amount made available for the fiscal year under paragraph (1); plus

"(B) the amount not obligated in the previous fiscal year."

SEC. 1834. CONSULTATIONS ON SANITARY AND PHYTOSANITARY RESTRICTIONS FOR FRUITS AND VEGETABLES.

(a) CONSULTATIONS ON SANITARY AND PHYTOSANITARY RESTRICTIONS FOR FRUITS AND VEGETABLES.—To the maximum extent practicable, the Secretary and the United States Trade Representative shall consult with interested persons, and conduct annual briefings, on sanitary and phytosanitary trade issues, including—

(1) the development of a strategic risk management framework; and

(2) as appropriate, implementation of peer review for risk analysis.

(b) SPECIAL CONSULTATIONS ON IMPORT-SENSITIVE PRODUCTS.—Section 2104(b)(2)(A)(ii)(II) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3804(b)(2)(A)(ii)(II)) is amended—

(1) by striking "whether the products so identified" and inserting "whether—

"(aa) the products so identified"; and

(2) by adding at the end the following:

"(bb) any fruits or vegetables so identified are subject to or likely to be subject to unjustified sanitary or phytosanitary restrictions, including restrictions not based on scientific principles in contravention of the Uruguay Round Agreements, as determined by the United States Trade Representative Technical Advisory Committee for Trade in Fruits and Vegetables of the Department of Agriculture; and".

(c) EFFECTIVE DATE.—The amendments made by subsection (b) apply with respect to the initiation of negotiations to enter into any trade agreement that is subject to section 2103(b) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3803(b)) on or after the date of the enactment of this Act.

PART IV—SPECIALTY CROPS COMPETITIVENESS

SEC. 1841. SPECIALTY CROP BLOCK GRANTS.

(a) EXTENSION OF PROGRAM.—Section 101(a) of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465) is amended by striking "2009" and inserting "2012".

(b) AVAILABILITY OF FUNDS.—Section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465) is amended by striking subsection (i) and inserting the following:

"(i) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall make grants under this section, using—

"(1) $60,000,000 for fiscal year 2008;

"(2) $65,000,000 for fiscal year 2009;

"(3) $70,000,000 for fiscal year 2010;

"(4) $75,000,000 for fiscal year 2011; and

"(5) $0 for fiscal year 2012.".

(c) CONFORMING AMENDMENTS.—Section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465) is amended—

(1) in subsection (a), by striking "Subject to the appropriation of funds to carry out this section" and inserting "Using the funds made available under subsection (i)";

(2) in subsection (b), by striking "appropriated pursuant to the authorization of appropriations in" and inserting "made available under";

(3) by striking subsection (c) and inserting the following:

"(c) MINIMUM GRANT AMOUNT.—Notwithstanding subsection (b), each State shall receive a grant under this section for each fiscal year in an amount that is at least ½ of 1 percent of the total amount of funding made available to carry out this section for the fiscal year.";

(4) by redesignating subsection (i) as subsection (j); and

(5) by inserting after subsection (h) the following:

"(i) REALLOCATION.—The Secretary may reallocate to other States any amounts made available under this section that are not obligated or expended by a date determined by the Secretary.".

(d) DEFINITION OF SPECIALTY CROP.—Section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465) is amended by striking paragraph (1) and inserting the following:

"(1) SPECIALTY CROP.—The term 'specialty crop' means fruits, vegetables, tree nuts, dried fruits, nursery crops, floriculture, and horticulture, including turfgrass sod and herbal crops.".

(e) DEFINITION OF STATE.—Section 3(2) of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465) is amended by striking "and the Commonwealth of Puerto Rico" and inserting "the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands".

SEC. 1842. GRANT PROGRAM TO IMPROVE MOVEMENT OF SPECIALTY CROPS.

Title II of the Specialty Crops Competitiveness Act of 2004 (Public Law 108-465; 118 Stat. 3884) is amended by adding at the end the following:

"SEC. 204. GRANT PROGRAM TO IMPROVE MOVEMENT OF SPECIALTY CROPS.

"(a) IN GENERAL.—The Secretary of Agriculture may make grants under this section to an eligible entity described in subsection (b)—

"(1) to improve the cost-effective movement of specialty crops to local, regional, national, and international markets; and

"(2) to address regional intermodal transportation deficiencies that adversely affect the movement of specialty crops to markets inside or outside the United States.

"(b) ELIGIBLE ENTITIES.—Grants may be made under this section to—

"(1) a State or local government;

"(2) a grower cooperative;

"(3) a State or regional producer or shipper organization;

"(4) a combination of entities described in paragraphs (1) through (3); or

"(5) other entities, as determined by the Secretary.

"(c) MATCHING FUNDS.—As a condition of the receipt of a grant under this section, the recipient of a grant under this section shall contribute an amount of non-Federal funds toward the project for which the grant is provided that is at least equal to the amount of grant funds received by the recipient under this section.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.".

SEC. 1843. HEALTHY FOOD ENTERPRISE DEVELOPMENT CENTER.

Title II of the Specialty Crops Competitiveness Act of 2004 (Public Law 108-465; 118 Stat. 3884) (as amended by section 1842) is amended by adding at the end the following:

"SEC. 205. HEALTHY FOOD ENTERPRISE DEVELOPMENT CENTER.

"(a) DEFINITIONS.—In this section:

"(1) CENTER.—The term 'Center' means the healthy food enterprise development center established under subsection (b).

"(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) a nonprofit organization;

"(B) a cooperative;

"(C) a business;

"(D) an agricultural producer;

"(E) an academic institution;

"(F) an individual; and

"(G) such other entities as the Secretary may designate.

"(3) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.

"(4) UNDERSERVED COMMUNITY.—The term 'underserved community' means a community (including an urban or rural community and an Indian tribal community) that, as determined by the Secretary, has—

"(A) limited access to affordable, healthy foods, including fresh fruits and vegetables;

"(B) a high incidence of a diet-related disease (including obesity) as compared to the national average;

"(C) a high rate of hunger or food insecurity; or

"(D) severe or persistent poverty.

"(b) CENTER.—The Secretary, acting through the Agricultural Marketing Service, shall offer to enter into a contract with a nonprofit organization to establish and support a healthy food enterprise development center to increase access to healthy, affordable foods, such as fresh fruit and vegetables, particularly for school-aged children and individuals in low-income communities.

"(c) ACTIVITIES.—

"(1) PURPOSE.—The purpose of the Center is to increase access to healthy affordable foods, including locally produced agricultural products, to underserved communities.

"(2) TECHNICAL ASSISTANCE AND INFORMATION.—The Center shall collect, develop, and provide technical assistance and information to small and mid-sized agricultural producers, food wholesalers and retailers, schools, and other individuals and entities regarding best practices and the availability of assistance for aggregating, storing, processing, and marketing locally produced agricultural products and increasing the availability of the products in underserved communities.

"(d) AUTHORITY TO SUBGRANT.—The Center may provide subgrants to eligible entities to carry out feasibility studies to establish businesses to carry out the purposes of this section.

"(e) PRIORITY.—In providing technical assistance and grants under subsections (c)(2) and (d), the Center shall give priority to applications that have components that will—

"(1) benefit underserved communities; and

"(2) develop market opportunities for small and mid-sized farm and ranch operations.

"(f) REPORT.—For each fiscal year for which the nonprofit organization described in subsection (b) receives funds, the organization shall submit to the Secretary a report describing the activities carried out in the previous fiscal year, including—

"(1) a description of technical assistance provided;

"(2) the total number and a description of the subgrants provided under subsection (d);

"(3) a complete listing of cases in which the activities of the Center have resulted in increased access to healthy, affordable foods, such as fresh fruit and vegetables, particularly for school-aged children and individuals in low-income communities; and

"(4) a determination of whether the activities identified in paragraph (3) are sustained in the years following the initial provision of technical assistance and subgrants under this section.

"(g) COMPETITIVE AWARD PROCESS.—The Secretary shall use a competitive process to award funds to establish the Center.

"(h) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section—

"(1) $1,000,000 for fiscal year 2009; and

"(2) $2,000,000 for each of fiscal years 2010 through 2012.".

PART V—MISCELLANEOUS

SEC. 1851. CLEAN PLANT NETWORK.

(a) IN GENERAL.—The Secretary shall establish a program to be known as the "National Clean Plant Network" (referred to in this section as the "Program").

(b) REQUIREMENTS.—Under the Program, the Secretary shall establish a network of clean plant centers for diagnostic and pathogen elimination services to—

(1) produce clean propagative plant material; and

(2) maintain blocks of pathogen-tested plant material in sites located throughout the United States.

(c) AVAILABILITY OF CLEAN PLANT SOURCE MATERIAL.—Clean plant source material may be made available to—

(1) a State for a certified plant program of the State; and

(2) private nurseries and producers.

(d) CONSULTATION AND COLLABORATION.—In carrying out the Program, the Secretary shall—

(1) consult with State departments of agriculture and land grant universities; and

(2) to the extent practicable and with input from the appropriate State officials and industry representatives, use existing Federal or State facilities to serve as clean plant centers.

(e) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out the Program $4,000,000 for each of fiscal years 2008 through 2012.

SEC. 1852. MARKET LOSS ASSISTANCE FOR ASPARAGUS PRODUCERS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall make payments to producers of the 2007 crop of asparagus for market loss resulting from imports during the 2004 through 2007 crop years.

(b) PAYMENT RATE.—The payment rate for a payment under this section shall be based on the reduction in revenue received by asparagus producers associated with imports during the 2004 through 2007 crop years.

(c) PAYMENT QUANTITY.—The payment quantity for asparagus for which the producers on a farm are eligible for payments under this section shall be equal to the average quantity of the 2003 crop of asparagus produced by producers on the farm.

(d) FUNDING.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall make available $15,000,000 of the funds of the Commodity Credit Corporation to carry out a program to provide market loss payments to producers of asparagus under this section.

(2) ALLOCATION.—Of the amount made available under paragraph (1), the Secretary shall use—

(A) $7,500,000 to make payments to producers of asparagus for the fresh market; and

(B) $7,500,000 to make payments to producers of asparagus for the processed or frozen market.

SEC. 1853. MUSHROOM PROMOTION, RESEARCH, AND CONSUMER INFORMATION.

(a) REGIONS AND MEMBERS.—Section 1925(b)(2) of the Mushroom Promotion, Research, and Consumer Information Act of 1990 (7 U.S.C. 6104(b)(2)) is amended—

(1) in subparagraph (B), by striking "4 regions" and inserting "3 regions";

(2) in subparagraph (D), by striking "35,000,000 pounds" and inserting "50,000,000 pounds"; and

(3) by striking subparagraph (E), and inserting the following:

"(E) ADDITIONAL MEMBERS.—In addition to the members appointed pursuant to paragraph (1), and subject to the 9-member limitation on members on the Council provided in that paragraph, the Secretary shall appoint additional members to the Council from a region that attains additional pounds of production of mushrooms as follows:

"(i) If the annual production of the region is greater than 110,000,000 pounds, but not more than 180,000,000 pounds, the region shall be represented by 1 additional member.

"(ii) If the annual production of the region is greater than 180,000,000 pounds, but not more than 260,000,000 pounds, the region shall be represented by 2 additional members.

"(iii) If the annual production of the region is greater than 260,000,000 pounds, the region shall be represented by 3 additional members.".

(b) POWERS AND DUTIES OF COUNCIL.—Section 1925(c) of the Mushroom Promotion, Research, and Consumer Information Act of 1990 (7 U.S.C. 6104(c)) is amended—

(1) by redesignating paragraphs (6), (7), and (8) as paragraphs (7), (8), and (9), respectively; and

(2) by inserting after paragraph (5) the following:

"(6) to develop food safety programs, including good agricultural practices and good handling practices or related activities for mushrooms;".

SEC. 1854. NATIONAL HONEY BOARD.

Section 7(c) of the Honey Research, Promotion, and Consumer Information Act (7 U.S.C. 4606(c)) is amended by adding at the end the following:

"(12) REFERENDUM REQUIREMENT.—

"(A) IN GENERAL.—Notwithstanding any other provision of law, subject to subparagraph (B), the order providing for the establishment and operation of the Honey Board in effect on the date of enactment of this paragraph shall continue in force, and the Secretary shall not schedule or conduct any referendum on the continuation or termination of the order, until the Secretary first conducts, at the earliest practicable date, concurrent referenda among all eligible producers, importers, packers, and handlers of honey for the purpose of ascertaining whether eligible producers, importers, packers, and handlers of honey approve of 1 or more orders to establish successor marketing boards for honey.

"(B) REQUIREMENTS.—In conducting concurrent referenda under subparagraph (A), the Secretary shall ensure that—

"(i) a referendum of United States honey producers for the establishment of a marketing board solely for United States honey producers is included in the process; and

"(ii) the rights and interests of honey producers, importers, packers, and handlers of honey are protected in the transition to any new marketing board.".

SEC. 1855. IDENTIFICATION OF HONEY.

Section 203(h) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622(h)) is amended—

(1) by designating the first through sixth sentences as paragraphs (1), (2)(A), (2)(B), (3), (4), and (5), respectively; and

(2) by adding at the end the following:

"(6) IDENTIFICATION OF HONEY.—The use of a label or advertising material on, or in conjunction with, packaged honey that bears any official certificate of quality, grade mark or statement, continuous inspection mark or statement, sampling mark or statement, or any combination of the certificates, marks, or statements of the Department of Agriculture shall be considered a deceptive practice that is prohibited under this Act unless there appears legibly and permanently in close proximity to the certificate, mark, or statement, and in at least a comparable size, the 1 or more names of the 1 or more countries of origin of the lot or container of honey, preceded by 'Product of' or other words of similar meaning.".

SEC. 1856. EXPEDITED MARKETING ORDER FOR HASS AVOCADOS FOR GRADES AND STANDARDS AND OTHER PURPOSES.

(a) In General.—The Secretary shall initiate procedures under the Agricultural Adjustment Act (7 U.S.C. 601 et seq.), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, to determine whether it would be appropriate to establish a Federal marketing order for Hass avocados relating to grades and standards and for other purposes under that Act.

(b) Expedited Procedures.—

(1) Proposal for an order.—An organization of domestic avocado producers in existence on the date of enactment of this Act may request the issuance of, and submit to the Secretary a proposal for, an order described in subsection (a).

(2) Publication of proposal.—Not later than 60 days after the date on which the Secretary receives a proposed order under paragraph (1), the Secretary shall initiate procedures described in subsection (a) to determine whether the proposed order should proceed.

(c) Effective Date.—Any order issued under this section shall become effective not later than 15 months after the date on which the Secretary initiates procedures under the Agricultural Adjustment Act (7 U.S.C. 601 et seq.), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937.

Subtitle G—Risk Management

SEC. 1901. DEFINITION OF ORGANIC CROP.

Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)) is amended—

(1) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively; and

(2) by inserting after paragraph (6) the following:

"(7) Organic crop.—The term 'organic crop' means an agricultural commodity that is organically produced consistent with section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502).".

SEC. 1902. GENERAL POWERS.

(a) In General.—Section 506 of the Federal Crop Insurance Act (7 U.S.C. 1506) is amended—

(1) in the first sentence of subsection (d), by striking "The Corporation" and inserting "Subject to section 508(j)(2)(A), the Corporation"; and

(2) by striking subsection (n).

(b) Conforming Amendments.—

(1) Section 506 of the Federal Crop Insurance Act (7 U.S.C. 1506) is amended by redesignating subsections (o), (p), and (q) as subsections (n), (o), and (p), respectively.

(2) Section 521 of the Federal Crop Insurance Act (7 U.S.C. 1521) is amended by striking the last sentence.

SEC. 1903. REDUCTION IN LOSS RATIO.

(a) Projected Loss Ratio.—Subsection (n)(2) of section 506 of the Federal Crop Insurance Act (7 U.S.C. 1506) (as redesignated by section 1902(b)(1)) is amended—

(1) in the paragraph heading, by striking "AS OF OCTOBER 1, 1998";

(2) by striking ", on and after October 1, 1998,"; and

(3) by striking "1.075" and inserting "1.0".

(b) Premiums Required.—Section 508(d)(1) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)(1)) is amended by striking "not greater than" and all that follows and inserting "not greater than—

"(A) 1.1 through September 30, 1998;

"(B) 1.075 for the period beginning October 1, 1998, and ending on the date of enactment of the Food and Energy Security Act of 2007; and

"(C) 1.0 on and after the date of enactment of that Act.".

SEC. 1904. CONTROLLED BUSINESS INSURANCE.

Section 508(a) of the Federal Crop Insurance Act (7 U.S.C. 1508(a) is amended by adding at the end the following:

"(9) Commissions.—

"(A) Definition of immediate family.—In this paragraph, the term 'immediate family' means a person's father, mother, stepfather, stepmother, brother, sister, stepbrother, stepsister, son, daughter, stepson, stepdaughter, grandparent, grandson, granddaughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, the spouse of the foregoing, and the person's spouse.

"(B) Prohibition.—No person may receive a commission or share of a commission for any policy or plan of insurance offered under this Act in which the person has a substantial beneficial interest or in which a member of the person's immediate family has a substantial beneficial interest if, in a calendar year, the aggregate of the commissions exceeds 30 percent of the aggregate of all commissions received by the person for any policy or plan of insurance offered under this Act.

"(C) Reporting.—On the completion of the reinsurance year, any person that received a commission or share of a commission for any policy or plan of insurance offered under this Act in the prior calendar year shall certify to applicable approved insurance providers that the person received the commissions in compliance with this paragraph.

"(D) Sanctions.—The requirements and sanctions prescribed in section 515(h) shall apply to the prosecution of a violation of this paragraph.

"(E) Applicability.—

"(i) In general.—Sanctions for violations under this paragraph shall only apply to the person directly responsible for the certification required under subparagraph (C) or the failure to comply with the requirements of this paragraph.

"(ii) Prohibition.—No sanctions shall apply with respect to the policy or plans of insurance upon which commissions are received, including the reinsurance for those policies or plans.".

SEC. 1905. ADMINISTRATIVE FEE.

Section 508(b)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(5)) is amended—

(1) in subparagraph (A), by striking "$100" and inserting "$200"; and

(2) in subparagraph (B)—

(A) by striking "PAYMENT ON BEHALF OF PRODUCERS" and inserting "PAYMENT OF CATASTROPHIC RISK PROTECTION FEE ON BEHALF OF PRODUCERS";

(B) in clause (i)—

(i) by striking "or other payment"; and

(ii) by striking "with catastrophic risk protection or additional coverage" and inserting "through the payment of catastrophic risk protection administrative fees";

(C) by striking clauses (ii) and (vi);

(D) by redesignating clauses (iii), (iv), and (v) as clauses (ii), (iii), and (iv), respectively;

(E) in clause (iii) (as so redesignated), by striking "A policy or plan of insurance" and inserting "Catastrophic risk protection coverage"; and

(F) in clause (iv) (as so redesignated)—

(i) by striking "or other arrangement under this subparagraph"; and

(ii) by striking "additional".

SEC. 1906. TIME FOR PAYMENT.

Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended—

(1) in subsection (d), by adding at the end the following:

"(4) Time for payment.—Effective beginning with the 2012 reinsurance year, a producer that obtains a policy or plan of insurance under this title shall submit the required premium not later than September 30 of the year for which the plan or policy of insurance was obtained."; and

(2) in subsection (k)(4), by adding at the end the following:

"(D) Time for reimbursement.—Effective beginning with the 2012 reinsurance year, the Corporation shall reimburse approved insurance providers and agents for the allowable administrative and operating costs of the providers and agents as soon as practicable after October 1 (but not later than October 31) of the reinsurance year for which reimbursements are earned.".

SEC. 1907. SURCHARGE PROHIBITION.

Section 508(d) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)) (as amended by section 1906(1)) is amended by adding at the end the following:

"(5) Surcharge prohibition.—

"(A) In general.—Except as provided in subparagraph (B), the Corporation may not require producers to pay a premium surcharge for using scientifically-sound sustainable and organic farming practices and systems.

"(B) Exception.—

"(i) In general.—A surcharge may be required for individual organic crops on the basis of significant, consistent, and systemic increased risk factors (including loss history) demonstrated by published cropping system research (as applied to crop types and regions) and other relevant sources of information.

"(ii) Consultation.—The Corporation shall evaluate the reliability of information described in clause (i) in consultation with independent experts in the field.".

SEC. 1908. PREMIUM REDUCTION PLAN.

Section 508(e) of Federal Crop Insurance Act (7 U.S.C. 1508(e)) is amended by striking paragraph (3) and inserting the following:

"(3) Discount study.—

"(A) In general.—The Secretary shall commission an entity independent of the crop insurance industry (with expertise that includes traditional crop insurance) to study the feasibility of permitting approved insurance providers to provide discounts to producers purchasing crop insurance coverage without undermining the viability of the Federal crop insurance program.

"(B) Components.—The study should include—

"(i) an evaluation of the operation of a premium reduction plan that examines—

"(I) the clarity, efficiency, and effectiveness of the statutory language and related regulations;

"(II) whether the regulations frustrated the goal of offering producers upfront, predictable, and reliable premium discount payments; and

"(III) whether the regulations provided for reasonable, cost-effective oversight by the Corporation of premium discounts offered by approved insurance providers, including—

"(aa) whether the savings were generated from verifiable cost efficiencies adequate to offset the cost of discounts paid; and

"(bb) whether appropriate control was exercised to prevent approved insurance providers from preferentially offering the discount to producers of certain agricultural commodities, in certain regions, or in specific size categories;

"(ii) examination of the impact on producers, the crop insurance industry, and profitability from offering discounted crop insurance to producers;

"(iii) examination of implications for industry concentration from offering discounted crop insurance to producers;

"(iv) an examination of the desirability and feasibility of allowing other forms of price competition in the Federal crop insurance program;

"(v) a review of the history of commissions paid by crop insurance providers; and

"(vi) recommendations on—

"(I) potential changes to this title that would address the deficiencies in past efforts to provide discounted crop insurance to producers,

"(II) whether approved insurance providers should be allowed to draw on both administrative and operating reimbursement and underwriting gains to provide discounted crop insurance to producers; and

"(III) any other action that could increase competition in the crop insurance industry that will benefit producers but not undermine the viability of the Federal crop insurance program.

"(C) REQUEST FOR PROPOSALS.—In developing the request for proposals for the study, the Secretary shall consult with parties in the crop insurance industry (including producers and approved insurance providers and agents, including providers and agents with experience selling discount crop insurance products).

"(D) REVIEW OF STUDY.—The independent entity selected by Secretary under subparagraph (A) shall seek comments from interested stakeholders before finalizing the report of the entity.

"(E) REPORT.—Not later than 18 months after the date of enactment of the Food and Energy Security Act of 2007, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results and recommendations of the study.".

SEC. 1909. DENIAL OF CLAIMS.

Section 508(j)(2)(A) of the Federal Crop Insurance Act (7 U.S.C. 1508(j)(2)(A)) is amended by inserting "on behalf of the Corporation" after "approved provider".

SEC. 1910. MEASUREMENT OF FARM-STORED COMMODITIES.

Section 508(j) of the Federal Crop Insurance Act (7 U.S.C. 1508(j)) is amended by adding at the end the following:

"(5) MEASUREMENT OF FARM-STORED COMMODITIES.—Beginning with the 2009 crop year, for the purpose of determining the amount of any insured production loss sustained by a producer and the amount of any indemnity to be paid under a plan of insurance—

"(A) a producer may elect, at the expense of the producer, to have the Farm Service Agency measure the quantity of the commodity; and

"(B) the results of the measurement shall be used as the evidence of the quantity of the commodity that was produced.".

SEC. 1911. REIMBURSEMENT RATE.

Section 508(k)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)) (as amended by section 1906(2)) is amended—

(1) in subparagraph (A), by striking "Except as provided in subparagraph (B)" and inserting "Except as otherwise provided in this paragraph"; and

(2) by adding at the end the following:

"(E) REIMBURSEMENT RATE REDUCTION.—For each of the 2009 and subsequent reinsurance years, the reimbursement rates for administrative and operating costs shall be 2 percentage points below the rates in effect as of the date of enactment of the Food and Energy Security Act of 2007 for all crop insurance policies used to define loss ratio, except that the reduction shall not apply in a reinsurance year to the total premium written in a State in which the State loss ratio is greater than 1.2.

"(F) REIMBURSEMENT RATE FOR AREA POLICIES AND PLANS OF INSURANCE.—Notwithstanding subparagraphs (A) through (E), for each of the 2009 and subsequent reinsurance years, the reimbursement rate for area policies and plans of insurance shall be 17 percent of the premium used to define loss ratio for that reinsurance year.".

SEC. 1912. RENEGOTIATION OF STANDARD REINSURANCE AGREEMENT.

Section 508(k) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)) is amended by adding at the end the following:

"(8) RENEGOTIATION OF STANDARD REINSURANCE AGREEMENT.—

"(A) IN GENERAL.—Notwithstanding section 536 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 1506 note; Public Law 105–185) and section 148 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1506 note; Public Law 106–224), the Corporation may renegotiate the financial terms and conditions of each Standard Reinsurance Agreement—

"(i) following the reinsurance year ending June 30, 2012;

"(ii) once during each period of 5 reinsurance years thereafter; and

"(iii) subject to subparagraph (B), in any case in which the approved insurance providers, as a whole, experience unexpected adverse circumstances, as determined by the Secretary.

"(B) NOTIFICATION REQUIREMENT.—If the Corporation renegotiates a Standard Reinsurance Agreement under subparagraph (A)(iii), the Corporation shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate of the renegotiation.

"(C) CONSULTATION.—The approved insurance providers may confer with each other and collectively with the Corporation during any renegotiation under subparagraph (A).".

SEC. 1913. CHANGE IN DUE DATE FOR CORPORATION PAYMENTS FOR UNDERWRITING GAINS.

Section 508(k) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)) (as amended by section 1912) is amended by adding at the end the following:

"(9) DUE DATE FOR PAYMENT OF UNDERWRITING GAINS.—Effective beginning with the 2011 reinsurance year, the Corporation shall make payments for underwriting gains under this title on—

"(A) for the 2011 reinsurance year, October 1, 2012; and

"(B) for each reinsurance year thereafter, October 1 of the following calendar year.".

SEC. 1914. ACCESS TO DATA MINING INFORMATION.

(a) IN GENERAL.—Section 515(j)(2) of the Federal Crop Insurance Act (7 U.S.C. 1515(j)(2)) is amended—

(1) by striking "The Secretary" and inserting the following:

"(A) IN GENERAL.—The Secretary"; and

(2) by adding at the end the following:

"(B) ACCESS TO DATA MINING INFORMATION.—

"(i) IN GENERAL.—The Secretary shall establish a fee-for-access program under which approved insurance providers pay to the Secretary a user fee in exchange for access to the data mining system established under subparagraph (A) for the purpose of assisting in fraud and abuse detection.

"(ii) PROHIBITION.—

"(I) IN GENERAL.—Except as provided in subclause (II), the Corporation shall not impose a requirement on approved insurance providers to access the data mining system established under subparagraph (A).

"(II) ACCESS WITHOUT FEE.—If the Corporation requires approved insurance providers to access the data mining system established under subparagraph (A), access will be provided without charge to the extent necessary to fulfill the requirements.

"(iii) ACCESS LIMITATION.—In establishing the program under clause (i), the Secretary shall ensure that an approved insurance provider has access only to information relating to the policies or plans of insurance for which the approved insurance provider provides insurance coverage, including any information relating to—

"(I) information of agents and adjusters relating to policies for which the approved insurance provider provides coverage;

"(II) the other policies or plans of an insured that are insured through another approved insurance providers; and

"(III) the policies or plans of an insured for prior crop insurance years.".

(b) INSURANCE FUND.—Section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516) is amended—

(1) in subsection (b), by adding at the end the following:

"(3) DATA MINING SYSTEM.—The Corporation shall use amounts deposited in the insurance fund established under subsection (c) from fees collected under section 515(j)(2)(B) to administer and carry out improvements to the data mining system under that section."; and

(2) in subsection (c)(1)—

(A) by striking "and civil" and inserting "civil"; and

(B) by inserting "and fees collected under section 515(j)(2)(B)(i)," after "section 515(h),".

SEC. 1915. PRODUCER ELIGIBILITY.

Section 520(2) of the Federal Crop Insurance Act (7 U.S.C. 1520(2)) is amended by inserting "or is a person who raises livestock owned by other persons (that is not covered by insurance under this title by another person)" after "sharecropper".

SEC. 1916. CONTRACTS FOR ADDITIONAL CROP POLICIES.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522) is amended—

(1) by redesignating paragraph (10) as paragraph (14); and

(2) by inserting after paragraph (9) the following:

"(10) ENERGY CROP INSURANCE POLICY.—

"(A) DEFINITION OF DEDICATED ENERGY CROP.—In this subsection, the term 'dedicated energy crop' means an annual or perennial crop that—

"(i) is grown expressly for the purpose of producing a feedstock for renewable biofuel, renewable electricity, or bio-based products; and

"(ii) is not typically used for food, feed, or fiber.

"(B) AUTHORITY.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out research and development regarding a policy to insure dedicated energy crops.

“(C) RESEARCH AND DEVELOPMENT.—Research and development described in subparagraph (B) shall evaluate the effectiveness of risk management tools for the production of dedicated energy crops, including policies and plans of insurance that—

“(i) are based on market prices and yields;

“(ii) to the extent that insufficient data exist to develop a policy based on market prices and yields, evaluate the policies and plans of insurance based on the use of weather or rainfall indices to protect the interests of crop producers; and

“(iii) provide protection for production or revenue losses, or both.

“(11) AQUACULTURE INSURANCE POLICY.—

“(A) DEFINITION OF AQUACULTURE.—In this subsection:

“(i) IN GENERAL.—The term ‘aquaculture’ means the propagation and rearing of aquatic species in controlled or selected environments, including shellfish cultivation on grants or leased bottom and ocean ranching.

“(ii) EXCLUSION.—The term ‘aquaculture’ does not include the private ocean ranching of Pacific salmon for profit in any State in which private ocean ranching of Pacific salmon is prohibited by any law (including regulations).

“(B) AUTHORITY.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out research and development regarding a policy to insure aquaculture operations.

“(C) RESEARCH AND DEVELOPMENT.—Research and development described in subparagraph (B) shall evaluate the effectiveness of risk management tools for the production of fish and other seafood in aquaculture operations, including policies and plans of insurance that—

“(i) are based on market prices and yields;

“(ii) to the extent that insufficient data exist to develop a policy based on market prices and yields, evaluate how best to incorporate insuring of aquaculture operations into existing policies covering adjusted gross revenue; and

“(iii) provide protection for production or revenue losses, or both.

“(12) ORGANIC CROP PRODUCTION COVERAGE IMPROVEMENTS.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Corporation shall offer to enter into 1 or more contracts with qualified entities for the development of improvements in Federal crop insurance policies covering organic crops.

“(B) PRICE ELECTION.—

“(i) IN GENERAL.—The contracts under subparagraph (A) shall include the development of procedures (including any associated changes in policy terms or materials required for implementation of the procedures) to offer producers of organic crops a price election that would reflect the actual retail or wholesale prices, as appropriate, received by producers for organic crops, as established using data collected and maintained by the Agricultural Marketing Service.

“(ii) DEADLINE.—The development of the procedures required under clause (i) shall be completed not later than the date necessary to allow the Corporation to offer the price election—

“(I) beginning in the 2009 reinsurance year for organic crops with adequate data available; and

“(II) subsequently for additional organic crops as data collection for those organic crops is sufficient, as determined by the Corporation.

“(13) SKIPROW CROPPING PRACTICES.—

“(A) IN GENERAL.—The Corporation shall offer to enter into a contract with a qualified entity to carry out research into needed modifications of policies to insure corn and sorghum produced in the Central Great Plains (as determined by the Agricultural Research Service) through use of skiprow cropping practices.

“(B) RESEARCH.—Research described in subparagraph (A) shall—

“(i) review existing research on skiprow cropping practices and actual production history of producers using skiprow cropping practices; and

“(ii) evaluate the effectiveness of risk management tools for producers using skiprow cropping practices, including—

“(I) the appropriateness of rules in existence as of the date of enactment of this paragraph relating to the determination of acreage planted in skiprow patterns; and

“(II) whether policies for crops produced through skiprow cropping practices reflect actual production capabilities.”.

SEC. 1917. RESEARCH AND DEVELOPMENT.

(a) REIMBURSEMENT AUTHORIZED.—Section 522(b) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)) is amended by striking paragraph (1) and inserting the following:

“(1) RESEARCH AND DEVELOPMENT REIMBURSEMENT.—The Corporation shall provide a payment to reimburse an applicant for research and development costs directly related to a policy that—

“(A) is submitted to, and approved by, the Board pursuant to a FCIC reimbursement grant under paragraph (7); or

“(B) is—

“(i) submitted to the Board and approved by the Board under section 508(h) for reinsurance; and

“(ii) if applicable, offered for sale to producers.”.

(b) FCIC REIMBURSEMENT GRANTS.—Section 522(b) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)) is amended by adding at the end the following:

“(7) FCIC REIMBURSEMENT GRANTS.—

“(A) GRANTS AUTHORIZED.—The Corporation shall provide FCIC reimbursement grants to persons (referred to in this paragraph as ‘submitters’) proposing to prepare for submission to the Board crop insurance policies and provisions under subparagraphs (A) and (B) of section 508(h)(1), that apply and are approved for the FCIC reimbursement grants under this paragraph.

“(B) SUBMISSION OF APPLICATION.—

“(i) IN GENERAL.—The Board shall receive and consider applications for FCIC reimbursement grants at least once each year.

“(ii) REQUIREMENTS.—An application to receive a FCIC reimbursement grant from the Corporation shall consist of such materials as the Board may require, including—

“(I) a concept paper that describes the proposal in sufficient detail for the Board to determine whether the proposal satisfies the requirements of subparagraph (C); and

“(II) a description of —

“(aa) the need for the product, including an assessment of marketability and expected demand among affected producers;

“(bb) support from producers, producer organizations, lenders, or other interested parties; and

“(cc) the impact the product would have on producers and on the crop insurance delivery system; and

“(III) a statement that no products are offered by the private sector that provide the same benefits and risk management services as the proposal;

“(IV) a summary of data sources available that demonstrate that the product can reasonably be developed and properly rated; and

“(V) an identification of the risks the proposed product will cover and an explanation of how the identified risks are insurable under this title.

“(C) APPROVAL CONDITIONS.—

“(i) IN GENERAL.—A majority vote of the Board shall be required to approve an application for a FCIC reimbursement grant.

“(ii) REQUIRED FINDINGS.—The Board shall approve the application if the Board finds that—

“(I) the proposal contained in the application—

“(aa) provides coverage to a crop or region not traditionally served by the Federal crop insurance program;

“(bb) provides crop insurance coverage in a significantly improved form;

“(cc) addresses a recognized flaw or problem in the Federal crop insurance program or an existing product;

“(dd) introduces a significant new concept or innovation to the Federal crop insurance program; or

“(ee) provides coverage or benefits not available from the private sector;

“(II) the submitter demonstrates the necessary qualifications to complete the project successfully in a timely manner with high quality;

“(III) the proposal is in the interests of producers and can reasonably be expected to be actuarially appropriate and function as intended;

“(IV) the Board determines that the Corporation has sufficient available funding to award the FCIC reimbursement grant; and

“(V) the proposed budget and timetable are reasonable.

“(D) PARTICIPATION.—

“(i) IN GENERAL.—In reviewing proposals under this paragraph, the Board may use the services of persons that the Board determines appropriate to carry out expert review in accordance with section 508(h).

“(ii) CONFIDENTIALITY.—All proposals submitted under this paragraph shall be treated as confidential in accordance with section 508(h)(4).

“(E) ENTERING INTO AGREEMENT.—Upon approval of an application, the Board shall offer to enter into an agreement with the submitter for the development of a formal submission that meets the requirements for a complete submission established by the Board under section 508(h).

“(F) FEASIBILITY STUDIES.—

“(i) IN GENERAL.—In appropriate cases, the Corporation may structure the FCIC reimbursement grant to require, as an initial step within the overall process, the submitter to complete a feasibility study, and report the results of the study to the Corporation, prior to proceeding with further development.

“(ii) MONITORING.—The Corporation may require such other reports as the Corporation determines necessary to monitor the development efforts.

“(G) RATES.—Payment for work performed by the submitter under this paragraph shall be based on rates determined by the Corporation for products—

“(i) submitted under section 508(h); or

“(ii) contracted by the Corporation under subsection (c).

“(H) TERMINATION.—

“(i) IN GENERAL.—The Corporation or the submitter may terminate any FCIC reimbursement grant at any time for just cause.

“(ii) REIMBURSEMENT.—If the Corporation or the submitter terminates the FCIC reimbursement grant before final approval of the product covered by the grant, the submitter shall be entitled to—

"(I) reimbursement of all eligible costs incurred to that point; or

"(II) in the case of a fixed rate agreement, payment of an appropriate percentage, as determined by the Corporation.

"(iii) DENIAL.—If the submitter terminates development without just cause, the Corporation may deny reimbursement or recover any reimbursement already made.

"(I) CONSIDERATION OF PRODUCTS.—The Board shall consider any product developed under this paragraph and submitted to the Board under the rules the Board has established for products submitted under section 508(h).".

(c) CONFORMING AMENDMENT.—Section 523(b)(10) of the Federal Crop Insurance Act (7 U.S.C. 1523(b)(10)) is amended by striking "(other than research and development costs covered by section 522)".

SEC. 1918. FUNDING FROM INSURANCE FUND.

Section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) is amended—

(1) in paragraph (1), by striking "$10,000,000" and all that follows through the end of the paragraph and inserting "$7,500,000 for fiscal year 2008 and each subsequent fiscal year";

(2) in paragraph (2)(A), by striking "$20,000,000 for" and all that follows through "year 2004" and inserting "$12,500,000 for fiscal year 2008"; and

(3) in paragraph (3), by striking "the Corporation may use" and all that follows through the end of the paragraph and inserting "the Corporation may use—

"(A) not more than $5,000,000 for each fiscal year to improve program integrity, including by—

"(i) increasing compliance-related training;

"(ii) improving analysis tools and technology regarding compliance;

"(iii) use of information technology, as determined by the Corporation;

"(iv) identifying and using innovative compliance strategies; and

"(B) any excess amounts to carry out other activities authorized under this section.".

SEC. 1919. CAMELINA PILOT PROGRAM.

(a) IN GENERAL.—Section 523 of the Federal Crop Insurance Act (7 U.S.C. 1523) is amended by adding at the end the following:

"(f) CAMELINA PILOT PROGRAM.—

"(1) IN GENERAL.—Beginning with the 2008 crop year, the Corporation shall establish a pilot program under which producers or processors of camelina may propose for approval by the Board policies or plans of insurance for camelina, in accordance with section 508(h).

"(2) DETERMINATION BY BOARD.—The Board shall approve a policy or plan of insurance proposed under paragraph (1) if, as determined by the Board, the policy or plan of insurance—

"(A) protects the interests of producers;

"(B) is actuarially sound; and

"(C) meets the requirements of this title.".

(b) NONINSURED CROP ASSISTANCE PROGRAM.—Section 196(a)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(a)(2)) is amended by adding at the end the following:

"(D) CAMELINA.—

"(i) IN GENERAL.—For each of crop years 2008 through 2011, the Secretary shall consider camelina to be an eligible crop for purposes of the noninsured crop disaster assistance program under this section.

"(ii) LIMITATION.—Producers that are eligible to purchase camelina crop insurance, including camelina crop insurance under a pilot program, shall not be eligible for assistance under this section.".

SEC. 1920. RISK MANAGEMENT EDUCATION FOR BEGINNING FARMERS OR RANCHERS.

Section 524(a) of the Federal Crop Insurance Act (7 U.S.C. 1524(a)) is amended—

(1) in paragraph (1), by striking "paragraph (4)" and inserting "paragraph (5)";

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following:

"(4) REQUIREMENTS.—In carrying out the programs established under paragraphs (2) and (3), the Secretary shall place special emphasis on risk management strategies, education, and outreach specifically targeted at—

"(A) beginning farmers or ranchers;

"(B) immigrant farmers or ranchers that are attempting to become established producers in the United States;

"(C) socially disadvantaged farmers or ranchers;

"(D) farmers or ranchers that—

"(i) are preparing to retire; and

"(ii) are using transition strategies to help new farmers or ranchers get started; and

"(E) new or established farmers or ranchers that are converting production and marketing systems to pursue new markets.".

SEC. 1921. AGRICULTURAL MANAGEMENT ASSISTANCE.

Section 524(b)(4) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)(4)) is amended by adding at end the following:

"(C) COST-SHARING.—The Secretary may provide matching funds to any State described in paragraph (1) that appropriates a portion of the budget of the State to provide financial assistance for producer-paid premiums for crop insurance policies reinsured by the Corporation.".

SEC. 1922. CROP INSURANCE MEDIATION.

Section 275 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6995) is amended—

(1) by striking "If an officer" and inserting the following:

"(a) IN GENERAL.—If an officer";

(2) by striking "With respect to" and inserting the following:

"(b) FARM SERVICE AGENCY.—With respect to";

(3) by striking "If a mediation"; and inserting the following:

"(c) MEDIATION.—If a mediation"; and

(4) in subsection (c) (as so designated)—

(A) by striking "participant shall be offered" and inserting "participant shall—

"(1) be offered"; and

(B) by striking the period at the end and inserting the following: "; and

"(2) to the maximum extent practicable, be allowed to use both informal agency review and mediation to resolve disputes under that title.".

SEC. 1923. DROUGHT COVERAGE FOR AQUACULTURE UNDER NONINSURED CROP ASSISTANCE PROGRAM.

Section 196(c)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(c)(2)) is amended—

(1) by striking "On making" and inserting the following:

"(A) IN GENERAL.—On making"; and

(2) by adding at the end the following:

"(B) AQUACULTURE PRODUCERS.—On making a determination described in subsection (a)(3) for aquaculture producers, the Secretary shall provide assistance under this section to aquaculture producers from all losses related to drought.".

SEC. 1924. INCREASE IN SERVICE FEES FOR NONINSURED CROP ASSISTANCE PROGRAM.

Section 196(k)(1) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(k)(1)) is amended—

(1) in subparagraph (A), by striking "$100" and inserting "$200"; and

(2) in subparagraph (B)—

(A) by striking "$300" and inserting "$600"; and

(B) by striking "$900" and inserting "$1,500".

SEC. 1925. DETERMINATION OF CERTAIN SWEET POTATO PRODUCTION.

Section 9001(d) of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28; 121 Stat. 211) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7) the following:

"(8) SWEET POTATOES.—

"(A) DATA.—In the case of sweet potatoes, any data obtained under a pilot program carried out by the Risk Management Agency shall not be considered for the purpose of determining the quantity of production under the crop disaster assistance program established under this section.

"(B) EXTENSION OF DEADLINE.—If this paragraph is not implemented before the sign-up deadline for the crop disaster assistance program established under this section, the Secretary shall extend the deadline for producers of sweet potatoes to permit sign-up for the program in accordance with this paragraph.".

SEC. 1926. PERENNIAL CROP REPORT.

Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing details about activities and administrative options of the Federal Crop Insurance Corporation and Risk Management Agency that address issues relating to—

(1) declining yields on the actual production histories of producers; and

(2) declining and variable yields for perennial crops, including pecans.

TITLE II—CONSERVATION

Subtitle A—Definitions

SEC. 2001. DEFINITIONS.

Section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a)) is amended—

(1) by redesignating paragraphs (2) through (11), (12) through (15), and (16), (17), and (18) as paragraphs (3) through (12), (15) through (18), and (20), (22), and (23), respectively;

(2) by inserting after paragraph (1) the following:

"(2) BEGINNING FARMER OR RANCHER.—The term 'beginning farmer or rancher' has, to the maximum extent practicable, the meaning given the term in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)), except that the Secretary may include in the definition of the term—

"(A) a fair and reasonable test of net worth; and

"(B) such other criteria as the Secretary determines to be appropriate.";

(3) by inserting after paragraph (12) (as redesignated by paragraph (1)) the following:

"(13) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(14) NONINDUSTRIAL PRIVATE FOREST LAND.—The term 'nonindustrial private forest land' means rural land, as determined by the Secretary, that—

"(A) has existing tree cover or is suitable for growing trees; and

"(B) is owned by any nonindustrial private individual, group, association, corporation, Indian tribe, or other private legal entity that has definitive decisionmaking authority over the land.";

(4) by inserting after paragraph (18) (as redesignated by paragraph (1)) the following:

"(19) SOCIALLY DISADVANTAGED FARMER OR RANCHER.—The term 'socially disadvantaged farmer or rancher' has the meaning given the term in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e)).''; and

(5) by inserting after paragraph (20) (as redesignated by paragraph (1)) the following:

"(21) TECHNICAL ASSISTANCE.—

"(A) IN GENERAL.—The term 'technical assistance' means technical expertise, information, and tools necessary for the conservation of natural resources on land active in agricultural, forestry, or related uses.

"(B) INCLUSIONS.—The term 'technical assistance' includes—

"(i) technical services provided directly to farmers, ranchers, and other eligible entities, such as conservation planning, technical consultation, and assistance with design and implementation of conservation practices; and

"(ii) technical infrastructure, including activities, processes, tools, and agency functions needed to support delivery of technical services, such as technical standards, resource inventories, training, data, technology, monitoring, and effects analyses.''.

Subtitle B—Highly Erodible Land Conservation

SEC. 2101. REVIEW OF GOOD FAITH DETERMINATIONS; EXEMPTIONS.

Section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812) is amended by striking subsection (f) and inserting the following:

"(f) GRADUATED PENALTIES.—

"(1) INELIGIBILITY.—No person shall become ineligible under section 1211 for program loans, payments, and benefits as a result of the failure of the person to actively apply a conservation plan, if the Secretary determines that the person has acted in good faith and without an intent to violate this subtitle.

"(2) ELIGIBLE REVIEWERS.—A determination of the Secretary, or a designee of the Secretary, under paragraph (1) shall be reviewed by the applicable—

"(A) State Executive Director, with the technical concurrence of the State Conservationist; or

"(B) district director, with the technical concurrence of the area conservationist.

"(3) PERIOD FOR IMPLEMENTATION.—A person who meets the requirements of paragraph (1) shall be allowed a reasonable period of time, as determined by the Secretary, but not to exceed 1 year, during which to implement the measures and practices necessary to be considered to be actively applying the conservation plan of the person.

"(4) PENALTIES.—

"(A) APPLICATION.—This paragraph applies if the Secretary determines that—

"(i) a person who has failed to comply with section 1211 with respect to highly erodible cropland, and has acted in good faith and without an intent to violate section 1211; or

"(ii) the violation—

"(I) is technical and minor in nature; and

"(II) has a minimal effect on the erosion control purposes of the conservation plan applicable to the land on which the violation has occurred.

"(B) REDUCTION.—If this paragraph applies under subparagraph (A), the Secretary shall, in lieu of applying the ineligibility provisions of section 1211, reduce program benefits described in section 1211 that the producer would otherwise be eligible to receive in a crop year by an amount commensurate with the seriousness of the violation, as determined by the Secretary.

"(5) SUBSEQUENT CROP YEARS.—Any person whose benefits are reduced for any crop year under this subsection shall continue to be eligible for all of the benefits described in section 1211 for any subsequent crop year if, prior to the beginning of the subsequent crop year, the Secretary determines that the person is actively applying a conservation plan according to the schedule specified in the plan.''.

Subtitle C—Wetland Conservation

SEC. 2201. REVIEW OF GOOD FAITH DETERMINATIONS.

Section 1222(h) of the Food Security Act of 1985 (16 U.S.C. 3822(h)) is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following:

"(2) ELIGIBLE REVIEWERS.—A determination of the Secretary, or a designee of the Secretary, under paragraph (1) shall be reviewed by the applicable—

"(A) State Executive Director, with the technical concurrence of the State Conservationist; or

"(B) district director, with the technical concurrence of the area conservationist.''; and

(3) in paragraph (3) (as redesignated by paragraph (1)), by inserting "be" before "actively".

Subtitle D—Agricultural Resources Conservation Program

CHAPTER 1—COMPREHENSIVE CONSERVATION ENHANCEMENT

Subchapter A—Comprehensive Conservation Enhancement Program

SEC. 2301. REAUTHORIZATION AND EXPANSION OF PROGRAMS COVERED.

(a) IN GENERAL.—Section 1230 of the Food Security Act of 1985 (16 U.S.C. 3830) is amended to read as follows:

"SEC. 1230. COMPREHENSIVE CONSERVATION ENHANCEMENT PROGRAM.

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—During the 1996 through 2012 fiscal years, the Secretary shall establish a comprehensive conservation enhancement program (referred to in this section as 'CCEP') to be implemented through contracts and the acquisition of easements to assist owners and operators of farms, ranches, and nonindustrial private forestland to conserve and enhance soil, water, and related natural resources, including grazing land, wetland, and wildlife habitat.

"(2) MEANS.—The Secretary shall carry out the CCEP by—

"(A) providing for the long-term protection of environmentally-sensitive land; and

"(B) providing technical and financial assistance to farmers, ranchers, and nonindustrial private forest landowners—

"(i) to improve the management and operation of the farms, ranches, and private nonindustrial forest land; and

"(ii) to reconcile productivity and profitability with protection and enhancement of the environment;

"(C) reducing administrative burdens and streamlining application and planning procedures to encourage producer participation; and

"(D) providing opportunities to leverage Federal conservation investments through innovative partnerships with governmental agencies, education institutions, producer groups, and other nongovernmental organizations.

"(3) PROGRAMS.—The CCEP shall consist of—

"(A) the conservation reserve program established under subchapter B;

"(B) the wetlands reserve program established under subchapter C; and

"(C) the healthy forests reserve program established under subchapter D.

"(b) CONTRACTS AND ENROLLMENTS.—

"(1) IN GENERAL.—In carrying out the CCEP, the Secretary shall enter into contracts with owners and operators and acquire interests in land through easements from owners, as provided in this chapter.

"(2) PRIOR ENROLLMENTS.—Acreage enrolled in the conservation reserve program, wetlands reserve program, or healthy forests reserve program prior to the date of enactment of the Food and Energy Security Act of 2007 shall be considered to be placed into the CCEP.

"(c) ADMINISTRATION.—

"(1) LIMITATIONS.—

"(A) IN GENERAL.—The Secretary shall not enroll more than 25 percent of the cropland in any county in the programs administered under subchapters B and C of this chapter.

"(B) EASEMENTS.—Within the limit described in subparagraph (A), not more than 10 percent of the land described in that subparagraph may be subject to an easement acquired under subchapter C of this chapter.

"(C) EXCLUSION.—Subparagraphs (A) and (B) shall not apply to acres enrolled in the special conservation reserve enhancement program described in section 1234(f)(3).

"(D) EXCEPTIONS.—The Secretary may exceed the limitation in subparagraph (A) if the Secretary determines that—

"(i)(I) the action would not adversely affect the local economy of a county; and

"(II) operators in the county are having difficulties complying with conservation plans implemented under section 1212; or

"(ii)(I) the acreage to be enrolled could not be used for an agricultural purpose as a result of a State or local law, order, or regulation prohibiting water use for agricultural production; and

"(II) enrollment in the program would benefit the acreage enrolled or land adjacent to the acreage enrolled.

"(E) SHELTERBELTS AND WINDBREAKS.—The limitations established under this paragraph shall not apply to cropland that is subject to an easement under chapter 1 or 3 that is used for the establishment of shelterbelts and windbreaks.

"(F) ENROLLMENT.—Not later than 180 days after the date of a request from a landowner to enroll acreage described in subparagraph (D)(ii) in the program, the Secretary shall enroll the acreage.

"(2) TENANT PROTECTION.—Except for a person who is a tenant on land that is subject to a conservation reserve contract that has been extended by the Secretary, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers, including provisions for sharing, on a fair and equitable basis, in payments under the programs established under this subtitle and subtitles B and C.

"(3) PROVISION OF TECHNICAL ASSISTANCE BY OTHER SOURCES.—

"(A) IN GENERAL.—In the preparation and application of a conservation compliance plan under subtitle B or similar plan required as a condition for assistance from the Department of Agriculture, the Secretary shall permit persons to secure technical assistance from approved sources, as determined by the Secretary, other than the Natural Resources Conservation Service.

"(B) REJECTION.—If the Secretary rejects a technical determination made by a source described in subparagraph (A), the basis of the determination of the Secretary shall be supported by documented evidence.

"(4) REGULATIONS.—Not later than 90 days after the date of enactment of the Food and Energy Security Act of 2007, the Secretary shall promulgate regulations to implement the conservation reserve and wetlands reserve programs established under this chapter.".

(b) CONFORMING AMENDMENTS.—

(1) Section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843) is repealed.

(2) Section 1222(g) of the Food Security Act of 1985 (16 U.S.C. 3822(g)) is amended by striking "1243" and inserting "1230(c)".

(3) Section 1231(k)(3)(C)(i) of the Food Security Act of 1985 (16 U.S.C. 3831(k)(3)(C)(i)) is amended by striking "1243(b)" and inserting "1230(c)(1)".

Subchapter B—Conservation Reserve

SEC. 2311. CONSERVATION RESERVE PROGRAM.

(a) IN GENERAL.—Section 1231(a) of the Food Security Act of 1985 (16 U.S.C. 3831(a)) is amended—

(1) by striking "2007" and inserting "2012"; and

(2) by striking "and wildlife" and inserting "wildlife, and pollinator habitat".

(b) ELIGIBLE LAND.—Section 1231(b) of the Food Security Act of 1985 (16 U.S.C. 3831(b)) is amended—

(1) in paragraph (1)(B), by striking the period at the end and inserting a semicolon;

(2) in paragraph (4)—

(A) in subparagraph (C), by striking "; or" and inserting a semicolon;

(B) in subparagraph (D), by striking "and" at the end and inserting "or"; and

(C) in subparagraph (E), by inserting "in the case of alfalfa or other forage crops," before "enrollment";

(3) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

"(6) marginal pasture land or hay land that is otherwise ineligible, if the land—

"(A) is to be devoted to native vegetation appropriate to the ecological site; and

"(B) would contribute to the restoration of a long-leaf pine forest or other declining forest ecosystem, as defined by the Secretary; or

"(7) land that is enrolled in the flooded farmland program established under section 1235B.".

(c) ENROLLMENT.—Section 1231(d) of the Food Security Act of 1985 (16 U.S.C. 3831(d)) is amended by striking "up to" and all that follows through "2007" and inserting "up to 39,200,000 acres in the conservation reserve at any 1 time during the 2008 through 2012".

(d) CONSERVATION PRIORITY AREAS.—Section 1231(f)(1) of the Food Security Act of 1985 (16 U.S.C. 3831(f)(1)) is amended—

(1) by striking "(Pennsylvania, Maryland, and Virginia)"; and

(2) by inserting "the Prairie Pothole Region, the Grand Lake St. Mary's Watershed, the Eastern Snake Plain Aquifer," after "Sound Region,".

(e) PILOT PROGRAM FOR ENROLLMENT OF WETLAND AND BUFFER ACREAGE IN CONSERVATION RESERVE.—Section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended by striking subsection (h) and inserting the following:

"(h) PILOT PROGRAM FOR ENROLLMENT OF WETLAND, SHALLOW WATER AREAS, AND BUFFER ACREAGE IN CONSERVATION RESERVE.—

"(1) PROGRAM.—

"(A) IN GENERAL.—During the 2008 through 2012 calendar years, the Secretary shall carry out a program in each State under which the Secretary shall enroll eligible acreage described in paragraph (2).

"(B) PARTICIPATION AMONG STATES.—The Secretary shall ensure, to the maximum extent practicable, that owners and operators in each State have an equitable opportunity to participate in the pilot program established under this subsection.

"(2) ELIGIBLE ACREAGE.—

"(A) IN GENERAL.—Subject to subparagraphs (B) through (E), an owner or operator may enroll in the conservation reserve under this subsection—

"(i)(I) a wetland (including a converted wetland described in section 1222(b)(1)(A)) that had a cropping history during at least 4 of the immediately preceding 6 crop years; or

"(II) a shallow water area that was devoted to a commercial pond-raised aquaculture operation any year during the period of calendar years 2002 through 2007; and

"(ii) buffer acreage that—

"(I) is contiguous to a wetland or shallow water area described in clause (i);

"(II) is used to protect the wetland or shallow water area described in clause (i); and

"(III) is of such width as the Secretary determines is necessary to protect the wetland or shallow water area described in clause (i) or to enhance the wildlife benefits, taking into consideration and accommodating the farming practices (including the straightening of boundaries to accommodate machinery) used with respect to the cropland that surrounds the wetland or shallow water area.

"(B) EXCLUSIONS.—Except for a shallow water area described in paragraph (2)(A)(i), an owner or operator may not enroll in the conservation reserve under this subsection—

"(i) any wetland, or land on a floodplain, that is, or is adjacent to, a perennial riverine system wetland identified on the final national wetland inventory map of the Secretary of the Interior; or

"(ii) in the case of an area that is not covered by the final national inventory map, any wetland, or land on a floodplain, that is adjacent to a perennial stream identified on a 1-24,000 scale map of the United States Geological Survey.

"(C) PROGRAM LIMITATIONS.—

"(i) IN GENERAL.—The Secretary may enroll in the conservation reserve under this subsection not more than—

"(I) 100,000 acres in any 1 State referred to in paragraph (1); and

"(II) not more than a total of 1,000,000 acres.

"(ii) RELATIONSHIP TO PROGRAM MAXIMUM.—Subject to clause (iii), for the purposes of subsection (d), any acreage enrolled in the conservation reserve under this subsection shall be considered acres maintained in the conservation reserve.

"(iii) RELATIONSHIP TO OTHER ENROLLED ACREAGE.—Acreage enrolled under this subsection shall not affect for any fiscal year the quantity of—

"(I) acreage enrolled to establish conservation buffers as part of the program announced on March 24, 1998 (63 Fed. Reg. 14109); or

"(II) acreage enrolled into the conservation reserve enhancement program announced on May 27, 1998 (63 Fed. Reg. 28965).

"(iv) REVIEW; POTENTIAL INCREASE IN ENROLLMENT ACREAGE.—Not later than 3 years after the date of enactment of the Food and Energy Security Act of 2007, the Secretary shall—

"(I) conduct a review of the program under this subsection with respect to each State that has enrolled land in the program; and

"(II) notwithstanding clause (i)(I), increase the number of acres that may be enrolled by a State under clause (i)(I) to not more than 150,000 acres, as determined by the Secretary.

"(D) OWNER OR OPERATOR LIMITATIONS.—

"(i) WETLAND.—

"(I) IN GENERAL.—Except for a shallow water area described in paragraph (2)(A)(i), the maximum size of any wetland described in subparagraph (A)(i) of an owner or operator enrolled in the conservation reserve under this subsection shall be 40 contiguous acres.

"(II) COVERAGE.—All acres described in subclause (I) (including acres that are ineligible for payment) shall be covered by the conservation contract.

"(ii) BUFFER ACREAGE.—The maximum size of any buffer acreage described in subparagraph (A)(ii) of an owner or operator enrolled in the conservation reserve under this subsection shall be determined by the Secretary in consultation with the State Technical Committee.

"(iii) TRACTS.—Except for a shallow water area described in paragraph (2)(A)(i), the maximum size of any eligible acreage described in subparagraph (A) in a tract (as determined by the Secretary) of an owner or operator enrolled in the conservation reserve under this subsection shall be 40 acres.

"(3) DUTIES OF OWNERS AND OPERATORS.—Under a contract entered into under this subsection, during the term of the contract, an owner or operator of a farm or ranch shall agree—

"(A) to restore the hydrology of the wetland within the eligible acreage to the maximum extent practicable, as determined by the Secretary;

"(B) to establish vegetative cover (which may include emerging vegetation in water) on the eligible acreage, as determined by the Secretary;

"(C) to a general prohibition of commercial use of the enrolled land; and

"(D) to carry out other duties described in section 1232.

"(4) DUTIES OF THE SECRETARY.—

"(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), in return for a contract entered into by an owner or operator under this subsection, the Secretary shall make payments based on rental rates for cropland and provide assistance to the owner or operator in accordance with sections 1233 and 1234.

"(B) CONTINUOUS SIGNUP.—The Secretary shall use continuous signup under section 1234(c)(2)(B) to determine the acceptability of contract offers and the amount of rental payments under this subsection.

"(C) INCENTIVES.—The amounts payable to owners and operators in the form of rental payments under contracts entered into under this subsection shall reflect incentives that are provided to owners and operators to enroll filterstrips in the conservation reserve under section 1234.".

(f) BALANCE OF NATURAL RESOURCE PURPOSES.—Section 1231(j) of the Food Security Act of 1985 (16 U.S.C. 3831(j)) is amended by striking “and wildlife” and inserting “wildlife, and pollinator”.

(g) Duties of Participants.—Section 1232(a) of the Food Security Act of 1985 (16 U.S.C. 3832(a)) is amended—

(1) in paragraph (4)—

(A) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(B) by inserting before subparagraph (B) (as so redesignated) the following:

“(A) approved vegetative cover shall encourage the planting of native species and restoration of biodiversity;”;

(2) by redesignating paragraphs (5) through (10) as paragraphs (6) through (11), respectively; and

(3) by inserting after paragraph (4) the following:

“(5) to undertake active management on the land as needed throughout the term of the contract to implement the conservation plan;”.

(h) Managed Harvesting and Grazing.—Section 1232(a)(7) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(7)) is amended—

(1) in the matter preceding subparagraph (A), by inserting “and brood rearing” after “habitat during nesting”; and

(2) in subparagraph (A), by striking “biomass)” and inserting “biomass and prescribed grazing for the control of invasive species), if such activity is permitted and consistent with the conservation plan described in subsection (b)(1)(A))”; and

(i) Conservation Plans.—Section 1232(b)(1)(A) of the Food Security Act of 1985 (16 U.S.C. 3832(b)(1)(A)) is amended by striking “contract; and” and inserting the following: “contract that are—

“(i) compatible with the conservation and improvement of soil, water, and wildlife and wildlife habitat;

“(ii) clearly described and apply throughout the duration of the contract;

“(iii) actively managed by the owner or operator that entered into the contract; and

“(iv) consistent with local active management conservation measures and practices, as determined by the Secretary; and”.

(j) Acceptance of Contract Offers.—Section 1234(c) of the Food Security Act of 1985 (16 U.S.C. 3834(c)) is amended—

(1) by striking paragraph (3) and inserting the following:

“(3) Acceptance of contract offers.—

“(A) Evaluation of offers.—In determining the acceptability of contract offers, the Secretary may take into consideration the extent to which enrollment of the land that is the subject of the contract offer would improve soil resources, water quality, pollinator, fish, or wildlife habitat, or provide other environmental benefits.

“(B) Local preference.—In determining the acceptability of contract offers for new enrollments if, as determined by the Secretary, the land would provide at least equivalent conservation benefits to land under competing offers, the Secretary shall, to the maximum extent practicable, accept an offer from an owner or operator that is a resident of the county in which the land is located or of a contiguous county.”; and

(2) by adding at the end the following:

“(5) Rental rates.—

“(A) Annual estimates.—Not later than 1 year after the date of enactment of this paragraph, the Secretary (acting through the National Agricultural Statistics Service) shall conduct an annual survey of per acre estimates of county average market dryland and irrigated cash rental rates for cropland and pastureland in all counties or equivalent subdivisions within each State that have 20,000 acres or more of cropland and pastureland.

“(B) Public availability of estimates.—The estimates derived from the annual survey conducted under subparagraph (A) shall be maintained on a website of the Department of Agriculture for use by the general public.”.

(k) Early Termination by Owner or Operator.—Section 1235(e)(1) of the Food Security Act of 1985 (16 U.S.C. 3835(e)(1)) is amended by striking subparagraph (A) and inserting the following:

“(A) In general.—The Secretary shall allow a participant to terminate a conservation reserve contract at any time if, as determined by the Secretary—

“(i) the participant entered into a contract under this subchapter before January 1, 1995, and the contract has been in effect for at least 5 years; or

“(ii) in the case of a participant who is disabled (as defined in section 72(m)(7) of the Internal Revenue Code of 1986) or retired from farming or ranching, the participant has endured financial hardship as a result of the taxation of rental payments received.”.

SEC. 2312. FLOODED FARMLAND PROGRAM.

Subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831a et seq.) is amended by adding at the end the following:

“SEC. 1235B. FLOODED FARMLAND PROGRAM.

“(a) Definitions.—In this section:

“(1) Closed basin lake or pothole.—The term ‘closed basin lake or pothole’ means a naturally occurring lake, pond, pothole, or group of potholes within a tract that—

“(A) covered, on average, at least 5 acres in surface area during the preceding 3 crop years, as determined by the Secretary; and

“(B) has no natural outlet.

“(2) Tract.—The term ‘tract’ has the meaning given the term by the Secretary.

“(b) Program.—

“(1) In general.—Notwithstanding any other provision of law (including regulations), as part of the conservation reserve program established under this subchapter, the Secretary shall offer to enter into contracts under which the Secretary shall permit the enrollment in the conservation reserve of eligible cropland and grazing land that has been flooded by the natural overflow of a closed basin lake or pothole located within the Prairie Pothole Region of the northern Great Plains priority area (as determined by the Secretary, by regulation).

“(2) Extensions.—The Secretary may offer to extend a contract entered into under paragraph (1) if the Secretary determines that conditions persist that make cropland or grazing land covered by the contract and eligible for entry into the program under this section.

“(c) Continuous Signup.—The Secretary shall offer the program under this section through continuous signup under this subchapter.

“(d) Eligibility.—

“(1) In general.—To be eligible to enter into a contract under subsection (b), the owner shall own land that, as determined by the Secretary—

“(A) during the 3 crop years preceding entry into the contract, was rendered incapable of use for the production of an agricultural commodity or for grazing purposes; and

“(B) prior to the natural overflow of a closed basin lake or pothole caused by a period of precipitation in excess of historical patterns, had been consistently used for the production of crops or as grazing land.

“(2) Inclusions.—Land described in paragraph (1) shall include—

“(A) land that has been flooded as the result of the natural overflow of a closed basin lake or pothole;

“(B) land that has been rendered inaccessible due to flooding as the result of the natural overflow of a closed basin lake or pothole; and

“(C) a reasonable quantity of additional land adjoining the flooded land that would enhance the conservation or wildlife value of the tract, as determined by the Secretary.

“(3) Administration.—The Secretary may establish—

“(A) reasonable minimum acreage levels for individual parcels of land that may be included in a contract entered into under this section; and

“(B) the location and area of adjoining flooded land that may be included in a contract entered into under this section.

“(e) Payments.—

“(1) In general.—Subject to paragraph (2), the rate of an annual rental payment under this section, as determined by the Secretary—

“(A) shall be based on the rental rate under this subchapter for cropland, and an appropriate rental rate for pastureland; and

“(B) may be reduced by up to 25 percent, based on the ratio of upland associated with the enrollment of the flooded land.

“(2) Exclusions.—During the term of a contract entered into under this section, an owner shall not be eligible to participate in or receive benefits for land that is included in the contract under—

“(A) the Federal crop insurance program established under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);

“(B) the noninsured crop assistance program established under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); or

“(C) any Federal agricultural crop disaster assistance program.

“(f) Relationship to Agricultural Commodity Programs.—

“(1) In general.—Subject to paragraph (2), the Secretary, by regulation, shall provide for the preservation of cropland base, allotment history, and payment yields applicable to land that was rendered incapable of use for the production of an agricultural commodity or for grazing purposes as the result of the natural overflow of a closed basin lake or pothole.

“(2) Termination of contract.—On termination of a contract under this section, the Secretary shall adjust the cropland base, allotment history, and payment yields for land covered by the contract to ensure equitable treatment of the land relative to program payment yields of comparable land in the county that was not flooded as a result of the natural overflow of a closed basin lake or pothole and was capable of remaining in agricultural production.

“(g) Use of Land.—An owner that has entered into a contract with the Secretary under this section shall take such actions as are necessary to avoid degrading any wildlife habitat on land covered by the contract that has naturally developed as a result of the natural overflow of a closed basin lake or pothole.”.

SEC. 2313. WILDLIFE HABITAT PROGRAM.

Subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831a et seq.) (as amended by section 2312) is amended by adding at the end the following:

"SEC. 1235C. WILDLIFE HABITAT PROGRAM.

"(a) IN GENERAL.—As part of the conservation reserve program established under this subchapter, the Secretary shall carry out a program to provide to owners and operators who have entered into contracts under this subchapter and established softwood pine stands, for each of fiscal years 2008 through 2012, assistance to carry out, on the acreage of the owner or operator enrolled in the program under this subchapter, activities that improve the condition of the enrolled land for the benefit of wildlife.

"(b) SCOPE OF PROGRAM.—In carrying out the program under this section, the Secretary shall determine—

"(1) the amount and rate of payments (including incentive payments and cost-sharing payments) to be made to owners and operators who participate in the program to ensure the participation of those owners and operators;

"(2) the areas in each of the States in which owners and operators referred to in subsection (a) are located that should be given priority under the program, based on the need in those areas for changes in the condition of land to benefit wildlife; and

"(3) the management strategies and practices (including thinning, burning, seeding, establishing wildlife food plots, and such other practices that have benefits for wildlife as are approved by the Secretary) that may be carried out by owners and operators under the program.

"(c) AGREEMENTS.—

"(1) IN GENERAL.—An owner or operator described in subsection (a) that seeks to receive assistance under this section shall enter into an agreement with the Secretary that—

"(A) describes the management strategies and practices referred to in subsection (b)(3) that will be carried out by the owner or operator under the agreement;

"(B) describes measures to be taken by the owner or operator to ensure active but flexible management of acreage covered by the agreement;

"(C) requires the owner or operator to submit to periodic monitoring and evaluation by wildlife or forestry agencies of the State in which land covered by the agreement is located; and

"(D) contains such other terms or conditions as the Secretary may require.

"(2) TERM; INCLUSION IN CONTRACT.—An agreement entered into under this section shall have a term of not more than 5 years.

"(d) PARTNERSHIPS.—In carrying out this section, the Secretary may establish or identify and, as appropriate, require owners and operators participating in the program under this section to work cooperatively with, partnerships among the Secretary and State, local, and nongovernmental organizations.

"(e) TECHNICAL ASSISTANCE AND COST SHARING.—The Secretary may provide to owners and operators participating in the program under this section, and members of partnerships described in subsection (d)—

"(1) technical assistance for use in carrying out an activity covered by an agreement described in subsection (c); and

"(2) a payment for use in covering a percentage of the costs of carrying out each such activity that does not exceed the applicable amount and rate determined by the Secretary under subsection (b)(1).

"(f) TERMINATION OF PROGRAM.—The program under this section shall terminate on September 30, 2011.".

Subchapter C—Wetlands Reserve Program

SEC. 2321. WETLANDS RESERVE PROGRAM.

Section 1237 of the Food Security Act of 1985 (16 U.S.C. 3837) is amended—

(1) by striking subsection (b) and inserting the following:

"(b) ENROLLMENT CONDITIONS.—

"(1) ANNUAL ENROLLMENT.—To the maximum extent practicable, the Secretary shall enroll 250,000 acres in each fiscal year, with no enrollments beginning in fiscal year 2013.

"(2) METHODS OF ENROLLMENT.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall enroll acreage into the wetlands reserve program through the use of—

"(i) permanent easements;

"(ii) 30-year easements;

"(iii) restoration cost-share agreements; or

"(iv) any combination of the options described in clauses (i) through (iii).

"(B) ACREAGE OWNED BY INDIAN TRIBES.—In the case of acreage owned by an Indian tribe, the Secretary shall enroll acreage into the wetlands reserve program through the use of—

"(i) a 30-year contract (the value of which shall be equivalent to the value of a 30-year easement);

"(ii) restoration cost-share agreements; or

"(iii) any combination of the options described in clauses (i) and (ii)."; and

(2) in subsection (c), by striking "2007 calendar" and inserting "2012 fiscal".

SEC. 2322. EASEMENTS AND AGREEMENTS.

(a) TERMS OF EASEMENT.—Section 1237A(b)(2)(B) of the Food Security Act of 1985 (16 U.S.C. 3837a(b)(2)(B)) is amended—

(1) in clause (i), by striking "or" at the end;

(2) in clause (ii), by striking "; and" and inserting "; or"; and

(3) by adding at the end the following:

"(iii) to meet habitat needs of specific wildlife species; and".

(b) COMPENSATION.—Section 1237A(f) of the Food Security Act of 1985 (16 U.S.C. 3837a(f)) is amended—

(1) in the first sentence—

(A) by striking "Compensation" and inserting the following:

"(1) IN GENERAL.—Compensation"; and

(B) by striking "agreed to" and all that follows through "encumbered by the easement" and inserting "determined under paragraph (4)";

(2) in the second sentence, by striking "Lands" and inserting the following:

"(2) BIDS.—Land";

(3) by striking the third sentence and inserting the following:

"(3) PAYMENTS.—Compensation may be provided in not more than 30 annual payments of equal or unequal size, as agreed to by the owner and the Secretary"; and

(4) by adding at the end the following:

"(4) METHOD FOR DETERMINATION OF AMOUNT OF COMPENSATION.—Effective on the date of enactment of this paragraph, the Secretary shall pay the lowest amount of compensation for a conservation easement, as determined by comparison of—

"(A) the fair market value of the land based on—

"(i) the Uniform Standards of Professional Appraisal Practices; or

"(ii) an area-wide market analysis or survey, as determined by the Secretary;

"(B) a geographical cap, as established through a process prescribed in regulations promulgated by the Secretary; and

"(C) the offer made by the landowner.".

(c) WETLANDS RESERVE ENHANCEMENT PROGRAM.—Section 1237A of the Food Security Act of 1985 (16 U.S.C. 3837a) is amended by adding at the end the following:

"(h) WETLANDS RESERVE ENHANCEMENT PROGRAM.—

"(1) IN GENERAL.—The Secretary may enter into 1 or more agreements with a State (including a political subdivision or agency of a State), nongovernmental organization, or Indian tribe to carry out a special wetlands reserve enhancement program that the Secretary determines would advance the purposes of this subchapter.

"(2) RESERVED RIGHTS.—Under the wetlands reserve enhancement program, the Secretary may use unique wetlands reserve agreements that may include certain compatible uses as reserved rights in the warranty easement deed restriction, if using those agreements is determined by the Secretary to be—

"(A) consistent with the long-term wetland protection and enhancement goals for which the easement was established; and

"(B) in accordance with a conservation plan.".

(d) REPORT.—

(1) IN GENERAL.—Not later than January 1, 2010, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that evaluates the implications of the long-term nature of conservation easements granted under section 1237A of the Food Security Act of 1985 (16 U.S.C. 3837a) on resources of the Department of Agriculture.

(2) INCLUSIONS.—The report shall include—

(A) data relating to the number and location of conservation easements granted under that section that the Secretary holds or has a significant role in monitoring or managing;

(B) an assessment of the extent to which the oversight of the conservation easement agreements impacts the availability of resources, including technical assistance;

(C) an assessment of the uses and value of agreements with partner organizations; and

(D) any other relevant information relating to costs or other effects that would be helpful to the Committees.

SEC. 2323. PAYMENTS.

Section 1237D(c) of the Food Security Act of 1985 (16 U.S.C. 3837d(c)) is amended—

(1) in paragraph (1)—

(A) by striking "The total" and inserting "Subject to section 1244(i), the total"

(B) by striking "easement payments" and inserting "payments";

(C) by striking "person" and inserting "individual"; and

(D) by inserting "or under 30-year contracts or restoration agreements" before the period at the end; and

(2) in paragraph (3)—

(A) by striking "Easement payments" and inserting "Payments"; and

(B) by striking "the Food, Agriculture, Conservation, and Trade Act of 1990, or the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.)" and inserting "the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104–127; 110 Stat. 888), or the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 116 Stat. 134)".

Subchapter D—Healthy Forests Reserve Program

SEC. 2331. HEALTHY FORESTS RESERVE PROGRAM.

(a) IN GENERAL.—Chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) is amended by adding at the end the following:

"Subchapter D—Healthy Forests Reserve Program

"SEC. 1237M. ESTABLISHMENT OF HEALTHY FORESTS RESERVE PROGRAM.

"(a) ESTABLISHMENT.—The Secretary shall establish the healthy forests reserve program for the purpose of restoring and enhancing forest ecosystems—

"(1) to promote the recovery of threatened and endangered species;

"(2) to improve biodiversity; and

"(3) to enhance carbon sequestration.

"(b) COORDINATION.—The Secretary shall carry out the healthy forests reserve program in coordination with the Secretary of the Interior and the Secretary of Commerce.

"SEC. 1237N. ELIGIBILITY AND ENROLLMENT OF LANDS IN PROGRAM.

"(a) IN GENERAL.—The Secretary, in coordination with the Secretary of the Interior and the Secretary of Commerce, shall describe and define forest ecosystems that are eligible for enrollment in the healthy forests reserve program.

"(b) ELIGIBILITY.—To be eligible for enrollment in the healthy forests reserve program, land shall be—

"(1) private land the enrollment of which will restore, enhance, or otherwise measurably increase the likelihood of recovery of a species listed as endangered or threatened under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533); and

"(2) private land the enrollment of which will restore, enhance, or otherwise measurably improve the well-being of species that—

"(A) are not listed as endangered or threatened under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533); but

"(B) are candidates for such listing, State-listed species, or special concern species.

"(c) OTHER CONSIDERATIONS.—In enrolling land that satisfies the criteria under subsection (b), the Secretary shall give additional consideration to land the enrollment of which will—

"(1) improve biological diversity; and

"(2) increase carbon sequestration.

"(d) ENROLLMENT BY WILLING OWNERS.—The Secretary shall enroll land in the healthy forests reserve program only with the consent of the owner of the land.

"(e) METHODS OF ENROLLMENT.—

"(1) IN GENERAL.—Land may be enrolled in the healthy forests reserve program in accordance with—

"(A) a 10-year cost-share agreement;

"(B) a 30-year easement; or

"(C) a permanent easement.

"(2) PROPORTION.—The extent to which each enrollment method is used shall be based on the approximate proportion of owner interest expressed in that method in comparison to the other methods.

"(3) ACREAGE OWNED BY INDIAN TRIBES.—In the case of acreage owned by an Indian tribe, the Secretary may enroll acreage into the healthy forests reserve program through the use of—

"(A) a 30-year contract (the value of which shall be equivalent to the value of a 30-year easement);

"(B) a 10-year cost-share agreement; or

"(C) any combination of the options described in subparagraphs (A) and (B).

"(f) ENROLLMENT PRIORITY.—

"(1) SPECIES.—The Secretary shall give priority to the enrollment of land that provides the greatest conservation benefit to—

"(A) primarily, species listed as endangered or threatened under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533); and

"(B) secondarily, species that—

"(i) are not listed as endangered or threatened under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533); but

"(ii) are candidates for such listing, State-listed species, or special concern species.

"(2) COST-EFFECTIVENESS.—The Secretary shall also consider the cost-effectiveness of each agreement or easement, and associated restoration plans, so as to maximize the environmental benefits per dollar expended.

"SEC. 1237O. RESTORATION PLANS.

"(a) IN GENERAL.—Land enrolled in the healthy forests reserve program shall be subject to a restoration plan, to be developed jointly by the landowner and the Secretary, in coordination with the Secretary of Interior.

"(b) PRACTICES.—The restoration plan shall require such restoration practices as are necessary to restore and enhance habitat for—

"(1) species listed as endangered or threatened under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533); and

"(2) animal or plant species before the species reach threatened or endangered status, such as candidate, State-listed species, and special concern species.

"SEC. 1237P. FINANCIAL ASSISTANCE.

"(a) PERMANENT EASEMENTS.—In the case of land enrolled in the healthy forests reserve program using a permanent easement, the Secretary shall pay to the owner of the land an amount equal to not less than 75 percent, nor more than 100 percent, of (as determined by the Secretary)—

"(1) the fair market value of the enrolled land during the period the land is subject to the easement, less the fair market value of the land encumbered by the easement; and

"(2) the actual costs of the approved conservation practices or the average cost of approved practices carried out on the land during the period in which the land is subject to the easement.

"(b) 30-YEAR EASEMENT OR CONTRACT.—In the case of land enrolled in the healthy forests reserve program using a 30-year easement or contract, the Secretary shall pay the owner of the land an amount equal to not more than (as determined by the Secretary)—

"(1) 75 percent of the fair market value of the land, less the fair market value of the land encumbered by the easement or contract; and

"(2) 75 percent of the actual costs of the approved conservation practices or 75 percent of the average cost of approved practices.

"(c) 10-YEAR AGREEMENT.—In the case of land enrolled in the healthy forests reserve program using a 10-year cost-share agreement, the Secretary shall pay the owner of the land an amount equal to not more than (as determined by the Secretary)—

"(1) 50 percent of the actual costs of the approved conservation practices; or

"(2) 50 percent of the average cost of approved practices.

"(d) ACCEPTANCE OF CONTRIBUTIONS.—The Secretary may accept and use contributions of non-Federal funds to make payments under this section.

"SEC. 1237Q. TECHNICAL ASSISTANCE.

"(a) IN GENERAL.—The Secretary shall provide landowners with technical assistance to assist the owners in complying with the terms of plans (as included in agreements or easements) under the healthy forests reserve program.

"(b) TECHNICAL SERVICE PROVIDERS.—The Secretary may request the services of, and enter into cooperative agreements with, individuals or entities certified as technical service providers under section 1242, to assist the Secretary in providing technical assistance necessary to develop and implement the healthy forests reserve program.

"SEC. 1237R. PROTECTIONS AND MEASURES.

"(a) PROTECTIONS.—In the case of a landowner that enrolls land in the program and whose conservation activities result in a net conservation benefit for listed, candidate, or other species, the Secretary shall make available to the landowner safe harbor or similar assurances and protection under—

"(1) section 7(b)(4) of the Endangered Species Act of 1973 (16 U.S.C. 1536(b)(4)); or

"(2) section 10(a)(1) of that Act (16 U.S.C. 1539(a)(1)).

"(b) MEASURES.—If protection under subsection (a) requires the taking of measures that are in addition to the measures covered by the applicable restoration plan agreed to under section 1237O, the cost of the additional measures, as well as the cost of any permit, shall be considered part of the restoration plan for purposes of financial assistance under section 1237P.

"SEC. 1237S. INVOLVEMENT BY OTHER AGENCIES AND ORGANIZATIONS.

"In carrying out this subchapter, the Secretary may consult with—

"(1) nonindustrial private forest landowners;

"(2) other Federal agencies;

"(3) State fish and wildlife agencies;

"(4) State forestry agencies;

"(5) State environmental quality agencies;

"(6) other State conservation agencies; and

"(7) nonprofit conservation organizations.

"SEC. 1237T. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this subchapter such sums as are necessary for each of fiscal years 2008 through 2012.".

(b) CONFORMING AMENDMENTS.—The Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.) is amended—

(1) by striking title V (16 U.S.C. 6571 et seq.); and

(2) by redesignating title VI and section 601 (16 U.S.C. 6591) as title V and section 501, respectively.

CHAPTER 2—COMPREHENSIVE STEWARDSHIP INCENTIVES PROGRAM

Subchapter A—General Provisions

SEC. 2341. COMPREHENSIVE STEWARDSHIP INCENTIVES PROGRAM.

Subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.) is amended by adding at the end the following:

"CHAPTER 6—COMPREHENSIVE STEWARDSHIP INCENTIVES PROGRAM

"Subchapter A—Comprehensive Stewardship Incentives Program

"SEC. 1240T. COMPREHENSIVE STEWARDSHIP INCENTIVES PROGRAM.

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—The Secretary shall establish a comprehensive stewardship incentives program (referred to in this chapter as 'CSIP') to—

"(A) promote coordinated efforts within conservation programs in this chapter to address resources of concern, as identified at the local level;

"(B) encourage the adoption of conservation practices, activities and management measures; and

"(C) promote agricultural production and environmental quality as compatible goals.

"(2) MEANS.—The Secretary shall carry out CSIP by—

"(A) identifying resources of concern at a local level as described in subsection (b)(4);

"(B) entering into contracts with owners and operators of agricultural and nonindustrial private forest land to—

"(i) address natural resource concerns;

"(ii) meet regulatory requirements; or

"(iii) achieve and maintain new conservation practices, activities and management measures; and

"(C) providing technical assistance.

"(3) PROGRAMS.—CSIP shall consist of—

"(A) the conservation stewardship program; and

"(B) the environmental quality incentives program.

"(4) DEFINITION OF RESOURCE OF CONCERN.—In this chapter, the term 'resource of concern' means—

"(A) a specific resource concern on agricultural or nonindustrial private forest land that—

"(i) is identified by the Secretary in accordance with subsection (b)(4);

"(ii) represents a significant conservation concern in the State to which agricultural activities are contributing; and

"(iii) is likely to be addressed successfully through the implementation of conservation practices, activities, and management measures by owners and operators of agricultural and nonindustrial private forest land; or

"(B) a specific resource concern on agricultural or nonindustrial private forest land that is the subject of mandatory environmental requirements that apply to a producer under Federal, State, or local law.

"(b) ADMINISTRATION.—

"(1) IN GENERAL.—In carrying out CSIP, the Secretary shall ensure that the conservation programs under this chapter are managed in a coordinated manner.

"(2) PLANS.—The Secretary shall, to the maximum extent practicable, avoid duplication in the conservation plans required under this chapter and comparable conservation and regulatory programs, including a permit acquired under an approved water or air quality regulatory program.

"(3) TENANT PROTECTION.—The Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers, including provision for sharing, on a fair and equitable basis, in payments under the programs established under this chapter.

"(4) IDENTIFICATION OF RESOURCES OF CONCERN.—

"(A) IN GENERAL.—The Secretary shall ensure that resources of concern are identified at the State level in consultation with the State Technical Committee.

"(B) LIMITATION.—The Secretary shall identify not more than 5 resources of concern in a particular watershed or other appropriate region or area within a State.

"(5) REGULATIONS.—Not later than 180 days after the date of enactment of the Food and Energy Security Act of 2007 the Secretary shall issue regulations to implement the programs established under this chapter.

"Subchapter B—Conservation Stewardship Program

"SEC. 1240U. PURPOSES.

"The purpose of the conservation stewardship program is to promote agricultural production and environmental quality as compatible goals, and to optimize environmental benefits, by assisting producers—

"(1) in promoting conservation and improving resources of concern (including soil, water, and energy conservation, soil, water, and air quality, biodiversity, fish, wildlife and pollinator habitat, and related resources of concern, as defined by the Secretary) by providing flexible assistance to install, improve, and maintain conservation systems, practices, activities, and management measures on agricultural land (including cropland, grazing land, and wetland) while sustaining production of food and fiber;

"(2) in making beneficial, cost-effective changes to conservation systems, practices, activities, and management measures carried out on agricultural and forest land relating to—

"(A) cropping systems;

"(B) grazing management systems;

"(C) nutrient management associated with livestock and crops;

"(D) forest management;

"(E) fuels management;

"(F) integrated pest management;

"(G) irrigation management;

"(H) invasive species management;

"(I) energy conservation; or

"(J) other management-intensive issues;

"(3) in complying with Federal, State, tribal, and local requirements concerning—

"(A) soil, water, and air quality;

"(B) fish, wildlife, and pollinator habitat; and

"(C) surface water and groundwater conservation;

"(4) in avoiding, to the maximum extent practicable, the need for resource and regulatory programs by protecting resources of concern and meeting environmental quality criteria established by Federal, State, tribal, and local agencies; and

"(5) by encouraging, consolidating, and streamlining conservation planning and regulatory compliance processes to reduce administrative burdens on producers and the cost of achieving environmental goals.

"SEC. 1240V. DEFINITIONS.

"In this chapter:

"(1) COMPREHENSIVE CONSERVATION PLAN.—The term 'comprehensive conservation plan' means a plan produced by following the planning process outlined in the applicable National Planning Procedures Handbook of the Department of Agriculture with regard to all applicable resources of concern.

"(2) CONTRACT OFFER.—The term 'contract offer' means an application submitted by a producer that seeks to address 1 or more resources of concern with the assistance of the program.

"(3) ENHANCEMENT PAYMENT.—The term 'enhancement payment' means a payment described in section 1240X(d).

"(4) ELIGIBLE LAND.—The term 'eligible land' means land described in section 1240X(b).

"(5) LIVESTOCK.—The term 'livestock' means dairy cattle, beef cattle, laying hens, broilers, turkeys, swine, sheep, goats, ducks, ratites, shellfish, alpacas, bison, catfish, managed pollinators, and such other animals and fish as are determined by the Secretary.

"(6) MANAGEMENT INTENSITY.—The term 'management intensity' means the degree, scope, and comprehensiveness of conservation systems, practices, activities, or management measures adopted by a producer to improve and sustain the condition of a resource of concern.

"(7) PAYMENT.—The term 'payment' means financial assistance provided to a producer under the program to compensate the producers for incurred costs associated with planning, materials, installation, labor, management, maintenance, technical assistance, and training, the value of risk, and income forgone by the producer, as applicable, including—

"(A) enhancement payments;

"(B) CSP supplemental payments; and

"(C) other payments provided under this chapter.

"(8) PRACTICE.—

"(A) IN GENERAL.—The term 'practice' means 1 or more measures that improve or sustain a resource of concern.

"(B) INCLUSIONS.—The term 'practice' includes—

"(i) structural measures, vegetative measures, and land management measures, as determined by the Secretary; and

"(ii) planning activities needed to improve or sustain a resource of concern, including implementation of—

"(I) a comprehensive conservation plan; and

"(II) a comprehensive nutrient management plan.

"(9) PRODUCER.—The term 'producer' means an individual who is an owner, operator, landlord, tenant, or sharecropper that—

"(A) derives income from, and controls, the production or management of an agricultural commodity, livestock, or nonindustrial forest land regardless of ownership;

"(B) shares in the risk of producing any crop or livestock; and

"(C)(i) is entitled to share in the crop or livestock available for marketing from a farm (or would have shared had the crop or livestock been produced); or

"(ii) is a custom feeder or contract grower.

"(10) PROGRAM.—The term 'program' means the conservation stewardship program established under this chapter.

"(11) RESOURCE-CONSERVING CROP.—The term 'resource-conserving crop' means—

"(A) a perennial grass;

"(B) a legume grown for use as forage, seed for planting, or green manure;

"(C) a legume-grass mixture;

"(D) a small grain grown in combination with a grass or legume, whether interseeded or planted in succession;

"(E) a winter annual oilseed crop that provides soil protection; and

"(F) such other plantings as the Secretary determines to be appropriate for a particular area.

"(12) RESOURCE-CONSERVING CROP ROTATION.—The term 'resource-conserving crop rotation' means a crop rotation that—

"(A) includes at least 1 resource-conserving crop;

"(B) reduces erosion;

"(C) improves soil fertility and tilth;

"(D) interrupts pest cycles; and

"(E) in applicable areas, reduces depletion of soil moisture (or otherwise reduces the need for irrigation).

"(13) RESOURCE-SPECIFIC INDICES.—The term 'resource-specific indices' means indices developed by the Secretary that measure or estimate the expected level of resource and environmental outcomes of the conservation systems, practices, activities, and management measures employed by a producer to address a resource of concern on an agricultural operation.

"(14) STEWARDSHIP CONTRACT.—The term 'stewardship contract' means a contract entered into under the conservation stewardship program to carry out the programs and activities described in this chapter.

"(15) STEWARDSHIP THRESHOLD.—The term 'stewardship threshold' means the level of natural resource conservation and environmental management required, as determined by the Secretary—

"(A) to maintain, conserve, and improve the quality or quantity of a resource of concern reflecting at a minimum, the resource management system quality criteria described in the handbooks of the Natural Resource Conservation Service, if available and appropriate; or

"(B) in the case of a resource of concern that is the subject of a Federal, State, or local regulatory requirement, to meet the higher of—

"(i) the standards that are established by the requirement for the resource of concern; or

"(ii) standards reflecting the resource management system quality criteria described in the handbooks of the Natural Resource Conservation Service, if available and appropriate.

"SEC. 1240W. ESTABLISHMENT OF PROGRAM.

"The Secretary shall establish and, for each of fiscal years 2008 through 2012, carry out a conservation stewardship program to assist producers in improving environmental quality by addressing resources of concern in a comprehensive manner through—

"(1) the addition of conservation systems, practices, activities, and management measures; and

"(2) the active management, maintenance, and improvement of existing, and adoption of new, conservation systems, practices, activities, and management measures.

"SEC. 1240X. ELIGIBILITY.

"(a) ELIGIBLE PRODUCERS.—

"(1) GENERAL PROGRAM ELIGIBILITY.—To be eligible to participate in the conservation stewardship program, a producer shall—

"(A) submit to the Secretary for approval a contract offer to participate in the program;

"(B) agree to receive technical services, either directly from the Secretary or, at the option of the producer, from an approved third party under section 1242(b)(3);

"(C) enter into a contract with the Secretary, as described in subsection (c); and

"(D) demonstrate to the satisfaction of the Secretary that the producer—

"(i) is addressing resources of concern relating to both soil and water to at least the stewardship threshold; and

"(ii) is adequately addressing other resources of concern applicable to the agricultural operation, as determined by the Secretary.

"(b) ELIGIBLE LAND.—

"(1) IN GENERAL.—Except as provided in paragraph (2), private agricultural land that is eligible for enrollment in the program includes—

"(A) cropland (including vineyards and orchards);

"(B) pasture land;

"(C) rangeland;

"(D) other agricultural land used for the production of livestock;

"(E) land used for agroforestry;

"(F) land used for aquaculture;

"(G) riparian areas adjacent to otherwise eligible land;

"(H) land under the jurisdiction of an Indian tribe (as determined by the Secretary);

"(I) public land, if failure to enroll the land in the program would defeat the purposes of the program on private land that is an integral part of the operation enrolled or offered to be enrolled in the program by the producer;

"(J) State and school owned land that is under the effective control of a producer; and

"(K) other agricultural land (including cropped woodland and marshes) that the Secretary determines is vulnerable to serious threats to resources of concern.

"(2) EXCLUSIONS.—

"(A) LAND ENROLLED IN OTHER CONSERVATION PROGRAMS.—The following land is not eligible for enrollment in the program:

"(i) Land enrolled in the conservation reserve program under subchapter B of chapter 1.

"(ii) Land enrolled in the wetlands reserve program established under subchapter C of chapter 1.

"(B) CONVERSION TO CROPLAND.—With regard to the program, land used for crop production after May 13, 2002, that had not been planted, considered to be planted, or devoted to crop production for at least 4 of the 6 years preceding that date (except for land enrolled in the conservation reserve program or that has been maintained using long-term crop rotation practices, as determined by the Secretary) shall not be the basis for any payment under the program.

"(3) ECONOMIC USES.—The Secretary shall not restrict economic uses of land covered by a program contract (including buffers and other partial field conservation practices) that comply with the agreement and comprehensive conservation plan, or other applicable law.

"(c) CONTRACT REQUIREMENTS AND PROVISIONS.—

"(1) IN GENERAL.—After a determination by the Secretary that a producer is eligible to participate in the program, and on acceptance of the contract offer of the producer, the Secretary shall enter into a contract with the producer to enroll the land to be covered by the contract.

"(2) AGRICULTURAL OPERATIONS.—All acres of all agricultural operations, whether or not contiguous, that are under the effective control of a producer within a particular watershed or region (or in a contiguous watershed or region) of a State and constitute a cohesive management unit, as determined by the Secretary, at the time the producer enters into a stewardship contract shall be covered by the stewardship contract, other than land the producer has enrolled in the conservation reserve program or the wetlands reserve program.

"(3) RESOURCES OF CONCERN.—Each stewardship contract shall, at a minimum, meet or exceed the stewardship threshold for at least 1 additional resource of concern by the end of the stewardship contract through—

"(A) the installation and adoption of additional conservation systems, practices, activities, or management measures; and

"(B) the active management and improvement of conservation systems, practices, activities, and management measures in place at the operation of the producer at the time the contract offer is accepted by the Secretary.

"(4) TERMS.—A contract entered into under paragraph (1) shall—

"(A) describe the land covered by the contract;

"(B) describe the practices or technical services from an approved third party, to be implemented on eligible land of the producer;

"(C) state the amount of payments (determined in accordance with subsection (f)) the Secretary agrees to make to the producer each year of the contract;

"(D) describe existing conservation systems, practices, activities, and management measures the producer agrees to maintain, manage, and improve during the term of the stewardship contract in order to meet and exceed the appropriate stewardship threshold for the resources of concern;

"(E) describe the additional conservation systems, practices, activities, and management measures the producer agrees to plan, install, maintain, and manage during the term of the stewardship contract in order to meet and exceed the appropriate stewardship threshold for the appropriate resource or resources of concern;

"(F) if applicable, describe the on-farm conservation research, demonstration, training, or pilot project activities the producer agrees to undertake during the term of the contract;

"(G) if applicable, describe the on-farm monitoring and evaluation activities the producer agrees to undertake during the term of the contract relating to—

"(i) a comprehensive conservation plan; or

"(ii) conservation systems, practices, activities, and management measures; and

"(H) include such other provisions as the Secretary determines are necessary to ensure that the purposes of the program are achieved.

"(5) ON-FARM RESEARCH, DEMONSTRATION, TRAINING, OR PILOT PROJECTS.—The Secretary may approve a stewardship contract that includes—

"(A) on-farm conservation research, demonstration, and training activities; and

"(B) pilot projects for evaluation of new technologies or innovative conservation practices.

"(6) DURATION.—A contract under this chapter shall have a term of 5 years.

"(7) EVALUATION OF CONTRACT OFFERS.—In evaluating contract offers made by producers to enter into contracts under the program, the Secretary shall—

"(A) prioritize applications based on—

"(i) the level of conservation treatment on all resources of concern at the time of application, based on the initial scores received by the producer on applicable resource-specific indices;

"(ii) the degree to which the proposed conservation treatment effectively increases the level of performance on applicable resource-specific indices or the level of management intensity with which the producer addresses the designated resources of concern;

"(iii) the extent to which all resources of concern will exceed the stewardship threshold level by the end of the contract period;

"(iv) the extent to which resources of concern in addition to resources of concern will be addressed to meet and exceed the stewardship threshold level by the end of the contract period;

"(v) the extent to which the producer proposes to address the goals and objectives of State, regional, and national fish and wildlife conservation plans and initiatives;

"(vi) whether the proposed conservation treatment reflects the multiple natural resource and environmental benefits of conservation-based farming systems, including resource-conserving crop rotations, advanced integrated pest management, and managed rotational grazing; and

"(vii) whether the application includes land transitioning out of the conservation reserve program, on the condition that the land is maintained in a grass-based system and would help meet habitat needs for fish and wildlife;

"(B) evaluate the extent to which the anticipated environmental benefits from the contract would be provided in the most cost-effective manner, relative to other similarly beneficial contract offers;

"(C) reward higher levels of environmental performance and management intensity;

"(D) develop criteria for use in evaluating applications that will ensure that national, State, and local conservation priorities are effectively addressed;

"(E) evaluate the extent to which the environmental benefits expected to result from the contract complement other conservation efforts in the watershed or region; and

"(F) provide opportunities to agricultural producers that have not previously participated in Federal conservation programs, including beginning farmers and ranchers and socially disadvantaged farmers and ranchers.

"(8) TERMINATION OF CONTRACTS.—

"(A) IN GENERAL.—

"(i) VOLUNTARY TERMINATION.—The producer may terminate a contract entered into with the Secretary under this chapter if the Secretary determines that the termination is in the public interest.

"(ii) INVOLUNTARY TERMINATION.—The Secretary may terminate a contract under this chapter if the Secretary determines that the producer violated the contract.

"(B) REPAYMENT.—If a contract is terminated, the Secretary may—

"(i) allow the producer to retain payments already received under the contract if—

"(I) the producer has complied with the terms and conditions of the contract; and

"(II) the Secretary determines that allowing the producer to retain the payments is consistent with the purposes of the program;

"(ii) require repayment, in whole or in part, of payments already received; and

"(iii) assess liquidated damages, if doing so is consistent with the purposes of the program.

"(C) TRANSFER OR CHANGE OF INTEREST IN LAND SUBJECT TO A CONTRACT.—

"(i) IN GENERAL.—Except as provided in clause (ii), the transfer, or change in the interest, of a producer in land subject to a contract under this chapter shall result in the termination of the contract.

"(ii) TRANSFER OF DUTIES AND RIGHTS.—Clause (i) shall not apply if—

"(I) within a reasonable period of time (as determined by the Secretary) after the date of the transfer or change in the interest in land, the transferee of the land provides written notice to the Secretary that all duties and rights under the contract have been transferred to, and assumed by, the transferee; and

"(II) the transferee meets the eligibility requirements of this subchapter.

"(9) MODIFICATION.—

"(A) IN GENERAL.—The Secretary may allow a producer to modify a contract before the expiration of the contract if the Secretary determines that failure to modify the contract would significantly interfere with achieving the purposes of the program.

"(B) PARTICIPATION IN OTHER PROGRAMS.—If appropriate payment reductions and other adjustments (as determined by the Secretary) are made to the contract of a producer, the producer may remove land enrolled in the conservation stewardship program for enrollment in the conservation reserve program, wetlands reserve program, or other conservation programs, as determined by the Secretary.

"(C) CHANGES IN SIZE OF OPERATION.—The Secretary shall allow a producer to modify a stewardship contract before the expiration of the stewardship contract if the agricultural operation of the producer has reduced or enlarged in size to reflect the new acreage total.

"(D) NEW ACREAGE.—With respect to acreage added to the agricultural operation of a producer after entering into a stewardship contract, a producer may elect to not add the acreage to the stewardship contract during the term of the current stewardship contract, except that such additional acreage shall be included in any contract renewal.

"(E) CHANGES IN PRODUCTION.—The Secretary shall allow a producer to modify a stewardship contract before the expiration of the stewardship contract if—

"(i) the producer has a change in production that requires a change to scheduled conservation practices and activities; and

"(ii) the Secretary determines that—

"(I) all relevant conservation standards will be maintained or improved; and

"(II) there is no increase in total payment under the stewardship contract.

"(10) EFFECT OF NONCOMPLIANCE DUE TO CIRCUMSTANCES BEYOND THE CONTROL OF PRODUCER.—The Secretary shall include in each contract a provision to ensure that a producer shall not be considered in violation of the contract for failure to comply with the contract due to circumstances beyond the control of the producer, including a disaster or related weather, pest, disease, or other similar condition, as determined by the Secretary.

"(11) COORDINATION WITH ORGANIC CERTIFICATION.—

"(A) IN GENERAL.—Not later than 180 days after the date of enactment of this chapter, the Secretary shall establish a transparent and producer-friendly means by which producers may coordinate and simultaneously certify eligibility under—

"(i) a stewardship contract; and

"(ii) the national organic production program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).

"(B) PROGRAMMATIC CONSIDERATIONS.—The Secretary shall identify and implement programmatic considerations, including conservation systems, practices, activities, and management measures, technical assistance, evaluation of contract offers, enhancement payments, on-farm research, demonstration, training, and pilot projects, and data management, through which to maximize the purposes of the program by enrolling producers who are certified under the national organic production program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).

"(12) RENEWAL.—At the end of a stewardship contract of a producer, the Secretary shall allow the producer to renew the stewardship contract for an additional 5-year period if the producer—

"(A) demonstrates compliance with the terms of the existing contract, including a demonstration that the producer has complied with the schedule for the implementation of additional conservation systems, practices, activities, and management measures included in the stewardship contract and is addressing the designated resources of concern to a level that meets and exceeds the stewardship threshold; and

"(B) agrees to implement and maintain such additional conservation practices and activities as the Secretary determines to be necessary and feasible to achieve higher levels of performance on applicable resource-specific indices or higher levels of management intensity with which the producer addresses the resources of concern.

"(d) ENHANCEMENT PAYMENTS.—

"(1) LOWER PAYMENTS.—In evaluating applications and making payments under this chapter, the Secretary shall not assign a higher priority to any application because the applicant is willing to accept a lower payment than the applicant would otherwise be entitled to receive.

"(2) EVALUATION OF CONTRACT OFFERS.—Nothing in this subsection relieves the Secretary of the obligation, in evaluating applications for payments, to evaluate and prioritize the applications in accordance with subsection (e)(4)), including the requirement for contracts to be cost-effective.

"(3) LOWEST-COST ALTERNATIVES.—In determining the eligibility of a conservation system, practice, activity, or management measure for a payment under this subsection, the Secretary shall require, to the maximum extent practicable, that the lowest-cost alternatives be used to achieve the purposes of the contract, as determined by the Secretary.

"(4) METHOD OF PAYMENT.—Payments under this subsection shall be made in such amounts and in accordance with such time schedule as is agreed on and specified in the contract.

"(5) ACTIVITIES QUALIFYING FOR PAYMENTS.—

"(A) IN GENERAL.—To receive an enhancement payment under this subsection, a producer shall agree—

"(i) to implement additional conservation systems, practices, activities, and management measures and maintain, manage, and improve existing conservation systems, practices, activities, and management measures in order to maintain and improve the level of performance of the producer, as determined by applicable resource-specific indices, or the level of management intensity of the producer with respect to resources of concern in order to meet and exceed the stewardship threshold for resources of concern; and

"(ii) to maintain, and make available to the Secretary at such times as the Secretary may request, appropriate records demonstrating the effective and timely implementation of the stewardship contract.

"(B) COMPENSATION.—Subject to subparagraph (C), the Secretary shall provide an enhancement payment to a producer to compensate the producer for—

"(i) ongoing implementation, active management, and maintenance of conservation systems, practices, activities, and management measures in place on the operation of the producer at the time the contract offer of the producer is accepted; and

"(ii) installation and adoption of additional conservation systems, practices, activities, and management measures or improvements to conservation systems, practices, activities, and management measures in place on the operation of the producer at the time the contract offer is accepted.

"(C) ADJUSTMENTS.—A payment under subparagraph (B) shall be adjusted to reflect—

"(i) management intensity; or

"(ii) resource-specific indices, in a case in which those indices have been developed and implemented.

"(D) ON-FARM RESEARCH, DEMONSTRATION, TRAINING, AND PILOT PROJECT PAYMENTS.—The Secretary shall provide an additional enhancement payment to a producer who opts to participate as part of the stewardship contract in an on-farm conservation research, demonstration, training or pilot project certified by the Secretary to compensate the producer for the cost of participation.

"(E) RESTRICTION ON STRUCTURAL PRACTICES.—For purposes of the conservation stewardship program, structural practices shall be eligible for payment only if the structural practices are integrated with and essential to support site-specific management activities that are part of an implemented management system designed to address 1 or more resources of concern.

"(6) EXCLUSIONS.—An enhancement payment to a producer under this subsection shall not be provided for the design, construction, or maintenance of animal waste storage or treatment facilities or associated waste transport or transfer devices for animal feeding operations.

“(7) TIMING OF PAYMENTS.—

“(A) IN GENERAL.—The Secretary shall make enhancement payments as soon as practicable after October 1 of each fiscal year.

“(B) ADDITIONAL SYSTEMS, PRACTICES, ACTIVITIES, AND MANAGEMENT MEASURES.—The Secretary shall make enhancement payments to compensate producers for installation and adoption of additional conservation systems, practices, activities, and management measures or improvements to existing conservation systems, practices, activities, and management measures at the time at which the systems, practices, activities, and measures or improvements are installed and adopted.

“(8) RESEARCH, DEMONSTRATION, TRAINING, AND PILOT PROJECT PAYMENT LIMITATIONS.—An enhancement payment for research, demonstration, training and pilot projects may not exceed $25,000 for each 5-year term of the stewardship contract (excluding funding arrangements with federally recognized Indian tribes or Alaska Native Corporations).

“(e) CSP SUPPLEMENTAL PAYMENTS.—

“(1) IN GENERAL.—The Secretary shall provide additional payments to producers that, in participating in the conservation stewardship program, agree to adopt resource-conserving crop rotations to achieve optimal crop rotations as appropriate for the land of the producers.

“(2) OPTIMAL CROP ROTATIONS.—The Secretary shall determine whether a resource-conserving crop rotation is an optimal crop rotation eligible for additional payments under paragraph (1), based on whether the resource-conserving crop rotation is designed to optimize natural resource conservation and production benefits, including—

“(A) increased efficiencies in pesticide, fertilizer, and energy use; and

“(B) improved disease management.

“(3) ELIGIBILITY.—To be eligible to receive a payment described in paragraph (1), a producer shall agree to adopt and maintain optimal resource-conserving crop rotations for the term of the contract.

“(4) RATE.—The Secretary shall provide payments under this subsection at a rate that encourages producers to adopt optimal resource-conserving crop rotations.

“(f) LIMITATION ON PAYMENTS.—Subject to section 1244(i), an individual or entity may not receive, directly or indirectly, payments under this subchapter that, in the aggregate, exceed $240,000 for all contracts entered into under the conservation stewardship program during any 6-year period.

“(g) DUTIES OF PRODUCERS.—In order to receive assistance under this chapter, a producer shall—

“(1) implement the terms of the contract approved by the Secretary;

“(2) not conduct any practices on the covered land that would defeat the purposes of the program;

“(3) on the violation of a term or condition of the contract at any time the producer has control of the land—

“(A) if the Secretary determines that the violation warrants termination of the contract—

“(i) forfeit all rights to receive payments under the contract; and

“(ii) refund to the Secretary all or a portion of the payments received by the owner or operator under the contract, including any interest on the payments or liquidated damages, as determined by the Secretary;

“(B) if the Secretary determines that the violation does not warrant termination of the contract, refund to the Secretary, or accept adjustments to, the payments provided to the owner or operator, as the Secretary determines to be appropriate; or

“(C) comply with a combination of the remedies authorized by subparagraphs (A) and (B), as the Secretary determines to be appropriate;

“(4) on the transfer of the right and interest of the producer in land subject to the contract (unless the transferee of the right and interest agrees with the Secretary to assume all obligations of the contract) refund any cost-share payments, incentive payments, and stewardship payments received under the program, as determined by the Secretary;

“(5) supply information as required by the Secretary to determine compliance with the contract and requirements of the program; and

“(6) comply with such additional provisions as the Secretary determines are necessary to carry out the contract.

“(h) DUTIES OF SECRETARY.—

“(1) IN GENERAL.—To achieve the conservation and environmental goals of a contract under this chapter, to the extent appropriate, the Secretary shall—

“(A) provide to a producer information and training to aid in implementation of the conservation systems, practices, activities, and management measures covered by the contract;

“(B) develop agreements with governmental agencies, nonprofit organizations, and private entities to facilitate the provision of technical and administrative assistance and services;

“(C) make the program available to eligible producers on a continuous enrollment basis;

“(D) when identifying biodiversity or fish and wildlife as a resource of concern for a particular watershed or other appropriate region or area within a State, ensure that the identification—

“(i) is specific with respect to particular species or habitat; and

“(ii) would further the goals and objectives of State, regional, and national fish and wildlife conservation plans and initiatives;

“(E) provide technical assistance and payments for each of fiscal years 2008 through 2012;

“(F) maintain contract and payment data relating to the conservation stewardship program in a manner that provides detailed and segmented data and allows for quantification of the amount of payments made to producers for—

“(i) the installation and adoption of additional conservation systems, practices, activities, or management measures;

“(ii) participating in research, demonstration, training, and pilot projects;

“(iii) the development, monitoring, and evaluation of comprehensive conservation plans; and

“(iv) the maintenance and active management of conservation systems, practices, activities, and management measures, and the improvement of conservation practices, in place on the operation of the producer on the date on which the contract offer is accepted by the Secretary;

“(G) develop resource-specific indices for purposes of determining eligibility and payments; and

“(H) establish and publicize design protocols and application procedures for individual producer and collaborative on-farm research, demonstration, training, and pilot projects.

“(2) SPECIALTY CROP PRODUCERS.—The Secretary shall ensure that outreach and technical assistance are available and program specifications are appropriate to enable specialty crop producers to participate in the conservation stewardship program.

“(3) ADDITIONAL REQUIREMENTS.—For the period beginning on the date of enactment of this chapter and ending on September 30, 2017, with respect to eligible land of producers participating in the program, the Secretary shall—

“(A) to the maximum extent practicable, enroll an additional 13,273,000 acres for each fiscal year, but not to exceed 79,638,000 acres;

“(B) implement the program nationwide to make the program available to producers meeting the eligibility requirements in each county;

“(C) to the maximum extent practicable, manage the program to achieve a national average annual cost per acre of $19, which shall include the costs of all financial assistance, technical assistance, and any other expenses associated with enrollment or participation in the program of those acres; and

“(D) establish a minimum contract value, to ensure equity for small acreage farms, including specialty crop and organic producers.

“(i) ACRE ALLOCATION.—

“(1) INITIAL ALLOCATIONS TO STATES.—In making allocations of acres to States to enroll in the conservation stewardship program, to the maximum extent practicable, the Secretary shall allocate to each State a number of acres equal to the proportion that—

“(A) the number of acres of eligible land in the State; bears to

“(B) the number of acres of eligible land in all States.

“(2) MINIMUM ACRE ALLOCATION.—Of the acres allocated for each fiscal year, no State shall have allocated fewer than the lesser of—

“(A) 20,000 acres; or

“(B) 2.2 percent of the number of acres of eligible land in the State.

“(3) REALLOCATION TO STATES.—For any fiscal year, acres not obligated under this subsection by a date determined by the Secretary through rulemaking shall be reallocated to each State that—

“(A) has obligated 100 percent of the initial allocation of the State; and

“(B) requests additional acres.

“SEC. 1240Y. REGULATIONS.

“Not later than 180 days after the date of enactment of this chapter, the Secretary shall promulgate such regulations as are necessary to carry out the program, including regulations that—

“(1) provide for adequate safeguards to protect the interests of tenants and sharecroppers, including provision for sharing payments, on a fair and equitable basis;

“(2) prescribe such other rules as the Secretary determines to be necessary to ensure a fair and reasonable application of the program; and

“(3) to the maximum extent practicable, eliminate duplication of planning activities under the program and comparable conservation programs.”.

Subchapter B—Environmental Quality Incentives Program

SEC. 2351. PURPOSES.

Section 1240 of the Food Security Act of 1985 (16 U.S.C. 3839aa) is amended—

(1) in the matter preceding paragraph (1), by inserting “, forest management,” after “agricultural production”;

(2) in paragraph (3)—

(A) by inserting ", forest land," after "grazing land"; and

(B) by inserting "pollinators," after "wetland),"; and

(3) in paragraph (4)—

(A) by inserting "fuels management, forest management," after "grazing management,"; and

(B) by inserting "and forested" after "agricultural".

SEC. 2352. DEFINITIONS.

(a) ELIGIBLE LAND.—Section 1240A(2) of the Food Security Act of 1985 (16 U.S.C. 3838aa-1(2)) is amended—

(1) in subparagraph (A), by striking "commodities or livestock" and inserting "commodities, livestock, or forest-related products"; and

(2) in subparagraph (B)—

(A) by striking clause (v) and inserting the following:

"(v) nonindustrial private forest land;";

(B) by redesignating clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following:

"(vi) land used for pond-raised aquaculture production; and".

(b) LAND MANAGEMENT PRACTICE.—Section 1240A(3) of the Food Security Act of 1985 (16 U.S.C. 3838aa-1(3)) is amended—

(1) by striking "The term" and inserting the following:

"(A) IN GENERAL.—The term";

(2) by inserting "fuels management, forest management," after "grazing management"; and

(3) by adding at the end the following:

"(B) FOREST MANAGEMENT.—For purposes of subparagraph (A), forest management practices may include activities that the Secretary determines are necessary—

"(i) to improve water, soil, or air quality;

"(ii) to restore forest biodiversity;

"(iii) to control invasive species;

"(iv) to improve wildlife habitat; or

"(v) to achieve conservation priorities identified in an applicable forest resource assessment and plan.".

(c) PRACTICE.—Section 1240A(5) of the Food Security Act of 1985 (16 U.S.C. 3838aa-1(5)) is amended by inserting "conservation planning practices," after "land management practices,".

(d) CUSTOM FEEDING BUSINESS.—Section 1240A of the Food Security Act of 1985 (16 U.S.C. 3838aa-1) is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following:

"(6) PRODUCER.—The term 'producer' includes a custom feeding business and a contract grower or finisher.".

(e) STRUCTURAL PRACTICE.—Paragraph (7)(A) of section 1240A of the Food Security Act of 1985 (16 U.S.C. 3838aa-1) (as redesignated by subsection (d)(1)) is amended by inserting "firebreak, fuelbreak," after "constructed wetland,".

SEC. 2353. ESTABLISHMENT AND ADMINISTRATION OF ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.

(a) ESTABLISHMENT.—Section 1240B(a) of the Food Security Act of 1985 (16 U.S.C. 3839aa-2(a)) is amended—

(1) in paragraph (1), by striking "2010" and inserting "2012"; and

(2) in paragraph (2)(B), by inserting "conservation plan or" after "develops a".

(b) PRACTICES AND TERM.—Section 1240B(b) of the Food Security Act of 1985 (16 U.S.C. 3839aa-2(b)) is amended—

(1) in paragraph (1), by inserting "conservation planning practices," after "land management practices,"; and

(2) in paragraph (2)(B), by striking "10" and inserting "5".

(c) ESTABLISHMENT AND ADMINISTRATION.—Section 1240B of the Food Security Act of 1985 (16 U.S.C. 3839aa-2) is amended—

(1) by striking subsection (c);

(2) in subsection (d)—

(A) in paragraph (2), by striking subparagraph (A) and inserting the following:

"(A) SOCIALLY DISADVANTAGED FARMERS OR RANCHERS AND BEGINNING FARMERS OR RANCHERS.—

"(i) IN GENERAL.—In the case of a producer that is a socially disadvantaged farmer or rancher or a beginning farmer or rancher, the Secretary may increase the amount that would otherwise be provided to the producer under paragraph (1) to—

"(I) not more than 90 percent; and

"(II) not less than 15 percent above the otherwise applicable rate.

"(ii) ADVANCE PAYMENTS.—Not more than 30 percent of the amount determined under clause (i) may be provided in advance for the purpose of purchasing materials or contracting.";

(B) by striking paragraph (3) and inserting the following:

"(3) OTHER PAYMENTS.—A producer shall not be eligible for cost-share payments for practices on eligible land under the program if the producer receives cost-share payments or other benefits for the same practice on the same land under another program."; and

(C) by adding at the end the following:

"(4) GUARANTEED LOAN ELIGIBILITY.—Notwithstanding section 333(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983(1)), with respect to the cost of a loan, a producer with an application that meets the standards for a cost-share payment under this subsection but that is not approved by the Secretary shall receive priority consideration for a guaranteed loan under section 304 of that Act (7 U.S.C. 1924).";

(3) in subsection (e), by striking paragraph (2) and inserting the following:

"(2) SPECIAL RULE.—In determining the amount and rate of incentive payments, the Secretary may accord great significance to a practice that promotes residue, nutrient, air quality, pest, or predator deterrence, including practices to deter predator species protected under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), gray wolves, grizzly bears, and black bears.";

(4) in subsection (g), by striking "2007" and inserting "2012";

(5) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively; and

(6) by adding at the end the following:

"(h) WATER CONSERVATION OR IRRIGATION EFFICIENCY PRACTICE.—

"(1) IN GENERAL.—The Secretary may provide technical assistance, cost-share payments, and incentive payments to a producer for a water conservation or irrigation practice.

"(2) PRIORITY.—In providing assistance and payments to producers for a water conservation or irrigation practice, the Secretary may give priority to applications in which—

"(A) there is an improvement in surface flows or a reduction in the use of groundwater in the agricultural operation of the producer, consistent with the law of the State in which the operation of the producer is located; or

"(B) the producer agrees not to use any associated water savings to bring new land, other than incidental land needed for efficient operations, under irrigated production, unless the producer is participating in a watershed-wide project that will effectively conserve water, as determined by the Secretary.".

SEC. 2354. EVALUATION OF OFFERS AND PAYMENTS.

Section 1240C of the Food Security Act of 1985 (16 U.S.C. 3839aa-3) is amended—

(1) in paragraph (1), by striking "and" at the end;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

"(2) improve conservation practices in place on the operation of the producer at the time the contract offer is accepted; and".

SEC. 2355. DUTIES OF PRODUCERS.

Section 1240D(2) of the Food Security Act of 1985 (16 U.S.C. 3839aa-4(2)) is amended by striking "farm or ranch" and inserting "farm, ranch, or forest land".

SEC. 2356. ENVIRONMENTAL QUALITY INCENTIVES PROGRAM PLAN.

Section 1240E(a) of the Food Security Act of 1985 (16 U.S.C. 3839aa-5(a)) is amended—

(1) in the matter preceding paragraph (1), by inserting ", or an entity described in section 1244(e) acting on behalf of producers," after "producer";

(2) in paragraph (2), by striking "and" after the semicolon at the end;

(3) in paragraph (3), by striking the period at the end and inserting "; and"; and

(4) by adding at the end the following:

"(4) in the case of forest land, is consistent with a forest management plan that is approved by the Secretary, which may include—

"(A) a forest stewardship plan described in section 5 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103a);

"(B) another practice plan approved by the State forester; or

"(C) another plan determined appropriate by the Secretary.".

SEC. 2357. LIMITATION ON PAYMENTS.

Section 1240G of the Food Security Act of 1985 (16 U.S.C. 3839aa-7) is amended—

(1) by striking "An individual" and inserting "(a) IN GENERAL.—Subject to section 1244(i), an individual"; and

(2) by adding at the end the following:

"(b) PRODUCER ORGANIZATIONS.—In the case of an entity described in section 1244(e), the limitation established under this section shall apply to each participating producer and not to the entity described in section 1244(e).".

SEC. 2358. CONSERVATION INNOVATION GRANTS.

Section 1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa-8) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) IN GENERAL.—The Secretary may pay the cost of competitive grants that leverage Federal investment in environmental enhancement and protection through the program by—

"(1) stimulating the development of innovative technologies; and

"(2) transferring those technologies to agricultural and nonindustrial private forest land in production."; and

(2) in subsection (b), by striking paragraph (2) and inserting the following:

"(2)(A) implement innovative conservation technologies, such as market systems for pollution reduction and practices for the storing of carbon in the soil;

“(B) provide a mechanism for transferring those technologies to agricultural and nonindustrial private forest land in production; and

“(C) increase environmental and resource conservation benefits through specialty crop production; and”.

SEC. 2359. GROUND AND SURFACE WATER CONSERVATION.

Section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa–9) is amended to read as follows:

“SEC. 1240I. GROUND AND SURFACE WATER CONSERVATION.

“(a) PURPOSES.—The purposes of this section are—

“(1) to improve irrigation systems;

“(2) to enhance irrigation efficiencies;

“(3) to assist producers in converting to—

“(A) the production of less water-intensive agricultural commodities; or

“(B) dryland farming;

“(4) to improve water storage capabilities through measures such as water banking and groundwater recharge and other related activities;

“(5) to mitigate the effects of drought;

“(6) to enhance fish and wildlife habitat associated with irrigation systems, including pivot corners and areas with irregular boundaries;

“(7) to conduct resource condition assessment and modeling relating to water conservation;

“(8) to assist producers in developing water conservation plans; and

“(9) to promote any other measures that improve groundwater and surface water conservation, as determined by the Secretary.

“(b) DEFINITIONS.—In this section:

“(1) PARTNER.—

“(A) IN GENERAL.—The term ‘partner’ means an entity that enters into a partnership agreement with the Secretary to carry out water conservation activities on a regional scale.

“(B) INCLUSIONS.—The term ‘partner’ includes—

“(i) an agricultural or silvicultural producer association or other group of producers;

“(ii) a State or unit of local government, including an irrigation company and a water district and canal company; or

“(iii) a federally recognized Indian tribe.

“(2) PARTNERSHIP AGREEMENT.—The term ‘partnership agreement’ means a cooperative or contribution agreement entered into between the Secretary and a partner.

“(3) REGIONAL WATER CONSERVATION ACTIVITY.—The term ‘regional water conservation activity’ means a water conservation activity carried out on a regional or other appropriate level, as determined by the Secretary, to benefit agricultural land.

“(c) ESTABLISHMENT.—In carrying out the program under this chapter, the Secretary shall promote ground and surface water conservation—

“(1) by providing cost-share assistance and incentive payments to producers to carry out water conservation activities with respect to the agricultural operations of producers; and

“(2) by working cooperatively with partners, in accordance with subsection (d), on a regional level to benefit working agricultural land.

“(d) PARTNERSHIP AGREEMENTS.—

“(1) IN GENERAL.—The Secretary may enter into partnership agreements to meet the objectives of the program under this chapter.

“(2) APPLICATIONS.—An application to the Secretary to enter into an agreement under paragraph (1) shall include—

“(A) a description of—

“(i) the geographical area;

“(ii) the current conditions;

“(iii) the water conservation objectives to be achieved; and

“(iv) the expected level of participation by producers;

“(B) a description of the partners collaborating to achieve the project objectives and the roles, responsibilities, and capabilities of each partner;

“(C) a description of—

“(i) the program resources requested from the Secretary; and

“(ii) the non-Federal resources that will be leveraged by the Federal contribution; and

“(D) other such elements as the Secretary considers necessary to adequately evaluate and competitively select applications for award.

“(e) DUTIES OF THE SECRETARY.—

“(1) WATER CONSERVATION ACTIVITIES BY PRODUCERS.—The Secretary shall select water conservation projects proposed by producers according to applicable requirements under the environmental quality incentives program established under this chapter.

“(2) REGIONAL WATER CONSERVATION ACTIVITIES.—

“(A) COMPETITIVE PROCESS.—The Secretary shall conduct a competitive process to select the regional water conservation activities for funding under this section.

“(B) PUBLIC AVAILABILITY.—In carrying out the process, the Secretary shall make public the criteria used in evaluating applications.

“(C) PRIORITY.—The Secretary may give a higher priority to proposals from partners that—

“(i) include high percentages of agricultural land and producers in a region or other appropriate area;

“(ii) result in high levels of on-the-ground water conservation activities;

“(iii) significantly enhance agricultural activity and related economic development;

“(iv) allow for monitoring and evaluation; and

“(v) assist producers in meeting Federal, State and local regulatory requirements.

“(D) ADMINISTRATION.—The Secretary shall ensure that resources made available for regional water conservation activities under this section are delivered in accordance with applicable program rules.

“(f) EASTERN SNAKE PLAIN AQUIFER PILOT.—

“(1) IN GENERAL.—Of amounts made available under subsection (h), the Secretary shall reserve $2,000,000, to remain available until expended, for regional water conservation activities in the Eastern Snake Aquifer Region.

“(2) APPROVAL.—The Secretary may approve regional water conservation activities under this subsection that address, in whole or in part, water quality issues.

“(g) CONSISTENCY WITH STATE LAW.—Any water conservation activity conducted under this section shall be consistent with applicable State water law.

“(h) FUNDING.—

“(1) AVAILABILITY OF FUNDS.—Of the funds of the Commodity Credit Corporation, in addition to amounts made available under section 1241(a) to carry out this chapter, the Secretary shall use $60,000,000 for each of fiscal years 2008 through 2012.

“(2) LIMITATION.—None of the funds made available for regional water conservation activities under this section may be used to pay for the administrative expenses of partners.”.

SEC. 2360. ORGANIC CONVERSION.

The Food Security Act of 1985 is amended by inserting after section 1240I (16 U.S.C. 3839aa–9) the following:

“SEC. 1240J. ORGANIC CONVERSION.

“(a) DEFINITIONS.—In this section:

“(1) NATIONAL ORGANIC PROGRAM.—The term ‘national organic program’ means the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et. seq.).

“(2) ORGANIC SYSTEM PLAN.—The term ‘organic system plan’ means an organic plan approved under the national organic program.

“(b) ESTABLISHMENT.—Under the environmental quality incentives program established under this chapter, not later than 180 days after the date of enactment of this section, the Secretary shall establish a program under which the Secretary shall provide cost-share and incentive payments to producers to promote conservation practices and activities for production systems undergoing conversion on some or all of the operations of the producer to organic production in accordance with the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).

“(c) ORGANIC CONVERSION COST-SHARE AND INCENTIVE PAYMENTS.—The Secretary shall provide organic conversion cost-share and incentive payments to producers that—

“(1) are converting to organic production systems, including producers with existing certified organic production for conversion to organic production of land and livestock not previously certified organic; and

“(2) enter into contracts with the Secretary for eligible practices and activities described in subsection (d).

“(d) ELIGIBLE PRACTICES AND ACTIVITIES.—Producers may use funds made available under subsection (c) for—

“(1) practices and activities during conversion to certified organic production that—

“(A) are required by, or consistent with, an approved organic system plan; and

“(B) protect resources of concern, as identified by the Secretary;

“(2) technical services, including the costs of developing an approved organic system plan; and

“(3) such other measures as the Secretary determines to be appropriate and consistent with an approved organic system plan.

“(e) ELIGIBLE PRODUCERS.—To be eligible to receive cost-share and incentive payments under this section, a producer shall agree—

“(1) to develop and carry out conservation and environmental activities that—

“(A) are required by, or consistent with, an approved organic system plan; and

“(B) protect resources of concern, as identified by the Secretary;

“(2) to receive technical and educational assistance from the Secretary or from an organization, institute, or consultant with a cooperative agreement with the Secretary relating to—

“(A) the development of an organic system plan and the implementation of conservation practices and activities that are part of an organic system plan; or

“(B) other aspects of an organic system plan, including marketing, credit, business, and risk management plans; and

“(3) to submit annual verification by a certifying entity accredited by the Secretary to determine the compliance of the producer with organic certification requirements.

“(f) TERM.—A contract under this section shall have a term of—

“(1) not less than 3 years; and

“(2) not more than 4 years.

"(g) Limitations on Payments.—As part of the payment limitation described in section 1240G, an individual or entity may not receive, directly or indirectly, cost-share or incentive payments under this section—

"(1) for a period of more than 4 years; or

"(2) that, in the aggregate and exclusive of technical assistance, exceed—

"(A) $20,000 per year; or

"(B) a total amount of $80,000.

"(h) Termination of Contracts.—The Secretary may cancel or otherwise nullify a contract entered into under this section if the Secretary determines the producers are not pursuing organic certification.".

SEC. 2361. CHESAPEAKE BAY WATERSHED CONSERVATION PROGRAM.

The Food Security Act of 1985 is amended by inserting after section 1240J (as added by section 2360) the following:

"SEC. 1240K. CHESAPEAKE BAY WATERSHED CONSERVATION PROGRAM.

"(a) Definition of Chesapeake Bay Watershed.—In this section, the term 'Chesapeake Bay watershed' includes all tributaries, backwaters, and side channels (including watersheds) draining into the Chesapeake Bay.

"(b) Establishment.—The Secretary shall use the authorities granted under the environmental quality incentives program established under this chapter to address natural resource concerns relating to agricultural and nonindustrial private forest land in the Chesapeake Bay watershed.

"(c) Funding.—Of the funds of the Commodity Credit Corporation, the Secretary shall use $165,000,000 to carry out this section for the period of fiscal years 2008 through 2012.".

CHAPTER 3—FARMLAND PROTECTION

Subchapter A—Farmland Protection Program

SEC. 2371. FARMLAND PROTECTION PROGRAM.

(a) Definitions.—Section 1238H of the Food Security Act of 1985 (16 U.S.C. 3838h) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) Eligible entity.—The term 'eligible entity' means—

"(A) any agency of any State or local government or an Indian tribe (including a farmland protection board or land resource council established under State law); or

"(B) any organization that—

"(i) is organized for, and at all times since the formation of the organization has been operated principally for, 1 or more of the conservation purposes specified in clause (i), (ii), (iii), or (iv) of section 170(h)(4)(A) of the Internal Revenue Code of 1986;

"(ii) is an organization described in section 501(c)(3) of that Code that is exempt from taxation under section 501(a) of that Code; and

"(iii) is—

"(I) described in paragraph (1) or (2) of section 509(a) of that Code; or

"(II) described in section 509(a)(3), and is controlled by an organization described in section 509(a)(2), of that Code."; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

"(i) has prime, unique, or other productive soil;

"(ii) contains historical or archaeological resources; or

"(iii) furthers a State or local policy consistent with the purposes of the program."; and

(B) in subparagraph (B)—

(i) in clause (iv), by striking "and" at the end;

(ii) by striking clause (v) and inserting the following:

"(v) forest land that—

"(I) contributes to the economic viability of an agricultural operation; or

"(II) serves as a buffer to protect an agricultural operation from development; and

"(vi) land that is incidental to land described in clauses (i) through (v), if the incidental land is determined by the Secretary to be necessary for the efficient administration of a conservation easement.".

(b) Farmland Protection.—Section 1238I of the Food Security Act of 1985 (16 U.S.C. 3838i) is amended—

(1) in subsection (a), by striking "purchase conservation easements" and all the follows through the end of the subsection and inserting "enter into cooperative agreements with eligible entities for the eligible entities to purchase permanent conservation easements or other interests in eligible land for the purpose of protecting the agricultural use and related conservation values of the land by limiting incompatible nonagricultural uses of the land.";

(2) by redesignating subsections (b) and (c) as subsections (e) and (f), respectively;

(3) by inserting after subsection (a) the following:

"(b) Terms and Conditions for Cooperative Agreements.—

"(1) In general.—The Secretary shall establish the terms and conditions of any cooperative agreement entered into under this subchapter under which the eligible entity shall use funds provided by the Secretary.

"(2) Minimum requirements.—A cooperative agreement shall, at a minimum—

"(A) specify the qualifications of the eligible entity to carry out the responsibilities of the eligible entity under the program, including acquisition and management policies and procedures that ensure the long-term integrity of the conservation easement protections;

"(B) subject to subparagraph (C), identify a specific project or a range of projects funded under the agreement;

"(C) allow, upon mutual agreement of the parties, substitution of qualified projects that are identified at the time of substitution;

"(D) specify the manner in which the eligible entity will evaluate and report the use of funds to the Secretary;

"(E) allow the eligible entity flexibility to use the terms and conditions of the eligible entity for conservation easements and other purchases of interests in land, except that—

"(i) subject to clause (ii), each easement shall include a limitation on the total quantity of impervious surface of not more than—

"(I) 20 percent of the first 10 acres;

"(II) 5 percent of the next 90 acres; and

"(III) 1 percent of any additional acres; and

"(ii) the Secretary may waive a limitation under clause (i) after a determination by the Secretary that the eligible entity has in place a requirement that provides substantially-similar protection consistent with agricultural activities regarding the impervious surfaces to be allowed for any conservation easement or other interest in land purchases using funds provided under the program;

"(F) require appraisals of acquired interests in eligible land that comply with, at the option of the eligible entity—

"(i) the Uniform Standards of Professional Appraisal Practice; or

"(ii) other industry-approved standard, as determined by the Secretary; and

"(G) allow as part of the share of the eligible entity of the cost to purchase a conservation easement or other interest in eligible land described in subsection (a), that an eligible entity may include a charitable donation or qualified conservation contribution (as defined by section 170(h) of the Internal Revenue Code of 1986), from the private landowner from which the conservation easement will be purchased.

"(c) Cost Sharing.—

"(1) In general.—Subject to paragraphs (2) and (3), the Secretary may provide a share of the purchase price of a conservation easement or other interest in land acquired by an eligible entity under the program.

"(2) Maximum amount of fair market value.—The Secretary shall not pay more than 50 percent of the appraised fair market value of the acquisition under this subsection.

"(3) Minimum share by eligible entity.—The eligible entity shall be required to provide a share of the cost under this subsection in an amount that is not less than the lesser of—

"(A) ½ of the purchase price of the acquisition;

"(B) if the landowner has made a donation of 25 percent or less of the appraised fair market value of the acquisition, an amount that, when combined with the donation, equals the amount of the payment by the Secretary; or

"(C) if the landowner has made a donation of more than 25 percent of the appraised fair market value of the acquisition, ⅓ of the purchase price of the acquisition.

"(d) Protection of Federal Investment.—

"(1) In general.—The Secretary shall ensure that the terms of an easement acquired by the eligible entity provides protection for the Federal investment through an executory limitation by the Federal Government.

"(2) Relationship to federal acquisition of real property.—The inclusion of a Federal executory limitation described in paragraph (1) shall—

"(A) not be considered the Federal acquisition of real property; and

"(B) not trigger any Federal appraisal or other real property requirements, including the Federal standards and procedures for land acquisition."; and

(4) in subsection (f) (as redesignated by paragraph (2)), by striking "Cost Sharing.—" and all that follows through "Bidding down.—" and inserting "Bidding Down.—".

Subchapter B—Grassland Reserve Program

SEC. 2381. GRASSLAND RESERVE PROGRAM.

Subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.) is amended to read as follows:

"Subchapter C—Grassland Reserve Program

"SEC. 1238N. DEFINITIONS.

"In this subchapter:

"(1) Eligible entity.—The term 'eligible entity' means—

"(A) any agency of any State or local government or an Indian tribe (including a farmland protection board or land resource council established under State law); or

"(B) any organization that—

"(i) is organized for, and at all times since the formation of the organization has been operated principally for, 1 or more of the conservation purposes specified in clause (i), (ii), (iii), or (iv) of section 170(h)(4)(A) of the Internal Revenue Code of 1986;

"(ii) is an organization described in section 501(c)(3) of that Code that is exempt from taxation under section 501(a) of that Code; and

"(iii) is—

"(I) described in paragraph (1) or (2) of section 509(a) of that Code; or

"(II) described in section 509(a)(3), and is controlled by an organization described in section 509(a)(2), of that Code.

"(2) ELIGIBLE LAND.—The term 'eligible land' means private land that—

"(A) is grassland, rangeland, land that contains forbs, or shrub land (including improved rangeland and pastureland) for which grazing is the predominant use;

"(B) is located in an area that has been historically dominated by grassland, forbs, or shrub land, and the land potentially could provide habitat for animal or plant populations of significant ecological value if the land—

"(i) is retained in the current use of the land;

"(ii) is restored to a natural condition;

"(iii) contains historical or archeological resources;

"(iv) would further the goals and objectives of State, regional, and national fish, and wildlife conservation plans and initiatives; or

"(v) is incidental to land described in clauses (i) through (iv), if the incidental land is determined by the Secretary to be necessary for the efficient administration of an agreement or conservation easement.

"(3) PERMANENT CONSERVATION EASEMENT.—The term 'permanent conservation easement' means a conservation easement that is—

"(A) a permanent easement; or

"(B) in a State that imposes a maximum duration for easements, an easement for the maximum duration allowed under State law.

"SEC. 1238O. GRASSLAND RESERVE PROGRAM.

"(a) ESTABLISHMENT.—The Secretary shall establish and carry out a grassland reserve program through which the Secretary shall provide payments and technical assistance to landowners to assist in restoring and conserving eligible land described in section 1238N(2).

"(b) ENROLLMENT OF LAND.—

"(1) IN GENERAL.—The Secretary may enroll eligible land in the program through—

"(A) an easement or contract described in paragraph (2); or

"(B) a cooperative agreement with an eligible entity.

"(2) OPTIONS.—Eligible land enrolled in the program shall be subject to—

"(A) a 30-year contract;

"(B) a 30-year conservation easement; or

"(C) a permanent conservation easement.

"(3) ENROLLMENT OF CONSERVATION RESERVE ACREAGE.—

"(A) IN GENERAL.—Eligible land enrolled in the conservation reserve program established under subchapter B of chapter 1 may be enrolled into permanent conservation easements under this subchapter if—

"(i) the Secretary determines that the eligible land—

"(I) is of high ecological value; and

"(II) would be under significant threat of conversion to other uses if the conservation reserve program contract were terminated; and

"(ii) the landowner agrees to the enrollment.

"(B) MAXIMUM ENROLLMENT.—The number of acres of conservation reserve program land enrolled under this paragraph in a calendar year shall not exceed the number of acres that could be funded by 10 percent of the total amount of funds available for this section for a fiscal year.

"(C) PROHIBITION ON DUPLICATE PAYMENTS.—Eligible land enrolled in the program shall no longer be eligible for payments under the conservation reserve program.

"(c) RESTORATION AGREEMENTS.—The Secretary may enter into a restoration agreement with a landowner, as determined appropriate by the Secretary.

"(d) CONSERVATION EASEMENT TITLE.—The title holder of a conservation easement obtained under this subchapter may be—

"(1) the Secretary; or

"(2) an eligible entity.

"SEC. 1238P. DUTIES.

"(a) DUTIES OF LANDOWNERS.—

"(1) IN GENERAL.—To become eligible to enroll eligible land through the grant of a conservation easement, the landowner shall—

"(A) create and record an appropriate deed restriction in accordance with applicable State law;

"(B) provide proof of clear title to the underlying fee interest in the eligible land that is subject of the conservation easement;

"(C) provide a written statement of consent to the easement signed by persons holding a security interest or any vested interest in the land;

"(D) grant the conservation easement to the Secretary or an eligible entity; and

"(E) comply with the terms of the conservation easement and any associated restoration agreement.

"(2) RESTORATION AGREEMENT.—If a restoration agreement is required by the Secretary, the landowner shall develop and implement a restoration plan.

"(b) DUTIES OF SECRETARY.—

"(1) EVALUATION OF OFFERS.—

"(A) IN GENERAL.—The Secretary shall establish criteria to evaluate and rank applications for easements and contracts under this subchapter.

"(B) CONSIDERATIONS.—In establishing the criteria, the Secretary shall emphasize support for—

"(i) grazing operations;

"(ii) plant and animal biodiversity;

"(iii) grassland, land that contains forbs, and shrubland under the greatest threat of conversion; and

"(iv) other considerations, as determined by the Secretary.

"(C) PRIORITY.—In evaluating offers under this subchapter, the Secretary may give priority to applications that—

"(i) include a cash contribution from the eligible entity submitting the application; or

"(ii) leverage resources from other sources.

"(2) COMPENSATION.—

"(A) IN GENERAL.—

"(i) EASEMENTS AND CONTRACTS.—In return for the granting of an easement, the Secretary shall provide to the landowner an amount that is equal to—

"(I) in the case of a permanent easement, the fair market value of the land less the grazing value of the land encumbered by the easement; and

"(II) in the case of a 30-year easement or 30-year contract, 30 percent of the fair market value of the land less the grazing value of the land for the period during which the land is encumbered by the easement.

"(ii) RESTORATION AGREEMENTS.—In making cost-share payments for restoration agreements, the Secretary shall make payments to the landowner—

"(I) in the case of a permanent easement, in an amount that is not less than 90, but not more than 100, percent of the eligible costs; and

"(II) in the case of a 30-year easement or 30-year contract, in an amount that is not less than 50, but not more than 75, percent of the eligible costs.

"(B) DELIVERY OF PAYMENTS.—

"(i) PAYMENT SCHEDULE.—Except as otherwise provided in this subchapter, payments may be provided pursuant to an easement, contract, or other agreement, in not more than 30 annual payments, and in an equal or unequal amounts, as agreed to by the Secretary and the landowner.

"(ii) PAYMENTS TO OTHERS.—If an owner that is entitled to a payment under this subchapter dies, becomes incompetent, is otherwise unable to receive the payment, or is succeeded by another person who renders or completes the required performance, the Secretary shall make the payment, in accordance with regulations promulgated by the Secretary and without regard to any other provision of law, in such manner as the Secretary determines is fair and reasonable after considering all the circumstances.

"(3) TECHNICAL ASSISTANCE.—If a restoration agreement is required by the Secretary, the Secretary shall provide technical assistance to comply with the terms and conditions of the restoration agreement.

"SEC. 1238Q. TERMS AND CONDITIONS.

"(a) TERMS AND CONDITIONS OF EASEMENT OR CONTRACTS.—An easement or contract under this subchapter shall—

"(1) permit—

"(A) common grazing practices, including maintenance and necessary cultural practices, on the land in a manner that is consistent with maintaining the viability of grassland, forb, and shrub species appropriate to that locality;

"(B) haying, mowing, or harvesting for seed production, subject to appropriate restrictions during the nesting season for birds in the local area that are in significant decline or are conserved in accordance with Federal or State law, as determined by the State Conservationist; and

"(C) fire presuppression, rehabilitation, and construction of fire breaks and fences (including placement of the posts necessary for fences);

"(2) prohibit—

"(A) the production of crops (other than hay), fruit trees, vineyards, or any other agricultural commodity that is inconsistent with maintaining grazing land; and

"(B) except as permitted under a restoration plan, the conduct of any other activity that would be inconsistent with maintaining grazing land covered by the easement or agreement; and

"(3) include such additional provisions as the Secretary determines are appropriate to carry out or facilitate the administration of this subchapter.

"(b) TERMS AND CONDITIONS OF COOPERATIVE AGREEMENTS.—

"(1) IN GENERAL.—The Secretary shall establish the terms and conditions of any cooperative agreement entered into under this subchapter under which the eligible entity shall use funds provided by the Secretary.

"(2) MINIMUM REQUIREMENTS.—A cooperative agreement shall, at a minimum—

"(A) specify the qualification of the eligible entity to carry out the responsibilities of the eligible entity under the program, including acquisition, monitoring, enforcement, and management policies and procedures that ensure the long-term integrity of the conservation easement protections;

"(B) subject to subparagraph (C), identify a specific project or a range of projects funded under the agreement;

"(C) allow, upon mutual agreement of the parties, substitution of qualified projects that are identified at the time of substitution;

"(D) specify the manner in which the eligible entity will evaluate and report the use of funds to the Secretary;

"(E) allow the eligible entity flexibility to develop and use terms and conditions for conservation easements and other purchases of interest in eligible land, if the Secretary finds the terms and conditions consistent with the purposes of the program and adequate to achieve and permit effective enforcement of the conservation purposes of the conservation easements or other interests;

"(F) require appraisals of acquired interests in eligible land that comply with a method approved by industry;

"(G) if applicable, allow as part of the share of the eligible entity of the cost to purchase a conservation easement or other interest in eligible land described in section 1238O(b), that an eligible entity may include a charitable donation or qualified conservation contribution (as defined by section 170(h) of the Internal Revenue Code of 1986), from the private landowner for which the conservation easement will be purchased; and

"(H) provide for a schedule of payments to an eligible entity, as agreed to by the Secretary and the eligible entity, over a term of not to exceed 30 years.

"(3) PROTECTION OF FEDERAL INVESTMENT.—

"(A) IN GENERAL.—The Secretary shall ensure that the terms of an easement acquired by the eligible entity provides protection for the Federal investment through an executory limitation by the Federal government.

"(B) RELATIONSHIP TO FEDERAL ACQUISITION OF REAL PROPERTY.—The inclusion of an executory limitation described in subparagraph (A) shall—

"(i) not be considered the Federal acquisition of real property; and

"(ii) not trigger any Federal appraisal or other real property requirements, including the Federal standards and procedures for land acquisition.

"(C) TERMS OF RESTORATION AGREEMENT.—A restoration agreement shall contain—

"(i) a statement of the conservation measures and practices that will be undertaken in regard to the eligible land subject to the conservation easement;

"(ii) restrictions on the use of the eligible land subject to the conservation easement; and

"(iii) a statement of the respective duties of the Secretary, landowner, and eligible entity, as appropriate.

"(c) VIOLATION.—If a violation occurs of the terms or conditions of a conservation easement, contract, cooperative agreement or restoration agreement entered into under this section—

"(1) the conservation easement, contract, cooperative agreement, or restoration agreement shall remain in force; and

"(2) the Secretary may require the owner or entity to refund all or part of any payments received by the owner under this subchapter, with interest on the payments as determined appropriate by the Secretary.".

CHAPTER 4—OTHER CONSERVATION PROGRAMS

SEC. 2391. CONSERVATION SECURITY PROGRAM.

Subchapter A of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 is amended by adding after section 1238C (16 U.S.C. 3838c) the following:

"SEC. 1238D. PERIOD OF EFFECTIVENESS.

"(a) IN GENERAL.—This subchapter, and the terms and conditions of the conservation security program, shall continue to apply to conservation security contracts entered into as of the date before the date of enactment of this section.

"(b) PAYMENTS.—The Secretary shall make payments under this subchapter with respect to conservation security contracts described in subsection (a) during the term of the contracts.

"(c) PROHIBITION ON NEW CONTRACTS.—A conservation security contract may not be entered into or renewed under this subchapter as of the date of enactment of this section.

"(d) LIMITATION.—A contract described in subsection (a) may not be administered under the regulations issued under section 1240Y.".

SEC. 2392. CONSERVATION OF PRIVATE GRAZING LAND.

Section 1240M(e) of the Food Security Act of 1985 (16 U.S.C. 3839bb(e)) is amended by striking "2007" and inserting "2012".

SEC. 2393. REAUTHORIZATION OF WILDLIFE HABITAT INCENTIVE PROGRAM.

Section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb–1) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking "COST-SHARE";

(B) in paragraph (1), by inserting "and incentive" after "cost-share"; and

(C) in paragraph (2)(B), by striking "15 percent" and inserting "25 percent"; and

(2) by adding at the end the following:

"(d) FISH AND WILDLIFE CONSERVATION PLANS AND INITIATIVES.—In carrying out this section, the Secretary shall give priority to projects that would further the goals and objectives of State, regional, and national fish and wildlife conservation plans and initiatives.

"(e) DURATION OF PROGRAM.—Using funds made available under section 1241(a)(7), the Secretary shall carry out the program during each of fiscal years 2008 through 2012.".

SEC. 2394. GRASSROOTS SOURCE WATER PROTECTION PROGRAM.

Section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2) is amended by striking subsection (b) and inserting the following:

"(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2008 through 2012.".

SEC. 2395. GREAT LAKES BASIN PROGRAM FOR SOIL EROSION AND SEDIMENT CONTROL.

Section 1240P(c) of the Food Security Act of 1985 (16 U.S.C. 3839bb–3(c)) is amended by striking "2007" and inserting "2012".

SEC. 2396. FARM VIABILITY PROGRAM.

Section 1238J(b) of the Food Security Act of 1985 (16 U.S.C. 3838j(b)) is amended by striking "2007" and inserting "2012".

SEC. 2397. DISCOVERY WATERSHED DEMONSTRATION PROGRAM.

Chapter 5 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839bb et seq.) is amended by adding at the end the following:

"SEC. 1240Q. DISCOVERY WATERSHED DEMONSTRATION PROGRAM.

"(a) ESTABLISHMENT.—The Secretary shall establish and carry out a demonstration program in not less than 30 small watersheds in States of the Upper Mississippi River basin to identify and promote the most cost-effective and efficient approaches to reducing the loss of nutrients to surface waters.

"(b) PURPOSE.—The demonstration program shall demonstrate in small watersheds performance-based and market-based approaches—

"(1) to reduce the loss of nutrients to surface waters from agricultural land; and

"(2) to monitor the cost-effectiveness of management practices designed to reduce the loss of nutrients to surface waters from agricultural land.

"(c) PARTNERSHIPS.—In carrying out this section, the Secretary may establish or identify, as appropriate, partnerships to select the watersheds and to encourage cooperative effort among the Secretary and State, local, and nongovernmental organizations.

"(d) SELECTION OF SMALL WATERSHEDS.—In selecting small watersheds for participation in the program, the Secretary shall consider the extent to which—

"(1) reducing nutrient losses to surface water in the small watershed would be likely to result in measurable improvements in water quality in the small watershed;

"(2) a demonstration project would use innovative approaches to attract a high level of producer participation in the small watershed to ensure success;

"(3) a demonstration project could be implemented through a third party, including a producer organization, farmer cooperative, conservation district, water utility, agency of State or local government, conservation organization, or other organization with appropriate expertise;

"(4) a demonstration project would leverage funding from State, local, and private sources;

"(5) a demonstration project would demonstrate market-based approaches to nutrient losses to surface waters;

"(6) baseline data related to water quality and agricultural practices and contributions from nonagricultural sources as relevant in the small watershed has been collected or could be readily collected; and

"(7) water quality monitoring infrastructure is in place or could reasonably be put in place in the small watershed.

"(e) USE OF FUNDS.—

"(1) IN GENERAL.—Funding provided for the program under subsection(f) shall be used in not less than 30 small watersheds—

"(A) to provide technical assistance;

"(B) to provide and assess financial incentives to agricultural producers implementing conservation practices that reduce nutrient losses to surface waters;

"(C) to monitor the performance and costs of alternative nutrient management techniques, including soil tests, stalk tests, cover crops, soil amendments, buffers, and tillage practices; and

"(D) to share the cost of data collection, monitoring, and analysis.

"(2) PROHIBITION.—None of the funds made available to carry out the program for each fiscal year may be used for administrative expenses.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.".

SEC. 2398. EMERGENCY LANDSCAPE RESTORATION PROGRAM.

(a) IN GENERAL.—Chapter 5 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3839bb et seq.) (as amended by section 2386) is amended by adding at the end the following:

"SEC. 1240R. EMERGENCY LANDSCAPE RESTORATION PROGRAM.

"(a) DEFINITION OF ELIGIBLE RECIPIENT.—In this section, the term 'eligible recipient' means—

"(1) an organization that is eligible for technical assistance and cost-share payments under this section and assists working agricultural land and nonindustrial private forest land, including—

"(A) a community-based association; and

"(B) a city, county, or regional government, including a watershed council and a conservation district; and

"(2) an individual who is eligible for technical assistance and cost-share payments under this section, including—

"(A) a producer;

"(B) a rancher;

"(C) an operator;

"(D) a nonindustrial private forest landowner; and

"(E) a landlord on working agricultural land.

"(b) PURPOSE.—The purpose of the emergency landscape restoration program is to rehabilitate watersheds, nonindustrial private forest land, and working agricultural land adversely affected by natural catastrophic events, by—

"(1) providing a source of assistance for restoration of the land back to a productive state;

"(2) preventing further impairment of land and water, including prevention through the purchase of floodplain easements; and

"(3) providing further protection of natural resources.

"(c) ESTABLISHMENT.—The Secretary, acting through the Natural Resources Conservation Service, shall carry out an emergency landscape restoration program under which technical assistance and cost-share payments are made available to eligible recipients to carry out remedial activities to restore landscapes damaged by—

"(1) fire;

"(2) drought;

"(3) flood;

"(4) hurricane force or excessive winds;

"(5) ice storms or blizzards; or

"(6) other resource-impacting natural events, as determined by the Secretary.

"(d) PRIORITIZATION.—The Secretary shall provide the highest priority for those activities that protect human health and safety.

"(e) TECHNICAL ASSISTANCE AND COST-SHARE PAYMENTS.—

"(1) IN GENERAL.—The Secretary shall provide technical assistance and cost-share payments in amounts of up to 75 percent of the cost of remedial activities described in paragraph (2) to rehabilitate watersheds, nonindustrial private forest land, and working agricultural land.

"(2) REMEDIAL ACTIVITIES.—Remedial activities that are eligible for technical assistance and cost-share payments under this section include—

"(A) removal of debris from streams, agricultural land, and nonindustrial forest land, including—

"(i) the restoration of natural hydrology; and

"(ii) the removal of barriers for aquatic species;;

"(B) restoration of destabilized streambanks;

"(C) establishment of cover on critically eroding land;

"(D) restoration of fences;

"(E) construction of conservation structures;

"(F) provision of water for livestock in drought situations;

"(G) rehabilitation of farm or ranch land;

"(H) restoration of damaged nonindustrial private forest land, including—

"(i) the removal of damaged standing trees and downed timber; and

"(ii) site preparation, tree planting, direct seeding, and firebreaks;

"(I) the carrying out of emergency water conservation measures;

"(J) restoration of wildlife habitat and corridors;

"(K) livestock carcass removal and disposal; and

"(L) such other remedial activities as are determined by the Secretary.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section such sums as are necessary for each of fiscal years 2008 through 2012, to remain available until expended.

"(g) TEMPORARY ADMINISTRATION OF EMERGENCY LANDSCAPE RESTORATION PROGRAM.—

"(1) IN GENERAL.—During the period beginning on the date of enactment of this section and ending on the termination date described in paragraph (2), to ensure that technical assistance, cost-share payments, and other payments continue to be administered in an orderly manner until the date on which final regulations are promulgated to implement the emergency landscape restoration program, the Secretary shall, to the extent the terms and conditions of the programs described in clauses (i) and (ii) of subparagraph (A) are consistent with the emergency landscape restoration program, continue to—

"(A) provide technical assistance, cost-share payments, and other payments under the terms and conditions of—

"(i) the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.); and

"(ii) the emergency watershed protection program established under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203); and

"(B) use for those purposes—

"(i) any funds made available under those programs; and

"(ii) as the Secretary determines to be necessary, any funds made available to carry out the emergency landscape restoration program.

"(2) TERMINATION OF AUTHORITY.—The authority of the Secretary to carry out paragraph (1) shall terminate on the effective date of final regulations to implement the emergency landscape restoration program.".

(b) CONFORMING AMENDMENTS.—

(1) Effective on the effective date of final regulations to implement the emergency landscape restoration program under section 1240R of the Food Security Act of 1985 (as added by subsection (a)), title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.) is repealed.

(2) Section 1211(a)(3)(C) of the Food Security Act of 1985 (16 U.S.C. 3811(a)(3)(C)) is amended by inserting "section 1240R or" after "a payment under".

(3) Section 1221(b)(3)(C) of the Food Security Act of 1985 (16 U.S.C. 3821(b)(3)(C)) is amended by inserting "section 1240R or" after "A payment under".

SEC. 2399. VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM.

Chapter 5 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839bb et seq.) (as amended by section 2387(a)) is amended by adding at the end the following:

"SEC. 1240S. VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM.

"(a) IN GENERAL.—The Secretary shall establish a voluntary public access program under which States and tribal governments may apply for grants to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife-dependent recreation, including hunting or fishing under programs administered by the States and tribal governments.

"(b) APPLICATIONS.—In submitting applications for a grant under the program, a State or tribal government shall describe—

"(1) the benefits that the State or tribal government intends to achieve by encouraging public access to private farm and ranch land for—

"(A) hunting and fishing; and

"(B) to the maximum extent practicable, other recreational purposes; and

"(2) the methods that will be used to achieve those benefits.

"(c) PRIORITY.—In approving applications and awarding grants under the program, the Secretary shall give priority to States and tribal governments that propose—

"(1) to maximize participation by offering a program the terms of which are likely to meet with widespread acceptance among landowners;

"(2) to ensure that land enrolled under the State or tribal government program has appropriate wildlife habitat;

"(3) to strengthen wildlife habitat improvement efforts on land enrolled in a special conservation reserve enhancement program described in section 1234(f)(3) by providing incentives to increase public hunting and other recreational access on that land;

"(4) to use additional Federal, State, tribal government, or private resources in carrying out the program; and

"(5) to make available to the public the location of land enrolled.

"(d) RELATIONSHIP TO OTHER LAWS.—Nothing in this section preempts a State or tribal government law (including any State or tribal government liability law).

"(e) REGULATIONS.—The Secretary shall promulgate such regulations as are necessary to carry out this section.".

Subtitle E—Funding and Administration

SEC. 2401. FUNDING AND ADMINISTRATION.

Section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "2007" and inserting "2012"; and

(2) by striking paragraphs (3) through (7) and inserting the following:

"(3) The conservation security program under subchapter A of chapter 2, using $2,317,000,000 to administer contracts entered into as of the day before the date of enactment of the Food and Energy Security Act of 2007, to remain available until expended.

"(4) The conservation stewardship program under subchapter B of chapter 6.

"(5) The farmland protection program under subchapter B of chapter 2, using, to the maximum extent practicable, $97,000,000 for each of fiscal years 2008 through 2012.

"(6) The grassland reserve program under subchapter C of chapter 2, using, to the maximum extent practicable, $240,000,000 for the period of fiscal years 2008 through 2012.

"(7) The environmental quality incentives program under chapter 4, using, to the maximum extent practicable—

"(A) $1,270,000,000 for each of fiscal years 2008 and 2009; and

"(B) $1,300,000,000 for each of fiscal years 2010 through 2012.

"(8) The wildlife habitat incentives program under section 1240N, using, to the maximum extent practicable, $85,000,000 for each of fiscal years 2008 through 2012.

"(9) The voluntary public access program under section 1240S, using, to the maximum extent practicable, $20,000,000 in each of fiscal years 2008 through 2012.".

SEC. 2402. REGIONAL EQUITY.

Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (d) and inserting the following:

"(d) REGIONAL EQUITY.—

"(1) IN GENERAL.—Before April 1 of each fiscal year, the Secretary shall give priority for funding under the conservation programs under subtitle D and the agricultural management assistance program under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) (excluding the conservation reserve program under subchapter B of chapter 1 and the wetlands reserve program under subchapter C of chapter 1) to approved applications in any State that has not received, for the fiscal year, an aggregate amount of at least $15,000,000 for those conservation programs.

"(e) SPECIFIC FUNDING ALLOCATIONS.—In determining the specific funding allocations for each State under paragraph (1), the Secretary shall consider the respective demand for each program in each State.

"(f) ALLOCATIONS REVIEW AND UPDATE.—

"(1) REVIEW.—Not later than January 1, 2012, the Secretary shall conduct a review of conservation program allocation formulas to determine the sufficiency of the formulas in accounting for State-level economic factors, level of agricultural infrastructure, or related factors that affect conservation program costs.

"(2) UPDATE.—The Secretary shall improve conservation program allocation formulas as necessary to ensure that the formulas adequately reflect the costs of carrying out the conservation programs.".

SEC. 2403. CONSERVATION ACCESS.

Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) (as amended by section 2402) is amended by adding at the end the following:

"(g) CONSERVATION ACCESS.—

"(1) ASSISTANCE TO ELIGIBLE FARMERS OR RANCHERS.—

"(A) DEFINITION OF ELIGIBLE FARMER OR RANCHER.—In this paragraph, the term 'eligible farmer or rancher' means a farmer or rancher that, as determined by the Secretary—

"(i) derives or expects to derive more than 50 percent of the annual income of the farmer or rancher from agriculture (not including payments under the conservation reserve program established under subchapter B of chapter 1 of subtitle D); and

"(ii) is—

"(I) a beginning farmer or rancher (as defined in section 343 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991)), except that in determining whether the farmer or rancher qualifies as a beginning farmer or rancher, the Secretary may—

"(aa) employ a fair and reasonable test of net worth; and

"(bb) use such other criteria as the Secretary determines to be appropriate; or

"(II) a socially disadvantaged farmer or rancher (as defined in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e)).

"(B) ASSISTANCE.—In the case of each program described in subsection (a), except as provided in paragraph (2), for each fiscal year in which funding is made available for the program, 10 percent of the funds available for the fiscal year shall be used by the Secretary to assist eligible farmers or ranchers.

"(2) ACREAGE PROGRAMS.—In the case of the conservation reserve and wetlands reserve programs, 10 percent of the acreage authorized to be enrolled in any fiscal year shall be used to assist eligible farmers or ranchers.

"(3) REPOOLING.—In any fiscal year, amounts not obligated under this subsection by a date determined by the Secretary shall be available for payments and technical assistance to all persons eligible for payments or technical assistance in that fiscal year under the program for which the amounts were originally made available under this title.

"(4) CONSERVATION INNOVATION GRANTS.—Funding under paragraph (1) for conservation innovation grants under section 1240H may, in addition to purposes described in subsection (b) of that section, be used for—

"(A) technology transfer;

"(B) farmer-to-farmer workshops; and

"(C) demonstrations of innovative conservation practices.

"(5) TECHNICAL ASSISTANCE.—The Secretary shall offer, to the maximum extent practicable, higher levels of technical assistance to beginning farmers or ranchers and socially disadvantaged farmers or ranchers than are otherwise made available to producers participating in programs under this title.

"(6) COOPERATIVE AGREEMENTS.—The Secretary may develop and implement cooperative agreements with entities (including government agencies, extension entities, nongovernmental and community-based organizations, and educational institutions) with expertise in addressing the needs of beginning farmers or ranchers and socially disadvantaged farmers or ranchers to provide technical assistance, comprehensive conservation planning education, and sustainable agriculture training.".

SEC. 2404. DELIVERY OF TECHNICAL ASSISTANCE.

Section 1242 of the Food Security Act of 1985 (16 U.S.C. 3842) is amended to read as follows:

"SEC. 1242. DELIVERY OF TECHNICAL ASSISTANCE.

"(a) DEFINITION OF ELIGIBLE PARTICIPANT.—In this section, the term 'eligible participant' means—

"(1) an agricultural producer;

"(2) an eligible entity;

"(3) an eligible landowner; and

"(4) an interested organization.

"(b) PURPOSE.—The purpose of technical assistance authorized by this title is to provide eligible participants with consistent, science-based, site-specific practices designed to achieve conservation objectives on land active in agricultural, forestry, or related uses.

"(c) PROVISION OF TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance under this title to an eligible participant—

"(1) directly;

"(2) through a contract or agreement with a third-party provider; or

"(3) at the option of the eligible participant, through a payment, as determined by the Secretary, to the eligible participant for an approved third-party provider, if available.

"(d) CERTIFICATION OF THIRD-PARTY PROVIDERS.—

"(1) IN GENERAL.—The Secretary shall continue to carry out the technical service provider program established under regulations promulgated under subsection (b)(1) (as in existence on the day before the date of enactment of this subsection).

"(2) PURPOSE.—The purpose of the technical service provider program shall be to increase the availability and range of technical expertise available to farmers, ranchers, and eligible landowners to plan and implement conservation measures.

"(3) EXPERTISE.—In promulgating regulations to carry out this subsection, the Secretary shall—

"(A) ensure that persons with expertise in the technical aspects of conservation planning, watershed planning, and environmental engineering (including commercial entities, nonprofit entities, State or local governments or agencies, and other Federal agencies) are eligible to become approved providers of the technical assistance; and

"(B) to the maximum extent practicable—

"(i) provide national criteria for the certification of technical service providers; and

"(ii) approve any unique certification standards established at the State level.

"(4) SYSTEM ADMINISTRATION.—

"(A) FUNDING.—Effective for fiscal year 2008 and each subsequent fiscal year, funds of the Commodity Credit Corporation that are made available to carry out each of the programs specified in section 1241 shall be available for the provision of technical assistance from third-party providers under this section.

"(B) CONTRACT TERM.—A contract under this section shall have a term that—

"(i) at a minimum, is equal to the period—

"(I) beginning on the date on which the contract is entered into; and

"(II) ending on the date that is 1 year after the date on which all activities in the contract have been completed;

"(ii) does not exceed 3 years; and

"(iii) can be renewed, as determined by the Secretary.

"(C) REVIEW OF CERTIFICATION REQUIREMENTS.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall—

"(i) review certification requirements for third-party providers; and

"(ii) make any adjustments considered necessary by the Secretary to improve participation.

"(D) ELIGIBLE ACTIVITIES.—The Secretary may include in activities eligible for payment to a third-party provider—

"(i) education and outreach to eligible participants; and

"(ii) administrative services necessary to support conservation program implementation.

"(e) AVAILABILITY OF TECHNICAL SERVICES.—

"(1) AVAILABILITY.—

"(A) IN GENERAL.—In carrying out the programs under this title and the agricultural management assistance program under section 524 of the Federal Crop Insurance Act (7 U.S.C. 1524), the Secretary shall make technical services available to all eligible participants who are installing an eligible practice.

"(B) TECHNICAL SERVICE CONTRACTS.—In any case in which financial assistance is not requested or is not provided under subparagraph (A), the Secretary may enter into a technical service contract with the applicable eligible participant for the purposes of assisting in the planning, design, or installation of an eligible practice.

"(2) REVIEW OF CONSERVATION PRACTICE STANDARDS.—

"(A) IN GENERAL.—The Secretary shall—

"(i) review conservation practice standards, including engineering design specifications, in effect on the date of enactment of this subsection;

"(ii) ensure, to the maximum extent practicable, the completeness and relevance of the standards to local agricultural, forestry, and natural resource needs, including specialty crops, native and managed pollinators, bioenergy crop production, forestry, and such other needs as are determined by the Secretary; and

"(iii) ensure that the standards provide for the optimal balance between meeting site-specific conservation needs and minimizing risks of design failure and associated costs of construction and installation.

"(B) CONSULTATION.—In conducting the assessment under subparagraph (A), the Secretary shall consult with agricultural producers, crop consultants, cooperative extension and land grant universities, nongovernmental organizations, and other qualified entities.

"(C) EXPEDITED REVISION OF STANDARDS.—If the Secretary determines under subparagraph (A) that revisions to the conservation practice standards, including engineering design specifications, are necessary, the Secretary shall establish an administrative process for expediting the revisions.

"(3) ADDRESSING CONCERNS OF SPECIALITY CROP, ORGANIC, AND PRECISION AGRICULTURE PRODUCERS.—

"(A) IN GENERAL.—The Secretary shall—

"(i) to the maximum extent practicable, fully incorporate specialty crop production, organic crop production, and precision agriculture into the conservation practice standards; and

"(ii) provide for the appropriate range of conservation practices and resource mitigation measures available to specialty crop, organic, and precision agriculture producers.

"(B) AVAILABILITY OF ADEQUATE TECHNICAL ASSISTANCE.—

"(i) IN GENERAL.—The Secretary shall ensure that adequate technical assistance is available for the implementation of conservation practices by specialty crop, organic, and precision agriculture producers through Federal conservation programs.

"(ii) REQUIREMENTS.—In carrying out clause (i), the Secretary shall develop—

"(I) programs that meet specific needs of specialty crop, organic, and precision agriculture producers through cooperative agreements with other agencies and nongovernmental organizations; and

"(II) program specifications that allow for innovative approaches to engage local resources in providing technical assistance for planning and implementation of conservation practices.".

SEC. 2405. ADMINISTRATIVE REQUIREMENTS FOR CONSERVATION PROGRAMS.

(a) STREAMLINED APPLICATION PROCESS.—Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

"(b) STREAMLINED APPLICATION PROCESS.—

"(1) IN GENERAL.—In carrying out each conservation program under this title, the Secretary shall ensure that the application process used by producers and landowners is streamlined to minimize complexity and eliminate redundancy.

"(2) REVIEW AND STREAMLINING.—

"(A) REVIEW.—The Secretary shall carry out a review of the application forms and processes for each conservation program covered by this subsection.

"(B) STREAMLINING.—On completion of the review the Secretary shall revise application forms and processes, as necessary, to ensure that—

"(i) all required application information is essential for the efficient, effective, and accountable implementation of conservation programs;

"(ii) conservation program applicants are not required to provide information that is readily available to the Secretary through existing information systems of the Department of Agriculture;

"(iii) information provided by the applicant is managed and delivered efficiently for use in all stages of the application process, or for multiple applications; and

"(iv) information technology is used effectively to minimize data and information input requirements.

"(3) IMPLEMENTATION AND NOTIFICATION.—Not later than 1 year after the date of enactment of the Food and Energy Security Act of 2007, the Secretary shall submit to Congress a written notification of completion of the requirements of this subsection.".

(b) ADMINISTRATION.—Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) (as amended by subsection (a)) is amended by adding at the end the following:

"(d) COOPERATION REGARDING PROTECTION.—In the case of a landowner who enrolls land in a conservation program authorized under this title that results in a net conservation benefit for a listed, candidate, or other species, the Secretary shall cooperate at the request of the landowner with the Secretary of the Interior and the Secretary of Commerce, as appropriate, to make available to the landowner safe harbor or similar assurances and protections under sections 7(b)(4) and 10(a), as applicable, of the Endangered Species Act of 1973 (16 U.S.C. 1536(b)(4), 1539(a)).

"(e) ELIGIBILITY OF PRODUCER ORGANIZATIONS.—

"(1) IN GENERAL.—In carrying out a conservation program administered by the Secretary, the Secretary shall accept applications from, and shall provide cost-share and incentive payments and other assistance to, producers who elect to apply through an organization that represents producers and of which producers make up a majority of the governing body, if the Secretary determines that—

"(A) the full objective of the proposed activity, practice, or plan cannot be realized without the participation of all or substantially all of the producers in the affected area; and

"(B) the benefits achieved through the proposed activity, practice, or plan are likely to be greater and to be delivered more cost-effectively if provided through a single organization with related conservation expertise and management experience.

"(2) LIMITATION.—Any applicable payment limitation shall apply to each participating producer and not to the organization described in paragraph (1).

"(f) PARTNERSHIPS AND COOPERATION.—

"(1) IN GENERAL.—In carrying out a program under subtitle D, the Secretary may designate special projects, as recommended if appropriate by the State Executive Director of the Conservationist, after consultation with the State technical committee, to enhance assistance provided to multiple producers to address conservation issues relating to agricultural and nonindustrial private forest management and production.

"(2) PURPOSES.—The purposes of special projects carried out under this subsection shall be to achieve statewide or regional conservation objectives by—

"(A) encouraging producers to cooperate in the installation and maintenance of conservation practices that affect multiple agricultural operations;

"(B) encouraging producers to cooperate in meeting applicable Federal, State, and local regulatory requirements regarding natural resources and the environment;

"(C) encouraging producers to share information and technical and financial resources;

"(D) facilitating cumulative conservation benefits in geographic areas; and

"(E) promoting the development and demonstration of innovative conservation methods.

"(3) ELIGIBLE PARTNERS.—State and local government entities (including irrigation and water districts and canal companies), Indian tribes, farmer cooperatives, institutions of higher education, nongovernmental organizations, and producer associations shall be eligible to apply under this subsection.

"(4) SPECIAL PROJECT APPLICATION.—To apply for designation under paragraph (1), partners shall submit an application to the Secretary that includes—

"(A) a description of the geographic area, the current conditions, the conservation objectives to be achieved through the special project, and the expected level of participation by agricultural and nonindustrial private forest landowners;

"(B) a description of the partners collaborating to achieve the project objectives and the roles, responsibilities, and capabilities of the partners;

"(C) a description of the program resources requested from the Secretary, in relevant units, and the non-Federal resources that will be leveraged by the Federal contribution; and

"(D) such other information as the Secretary considers necessary.

"(5) DUTIES OF THE SECRETARY.—

"(A) IN GENERAL.—The Secretary shall enter into multiyear agreements with partners to facilitate the delivery of conservation program resources in a manner to achieve the purposes described in paragraph (2).

"(B) PROJECT SELECTION.—

"(i) IN GENERAL.—The Secretary shall conduct a competitive process to select projects funded under this subsection.

"(ii) FACTORS CONSIDERED.—In conducting the process described in clause (i), the Secretary shall make public factors to be considered in evaluating applications.

"(iii) PRIORITY.—The Secretary may give priority to applications based on the highest percentage of—

"(I) producers involved;

"(II) on-the-ground conservation to be implemented;

"(III) non-Federal resources to be leveraged; and

"(IV) other factors, as determined by the Secretary.

"(C) TECHNICAL AND FINANCIAL ASSISTANCE.—The Secretary and partners shall provide appropriate technical and financial assistance to producers participating in a special project in an amount determined by the Secretary to be necessary to achieve the purposes described in paragraph (2).

"(D) FLEXIBILITY.—The Secretary may adjust elements of the programs under this title to better reflect unique local circumstances and purposes, if the Secretary determines that such adjustments are necessary to achieve the purposes of this subsection.

"(E) ADMINISTRATION.—

"(i) IN GENERAL.—The Secretary shall ensure that resources made available under this subsection are delivered in accordance with applicable program rules.

"(ii) ADDITIONAL REQUIREMENTS.—The Secretary may establish additional requirements beyond applicable program rules in order to effectively implement this subsection.

"(6) SPECIAL RULES APPLICABLE TO REGIONAL WATER ENHANCEMENT PROJECTS.—

"(A) DEFINITIONS.—In this paragraph:

"(i) ELIGIBLE PARTNER.—The term 'eligible partner' means—

"(I) an eligible partner identified in paragraph (3); and

"(II) a water or wastewater agency of a State.

"(ii) ELIGIBLE PROJECT.—

"(I) IN GENERAL.—The term 'eligible project' means a project that is specifically targeted to improve water quality or quantity in an area.

"(II) INCLUSIONS.—The term 'eligible project' includes a project that involves—

"(aa) resource condition assessment and modeling;

"(bb) water quality, water quantity, or water conservation plan development;

"(cc) management system and environmental monitoring and evaluation;

"(dd) cost-share restoration or enhancement;

"(ee) incentive payments for land management practices;

"(ff) easement purchases;

"(gg) conservation contracts with landowners;

"(hh) improved irrigation systems;

"(ii) water banking and other forms of water transactions;

"(jj) groundwater recharge;

"(kk) stormwater capture; and

"(ll) other water-related activities that the Secretary determines will help to achieve the water quality or water quantity benefits identified in the agreement in subparagraph (E) on land described in paragraph (1).

"(B) REGIONAL WATER ENHANCEMENT PROCEDURES.—With respect to proposals for eligible projects by eligible partners, the Secretary shall establish specific procedures (to be known collectively as 'regional water enhancement procedures') in accordance with this paragraph.

"(C) MEANS.—Regional water enhancement activities in a particular region shall be carried out through a combination of—

"(i) multiyear agreements between the Secretary and eligible partners;

"(ii) other regional water enhancement activities carried out by the Secretary; and

"(iii) regional water enhancement activities carried out by eligible partners through other means.

"(D) MULTIYEAR AGREEMENTS WITH ELIGIBLE PARTNERS.—

"(i) SOLICITATION OF PROPOSALS.—Not later than 90 days after the date of enactment of this subsection, the Secretary shall invite prospective eligible partners to submit proposals for regional water enhancement projects.

"(ii) ELEMENTS OF PROPOSALS.—To be eligible for consideration for participation in the program, a proposal submitted by an eligible partner shall include—

"(I) identification of the exact geographic area for which the partnership is proposed, which may be based on—

"(aa) a watershed (or portion of a watershed);

"(bb) an irrigation, water, or drainage district;

"(cc) the service area of an irrigation water delivery entity; or

"(dd) some other geographic area with characteristics that make the area suitable for landscape-wide program implementation;

"(II) identification of the water quality or water quantity issues that are of concern in the area;

"(III) a method for determining a baseline assessment of water quality, water quantity, and other related resource conditions in the region;

"(IV) a detailed description of the proposed water quality or water quantity improvement activities to be undertaken in the area, including an estimated timeline and program resources for every activity; and

"(V) a description of the performance measures to be used to gauge the effectiveness of the water quality or water quantity improvement activities.

"(iii) SELECTION OF PROPOSALS.—The Secretary shall award multiyear agreements competitively, with priority given, as determined by the Secretary, to selecting proposals that—

"(I) have the highest likelihood of improving the water quality or quantity issues of concern for the area;

"(II) involve multiple stakeholders and will ensure the highest level of participation by producers and landowners in the area through performance incentives to encourage adoption of specific practices in specific locations;

"(III) will result in the inclusion of the highest percentage of working agricultural land in the area;

"(IV) will result in the highest percentage of on-the-ground activities as compared to administrative costs;

"(V) will provide the greatest contribution to sustaining or enhancing agricultural or silvicultural production in the area; and

"(VI) include performance measures that will allow post-activity conditions to be satisfactorily measured to gauge overall effectiveness.

"(iv) DURATION.—

"(I) IN GENERAL.—Multiyear agreements under this subsection shall be for a period not to exceed 5 years.

"(II) EARLY TERMINATION.—The Secretary may terminate a multiyear agreement before the end of the agreement if the Secretary determines that performance measures are not being met.

"(E) AGREEMENTS.—Not later than 30 days after the date on which the Secretary awards an agreement under subparagraph (D), the Secretary shall enter into an agreement with the eligible partner that, at a minimum, contains—

"(i) a description of the respective duties and responsibilities of the Secretary and the eligible partner in carrying out the activities in the area; and

"(ii) the criteria that the Secretary will use to evaluate the overall effectiveness of the regional water enhancement activities funded by the multiyear agreement in improving the water quality or quantity conditions of the region relative to the performance measures in the proposal.

"(F) CONTRACTS WITH OTHER PARTIES.—An agreement awarded under subparagraph (D) may provide for the use of third-party providers (including other eligible partners) to undertake specific regional water enhancement activities in a region on a contractual basis with the Secretary or the eligible partner.

"(G) CONSULTATION WITH OTHER AGENCIES.—With respect to areas in which a Federal or State agency is, or will be, undertaking other water quality or quantity-related activities, the Secretary and the eligible partner may consult with the Federal or State agency in order to—

"(i) coordinate activities;

"(ii) avoid duplication; and

"(iii) ensure that water quality or quantity improvements attributable to the other activities are taken into account in the evaluation of the Secretary under subparagraph (E)(ii).

"(H) RELATIONSHIP TO OTHER PROGRAMS.—The Secretary shall ensure that, to the extent that producers and landowners are individually participating in other programs under subtitle D in a region in which a regional water enhancement project is in effect, any improvements to water quality or water quantity attributable to the individual participation are included in the evaluation criteria developed under subparagraph (E)(ii).

"(I) CONSISTENCY WITH STATE LAW.—Any water quality or water quantity improvement activity undertaken under this paragraph shall be consistent with State water laws.

"(7) FUNDING.—

"(A) IN GENERAL.—The Secretary shall use not more than 5 percent of the funds made available for conservation programs under subtitle D for each fiscal year under section 1241(a) to carry out activities that are authorized under this subsection.

"(B) PARTNERS.—Overhead or administrative costs of partners may not be covered by funds provided through this subsection.

"(C) UNUSED FUNDING.—Any funds made available for a fiscal year under subparagraph (A) that are not obligated by April 1 of the fiscal year may be used to carry out other activities under conservation programs under subtitle D during the fiscal year in which the funding becomes available.

"(g) ACCURACY OF PAYMENTS.—Immediately after the date of enactment of this subsection, the Secretary shall implement policies and procedures to ensure proper payment of farm program benefits to producers participating in conservation easement programs and correct other management deficiencies identified in Report No. 50099-11-SF issued by the Department of Agriculture Office of Inspector General in August 2007.

"(h) COMPLIANCE AND PERFORMANCE.—For each conservation program under this title, the Secretary shall develop procedures—

"(1) to monitor compliance with program requirements by landowners and eligible entities;

"(2) to measure program performance;

"(3) to demonstrate whether the long-term conservation benefits of the program are being achieved; and

"(4) to coordinate activities described in this subsection with the national conservation program authorized under section 5 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2004).

"(i) DIRECT ATTRIBUTION OF PAYMENTS.—In implementing payment limitations for any program under this title, the Secretary shall issue such regulations as are necessary to ensure that the total amount of payments are attributed to an individual by taking into account the direct and indirect ownership interests of the individual in an entity that is eligible to receive the payments.".

(c) CONFORMING AMENDMENTS.—Section 1234 of the Food Security Act of 1985 (16 U.S.C. 3834) is amended—

(1) in subsection (d)(3)(B), by striking "(f)(4)" and inserting "(f)(3)"; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) by striking "The total" and inserting "Subject to section 1244(i), the total"; and

(ii) by striking "a person" and inserting "an individual";

(B) by striking paragraph (2); and

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

SEC. 2406. CONSERVATION PROGRAMS IN ENVIRONMENTAL SERVICES MARKETS.

Subtitle E of the Food Security Act of 1985 (16 U.S.C. 3841 et seq.) is amended by adding at the end the following:

"SEC. 1245. CONSERVATION PROGRAMS IN ENVIRONMENTAL SERVICES MARKETS.

"(a) FRAMEWORK.—

"(1) IN GENERAL.—The Secretary shall establish a framework to facilitate the participation of farmers, ranchers, and forest landowners in emerging environmental services markets.

"(2) PROCESS.—In carrying out paragraph (1), the Secretary shall use a collaborative process that includes representatives of—

"(A) farm, ranch, and forestry interests;

"(B) financial institutions involved in environmental services trading;

"(C) institutions of higher education with relevant expertise or experience;

"(D) nongovernmental organizations with relevant expertise or experience;

"(E) government agencies of relevant jurisdiction, including—

"(i) the Department of Commerce;

"(ii) the Department of Energy;

"(iii) the Department of the Interior;

"(iv) the Department of Transportation;

"(v) the Environmental Protection Agency; and

"(vi) the Corps of Engineers; and

"(F) other appropriate interests, as determined by the Secretary.

"(3) REQUIREMENTS.—

"(A) DEFINITION OF STANDARD.—In this paragraph, the term 'standard' means a technical guideline that outlines accepted, science-based methods to quantify the environmental services benefits from agricultural and forest conservation and land management practices, as determined by the Secretary.

"(B) FRAMEWORK REQUIREMENTS.—In establishing the framework under paragraph (1), the Secretary shall—

"(i) establish uniform standards;

"(ii) design accounting procedures to quantify environmental services benefits that would assist farmers, ranchers, and forest landowners in using the uniform standards to establish certifications, as defined in emerging environmental services markets;

"(iii) establish—

"(I) a protocol to report environmental services benefits; and

"(II) a registry to report and maintain the benefits for future use in emerging environmental services markets; and

"(iv) establish a process to verify that a farmer, rancher, or forest landowner that reports and maintains an environmental services benefit in the registry described in clause (iii)(II) has implemented the reported conservation or land management activity.

"(C) THIRD-PARTY SERVICE PROVIDERS.—In developing the process described in subparagraph (B)(iv), the Secretary shall consider the role of third-party service providers.

"(4) COORDINATION.—The Secretary shall coordinate and leverage activities in existence on the date of enactment of this section in agriculture and forestry relating to emerging environmental services markets.

"(5) PRIORITY.—In establishing the framework under this subsection, the Secretary shall give priority to providing assistance to farmers, ranchers, and forest landowners participating in carbon markets.

"(b) AUTHORITY TO DELEGATE.—The Secretary may delegate any responsibility under this section to a relevant agency or office, as determined by the Secretary.

"(c) REPORTS TO CONGRESS.—

"(1) STATUS OF COLLABORATIVE PROCESS.—Not later than 90 days after the date of enactment of this section, the Secretary shall provide to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate information on the status of the collaborative process under subsection (a)(2).

"(2) INTERIM REPORT.—Not later than 180 days after the date of enactment of this section, the Secretary shall submit to the committees of Congress described in paragraph (1) an interim report that—

"(A) describes the adequacy of existing research and methods to quantify environmental services benefits;

"(B) proposes methods—

"(i) to establish technical guidelines, accounting procedures, and reporting protocols; and

"(ii) to structure the registry; and

"(C) includes recommendations for actions to remove barriers for farmers, ranchers, and forest landowners to participation, reporting, registration, and verification relating to environmental services markets.

"(3) FINAL REPORT.—Not later than 18 months after the date of enactment of this section, the Secretary shall submit to the committees of Congress described in paragraph (1) a report that describes—

"(A) the progress of the Secretary in meeting the requirements described in subsection (a)(3)(B);

"(B) the rates of participation of farmers, ranchers, and forest landowners in emerging environmental services markets; and

"(C) any recommendations of the Secretary relating to reauthorization of this section.

"(d) FUNDING.—There are authorized to be appropriated to the Secretary to carry out this section such sums as are necessary for each of fiscal years 2008 through 2012.".

Subtitle F—State Technical Committees

SEC. 2501. STATE TECHNICAL COMMITTEES.

(a) STANDARDS.—Section 1261 of the Food Security Act of 1985 (16 U.S.C. 3861(c)) is amended by striking subsection (b) and inserting the following:

"(b) STANDARDS.—Not later than 180 days after the date of enactment of the Food and Energy Security Act of 2007, the Secretary shall develop—

"(1) standard operating procedures to standardize the operations of State technical committees; and

"(2) standards to be used by the State technical committees in the development of technical guidelines under section 1262(b) for the implementation of the conservation provisions of this title.".

(b) COMPOSITION.—Section 1261(c) of the Food Security Act of 1985 (16 U.S.C. 3861(c)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

"(1) the Natural Resources Conservation Service;

"(2) the Farm Service Agency;";

(2) by striking paragraph (5) and inserting the following:

"(5) Rural Development agencies;";

(3) in paragraph (11), by striking "and" at the end;

(4) in paragraph (12), by striking the period at the end and inserting "; and"; and

(5) by adding at the end the following:

"(13) nonindustrial private forest land owners.".

(c) FACA REQUIREMENTS.—Section 1262(e) of the Food Security Act of 1985 (16 U.S.C. 3862(e)) is amended—

(1) by striking "The committees" and inserting the following:

"(1) IN GENERAL.—The committees"; and

(2) by adding at the end the following:

"(2) LOCAL WORKING GROUPS.—For purposes of the Federal Advisory Committee Act (5 U.S.C. App.), any local working group established under this subtitle shall be considered to be a subcommittee of the applicable State technical committee.".

Subtitle G—Other Authorities

SEC. 2601. AGRICULTURAL MANAGEMENT ASSISTANCE.

Section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) is amended—

(1) in paragraph (1), by inserting "Idaho" after "Delaware"; and

(2) in paragraph (4)(B), by striking "2007" each place it appears and inserting "2012".

SEC. 2602. AGRICULTURE CONSERVATION EXPERIENCED SERVICES PROGRAM.

The Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6901 et seq.) is amended by adding at the end the following:

"SEC. 307. AGRICULTURE CONSERVATION EXPERIENCED SERVICES PROGRAM.

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—Notwithstanding any other provision of law relating to Federal grants, cooperative agreements, or contracts, there is established in the Department the agriculture conservation experienced services program (referred to in this section as the 'ACE program').

"(2) AUTHORIZATION.—Under the ACE program, the Secretary may offer to enter into agreements with nonprofit private agencies and organizations eligible to receive grants for the applicable fiscal year under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) to use the talents of individuals who are age 55 or older, to provide conservation technical assistance in support of the administration of conservation-related programs and authorities administered by the Secretary.

"(3) FUNDING.—Agreements described in paragraph (2) may be carried out using funds made available to carry out—

"(A) the environmental quality incentives program of the comprehensive stewardship incentives program established under subchapter A of chapter 6 of subtitle D of title XII of the Food Security Act of 1985;

"(B) the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590a et seq.); or

"(C) title V of the Older Americans Act of 1965 (42 U.S.C. 3056).

"(b) DETERMINATION.—Prior to entering into an agreement described in subsection (a)(2), the Secretary shall determine that the agreement would not—

"(1) result in the displacement of individuals employed by the Department, including partial displacement through reduction of nonovertime hours, wages, or employment benefits;

"(2) result in the use of an individual covered by this section for a job or function in a case in which a Federal employee is in a layoff status from the same or a substantially-equivalent job or function with the Department; or

"(3) affect existing contracts for services.

"(c) TECHNICAL ASSISTANCE.—The Secretary may make available to individuals providing technical assistance under an agreement authorized by this section appropriate conservation technical tools, including the use of agency vehicles necessary to carry out technical assistance in support of the conservation-related programs affected by the ACE program.".

SEC. 2603. TECHNICAL ASSISTANCE.

(a) SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT.—

(1) PREVENTION OF SOIL EROSION.—

(A) IN GENERAL.—The first section of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590a) is amended—

(i) by striking "That it" and inserting the following:

"SECTION 1. PURPOSE.

"It"; and

(ii) in the matter preceding paragraph (1), by striking "and thereby to preserve natural resources," and inserting "to preserve soil, water, and related resources, promote soil and water quality,".

(B) POLICIES AND PURPOSES.—Section 7(a)(1) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590g(a)(1)) is amended by striking "fertility" and inserting "and water quality and related resources".

(2) DEFINITIONS.—Section 10 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590j) is amended to read as follows:

"SEC. 10. DEFINITIONS.

"In this Act:

"(1) AGRICULTURAL COMMODITY.—The term 'agricultural commodity' means—

"(A) an agricultural commodity; and

"(B) any regional or market classification, type, or grade of an agricultural commodity.

"(2) TECHNICAL ASSISTANCE.—

"(A) IN GENERAL.—The term 'technical assistance' means technical expertise, information, and tools necessary for the conservation of natural resources on land active in agricultural, forestry, or related uses.

"(B) INCLUSIONS.—The term 'technical assistance' includes—

"(i) technical services provided directly to farmers, ranchers, and other eligible entities, such as conservation planning, technical consultation, and assistance with design and implementation of conservation practices; and

"(ii) technical infrastructure, including activities, processes, tools, and agency functions needed to support delivery of technical services, such as technical standards, resource inventories, training, data, technology, monitoring, and effects analyses.".

(b) SOIL AND WATER RESOURCES CONSERVATION ACT OF 1977.—

(1) CONGRESSIONAL FINDINGS.—Section 2 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2001) is amended—

(A) in paragraph (2), by striking "base, of the" and inserting "base of the"; and

(B) in paragraph (3), by striking "(3)" and all that follows through "Since individual" and inserting the following:

"(3) Appraisal and inventory of resources, assessment and inventory of conservation needs, evaluation of the effects of conservation practices, and analyses of alternative conservation programs are basic to effective soil, water, and related natural resource conservation.

"(4) Since individual".

(2) CONTINUING APPRAISAL OF SOIL, WATER, AND RELATED RESOURCES.—Section 5 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2004) is amended—

(A) in subsection (a)—

(i) in paragraph (5), by striking "and" at the end;

(ii) in paragraph (6), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(7) data on conservation plans, conservation practices planned or implemented, environmental outcomes, economic costs, and related matters under conservation programs administered by the Secretary.";

(B) by redesignating subsection (d) as subsection (e);

(C) by inserting after subsection (c) the following:

"(d) EVALUATION OF APPRAISAL.—In conducting the appraisal described in subsection (a), the Secretary shall concurrently solicit and evaluate recommendations for improving the appraisal, including the content, scope, process, participation in, and other elements of the appraisal, as determined by the Secretary."; and

(D) in subsection (e) (as redesignated by subparagraph (B)), by striking "December 31, 1979" and all that follows through "December 31, 2005" and inserting "December 31, 2010, December 31, 2015, December 31, 2020, and December 31, 2025".

(3) SOIL AND WATER CONSERVATION PROGRAM.—Section 6 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2005) is amended—

(A) by redesignating subsection (b) as subsection (d);

(B) by inserting after subsection (a) the following:

"(b) EVALUATION OF EXISTING CONSERVATION PROGRAMS.—In evaluating existing conservation programs, the Secretary shall emphasize demonstration, innovation, and monitoring of specific program components in order to encourage further development and adoption of practices and performance-based standards.

"(c) IMPROVEMENT TO PROGRAM.—In developing a national soil and water conservation program under subsection (a), the Secretary shall solicit and evaluate recommendations for improving the program, including the content, scope, process, participation in, and other elements of the program, as determined by the Secretary."; and

(C) in subsection (d) (as redesignated by subparagraph (A)), by striking "December 31, 1979" and all that follows through "December 31, 2007" and inserting "December 31, 2011, December 31, 2016, December 31, 2021, and December 31, 2026".

(4) REPORTS TO CONGRESS.—Section 7 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2006) is amended to read as follows:

"SEC. 7. REPORTS TO CONGRESS.

"(a) APPRAISAL.—Not later than the date on which Congress convenes in 2011, 2016, 2021, and 2026, the President shall transmit to the Speaker of the House of Representatives and the President of the Senate the appraisal developed under section 5 and completed prior to the end of the previous year.

"(b) PROGRAM AND STATEMENT OF POLICY.—Not later than the date on which Congress convenes in 2012, 2017, 2022, and 2027, the President shall transmit to the Speaker of the House of Representatives and the President of the Senate—

"(1) the initial program or updated program developed under section 6 and completed prior to the end of the previous year;

"(2) a detailed statement of policy regarding soil and water conservation activities of the Department of Agriculture; and

"(3) a special evaluation of the status, conditions, and trends of soil quality on cropland in the United States that addresses the challenges and opportunities for reducing soil erosion to tolerance levels.

"(c) IMPROVEMENTS TO APPRAISAL AND PROGRAM.—Not later than the date on which Congress convenes in 2012, the Secretary shall submit to the Speaker of the House of Representatives and the President of the Senate a report describing the plans of the Department of Agriculture for improving the resource appraisal and national conservation program required under this Act, based on the recommendations received under sections 5(d) and 6(c).".

(5) TERMINATION OF PROGRAM.—Section 10 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2009) is amended by striking "2008" and inserting "2028".

SEC. 2604. SMALL WATERSHED REHABILITATION PROGRAM.

Section 14 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012) is amended by striking subsection (h) and inserting the following:

"(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.".

SEC. 2605. RESOURCE CONSERVATION AND DEVELOPMENT PROGRAM.

(a) LOCALLY LED PLANNING PROCESS.—Section 1528 of the Agriculture and Food Act of 1981 (16 U.S.C. 3451) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking "planning process" and inserting "locally led planning process";

(2) by redesignating paragraphs (8) and (9) as paragraphs (9) and (8), respectively, and moving those paragraphs so as to appear in numerical order;

(3) in paragraph (8) (as so redesignated)—

(A) by striking "(8) PLANNING PROCESS" and inserting "(8) LOCALLY LED PLANNING PROCESS"; and

(B) by striking "council" and inserting "locally led council".

(b) AUTHORIZED TECHNICAL ASSISTANCE.—Section 1528(13) of the Agriculture and Food Act of 1981 (16 U.S.C. 3451(13)) is amended by striking subparagraphs (C) and (D) and inserting the following:

"(C) providing assistance for the implementation of area plans and projects; and

"(D) providing services that involve the resources of Department of Agriculture programs in a local community, as defined in the locally led planning process.".

(c) IMPROVED PROVISION OF TECHNICAL ASSISTANCE.—Section 1531 of the Agriculture and Food Act of 1981 (16 U.S.C. 3454) is amended—

(1) by redesignating paragraphs (1) through (4) as clauses (i) through (iv), respectively, and indenting appropriately;

(2) by striking "In carrying" and inserting the following:

"(1) IN GENERAL.—In carrying"; and

(3) by adding at the end the following:

"(b) COORDINATOR.—

"(1) IN GENERAL.—To improve the provision of technical assistance to councils under this subtitle, the Secretary shall designate for each council an individual to be the coordinator for the council.

"(2) RESPONSIBILITY.—A coordinator for a council shall be directly responsible for the provision of technical assistance to the council.".

(d) PROGRAM EVALUATION.—Section 1534 of the Agriculture and Food Act of 1981 (16 U.S.C. 3457) is repealed.

SEC. 2606. NATIONAL NATURAL RESOURCES CONSERVATION FOUNDATION.

(a) ADVISORY FUNCTIONS.—Section 353 of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 5802) is amended—

(1) in subsection (b)(3), by striking "agencies" and inserting "agencies, individuals,"; and

(2) by adding at the end the following:

"(d) Advisory Functions.—Notwithstanding the requirements of the Federal Advisory Committee Act (5 U.S.C. App.), the Foundation may provide advice and recommendations to the Secretary.".

(b) Gifts, Devises, and Bequests of Personal Property.—Section 354 of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 5803) is amended by adding at the end the following:

"(h) Gifts, Devises, and Bequests of Personal Property.—

"(1) In general.—Prior to the appointment and initial meeting of the members of the Board and after the initial meeting of the Board, the Secretary may, on behalf of the Foundation—

"(A) accept, receive, and hold nonmonetary gifts, devises, or bequests of personal property; and

"(B) accept and receive monetary gifts, devises, or bequests.

"(2) Held in trust.—Gifts, devises, or bequests of monetary and nonmonetary personal property shall—

"(A) be held in trust for the Foundation; and

"(B) shall not be—

"(i) considered gifts to the United States; or

"(ii) used for the benefit of the United States.

"(3) Treasury account.—The Secretary shall deposit monetary gifts, devises, and bequests to the Foundation in a special interest-bearing account in the Treasury of the United States.

"(4) Initial gifts, devises, and bequests.—

"(A) In general.—The Secretary may use initial gifts, devises, or bequests received prior to the first meeting of the Board for any necessary expenses and activities related to the first meeting of the Board.

"(B) Transfer.—Except with respect to any amounts expended under subparagraph (A), the Secretary shall, at the first meeting of the Board, transfer to the Foundation all gifts, devises, or bequests received prior to the first meeting of the Board.".

(c) Officers and Employees.—Section 355(b)(1) of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 5804(b)(1)) is amended—

(1) by striking "Foundation—" and all that follows through "shall not," in subparagraph (A) and inserting "Foundation shall not";

(2) by striking "employee; and" and inserting "employee."; and

(3) by striking subparagraph (B).

(d) Contracts and Agreements.—Section 356 of the Federal Agriculture Improvement Reform Act of 1996 (16 U.S.C. 5805) is amended—

(1) in subsection (c)(7), by striking "State or local" and inserting "Federal, State, or local"; and

(2) in subsection (d)(2)—

(A) by striking "A gift" and inserting the following:

"(A) In general.—A gift"; and

(B) by adding at the end the following:

"(B) Tax status.—A gift, devise, or bequest to the Foundation shall be treated as a gift, devise, or bequest to an organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986.".

(e) Administrative Services and Support.—Section 356 of the Federal Agriculture Improvement Reform Act of 1996 (16 U.S.C. 5806) is amended by striking "1996 through 1998" and inserting "2008 through 2012.".

SEC. 2607. DESERT TERMINAL LAKES.

Section 2507 of the Farm Security and Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107-171) is amended—

(1) by striking "(a)" and all that follows through "the Secretary of Agriculture" and inserting the following: "Subject to paragraph (1) of section 207 of Public Law 108–7 (117 Stat. 146), notwithstanding paragraph (3) of that section, on the date of enactment of the Food and Energy Security Act of 2007, the Secretary of Agriculture"; and

(2) by striking subsection (b).

SEC. 2608. CROP INSURANCE INELIGIBILITY RELATING TO CROP PRODUCTION ON NATIVE SOD.

(a) Federal Crop Insurance.—Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended by adding at the end the following:

"(o) Crop Insurance Ineligibility Relating to Crop Production on Native Sod.—

"(1) Definition of native sod.—In this subsection, the term 'native sod' means land—

"(A) on which the plant cover is composed principally of native grasses, grasslike plants, forbs, or shrubs suitable for grazing and browsing; and

"(B) that has never been used for production of an agricultural commodity.

"(2) Ineligibility.—Native sod acreage on which an agricultural commodity is planted for which a policy or plan of insurance is available under this title shall be ineligible for benefits under this Act.".

(b) Noninsured Crop Disaster Assistance.—Section 196(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(a)) is amended by adding at the end the following:

"(4) Program ineligibility relating to crop production on native sod.—

"(A) Definition of native sod.—In this paragraph, the term 'native sod' means land—

"(i) on which the plant cover is composed principally of native grasses, grasslike plants, forbs, or shrubs suitable for grazing and browsing; and

"(ii) that has never been used for production of an agricultural commodity.

"(B) Ineligibility.—Native sod acreage on which an agricultural commodity is planted for which a policy or plan of Federal crop insurance is available shall be ineligible for benefits under this section.".

(c) Cropland Report.—

(1) Baseline.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the cropland acreage in each county and State, and the change in cropland acreage from the preceding year in each county and State, beginning with calendar year 1995 and including that information for the most recent year for which that information is available.

(2) Annual updates.—Not later than January 1, 2008, and each January 1 thereafter through January 1, 2012, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

(A) the cropland acreage in each county and State as of the date of submission of the report; and

(B) the change in cropland acreage from the preceding year in each county and State.

SEC. 2609. HIGH PLAINS WATER STUDY.

Notwithstanding any other provision of this Act, no person shall become ineligible for any program benefits under this Act or an amendment made by this Act solely as a result of participating in a 1-time study of recharge potential for the Ogallala Aquifer in the High Plains of the State of Texas.

SEC. 2610. PAYMENT OF EXPENSES.

Section 17(d) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136o(d)) is amended—

(1) by striking "The Administrator" and inserting the following:

"(1) In general.—The Administrator"; and

(2) by adding at the end the following:

"(2) Department of State expenses.—Any expenses incurred by an employee of the Environmental Protection Agency who participates in any international technical, economic, or policy review board, committee, or other official body that is meeting in relation to an international treaty shall be paid by the Department of State.".

SEC. 2611. USE OF FUNDS IN BASIN FUNDS FOR SALINITY CONTROL ACTIVITIES UPSTREAM OF IMPERIAL DAM.

(a) In General.—Section 202(a) of the Colorado River Basin Salinity Control Act (43 U.S.C. 1592(a)) is amended by adding at the end the following:

"(7) Basin states program.—

"(A) In general.—A Basin States Program that the Secretary, acting through the Bureau of Reclamation, shall implement to carry out salinity control activities in the Colorado River Basin using funds made available under section 205(f).

"(B) Assistance.—The Secretary, in consultation with the Colorado River Basin Salinity Control Advisory Council, shall carry out this paragraph using funds described in subparagraph (A) directly or by providing grants, grant commitments, or advance funds to Federal or non-Federal entities under such terms and conditions as the Secretary may require.

"(C) Activities.—Funds described in subparagraph (A) shall be used to carry out, as determined by the Secretary—

"(i) cost-effective measures and associated works to reduce salinity from saline springs, leaking wells, irrigation sources, industrial sources, erosion of public and private land, or other sources;

"(ii) operation and maintenance of salinity control features constructed under the Colorado River Basin salinity control program; and

"(iii) studies, planning, and administration of salinity control activities.

"(D) Report.—

"(i) In general.—Not later than 30 days before implementing the program established under this paragraph, the Secretary shall submit to the appropriate committees of Congress a planning report that describes the proposed implementation of the program.

"(ii) Implementation.—The Secretary may not expend funds to implement the program established under this paragraph before the expiration of the 30-day period beginning on the date on which the Secretary submits the report, or any revision to the report, under clause (i).".

(b) Conforming Amendments.—

(1) Section 202 of the Colorado River Basin Salinity Control Act (43 U.S.C. 1592) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by striking "program" and inserting "programs"; and

(B) in subsection (b)(4)—

(i) by striking "program" and inserting "programs"; and

(ii) by striking "and (6)" and inserting "(6), and (7)".

(2) Section 205 of the Colorado River Basin Salinity Control Act (43 U.S.C. 1595) is amended by striking subsection (f) and inserting the following:

"(f) UPFRONT COST SHARE.—

"(1) IN GENERAL.—Effective beginning on the date of enactment of this paragraph, subject to paragraph (3), the cost share obligations required by this section shall be met through an upfront cost share from the Basin Funds, in the same proportions as the cost allocations required under subsection (a), as provided in paragraph (2).

"(2) BASIN STATES PROGRAM.—The Secretary shall expend the required cost share funds described in paragraph (1) through the Basin States Program for salinity control activities established under section 202(a)(7).

"(3) EXISTING SALINITY CONTROL ACTIVITIES.—The cost share contribution required by this section shall continue to be met through repayment in a manner consistent with this section for all salinity control activities for which repayment was commenced prior to the date of enactment of this paragraph.".

SEC. 2612. GREAT LAKES COMMISSION.

(a) IN GENERAL.—The Secretary, in consultation with the Great Lakes Commission created by article IV of the Great Lakes Basin Compact (Public Law 90–419; 82 Stat. 415), and in cooperation with the Administrator of the Environmental Protection Agency and the Secretary of the Army, may carry out the Great Lakes basin program for soil erosion and sediment control (referred to in this section as the "program") to assist in implementing the recommendations of the Great Lakes Regional Collaboration Strategy to Restore and Protect the Great Lakes.

(b) ASSISTANCE.—In carrying out the program, the Secretary may—

(1) provide project demonstration grants, provide technical assistance, and carry out information and education programs to improve water quality in the Great Lakes basin by reducing soil erosion and improving sediment control; and

(2) provide a priority for projects and activities that—

(A) directly reduce soil erosion or improve sediment control;

(B) reduce soil loss in degraded rural watersheds; or

(C) improve hydrologic conditions in urban watersheds.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2007 through 2012.

SEC. 2613. TECHNICAL CORRECTIONS TO THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT.

(a) PESTICIDE REGISTRATION SERVICE FEES.—Section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8) is amended—

(1) in subsection (b)(7)—

(A) in subparagraph (D)—

(i) by striking clause (i) and inserting the following:

"(i) IN GENERAL.—The Administrator may exempt from, or waive a portion of, the registration service fee for an application for minor uses for a pesticide."; and

(ii) in clause (ii), by inserting "or exemption" after "waiver"; and

(B) in subparagraph (E)—

(i) in the paragraph heading, by striking "WAIVER" and inserting "EXEMPTION";

(ii) by striking "waive the registration service fee for an application" and inserting "exempt an application from the registration service fee"; and

(iii) in clause (ii), by striking "waiver" and inserting "exemption"; and

(2) in subsection (m)(2), by striking "2008" each place it appears and inserting "2012".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on October 1, 2007.

TITLE III—TRADE

Subtitle A—Food for Peace Act

SEC. 3001. SHORT TITLE.

(a) IN GENERAL.—Section 1 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 note; 104 Stat. 3633) is amended by striking "Agricultural Trade Development and Assistance Act of 1954" and inserting "Food for Peace Act".

(b) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Each provision of law described in paragraph (2) is amended—

(A) by striking "Agricultural Trade Development and Assistance Act of 1954" each place it appears and inserting "Food for Peace Act"; and

(B) in each section heading, by striking "**AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954**" each place it appears and inserting "**FOOD FOR PEACE ACT**".

(2) PROVISIONS OF LAW.—The provisions of law referred to in paragraph (1) are the following:

(A) The Agriculture and Food Act of 1981 (Public Law 97–98; 95 Stat. 1213).

(B) The Agricultural Act of 1949 (7 U.S.C. 1421 et seq.).

(C) Section 9(a) of the Military Construction Codification Act (7 U.S.C. 1704c).

(D) Section 201 of the Africa: Seeds of Hope Act of 1998 (7 U.S.C. 1721 note; Public Law 105–385).

(E) The Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1 et seq.).

(F) The Food for Progress Act of 1985 (7 U.S.C. 1736o).

(G) Section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1).

(H) Sections 605B and 606C of the Act of August 28, 1954 (commonly known as the "Agricultural Act of 1954") (7 U.S.C. 1765b, 1766b).

(I) Section 206 of the Agricultural Act of 1956 (7 U.S.C. 1856).

(J) The Agricultural Competitiveness and Trade Act of 1988 (7 U.S.C. 5201 et seq.).

(K) The Agricultural Trade Act of 1978 (7 U.S.C. 5601 et seq.).

(L) The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.).

(M) Section 301 of title 13, United States Code.

(N) Section 8 of the Endangered Species Act of 1973 (16 U.S.C. 1537).

(O) Section 604 of the Enterprise for the Americas Act of 1992 (22 U.S.C. 2077).

(P) Section 5 of the International Health Research Act of 1960 (22 U.S.C. 2103).

(Q) The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

(R) The Horn of Africa Recovery and Food Security Act (22 U.S.C. 2151 note; Public Law 102–274).

(S) Section 105 of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455).

(T) Section 35 of the Foreign Military Sales Act (22 U.S.C. 2775).

(U) The Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.).

(V) Section 1707 of the Cuban Democracy Act of 1992 (22 U.S.C. 6006).

(W) The Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6021 et seq.).

(X) Section 902 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201).

(Y) Chapter 553 of title 46, United State Code.

(Z) Section 4 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98c).

(AA) The Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 104 Stat. 3359).

(BB) Section 738 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat 1549A-34).

(c) REFERENCES.—Any reference in any Federal, State, tribal, or local law (including regulations) to the "Agricultural Trade Development and Assistance Act of 1954" shall be considered to be a reference to the "Food for Peace Act".

SEC. 3002. UNITED STATES POLICY.

Section 2 of the Food for Peace Act (7 U.S.C. 1691) is amended—

(1) by striking paragraph (4); and

(2) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively.

SEC. 3003. FOOD AID TO DEVELOPING COUNTRIES.

Section 3(b) of the Food for Peace Act (7 U.S.C. 1691a(b)) is amended by striking "(b)" and all that follows through paragraph (1) and inserting the following:

"(b) SENSE OF CONGRESS.—It is the sense of Congress that—

"(1) in negotiations with other countries at the Food Aid Convention, the World Trade Organization, the United Nations Food and Agriculture Organization, and other appropriate venues, the President shall—

"(A) seek commitments of higher levels of food aid by donors in order to meet the legitimate needs of developing countries;

"(B) ensure, to the maximum extent practicable, that humanitarian nongovernmental organizations, recipient country governments, charitable bodies, and international organizations shall continue—

"(i) to be eligible to receive resources based on assessments of need conducted by those organizations and entities; and

"(ii) to implement food aid programs in agreements with donor countries; and

"(C) ensure, to the maximum extent practicable, that options for providing food aid for emergency and nonemergency, or chronic, needs shall not be subject to limitation, including in-kind commodities, provision of funds for commodity procurement, and monetization of commodities, on the condition that the provision of those commodities or funds—

"(i) is based on assessments of need and intended to benefit the food security of or otherwise assist recipients, and

"(ii) is provided in a manner that avoids disincentives to local agricultural production and marketing and with minimal potential for disruption of commercial markets; and".

SEC. 3004. TRADE AND DEVELOPMENT ASSISTANCE.

(a) Title I of the Food for Peace Act (7 U.S.C. 1701 et seq.) is amended in the title heading, by striking "**TRADE AND DEVELOPMENT ASSISTANCE**" and inserting "**ECONOMIC ASSISTANCE AND FOOD SECURITY**".

(b) Section 101 of the Food for Peace Act (7 U.S.C. 1701) is amended in the section heading, by striking "**TRADE AND DEVELOPMENT ASSISTANCE**" and inserting "**ECONOMIC ASSISTANCE AND FOOD SECURITY**".

SEC. 3005. AGREEMENTS REGARDING ELIGIBLE COUNTRIES AND PRIVATE ENTITIES.

Section 102 of the Food for Peace Act (7 U.S.C. 1702) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(2) by striking subsection (c).

SEC. 3006. USE OF LOCAL CURRENCY PAYMENTS.

Section 104(c) of the Food for Peace Act (7 U.S.C. 1704(c)) is amended—

(1) in the matter preceding paragraph (1), by inserting ", through agreements with recipient governments, private voluntary organizations, and cooperatives," after "developing country";

(2) in paragraph (2)—

(A) in subparagraph (C), by striking "and" at the end;

(B) in subparagraph (D), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(E) the improvement of the trade capacity of the recipient country.";

(3) by striking paragraphs (1), (3), (4), (5), and (6); and

(4) by redesignating paragraphs (2), (7), (8), and (9) as paragraphs (1), (2), (3), and (4), respectively.

SEC. 3007. GENERAL AUTHORITY.

Section 201 of the Food for Peace Act (7 U.S.C. 1721) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) address famine and respond to emergency food needs arising from man-made and natural disasters;";

(2) in paragraph (5), by inserting "food security and support" after "promote"; and

(3) by striking paragraph (6) and inserting the following:

"(6) protect livelihoods, provide safety nets for food insecure populations, and encourage participation in educational, training, and other productive activities.".

SEC. 3008. PROVISION OF AGRICULTURAL COMMODITIES.

Section 202 of the Food for Peace Act (7 U.S.C. 1722) is amended—

(1) in subsection (b)(2), by striking "may not deny a request for funds" and inserting "may not use as a sole rationale for denying a request for funds";

(2) in subsection (e)(1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "Of the funds made available in" and inserting "Of the total amount of funds made available from all sources for"; and

(ii) by striking "not less than 5 percent nor more than 10 percent" and inserting "not less than 7.5 percent";

(B) in subparagraph (A), by striking "and" at the end;

(C) by striking subparagraph (B) and inserting the following:

"(B) meeting specific administrative, management, personnel, programmatic, and operational activities, and internal transportation and distribution costs for carrying out new and existing programs in foreign countries under this title; and"

(D) by adding at the end the following:

"(C) improving and implementing methodologies for food aid programs, including needs assessments, monitoring, and evaluation."; and

(3) by striking subsection (h) and inserting the following:

"(h) FOOD AID QUALITY.—

"(1) IN GENERAL.—The Administrator shall use funds made available for fiscal year 2008 and subsequent fiscal years to carry out this title—

"(A) to assess the types and quality of agricultural commodities and products donated for food aid;

"(B) to adjust products and formulations as necessary to cost-effectively meet nutrient needs of target populations; and

"(C) to pretest prototypes.

"(2) ADMINISTRATION.—The Administrator—

"(A) shall carry out this subsection in consultation with and through an independent entity with proven impartial expertise in food aid commodity quality enhancements;

"(B) may enter into contracts to obtain the services of such an entity; and

"(C) shall consult with the Food Aid Consultative Group on how to carry out this subsection.

"(3) REPORTS.—The Administrator shall submit to the Committees on Agriculture and Foreign Affairs of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate—

"(A) a report that describes the activities of the Administrator in carrying out paragraph (1) for fiscal year 2008; and

"(B) an annual report that describes the progress of the Administrator in addressing food aid quality issues.".

SEC. 3009. MICROENTERPRISE ACTIVITIES.

Section 203(d)(2) of the Food for Peace Act (7 U.S.C.1723(d)(2)) is amended by inserting ", including activities involving microenterprise and village banking," after "other developmental activities".

SEC. 3010. LEVELS OF ASSISTANCE.

Section 204(a)(1) of the Food for Peace Act (7 U.S.C. 1724(a)(1)) is amended by striking "2007" and inserting "2012".

SEC. 3011. FOOD AID CONSULTATIVE GROUP.

Section 205 of the Food for Peace Act (7 U.S.C. 1725) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking "and" at the end;

(B) in paragraph (6), by striking the period and inserting "; and"; and

(C) by inserting at the end the following:

"(7) representatives from the maritime transportation sector involved in transporting agricultural commodities overseas for programs under this Act.";

(2) in subsection (d)—

(A) by striking "In preparing" and inserting the following:

"(1) IN GENERAL.—In preparing";

(B) by striking "The Administrator" and inserting the following:

"(2) BIANNUAL CONSULTATION.—The Administrator"; and

(C) by adding at the end the following:

"(3) CONSULTATION FOR DRAFT REGULATIONS.—In addition to the meetings required under paragraph (2), the Administrator shall consult and meet with the Group—

"(A) before issuing the draft regulations to carry out the program described in section 209; and

"(B) during the public comment period relating to those draft regulations."; and

(3) in subsection (f), by striking "2007" and inserting "2012".

SEC. 3012. ADMINISTRATION.

Section 207 of the Food for Peace Act (7 U.S.C. 1726a) is amended—

(1) in subsection (a)(3), by striking "must be met for the approval of such proposal" and inserting "should be considered for a proposal in a future fiscal year";

(2) in subsection (c), by striking paragraph (3);

(3) by striking subsection (d) and inserting the following:

"(d) TIMELY PROVISION OF COMMODITIES.—The Administrator, in consultation with the Secretary, shall develop procedures that ensure expedited processing of commodity call forwards in order to provide commodities overseas in a timely manner and to the extent feasible, according to planned delivery schedules.";

(4) in subsection (e)(2), by striking "December 1" and inserting "June 1"; and

(5) by adding at the end the following:

"(f) PROGRAM OVERSIGHT.—

"(1) IN GENERAL.—Funds made available to carry out this title may be used to pay the expenses of the United States Agency for International Development associated with program monitoring, evaluation, assessments, food aid data collection, and food aid information management and commodity reporting systems.

"(2) CONTRACT AUTHORITY.—

"(A) IN GENERAL.—Subject to subparagraphs (B) and (C) and notwithstanding any other provision of law, in carrying out administrative and management activities related to the implementation of programs under this title, the Administrator may contract with 1 or more individuals for personal service to be performed in recipient countries or neighboring countries.

"(B) PROHIBITION.—Individuals contracting with the Administrator under subparagraph (A) shall not be considered to be employees of the United States Government for the purpose of any law administered by the Office of Personnel Management.

"(C) PERSONAL SERVICE.—Subparagraph (A) does not limit the ability of the Administrator to contract with individuals for personal service under section 202(a).

"(g) INDIRECT SUPPORT COSTS TO THE WORLD FOOD PROGRAM OF THE UNITED NATIONS.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, in providing assistance under this title, the Administrator may make contributions to the World Food Program of the United Nations to the extent that the contributions are made in accordance with the rules and regulations of that program for indirect cost rates.

"(2) REPORT.—The Administrator shall submit the Committees on Agriculture and Foreign Affairs of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report on the level of the contribution and the reasons for the level.

"(h) INDIRECT SUPPORT COSTS TO COOPERATING SPONSORS.—Notwithstanding any other provision of law, the Administrator may pay to a private voluntary organization or cooperative indirect costs associated with any funds received or generated for programs, costs, or activities under this title, on the condition that the indirect costs are consistent with Office of Management and Budget cost principles.

"(i) PROJECT REPORTING.—

"(1) IN GENERAL.—In submitting project reports to the Administrator, a private voluntary organization or cooperative shall provide a copy of the report in such form as is necessary for the report to be displayed for public use on the website of the United States Agency for International Development.

"(2) CONFIDENTIAL INFORMATION.—An organization or cooperative described in paragraph (1) may omit any confidential information from the copy of the report submitted for public display under that paragraph.".

SEC. 3013. ASSISTANCE FOR STOCKPILING AND RAPID TRANSPORTATION, DELIVERY, AND DISTRIBUTION OF SHELF-STABLE PREPACKAGED FOODS.

Section 208(f) of the Food for Peace Act (7 U.S.C. 1726b(f)) is amended—

(1) by striking "$3,000,000" and inserting "$8,000,000"; and

(2) by striking "2007" and inserting "2012".

SEC. 3014. PILOT PROGRAM FOR LOCAL PURCHASE.

Title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) is amended by adding at the end the following:

"SEC. 209. PILOT PROGRAM FOR LOCAL PURCHASE.

"(a) DEFINITIONS.—In this section:

"(1) ELIGIBLE COMMODITY.—Notwithstanding section 402(2), the term 'eligible commodity' means an agricultural commodity, or the product of an agricultural commodity, that is produced in—

"(A) the recipient country;

"(B) a low-income, developing country near the recipient country; or

"(C) Africa.

"(2) ELIGIBLE ORGANIZATION.—The term 'eligible organization' means—

"(A) an organization that is—

"(i) described in section 202(d); and

"(ii) subject to guidelines promulgated to carry out this section, including United States audit requirements that are applicable to non-governmental organizations; or

"(B) an intergovernmental organization, if the organization agrees to be subject to all requirements of this section, including any regulations promulgated or guidelines issued by the Administrator to carry out this section.

"(3) PILOT PROGRAM.—The term 'pilot program' means the pilot program established under subsection (b).

"(b) ESTABLISHMENT.—Notwithstanding section 407(c)(1)(A), the Administrator, in consultation with the Secretary, shall establish a field-based pilot program for local and regional purchases of eligible commodities in accordance with this section.

"(c) PURPOSES.—Eligible commodities under the pilot program shall be used solely—

"(1) to address severe food shortages caused by sudden events, including—

"(A) earthquakes, floods, and other unforeseen crises; or

"(B) human-made crises, such as conflicts;

"(2) to prevent or anticipate increasing food scarcity as the result of slow-onset events, such as drought, crop failures, pests, economic shocks, and diseases that result in an erosion of the capacity of communities and vulnerable populations to meet food needs;

"(3) to address recovery, resettlement, and reconstruction following 1 or more disasters or emergencies described in paragraph (1) or (2); and

"(4) to protect and improve livelihoods and food security, provide safety nets for food insecure or undernourished populations, and encourage participation in education and other productive activities.

"(d) PROCUREMENT.—Subject to subsections (a), (b), (f), and (h) of section 403, eligible commodities under the pilot program shall for emergency situations be procured through the most effective 1 or more approaches or methodologies that are likely to expedite the provision of food aid to affected populations.

"(e) REVIEW OF PRIOR LOCAL CASH PURCHASE EXPERIENCE.—

"(1) IN GENERAL.—Not later than 30 days after the date of enactment of this section, the Administrator shall initiate the process to commission an external review of local cash purchase projects conducted before the date of enactment of this section by other donor countries, private voluntary organizations, and the World Food Program of the United Nations.

"(2) USE OF REVIEW.—The Administrator shall use the results of the review to develop—

"(A) proposed guidelines under subsection (j); and

"(B) requests for applications under subsection (f).

"(3) REPORT.—Not later than 270 days after the date of enactment of this section, the Administrator shall submit to the Committees on Agriculture and Foreign Affairs of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing the results of the review.

"(f) GRANTS TO ELIGIBLE ORGANIZATIONS.—

"(1) IN GENERAL.—After the promulgation of final guidelines under subsection (j), the Administrator may seek applications from and provide grants to eligible organizations to carry out the pilot program.

"(2) COMPLETION REQUIREMENT.—As a condition of receiving a grant under the pilot program, an eligible organization shall agree—

"(A) to complete all projects funded through the grant not later than September 30, 2011; and

"(B) to provide information about the results of the project in accordance with subsection (i).

"(3) OTHER REQUIREMENTS.—Other requirements for submission of proposals for consideration under this title shall apply to the submission of an application for a grant under this section.

"(g) PROJECT DIVERSITY.—In selecting projects to fund under the pilot program, the Administrator shall select a diversity of projects, including—

"(1) at least 1 project for each of the situations described in subsection (c);

"(2) at least 1 project carried out jointly with a project using agricultural commodities produced in the United States under this title;

"(3) at least 1 project carried out jointly with a project funded through grassroots efforts by agricultural producers through eligible United States organizations;

"(4) projects in both food surplus and food deficit regions, using regional procurement for food deficit regions; and

"(5) projects in diverse geographical regions, with most, but not all, projects located in Africa.

"(h) INFORMATION REQUIRED IN APPLICATIONS.—In submitting an application under this section, an eligible organization shall—

"(1) request funding for up to 3 years; and

"(2) include in the application—

"(A) a description of the target population through a needs assessment and sufficient information to demonstrate that the situation is a situation described in subsection (c);

"(B) an assurance that the local or regional procurement—

"(i) is likely to expedite the provision of food aid to the affected population; and

"(ii) would meet the requirements of subsection (d);

"(C) a description of—

"(i) the quantities and types of eligible commodities that would be procured;

"(ii) the rationale for selecting those eligible commodities; and

"(iii) how the eligible commodities could be procured and delivered in a timely manner;

"(D) an analysis of the potential impact of the purchase of eligible commodities on the production, pricing, and marketing of the same and similar agricultural commodities in the country and localities in which the purchase will take place;

"(E) a description of food quality and safety assurance measures; and

"(F) a monitoring and evaluation plan that ensures collection of sufficient data—

"(i) to determine the full cost of procurement, delivery, and administration;

"(ii) to report on the agricultural production, marketing, and price impact of the local or regional purchases, including the impact on low-income consumers; and

"(iii) to provide sufficient information to support the completion of the report described in subsection (i).

"(i) INDEPENDENT EVALUATION AND REPORT.—

"(1) IN GENERAL.—The Administrator shall—

"(A) arrange for an independent evaluation of the pilot program; and

"(B) provide access to all records and reports for the completion of the evaluation.

"(2) REPORT.—Not later than 4 years after the date of enactment of this section, the Administrator shall submit to the Committees on Agriculture and Foreign Affairs of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

"(A) includes the analysis and findings of the independent evaluation;

"(B) assesses whether the requirements of this section have been met;

"(C) describes for each of the relevant markets in which the commodities were purchased—

"(i) prevailing and historic supply, demand, and price movements;

"(ii) impact on producer and consumer prices;

"(iii) government market interferences and other donor activities that may have affected the supply and demand in the area in which the local or regional purchase took place; and

"(iv) the quantities and types of eligible commodities procured in each market, the time frame for procurement, and the complete costs of the procurement (including procurement, storage, handling, transportation, and administrative costs);

"(D) assesses the impact of different methodologies and approaches on local and regional agricultural producers (including large and small producers), markets, low-income consumers, and program recipients;

"(E) assesses the time elapsed from initiation of the procurement process to delivery;

"(F) compares different methodologies used in terms of—

"(i) the benefits to local agriculture;

"(ii) the impact on markets and consumers;

"(iii) the time for procurement and delivery;

"(iv) quality and safety assurances; and

"(v) implementation costs; and

"(G) to the extent adequate information is available, includes a comparison of the different methodologies used by other donors to make local and regional purchases, including purchases conducted through the World Food Program of the United Nations.

"(j) GUIDELINES.—Prior to approving projects or the procurement of eligible commodities under this section, not later than 1 year after the date of enactment of this section, the Administrator shall issue guidelines to carry out this section.

"(k) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—Subject to paragraph (2), for each of fiscal years 2008 through 2011, the Administrator may use to carry out this section not more than $25,000,000 of funds made available to carry out this title, to remain available until expended.

"(2) LIMITATION.—No funds may be made available to carry out the pilot program unless the minimum tonnage requirements of section 204(a) are met.".

SEC. 3015. GENERAL AUTHORITIES AND REQUIREMENTS.

(a) IN GENERAL.—Section 401 of the Food for Peace Act (7 U.S.C. 1731) is amended—

(1) by striking subsection (a);

(2) redesignating subsections (b) and (c) as subsections (a) and (b), respectively; and

(3) in subsection (b) (as so redesignated), by striking "(b)(1)" and inserting "(a)(1)".

(b) CONFORMING AMENDMENTS.—

(1) Section 406(a) of the Food for Peace Act (7 U.S.C. 1736(a)) is amended by striking "(that have been determined to be available under section 401(a))".

(2) Subsection (e)(1) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(e)(1)) is amended by striking "determined to be available under section 401 of the Food for Peace Act".

SEC. 3016. USE OF COMMODITY CREDIT CORPORATION.

Section 406(b)(2) of the Food for Peace Act (7 U.S.C. 1736(b)(2)) is amended by inserting ", including the costs of carrying out section 415" before the semicolon.

SEC. 3017. ADMINISTRATIVE PROVISIONS.

Section 407 of the Food for Peace Act (7 U.S.C. 1736a) is amended—

(1) in subsection (c)(4)—

(A) by striking "2007" and inserting "2012";

(B) by striking "$2,000,000" and inserting "$4,000,000"; and

(C) by adding at the end the following:

"(5) NONEMERGENCY OR MULTIYEAR AGREEMENTS.—Annual resource requests for ongoing nonemergency or multiyear agreements under title II shall be finalized not later than October 1 of the fiscal year in which the agricultural commodities will be shipped under the agreement."; and

(2) in subsection (f)—

(A) in paragraph (2)—

(i) in subparagraph (B), by inserting ", and the amount of funds, tonnage levels, and types of activities for nonemergency programs under title II" before the semicolon;

(ii) in subparagraph (C), by inserting ", and a general description of the projects and activities implemented" before the semicolon; and

(iii) in subparagraph (D), by striking "achieving food security" and inserting "reducing food insecurity"; and

(B) in paragraph (3)—

(i) by striking "shall submit" and inserting the following: "shall—

"(A) submit";

(ii) by striking "January 15" and inserting "April 1"; and

(iii) by striking "of the Senate". and inserting the following: "of the Senate; and

"(B) make the reports available to the public by electronic and other means.".

SEC. 3018. EXPIRATION DATE.

Section 408 of the Food for Peace Act (7 U.S.C. 1736b) is amended by striking "2007" and inserting "2012".

SEC. 3019. AUTHORIZATION OF APPROPRIATIONS.

Section 412 of the Food for Peace Act (7 U.S.C. 1736f) is amended by striking subsection (b) and inserting the following:

"(b) MINIMUM LEVEL OF NONEMERGENCY FOOD ASSISTANCE.—For each of fiscal years 2008 through 2012, of the amounts made available to carry out emergency and nonemergency food assistance programs under title II, not less than $600,000,000 for each of those fiscal years shall be obligated and expended for nonemergency food assistance programs under title II.".

SEC. 3020. MICRONUTRIENT FORTIFICATION PROGRAMS.

Section 415 of the Food for Peace Act (7 U.S.C. 1736g–2) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "Not later than September 30, 2003, the Administrator, in consultation with the Secretary" and inserting "Not later than September 30, 2008, the Secretary, in consultation with the Administrator"; and

(B) in paragraph (2)—

(i) in subparagraph (A), by adding "and" after the semicolon at the end; and

(ii) by striking subparagraphs (B) and (C) and inserting the following:

"(B) assess and apply technologies and systems to improve and ensure the quality, shelf life, bioavailability, and safety of fortified food aid agricultural commodities, and products of those agricultural commodities, that are provided to developing countries, using recommendations included in the report entitled 'Micronutrient Compliance Review of Fortified Public Law 480 Commodities', published in October 2001, with implementation by an independent entity with proven impartial experience and expertise in food aid commodity quality enhancements.";

(2) by striking subsection (b) and redesignating subsections (c) and (d) as subsections (b) and (c), respectively; and

(3) in subsection (c) (as redesignated by paragraph (2), by striking "2007" and inserting "2012".

SEC. 3021. GERMPLASM CONSERVATION.

Title IV of the Food for Peace Act (7 U.S.C. 1731 et seq.) is amended by adding at the end the following:

"SEC. 417. GERMPLASM CONSERVATION.

"(a) CONTRIBUTION.—The Administrator of the United States Agency for International Development shall contribute funds to endow the Global Crop Diversity Trust (referred to in this section as the 'Trust') to assist in the conservation of genetic diversity in food crops through the collection and storage of the germplasm of food crops in a manner that provides for—

"(1) the maintenance and storage of seed collections;

"(2) the documentation and cataloguing of the genetics and characteristics of conserved seeds to ensure efficient reference for researchers, plant breeders, and the public;

"(3) building the capacity of seed collection in developing countries;

"(4) making information regarding crop genetic data publicly available for researchers, plant breeders, and the public (including through the provision of an accessible Internet website);

"(5) the operation and maintenance of a back-up facility in which are stored duplicate samples of seeds, in the case of natural or man-made disasters; and

"(6) oversight designed to ensure international coordination of those actions and efficient, public accessibility to that diversity through a cost-effective system.

"(b) UNITED STATES CONTRIBUTION LIMIT.—The aggregate contributions of funds of the Federal Government provided to the Trust shall not exceed 25 percent of the total of the funds contributed to the Trust from all sources.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $60,000,000 for the period of fiscal years 2008 through 2012.".

SEC. 3022. JOHN OGONOWSKI AND DOUG BEREUTER FARMER-TO-FARMER PROGRAM.

Section 501 of the Food for Peace Act (7 U.S.C. 1737) is amended by striking "2007" each place it appears and inserting "2012".

Subtitle B—Agricultural Trade Act of 1978 and Related Statutes

SEC. 3101. NONGOVERNMENTAL ORGANIZATION PARTICIPATION IN THE RESOLUTION OF TRADE DISPUTES.

Section 104 of the Agricultural Trade Act of 1978 (7 U.S.C. 5604) is amended—

(1) by striking "The Secretary shall" and inserting the following:

"(a) IN GENERAL.—The Secretary shall"; and

(2) by adding at the end the following:

"(b) NONGOVERNMENTAL ORGANIZATION PARTICIPATION IN THE RESOLUTION OF TRADE DISPUTES.—The Secretary shall permit United States nongovernmental organizations to participate as part of the United States delegation attending formal sessions of dispute resolution panels involving United States agriculture under the auspices of the World Trade Organization if—

"(1) the 1 or more other members of the World Trade Organization involved in the dispute are expected to include private sector representatives in the delegations of the members to the sessions;

"(2) the United States nongovernmental organization has submitted public comments through the Federal Register that support the position of the United States Government in the case; and

"(3) the United States nongovernmental organization will provide for representation at the session a cleared adviser who is a member of the agricultural policy advisory committee or an agricultural technical advisory committee established under the Federal Advisory Committee Act (5 U.S.C. App.).".

SEC. 3102. EXPORT CREDIT GUARANTEE PROGRAM.

(a) REPEAL OF SUPPLIER CREDIT GUARANTEE PROGRAM AND INTERMEDIATE EXPORT CREDIT GUARANTEE PROGRAM.—Section 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5622) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "The Commodity" and inserting "Subject to paragraph (2), the Commodity"; and

(B) by striking paragraphs (2) and (3) and inserting the following:

"(2) TENURE.—Beginning with the 2013 fiscal year, credit terms described in paragraph (1) may not exceed a 180-day period.";

(2) by striking subsections (b) and (c);

(3) by redesignating subsections (d) through (l) as subsections (b) through (j), respectively; and

(4) by adding at the end the following:

"(k) ADMINISTRATION.—

"(1) DEFINITION OF LONG TERM.—In this subsection, the term 'long term' means a period of 10 or more years.

"(2) GUARANTEES.—In administering the export credit guarantees authorized under this section, the Secretary shall—

"(A) maximize the export sales of agricultural commodities;

"(B) maximize the export credit guarantees that are made available and used during the course of a fiscal year;

"(C) develop an approach to risk evaluation that facilitates accurate country risk designations and timely adjustments to the designations (on an ongoing basis) in response to material changes in country risk conditions, with ongoing opportunity for input and evaluation from the private sector;

"(D) adjust risk-based guarantees as necessary to ensure program effectiveness and United States competitiveness; and

"(E) work with industry to ensure that risk-based fees associated with the guarantees cover, but do not exceed, the operating costs and losses over the long term.".

(b) CONFORMING AMENDMENTS.—The Agricultural Trade Act of 1978 is amended—

(1) in section 202 (7 U.S.C. 5622)—

(A) in subsection (b)(4) (as redesignated by subsection (a)(3)), by striking ", consistent with the provisions of subsection (c)";

(B) in subsection (d) (as redesignated by subsection (a)(3))—

(i) by striking "(1)" and all that follows through "The Commodity" and inserting "The Commodity"; and

(ii) by striking paragraph (2); and

(C) in subsection (g)(2) (as redesignated by subsection (a)(3)), by striking "subsections (a) and (b)" and inserting "subsection (a)"; and

(2) in section 211, by striking subsection (b) and inserting the following:

"(b) EXPORT CREDIT GUARANTEE PROGRAMS.—The Commodity Credit Corporation shall make available for each of fiscal years 1996 through 2012 not less than $5,500,000,000 in credit guarantees under section 202(a).".

SEC. 3103. MARKET ACCESS PROGRAM.

(a) ORGANIC COMMODITIES.—Section 203(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5623(a)) is amended by inserting after "agricultural commodities" the following: "(including commodities that are organically produced (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502)))".

(b) FUNDING.—Section 211(c)(1)(A) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)(1)(A)) is amended by striking ", and $200,000,000 for each of fiscal years 2006 and 2007" and inserting "$200,000,000 for each of fiscal years 2006 and 2007, $210,000,000 for fiscal year 2008, $220,000,000 for fiscal year 2009, $230,000,000 for fiscal year 2010, $240,000,000 for fiscal year 2011, and $200,000,000 for fiscal year 2012 and each subsequent fiscal year".

SEC. 3104. EXPORT ENHANCEMENT PROGRAM.

(a) IN GENERAL.—Section 301 of the Agricultural Trade Act of 1978 (7 U.S.C. 5651) is repealed.

(b) CONFORMING AMENDMENTS.—The Agricultural Trade Act of 1978 is amended—

(1) in title III, by striking the title heading and inserting the following:

"TITLE III—BARRIERS TO EXPORTS";

(2) by redesignating section 302 as section 301;

(3) by striking section 303;

(4) in section 401 (7 U.S.C. 5661)—

(A) in subsection (a), by striking "section 201, 202, or 301" and inserting "section 201 or 202"; and

(B) in subsection (b), by striking "sections 201, 202, and 301" and inserting "sections 201 and 202"; and

(5) in section 402(a)(1) (7 U.S.C. 5662(a)(1)), by striking "sections 201, 202, 203, and 301" and inserting "sections 201, 202, and 203".

SEC. 3105. VOLUNTARY CERTIFICATION OF CHILD LABOR STATUS OF AGRICULTURAL IMPORTS.

Section 414 of the Agricultural Trade Act of 1978 (7 U.S.C. 5674) is amended by adding at the end the following:

"(d) REDUCING CHILD LABOR AND FORCED LABOR.—

"(1) DEFINITIONS.—In this subsection:

"(A) CHILD LABOR.—The term 'child labor' means the worst forms of child labor as defined in International Labor Convention 182, the Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, done at Geneva on June 17, 1999.

"(B) FORCED LABOR.—The term 'forced labor' means all work or service—

"(i) that is exacted from any individual under menace of any penalty for non-performance of the work or service, and for which the individual does not offer himself or herself voluntarily, by coercion, debt bondage, involuntary servitude (as those terms are defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)); and

"(ii) by 1 or more individuals who, at the time of production, were being subjected to a severe form of trafficking in persons (as that term is defined in that section).

"(2) DEVELOPMENT OF STANDARD SET OF PRACTICES.—

"(A) IN GENERAL.—The Secretary, in coordination with the Secretary of Labor, shall develop a standard set of practices for the production of agricultural commodities that are imported, sold, or marketed in the United States in order to reduce the likelihood that the agricultural commodities are produced with the use of forced labor or child labor.

"(B) REQUIREMENT.—The standard set of practices shall be developed in accordance with the requirements of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.).

"(3) REQUIREMENTS.—Not later than 3 years after the date of enactment of this subsection, the Secretary shall, with respect to the standard set of practices developed under paragraph (2), promulgate proposed regulations that shall, at a minimum, establish a voluntary certification program to enforce this subsection by—

"(A) requiring agricultural commodity traceability and inspection at all stages of the supply chain;

"(B) allowing for multistakeholder participation in the certification process;

"(C) providing for annual onsite inspection by a certifying agent, who shall be certified in accordance with the International Organization for Standardization Guide 65, of each affected worksite and handling operation;

"(D) incorporating a comprehensive conflict of interest policy for certifying agents, in accordance with section 2116(h) of the Organic Foods Production Act of 1990 (7 U.S.C. 6515(h)); and

"(E) providing an anonymous grievance procedure that—

"(i) is accessible by third parties to allow for the identification of new or continuing violations of the regulations; and

"(ii) provides protections for whistleblowers.

"(4) REPORTING REQUIREMENT.—Not later than 180 days after the date of enactment of this subsection, and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report on the development and implementation of the standard set of practices under this subsection.".

SEC. 3106. FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.

Section 703(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5723(a)) is amended by striking "amount of $34,500,000 for each of fiscal years 2002 through 2007" and inserting "amount of—

"(1) $39,500,000 for each of fiscal years 2008 and 2009;

"(2) $44,500,000 for fiscal year 2010; and

"(3) $34,500,000 for fiscal year 2011 and each subsequent fiscal year.".

SEC. 3107. FOOD FOR PROGRESS ACT OF 1985.

The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended—

(1) by striking "2007" each place it appears and inserting "2012";

(2) in subsection (b)(5)—

(A) by striking subparagraphs (A), (B), and (F);

(B) in subparagraph (D), by inserting "and" after the semicolon;

(C) in subparagraph (E), by striking "; and" and inserting a period; and

(D) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (A), (B), and (C), respectively; and

(3) in subsection (f), by striking paragraph (3) and inserting the following:

"(3) FUNDING LIMITATIONS.—With respect to eligible commodities made available under section 416(b) of the Agricultural Act of 1949 (42 U.S.C. 1431(b)), unless authorized in advance in appropriation Acts—

"(A) for each of fiscal years 2008 through 2010, no funds of the Corporation in excess of $48,000,000 (exclusive of the cost of eligible commodities) may be used to carry out this section; and

"(B) for fiscal year 2011 and each fiscal year thereafter, no funds of the Corporation in excess of $40,000,000 (exclusive of the cost of eligible commodities) may be used to carry out this section.".

SEC. 3108. MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM.

Section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1) is amended—

(1) in subsection (b), by inserting "in the Department of Agriculture" after "establish a program";

(2) in subsections (c)(2)(B), (f)(1), (h), (i), and (l)(1) by striking "President" each place it appears and inserting "Secretary";

(3) in subsection (d), by striking "The President shall designate 1 or more Federal agencies" and inserting "The Secretary shall";

(4) in paragraph (f)(2), by striking "implementing agency" and inserting "Secretary"; and

(5) in subsection (l)(2), by striking "such sums" and all that follows through "2007" and inserting "$300,000,000 for each of fiscal years 2008 through 2012".

Subtitle C—Miscellaneous

SEC. 3201. BILL EMERSON HUMANITARIAN TRUST.

Section 302 of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1) is amended—

(1) in subsection (a), by striking "a trust stock" and all that follows through the end of the subsection and inserting the following: "a trust of commodities, for use as described in subsection (c), to consist of—

"(1) quantities equivalent to not more than 4,000,000 metric tons of commodities; or

"(2) any combination of funds and commodities equivalent to not more than 4,000,000 metric tons of commodities.";

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (B)—

(I) by striking "replenish" each place it appears and inserting "reimburse"; and

(II) by striking "replenished" and inserting "reimbursed"; and

(ii) by striking subparagraph (D) and inserting the following:

"(D) funds made available—

"(i) under paragraph (2)(B);

"(ii) as a result of an exchange of any commodity held in the trust for an equivalent amount of funds from—

"(I) the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.);

"(II) the McGovern-Dole International Food for Education and Child Nutrition Program established under section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1); or

"(III) the market, if the Secretary determines that such a sale of the commodity on the market will not unduly disrupt domestic markets; and

"(iii) in the course of management of the trust or to maximize the value of the trust, in accordance with subsection (d)(3)."; and

(B) in paragraph (2)(B)—

(i) in the matter preceding clause (i), by striking "replenish" and inserting "reimburse";

(ii) in clause (i)—

(I) by striking "2007" each place it appears and inserting "2012";

(II) by striking "(c)(2)" and inserting "(c)(1)"; and

(III) by striking "and" at the end;

(iii) in clause (ii), by striking the period at the end and inserting "; or"; and

(iv) by adding at the end the following:

"(iii) from funds accrued through the management of the trust under subsection (d).";

(3) in subsection (c)—

(A) by striking paragraphs (1) and (2) and inserting the following:

"(1) RELEASES FOR EMERGENCY ASSISTANCE.—

"(A) DEFINITION OF EMERGENCY.—

"(i) IN GENERAL.—In this paragraph, the term 'emergency' means an urgent situation—

"(I) in which there is clear evidence that an event or series of events described in clause (ii) has occurred—

"(aa) that causes human suffering or imminently threatens human lives or livelihoods; and

"(bb) for which a government concerned has not the means to remedy; or

"(II) created by a demonstrably abnormal event or series of events that produces dislocation in the lives of residents of a country or region of a country on an exceptional scale.

"(ii) EVENT OR SERIES OF EVENTS.—An event or series of events referred to in clause (i) includes 1 or more of—

"(I) a sudden calamity, such as an earthquake, flood, locust infestation, or similar unforeseen disaster;

"(II) a human-made emergency resulting in—

"(aa) a significant influx of refugees;

"(bb) the internal displacement of populations; or

"(cc) the suffering of otherwise affected populations;

"(III) food scarcity conditions caused by slow-onset events, such as drought, crop failure, pest infestation, and disease, that result in an erosion of the ability of communities and vulnerable populations to meet food needs; and

"(IV) severe food access or availability conditions resulting from sudden economic shocks, market failure, or economic collapse, that result in an erosion of the ability of communities and vulnerable populations to meet food needs.

"(B) RELEASES.—

"(i) IN GENERAL.—Any funds or commodities held in the trust may be released to provide assistance under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.)—

"(I) to meet emergency needs, including during the period immediately preceding the emergency;

"(II) to respond to an emergency; or

"(III) for recovery and rehabilitation after an emergency.

"(ii) PROCEDURE.—Subject to subparagraph (B), a release under clause (i) shall be carried out in the same manner, and pursuant to the same authority as provided in title II of that Act.

"(C) INSUFFICIENCY OF OTHER FUNDS.—The funds and commodities held in the trust shall be made immediately available on a determination by the Administrator that funds available for emergency needs under title II of that Act (7 U.S.C. 1721 et seq.) for a fiscal year are insufficient to meet emergency needs during the fiscal year."; and

(B) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively;

(4) in subsection (d)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting the subparagraphs appropriately;

(B) by striking the subsection designation and heading and all that follows through "provide—" and inserting the following:

"(d) MANAGEMENT OF TRUST.—

"(1) IN GENERAL.—The Secretary shall provide for the management of eligible commodities and funds held in the trust in a manner that is consistent with maximizing the value of the trust, as determined by the Secretary.

"(2) ELIGIBLE COMMODITIES.—The Secretary shall provide—";

(C) in paragraph (2) (as redesignated by subparagraph (B))—

(i) in subparagraph (B) (as redesignated by subparagraph (A)), by striking "and" at the end;

(ii) in subparagraph (C) (as redesignated by subparagraph (A)), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(D) for the management of price risks associated with commodities held or potentially held in the trust."; and

(D) by adding at the end the following:

"(3) FUNDS.—

"(A) REQUIREMENT.—The Secretary shall maximize the value of funds held in the trust, to the maximum extent practicable.

"(B) RELEASES ON EMERGENCY.—If any commodity is released from the trust in the case of an emergency under subsection (c), the Secretary shall transfer to the trust funds of the Commodity Credit Corporation in an amount equal to, as determined by the Secretary, the amount of storage charges that will be saved by Commodity Credit Corporation due to the emergency release.

"(C) EXCHANGES.—If any commodity held in the trust is exchanged for funds under subsection (b)(1)(D)(ii)—

"(i) the funds shall be held in the trust until the date on which the funds are released in the case of an emergency under subsection (c); and

"(ii) the Secretary shall transfer to the trust funds of the Commodity Credit Corporation in an amount equal to, as determined by the Secretary, the amount of storage charges that will be saved by Commodity Credit Corporation due to the exchange.

"(D) INVESTMENT.—The Secretary—

"(i) may invest funds held in the trust in any short-term obligation of the United States or any other low-risk short-term instrument or security insured by the Federal Government in which a regulated insurance company may invest under the laws of the District of Columbia; and

"(ii) shall not invest any funds held in the trust in real estate.";

(5) in subsection (f)(2)(A), by striking "replenish" and inserting "reimburse"; and

(6) in subsection (h)—

(A) in paragraph (1), by striking "replenish" and inserting "reimburse"; and

(B) in each of paragraphs (1) and (2), by striking "2007" each place it appears and inserting "2012".

SEC. 3202. EMERGING MARKETS AND FACILITY GUARANTEE LOAN PROGRAM.

Section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5622 note; Public Law 101–624) is amended—

(1) in subsection (a), by striking "2007" and inserting "2012";

(2) in subsection (b)—

(A) in the first sentence, by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(B) by striking "A portion" and inserting the following:

"(1) IN GENERAL.—A portion";

(C) in the second sentence, by striking "The Commodity Credit Corporation" and inserting the following:

"(2) PRIORITY.—The Commodity Credit Corporation"; and

(D) by adding at the end the following:

"(3) CONSTRUCTION WAIVER.—The Secretary may waive any applicable requirements relating to the use of United States goods in the construction of a proposed facility, if the Secretary determines that—

"(A) goods from the United States are not available; or

"(B) the use of goods from the United States is not practicable.

"(4) TERM OF GUARANTEE.—A facility payment guarantee under this subsection shall be for a term that is not more than the lesser of—

"(A) the term of the depreciation schedule of the facility assisted; or

"(B) 20 years."; and

(3) in subsection (d)(1)(A)(i) by striking "2007" and inserting "2012".

SEC. 3203. BIOTECHNOLOGY AND AGRICULTURAL TRADE PROGRAM.

Section 1543A(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5679(d)) is amended by striking "2007" and inserting "2012".

SEC. 3204. TECHNICAL ASSISTANCE FOR THE RESOLUTION OF TRADE DISPUTES.

(a) IN GENERAL.—The Secretary may provide monitoring, analytic support, and other technical assistance to limited resource persons that are involved in trading agricultural commodities, as determined by the Secretary, to reduce trade barriers to the persons.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

TITLE IV—NUTRITION PROGRAMS

Subtitle A—Food and Nutrition Program

PART I—RENAMING OF FOOD STAMP PROGRAM

SEC. 4001. RENAMING OF FOOD STAMP PROGRAM.

(a) Short Title.—The first section of the Food Stamp Act of 1977 (7 U.S.C. 2011 note; Public Law 88-525) is amended by striking "Food Stamp Act of 1977" and inserting "Food and Nutrition Act of 2007".

(b) Program.—The Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.) (as amended by subsection (a)) is amended by striking "food stamp program" each place it appears and inserting "food and nutrition program".

PART II—IMPROVING PROGRAM BENEFITS

SEC. 4101. EXCLUSION OF CERTAIN MILITARY PAYMENTS FROM INCOME.

Section 5(d) of the Food and Nutrition Act of 2007 (7 U.S.C. 2014(d)) is amended—

(1) by striking "(d) Household" and inserting "(d) Exclusions From Income.—Household";

(2) by striking "only (1) any" and inserting "only—

"(1) any";

(3) by indenting each of paragraphs (2) through (18) so as to align with the margin of paragraph (1) (as amended by paragraph (1));

(4) by striking the comma at the end of each of paragraphs (1) through (16) and inserting a semicolon;

(5) in paragraph (3)—

(A) by striking "like (A) awarded" and inserting "like—

"(A) awarded";

(B) by striking "thereof, (B) to" and inserting "thereof;

"(B) to"; and

(C) by striking "program, and (C) to" and inserting "program; and

"(C) to";

(6) in paragraph (11), by striking ")), or (B) a" and inserting ")); or

"(B) a";

(7) in paragraph (17), by striking ", and" at the end and inserting a semicolon;

(8) in paragraph (18), by striking the period at the end and inserting "; and"; and

(9) by adding at the end the following:

"(19) any additional payment under chapter 5 of title 37, United States Code, or otherwise designated by the Secretary to be appropriate for exclusion under this paragraph, that is received by or from a member of the United States Armed Forces deployed to a designated combat zone, if the additional pay—

"(A) is the result of deployment to or service in a combat zone; and

"(B) was not received immediately prior to serving in a combat zone.".

SEC. 4102. STRENGTHENING THE FOOD PURCHASING POWER OF LOW-INCOME AMERICANS.

Section 5(e)(1) of the Food and Nutrition Act of 2007 (7 U.S.C. 2014(e)(1)) is amended—

(1) in subparagraph (A)(ii), by striking "not less than $134" and all that follows through the end of the clause and inserting the following: "not less than—

"(I) for fiscal year 2008, $140, $239, $197, and $123, respectively; and

"(II) for fiscal year 2009 and each fiscal year thereafter, an amount that is equal to the amount from the previous fiscal year adjusted to the nearest lower dollar increment to reflect changes for the 12-month period ending on the preceding June 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, for items other than food.";

(2) in subparagraph (B)(ii), by striking "not less than $269" and all that follows through the end of the clause and inserting the following: "not less than—

"(I) for fiscal year 2008, $281; and

"(II) for fiscal year 2009 and each fiscal year thereafter, an amount that is equal to the amount from the previous fiscal year adjusted to the nearest lower dollar increment to reflect changes for the 12-month period ending on the preceding June 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, for items other than food."; and

(3) by adding at the end the following:

"(C) Requirement.—Each adjustment under subparagraphs (A)(ii)(II) and (B)(ii)(II) shall be based on the unrounded amount for the prior 12-month period.".

SEC. 4103. SUPPORTING WORKING FAMILIES WITH CHILD CARE EXPENSES.

Section 5(e)(3)(A) of the Food and Nutrition Act of 2007 (7 U.S.C. 2014(e)(3)(A)) is amended by striking ", the maximum allowable level of which shall be $200 per month for each dependent child under 2 years of age and $175 per month for each other dependent,".

SEC. 4104. ENCOURAGING RETIREMENT AND EDUCATION SAVINGS AMONG FOOD STAMP RECIPIENTS.

(a) Allowable Financial Resources.—Section 5(g) of the Food and Nutrition Act of 2007 (7 U.S.C. 2014(g)) is amended—

(1) by striking "(g)(1) The Secretary" and inserting the following:

"(g) Allowable Financial Resources.—

"(1) Total amount.—

"(A) In general.—The Secretary";

(2) in subparagraph (A) (as designated by paragraph (1))—

(A) by striking "$2,000" and inserting "$3,500 (as adjusted in accordance with subparagraph (B))"; and

(B) by striking "$3,000" and inserting "$4,500 (as adjusted in accordance with subparagraph (B))"; and

(3) by adding at the end the following:

"(B) Adjustment for inflation.—

"(i) In general.—Beginning on October 1, 2007, and each October 1 thereafter, the amounts in subparagraph (A) shall be adjusted and rounded down to the nearest $250 to reflect changes for the 12-month period ending the preceding June in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

"(ii) Requirement.—Each adjustment under clause (i) shall be based on the unrounded amount for the prior 12-month period.".

(b) Exclusion of Retirement Accounts From Allowable Financial Resources.—

(1) In general.—Section 5(g)(2)(B)(v) of the Food and Nutrition Act of 2007 (7 U.S.C. 2014(g)(2)(B)(v)) is amended by striking "or retirement account (including an individual account)" and inserting "account".

(2) Mandatory and discretionary exclusions.—Section 5(g) of the Food and Nutrition Act of 2007 (7 U.S.C. 2014(g)) is amended by adding at the end the following:

"(7) Exclusion of retirement accounts from allowable financial resources.—

"(A) Mandatory exclusions.—The Secretary shall exclude from financial resources under this subsection the value of—

"(i) any funds in a plan, contract, or account, described in sections 401(a), 403(a), 403(b), 408, 408A, 457(b), and 501(c)(18) of the Internal Revenue Code of 1986 and the value of funds in a Federal Thrift Savings Plan account as provided in section 8439 of title 5, United States Code; and

"(ii) any retirement program or account included in any successor or similar provision that may be enacted and determined to be exempt from tax under the Internal Revenue Code of 1986.

"(B) Discretionary exclusions.—The Secretary may exclude from financial resources under this subsection the value of any other retirement plans, contracts, or accounts (as determined by the Secretary).".

(c) Exclusion of Education Accounts From Allowable Financial Resources.—Section 5(g) of the Food and Nutrition Act of 2007 (7 U.S.C. 2014(g)) (as amended by subsection (b)) is amended by adding at the end the following:

"(8) Exclusion of education accounts from allowable financial resources.—

"(A) Mandatory exclusions.—The Secretary shall exclude from financial resources under this subsection the value of any funds in a qualified tuition program described in section 529 of the Internal Revenue Code of 1986 or in a Coverdell education savings account under section 530 of that Code.

"(B) Discretionary exclusions.—The Secretary may exclude from financial resources under this subsection the value of any other education programs, contracts, or accounts (as determined by the Secretary).".

SEC. 4105. FACILITATING SIMPLIFIED REPORTING.

Section 6(c)(1)(A) of the Food and Nutrition Act of 2007 (7 U.S.C. 2015(c)(1)(A)) is amended—

(1) by striking "reporting by" and inserting "reporting";

(2) in clause (i), by inserting "for periods shorter than 4 months by" before "migrant";

(3) in clause (ii), by inserting "for periods shorter than 4 months by" before "households"; and

(4) in clause (iii), by inserting "for periods shorter than 1 year by" before "households".

SEC. 4106. ACCRUAL OF BENEFITS.

Section 7(i) of the Food and Nutrition Act of 2007 (7 U.S.C. 2016(i)) is amended by adding at the end the following:

"(12) Recovering electronic benefits.—

"(A) In general.—A State agency shall establish a procedure for recovering electronic benefits from the account of a household due to inactivity.

"(B) Benefit storage.—A State agency may store recovered electronic benefits offline in accordance with subparagraph (D), if the household has not accessed the account after 6 months.

"(C) Benefit expunging.—A State agency shall expunge benefits that have not been accessed by a household after a period of 12 months.

"(D) Notice.—A State agency shall—

"(i) send notice to a household the benefits of which are stored under subparagraph (B); and

"(ii) not later than 48 hours after request by the household, make the stored benefits available to the household.".

SEC. 4107. ELIGIBILITY FOR UNEMPLOYED ADULTS.

(a) In General.—Section 6(o) of the Food and Nutrition Act of 2007 (7 U.S.C. 2015(o)) is amended—

(1) in paragraph (2), in the matter preceding subparagraph (A) by striking "3 months" and inserting "6 months"; and

(2) in paragraph (5), by striking subparagraph (C).

(b) Effective Date.—The amendments made by subsection (a) take effect on October 1, 2008.

SEC. 4108. TRANSITIONAL BENEFITS OPTION.

Section 11(s)(1) of the Food and Nutrition Act of 2007 (7 U.S.C. 2020(s)(1)) is amended—

(1) by striking "benefits to a household"; and inserting "benefits—

"(A) to a household";

(2) by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following:

"(B) at the option of the State, to a household with children that ceases to receive cash assistance under a State-funded public assistance program.".

SEC. 4109. MINIMUM BENEFIT.

(a) In General.—Section 8(a) of the Food and Nutrition Act of 2007 (7 U.S.C. 2017(a)) is amended by striking "$10 per month" and inserting "10 percent of the thrifty food plan for a household containing 1 member".

(b) Effective Date.—The amendment made by subsection (a) takes effect on October 1, 2008.

SEC. 4110. AVAILABILITY OF COMMODITIES FOR THE EMERGENCY FOOD ASSISTANCE PROGRAM.

(a) In General.—Section 27(a) of the Food and Nutrition Act of 2007 (7 U.S.C. 2036(a)) is amended—

(1) by striking "(a) Purchase of Commodities" and all that follows through "through 2007" and inserting the following:

"(a) Purchase of Commodities.—

"(1) In general.—Subject to paragraph (2), for fiscal year 2008 and each fiscal year thereafter"; and

(2) by adding at the end the following:

"(2) Amounts.—In addition to the amounts made available under paragraph (1), for fiscal year 2008 and each fiscal year thereafter, from amounts made available to carry out this Act, the Secretary shall use to carry out this subsection $110,000,000.".

(b) Effective Date.—The amendments made by subsection (a) take effect on the date of enactment of this Act.

PART III—IMPROVING PROGRAM OPERATIONS

SEC. 4201. TECHNICAL CLARIFICATION REGARDING ELIGIBILITY.

Section 6(k) of the Food and Nutrition Act of 2007 (7 U.S.C. 2015(k)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(2) by striking "No member" and inserting the following:

"(1) In general.—No member"; and

(3) by adding at the end the following:

"(2) Procedures.—The Secretary shall issue consistent procedures—

"(A) to define the terms 'fleeing' and 'actively seeking' for purposes of this subsection; and

"(B) to ensure that State agencies use consistent procedures that disqualify individuals whom law enforcement authorities are actively seeking for the purpose of holding criminal proceedings against the individual.".

SEC. 4202. ISSUANCE AND USE OF PROGRAM BENEFITS.

(a) In General.—Section 7 of the Food and Nutrition Act of 2007 (7 U.S.C. 2016) is amended—

(1) by striking the section designation and heading and all that follows through "subsection (j)) shall be" and inserting the following:

"SEC. 7. ISSUANCE AND USE OF PROGRAM BENEFITS.

"(a) In General.—Except as provided in subsection (i), EBT cards shall be";

(2) in subsection (b)—

(A) by striking "(b) Coupons" and inserting the following:

"(b) Use.—Benefits"; and

(B) by striking the second proviso;

(3) in subsection (c)—

(A) by striking "(c) Coupons" and inserting the following:

"(c) Design.—

"(1) In general.—EBT cards";

(B) in the first sentence, by striking "and define their denomination"; and

(C) by striking the second sentence and inserting the following:

"(2) Prohibition.—The name of any public official shall not appear on any EBT card.";

(4) by striking subsection (d);

(5) in subsection (e)—

(A) by striking "coupons" each place it appears and inserting "benefits"; and

(B) by striking "coupon issuers" each place it appears and inserting "benefit issuers";

(6) in subsection (f)—

(A) by striking "coupons" each place it appears and inserting "benefits";

(B) by striking "coupon issuer" and inserting "benefit issuers";

(C) by striking "section 11(e)(20)" and inserting "section 11(e)(19)."; and

(D) by striking "and allotments";

(7) by striking subsection (g) and inserting the following:

"(g) Alternative Benefit Delivery.—

"(1) In general.—If the Secretary determines, in consultation with the Inspector General of the Department of Agriculture, that it would improve the integrity of the food and nutrition program, the Secretary shall require a State agency to issue or deliver benefits using alternative methods.

"(2) No imposition of costs.—The cost of documents or systems that may be required by this subsection may not be imposed upon a retail food store participating in the food and nutrition program.

"(3) Devaluation and termination of issuance of paper coupons.—

"(A) Coupon issuance.—Effective on the date of enactment of the Food and Energy Security Act of 2007, no State shall issue any coupon, stamp, certificate, or authorization card to a household that receives food and nutrition benefits under this Act.

"(B) EBT cards.—Effective beginning on the date that is 1 year after the date of enactment of the Food and Energy Security Act of 2007, only an EBT card issued under subsection (i) shall be eligible for exchange at any retail food store.

"(C) De-obligation of coupons.—Coupons not redeemed during the 1-year period beginning on the date of enactment of the Food and Energy Security Act of 2007 shall—

"(i) no longer be an obligation of the Federal Government; and

"(ii) not be redeemable.";

(8) in subsection (h)(1), by striking "coupons" and inserting "benefits";

(9) in subsection (j)—

(A) in paragraph (2)(A)(ii), by striking "printing, shipping, and redeeming coupons" and inserting "issuing and redeeming benefits"; and

(B) in paragraph (5), by striking "coupon" and inserting "benefit";

(10) in subsection (k)—

(A) by striking "coupons in the form of" each place it appears and inserting "program benefits in the form of";

(B) by striking "a coupon issued in the form of" each place it appears and inserting "program benefits in the form of"; and

(C) in subparagraph (A), by striking "subsection (i)(11)(A)" and inserting "subsection (h)(11)(A)"; and

(11) by redesignating subsections (e) through (k) as subsections (d) through (j), respectively.

(b) Conforming Amendments.—

(1) Section 3 of the Food and Nutrition Act of 2007 (7 U.S.C. 2012) is amended—

(A) in subsection (a), by striking "coupons" and inserting "benefits";

(B) by striking subsection (b) and inserting the following:

"(b) Benefit.—The term 'benefit' means the value of food and nutrition assistance provided to a household by means of—

"(1) an electronic benefit transfer under section 7(i); or

"(2) other means of providing assistance, as determined by the Secretary.";

(C) in subsection (c), in the first sentence, by striking "authorization cards" and inserting "benefits";

(D) in subsection (d), by striking "or access device" and all that follows through the end of the subsection and inserting a period;

(E) in subsection (e)—

(i) by striking "(e) 'Coupon issuer' means" and inserting the following:

"(e) Benefit Issuer.—The term 'benefit issuer' means"; and

(ii) by striking "coupons" and inserting "benefits";

(F) in subsection (g)(7), by striking "subsection (r)" and inserting "subsection (j)";

(G) in subsection (i)(5)—

(i) in subparagraph (B), by striking "subsection (r)" and inserting "subsection (j)"; and

(ii) in subparagraph (D), by striking "coupons" and inserting "benefits";

(H) in subsection (j), by striking "(as that term is defined in subsection (p))";

(I) in subsection (k)—

(i) in paragraph (1)(A), by striking "subsection (u)(1)" and inserting "subsection (r)(1)";

(ii) in paragraph (2), by striking "subsections (g)(3), (4), (5), (7), (8), and (9) of this section" and inserting "paragraphs (3), (4), (5), (7), (8), and (9) of subsection (k)"; and

(iii) in paragraph (3), by striking "subsection (g)(6) of this section" and inserting "subsection (k)(6)";

(J) in subsection (t), by inserting ", including point of sale devices," after "other means of access";

(K) in subsection (u), by striking "(as defined in subsection (g))"; and

(L) by adding at the end the following:

"(v) EBT Card.—The term 'EBT card' means an electronic benefit transfer card issued under section 7(i)."; and

(M) by redesignating subsections (a) through (v) as subsections (b), (d), (f), (g), (e), (h), (k), (l), (n), (o), (p), (q), (s), (t), (u), (v), (c), (j), (m), (a), (r), and (i), respectively, and moving so as to appear in alphabetical order.

(2) Section 4(a) of the Food and Nutrition Act of 2007 (7 U.S.C. 2013(a)) is amended—

(A) by striking "coupons" each place it appears and inserting "benefits"; and

(B) by striking "Coupons issued" and inserting "benefits issued".

(3) Section 5 of the Food and Nutrition Act of 2007 (7 U.S.C. 2014) is amended—

(A) in subsection (a), by striking "section 3(i)(4)" and inserting "section 3(n)(4)";

(B) in subsection (h)(3)(B), in the second sentence, by striking "section 7(i)" and inserting "section 7(h)"; and

(C) in subsection (i)(2)(E), by striking ", as defined in section 3(i) of this Act,".

(4) Section 6 of the Food and Nutrition Act of 2007 (7 U.S.C. 2015) is amended—

(A) in subsection (b)(1)—

(i) in subparagraph (B), by striking "coupons or authorization cards" and inserting "program benefits"; and

(ii) by striking "coupons" each place it appears and inserting "benefits"; and

(B) in subsection (d)(4)(L), by striking "section 11(e)(22)" and inserting "section 11(e)(19)".

(5) Section 7(f) of the Food and Nutrition Act of 2007 (7 U.S.C. 2016(f)) is amended by striking "including any losses" and all that follows through "section 11(e)(20),".

(6) Section 8 of the Food and Nutrition Act of 2007 (7 U.S.C. 2017) is amended—

(A) in subsection (b), by striking ", whether through coupons, access devices, or otherwise"; and

(B) in subsections (e)(1) and (f), by striking "section 3(i)(5)" each place it appears and inserting "section 3(n)(5)".

(7) Section 9 of the Food and Nutrition Act of 2007 (7 U.S.C. 2018) is amended—

(A) by striking "coupons" each place it appears and inserting "benefits";

(B) in subsection (a)—

(i) in paragraph (1), by striking "coupon business" and inserting "benefit transactions"; and

(ii) by striking paragraph (3) and inserting the following:

"(3) AUTHORIZATION PERIODS.—The Secretary shall establish specific time periods during which authorization to accept and redeem benefits shall be valid under the food and nutrition program."; and

(C) in subsection (g), by striking "section 3(g)(9)" and inserting "section 3(k)(9)".

(8) Section 10 of the Food and Nutrition Act of 2007 (7 U.S.C. 2019) is amended—

(A) by striking the section designation and heading and all that follows through "Regulations" and inserting the following:

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"Regulations";

(B) by striking "section 3(k)(4) of this Act" and inserting "section 3(p)(4)";

(C) by striking "section 7(i)" and inserting "section 7(h)"; and

(D) by striking "coupons" each place it appears and inserting "benefits".

(9) Section 11 of the Food and Nutrition Act of 2007 (7 U.S.C. 2020) is amended—

(A) in subsection (d)—

(i) by striking "section 3(n)(1) of this Act" each place it appears and inserting "section 3(t)(1)"; and

(ii) by striking "section 3(n)(2) of this Act" each place it appears and inserting "section 3(t)(2)";

(B) in subsection (e)—

(i) in paragraph (8)(E), by striking "paragraph (16) or (20)(B)" and inserting "paragraph (15) or (18)(B)";

(ii) by striking paragraphs (15) and (19);

(iii) by redesignating paragraphs (16) through (18) and (20) through (25) as paragraphs (15) through (17) and (18) through (23), respectively; and

(iv) in paragraph (17) (as so redesignated), by striking "(described in section 3(n)(1) of this Act)" and inserting "described in section 3(t)(1)";

(C) in subsection (h), by striking "coupon or coupons" and inserting "benefits";

(D) by striking "coupon" each place it appears and inserting "benefit";

(E) by striking "coupons" each place it appears and inserting "benefits";

(F) in subsection (q), by striking "section 11(e)(20)(B)" and inserting "subsection (e)(18)(B)"

(10) Section 13 of the Food and Nutrition Act of 2007 (7 U.S.C. 2022) is amended by striking "coupons" each place it appears and inserting "benefits".

(11) Section 15 of the Food and Nutrition Act of 2007 (7 U.S.C. 2024) is amended—

(A) in subsection (a), by striking "coupons" and inserting "benefits";

(B) in subsection (b)(1)—

(i) by striking "coupons, authorization cards, or access devices" each place it appears and inserting "benefits";

(ii) by striking "coupons or authorization cards" and inserting "benefits"; and

(iii) by striking "access device" each place it appears and inserting "benefit";

(C) in subsection (c), by striking "coupons" each place it appears and inserting "benefits";

(D) in subsection (d), by striking "Coupons" and inserting "Benefits";

(E) by striking subsections (e) and (f);

(F) by redesignating subsections (g) and (h) as subsections (e) and (f), respectively; and

(G) in subsection (e) (as so redesignated), by striking "coupon, authorization cards or access devices" and inserting "benefits".

(12) Section 16(a) of the Food and Nutrition Act of 2007 (7 U.S.C. 2025(a)) is amended by striking "coupons" each place it appears and inserting "benefits".

(13) Section 17 of the Food and Nutrition Act of 2007 (7 U.S.C. 2026) is amended—

(A) in subsection (a)(2), by striking "coupon" and inserting "benefit";

(B) in subsection (b)(1)—

(i) in subparagraph (B)—

(I) in clause (iv)—

(aa) in subclause (I), inserting "or otherwise providing benefits in a form not restricted to the purchase of food" after "of cash";

(bb) in subclause (III)(aa), by striking "section 3(i)" and inserting "section 3(n)"; and

(cc) in subclause (VII), by striking "section 7(j)" and inserting "section 7(i)"; and

(II) in clause (v)—

(aa) by striking "countersigned food coupons or similar"; and

(bb) by striking "food coupons" and inserting "EBT cards"; and

(ii) in subparagraph (C)(i)(I), by striking "coupons" and inserting "EBT cards";

(C) in subsection (f), by striking "section 7(g)(2)" and inserting "section 7(f)(2)"; and

(D) in subsection (j), by striking "coupon" and inserting "benefit".

(14) Section 19(a)(2)(A)(ii) of the Food and Nutrition Act of 2007 (7 U.S.C. 2028(a)(2)(A)(ii)) is amended by striking "section 3(o)(4)" and inserting "section 3(u)(4)".

(15) Section 21 of the Food and Nutrition Act of 2007 (7 U.S.C. 2030) is amended—

(A) in subsection (b)(2)(G)(i), by striking "and (19)" and inserting "(and (17)";

(B) in subsection (d)(3), by striking "food coupons" and inserting "EBT cards"; and

(C) by striking "coupons" each place it appears and inserting "EBT cards".

(16) Section 22 of the Food and Nutrition Act of 2007 (7 U.S.C. 2031) is amended—

(A) by striking "food coupons" each place it appears and inserting "benefits";

(B) by striking "coupons" each place it appears and inserting "benefits"; and

(C) in subsection (g)(1)(A), by striking "coupon" and inserting "benefits".

(17) Section 26(f)(3) of the Food and Nutrition Act of 2007 (7 U.S.C. 2035(f)(3)) is amended—

(A) in subparagraph (A), by striking "subsections (a) through (g)" and inserting "subsections (a) through (f)"; and

(B) in subparagraph (E), by striking "(16), (18), (20), (24), and (25)" and inserting "(15), (17), (18), (22), and (23)".

(c) CONFORMING CROSS-REFERENCES.—

(1) IN GENERAL.—

(A) USE OF TERMS.—Each provision of law described in subparagraph (B) is amended (as applicable)—

(i) by striking "coupons" each place it appears and inserting "benefits";

(ii) by striking "coupon" each place it appears and inserting "benefit";

(iii) by striking "food coupons" each place it appears and inserting "benefits";

(iv) in each section heading, by striking "**FOOD COUPONS**" each place it appears and inserting "**BENEFITS**";

(v) by striking "food stamp coupon" each place it appears and inserting "benefit"; and

(vi) by striking "food stamps" each place it appears and inserting "benefits".

(B) PROVISIONS OF LAW.—The provisions of law referred to in subparagraph (A) are the following:

(i) Section 2 of Public Law 103–205 (7 U.S.C. 2012 note; 107 Stat. 2418).

(ii) Section 1956(c)(7)(D) of title 18, United States Code.

(iii) Titles II through XIX of the Social Security Act (42 U.S.C. 401 et seq.).

(iv) Section 401(b)(3) of the Social Security Amendments of 1972 (42 U.S.C. 1382e note; Public Law 92–603).

(v) The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(vi) Section 802(d)(2)(A)(i)(II) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8011(d)(2)(A)(i)(II)).

(2) DEFINITION REFERENCES.—

(A) Section 2 of Public Law 103–205 (7 U.S.C. 2012 note; 107 Stat. 2418) is amended by striking "section 3(k)(1)" and inserting "section 3(p)(1)".

(B) Section 205 of the Food Stamp Program Improvements Act of 1994 (7 U.S.C. 2012 note; Public Law 103–225) is amended by striking "section 3(k) of such Act (as amended by section 201)" and inserting "section 3(p) of that Act".

(C) Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (21 U.S.C. 862a) is amended—

(i) by striking "section 3(h)" each place it appears and inserting "section 3(l)"; and

(ii) in subsection (e)(2), by striking "section 3(m)" and inserting "section 3(s)".

(D) Section 402(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)) is amended—

(i) in paragraph (2)(F)(ii), by striking "section 3(r)" and inserting "section 3(j)"; and

(ii) in paragraph (3)(B), by striking "section 3(h)" and inserting "section 3(l)".

(E) Section 3803(c)(2)(C)(vii) of title 31, United States Code, is amended by striking "section 3(h)" and inserting "section 3(l)".

(F) Section 303(d)(4) of the Social Security Act (42 U.S.C. 503(d)(4)) is amended by striking "section 3(n)(1)" and inserting "section 3(t)(1)".

(G) Section 404 of the Social Security Act (42 U.S.C. 604) is amended by striking "section 3(h)" each place it appears and inserting "section 3(l)".

(H) Section 531 of the Social Security Act (42 U.S.C. 654) is amended by striking "section 3(h)" each place it appears and inserting "section 3(l)".

(I) Section 802(d)(2)(A)(i)(II) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8011(d)(2)(A)(i)(II)) is amended by striking "(as defined in section 3(e) of such Act)".

(d) REFERENCES.—Any reference in any Federal, State, tribal, or local law (including regulations) to a "coupon", "authorization card", or other access device provided under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.) shall be considered to be a reference to a "benefit" provided under that Act.

SEC. 4203. CLARIFICATION OF SPLIT ISSUANCE.

Section 7(h) of the Food and Nutrition Act of 2007 (7 U.S.C. 2016(h)) is amended by striking paragraph (2) and inserting the following:

"(2) REQUIREMENTS.—

"(A) IN GENERAL.—Any procedure established under paragraph (1) shall—

"(i) not reduce the allotment of any household for any period; and

"(ii) ensure that no household experiences an interval between issuances of more than 40 days.

"(B) MULTIPLE ISSUANCES.—The procedure may include issuing benefits to a household in more than 1 issuance only when a benefit correction is necessary.".

SEC. 4204. STATE OPTION FOR TELEPHONIC SIGNATURE.

Section 11(e)(2)(C) of the Food and Nutrition Act of 2007 (7 U.S.C. 2020(e)(2)(C)) is amended—

(1) by striking "Nothing in this Act" and inserting the following:

"(C) ELECTRONIC AND AUTOMATED SYSTEMS.—

"(i) IN GENERAL.—Nothing in this Act"; and

(2) by adding at the end the following:

"(ii) STATE OPTION FOR TELEPHONIC SIGNATURE.—A State agency may establish a system by which an applicant household may sign an application through a recorded verbal assent over the telephone.

"(iii) REQUIREMENTS.—A system established under clause (ii) shall—

"(I) record for future reference the verbal assent of the household member and the information to which assent was given;

"(II) include effective safeguards against impersonation, identity theft, and invasions of privacy;

"(III) not deny or interfere with the right of the household to apply in writing;

"(IV) promptly provide to the household member a written copy of the completed application, with instructions for a simple procedure for correcting any errors or omissions;

"(V) comply with paragraph (1)(B);

"(VI) satisfy all requirements for a signature on an application under this Act and other laws applicable to the food and nutrition program, with the date on which the household member provides verbal assent considered as the date of application for all purposes; and

"(VII) comply with such other standards as the Secretary may establish.".

SEC. 4205. PRIVACY PROTECTIONS.

Section 11(e)(8) of the Food and Nutrition Act of 2007 (7 U.S.C. 2020(e)(8)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking "limit" and inserting "prohibit"; and

(B) by striking "to persons" and all that follows through "State programs";

(2) by redesignating subparagraphs (A) through (E) as subparagraphs (B) through (F), respectively;

(3) by inserting before subparagraph (B) (as so redesignated) the following:

"(A) the safeguards shall permit—

"(i) the disclosure of such information to persons directly connected with the administration or enforcement of the provisions of this Act, regulations issued pursuant to this Act, Federal assistance programs, or federally-assisted State programs; and

"(ii) the subsequent use of the information by persons described in clause (i) only for such administration or enforcement;"; and

(4) in subparagraph (F) (as so redesignated) by inserting "or subsection (u)" before the semicolon at the end.

SEC. 4206. STUDY ON COMPARABLE ACCESS TO FOOD AND NUTRITION ASSISTANCE FOR PUERTO RICO.

(a) IN GENERAL.—The Secretary shall carry out a study of the feasibility and effects of including the Commonwealth of Puerto Rico in the definition of the term "State" under section 3 of the Food and Nutrition Act of 2007 (7 U.S.C. 2012), in lieu of providing block grants under section 19 of that Act (7 U.S.C. 2028).

(b) INCLUSIONS.—The study shall include—

(1) an assessment of the administrative, financial management, and other changes that would be necessary for the Commonwealth to establish a comparable food and nutrition program, including compliance with appropriate program rules under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq,), such as—

(A) benefit levels under section 3(o) of that Act (7 U.S.C. 3012(o));

(B) income eligibility standards under sections 5(c) and 6 of that Act (7 U.S.C. 2014(c), 2015); and

(C) deduction levels under section 5(e) of that Act (7 U.S.C. 2014(e));

(2) an estimate of the impact on Federal and Commonwealth benefit and administrative costs;

(3) an assessment of the impact of the program on low-income Puerto Ricans, as compared to the program under section 19 of that Act (7 U.S.C. 2028);

(4) such other matters as the Secretary considers to be appropriate.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under this section.

(d) FUNDING.—

(1) IN GENERAL.—On October 1, 2008, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section $1,000,000, to remain available until expended.

(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under paragraph (1), without further appropriation.

SEC. 4207. CIVIL RIGHTS COMPLIANCE.

Section 11 of the Food and Nutrition Act of 2007 (7 U.S.C. 2020) is amended by striking subsection (c) and inserting the following:

"(c) CIVIL RIGHTS COMPLIANCE.—

"(1) IN GENERAL.—In the certification of applicant households for the food and nutrition program, there shall be no discrimination by reason of race, sex, religious creed, national origin, or political affiliation.

"(2) RELATION TO OTHER LAWS.—The administration of the program by a State agency shall be consistent with the rights of households under the following laws (including implementing regulations):

"(A) The Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).

"(B) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

"(C) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

"(D) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).".

SEC. 4208. EMPLOYMENT, TRAINING, AND JOB RETENTION.

Section 6(d)(4) of the Food and Nutrition Act of 2007 (7 U.S.C. 2015(d)(4)) is amended—

(1) in subparagraph (B)—

(A) by redesignating clause (vii) as clause (viii); and

(B) by inserting after clause (vi) the following:

"(vii) Programs intended to ensure job retention by providing job retention services, if the job retention services are provided for a period of not more than 90 days after an individual who received employment and training services under this paragraph gains employment."; and

(2) in subparagraph (F), by adding at the end the following:

"(iii) Any individual voluntarily electing to participate in a program under this paragraph shall not be subject to the limitations described in clauses (i) and (ii).".

SEC. 4209. CODIFICATION OF ACCESS RULES.

Section 11(e)(1)) of the Food and Nutrition Act of 2007 (7 U.S.C. 2020(e)(1)) is amended—

(1) by striking "shall (A) at" and inserting "shall—

"(A) at"; and

(2) by striking "and (B) use" and inserting "and

"(B) comply with regulations of the Secretary requiring the use of".

SEC. 4210. EXPANDING THE USE OF EBT CARDS AT FARMERS' MARKETS.

(a) IN GENERAL.—For each of fiscal years 2008 through 2010, the Secretary shall make grants to pay 100 percent of the costs of eligible entities approved by the Secretary to carry out projects to expand the number of farmers' markets that accept EBT cards by—

(1) providing equipment and training necessary for farmers' markets to accept EBT cards;

(2) educating and providing technical assistance to farmers and farmers' market operators about the process and benefits of accepting EBT cards; or

(3) other activities considered to be appropriate by the Secretary.

(b) LIMITATION.—A grant under this section—

(1) may not be made for the ongoing cost of carrying out any project; and

(2) shall only be provided to eligible entities that demonstrate a plan to continue to provide EBT card access at 1 or more farmers' markets following the receipt of the grant.

(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

(1) a State agency administering the food and nutrition program established under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.);

(2) a State agency or local government; or

(3) a private nonprofit entity that coordinates farmers' markets in a State in cooperation with a State or local government.

(d) SELECTION OF ELIGIBLE ENTITIES.—The Secretary—

(1) shall develop criteria to select eligible entities to receive grants under this section; and

(2) may give preference to any eligible entity that consists of a partnership between a government entity and a nongovernmental entity.

(e) MANDATORY FUNDING.—

(1) IN GENERAL.—On October 1, 2007, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture to carry out this section $5,000,000, to remain available until expended.

(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under paragraph (1), without further appropriation.

SEC. 4211. REVIEW OF MAJOR CHANGES IN PROGRAM DESIGN.

Section 11 of the Food and Nutrition Act of 2007 (7 U.S.C. 2020) is amended by striking subsection (a) and inserting the following:

"(a) STATE RESPONSIBILITY.—

"(1) IN GENERAL.—The State agency of each participating State shall have responsibility for certifying applicant households and issuing EBT cards.

"(2) LOCAL ADMINISTRATION.—The responsibility of the agency of the State government shall not be affected by whether the program is operated on a State-administered or county-administered basis, as provided under section 3(t)(1).

"(3) RECORDS.—

"(A) IN GENERAL.—Each State agency shall keep such records as may be necessary to determine whether the program is being conducted in compliance with this Act (including regulations issued under this Act).

"(B) INSPECTION AND AUDIT.—Records described in subparagraph (A) shall—

"(i) be available for inspection and audit at any reasonable time;

"(ii) subject to subsection (e)(8), be available for review in any action filed by a household to enforce any provision of this Act (including regulations issued under this Act); and

"(iii) be preserved for such period of not less than 3 years as may be specified in regulations.

"(4) REVIEW OF MAJOR CHANGES IN PROGRAM DESIGN.—

"(A) IN GENERAL.—The Secretary shall develop standards for identifying major changes in the operations of a State agency, including—

"(i) large or substantially-increased numbers of low-income households that do not live in reasonable proximity to an office performing the major functions described in subsection (e);

"(ii) substantial increases in reliance on automated systems for the performance of responsibilities previously performed by personnel described in subsection (e)(6)(B);

"(iii) changes that potentially increase the difficulty of reporting information under subsection (e) or section 6(c); and

"(iv) changes that may disproportionately increase the burdens on any of the types of households described in subsection (e)(2)(A).

"(B) NOTIFICATION.—If a State agency implements a major change in operations, the State agency shall—

"(i) notify the Secretary; and

"(ii) collect such information as the Secretary shall require to identify and correct any adverse effects on program integrity or access, including access by any of the types of households described in subsection (e)(2)(A).".

SEC. 4212. PRESERVATION OF ACCESS AND PAYMENT ACCURACY.

Section 16 of the Food and Nutrition Act of 2007 (7 U.S.C. 2025) is amended by striking subsection (g) and inserting the following:

"(g) COST SHARING FOR COMPUTERIZATION.—

"(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the Secretary is authorized to pay to each State agency the amount provided under subsection (a)(6) for the costs incurred by the State agency in the planning, design, development, or installation of 1 or more automatic data processing and information retrieval systems that the Secretary determines—

"(A) would assist in meeting the requirements of this Act;

"(B) meet such conditions as the Secretary prescribes;

"(C) are likely to provide more efficient and effective administration of the food and nutrition program;

"(D) would be compatible with other systems used in the administration of State programs, including the program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

"(E) would be tested adequately before and after implementation, including through pilot projects in limited areas for major systems changes as determined under rules promulgated by the Secretary, data from which shall be thoroughly evaluated before the Secretary approves the system to be implemented more broadly; and

"(F) would be operated in accordance with an adequate plan for—

"(i) continuous updating to reflect changed policy and circumstances; and

"(ii) testing the effect of the system on access for eligible households and on payment accuracy.

"(2) LIMITATION.—The Secretary shall not make payments to a State agency under paragraph (1) to the extent that the State agency—

"(A) is reimbursed for the costs under any other Federal program; or

"(B) uses the systems for purposes not connected with the food and nutrition program.".

SEC. 4213. NUTRITION EDUCATION.

(a) AUTHORITY TO PROVIDE NUTRITION EDUCATION.—Section 4(a) of the Food and Nutrition Act of 2007 (7 U.S.C. 2013(a)) is amended in the first sentence by inserting "and through an approved State plan, nutrition education" after "an allotment".

(b) IMPLEMENTATION.—Section 11 of the Food and Nutrition Act of 2007 (7 U.S.C. 2020(f) is amended by striking subsection (f) and inserting the following:

"(f) NUTRITION EDUCATION.—

"(1) IN GENERAL.—State agencies may implement a nutrition education program for individuals eligible for program benefits that promotes healthy food choices consistent with the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341).

"(2) DELIVERY OF NUTRITION EDUCATION.—State agencies may deliver nutrition education directly to eligible persons or through agreements with the Cooperative State Research, Education, and Extension Service, including through the expanded food and nutrition education under section 3(d) of the Act of May 8, 1914 (7 U.S.C. 343(d)), and other State and community health and nutrition providers and organizations.

"(3) NUTRITION EDUCATION STATE PLANS.—

"(A) IN GENERAL.—A State agency that elects to provide nutrition education under this subsection shall submit a nutrition education State plan to the Secretary for approval.

"(B) REQUIREMENTS.—The plan shall—

"(i) identify the uses of the funding for local projects; and

"(ii) conform to standards established by the Secretary through regulations or guidance.

"(C) REIMBURSEMENT.—State costs for providing nutrition education under this subsection shall be reimbursed pursuant to section 16(a).

"(4) NOTIFICATION.—To the maximum extent practicable, State agencies shall notify applicants, participants, and eligible program participants of the availability of nutrition education under this subsection.".

PART IV—IMPROVING PROGRAM INTEGRITY

SEC. 4301. MAJOR SYSTEMS FAILURES.

(a) IN GENERAL.—Section 13(b) of the Food and Nutrition Act of 2007 (7 U.S.C. 2022(b)) is amended by adding at the end the following:

"(5) OVER ISSUANCES CAUSED BY SYSTEMIC STATE ERRORS.—

"(A) IN GENERAL.—If the Secretary determines that a State agency over issued benefits to a substantial number of households in a fiscal year as a result of a major systemic error by the State agency, as determined by the Secretary, the Secretary may prohibit the State agency from collecting these over issuances from some or all households.

"(B) PROCEDURES.—

"(i) INFORMATION REPORTING BY STATES.—Every State agency shall provide to the Secretary all information requested by the Secretary concerning the issuance of benefits to households by the State agency in the applicable fiscal year.

"(ii) FINAL DETERMINATION.—After reviewing relevant information provided by a State agency, the Secretary shall make a final determination—

"(I) whether the State agency over issued benefits to a substantial number of households as a result of a systemic error in the applicable fiscal year; and

"(II) as to the amount of the over issuance in the applicable fiscal year for which the State agency is liable.

"(iii) ESTABLISHING A CLAIM.—Upon determining under clause (ii) that a State agency has over issued benefits to households due to a major systemic error determined under subparagraph (A), the Secretary shall establish a claim against the State agency equal to the value of the over issuance caused by the systemic error.

"(iv) ADMINISTRATIVE AND JUDICIAL REVIEW.—Administrative and judicial review, as provided in section 14, shall apply to the final determinations by the Secretary under clause (ii).

"(v) REMISSION TO THE SECRETARY.—

"(I) DETERMINATION NOT APPEALED.—If the determination of the Secretary under clause (ii) is not appealed, the State agency shall, as soon as practicable, remit to the Secretary the dollar amount specified in the claim under clause (iii).

"(II) DETERMINATION APPEALED.—If the determination of the Secretary under clause (ii) is appealed, upon completion of administrative and judicial review under clause (iv), and a finding of liability on the part of the State, the appealing State agency shall, as soon as practicable, remit to the Secretary a dollar amount subject to the finding of the administrative and judicial review.

"(vi) ALTERNATIVE METHOD OF COLLECTION.—

"(I) IN GENERAL.—If a State agency fails to make a payment under clause (v) within a reasonable period of time, as determined by the Secretary, the Secretary may reduce any amount due to the State agency under any other provision of this Act by the amount due.

"(II) ACCRUAL OF INTEREST.—During the period of time determined by the Secretary to be reasonable under subclause (I), interest in the amount owed shall not accrue.

"(vii) LIMITATION.—Any liability amount established under section 16(c)(1)(C) shall be reduced by the amount of the claim established under this subparagraph.".

(b) CONFORMING AMENDMENT.—Section 14(a)(6) of the Food and Nutrition Act of 2007 (7 U.S.C. 2023(a)(6)) is amended by striking "pursuant to section" and inserting "pursuant to section 13(b)(5) and".

SEC. 4302. PERFORMANCE STANDARDS FOR BIOMETRIC IDENTIFICATION TECHNOLOGY.

Section 16 of the Food and Nutrition Act of 2007 (7 U.S.C. 2025) is amended by adding at the end the following:

"(l) PERFORMANCE STANDARDS FOR BIOMETRIC IDENTIFICATION TECHNOLOGY.—

"(1) DEFINITION OF BIOMETRIC IDENTIFICATION TECHNOLOGY.—In this subsection, the term 'biometric identification technology' means a technology that provides an automated method to identify an individual based on physical characteristics, such as fingerprints or retinal scans.

"(2) ADMINISTRATIVE FUNDS.—The Secretary may not pay a State agency any amount for administrative costs for the development, purchase, administration, or other costs associated with the use of biometric identification technology unless the State agency has, under such terms and conditions as the Secretary considers appropriate—

"(A) provided to the Secretary an analysis of the cost-effectiveness of the use of the proposed biometric identification technology to detect fraud in carrying out the food and nutrition program;

"(B) demonstrated to the Secretary that the analysis is—

"(i) statistically valid; and

"(ii) based on appropriate and valid assumptions for the households served by the food and nutrition program;

"(C) demonstrated to the Secretary that—

"(i) the proposed biometric identification technology is cost-effective in reducing fraud; and

"(ii) there are no other technologies or fraud-detection methods that are at least as cost-effective in carrying out the purposes of the proposed biometric identification system; and

"(D) demonstrated to the Secretary that no information produced by or used in the biometric information technology system will be made available or used for any purpose other than a purpose allowed under section 11(e)(8).

"(3) STANDARDS.—The Secretary shall establish uniform standards for the evaluation of cost-effectiveness analyses submitted to the Secretary under paragraph (2).".

SEC. 4303. CIVIL PENALTIES AND DISQUALIFICATION OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.

Section 12 of the Food and Nutrition Act of 2007 (7 U.S.C. 2021) is amended—

(1) by striking the section designation and heading and all that follows through the end of subsection (a) and inserting the following:

"SEC. 12. CIVIL PENALTIES AND DISQUALIFICATION OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.

"(a) DISQUALIFICATION.—

"(1) IN GENERAL.—An approved retail food store or wholesale food concern that violates a provision of this Act or a regulation under this Act may be—

"(A) disqualified for a specified period of time from further participation in the food and nutrition program; or

"(B) assessed a civil penalty of up to $100,000 for each violation.

"(2) REGULATIONS.—Regulations promulgated under this Act shall provide criteria for the finding of a violation of, the suspension or disqualification of, and the assessment of a civil penalty against, a retail food store or wholesale food concern on the basis of evidence that may include facts established through on-site investigations, inconsistent redemption data, or evidence obtained through a transaction report under an electronic benefit transfer system.";

(2) in subsection (b)—

(A) by striking "(b) Disqualification" and inserting the following:

"(b) PERIOD OF DISQUALIFICATION.—Subject to subsection (c), a disqualification";

(B) in paragraph (1), by striking "of no less than six months nor more than five years" and inserting "not to exceed 5 years";

(C) in paragraph (2), by striking "of no less than twelve months nor more than ten years" and inserting "not to exceed 10 years";

(D) in paragraph (3)(B)—

(i) by inserting "or a finding of the unauthorized redemption, use, transfer, acquisition, alteration, or possession of EBT cards" after "concern" the first place it appears; and

(ii) by striking "civil money penalties" and inserting "civil penalties"; and

(E) by striking "civil money penalty" each place it appears and inserting "civil penalty";

(3) in subsection (c)—

(A) by striking "(c) The action" and inserting the following:

"(c) CIVIL PENALTY AND REVIEW OF DISQUALIFICATION AND PENALTY DETERMINATIONS.—

"(1) CIVIL PENALTY.—In addition to a disqualification under this section, the Secretary may assess a civil penalty in an amount not to exceed $100,000 for each violation.

"(2) REVIEW.—The action"; and

(B) in paragraph (2) (as designated by subparagraph (A)), by striking "civil money penalty" and inserting "civil penalty";

(4) in subsection (d)—

(A) by striking "(d)" and all that follows through ". The Secretary shall" and inserting the following:

"(d) CONDITIONS OF AUTHORIZATION.—

"(1) IN GENERAL.—As a condition of authorization to accept and redeem benefits, the Secretary may require a retail food store or wholesale food concern that, pursuant to subsection (a), has been disqualified for more than 180 days, or has been subjected to a civil penalty in lieu of a disqualification period of more than 180 days, to furnish a collateral bond or irrevocable letter of credit for a period of not more than 5 years to cover the value of benefits that the store or concern may in the future accept and redeem in violation of this Act.

"(2) COLLATERAL.—The Secretary also may require a retail food store or wholesale food concern that has been sanctioned for a violation and incurs a subsequent sanction regardless of the length of the disqualification period to submit a collateral bond or irrevocable letter of credit.

"(3) BOND REQUIREMENTS.—The Secretary shall";

(B) by striking "If the Secretary finds" and inserting the following

"(4) FORFEITURE.—If the Secretary finds"; and

(C) by striking "Such store or concern" and inserting the following:

"(5) HEARING.—A store or concern described in paragraph (4)";

(5) in subsection (e), by striking "civil money penalty" each place it appears and inserting "civil penalty"; and

(6) by adding at the end the following:

"(h) FLAGRANT VIOLATIONS.—

"(1) IN GENERAL.—The Secretary, in consultation with the Inspector General of the Department of Agriculture, shall establish procedures under which the processing of program benefit redemptions for a retail food store or wholesale food concern may be immediately suspended pending administrative action to disqualify the retail food store or wholesale food concern.

"(2) REQUIREMENTS.—Under the procedures described in paragraph (1), if the Secretary, in consultation with the Inspector General, determines that a retail food store or wholesale food concern is engaged in flagrant violations of this Act (including regulations promulgated under this Act), unsettled program benefits that have been redeemed by the retail food store or wholesale food concern—

"(A) may be suspended; and

"(B)(i) if the program disqualification is upheld, may be subject to forfeiture pursuant to subsection (g); or

"(ii) if the program disqualification is not upheld, shall be released to the retail food store or wholesale food concern.

"(3) NO LIABILITY FOR INTEREST.—The Secretary shall not be liable for the value of any interest on funds suspended under this subsection.".

SEC. 4304. FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.

(a) IN GENERAL.—Section 16(h)(1)(A) of the Food and Nutrition Act of 2007 (7 U.S.C. 2025(h)(1)(A)) is amended in subparagraph (A), by striking "to remain available until expended" and inserting "to remain available for 2 fiscal years".

(b) RESCISSION OF FUNDS.—Notwithstanding any other provision of law, funds provided under section 16(h)(1)(A) of the Food and Nutrition Act of 2007 (7 U.S.C. 2025(h)(1)(A)) for any fiscal year before the fiscal year beginning October 1, 2007, shall be rescinded on the date of enactment of this Act, unless obligated by a State agency before that date.

SEC. 4305. ELIGIBILITY DISQUALIFICATION.

Section 6 of the Food and Nutrition Assistance Act of 2007 (7 U.S.C. 2015) is amended by adding at the end the following:

"(p) DISQUALIFICATION FOR OBTAINING CASH BY DESTROYING FOOD AND COLLECTING DEPOSITS.—Any person who has been found by a State or Federal court or administrative agency or in a hearing under subsection (b) to have intentionally obtained cash by purchasing products with food and nutrition benefits that have containers that require return deposits, discarding the product, and returning the container for the deposit amount shall be ineligible for benefits under this Act for such period of time as the Secretary shall prescribe by regulation.

"(q) DISQUALIFICATION FOR SALE OF FOOD PURCHASED WITH FOOD AND NUTRITION BENEFITS.—Subject to any requirements established by the Secretary, any person who has been found by a State or Federal court or administrative agency or in a hearing under subsection (b) to have intentionally sold any food that was purchased using food and nutrition benefits shall be ineligible for benefits under this Act for such period of time as the Secretary shall prescribe by regulation.".

PART V—MISCELLANEOUS

SEC. 4401. DEFINITION OF STAPLE FOODS.

Subsection (r) of section 3 of the Food and Nutrition Act of 2007 (7 U.S.C. 2012) (as redesignated by section 4202(b)(1)(M)) is amended—

(1) by striking "(r)(1) Except" and inserting the following:

"(r) STAPLE FOODS.—

"(1) IN GENERAL.—Except"; and

(2) by striking paragraph (2) and inserting the following:

"(2) EXCEPTIONS.—The term 'staple foods' does not include accessory food items, such as coffee, tea, cocoa, carbonate and uncarbonated drinks, candy, condiments, and spices, or dietary supplements.

"(3) DEPTH OF STOCK.—The Secretary may issue regulations to define depth of stock to ensure that stocks of staple foods are available on a continuous basis.".

SEC. 4402. ACCESSORY FOOD ITEMS.

Section 9(a) of the Food and Nutrition Act of 2007 (7 U.S.C. 2018(a)) is amended by adding at the end the following:

"(4) ACCESSORY FOOD ITEMS.—

"(A) IN GENERAL.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall promulgate proposed regulations providing that a dietary supplement shall not be considered an accessory food item unless the dietary supplement—

"(i) contains folic acid or calcium in accordance with sections 101.72 and 101.79 of title 21, Code of Federal Regulations (as in effect on the date of enactment of this paragraph); and

"(ii) is a multivitamin-mineral supplement that—

"(I) provides at least ⅔ of the essential vitamins and minerals at 100 percent of the daily value levels, as determined by the Food and Drug Administration; and

"(II) does not exceed the daily upper limit for those nutrients for which an established daily upper limit has been determined by the Institute of Medicine of the National Academy of Sciences.

"(B) FINAL REGULATIONS.—Not later than 2 years after the date of enactment of this paragraph, the Secretary shall promulgate final regulations in accordance with subparagraph (A).

"(C) PURCHASE OF DIETARY SUPPLEMENTS.—No dietary supplements may be purchased using benefits under this Act until the earlier of—

"(i) the date on which the Secretary promulgates final regulations under subparagraph (B); or

"(ii) the date on which the Secretary certifies a voluntary system of labeling for the ready and accurate identification of eligible dietary supplements, as developed by the Secretary in consultation with the dietary supplement industry and dietary supplement retailers.".

SEC. 4403. PILOT PROJECTS TO EVALUATE HEALTH AND NUTRITION PROMOTION IN THE FOOD AND NUTRITION PROGRAM.

Section 17 of the Food and Nutrition Act of 2007 (7 U.S.C. 2026) is amended by adding at the end the following:

"(k) PILOT PROJECTS TO EVALUATE HEALTH AND NUTRITION PROMOTION IN THE FOOD AND NUTRITION PROGRAM.—

"(1) IN GENERAL.—The Secretary shall carry out, under such terms and conditions as the Secretary considers to be appropriate, pilot projects to develop and test methods—

"(A) of using the food and nutrition program to improve the dietary and health status of households participating in the food and nutrition program; and

"(B) to reduce overweight, obesity, and associated co-morbidities in the United States.

"(2) PROJECTS.—Pilot projects carried out under paragraph (1) may include projects to determine whether healthier food purchases by and healthier diets among households participating in the food and nutrition program result from projects that—

"(A) increase the food and nutrition assistance purchasing power of the participating households by providing increased food and nutrition assistance benefit allotments to the participating households;

"(B) increase access to farmers markets by participating households through the electronic redemption of food and nutrition assistance at the farmers markets;

"(C) provide incentives to authorized food and nutrition program vendors to increase the availability of healthy foods to participating households;

"(D) subject authorized food and nutrition program vendors to stricter vendor requirements with respect to carrying and stocking healthy foods;

"(E) provide incentives at the point of purchase to encourage participating households to purchase fruits, vegetables, or other healthy foods; or

"(F) provide to participating households integrated communication and education programs, including the provision of funding for a portion of a school based nutrition coordinator to implement a broad nutrition action plan and parent nutrition education programs in elementary schools, separately or in combination with pilot projects carried out under subparagraphs (A) through (E).

"(3) DURATION.—A pilot project carried out under this subsection shall have a term of not more than 5 years.

"(4) EVALUATIONS AND REPORTS.—

"(A) EVALUATIONS.—

"(i) INDEPENDENT EVALUATION.—

"(I) IN GENERAL.—The Secretary shall provide for an independent evaluation of each pilot project under this subsection that measures the impact of the pilot program on health and nutrition as described in paragraph (1).

"(II) REQUIREMENT.—The independent evaluation under subclause (I) shall use rigorous methodologies, particularly random assignment or other methods that are capable of producing scientifically-valid information regarding which activities are effective.

"(ii) COSTS.—The Secretary may use funds provided to carry out this section to pay costs associated with monitoring and evaluating each pilot project.

"(B) REPORTS.—Not later than 90 days after the last day of fiscal year 2008 and each fiscal year thereafter until the completion of the last evaluation under subparagraph (A), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes a description of—

"(i) the status of each pilot project;

"(ii) the results of the evaluation completed during the previous fiscal year; and

"(iii) to the maximum extent practicable—

"(I) the impact of the pilot project on appropriate health, nutrition, and associated behavioral outcomes among households participating in the pilot project;

"(II) baseline information relevant to the stated goals and desired outcomes of the pilot project; and

"(III) equivalent information about similar or identical measures among control or comparison groups that did not participate in the pilot project.

"(5) FUNDING.—

"(A) IN GENERAL.—Out of any funds made available under section 18, the Secretary shall use $50,000,000 to carry out this section, to remain available until expended.

"(B) USE OF FUNDS.—Of funds made available under subparagraph (A), the Secretary shall use not more than $25,000,000 to carry out a pilot project described in paragraph (2)(E).".

SEC. 4404. BILL EMERSON NATIONAL HUNGER FELLOWS AND MICKEY LELAND INTERNATIONAL HUNGER FELLOWS.

(a) IN GENERAL.—The Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.) is amended by adding at the end the following:

"SEC. 28. BILL EMERSON NATIONAL HUNGER FELLOWS AND MICKEY LELAND INTERNATIONAL HUNGER FELLOWS.

"(a) SHORT TITLE.—This section may be cited as the 'Bill Emerson National Hunger Fellows and Mickey Leland International Hunger Fellows Program Act of 2007'.

"(b) FINDINGS.—Congress finds that—

"(1) there is a critical need for compassionate individuals who are committed to assisting people who suffer from hunger to initiate and administer solutions to the hunger problem;

"(2) Bill Emerson, the distinguished late Representative from the 8th District of Missouri, demonstrated—

"(A) his commitment to solving the problem of hunger in a bipartisan manner;

"(B) his commitment to public service; and

"(C) his great affection for the institution and ideals of the United States Congress;

"(3) George T. (Mickey) Leland, the distinguished late Representative from the 18th District of Texas, demonstrated—

"(A) his compassion for those in need;

"(B) his high regard for public service; and

"(C) his lively exercise of political talents;

"(4) the special concern that Mr. Emerson and Mr. Leland demonstrated during their lives for the hungry and poor was an inspiration for others to work toward the goals of equality and justice for all;

"(5) these 2 outstanding leaders maintained a special bond of friendship regardless of political affiliation and worked together to encourage future leaders to recognize and provide service to others; and

"(6) it is especially appropriate to honor the memory of Mr. Emerson and Mr. Leland by creating a fellowship program to develop and train the future leaders of the United States to pursue careers in humanitarian service.

"(c) DEFINITIONS.—In this subsection:

"(1) DIRECTOR.—The term 'Director' means the head of the Congressional Hunger Center.

"(2) FELLOW.—The term 'fellow' means—

"(A) a Bill Emerson Hunger Fellow; or

"(B) Mickey Leland Hunger Fellow

"(3) FELLOWSHIP PROGRAMS.—The term 'Fellowship Programs' means the Bill Emerson National Hunger Fellowship Program and the Mickey Leland International Hunger Fellowship Program established under subsection (d)(1).

"(d) FELLOWSHIP PROGRAMS.—

"(1) IN GENERAL.—There is established the Bill Emerson National Hunger Fellowship Program and the Mickey Leland International Hunger Fellowship Program.

"(2) PURPOSES.—

"(A) IN GENERAL.—The purposes of the Fellowship Programs are—

"(i) to encourage future leaders of the United States—

"(I) to pursue careers in humanitarian and public service;

"(II) to recognize the needs of low-income people and hungry people;

"(III) to provide assistance to people in need; and

"(IV) to seek public policy solutions to the challenges of hunger and poverty;

"(ii) to provide training and development opportunities for such leaders through placement in programs operated by appropriate organizations or entities; and

"(iii) to increase awareness of the importance of public service.

"(B) BILL EMERSON HUNGER FELLOWSHIP PROGRAM.—The purpose of the Bill Emerson Hunger Fellowship Program is to address hunger and poverty in the United States.

"(C) MICKEY LELAND HUNGER FELLOWSHIP PROGRAM.—The purpose of the Mickey Leland Hunger Fellowship Program is to address international hunger and other humanitarian needs.

"(3) ADMINISTRATION.—

"(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall offer to enter into a contract with the Congressional Hunger Center to administer the Fellowship Programs.

"(B) TERMS OF CONTRACT.—The terms of the contract entered into under subparagraph (A), including the length of the contract and provisions for the alteration or termination of the contract, shall be determined by the Secretary in accordance with this section.

"(e) FELLOWSHIPS.—

"(1) IN GENERAL.—The Director shall make available Bill Emerson Hunger Fellowships and Mickey Leland Hunger Fellowships in accordance with this subsection.

"(2) CURRICULUM.—

"(A) IN GENERAL.—The Fellowship Programs shall provide experience and training to develop the skills necessary to train fellows to carry out the purposes described in subsection (d)(2), including—

"(i) training in direct service programs for the hungry and other anti-hunger programs in conjunction with community-based organizations through a program of field placement; and

"(ii) providing experience in policy development through placement in a governmental entity or nongovernmental, nonprofit, or private sector organization.

"(B) WORK PLAN.—To carry out subparagraph (A) and assist in the evaluation of the fellowships under paragraph (6), the Director shall, for each fellow, approve a work plan that identifies the target objectives for the fellow in the fellowship, including specific duties and responsibilities relating to those objectives.

"(3) PERIOD OF FELLOWSHIP.—

"(A) BILL EMERSON HUNGER FELLOW.—A Bill Emerson Hunger Fellowship awarded under this section shall be for not more than 15 months.

"(B) MICKEY LELAND HUNGER FELLOW.—A Mickey Leland Hunger Fellowship awarded under this section shall be for not more than 2 years.

"(4) SELECTION OF FELLOWS.—

"(A) IN GENERAL.—Fellowships shall be awarded pursuant to a nationwide competition established by the Director.

"(B) QUALIFICATIONS.—A successful program applicant shall be an individual who has demonstrated—

"(i) an intent to pursue a career in humanitarian services and outstanding potential for such a career;

"(ii) leadership potential or actual leadership experience;

"(iii) diverse life experience;

"(iv) proficient writing and speaking skills;

"(v) an ability to live in poor or diverse communities; and

"(vi) such other attributes as are considered to be appropriate by the Director.

"(5) AMOUNT OF AWARD.—

"(A) IN GENERAL.—A fellow shall receive—

"(i) a living allowance during the term of the Fellowship; and

"(ii) subject to subparagraph (B), an end-of-service award.

"(B) REQUIREMENT FOR SUCCESSFUL COMPLETION OF FELLOWSHIP.—Each fellow shall be entitled to receive an end-of-service award at an appropriate rate for each month of satisfactory service completed, as determined by the Director.

"(C) TERMS OF FELLOWSHIP.—A fellow shall not be considered an employee of—

"(i) the Department of Agriculture;

"(ii) the Congressional Hunger Center; or

"(iii) a host agency in the field or policy placement of the fellow.

"(D) RECOGNITION OF FELLOWSHIP AWARD.—

"(i) EMERSON FELLOW.—An individual awarded a fellowship from the Bill Emerson Hunger Fellowship shall be known as an 'Emerson Fellow'.

"(ii) LELAND FELLOW.—An individual awarded a fellowship from the Mickey Leland Hunger Fellowship shall be known as a 'Leland Fellow'.

"(6) EVALUATIONS AND AUDITS.—Under terms stipulated in the contract entered into under subsection (d)(3), the Director shall—

"(A) conduct periodic evaluations of the Fellowship Programs; and

"(B) arrange for annual independent financial audits of expenditures under the Fellowship Programs.

"(f) AUTHORITY.—

"(1) IN GENERAL.—Subject to paragraph (2), in carrying out this section, the Director may solicit, accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of facilitating the work of the Fellowship Programs.

"(2) LIMITATION.—Gifts, bequests, or devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be used exclusively for the purposes of the Fellowship Programs.

"(g) REPORT.—The Director shall annually submit to the Secretary of Agriculture, the Committee on Agriculture of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

"(1) describes the activities and expenditures of the Fellowship Programs during the preceding fiscal year, including expenditures made from funds made available under subsection (h); and

"(2) includes the results of evaluations and audits required by subsection (f).

"(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this section, to remain available until expended.".

(b) REPEAL.—Section 4404 of the Farm Security and Rural Investment Act of 2002 (2 U.S.C. 1161) is repealed.

SEC. 4405. HUNGER-FREE COMMUNITIES.

(a) DEFINITIONS.—In this section:

(1) DOMESTIC HUNGER GOAL.—The term "domestic hunger goal" means—

(A) the goal of reducing hunger in the United States to at or below 2 percent by 2010; or

(B) the goal of reducing food insecurity in the United States to at or below 6 percent by 2010.

(2) EMERGENCY FEEDING ORGANIZATION.—The term "emergency feeding organization" has the meaning given the term in section 201A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501).

(3) FOOD SECURITY.—The term "food security" means the state in which an individual has access to enough food for an active, healthy life.

(4) HUNGER-FREE COMMUNITIES GOAL.—The term "hunger-free communities goal" means any of the 14 goals described in the H. Con. Res. 302 (102nd Congress).

(b) HUNGER REPORTS.—

(1) STUDY.—

(A) TIMELINE.—

(i) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct a study of major matters relating to the problem of hunger in the United States, as determined by the Secretary.

(ii) UPDATE.—Not later than 5 years after the date on which the study under clause (i) is conducted, the Secretary shall update the study.

(B) MATTERS TO BE ASSESSED.—The matters to be assessed by the Secretary in the study and update under this paragraph shall include—

(i) data on hunger and food insecurity in the United States;

(ii) measures carried out during the previous year by Federal, State, and local governments to achieve domestic hunger goals and hunger-free communities goals; and

(iii) measures that could be carried out by Federal, State, and local governments to achieve domestic hunger goals and hunger-free communities goals.

(2) RECOMMENDATIONS.—The Secretary shall develop recommendations on—

(A) removing obstacles to achieving domestic hunger goals and hunger-free communities goals; and

(B) otherwise reducing domestic hunger.

(3) REPORT.—The Secretary shall submit to the President and Congress—

(A) not later than 1 year after the date of enactment of this Act, a report that contains—

(i) a detailed statement of the results of the study, or the most recent update to the study, conducted under paragraph (1)(A); and

(ii) the most recent recommendations of the Secretary under paragraph (2); and

(B) not later than 5 years after the date of submission of the report under subparagraph (A), an update of the report.

(c) HUNGER-FREE COMMUNITIES COLLABORATIVE GRANTS.—

(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term "eligible entity" means a public food program service provider or a nonprofit organization, including but not limited to an emergency feeding organization, that demonstrates the organization has collaborated, or will collaborate, with 1 or more local partner organizations to achieve at least 1 hunger-free communities goal.

(2) PROGRAM AUTHORIZED.—

(A) IN GENERAL.—The Secretary shall use not more than 55 percent of any funds made available under subsection (f) to make grants to eligible entities to pay the Federal share of the costs of an activity described in paragraph (4).

(B) FEDERAL SHARE.—The Federal share of the cost of carrying out an activity under this subsection shall not exceed 80 percent.

(C) NON-FEDERAL SHARE.—

(i) CALCULATION.—The non-Federal share of the cost of an activity under this subsection may be provided in cash or in kind, fairly evaluated, including facilities, equipment, or services.

(ii) SOURCES.—Any entity may provide the non-Federal share of the cost of an activity under this subsection through a State government, a local government, or a private source.

(3) APPLICATION.—

(A) IN GENERAL.—To receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at the time and in the manner and accompanied by any information the Secretary may require.

(B) CONTENTS.—Each application submitted under subparagraph (A) shall—

(i) identify any activity described in paragraph (4) that the grant will be used to fund;

(ii) describe the means by which an activity identified under clause (i) will reduce hunger in the community of the eligible entity;

(iii) list any partner organizations of the eligible entity that will participate in an activity funded by the grant;

(iv) describe any agreement between a partner organization and the eligible entity necessary to carry out an activity funded by the grant; and

(v) if an assessment described in paragraph (4)(A) has been performed, include—

(I) a summary of that assessment; and

(II) information regarding the means by which the grant will help reduce hunger in the community of the eligible entity.

(C) PRIORITY.—In making grants under this subsection, the Secretary shall give priority to eligible entities that—

(i) demonstrate in the application of the eligible entity that the eligible entity makes collaborative efforts to reduce hunger in the community of the eligible entity; and

(ii)(I) serve communities in which the rates of food insecurity, hunger, poverty, or unemployment are demonstrably higher than national average rates;

(II) provide evidence of long-term efforts to reduce hunger in the community;

(III) provide evidence of public support for the efforts of the eligible entity; or

(IV) demonstrate in the application of the eligible entity a commitment to achieving more than 1 hunger-free communities goal.

(4) USE OF FUNDS.—

(A) ASSESSMENT OF HUNGER IN THE COMMUNITY.—

(i) IN GENERAL.—An eligible entity in a community that has not performed an assessment described in clause (ii) may use a grant received under this subsection to perform the assessment for the community.

(ii) ASSESSMENT.—The assessment referred to in clause (ii) shall include—

(I) an analysis of the problem of hunger in the community served by the eligible entity;

(II) an evaluation of any facility and any equipment used to achieve a hunger-free communities goal in the community;

(III) an analysis of the effectiveness and extent of service of existing nutrition programs and emergency feeding organizations; and

(IV) a plan to achieve any other hunger-free communities goal in the community.

(B) ACTIVITIES.—An eligible entity in a community that has submitted an assessment to the Secretary shall use a grant received under this subsection for any fiscal year for activities of the eligible entity, including—

(i) meeting the immediate needs of people in the community served by the eligible entity who experience hunger by—

(I) distributing food;

(II) providing community outreach; or

(III) improving access to food as part of a comprehensive service;

(ii) developing new resources and strategies to help reduce hunger in the community;

(iii) establishing a program to achieve a hunger-free communities goal in the community, including—

(I) a program to prevent, monitor, and treat children in the community experiencing hunger or poor nutrition; or

(II) a program to provide information to people in the community on hunger, domestic hunger goals, and hunger-free communities goals; and

(iv) establishing a program to provide food and nutrition services as part of a coordinated community-based comprehensive service.

(d) HUNGER-FREE COMMUNITIES INFRASTRUCTURE GRANTS.—

(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term "eligible entity" means an emergency feeding organization (as defined in section 201A(4) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501(4))).

(2) PROGRAM AUTHORIZED.—

(A) IN GENERAL.—The Secretary shall use not more than 45 percent of any funds made available under subsection (f) to make grants to eligible entities to pay the Federal share of the costs of an activity described in paragraph (4).

(B) FEDERAL SHARE.—The Federal share of the cost of carrying out an activity under this subsection shall not exceed 80 percent.

(3) APPLICATION.—

(A) IN GENERAL.—To receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at the time and in the manner and accompanied by any information the Secretary may require.

(B) CONTENTS.—Each application submitted under subparagraph (A) shall—

(i) identify any activity described in paragraph (4) that the grant will be used to fund; and

(ii) describe the means by which an activity identified under clause (i) will reduce hunger in the community of the eligible entity.

(C) PRIORITY.—In making grants under this subsection, the Secretary shall give priority to eligible entities the applications of which demonstrate 2 or more of the following:

(i) The eligible entity serves a community in which the rates of food insecurity, hunger, poverty, or unemployment are demonstrably higher than national average rates.

(ii) The eligible entity serves a community that has carried out long-term efforts to reduce hunger in the community.

(iii) The eligible entity serves a community that provides public support for the efforts of the eligible entity.

(iv) The eligible entity is committed to achieving more than 1 hunger-free communities goal.

(4) USE OF FUNDS.—An eligible entity shall use a grant received under this subsection for any fiscal year to carry out activities of the eligible entity, including—

(A) constructing, expanding, or repairing a facility or equipment to support hunger relief agencies in the community;

(B) assisting an emergency feeding organization in the community in obtaining locally-produced produce and protein products; and

(C) assisting an emergency feeding organization in the community to process and serve wild game.

(e) REPORT.—If funds are made available under subsection (f), not later than September 30, 2012, the Secretary shall submit to Congress a report describing—

(1) each grant made under this section, including—

(A) a description of any activity funded by such a grant; and

(B) the degree of success of each activity funded by such a grant in achieving hunger-free communities goals; and

(2) the degree of success of all activities funded by grants under this section in achieving domestic hunger goals.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2008 through 2012.

SEC. 4406. STATE PERFORMANCE ON ENROLLING CHILDREN RECEIVING PROGRAM BENEFITS FOR FREE SCHOOL MEALS.

(a) IN GENERAL.—Not later than June 30 of each year, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that assesses the effectiveness of each State in enrolling school-aged children in households receiving program benefits under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.) (referred to in this section as "program benefits") for free school meals using direct certification.

(b) SPECIFIC MEASURES.—The assessment of the Secretary of the performance of each State shall include—

(1) an estimate of the number of school-aged children, by State, who were members of a household receiving program benefits at any time in July, August, or September of the prior year;

(2) an estimate of the number of school-aged children, by State, who were directly certified as eligible for free lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), based on receipt of program benefits, as of October 1 of the prior year; and

(3) an estimate of the number of school-aged children, by State, who were members of a household receiving program benefits at any time in July, August, or September of the prior year who were not candidates for direct certification because on October 1 of the prior year the children attended a school operating under the special assistance provisions of section 11(a)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1759a) that is not operating in a base year.

(c) PERFORMANCE INNOVATIONS.—The report of the Secretary shall describe best practices from States with the best performance or the most improved performance from the previous year.

Subtitle B—Food Distribution Program on Indian Reservations

SEC. 4501. ASSESSING THE NUTRITIONAL VALUE OF THE FDPIR FOOD PACKAGE.

(a) IN GENERAL.—Section 4 of the Food and Nutrition Act of 2007 (7 U.S.C. 2013) is amended by striking subsection (b) and inserting the following:

"(b) FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.—

"(1) IN GENERAL.—Distribution of commodities, with or without the food and nutrition program, shall be made whenever a request for concurrent or separate food program operations, respectively, is made by a tribal organization.

"(2) ADMINISTRATION.—

"(A) IN GENERAL.—Subject to subparagraphs (B) and (C), in the event of distribution on all or part of an Indian reservation, the appropriate agency of the State government in the area involved shall be responsible for the distribution.

"(B) ADMINISTRATION BY TRIBAL ORGANIZATION.—If the Secretary determines that a tribal organization is capable of effectively and efficiently administering a distribution described in paragraph (1), then the tribal organization shall administer the distribution.

"(C) PROHIBITION.—The Secretary shall not approve any plan for a distribution described in paragraph (1) that permits any household on any Indian reservation to participate simultaneously in the food and nutrition program and the distribution of federally donated foods.

"(3) DISQUALIFIED PARTICIPANTS.—An individual who is disqualified from participation in the food distribution program on Indian reservations under this subsection is not eligible to participate in the food and nutrition program under this Act.

"(4) ADMINISTRATIVE COSTS.—The Secretary is authorized to pay such amounts for administrative costs and distribution costs on Indian reservations as the Secretary finds necessary for effective administration of such distribution by a State agency or tribal organization.

"(5) BISON MEAT.—Subject to the availability of appropriations, the Secretary may purchase bison meat for recipients of food distributed under this subsection, including bison meat from—

"(A) Native American bison producers; and

"(B) producer-owned cooperatives of bison ranchers.

"(6) TRADITIONAL FOOD FUND.—

"(A) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall establish a fund for use in purchasing traditional foods for recipients of food distributed under this subsection.

"(B) SURVEY.—In carrying out this paragraph, the Secretary shall—

"(i) survey participants of the food distribution program on Indian reservations established under this subsection to determine which traditional foods are most desired by those participants; and

"(ii) purchase or offer to purchase those traditional foods that may be procured cost-effectively.

"(C) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this paragraph $5,000,000 for each of fiscal years 2008 through 2012.".

(b) FDPIR FOOD PACKAGE.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

(1) how the Secretary derives the process for determining the food package under the food distribution program on Indian reservations established under section 4(b) of the Food and Nutrition Act of 2007 (7 U.S.C. 2013(b)) (referred to in this subsection as the "food package");

(2) the extent to which the food package—

(A) addresses the nutritional needs of low-income Americans compared to the food and nutrition program, particularly for very low-income households;

(B) conforms (or fails to conform) to the 2005 Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341);

(C) addresses (or fails to address) the nutritional and health challenges that are specific to Native Americans; and

(D) is limited by distribution costs or challenges of infrastructure;

(3) any plans of the Secretary to revise and update the food package to conform with the most recent Dietary Guidelines for Americans, including any costs associated with the planned changes; and

(4) if the Secretary does not plan changes to the food package, the rationale of the Secretary for retaining the food package.

Subtitle C—Administration of Emergency Food Assistance Program and Commodity Supplemental Food Program

SEC. 4601. EMERGENCY FOOD ASSISTANCE.

(a) STATE PLAN.—Section 202A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7503) is amended by striking subsection (a) and inserting the following:

"(a) PLANS.—To receive commodities under this Act, every 3 years, a State shall submit to the Secretary an operation and administration plan for the provision of assistance under this Act.".

(b) DONATED WILD GAME.—Section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508(a)(1)) is amended in the first sentence by inserting "and donated wild game" before the period at the end.

SEC. 4602. COMMODITY SUPPLEMENTAL FOOD PROGRAM.

Section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93-86) is amended by striking subsection (g) and inserting the following:

"(g) PROHIBITION.—Notwithstanding any other provision of law (including regulations), the Secretary may not require a State or local agency to prioritize assistance to a particular group of individuals that are—

"(1) low-income persons aged 60 and older; or

"(2) women, infants, and children.".

Subtitle D—Senior Farmers' Market Nutrition Program

SEC. 4701. EXCLUSION OF BENEFITS IN DETERMINING ELIGIBILITY FOR OTHER PROGRAMS.

(a) IN GENERAL.—Section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) is amended—

(1) in subsection (a), by striking "each of fiscal years 2003 through 2007" and inserting "fiscal year 2008 and each fiscal year thereafter";

(2) by redesignating subsections (b) and (c) as subsections (c) and (e), respectively;

(3) by inserting after subsection (a) the following:

"(b) ADDITIONAL FUNDS.—In addition to the amounts made available under subsection (a), for fiscal year 2008 and each fiscal year thereafter, of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall use $10,000,000 to expand the program established under this section."; and

(4) by inserting after subsection (c) (as redesignated by paragraph (2)) the following:

"(d) EXCLUSION OF BENEFITS IN DETERMINING ELIGIBILITY FOR OTHER PROGRAMS.—The value of any benefit provided under the program under this section shall not be taken into consideration in determining the eligibility of an individual for any other Federal or State assistance program.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of enactment of this Act.

SEC. 4702. PROHIBITION ON COLLECTION OF SALES TAX.

Section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) is amended by inserting after subsection (d) (as added by section 4701(a)(4)) the following:

"(e) PROHIBITION ON COLLECTION OF SALES TAX.—A State that collects any sales tax on the purchase of food using a benefit provided under the program under this section shall not be eligible to participate in the program.".

Subtitle E—Reauthorization of Federal Food Assistance Programs

SEC. 4801. FOOD AND NUTRITION PROGRAM.

(a) GRANTS FOR SIMPLE APPLICATION AND ELIGIBILITY DETERMINATION SYSTEMS AND IMPROVED ACCESS TO BENEFITS.—Section 11(t)(1) of the Food and Nutrition Act of 2007 (7 U.S.C. 2020(t)(1)) is amended by striking "For each of fiscal years 2003 through 2007" and inserting "For fiscal year 2008 and each fiscal year thereafter".

(b) FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.—Section 16(h)(1) of the Food and Nutrition Act of 2007 (7 U.S.C. 2025(h)(1)) is amended—

(1) in subparagraph (A)(vii), by striking "for each of fiscal years 2002 through 2007" and inserting "for fiscal year 2008 and each fiscal year thereafter"; and

(2) in subparagraph (E)(i), by striking "for each of fiscal years 2002 through 2007" and inserting "for fiscal year 2008 and each fiscal year thereafter".

(c) REDUCTIONS IN PAYMENTS FOR ADMINISTRATIVE COSTS.—Section 16(k)(3) of the Food and Nutrition Act of 2007 (7 U.S.C. 2025(k)(3)) is amended—

(1) in the first sentence of subparagraph (A), by striking "for each of fiscal years 1999 through 2007" and inserting "for fiscal year 2008 and each fiscal year thereafter"; and

(2) in subparagraph (B)(ii), by striking "through fiscal year 2007".

(d) CASH PAYMENT PILOT PROJECTS.—Section 17(b)(1)(B)(vi) of the Food and Nutrition Act of 2007 (7 U.S.C. 2026(b)(1)(B(vi)) is amended by striking "through October 1, 2007".

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 18(a)(1) of the Food and Nutrition Act of 2007 (7 U.S.C. 2027(a)(1)) is amended in the first sentence by striking "for each of the fiscal years 2003 through 2007" and inserting "for fiscal year 2008 and each fiscal year thereafter".

(f) CONSOLIDATED BLOCK GRANTS FOR PUERTO RICO AND AMERICAN SAMOA.—Section 19(a)(2)(A)(ii) of the Food and Nutrition Act of 2007 (7 U.S.C. 2028(a)(2)(A)(ii)) by striking "for each of fiscal years 2004 through 2007" and inserting "for fiscal year 2008 and each fiscal year thereafter".

(g) ASSISTANCE FOR COMMUNITY FOOD PROJECTS.—Section 25 of the Food and Nutrition Act of 2007 (7 U.S.C. 2034) is amended—

(1) in subsection (b)(2), by striking subparagraph (B) and inserting the following:

"(B) $10,000,000 for each of fiscal years 2008 through 2012."; and

(2) in subsection (h)(4), by striking "2007" and inserting "2012".

SEC. 4802. COMMODITY DISTRIBUTION.

(a) EMERGENCY FOOD ASSISTANCE.—Section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508(a)(1)) is amended in the first sentence by striking "$60,000,000 for each of the fiscal years 2003 through 2007" and inserting "$100,000,000 for fiscal year 2008 and each fiscal year thereafter".

(b) COMMODITY DISTRIBUTION PROGRAM.—Section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93-86) is amended in the first sentence by striking "years 1991 through 2007" and inserting "year 2008 and each fiscal year thereafter".

(c) COMMODITY SUPPLEMENTAL FOOD PROGRAM.—Section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93-86) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "each of fiscal years 2003 through 2007" and inserting "fiscal year 2008 and each fiscal year thereafter"; and

(B) in paragraph (2)(B), by striking "(B) FISCAL YEARS 2004 THROUGH 2007.—" and all that follows through "2007" and inserting the following:

"(B) SUBSEQUENT FISCAL YEARS.—For fiscal year 2004 and each subsequent fiscal year"; and

(2) in subsection (d)(2), by striking "each of the fiscal years 1991 through 2007" and inserting "fiscal year 2008 and each fiscal year thereafter".

(d) DISTRIBUTION OF SURPLUS COMMODITIES TO SPECIAL NUTRITION PROJECTS.—Section 1114(a)(2)(A) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431e(2)(A)) is amended in the first sentence by striking "2007" and inserting "2012".

SEC. 4803. NUTRITION INFORMATION AND AWARENESS PILOT PROGRAM.

Section 4403(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3171 note; Public Law 107–171) is amended by striking "2007" and inserting "2012".

Subtitle F—Miscellaneous

SEC. 4901. PURCHASES OF LOCALLY GROWN FRUITS AND VEGETABLES.

Section 9(j) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(j)) is amended to read as follows:

"(j) PURCHASES OF LOCALLY GROWN FRUITS AND VEGETABLES.—The Secretary shall—

"(1) encourage institutions receiving funds under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) to purchase locally grown fruits and vegetables, to the maximum extent practicable and appropriate;

"(2) advise institutions participating in a program described in paragraph (1) of the policy described in that paragraph and post information concerning the policy on the website maintained by the Secretary; and

"(3) allow institutions receiving funds under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), including the Department of Defense, to use a geographic preference for the procurement of locally grown fruits and vegetables.".

SEC. 4902. HEALTHY FOOD EDUCATION AND PROGRAM REPLICABILITY.

Section 18(i) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(i)) is amended—

(1) in paragraph (1)(C), by inserting "promotes healthy food education in the school curriculum and" before "incorporates";

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

"(2) ADMINISTRATION.—In providing grants under this subsection, the Secretary shall give priority to projects that can be replicated in schools.".

SEC. 4903. FRESH FRUIT AND VEGETABLE PROGRAM.

(a) IN GENERAL.—The Richard B. Russell National School Lunch Act is amended by inserting after section 18 (42 U.S.C. 1769) the following:

"SEC. 19. FRESH FRUIT AND VEGETABLE PROGRAM.

"(a) IN GENERAL.—For the school year beginning July 2008 and each subsequent school year, the Secretary shall provide grants to States to carry out a program to make free fresh fruits and vegetables available in elementary schools (referred to in this section as the 'program').

"(b) PROGRAM.—A school participating in the program shall make free fresh fruits and vegetables available to students throughout the school day (or at such other times as are considered appropriate by the Secretary) in 1 or more areas designated by the school.

"(c) FUNDING TO STATES.—

"(1) MINIMUM GRANT.—The Secretary shall provide to each of the 50 States and the District of Columbia an annual grant in an amount equal to 1 percent of the funds made available for a fiscal year to carry out the program.

"(2) ADDITIONAL FUNDING.—Of the funds remaining after grants are made under paragraph (1), the Secretary shall allocate additional funds to each State that is operating a school lunch program under section 4 based on the proportion that—

"(A) the population of the State; bears to

"(B) the population of the United States.

"(d) SELECTION OF SCHOOLS.—

"(1) IN GENERAL.—In selecting schools to participate in the program, each State shall—

"(A) ensure that each school chosen to participate in the program is a school—

"(i) except as provided in paragraph (2), in which not less than 50 percent of the students are eligible for free or reduced price meals under this Act; and

"(ii) that submits an application in accordance with subparagraph (C); and

"(B) to the maximum extent practicable, give the highest priority to schools with the highest proportion of children who are eligible for free or reduced price meals under this Act;

"(C) solicit applications from interested schools that include—

"(i) information pertaining to the percentage of students enrolled in the school submitting the application who are eligible for free or reduced price school lunches under this Act;

"(ii) a certification of support for participation in the program signed by the school food manager, the school principal, and the district superintendent (or equivalent positions, as determined by the school); and

"(iii) such other information as may be requested by the Secretary;

"(D) give priority to schools that submit a plan for implementation of the program that includes a partnership with 1 or more entities that provide non-Federal resources (including entities representing the fruit and vegetable industry) for—

"(i) the acquisition, handling, promotion, or distribution of fresh and dried fruits and fresh vegetables; or

"(ii) other support that contributes to the purposes of the program;

"(E) give priority to schools that provide evidence of efforts to integrate activities carried out under this section with other efforts to promote sound health and nutrition, reduce overweight and obesity, or promote physical activity; and

"(F) ensure that each school selected is an elementary school.

"(2) EXCEPTION.—Clause (i) of paragraph (1)(A) shall not apply to a State if the State does not have a sufficient number of schools that meet the requirement of that clause.

"(3) CONSORTIA.—A consortia of schools may apply for funding under this section.

"(e) NOTICE OF AVAILABILITY.—To be eligible to participate in the program, a school shall widely publicize within the school the availability of free fresh fruits and vegetables under the program.

"(f) PER-STUDENT GRANT.—The per-student grant provided to a school under this section shall be—

"(1) determined by a State agency; and

"(2) not less than $50, nor more than $75, annually.

"(g) LIMITATION.—To the maximum extent practicable, each State agency shall ensure that in making available to students the fruits and vegetables provided under this section, schools participating in the program offer the fruits and vegetables separately from meals otherwise provided at the school under this Act or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

"(h) SCHOOLS ON INDIAN RESERVATIONS.—The Secretary shall ensure that not less than 100 of the schools chosen to participate in the program are schools operated on Indian reservations.

"(i) EVALUATION AND REPORTS.—

"(1) IN GENERAL.—The Secretary shall conduct an evaluation of the program, including a determination as to whether children experienced, as a result of participating in the program—

"(A) increased consumption of fruits and vegetables;

"(B) other dietary changes, such as decreased consumption of less nutritious foods; and

"(C) such other outcomes as are considered appropriate by the Secretary.

"(2) REPORT.—Not later than September 30, 2011, the Secretary shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report that describes the results of the evaluation under paragraph (1).

"(j) FUNDING.—

"(1) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section—

"(A) on October 1, 2007, $225,000,000; and

"(B) on October 1, 2008, and each October 1 thereafter, the amount made available for the preceding fiscal year, as adjusted to reflect changes for the 12-month period ending the preceding June 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, for items other than food.

"(2) EVALUATION FUNDING.—On October 1, 2007, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out the evaluation required under subsection (i), $3,000,000, to remain available until expended.

"(3) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section any funds transferred for that purpose, without further appropriation.

"(4) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts made available to carry out this section, there are authorized to be appropriated such sums as are necessary to expand the program established under this section.

"(5) ADMINISTRATIVE COSTS.—Of funds made available to carry out this section for a fiscal year, the Secretary may use not more than $500,000 for the administrative costs of carrying out the program.

"(6) REALLOCATION.—

"(A) AMONG STATES.—The Secretary may reallocate any amounts made available to carry out this section that are not obligated or expended by a date determined by the Secretary.

"(B) WITHIN STATES.—A State that receives a grant under this section may reallocate any amounts made available under the grant that are not obligated or expended by a date determined by the Secretary.".

(b) CONFORMING AMENDMENTS.—Section 18 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769) is amended—

(1) by striking subsection (g); and

(2) by redesignating subsections (h) through (k) as subsections (g) through (j), respectively.

SEC. 4904. BUY AMERICAN REQUIREMENTS.

(a) FINDINGS.—Congress finds that—

(1) Federal law requires that commodities and products purchased with Federal funds be, to the maximum extent practicable, of domestic origin;

(2) Federal Buy American statutory requirements seek to ensure that purchases made with Federal funds benefit domestic producers; and

(3) the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) requires the use of domestic food products for all meals served under the school lunch program, including food products purchased with local funds.

(b) BUY AMERICAN STATUTORY REQUIREMENTS.—It is the sense of Congress that the Secretary should undertake training, guidance, and enforcement of the various Buy American statutory requirements and regulations in effect on the date of enactment of this Act, including requirements of—

(1) the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); and

(2) the Department of Defense fresh fruit and vegetable distribution program.

SEC. 4905. MINIMUM PURCHASES OF FRUITS, VEGETABLES, AND NUTS THROUGH SECTION 32 TO SUPPORT DOMESTIC NUTRITION ASSISTANCE PROGRAMS.

(a) MINIMUM FUNDING FOR PURCHASES OF FRUITS, VEGETABLES, AND NUTS.—In lieu of the purchases of fruits, vegetables, and nuts required by section 10603 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 612c–4), the Secretary shall purchase fruits, vegetables, and nuts for the purpose of providing nutritious foods for use in domestic nutrition assistance programs, using, of the funds made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), the following amounts:

(1) $390,000,000 for fiscal year 2008.

(2) $393,000,000 for fiscal year 2009.

(3) $399,000,000 for fiscal year 2010.

(4) $403,000,000 for fiscal year 2011.

(5) $406,000,000 for fiscal year 2012 and each fiscal year thereafter.

(b) FORM OF PURCHASES.—Fruits, vegetables, and nuts may be purchased under this section in frozen, canned, dried, or fresh form.

(c) VALUE-ADDED PRODUCTS.—The Secretary may offer value-added products containing fruits, vegetables, or nuts under this section, taking into consideration—

(1) whether demand exists for the value-added product; and

(2) the interests of entities that receive fruits, vegetables, and nuts under this section.

SEC. 4906. CONFORMING AMENDMENTS TO RENAMING OF FOOD STAMP PROGRAM.

(a) IN GENERAL.—

(1) Section 4 of the Food and Nutrition Act of 2007 (7 U.S.C. 2013) is amended in the section heading by striking "FOOD STAMP PROGRAM" and inserting "FOOD AND NUTRITION PROGRAM".

(2) Section 5(h)(2)(A) of the Food and Nutrition Act of 2007 (7 U.S.C. 2014(h)(2)(A)) is amended by striking "Food Stamp Disaster Task Force" and inserting "Food and Nutrition Disaster Task Force".

(3) Section 6 of the Food and Nutrition Act of 2007 (7 U.S.C. 2015) is amended—

(A) in subsection (d)(3), by striking "eligible for food stamps" and inserting "eligible to receive food and nutrition assistance";

(B) in subsection (g), by striking "food stamps" and inserting "food and nutrition assistance";

(C) in subsection (j), in the subsection heading, by striking "FOOD STAMP" and inserting "FOOD AND NUTRITION"; and

(D) in subsection (o)—

(i) in paragraph (2), by striking "food stamp benefits" and inserting "food and nutrition assistance"; and

(ii) in paragraph (6)—

(I) in subparagraph (A)—

(aa) in clause (i), by striking "food stamps" and inserting "food and nutrition assistance"; and

(bb) in clause (ii)—

(AA) in the matter preceding subclause (I), by striking "a food stamp recipient" and inserting "a member of a household that receives food and nutrition assistance"; and

(BB) by striking "food stamp benefits" each place it appears and inserting "food and nutrition assistance"; and

(II) in subparagraphs (D) and (E), by striking "food stamp recipients" each place it appears and inserting "members of households that receive food and nutrition assistance".

(4) Section 7 of the Food and Nutrition Act of 2007 (7 U.S.C. 2016) (as amended by section 4202(a)(11)) is amended—

(A) in subsection (h)—

(i) in paragraph (3)(B)(ii), by striking "food stamp households" and inserting "households receiving food and nutrition assistance"; and

(ii) in paragraph (7), by striking "food stamp issuance" and inserting "food and nutrition assistance issuance"; and

(B) in subsection (j)—

(i) in paragraph (2), by striking "food stamp benefits" and inserting "food and nutrition assistance benefits"; and

(ii) in paragraph (3), by striking "food stamp retail" and inserting "food and nutrition assistance retail".

(5) Section 9(b)(1) of that Food and Nutrition Act of 2007 (7 U.S.C. 2018(b)(1)) is amended by striking "food stamp households" and inserting "households that receive food and nutrition assistance".

(6) Section 11 of the Food and Nutrition Act of 2007 (7 U.S.C. 2020) (as amended by section 4202(b)(9)(B)(III)) is amended—

(A) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking "food stamp offices" and inserting "food and nutrition assistance offices"; and

(II) in subparagraph (B)—

(aa) in clause (iii), by striking "food stamp office" and inserting "food and nutrition assistance office";

(bb) in clause (v)(II), by striking "food stamps" and inserting "food and nutrition assistance"; and

(cc) in clause (vii), by striking "food stamp offices" and inserting "food and nutrition assistance offices";

(ii) in paragraph (14), by striking "food stamps" and inserting "food and nutrition assistance";

(iii) in paragraph (15), by striking "food stamps" and inserting "food and nutrition assistance"; and

(iv) in paragraph (23)—

(I) in the matter preceding subparagraph (A), by striking "Simplified Food Stamp Program" and inserting "Simplified Food and Nutrition Assistance Program"; and

(II) in subparagraph (A), by striking "food stamp benefits" and inserting "food and nutrition assistance";

(B) in subsection (k), by striking "may issue, upon request by the State agency, food stamps" and inserting "may provide, on request by the State agency, food and nutrition assistance";

(C) in subsection (l), by striking "food stamp participation" and inserting "food and nutrition program participation";

(D) in subsections (q) and (r), in the subsection headings, by striking "FOOD STAMPS" each place it appears and inserting "FOOD AND NUTRITION ASSISTANCE";

(E) in subsection (s), by striking "food stamp benefits" each place it appears and inserting "food and nutrition assistance"; and

(F) in subsection (t)(1)—

(i) in subparagraph (A), by striking "food stamp application" and inserting "food and nutrition assistance application"; and

(ii) in subparagraph (B), by striking "food stamp benefits" and inserting "food and nutrition assistance".

(7) Section 14(b) of the Food and Nutrition Act of 2007 (7 U.S.C. 2023(b)) is amended by striking "food stamp allotments" and inserting "food and nutrition assistance".

(8) Section 16 of the Food and Nutrition Act of 2007 (7 U.S.C. 2025) is amended—

(A) in subsection (a)(4), by striking "food stamp informational activities" and inserting "informational activities relating to the food and nutrition program";

(B) in subsection (c)(9)(C), by striking "food stamp caseload" and inserting "the caseload under the food and nutrition program"; and

(C) in subsection (h)(1)(E)(i), by striking "food stamp recipients" and inserting "households receiving food and nutrition assistance".

(9) Section 17 of the Food and Nutrition Act of 2007 (7 U.S.C. 2026) is amended—

(A) in subsection (a)(2), by striking "food stamp benefits" each place it appears and inserting "food and nutrition assistance benefits";

(B) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (A), by striking "food stamp benefits" and inserting "food and nutrition assistance"; and

(II) in subparagraph (B)—

(aa) in clause (ii)(II), by striking "food stamp recipients" and inserting "food and nutrition assistance recipients";

(bb) in clause (iii)(I), by striking "the State's food stamp households" and inserting "the number of households in the State receiving food and nutrition assistance"; and

(cc) in clause (iv)(IV)(bb), by striking "food stamp deductions" and inserting "food and nutrition assistance deductions";

(ii) in paragraph (2), by striking "food stamp benefits" and inserting "food and nutrition assistance"; and

(iii) in paragraph (3)—

(I) in subparagraph (A), by striking "food stamp employment" and inserting "food and nutrition program employment";

(II) in subparagraph (B), by striking "food stamp recipients" and inserting "food and nutrition assistance recipients";

(III) in subparagraph (C), by striking "food stamps" and inserting "food and nutrition assistance"; and

(IV) in subparagraph (D), by striking "food stamp benefits" and inserting "food and nutrition assistance benefits";

(C) in subsection (c), by striking "food stamps" and inserting "food and nutrition assistance";

(D) in subsection (d)—

(i) in paragraph (1)(B), by striking "food stamp benefits" and inserting "food and nutrition assistance";

(ii) in paragraph (2)—

(I) in subparagraph (A), by striking "food stamp allotments" each place it appears and inserting "food and nutrition assistance"; and

(II) in subparagraph (C)(ii), by striking "food stamp benefit" and inserting "food and nutrition assistance"; and

(iii) in paragraph (3)(E), by striking "food stamp benefits" and inserting "food and nutrition assistance";

(E) in subsections (e) and (f), by striking "food stamp benefits" each place it appears and inserting "food and nutrition assistance";

(F) in subsection (g), in the first sentence, by striking "receipt of food stamp" and inserting "receipt of food and nutrition assistance"; and

(G) in subsection (j), by striking "food stamp agencies" and inserting "food and nutrition program agencies".

(10) Section 18(a)(3)(A)(ii) of the Food and Nutrition Act of 2007 (7 U.S.C. 2027(a)(3)(A)(ii)) is amended by striking "food stamps" and inserting "food and nutrition assistance".

(11) Section 21(d)(3) of the Food and Nutrition Act of 2007 (7 U.S.C. 2030(d)(3)) is amended by striking "food stamp benefits" and inserting "food and nutrition assistance".

(12) Section 22 of the Food and Nutrition Act of 2007 (7 U.S.C. 2031) is amended—

(A) in the section heading, by striking "FOOD STAMP PORTION OF MINNESOTA FAMILY INVESTMENT PLAN" and inserting "FOOD AND NUTRITION ASSISTANCE PORTION OF MINNESOTA FAMILY INVESTMENT PROJECT";

(B) in subsections (b)(12) and (d)(3), by striking "the Food Stamp Act, as amended," each place it appears and inserting "this Act"; and

(C) in subsection (g)(1), by striking "the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.)" and inserting "this Act".

(13) Section 26 of the Food and Nutrition Act of 2007 (7 U.S.C. 2035) is amended—

(A) in the section heading, by striking "SIMPLIFIED FOOD STAMP PROGRAM" and inserting "SIMPLIFIED FOOD AND NUTRITION PROGRAM"; and

(B) in subsection (b), by striking "simplified food stamp program" and inserting "simplified food and nutrition program".

(b) Conforming Cross-References.—

(1) In general.—Each provision of law described in paragraph (2) is amended (as applicable)—

(A) by striking "food stamp program" each place it appears and inserting "food and nutrition program";

(B) by striking "Food Stamp Act of 1977" each place it appears and inserting "Food and Nutrition Act of 2007";

(C) by striking "Food Stamp Act" each place it appears and inserting "Food and Nutrition Act of 2007";

(D) by striking "food stamp" each place it appears and inserting "food and nutrition assistance";

(E) by striking "food stamps" each place it appears and inserting "food and nutrition assistance";

(F) in each applicable title, subtitle, chapter, subchapter, and section heading, by striking "**FOOD STAMP**" each place it appears and inserting "**FOOD AND NUTRITION ASSISTANCE**";

(G) in each applicable subsection and appropriations heading, by striking "**FOOD STAMP**" each place it appears and inserting "**FOOD AND NUTRITION ASSISTANCE**";

(H) in each applicable heading other than a title, subtitle, chapter, subchapter, section, subsection, or appropriations heading, by striking "FOOD STAMP" each place it appears and inserting "FOOD AND NUTRITION ASSISTANCE";

(I) in each applicable title, subtitle, chapter, subchapter, and section heading, by striking "**food stamps**" each place it appears and inserting "**food and nutrition assistance**";

(J) in each applicable subsection and appropriations heading, by striking "FOOD STAMPS" each place it appears and inserting "FOOD AND NUTRITION ASSISTANCE"; and

(K) in each applicable heading other than a title, subtitle, chapter, subchapter, section, subsection, or appropriations heading, by striking "FOOD STAMPS" each place it appears and inserting "FOOD AND NUTRITION ASSISTANCE".

(2) Provisions of law.—The provisions of law referred to in paragraph (1) are the following:

(A) The Hunger Prevention Act of 1988 (Public Law 100–435; 102 Stat. 1645).

(B) The Food Stamp Program Improvements Act of 1994 (Public Law 103–225; 108 Stat. 106).

(C) Title IV of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 116 Stat. 305).

(D) Section 2 of Public Law 103–205 (7 U.S.C. 2012 note).

(E) Section 807(b) of the Stewart B. McKinney Homeless Assistance Act (7 U.S.C. 2014 note; Public Law 100–77).

(F) The Electronic Benefit Transfer Interoperability and Portability Act of 2000 (Public Law 106–171; 114 Stat. 3).

(G) Section 502(b) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 2025 note; Public Law 105–185). .

(H) The National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3101 et seq.).

(I) The Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.).

(J) The Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(K) Section 8119 of the Department of Defense Appropriations Act, 1999 (10 U.S.C. 113 note; Public Law 105–262).

(L) The Armored Car Industry Reciprocity Act of 1993 (15 U.S.C. 5901 et seq.).

(M) Title 18, United States Code.

(N) The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

(O) The Internal Revenue Code of 1986.

(P) Section 650 of the Treasury and General Government Appropriations Act, 2000 (26 U.S.C. 7801 note; Public Law 106–58).

(Q) The Wagner-Peysner Act (29 U.S.C. 49 et seq.).

(R) The Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.).

(S) Title 31, United States Code.

(T) Title 37, United States Code.

(U) The Public Health Service Act (42 U.S.C. 201 et seq.).

(V) Titles II through XIX of the Social Security Act (42 U.S.C. 401 et seq.).

(W) Section 406 of the Family Support Act of 1988 (Public Law 100–485; 102 Stat. 2400).

(X) Section 232 of the Social Security Act Amendments of 1994 (42 U.S.C. 1314a).

(Y) The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.).

(Z) The Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(AA) The Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

(BB) The Older Americans Act of 1965 (42 U.S.C. 3001 et seq.).

(CC) Section 208 of the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728).

(DD) The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(EE) The Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.).

(FF) Section 658K of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858i).

(GG) The Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(HH) Public Law 95–348 (92 Stat. 487).

(II) The Agriculture and Food Act of 1981 (Public Law 97–98; 95 Stat. 1213).

(JJ) The Disaster Assistance Act of 1988 (Public Law 100–387; 102 Stat. 924).

(KK) The Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 104 Stat. 3359).

(LL) The Cranston-Gonzalez National Affordable Housing Act (Public Law 101–625; 104 Stat. 4079).

(MM) Section 388 of the Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991 (Public Law 102–25; 105 Stat. 98).

(NN) The Food, Agriculture, Conservation, and Trade Act Amendments of 1991 (Public Law 102–237; 105 Stat. 1818).

(OO) The Act of March 26, 1992 (Public Law 102–265; 106 Stat. 90).

(PP) Public Law 105–379 (112 Stat. 3399).

(QQ) Section 101(c) of the Emergency Supplemental Act, 2000 (Public Law 106–246; 114 Stat. 528).

(c) References.—Any reference in any Federal, State, tribal, or local law (including regulations) to the "food stamp program" established under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.) shall be considered to be a reference to the "food and nutrition program" established under that Act.

SEC. 4907. EFFECTIVE AND IMPLEMENTATION DATES.

(a) General Effective Date.—Except as otherwise provided in this title, this title and the amendments made by this title take effect on April 1, 2008.

(b) Implementation of Improvements to Program Benefits.—

(1) In general.—A State agency may implement the amendments made by part II of subtitle A beginning on a date (as determined by the State agency) during the period beginning on April 1, 2008, and ending on October 1, 2008.

(2) Certification period.—At the option of a State agency, the State agency may implement 1 or more of the amendments made by sections 4103 and 4104 for a certification period that begins not earlier than the implementation date determined by the State under paragraph (1).

SEC. 4908. APPLICATION.

(a) In General.—Notwithstanding any other provision of this title or amendments made by this title, the amendments made by the provisions described in subsection (b) shall be in effect during the period beginning on the date of enactment of this Act (or such other effective date as is otherwise provided in this title) and ending on September 30, 2012.

(b) Provisions.—The provisions referred to in subsection (a) are—

(1) section 4101;
(2) section 4102;
(3) section 4103;
(4) section 4104;
(5) section 4107;
(6) section 4108;
(7) section 4109;
(8) section 4110(a)(2);
(9) section 4208;
(10) section 4701(a)(3);

(11) section 4801(g); and

(12) section 4903.

TITLE V—CREDIT

Subtitle A—Farm Ownership Loans

SEC. 5001. DIRECT LOANS.

Section 302 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922) is amended—

(1) by striking the section designation and heading and all that follows through "(a) The Secretary is authorized to" and inserting the following:

"SEC. 302. PERSONS ELIGIBLE FOR REAL ESTATE LOANS.

"(a) In General.—The Secretary may"; and

(2) in subsection (a)(2), by inserting ", taking into consideration all farming experience of the applicant, without regard to any lapse between farming experiences" after "farming operations".

SEC. 5002. PURPOSES OF LOANS.

Section 303(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1923(a)(1)) is amended—

(1) in subparagraph (D), by striking "or" at the end;

(2) in subparagraph (E), by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following:

"(F) refinancing guaranteed farm ownership loans of qualified beginning farmers and ranchers under this subtitle that were used to carry out purposes described in subparagraphs (A) through (E).".

SEC. 5003. SOIL AND WATER CONSERVATION AND PROTECTION.

Section 304 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924) is amended—

(1) in subsection (a)—

(A) in paragraph (4), by inserting "or conversion to a certified organic farm in accordance with the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.)" after "systems";

(B) in paragraph (5), by striking "and" at the end;

(C) by redesignating paragraph (6) as paragraph (7); and

(D) by inserting after paragraph (5) the following:

"(6) the implementation of 1 or more practices under the environmental quality section of the comprehensive stewardship incentives program established under subchapter A of chapter 6 of subtitle D of title XII of the Food Security Act of 1985; and"; and

(2) by striking subsections (b) and (c) and inserting the following:

"(b) Priority.—In making or guaranteeing loans under this section, the Secretary shall give priority to—

"(1) qualified beginning farmers or ranchers and socially disadvantaged farmers or ranchers;

"(2) owners or tenants who use the loans to convert to sustainable or organic agricultural production systems;

"(3) producers who use the loans to build conservation structures or establish conservation practices to comply with section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812); and

"(4) producers who have a certification from the Natural Resources Conservation Service issued pursuant to section 1240B(d) of the Food Security Act of 1985.".

SEC. 5004. LIMITATIONS ON AMOUNT OF FARM OWNERSHIP LOANS.

Section 305(a)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1925(a)(2)) is amended by striking "$200,000" and inserting "$300,000".

SEC. 5005. DOWN PAYMENT LOAN PROGRAM.

Section 310E of the Consolidated Farm and Rural Development Act (7 U.S.C. 1935) is amended—

(1) in subsection (a)(1), by inserting "and socially disadvantaged farmers and ranchers" after "ranchers";

(2) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

"(1) Principal.—

"(A) Purchase price of $500,000 or less.—Each loan made under this section for a purchase price that is $500,000 or less, shall be in an amount that does not exceed 45 percent of the lesser of—

"(i) the purchase price; or

"(ii) the appraised value of the farm or ranch to be acquired.

"(B) Purchase price greater than $500,000.—Each loan made under this section for a purchase price that is greater than $500,000, shall be in an amount that does not exceed 45 percent of the lesser of—

"(i) $500,000; or

"(ii) the appraised value of the farm or ranch to be acquired.";

(B) by striking paragraph (2) and inserting the following:

"(2) Interest rate.—The interest rate on any loan made by the Secretary under this section shall be a rate equal to the greater of—

"(A) the difference obtained by subtracting 400 basis points from the interest rate for regular farm ownership loans under this subtitle; or

"(B) 2 percent."; and

(C) in paragraph (3), by striking "15" and inserting "20";

(3) in subsection (c)—

(A) in paragraph (1), by striking "10 percent" and inserting "5 percent";

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) in subparagraph (B) of paragraph (2) (as so redesignated), by striking "15-year" and inserting "20-year"; and

(4) in subsection (d)—

(A) in paragraph (3), by striking the "and" at the end;

(B) in paragraph (4), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(5) establish annual performance goals to promote the use of the down payment loan program and other joint financing participation loans as the preferred choice for direct real estate loans made by any lender to a qualified beginning farmer or rancher or socially disadvantaged farmer or rancher.".

SEC. 5006. BEGINNING FARMER OR RANCHER CONTRACT LAND SALES PROGRAM.

Section 310F of the Consolidated Farm and Rural Development Act (7 U.S.C. 1936) is amended to read as follows:

"SEC. 310F. BEGINNING FARMER OR RANCHER CONTRACT LAND SALES PROGRAM.

"(a) In General.—Subject to subsection (c), the Secretary shall, in accordance with each condition described in subsection (b), provide a prompt payment guarantee for any loan made by a private seller of farmland or ranch land to a qualified beginning farmer or rancher on a contract land sale basis.

"(b) Conditions for Guarantee.—To receive a guarantee for a loan by the Secretary under subsection (a)—

"(1) the qualified beginning farmer or rancher shall—

"(A) on the date on which the contract land sale that is the subject of the loan is complete, own and operate the farmland or ranch land that is the subject of the contract land sale;

"(B) on the date on which the contract land sale that is the subject of the loan is commenced—

"(i) have a credit history that—

"(I) includes a record of satisfactory debt repayment, as determined by the Secretary; and

"(II) is acceptable to the Secretary; and

"(ii) demonstrate to the Secretary that the qualified beginning farmer or rancher is unable to obtain sufficient credit without a guarantee to finance any actual need of the qualified beginning farmer or rancher at a reasonable rate or term;

"(2) the loan made by the private seller of farmland or ranch land to the qualified beginning farmer or rancher on a contract land sale basis shall meet applicable underwriting criteria, as determined by the Secretary; and

"(3) to carry out the loan—

"(A) a commercial lending institution shall agree to serve as an escrow agent; or

"(B) the private seller of farmland or ranch land, in cooperation with the qualified beginning farmer or rancher, shall use an appropriate alternate arrangement, as determined by the Secretary.

"(c) Limitations.—

"(1) Down payment.—The Secretary shall not guarantee a loan made by a private seller of farmland or ranch land to a qualified beginning farmer or rancher under subsection (a) if the contribution of the qualified beginning farmer or rancher to the down payment for the farmland or ranch land that is the subject of the contract land sale would be an amount less than 5 percent of the purchase price of the farmland or ranch land.

"(2) Maximum purchase price.—The Secretary shall not guarantee a loan made by a private seller of farmland or ranch land to a qualified beginning farmer or rancher under subsection (a) if the purchase price or the appraisal value of the farmland or ranch land that is the subject of the contract land sale is an amount greater than $500,000.

"(d) Period of Guarantee.—The Secretary shall guarantee a loan made by a private seller of farmland or ranch land to a qualified beginning farmer or rancher under subsection (a) for a 10-year period beginning on the date on which the Secretary guarantees the loan.

"(e) Prompt Payment Guarantee.—The Secretary shall provide to a private seller of farmland or ranch land who makes a loan to a qualified beginning farmer or rancher that is guaranteed by the Secretary, a prompt payment guarantee, which shall cover—

"(1) 3 amortized annual installments; or

"(2) an amount equal to 3 annual installments (including an amount equal to the total cost of any tax and insurance incurred during the period covered by the annual installments).".

Subtitle B—Operating Loans

SEC. 5101. FARMING EXPERIENCE AS ELIGIBILITY REQUIREMENT.

Section 311 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941) is amended—

(1) by striking the section designation and all that follows through "(a) The Secretary is authorized to" and inserting the following:

"SEC. 311. PERSONS ELIGIBLE FOR LOANS.

"(a) In General.—The Secretary may";

(2) in subsection (a)(2), by inserting ", taking into consideration all farming experience of the applicant, without regard to any lapse between farming experiences" after "farming operations"; and

(3) in subsection (c)(1)(C), by striking "6" and inserting "7".

SEC. 5102. LIMITATIONS ON AMOUNT OF OPERATING LOANS.

Section 313(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1943(a)(1)) is amended by striking "$200,000" and inserting "$300,000".

SEC. 5103. LIMITATION ON PERIOD BORROWERS ARE ELIGIBLE FOR GUARANTEED ASSISTANCE.

Section 319 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1949) is repealed.

Subtitle C—Administrative Provisions

SEC. 5201. BEGINNING FARMER AND RANCHER INDIVIDUAL DEVELOPMENT ACCOUNTS PILOT PROGRAM.

The Consolidated Farm and Rural Development Act is amended by adding after section 333A (7 U.S.C. 1983a) the following:

"SEC. 333B. BEGINNING FARMER AND RANCHER INDIVIDUAL DEVELOPMENT ACCOUNTS PILOT PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) DEMONSTRATION PROGRAM.—The term 'demonstration program' means a demonstration program carried out by a qualified entity under the pilot program established in subsection (b)(1).

"(2) ELIGIBLE PARTICIPANT.—The term 'eligible participant' means a qualified beginning farmer or rancher that—

"(A) lacks significant financial resources or assets; and

"(B) has an income that is less than—

"(i) 80 percent of the median income of the area in which the eligible participant is located; or

"(ii) 200 percent of the most recent annual Federal Poverty Income Guidelines published by the Department of Health and Human Services for that area.

"(3) INDIVIDUAL DEVELOPMENT ACCOUNT.—The term 'individual development account' means a savings account described in subsection (b)(4)(A).

"(4) QUALIFIED ENTITY.—

"(A) IN GENERAL.—The term 'qualified entity' means—

"(i) 1 or more organizations—

"(I) described in section 501(c)(3) of the Internal Revenue Code of 1986; and

"(II) exempt from taxation under section 501(a) of such Code; or

"(ii) a State, local, or tribal government submitting an application jointly with an organization described in clause (i).

"(B) NO PROHIBITION ON COLLABORATION.—An organization described in subparagraph (A)(i) may collaborate with a financial institution or for-profit community development corporation to carry out the purposes of this section.

"(b) PILOT PROGRAM.—

"(1) IN GENERAL.—The Secretary shall establish a pilot program to be known as the 'New Farmer Individual Development Accounts Pilot Program' under which the Secretary shall work through qualified entities to establish demonstration programs—

"(A) of at least 5 years in duration; and

"(B) in at least 15 States.

"(2) COORDINATION.—The Secretary shall operate the pilot program through, and in coordination with the farm loan programs of, the Farm Service Agency.

"(3) RESERVE FUNDS.—

"(A) IN GENERAL.—Each demonstration program shall establish a reserve fund consisting of a non-Federal match of 25 percent of the total amount of the grant awarded to the demonstration program under this section.

"(B) FEDERAL FUNDS.—After a demonstration program has deposited in the reserve fund the non-Federal matching funds described in subparagraph (A), the Secretary shall provide to the demonstration program for deposit in the reserve fund the total amount of the grant awarded under this section.

"(C) USE OF FUNDS.—Of funds deposited in a reserve fund under subparagraphs (A) and (B), a demonstration program—

"(i) may use up to 20 percent for administrative expenses; and

"(ii) shall use the remainder to make matching awards described in paragraph (4)(B)(ii)(I).

"(D) INTEREST.—Any interest earned on amounts in a reserve fund established under subparagraph (A) may be used as additional matching funds for, or to administer, the demonstration program.

"(E) GUIDANCE.—The Secretary shall implement guidance regarding the investment requirements of reserve funds established under this paragraph.

"(4) INDIVIDUAL DEVELOPMENT ACCOUNTS.—

"(A) IN GENERAL.—A qualified entity receiving a grant under this section shall establish and administer an individual development account for each eligible participant.

"(B) CONTRACT REQUIREMENTS.—To be eligible to receive funds under this section from a qualified entity, each eligible participant shall enter into a contract with a qualified entity under which—

"(i) the eligible participant shall agree—

"(I) to deposit a certain amount of funds of the eligible participant in a personal savings account, as prescribed by the contractual agreement between the eligible participant and the qualified entity; and

"(II) to use the funds described in subclause (I) only for 1 or more eligible expenditures described in paragraph (5)(A); and

"(ii) the qualified entity shall agree—

"(I) to deposit not later than 1 month after a deposit described in clause (i)(I) at least a 100-percent, and up to a 300-percent, match of that amount into the individual development account established for the eligible participant;

"(II) with uses of funds proposed by the eligible participant; and

"(III) to complete qualified financial training.

"(C) LIMITATION.—

"(i) IN GENERAL.—A qualified entity administering a demonstration program may provide not more than $9,000 for each fiscal year in matching funds to any eligible participant.

"(ii) TREATMENT OF AMOUNT.—An amount provided under clause (i) shall not be considered to be a gift or loan for mortgage purposes.

"(D) INTEREST.—Any interest earned on amounts in an individual development account shall be compounded with amounts otherwise deposited in the individual development account.

"(5) ELIGIBLE EXPENDITURES.—

"(A) IN GENERAL.—An eligible expenditure described in this subparagraph is an expenditure—

"(i) to purchase farmland or make a down payment on an accepted purchase offer for farmland;

"(ii) to make mortgage payments for up to 180 days after the date of purchase of farmland;

"(iii) to purchase farm equipment or production, storage, or marketing infrastructure or buy into an existing value-added business;

"(iv) to purchase breeding stock or fruit or nut trees or trees to harvest for timber;

"(v) to pay training or mentorship expenses to facilitate specific entrepreneurial agricultural activities; and

"(vi) for other similar expenditures, as determined by the Secretary.

"(B) TIMING.—

"(i) IN GENERAL.—An eligible expenditure may be made at any time during the 2-year period beginning on the date on which the last matching funds are provided under paragraph (4)(B)(ii)(I).

"(ii) UNEXPENDED FUNDS.—Funds remaining in an individual development account after the period described in clause (i) shall revert to the reserve fund of the demonstration program.

"(C) PROHIBITION.—An eligible participant that uses funds in an individual development account for an eligible expenditure described in subparagraph (A)(viii) shall not be eligible to receive funds for a substantially similar purpose (as determined by the Secretary) under the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).

"(c) APPLICATIONS.—

"(1) ANNOUNCEMENT OF DEMONSTRATION PROGRAMS.—Not later than 180 days after the date of enactment of this section, the Secretary shall—

"(A) publicly announce the availability of funding under this section for demonstration programs; and

"(B) ensure that applications to carry out demonstration programs are widely available to qualified entities.

"(2) SUBMISSION.—Not later than 270 days after the date of enactment of this section, a qualified entity may submit to the Secretary an application to carry out a demonstration program.

"(3) CRITERIA.—In considering whether to approve an application to carry out a demonstration program, the Secretary shall assess—

"(A) the degree to which the demonstration program described in the application is likely to aid eligible participants in successfully pursuing new farming opportunities;

"(B) the experience and ability of the qualified entity to responsibly administer the project;

"(C) the experience and ability of the qualified entity in recruiting, educating, and assisting eligible participants to increase economic independence and pursue or advance farming opportunities;

"(D) the aggregate amount of direct funds from non-Federal public sector and private sources that are formally committed to the demonstration program as matching contributions;

"(E) the adequacy of the plan for providing information relevant to an evaluation of the demonstration program; and

"(F) such other factors as the Secretary considers to be appropriate.

"(4) PREFERENCES.—In considering an application to conduct a demonstration program under this part, the Secretary shall give preference to an application from a qualified entity that demonstrates—

"(A) a track record of serving clients targeted by the program, including, as appropriate, socially disadvantaged farmers and ranchers; and

"(B) expertise in dealing with financial management aspects of farming.

"(5) APPROVAL.—

"(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, in accordance with this section, the Secretary shall, on a competitive basis, approve such applications to conduct demonstration programs as the Secretary considers appropriate.

"(B) DIVERSITY.—The Secretary shall ensure, to the maximum extent practicable, that approved applications involve demonstration programs for a range of geographic areas and diverse populations.

"(6) TERM OF AUTHORITY.—If the Secretary approves an application to carry out a demonstration program, the Secretary shall authorize the applying qualified entity to carry out the project for a period of 5 years, plus an additional 2 years for the making of eligible expenditures in accordance with subsection (b)(5)(B).

"(d) GRANT AUTHORITY.—

"(1) IN GENERAL.—For each year during which a demonstration program is carried out under this section, the Secretary shall make a grant to the qualified entity authorized to carry out the demonstration program.

"(2) MAXIMUM AMOUNT OF GRANTS.—The aggregate amount of grant funds provided to a demonstration program carried out under this section shall not exceed $300,000.

"(e) REPORTS.—

"(1) ANNUAL PROGRESS REPORTS.—

"(A) IN GENERAL.—Not later than 60 days after the end of the calendar year in which the Secretary authorizes a qualified entity to carry out a demonstration program, and annually thereafter until the conclusion of the demonstration program, the qualified entity shall prepare an annual report that includes, for the period covered by the report—

"(i) an evaluation of the progress of the demonstration program;

"(ii) information about the demonstration program and eligible participants;

"(iii) the number and characteristics of individuals that have made 1 or more deposits into an individual development account;

"(iv) the amounts in the reserve fund established with respect to the program;

"(v) the amounts deposited in the individual development accounts;

"(vi) the amounts withdrawn from the individual development accounts and the purposes for which the amounts were withdrawn;

"(vii) the balances remaining in the individual development accounts;

"(viii) such other information as the Secretary may require.

"(B) SUBMISSION OF REPORTS.—A qualified entity shall submit each report required under subparagraph (A) to the Secretary.

"(2) REPORTS BY THE SECRETARY.—Not later than 1 year after the date on which all demonstration programs under this section are concluded, the Secretary shall submit to Congress a final report that describes the results and findings of all reports and evaluations carried out under this section.

"(f) REGULATIONS.—In carrying out this section, the Secretary may promulgate regulations to ensure that the program includes provisions for—

"(1) the termination of demonstration programs;

"(2) control of the reserve funds in the case of such a termination;

"(3) transfer of demonstration programs to other qualified entities; and

"(4) remissions from a reserve fund to the Secretary in a case in which a demonstration program is terminated without transfer to a new qualified entity.

"(g) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2008 through 2012.

"(2) ADMINISTRATION AND TRAINING.—Of the total funds made available under paragraph (1) and in addition to any other available funds, not more than 10 percent may be used by the Secretary—

"(A) to administer the pilot program; and

"(B) to provide training, or hire 1 or more consultants to provide training, to instruct qualified entities in carrying out demonstration programs, including payment of reasonable costs incurred with respect to that training for—

"(i) staff or consultant travel;

"(ii) lodging;

"(iii) meals; and

"(iv) materials.".

SEC. 5202. INVENTORY SALES PREFERENCES; LOAN FUND SET-ASIDES.

(a) INVENTORY SALES PREFERENCES.—Section 335(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1985(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B)—

(i) in the subparagraph heading, by inserting "; SOCIALLY DISADVANTAGED FARMER OR RANCHER" after "OR RANCHER";

(ii) in clause (i), by inserting " or a socially disadvantaged farmer or rancher" after "or rancher";

(iii) in clause (ii), by inserting "or socially disadvantaged farmer or rancher" after "or rancher";

(iv) in clause (iii), by inserting "or a socially disadvantaged farmer or rancher" after "or rancher"; and

(v) in clause (iv), by inserting "and socially disadvantaged farmers and ranchers" after "and ranchers"; and

(B) in subparagraph (C), by inserting "or a socially disadvantaged farmer or rancher" after "or rancher";

(2) in paragraph (5)(B)—

(A) in clause (i)—

(i) in the clause heading, by inserting "; SOCIALLY DISADVANTAGED FARMER OR RANCHER" after "OR RANCHER";

(ii) by inserting "or a socially disadvantaged farmer or rancher" after "a beginning farmer or rancher"; and

(iii) by inserting "or the socially disadvantaged farmer or rancher" after "the beginning farmer or rancher"; and

(B) in clause (ii)—

(i) in the matter preceding subclause (I), by inserting "or a socially disadvantaged farmer or rancher" after "or rancher"; and

(ii) in subclause (II), by inserting "or the socially disadvantaged farmer or rancher" after "or rancher"; and

(3) in paragraph (6)—

(A) in subparagraph (A), by inserting "or a socially disadvantaged farmer or rancher" after "or rancher"; and

(B) in subparagraph (C)—

(i) in clause (i)(I), by inserting "and socially disadvantaged farmers and ranchers" after "and ranchers"; and

(ii) in clause (ii), by inserting "or socially disadvantaged farmers or ranchers" after "or ranchers".

(b) LOAN FUND SET-ASIDES.—Section 346(b)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(b)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (i)—

(i) in subclause (I), by striking "70 percent" and inserting "an amount that is not less than 75 percent of the total amount"; and

(ii) in subclause (II)—

(I) in the subclause heading, by inserting "; JOINT FINANCING ARRANGEMENTS" after "PAYMENT LOANS";

(II) by striking "60 percent" and inserting "an amount not less than ⅔ of the amount"; and

(III) by inserting "and joint financing arrangements under section 307(a)(3)(D)" after "section 310E"; and

(B) in clause (ii)(III), by striking "2003 through 2007, 35 percent" and inserting "2008 through 2012, an amount that is not less than 50 percent of the total amount"; and

(2) in subparagraph (B)(i), by striking "25 percent" and inserting "an amount that is not less than 40 percent of the total amount".

SEC. 5203. TRANSITION TO PRIVATE COMMERCIAL OR OTHER SOURCES OF CREDIT.

Subtitle D of the Consolidated Farm and Rural Development Act is amended by inserting after section 344 (7 U.S.C. 1992) the following:

"SEC. 345. TRANSITION TO PRIVATE COMMERCIAL OR OTHER SOURCES OF CREDIT.

"(a) IN GENERAL.—In making or insuring a farm loan under subtitle A or B, the Secretary shall establish a plan and promulgate regulations (including performance criteria) that promote the goal of transitioning borrowers to private commercial credit and other sources of credit in the shortest practicable period of time.

"(b) COORDINATION.—In carrying out this section, the Secretary shall integrate and coordinate the transition policy described in subsection (a) with—

"(1) the borrower training program established by section 359;

"(2) the loan assessment process established by section 360;

"(3) the supervised credit requirement established by section 361;

"(4) the market placement program established by section 362; and

"(5) other appropriate programs and authorities, as determined by the Secretary.".

SEC. 5204. LOAN AUTHORIZATION LEVELS.

Section 346(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(b)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking "$3,796,000,000 for each of fiscal years 2003 through 2007" and inserting "$4,226,000,000 for each of fiscal years 2008 through 2012"; and

(2) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking "$770,000,000" and inserting "$1,200,000,000";

(B) in clause (i), by striking "$205,000,000" and inserting "$350,000,000"; and

(C) in clause (ii), by striking "$565,000,000" and inserting "$850,000,000".

SEC. 5205. INTEREST RATE REDUCTION PROGRAM.

Section 351(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1999(a)) is amended—

(1) in the subsection heading, by inserting "AND AVAILABILITY" after "ESTABLISHMENT";

(2) by striking "The Secretary" and inserting the following:

"(1) ESTABLISHMENT.—The Secretary"; and

(3) by adding at the end the following:

"(2) AVAILABILITY.—The program established under paragraph (1) shall be available with respect to new guaranteed operating loans or guaranteed operating loans restructured under this title after the date of enactment of this paragraph that meet the requirements of subsection (b).".

SEC. 5206. DEFERRAL OF SHARED APPRECIATION RECAPTURE AMORTIZATION.

Section 353(e)(7)(D) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2001(e)(7)(D)) is amended—

(1) in the subparagraph heading, by inserting "AND DEFERRAL" after "REAMORTIZATION"; and

(2) in clause (ii)—

(A) by redesignating subclause (II) as subclause (III); and

(B) by inserting after subclause (I) the following:

"(II) TERM OF DEFERRAL.—The term of a deferral under this subparagraph shall not exceed 1 year.".

SEC. 5207. RURAL DEVELOPMENT, HOUSING, AND FARM LOAN PROGRAM ACTIVITIES.

Subtitle D of the Consolidated Farm and Rural Development Act is amended by inserting after section 364 (7 U.S.C. 2006f) the following:

"SEC. 365. RURAL DEVELOPMENT, HOUSING, AND FARM LOAN PROGRAM ACTIVITIES.

"The Secretary may not complete a study of, or enter into a contract with a private party to carry out, without specific authorization in a subsequent Act of Congress, a competitive sourcing activity of the Secretary, including support personnel of the Department of Agriculture, relating to rural development, housing, or farm loan programs.".

Subtitle D—Farm Credit

SEC. 5301. AUTHORITY TO PASS ALONG COST OF INSURANCE PREMIUMS.

(a) IN GENERAL.—Section 1.12(b) of the Farm Credit Act of 1971 (12 U.S.C. 2020(b)) is amended—

(1) in the first sentence, by striking "Each Farm" and inserting the following;

"(1) IN GENERAL.—Each Farm"; and

(2) by striking the second sentence and inserting the following:

"(2) COMPUTATION.—The assessment on any association or other financing institution described in paragraph (1) for any period shall be computed in an equitable manner, as determined by the Corporation.".

(b) RULES AND REGULATIONS.—Section 5.58(10) of the Farm Credit Act of 1971 (12 U.S.C. 2277a–7(10)) is amended by inserting "and section 1.12(b)" after "part".

SEC. 5302. TECHNICAL CORRECTION.

Section 3.3(b) of the Farm Credit Act of 1971 (12 U.S.C. 2124(b)) is amended in the first sentence by striking "per" and inserting "par".

SEC. 5303. CONFIRMATION OF CHAIRMAN.

Section 5.8(a) of the Farm Credit Act of 1971 (12 U.S.C. 2242(a)) is amended in the fifth sentence by inserting "by and with the advice and consent of the Senate," after "designated by the President,".

SEC. 5304. PREMIUMS.

(a) AMOUNT IN FUND NOT EXCEEDING SECURE BASE AMOUNT.—Section 5.55(a) of the Farm Credit Act of 1971 (12 U.S.C. 2277a—4(a)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "paragraph (2)" and inserting "paragraph (3)"; and

(ii) by striking "annual" ; and

(B) by striking subparagraphs (A) through (D) and inserting the following:

"(A) the average outstanding insured obligations issued by the bank for the calendar year, after deducting from the obligations the percentages of the guaranteed portions of loans and investments described in paragraph (2), multiplied by 0.0020; and

"(B) the product obtained by multiplying—

"(i) the sum of—

"(I) the average principal outstanding for the calendar year on loans made by the bank that are in nonaccrual status; and

"(II) the average amount outstanding for the calendar year of other-than-temporarily impaired investments made by the bank; by

"(ii) 0.0010.";

(2) by striking paragraph (4);

(3) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(4) by inserting after paragraph (1) the following:

"(2) DEDUCTIONS FROM AVERAGE OUTSTANDING INSURED OBLIGATIONS.—The average outstanding insured obligations issued by the bank for the calendar year referred to in paragraph (1)(A) shall be reduced by deducting from the obligations the sum of (as determined by the Corporation)—

"(A) 90 percent of each of —

"(i) the average principal outstanding for the calendar year on the guaranteed portions of Federal government-guaranteed loans made by the bank that are in accrual status; and

"(ii) the average amount outstanding for the calendar year of the guaranteed portions of Federal government-guaranteed investments made by the bank that are not permanently impaired; and

"(B) 80 percent of each of—

"(i) the average principal outstanding for the calendar year on the guaranteed portions of State government-guaranteed loans made by the bank that are in accrual status; and

"(ii) the average amount outstanding for the calendar year of the guaranteed portions of State government-guaranteed investments made by the bank that are not permanently impaired.";

(5) in paragraph (3) (as redesignated by paragraph (3)), by striking "annual"; and

(6) in paragraph (4) (as redesignated by paragraph (3))—

(A) in the paragraph heading, by inserting "OR INVESTMENTS" after "LOANS"; and

(B) in the matter preceding subparagraph (A), by striking "As used" and all that follows through "guaranteed—" and inserting "In this section, the term "government-guaranteed", when applied to a loan or an investment, means a loan, credit, or investment, or portion of a loan, credit, or investments, that is guaranteed—".

(b) AMOUNT IN FUND EXCEEDING SECURE BASE AMOUNT.—Section 5.55(b) of the Farm Credit Act of 1971 (12 U.S.C. 2277a–4(b)) is amended by striking "annual".

(c) SECURE BASE AMOUNT.—Section 5.55(c) of the Farm Credit Act of 1971 (12 U.S.C. 2277a–4(c)) is amended—

(1) by striking "For purposes" and inserting the following:

"(1) IN GENERAL.—For purposes";

(2) by striking "(adjusted downward" and all that follows through "by the Corporation)" and inserting "(as adjusted under paragraph (2))"; and

(3) by adding at the end the following:

"(2) ADJUSTMENT.—The aggregate outstanding insured obligations of all insured System banks under paragraph (1) shall be adjusted downward to exclude an amount equal to the sum of (as determined by the Corporation)—

"(A) 90 percent of each of—

"(i) the guaranteed portions of principal outstanding on Federal government-guaranteed loans in accrual status made by the banks; and

"(ii) the guaranteed portions of the amount of Federal government-guaranteed investments made by the banks that are not permanently impaired; and

"(B) 80 percent of each of—

"(i) the guaranteed portions of principal outstanding on State government-guaranteed loans in accrual status made by the banks; and

"(ii) the guaranteed portions of the amount of State government-guaranteed investments made by the banks that are not permanently impaired.".

(d) DETERMINATION OF LOAN AND INVESTMENT AMOUNTS.—Section 5.55(d) of the Farm Credit Act of 1971 (12 U.S.C. 2277a–4(d)) is amended—

(1) in the paragraph heading, by striking "PRINCIPAL OUTSTANDING" and inserting "LOAN AND INVESTMENT AMOUNTS";

(2) in the matter preceding paragraph (1), by striking "For the purpose" and all that follows through "made—" and inserting "For the purpose of subsections (a) and (c), the principal outstanding on all loans made by an insured System bank, and the amount outstanding on all investments made by an insured System bank, shall be determined based on—";

(3) by inserting "all loans or investments made" before "by" the first place it appears in each of paragraph (1), (2), and (3); and

(4) in paragraphs (1) and (2), by inserting "or investments" after "that is able to make such loans" each place it appears.

(e) ALLOCATION TO SYSTEM INSTITUTIONS OF EXCESS RESERVES.—Section 5.55(e) of the Farm Credit Act of 1971 (12 U.S.C. 2277a–4(e)) is amended—

(1) in paragraph (3), by striking "the average secure base amount for the calendar year (as calculated on an average daily balance basis)" and inserting "the secure base amount";

(2) in paragraph (4), by striking subparagraph (B) and inserting the following:

"(B) there shall be credited to the Allocated Insurance Reserves Account of each insured System bank an amount that bears the same ratio to the total amount (less any amount credited under subparagraph (A)) as—

"(i) the average principal outstanding for the calendar year on insured obligations issued by the bank (after deducting from the principal the percentages of the guaranteed portions of loans and investments described in subsection (a)(2)); bears to

"(ii) the average principal outstanding for the calendar year on insured obligations issued by all insured System banks (after deducting from the principal the percentages of the guaranteed portions of loans and investments described in subsection (a)(2)).'"; and

(3) in paragraph (6)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking "beginning more" and all that follows through "January 1, 2005";

(ii) by striking clause (i) and inserting the following:

"(i) subject to subparagraph (D), pay to each insured System bank, in a manner determined by the Corporation, an amount equal to the balance in the Allocated Insurance Reserves Account of the System bank; and"; and

(iii) in clause (ii)—

(I) by striking "subparagraphs (C), (E), and (F)" and inserting "subparagraphs (C) and (E)"; and

(II) by striking ", of the lesser of—" and all that follows through the end of subclause (II) and inserting "at the time of the termination of the Financial Assistance Corporation, of the balance in the Allocated Insurance Reserves Account established under paragraph (1)(B).";

(B) in subparagraph (C)—

(i) in clause (i), by striking "(in addition to the amounts described in subparagraph (F)(ii))"; and

(ii) by striking clause (ii) and inserting the following:

"(iii) TERMINATION OF ACCOUNT.—On disbursement of amount equal to $56,000,000, the Corporation shall—

"(I) close the Account established under paragraph (1)(B); and

"(II) transfer any remaining funds in the Account to the remaining Allocated Insurance Reserves Accounts in accordance with paragraph (4)(B) for the calendar year in which the transfer occurs.".

(C) by striking subparagraph (F).

SEC. 5305. CERTIFICATION OF PREMIUMS.

(a) FILING CERTIFIED STATEMENT.—Section 5.56 of the Farm Credit Act of 1971 (12 U.S.C. 2277a–5) is amended by striking subsection (a) and inserting the following:

"(a) FILING CERTIFIED STATEMENT.—On a date to be determined in the sole discretion of the Board of Directors of the Corporation, each insured System bank that became insured before the beginning of the period for which premiums are being assessed (referred to in this section as the 'period') shall file with the Corporation a certified statement showing—

"(1) the average outstanding insured obligations for the period issued by the bank;

"(2)(A) the average principal outstanding for the period on the guaranteed portion of Federal government-guaranteed loans that are in accrual status; and

"(B) the average amount outstanding for the period of Federal government-guaranteed investments that are not permanently impaired (as defined in section 5.55(a)(4));

"(3)(A) the average principal outstanding for the period on State government-guaranteed loans that are in accrual status; and

"(B) the average amount outstanding for the period of State government-guaranteed investments that are not permanently impaired (as defined in section 5.55(a)(4));

"(4)(A) the average principal outstanding for the period on loans that are in nonaccrual status; and

"(B) the average amount outstanding for the period of other-than-temporarily impaired investments; and

"(5) the amount of the premium due the Corporation from the bank for the period.".

(b) PREMIUM PAYMENTS.—Section 5.56 of the Farm Credit Act of 1971 (12 U.S.C. 2277a–5(c)) is amended by striking subsection (c) and inserting the following:

"(c) PREMIUM PAYMENTS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), each insured System bank shall pay to the Corporation the premium payments required under subsection (a), not more frequently than once in each calendar quarter, in such manner and at such 1 or more times as the Board of Directors shall prescribe.

"(2) PREMIUM AMOUNT.—The amount of the premium shall be established not later than 60 days after filing the certified statement specifying the amount of the premium.".

(c) SUBSEQUENT PREMIUM PAYMENTS.—Section 5.56 of the Farm Credit Act of 1971 (12 U.S.C. 2277a–5) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SEC. 5306. RURAL UTILITY LOANS.

(a) DEFINITION OF QUALIFIED LOAN.—Section 8.0(9) of the Farm Credit Act of 1971 (12 U.S.C. 2279aa(9)) is amended—

(1) in subparagraph (A)(iii), by striking "or" at the end;

(2) in subparagraph (B)(ii), by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following:

"(C) that is a loan, or an interest in a loan, for an electric or telephone facility by a cooperative lender to a borrower that has received, or is eligible to receive, a loan under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.).".

(b) GUARANTEE OF QUALIFIED LOANS.—Section 8.6(a)(1) of the Farm Credit Act of 1971 (12 U.S.C. 2279aa–6(a)(1)) is amended by inserting "applicable" before "standards" each place it appears in subparagraphs (A) and (B)(i).

(c) STANDARDS FOR QUALIFIED LOANS.—Section 8.8 of the Farm Credit Act of 1971 (12 U.S.C. 2279aa–8) is amended—

(1) in subsection (a)—

(A) by striking the first sentence and inserting the following:

"(1) IN GENERAL.—The Corporation shall establish underwriting, security appraisal, and repayment standards for qualified loans taking into account the nature, risk profile, and other differences between different categories of qualified loans.

"(2) SUPERVISION, EXAMINATION, AND REPORT OF CONDITION.—The standards shall be subject to the authorities of the Farm Credit Administration under section 8.11."; and

(B) in the last sentence, by striking "In establishing" and inserting the following:

"(3) MORTGAGE LOANS.—In establishing";

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by inserting "with respect to loans secured by agricultural real estate" after "subsection (a)"; and

(B) in paragraph (5)—

(i) by striking "borrower" the first place it appears and inserting "farmer or rancher"; and

(ii) by striking "site" and inserting "farm or ranch";

(3) in subsection (c)(1), by inserting "secured by agricultural real estate" after "A loan";

(4) by striking subsection (d); and

(5) by redesignating subsection (e) as subsection (d).

(d) RISK-BASED CAPITAL LEVELS.—Section 8.32(a)(1) of the Farm Credit Act of 1971 (12 U.S.C. 2279bb–1(a)(1)) is amended—

(1) by striking "With respect" and inserting the following:

"(A) IN GENERAL.—With respect"; and

(2) by adding at the end the following:

"(B) RURAL UTILITY LOANS.—With respect to securities representing an interest in, or obligation backed by, a pool of qualified loans described in section 8.0(9)(C) owned or guaranteed by the Corporation, losses occur at a rate of default and severity reasonably related to risks in electric and telephone facility loans (as applicable), as determined by the Director.".

SEC. 5307. EQUALIZATION OF LOAN-MAKING POWERS OF CERTAIN DISTRICT ASSOCIATIONS.

(a) IN GENERAL.—The Farm Credit Act of 1971 is amended by inserting after section 7.6 (12 U.S.C. 2279b) the following:

"SEC. 7.7. EQUALIZATION OF LOAN-MAKING POWERS OF CERTAIN DISTRICT ASSOCIATIONS.

"(a) EQUALIZATION OF LOAN-MAKING POWERS.—

"(1) IN GENERAL.—

"(A) FEDERAL LAND BANK OR CREDIT ASSOCIATION.—Subject to paragraph (2), any association that under its charter has title II lending authority and that owns, is owned by, or is under common ownership with, a Federal land bank association authorized as of January 1, 2007, to make long-term loans under title I in the geographic area described in subsection (b) may make short- and intermediate-term loans and otherwise operate as a production credit association under title II in the geographic area.

"(B) PRODUCTION CREDIT ASSOCIATIONS.—Subject to paragraph (2), any association that under its charter has title I lending authority and that owns, is owned by, or is under common ownership with, a production credit association authorized as of January 1, 2007, to make short- and intermediate-term loans under title II in the geographic area described in subsection (b) may make long-term loans and otherwise operate as a Federal land bank association or Federal land credit association under title I in the geographic area.

"(C) FARM CREDIT BANK.—The Farm Credit Bank with which any association had a written financing agreement as of January 1, 2007, may make loans and extend other similar financial assistance with respect to, and may purchase, any loans made under the new authority provided under subparagraph (A) or (B) by an association that owns, is owned by, or is under common ownership with, the association.

"(2) REQUIRED APPROVALS.—An association may exercise the additional authority provided for in paragraph (1) only after the exercise of the authority is approved by—

"(A) the board of directors of the association; and

"(B) a majority of the voting stockholders of the association (or, if the association is a subsidiary of another association, the voting stockholders of the parent association) voting, in person or by proxy, at a duly authorized meeting of stockholders.

"(b) APPLICABILITY.—This section applies only to associations the chartered territory of which is in the geographic area served by the Federal intermediate credit bank that merged with a Farm Credit Bank under section 410(e)(1) of the Agricultural Credit Act of 1987 (12 U.S.C. 2011 note; Public Law 100–233).".

(b) CHARTER AMENDMENTS.—Section 5.17(a) of the Farm Credit Act of 1971 (12 U.S.C. 2252(a)) is amended by adding at the end the following:

"(15)(A) Approve amendments to the charters of institutions of the Farm Credit System to implement the equalization of loan-making powers of a Farm Credit System association under section 7.7.

"(B) Amendments described in subparagraph (A) to the charters of an association and the related Farm Credit Bank shall be approved by the Farm Credit Administration on the date on which the Farm Credit Administration receives all approvals required by section 7.7(a)(2).".

(c) CONFORMING AMENDMENTS.—

(1) Section 5.17(a)(2) of the Farm Credit Act of 1971 (12 U.S.C. 2252(a)(2)) is amended—

(A) by striking "(2)(A)" and inserting "(2)"; and

(B) by striking subparagraphs (B) and (C).

(2) Section 410(e)(1)(A)(iii) of the Agricultural Credit Act of 1987 (12 U.S.C. 2011 note; Public Law 100–233) is amended by inserting "(other than section 7.7 of that Act)" after "(12 U.S.C. 2001 et seq.)".

(3) Section 401(b) of the Farm Credit Banks and Associations Safety and Soundness Act

of 1992 (12 U.S.C. 2011 note; Public Law 102–552) is amended—

(A) by inserting "(other than section 7.7 of the Farm Credit Act of 1971)" after "provision of law"; and

(B) by striking ", subject to such limitations" and all that follows through the end of the paragraph and inserting a period.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on January 1, 2009.

Subtitle E—Miscellaneous

SEC. 5401. LOANS TO PURCHASERS OF HIGHLY FRACTIONED LAND.

The first section of Public Law 91–229 (25 U.S.C. 488) is amended—

(1) by striking "That the Secretary" and inserting the following:

"SECTION 1. LOANS TO PURCHASERS OF HIGHLY FRACTIONED LAND.

"(a) IN GENERAL.—The Secretary"; and

(2) by adding at the end the following:

"(b) HIGHLY FRACTIONATED LAND.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary of Agriculture may make and insure loans in accordance with section 309 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1929) to eligible purchasers of highly fractionated land pursuant to section 205(c) of the Indian Land Consolidation Act (25 U.S.C. 2204(c)).

"(2) EXCLUSION.—Section 4 shall not apply to trust land, restricted tribal land, or tribal corporation land that is mortgaged in accordance with paragraph (1).".

SEC. 5402. DETERMINATION ON MERITS OF PIGFORD CLAIMS.

(a) DEFINITIONS.—In this section:

(1) CONSENT DECREE.—The term "consent decree" means the consent decree in the case of Pigford v. Glickman, approved by the United States District Court for the District of Columbia on April 14, 1999.

(2) PIGFORD CLAIM.—The term "Pigford claim" means a discrimination complaint, as defined by section 1(h) of the consent decree and documented under section 5(b) of the consent decree.

(3) PIGFORD CLAIMANT.—The term "Pigford claimant" means an individual who previously submitted a late-filing request under section 5(g) of the consent decree.

(b) DETERMINATION ON MERITS.—Any Pigford claimant who has not previously obtained a determination on the merits of a Pigford claim may, in a civil action brought in the United States District Court for the District of Columbia, obtain that determination.

(c) LIMITATION.—

(1) IN GENERAL.—Subject to paragraph (2), all payments or debt relief (including any limitation on foreclosure under subsection (g)) shall be made exclusively from funds made available under subsection (h).

(2) MAXIMUM AMOUNT.—The total amount of payments and debt relief pursuant to an action commenced under subsection (b) shall not exceed $100,000,000.

(d) INTENT OF CONGRESS AS TO REMEDIAL NATURE OF SECTION.—It is the intent of Congress that this section be liberally construed so as to effectuate its remedial purpose of giving a full determination on the merits for each Pigford claim denied that determination.

(e) LOAN DATA.—

(1) REPORT TO PERSON SUBMITTING PETITION.—Not later than 60 days after the Secretary receives notice of a complaint filed by a claimant under subsection (b), the Secretary shall provide to the claimant a report on farm credit loans made within the claimant's county or adjacent county by the Department during the period beginning on January 1 of the year preceding the year or years covered by the complaint and ending on December 31 of year following such year or years. Such report shall contain information on all persons whose application for a loan was accepted, including—

(A) the race of the applicant;

(B) the date of application;

(C) the date of the loan decision;

(D) the location of the office making the loan decision; and

(E) all data relevant to the process of deciding on the loan.

(2) NO PERSONALLY IDENTIFIABLE INFORMATION.—The reports provided pursuant to paragraph (1) shall not contain any information that would identify any person that applied for a loan from the Department of Agriculture.

(f) EXPEDITED RESOLUTIONS AUTHORIZED.—Any person filing a complaint under this Act for discrimination in the application for, or making or servicing of, a farm loan, at his or her discretion, may seek liquidated damages of $50,000, discharge of the debt that was incurred under, or affected by, the discrimination that is the subject of the person's complaint, and a tax payment in the amount equal to 25 percent of the liquidated damages and loan principal discharged, in which case—

(1) if only such damages, debt discharge, and tax payment are sought, the complainant shall be able to prove his or her case by substantial evidence (as defined in section 1(l) of the consent decree); and

(2) the court shall decide the case based on a review of documents submitted by the complainant and defendant relevant to the issues of liability and damages.

(g) LIMITATION ON FORECLOSURES.—Notwithstanding any other provision of law, the Secretary may not begin acceleration on or foreclosure of a loan if the borrower is a Pigford claimant and, in an appropriate administrative proceeding, makes a prima facie case that the foreclosure is related to a Pigford claim.

(h) FUNDING.—

(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available for payments and debt relief in satisfaction of claims against the United States under subsection (b) and for any actions under subsection (g) $100,000,000 for fiscal year 2008, to remain available until expended.

(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds made available under paragraph (1), there are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 5403. SENSE OF THE SENATE RELATING TO CLAIMS BROUGHT BY SOCIALLY DISADVANTAGED FARMERS OR RANCHERS.

It is the sense of the Senate that the Secretary should resolve all claims and class actions brought against the Department of Agriculture by socially disadvantaged farmers or ranchers (as defined in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e)), including Native American, Hispanic, and female farmers or ranchers, based on racial, ethnic, or gender discrimination in farm program participation in an expeditious and just manner.

SEC. 5404. ELIGIBILITY OF EQUINE FARMERS AND RANCHERS FOR EMERGENCY LOANS.

Section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) is amended—

(1) in paragraph (1), by striking "farmers, ranchers" and inserting "farmers or ranchers (including equine farmers or ranchers)"; and

(2) in paragraph (2)(A), by striking "farming, ranching," and inserting "farming or ranching (including equine farming or ranching)".

TITLE VI—RURAL DEVELOPMENT AND INVESTMENT

Subtitle A—Consolidated Farm and Rural Development Act

SEC. 6001. WATER, WASTE DISPOSAL, AND WASTEWATER FACILITY GRANTS.

Section 306(a)(2)(B)(vii) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(2)(B)(vii)) is amended, by striking "2007" and inserting "2012".

SEC. 6002. RURAL BUSINESS OPPORTUNITY GRANTS.

Section 306(a)(11)(D) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(11)(D)) is amended by striking "2007" and inserting "2012".

SEC. 6003. CHILD DAY CARE FACILITY GRANTS, LOANS, AND LOAN GUARANTEES.

Section 306(a)(19) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(19)) is amended by striking subparagraph (C) and inserting the following:

"(C) CHILD DAY CARE FACILITIES.—

"(i) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall use for the costs of grants, loans, and loan guarantees to pay the Federal share of the cost of developing and constructing day care facilities for children in rural areas, as determined by the Secretary, $40,000,000 for fiscal year 2008, to remain available until expended.

"(ii) RELATIONSHIP TO OTHER FUNDING AND AUTHORITIES.—The funds and authorities made available under this subparagraph shall be in addition to other funds and authorities relating to development and construction of rural day care facilities.".

SEC. 6004. RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM.

Section 306(a)(22) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(22)) is amended—

(1) in subparagraph (B), by striking "2002 (115 Stat. 719)" and inserting "2008"; and

(2) in subparagraph (C), by striking "$15,000,000 for fiscal year 2003" and inserting "$20,000,000 for fiscal year 2008".

SEC. 6005. MULTIJURISDICTIONAL REGIONAL PLANNING ORGANIZATIONS.

Section 306(a)(23)(E) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(23)(E)) is amended by striking "2007" and inserting "2012".

SEC. 6006. RURAL HOSPITAL LOANS AND LOAN GUARANTEES.

Section 306(a)(24) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(24)) is amended by adding at the end the following:

"(C) RURAL HOSPITALS.—

"(i) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall use for the costs of loans and loan guarantees to pay the Federal share of the cost of rehabilitating or improving hospitals that have not more than 100 acute beds in rural areas, as determined by the Secretary, $50,000,000 for fiscal year 2008, to remain available until expended.

"(ii) PRIORITY.—In making loans and loan guarantees under this subparagraph, the Secretary shall give priority to hospitals for—

"(I) the provision of facilities to improve and install patient care, health quality outcomes, and health information technology, including computer hardware and software, equipment for electronic medical records, handheld computer technology, and equipment that improves interoperability; or

"(II) the acquisition of equipment and software purchased collectively in a cost effective manner to address technology needs.

"(iii) RELATIONSHIP TO OTHER FUNDING AND AUTHORITIES.—The funds and authorities made available under this subparagraph shall be in addition to other funds and authorities relating to rehabilitation and improvement of hospitals described in clause (i).".

SEC. 6007. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL COMMUNITY FACILITIES.

Section 306(a)(25) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(25)) is amended—

(1) in subparagraph (B)(ii), by striking "75 percent" and inserting "95 percent"; and

(2) in subparagraph (C), by striking "2007" and inserting "2012".

SEC. 6008. COMMUNITY FACILITY LOANS AND GRANTS FOR FREELY ASSOCIATED STATES AND OUTLYING AREAS.

Section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) is amended by adding at the end the following:

"(26) COMMUNITY FACILITY LOANS AND GRANTS FOR FREELY ASSOCIATED STATES AND OUTLYING AREAS.—

"(A) IN GENERAL.—Subject to subparagraph (B), of the amount that is made available for each fiscal year for each of the community facility loan and grant programs established under paragraphs (1), (19), (20), (21), and (25), the Secretary shall allocate 0.5 percent of the amount for making loans or grants (as applicable) under the program to eligible entities that are located in freely associated States or outlying areas (as those terms are defined in section 1121(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331(c)) that are subject to the jurisdiction of the United States and are otherwise covered by this Act.

"(B) REALLOCATION.—If the Secretary determines that a sufficient number of applications for loans or grants for a program described in subparagraph (A) have not been received from eligible entities for a fiscal year during the 180-day period beginning on October 1 of the fiscal year, the Secretary shall reallocate any unused funds to make loans or grants (as applicable) under the program to eligible entities that are located in States.".

SEC. 6009. PRIORITY FOR COMMUNITY FACILITY LOAN AND GRANT PROJECTS WITH HIGH NON-FEDERAL SHARE.

Section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) (as amended by section 6008) is amended by adding at the end the following:

"(27) PRIORITY FOR COMMUNITY FACILITY LOAN AND GRANT PROJECTS WITH HIGH NON-FEDERAL SHARE.—In carrying out the community facility loan and grant programs established under paragraphs (1), (19), (20), (21), and (25), the Secretary shall give priority to projects that will be carried out with a non-Federal share of funds that is substantially greater than the minimum requirement, as determined by the Secretary by regulation.".

SEC. 6010. SEARCH GRANTS.

Section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) (as amended by section 6009) is amended by adding at the end the following:

"(28) APPLICATIONS FILED BY ELIGIBLE COMMUNITIES.—

"(A) ELIGIBLE COMMUNITY.—In this paragraph, the term 'eligible community' means a community that, as determined by the Secretary—

"(i) has a population of 2,500 or fewer inhabitants; and

"(ii) is financially distressed.

"(B) APPLICATIONS.—In the case of water and waste disposal and wastewater facilities grant programs authorized under this title, the Secretary may accept applications from eligible communities for grants for feasibility study, design, and technical assistance.

"(C) TERMS.—

"(i) IN GENERAL.—Except as provided in clause (ii), the terms of the grant programs described in subparagraph (B) shall apply to the applications described in that subparagraph.

"(ii) EXCEPTIONS.—Grants made pursuant to applications described in subparagraph (B)—

"(I) shall fund up to 100 percent of eligible project costs; and

"(II) shall be subject to the least documentation requirements practicable.

"(iii) PROCESSING.—The Secretary shall process applications received under subparagraph (B) in the same manner as other similar grant applications.

"(D) FUNDING.—In addition to any other funds made available for technical assistance, the Secretary may use to carry out this paragraph not more than 4 percent of the total amount of funds made available for a fiscal year for water, waste disposal, and essential community facilities.".

SEC. 6011. EMERGENCY AND IMMINENT COMMUNITY WATER ASSISTANCE GRANT PROGRAM.

Section 306A(i)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926a(i)(2)) is amended by striking "2007" and inserting "2012".

SEC. 6012. WATER SYSTEMS FOR RURAL AND NATIVE VILLAGES IN ALASKA.

Section 306D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926d) is amended—

(1) in subsection (a)—

(A) by striking "make grants to the State" and inserting "make grants to—

"(1) the State";

(B) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(2) the Denali Commission to improve solid waste disposal sites that are contaminating, or threaten to contaminate, rural drinking water supplies in the State of Alaska.";

(2) in subsection (b), by striking "the State of Alaska" and inserting "a grantee";

(3) in subsection (c)—

(A) in the subsection heading by striking "WITH THE STATE OF ALASKA"; and

(B) by striking "the State of Alaska" and inserting "the appropriate grantee under subsection (a)"; and

(4) in subsection (d)(1), by striking "2007" and inserting "2012".

SEC. 6013. GRANTS TO DEVELOP WELLS IN RURAL AREAS.

(a) GRANTS TO NONPROFIT ORGANIZATIONS TO FINANCE THE CONSTRUCTION, REFURBISHING, AND SERVICING OF INDIVIDUALLY-OWNED HOUSEHOLD WATER WELL SYSTEMS IN RURAL AREAS FOR INDIVIDUALS WITH LOW OR MODERATE INCOMES.—Section 306E(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926e(d)) is amended by striking "2007" and inserting "2012".

(b) GRANTS TO DEVELOP AREA WELLS IN ISOLATED AREAS.—Subtitle A of the Consolidated Farm and Rural Development Act is amended by inserting after section 306E (7 U.S.C. 1926e) the following:

"SEC. 306F. GRANTS TO DEVELOP AREA WELLS IN ISOLATED AREAS.

"(a) DEFINITION OF ISOLATED AREA.—In this section, the term 'isolated area' means an area—

"(1) in which the development of a traditional water system is not financially practical due to—

"(A) the distances or geography of the area; and

"(B) the limited number of households present to be served; and

"(2) that is not part of a city of more than 1,000 inhabitants.

"(b) GRANTS.—The Secretary may make grants to nonprofit organizations to develop and construct household, shared, and community water wells in isolated rural areas.

"(c) PRIORITY IN AWARDING GRANTS.—In awarding grants under this section, the Secretary shall give priority to applicants that have demonstrated experience in developing safe and similar projects including household, shared, and community wells in rural areas.

"(d) REQUIREMENTS.—

"(1) IN GENERAL.—As a condition on receipt of a grant under this section, the water from wells funded under this section shall be tested annually for water quality, as determined by the Secretary.

"(2) RESULTS.—The results of tests under paragraph (1) shall be made available to—

"(A) the users of the wells; and

"(B) the appropriate State agency.

"(e) LIMITATION.—The amount of a grant under this section shall not exceed the lesser of—

"(1) $50,000; or

"(2) the amount that is 75 percent of the cost of a single well and associated system.

"(f) PROHIBITION.—The Secretary may not award grants under this section in any area in which a majority of the users of a proposed well have a household income that is greater than the nonmetropolitan median household income of the State or territory, as determined by the Secretary.

"(g) ADMINISTRATIVE EXPENSES.—Not more than 10 percent of the amount of a grant made under this section may be used to pay administrative expenses associated with providing project assistance, as determined by the Secretary.

"(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2008 through 2012.".

SEC. 6014. COOPERATIVE EQUITY SECURITY GUARANTEE.

Section 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932) is amended—

(1) in the first sentence of subsection (a), by inserting "and private investment funds that invest primarily in cooperative organizations" after "or nonprofit"; and

(2) in subsection (g)—

(A) in paragraph (1), by inserting", including guarantees described in paragraph (3)(A)(ii)" before the period at the end;

(B) in paragraph (3)(A)—

(i) by striking "(A) IN GENERAL.—The Secretary" and inserting the following:

"(A) ELIGIBILITY.—

"(i) IN GENERAL.—The Secretary"; and

(ii) by adding at the end the following:

"(ii) EQUITY.—The Secretary may guarantee a loan made for the purchase of preferred stock or similar equity issued by a cooperative organization or a fund that invests primarily in cooperative organizations, if the guarantee significantly benefits 1 or more entities eligible for assistance under subsection (a)(1), as determined by the Secretary."; and

(C) in paragraph (8)(A)(ii), by striking "a project—" and all that follows through the end of subclause (II) and inserting "a project that—

"(I)(aa) is in a rural area; and

"(bb) provides for the value-added processing of agricultural commodities; or

"(II) significantly benefits 1 or more entities eligible for assistance under subsection (a)(1), as determined by the Secretary.".

SEC. 6015. RURAL COOPERATIVE DEVELOPMENT GRANTS.

(a) ELIGIBILITY.—Section 310B(e)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)(5)) is amended—

(1) in subparagraph (A), by striking "a nationally coordinated, regionally or Statewide operated project" and inserting "activities to promote and assist the development of cooperatively- and mutually-owned businesses";

(2) in subparagraph (B), by inserting "to promote and assist the development of cooperatively- and mutually-owned businesses" before the semicolon;

(3) by striking subparagraph (D);

(4) by redesignating subparagraph (E) as subparagraph (D);

(5) in subparagraph (D) (as so redesignated), by striking "and" at the end;

(6) by inserting after subparagraph (D) (as so redesignated) the following:

"(E) demonstrate a commitment to—

"(i) networking with and sharing the results of the efforts of the center with other cooperative development centers and other organizations involved in rural economic development efforts; and

"(ii) developing multiorganization and multistate approaches to addressing the cooperative and economic development needs of rural areas; and";

(7) in subparagraph (F), by striking "providing greater than" and inserting "providing".

(b) AUTHORITY TO AWARD MULTIYEAR GRANTS.—Section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)) is amended by striking paragraph (6) and inserting the following:

"(6) GRANT PERIOD.—

"(A) IN GENERAL.—A grant awarded to a center that has received no prior funding under this subsection shall be made for a period of 1 year.

"(B) MULTIYEAR GRANTS.—If the Secretary determines it to be in the best interest of the program, the Secretary shall award grants for a period of more than 1 year, but not more than 3 years, to a center that has successfully met the goals described in paragraph (3) in providing services under this subsection, as determined by the Secretary.".

(c) AUTHORITY TO EXTEND GRANT PERIOD.—Section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)) is amended—

(1) by redesignating paragraphs (7), (8), and (9) as paragraphs (8), (9), and (12), respectively; and

(2) inserting after paragraph (6) the following:

"(7) AUTHORITY TO EXTEND GRANT PERIOD.—The Secretary may extend for 1 additional 12-month period the period in which a grantee may use a grant made under this subsection.".

(d) COOPERATIVE RESEARCH PROGRAM.—Section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)) is amended by inserting after paragraph (9) (as redesignated by subsection (c)(1)) the following:

"(10) COOPERATIVE RESEARCH PROGRAM.—The Secretary shall enter into a cooperative research agreement with 1 or more qualified academic institutions in each fiscal year to conduct research on the national economic effects of all types of cooperatives.".

(e) ADDRESSING NEEDS OF MINORITY COMMUNITIES.—Section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)) is amended by inserting after paragraph (10) (as added by subsection (d)) the following:

"(11) ADDRESSING NEEDS OF MINORITY COMMUNITIES.—

"(A) DEFINITION OF SOCIALLY DISADVANTAGED.—In this paragraph, the term 'socially disadvantaged' has the meaning given the term in section 355(e).

"(B) RESERVATION OF FUNDS.—

"(i) IN GENERAL.—If the total amount appropriated under paragraph (12) for a fiscal year exceeds $7,500,000, the Secretary shall reserve an amount equal to 20 percent of the total amount appropriated for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged communities, a majority of the boards of directors or governing boards of which are comprised of socially disadvantaged individuals.

"(ii) INSUFFICIENT APPLICATIONS.—To the extent that the Secretary determines that funds reserved under clause (i) would not be used for grants described in that clause due to insufficient applications for the grants, the Secretary shall use the funds as otherwise authorized by this subsection.".

(f) AUTHORIZATION OF APPROPRIATIONS.—Paragraph (12) of section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)) (as redesignated by subsection (c)(1)) is amended by striking "2007" and inserting "2012".

SEC. 6016. GRANTS TO BROADCASTING SYSTEMS.

Section 310B(f)(3) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(f)(3)) is amended by striking "2007" and inserting "2012".

SEC. 6017. LOCALLY-PRODUCED AGRICULTURAL FOOD PRODUCTS.

Section 310B(g) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)) is amended by adding at the end the following:

"(9) LOCALLY-PRODUCED AGRICULTURAL FOOD PRODUCTS.—

"(A) DEFINITIONS.—In this paragraph:

"(i) LOCALLY-PRODUCED AGRICULTURAL FOOD PRODUCT.—The term 'locally-produced agricultural food product' means any agricultural product raised, produced, and distributed in—

"(I) the locality or region in which the final agricultural product is marketed, so that the total distance that the agricultural product is transported is less than 300 miles from the origin of the agricultural product; or

"(II) the State in which the agricultural product is produced.

"(ii) UNDERSERVED COMMUNITY.—The term 'underserved community' means a community (including an urban or rural community and an Indian tribal community) that has, as determined by the Secretary—

"(I) limited access to affordable, healthy foods, including fresh fruits and vegetables, in grocery retail stores or farmer-to-consumer direct markets or a high incidence of a diet-related disease as compared to the national average, including obesity; and

"(II) a high rate of hunger or food insecurity or a high poverty rate.

"(B) LOAN AND LOAN GUARANTEE PROGRAM.—

"(i) IN GENERAL.—The Secretary, acting through the Administrator of the Rural Business-Cooperative Service in coordination with the Administration of the Agricultural Marketing Service, shall make or guarantee loans to individuals, cooperatives, businesses, and other entities to establish and facilitate enterprises that process, distribute, aggregate, store, and market locally-produced agricultural food products.

"(ii) REQUIREMENT.—The recipient of a loan or loan guarantee under clause (i) shall agree to make a reasonable effort, as determined by the Secretary, to work with retail and institutional facilities to which the recipient sells locally-produced agricultural food products to inform the consumers of the retail or institutional facilities that the consumers are purchasing or consuming locally-produced agricultural food products.

"(iii) PRIORITY.—In making or guaranteeing a loan under clause (i), the Secretary shall give priority to—

"(I) projects that support community development and farm and ranch income by marketing, distributing, storing, aggregating, or processing a locally-produced agricultural food product; and

"(II) projects that have components benefitting underserved communities.

"(iv) RETAIL OR INSTITUTIONAL FACILITIES.—The Secretary may allow recipients of loans or loan guarantees under clause (i) to provide up to $250,000 in loan or loan guarantee funds per retail or institutional facility for an underserved community in a rural or nonrural area to help retail facilities—

"(I) to modify and update the facilities to accommodate locally-produced agricultural food products; and

"(II) to provide outreach to consumers about the sale of locally-produced agricultural food products.

"(v) REPORTS.—Not later than 1 year after the date of enactment of this paragraph and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes projects carried out using loans or loan guarantees made under clause (i), including—

"(I) the characteristics of the communities served by the projects; and

"(II) benefits of the projects.

"(vi) RESERVATION OF FUNDS.—

"(I) IN GENERAL.—For each of fiscal years 2008 through 2012, the Secretary shall reserve not less than 5 percent of the funds made available to carry out this subsection to carry out this subparagraph.

"(II) AVAILABILITY OF FUNDS.—Funds reserved under subclause (I) for a fiscal year shall be reserved until April 1 of the fiscal year.".

SEC. 6018. CENTER FOR HEALTHY FOOD ACCESS AND ENTERPRISE DEVELOPMENT.

Paragraph (9) of section 310B(g) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)) (as added by section 6017) is amended by adding at the end the following:

"(C) CENTER FOR HEALTHY FOOD ACCESS AND ENTERPRISE DEVELOPMENT.—

"(i) IN GENERAL.—The Secretary, acting through the Agricultural Marketing Service, shall establish and support a Center for Healthy Food Access and Enterprise Development.

"(ii) DUTIES.—The Center established under clause (i) shall contract with 1 or more nonprofit entities to provide technical assistance and disseminate information to food wholesalers and retailers concerning best practices for the aggregating, storage, processing, and marketing of locally-produced agricultural food products.

"(iii) DEADLINE.—The Secretary shall establish the Center not later than 180 days after the date on which funds are made available under clause (iv).

"(iv) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subparagraph $1,000,000 for each of fiscal years 2008 through 2012.".

SEC. 6019. APPROPRIATE TECHNOLOGY TRANSFER FOR RURAL AREAS.

Section 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932) is amended by adding at the end the following:

"(i) APPROPRIATE TECHNOLOGY TRANSFER FOR RURAL AREAS PROGRAM.—

"(1) DEFINITION OF NATIONAL NONPROFIT AGRICULTURAL ASSISTANCE INSTITUTION.—In this subsection, the term 'national nonprofit agricultural assistance institution' means an organization that—

"(A) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code;

"(B) has staff and offices in multiple regions of the United States;

"(C) has experience and expertise in operating national sustainable agriculture technical assistance programs; and

"(D) provides the technical assistance through toll-free hotlines, 1 or more websites, publications, and workshops.

"(2) ESTABLISHMENT.—The Secretary shall establish a national appropriate technology transfer for rural areas program to assist agricultural producers that are seeking information to help the agricultural producers—

"(A) reduce input costs;

"(B) conserve energy resources;

"(C) diversify operations through new energy crops and energy generation facilities; and

"(D) expand markets for the agricultural commodities produced by the producers through use of practices involving sustainable agriculture.

"(3) IMPLEMENTATION.—

"(A) IN GENERAL.—The Secretary shall carry out the program under this subsection by making a grant to, or offering to enter into a cooperative agreement with, a national nonprofit agricultural assistance organization.

"(B) GRANT AMOUNT.—A grant made, or cooperative agreement entered into, under subparagraph (A) shall provide 100 percent of the cost of providing information described in paragraph (2).

"(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection $5,000,000 for each of fiscal years 2008 through 2012.".

SEC. 6020. RURAL ECONOMIC AREA PARTNERSHIP ZONES.

Section 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932) (as amended by section 6019) is amended by adding at the end the following:

"(j) RURAL ECONOMIC AREA PARTNERSHIP ZONES.—For the period beginning on the date of enactment of this subsection and ending on September 30, 2012, the Secretary shall carry out rural economic area partnership zones in the States of New York, North Dakota, and Vermont, in accordance with the terms and conditions contained in the memorandums of agreement entered into by the Secretary for the rural economic area partnership zones, except as otherwise provided in this subsection.".

SEC. 6021. DEFINITIONS.

(a) RURAL AREA.—Section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)) is amended by striking paragraph (13) and inserting the following:

"(13) RURAL AND RURAL AREA.—

"(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the terms 'rural' and 'rural area' mean any area other than—

"(i) a city or town that has a population of greater than 50,000 inhabitants, except that, for all activities under programs in the rural development mission area within the areas of the County of Honolulu, Hawaii, and the Commonwealth of Puerto Rico, the Secretary may designate any portion of the areas as a rural area or eligible rural community that the Secretary determines is not urban in character, other than any area included in the Honolulu Census Designated Place or the San Juan Census Designated Place;

"(ii) any urbanized area (as defined by the Bureau of the Census) contiguous and adjacent to a city or town described in clause (i); and

"(iii) any collection of census blocks contiguous to each other (as defined by the Bureau of the Census) that—

"(I) is adjacent to a city or town described in clause (i) or an urbanized area described in clause (ii); and

"(II) has a housing density that the Secretary estimates is greater than 200 housing units per square mile, except that an applicant may appeal the estimate based on actual data for the area.

"(B) WATER AND WASTE DISPOSAL GRANTS AND DIRECT AND GUARANTEED LOANS.—For the purpose of water and waste disposal grants and direct and guaranteed loans provided under paragraphs (1), (2), and (24) of section 306(a), the terms 'rural' and 'rural area' mean any area other than—

"(i) an area described in clause (i), (ii), or (iii) of subparagraph (A); and

"(ii) a city, town, or unincorporated area that has a population of greater than 10,000 inhabitants.

"(C) COMMUNITY FACILITY LOANS AND GRANTS.—For the purpose of community facility direct and guaranteed loans and grants under paragraphs (1), (19), (20), (21), and (24) of section 306(a), the terms 'rural' and 'rural area' mean any area other than—

"(i) an area described in clause (i), (ii), or (iii) of subparagraph (A); and

"(ii) a city, town, or unincorporated area that has a population of greater than 20,000 inhabitants.".

(b) ADDITIONAL TERMS.—Section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)) is amended by adding at the end the following:

"(14) SUSTAINABLE AGRICULTURE.—The term 'sustainable agriculture' means an integrated system of plant and animal production practices having a site-specific application that will, over the long-term—

"(A) satisfy human food and fiber needs;

"(B) enhance environmental quality and the natural resource base upon which the agriculture economy depends;

"(C) make the most efficient use of nonrenewable resources and on-farm resources and integrate, where appropriate, natural biological cycles and controls;

"(D) sustain the economic viability of farm operations; and

"(E) enhance the quality of life for farmers and society as a whole.

"(15) TECHNICAL ASSISTANCE.—The term 'technical assistance' means managerial, financial, operational, and scientific analysis and consultation to assist an individual or entity (including a borrower or potential borrower under this title)—

"(A) to identify and evaluate practices, approaches, problems, opportunities, or solutions; and

"(B) to assist in the planning, implementation, management, operation, marketing, or maintenance of projects authorized under this title.".

SEC. 6022. RURAL MICROENTERPRISE ASSISTANCE PROGRAM.

Subtitle D of the Consolidated Farm and Rural Development Act (as amended by section 5207) is amended by inserting after section 365 the following:

"SEC. 366. RURAL MICROENTERPRISE ASSISTANCE PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(2) LOW- OR MODERATE-INCOME INDIVIDUAL.—The term 'low- or moderate-income individual' means an individual with an income (adjusted for family size) of not more than 80 percent of the national median income.

"(3) MICROCREDIT.—The term 'microcredit' means a business loan or loan guarantee of not more than $50,000 that is provided to a rural microenterprise.

"(4) MICROENTERPRISE DEVELOPMENT ORGANIZATION.—The term 'microenterprise development organization' means an organization that—

"(A) is—

"(i) a nonprofit entity;

"(ii) an Indian tribe, the tribal government of which certifies to the Secretary that no microenterprise development organization or microenterprise development program exists under the jurisdiction of the Indian tribe; or

"(iii) for the purpose of subsection (b), a public institution of higher education;

"(B) provides training and technical assistance to rural microenterprises;

"(C) facilitates access to capital or another service described in subsection (b) for rural microenterprises; and

"(D) has a demonstrated record of delivering services to economically disadvantaged microenterprises, or an effective plan to develop a program to deliver microenterprise services to rural microenterprises effectively, as determined by the Secretary.

"(5) RURAL CAPACITY BUILDING SERVICE.—The term 'rural capacity building service' means a service provided to an organization that—

"(A) is, or is in the process of becoming, a microenterprise development organization; and

"(B) serves rural areas for the purpose of enhancing the ability of the organization to provide training, technical assistance, and other services relating to rural development.

"(6) RURAL MICROENTERPRISE.—

"(A) IN GENERAL.—The term 'rural microenterprise' means an individual described in subparagraph (B) who is unable to obtain sufficient training, technical assistance, or microcredit other than under this section, as determined by the Secretary.

"(B) DESCRIPTION.—An individual described in this subparagraph is—

"(i) a self-employed individual located in a rural area; or

"(ii) an owner and operator, or prospective owner and operator, of a business entity located in a rural area with not more than 10 full-time-equivalent employees.

"(7) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture, acting through the Rural Business-Cooperative Service.

"(b) RURAL MICROENTERPRISE PROGRAM.—

"(1) ESTABLISHMENT.—The Secretary shall establish a rural microenterprise program.

"(2) PURPOSE.—The purpose of the rural microenterprise program shall be to provide low- or moderate-income individuals with—

"(A) the skills necessary to establish new rural microenterprises; and

"(B) continuing technical and financial assistance as individuals and business starting or operating rural microenterprises.

"(3) GRANTS.—

"(A) IN GENERAL.—The Secretary may make a grant under the rural microenterprise program to microenterprise development organizations—

"(i) to provide training, operational support, business planning assistance, market development assistance, and other related services to rural microenterprises, with an emphasis on rural microenterprises that —

"(I) are composed of low- or moderate-income individuals; or

"(II) are in areas that have lost population;

"(ii) to assist in researching and developing the best practices in delivering training, technical assistance, and microcredit to rural microenterprises; and

"(iii) to carry out such other projects and activities as the Secretary determines to be consistent with the purposes of this section.

"(B) DIVERSITY.—In making grants under this paragraph, the Secretary shall ensure, to the maximum extent practicable, that grant recipients include microenterprise development organizations—

"(i) of varying sizes; and

"(ii) that serve racially- and ethnically-diverse populations.

"(C) COST SHARING.—

"(i) FEDERAL SHARE.—The Federal share of the cost of a project carried out using funds from a grant made under this paragraph shall be 75 percent.

"(ii) FORM OF NON-FEDERAL SHARE.—The non-Federal share of the cost of a project described in clause (i) may be provided—

"(I) in cash (including through fees, grants (including community development block grants), and gifts); or

"(II) as in-kind contributions.

"(4) RURAL MICROLOAN PROGRAM.—

"(A) ESTABLISHMENT.—In carrying out the rural microenterprise program, the Secretary may carry out a rural microloan program.

"(B) PURPOSE.—The purpose of the rural microloan program shall be to provide technical and financial assistance to rural microenterprises that—

"(i) are composed of low- or moderate-income individuals; or

"(ii) are in areas that have lost population.

"(C) AUTHORITY OF SECRETARY.—In carrying out the rural microloan program, the Secretary may—

"(i) make direct loans to microentrerprise development organizations for the purpose of making fixed interest rate microloans to startup, newly established, and growing rural microenterprises; and

"(ii) in conjunction with those loans, provide technical assistance grants in accordance with subparagraph (E) to those microentrerprise development organizations.

"(D) LOAN DURATION; INTEREST RATES; CONDITIONS.—

"(i) LOAN DURATION.—A direct loan made by the Secretary under this paragraph shall be for a term not to exceed 20 years.

"(ii) APPLICABLE INTEREST RATE.—A direct loan made by the Secretary under this paragraph shall bear an annual interest rate of 1 percent.

"(iii) LOAN LOSS RESERVE FUND.—The Secretary shall require each microentrerprise development organization that receives a direct loan under this paragraph to—

"(I) establish a loan loss reserve fund; and

"(II) maintain the reserve fund in an amount equal to at least 5 percent of the outstanding balance of such loans owed by the microentrerprise development organization, until all obligations owed to the Secretary under this paragraph are repaid.

"(iv) DEFERRAL OF INTEREST AND PRINCIPAL.—The Secretary shall permit the deferral of payments on principal and interest due on a loan made under this paragraph during the 2-year period beginning on the date on which the loan is made.

"(E) TECHNICAL ASSISTANCE GRANT AMOUNTS.—

"(i) IN GENERAL.—Except as otherwise provided in this section, each microentrerprise development organization that receives a direct loan under this paragraph shall be eligible to receive a technical assistance grant to provide marketing, management, and technical assistance to rural microenterprises that are borrowers or potential borrowers under this subsection.

"(ii) MAXIMUM AMOUNT OF TECHNICAL ASSISTANCE GRANT FOR MICROENTERPRISE DEVELOPMENT ORGANIZATIONS.—Each microenterprise development organization that receives a direct loan under this paragraph shall receive an annual technical assistance grant in an amount equal to not more than 25 percent of the total outstanding balance of microloans made by the microenterprise development organization under this paragraph, as of the date of provision of the technical assistance grant.

"(iii) MATCHING REQUIREMENT.—

"(I) IN GENERAL.—As a condition of any grant made to a microentrerprise development organization under this subparagraph, the Secretary shall require the microentrerprise development organization to match not less than 15 percent of the total amount of the grant.

"(II) FORM OF NON-FEDERAL SHARE.—The non-Federal share of the cost of a project described in subclause (I) may be provided—

"(aa) in cash; or

"(bb) as indirect costs or in-kind contributions.

"(c) ADMINISTRATIVE EXPENSES.—Not more than 10 percent of a grant received by a microentrerprise development organization for a fiscal year under this section may be used to pay administrative expenses.

"(d) FUNDING.—

"(1) MANDATORY FUNDING.—

"(A) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $40,000,000 for fiscal year 2008, to remain available until expended.

"(B) ALLOCATION OF FUNDS.—Of the amount made available by subparagraph (A) for fiscal year 2008—

"(i) not less than $25,000,000 shall be available for use in carrying out subsection (b)(3); and

"(ii) not less than $15,000,000 shall be available for use in carrying out subsection (b)(4), of which not more than $7,000,000 shall be used for the cost of direct loans.

"(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts made available under paragraph (1), there are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2009 through 2012.".

SEC. 6023. ARTISANAL CHEESE CENTERS.

Subtitle D of the Consolidated Farm and Rural Development Act is amended by inserting after section 366 (as added by section 6022) the following:

"SEC. 367. ARTISANAL CHEESE CENTERS.

"(a) IN GENERAL.—The Secretary shall establish artisanal cheese centers to provide educational and technical assistance relating to the manufacture and marketing of artisanal cheese by small- and medium-sized producers and businesses.

"(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.".

SEC. 6024. NATIONAL RURAL DEVELOPMENT PARTNERSHIP.

Section 378 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008m) is amended—

(1) in subsection (g)(1), by striking "2007" and inserting "2012"; and

(2) in subsection (h), by striking "the date that is 5 years after the date of enactment of this section" and inserting "September 30, 2012".

SEC. 6025. HISTORIC BARN PRESERVATION.

Section 379A(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008o(c)) is amended—

(1) by striking paragraph (2) and inserting the following:

"(2) ELIGIBLE PROJECTS.—

"(A) IN GENERAL.—A grant under this subsection may be made to an eligible applicant for a project—

"(i) to rehabilitate or repair a historic barn;

"(ii) to preserve a historic barn; and

"(iii) to identify, document, survey, and conduct research on a historic barn or historic farm structure to develop and evaluate appropriate techniques or best practices for protecting historic barns.

"(B) PRIORITY.—The Secretary shall give the highest funding priority to grants for projects described in subparagraph (A)(iii)."; and

(2) in paragraph (4), by striking "2007" and inserting "2012".

SEC. 6026. GRANTS FOR NOAA WEATHER RADIO TRANSMITTERS.

Section 379B(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008p(d)) is amended by striking "2007" and inserting "2012".

SEC. 6027. GRANTS TO TRAIN FARM WORKERS IN NEW TECHNOLOGIES AND TO TRAIN FARM WORKERS IN SPECIALIZED SKILLS NECESSARY FOR HIGHER VALUE CROPS.

Section 379C(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008q(c)) is amended by striking "2007" and inserting "2012".

SEC. 6028. GRANTS FOR EXPANSION OF EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES IN RURAL AREAS.

Subtitle D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981 et seq.) is amended by adding at the end the following:

"SEC. 379E. GRANTS FOR EXPANSION OF EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES IN RURAL AREAS.

"(a) DEFINITIONS.—In this section:

"(1) INDIVIDUAL WITH A DISABILITY.—The term 'individual with a disability' means an individual with a disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).

"(2) INDIVIDUALS WITH DISABILITIES.—The term 'individuals with disabilities' means more than 1 individual with a disability.

"(b) GRANTS.—The Secretary shall make grants to nonprofit organizations, or to a consortium of nonprofit organizations, to expand and enhance employment opportunities for individuals with disabilities in rural areas.

"(c) ELIGIBILITY.—To be eligible to receive a grant under this section, a nonprofit organization or consortium of nonprofit organizations shall have—

"(1) a significant focus on serving the needs of individuals with disabilities;

"(2) demonstrated knowledge and expertise in—

"(A) employment of individuals with disabilities; and

"(B) advising private entities on accessibility issues involving individuals with disabilities;

"(3) expertise in removing barriers to employment for individuals with disabilities, including access to transportation, assistive technology, and other accommodations;

"(4) existing relationships with national organizations focused primarily on the needs of rural areas;

"(5) affiliates in a majority of the States; and

"(6) a close working relationship with the Department of Agriculture.

"(d) USES.—A grant received under this section may be used only to expand or enhance—

"(1) employment opportunities for individuals with disabilities in rural areas by developing national technical assistance and education resources to assist small businesses in a rural area to recruit, hire, accommodate, and employ individuals with disabilities; and

"(2) self-employment and entrepreneurship opportunities for individuals with disabilities in a rural area.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2008 through 2012.".

SEC. 6029. DELTA REGIONAL AUTHORITY.

(a) HEALTH CARE SERVICES.—Section 382C of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–2) is amended by adding at the end the following:

"(c) HEALTH CARE SERVICES.—

"(1) IN GENERAL.—Subject to the availability of appropriated funds, the Secretary may award a grant to the Delta Health Alliance for the development of health care services, health education programs, and health care job training programs fields, and for the development and expansion of public health-related facilities, in the Mississippi Delta region to address longstanding and unmet health needs in the Mississippi Delta region.

"(2) USE.—As a condition of the receipt of the grant, the Delta Health Alliance shall use the grant to fund projects and activities described in paragraph (1), based on input solicited from local governments, public health care providers, and other entities in the Mississippi Delta region.

"(3) FEDERAL INTEREST IN PROPERTY.—Notwithstanding any other provision of law, with respect to the use of grant funds provided under this subsection for a project involving the construction or major alteration of property, the Federal interest in the property shall terminate on the earlier of—

"(A) the date that is 1 year after the date of the completion of the project; or

"(B) the date on which the Federal Government is compensated for the proportionate interest of the Federal Government in the property, if the use of the property changes or the property is transferred or sold.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 382M(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–12(a)) is amended by striking "2007" and inserting "2012".

(c) TERMINATION OF AUTHORITY.—Section 382N of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–13) is amended by striking "2007" and inserting "2012".

(d) DELTA REGION AGRICULTURAL ECONOMIC DEVELOPMENT.—Section 379D(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008r(b)) is amended by striking "2007" and inserting "2012".

SEC. 6030. NORTHERN GREAT PLAINS REGIONAL AUTHORITY.

(a) ESTABLISHMENT.—Section 383B of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009bb–1) is amended—

(1) in subsection (a), by adding at the end the following:

"(4) FAILURE TO CONFIRM.—

"(A) FEDERAL MEMBER.—Notwithstanding any other provision of this section, if a Federal member described in paragraph (2)(A) has not been confirmed by the Senate by not later than 180 days after the date of enactment of this paragraph, the Authority may organize and operate without the Federal member.

"(B) INDIAN CHAIRPERSON.—Notwithstanding any other provision of this section, if a chairperson of an Indian Tribe described in paragraph (2)(C) has not been confirmed by the Senate by not later than 180 days after the date of enactment of this paragraph, the leaders of the Indian tribes in the region may select that member.";

(2) in subsection (d)—

(A) in paragraph (1), by striking "to establish priorities and" and inserting "for multistate cooperation to advance the economic and social well-being of the region and to"

(B) in paragraph (3), by striking "local development districts," and inserting "regional and local development districts or organizations, regional boards established under subtitle I,";

(C) in paragraph (4), by striking "cooperation;" and inserting "cooperation for—

"(i) renewable energy development and transmission;

"(ii) transportation planning and economic development;

"(iii) information technology;

"(iv) movement of freight and individuals within the region;

"(v) federally-funded research at institutions of higher education; and

"(vi) conservation land management;";

(D) by striking paragraph (6) and inserting the following:

"(6) enhance the capacity of, and provide support for, multistate development and research organizations, local development organizations and districts, and resource conservation districts in the region;"; and

(E) in paragraph (7), by inserting "renewable energy," after "commercial,".

(3) in subsection (f)(2), by striking "the Federal cochairperson" and inserting "a cochairperson";

(4) in subsection (g)(1), by striking subparagraphs (A) through (C) and inserting the following:

"(A) for each of fiscal years 2008 and 2009, 100 percent;

"(B) for fiscal year 2010, 75 percent; and

"(C) for fiscal year 2011 and each fiscal year thereafter, 50 percent.".

(b) INTERSTATE COOPERATION FOR ECONOMIC OPPORTUNITY AND EFFICIENCY.—

(1) IN GENERAL.—Subtitle G of the Consolidated Farm and Rural Development Act is amended—

(A) by redesignating sections 383C through 383N (7 U.S.C. 2009bb–2 through 2009bb–13) as sections 383D through 383O, respectively; and

(B) by inserting after section 383B (7 U.S.C. 2009bb–1) the following:

"SEC. 383C. INTERSTATE COOPERATION FOR ECONOMIC OPPORTUNITY AND EFFICIENCY.

"(a) IN GENERAL.—The Authority shall provide assistance to States in developing regional plans to address multistate economic issues, including plans—

"(1) to develop a regional transmission system for movement of renewable energy to markets outside the region,

"(2) to assist in the harmonization of transportation policies and regulations that impact the interstate movement of goods and individuals, including the establishment of a Northern Great Plains Regional Transportation Working Group;

"(3) to encourage and support interstate collaboration on federally-funded research that is in the national interest; and

"(4) to establish a Regional Working Group on Agriculture Development and Transportation.

"(b) ECONOMIC ISSUES.—The multistate economic issues referred to in subsection (a) shall include—

"(1) renewable energy development and transmission;

"(2) transportation planning and economic development;

"(3) information technology;

"(4) movement of freight and individuals within the region;

"(5) federally-funded research at institutions of higher education; and

"(6) conservation land management.".

(2) CONFORMING AMENDMENTS.—

(A) Section 383B(c)(3)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009bb–1(c)(3)(B)) is amended by striking "383I" and inserting "383J".

(B) Section 383D(a) of the Consolidated Farm and Rural Development Act (as redesignated by paragraph (1)(A)) is amended by striking "383I" and inserting "383J".

(C) Section 383E of the Consolidated Farm and Rural Development Act (as so redesignated) is amended—

(i) in subsection (b)(1), by striking "383F(b)" and inserting "383G(b)"; and

(ii) in subsection (c)(2)(A), by striking "383I" and inserting "383J".

(D) Section 383G of the Consolidated Farm and Rural Development Act (as so redesignated) is amended—

(i) in subsection (b)—

(I) in paragraph (1), by striking "383M" and inserting "383N"; and

(II) in paragraph (2), by striking "383D(b)" and inserting "383E(b)";

(ii) in subsection (c)(2)(A), by striking "383E(b)" and inserting "383F(b)"; and

(iii) in subsection (d)—

(I) by striking "383M" and inserting "383N"; and

(II) by striking "383C(a)" and inserting "383D(a)".

(E) Section 383J(c)(2) of the Consolidated Farm and Rural Development Act (as so redesignated) is amended by striking "383H" and inserting "383I".

(c) ECONOMIC AND COMMUNITY DEVELOPMENT GRANTS.—Section 383D of the Consolidated Farm and Rural Development Act (as redesignated by subsection (b)(1)(A)) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "transportation and telecommunication" and inserting "transportation, renewable energy transmission, and telecommunication"; and

(B) by redesignating paragraphs (1) and (2) as paragraphs (2) and (1), respectively, and moving those paragraphs so as to appear in numerical order; and

(2) in subsection (b)(2), by striking "the activities in the following order or priority" and inserting "the following activities".

(d) SUPPLEMENTS TO FEDERAL GRANT PROGRAMS.—Section 383E(a) of the Consolidated Farm and Rural Development Act (as redesignated by subsection (b)(1)(A)) is amended by striking ", including local development districts,".

(e) MULTISTATE AND LOCAL DEVELOPMENT DISTRICTS AND ORGANIZATIONS AND NORTHERN GREAT PLAINS INC.—Section 383F of the Consolidated Farm and Rural Development Act (as redesignated by subsection (b)(1)(A)) is amended—

(1) by striking the section heading and inserting "**MULTISTATE AND LOCAL DEVELOPMENT DISTRICTS AND ORGANIZATIONS AND NORTHERN GREAT PLAINS INC.**";

(2) by striking subsections (a) and (b) and inserting the following:

"(a) DEFINITION OF MULTISTATE AND LOCAL DEVELOPMENT DISTRICT OR ORGANIZATION.—In this section, the term 'multistate and local development district or organization' means an entity—

"(1) that—

"(A) is a planning district in existence on the date of enactment of this subtitle that is recognized by the Economic Development Administration of the Department of Commerce; or

"(B) is—

"(i) organized and operated in a manner that ensures broad-based community participation and an effective opportunity for other nonprofit groups to contribute to the development and implementation of programs in the region;

"(ii) a nonprofit incorporated body organized or chartered under the law of the State in which the entity is located;

"(iii) a nonprofit agency or instrumentality of a State or local government;

"(iv) a public organization established before the date of enactment of this subtitle under State law for creation of multijurisdictional, area-wide planning organizations;

"(v) a nonprofit agency or instrumentality of a State that was established for the purpose of assisting with multistate cooperation; or

"(vi) a nonprofit association or combination of bodies, agencies, and instrumentalities described in clauses (ii) through (v); and

"(2) that has not, as certified by the Federal cochairperson—

"(A) inappropriately used Federal grant funds from any Federal source; or

"(B) appointed an officer who, during the period in which another entity inappropriately used Federal grant funds from any Federal source, was an officer of the other entity.

"(b) GRANTS TO MULTISTATE, LOCAL, OR REGIONAL DEVELOPMENT DISTRICTS AND ORGANIZATIONS.—

"(1) IN GENERAL.—The Authority may make grants for administrative expenses under this section to multistate, local, and regional development districts and organizations.

"(2) CONDITIONS FOR GRANTS.—

"(A) MAXIMUM AMOUNT.—The amount of any grant awarded under paragraph (1) shall not exceed 80 percent of the administrative expenses of the regional or local development district or organization receiving the grant.

"(B) MAXIMUM PERIOD.—No grant described in paragraph (1) shall be awarded for a period greater than 3 years.

"(3) LOCAL SHARE.—The contributions of a regional or local development district or organization for administrative expenses may be in cash or in kind, fairly evaluated, including space, equipment, and services."; and

(3) in subsection (c)—

(A) by striking "DUTIES" and inserting "AUTHORITIES"; and

(B) in the matter preceding paragraph (1), by striking "shall" and inserting "may".

(f) DISTRESSED COUNTIES AND AREAS AND NONDISTRESSED COUNTIES.—Section 383G of the Consolidated Farm and Rural Development Act (as redesignated by subsection (b)(1)(A)) is amended—

(1) in subsection (b)(1), by striking "75" and inserting "50";

(2) by striking subsection (c);

(3) by redesignating subsection (d) as subsection (c); and

(4) in subsection (c) (as so redesignated)—

(A) in the subsection heading, by inserting ", RENEWABLE ENERGY," after "TELECOMMUNICATION,"; and

(B) by inserting ", renewable energy," after "telecommunication,".

(g) DEVELOPMENT PLANNING PROCESS.—Section 383H of the Consolidated Farm and Rural Development Act (as redesignated by subsection (b)(1)(A)) is amended—

(1) in subsection (c)(1), by striking subparagraph (A) and inserting the following:

"(A) multistate, regional, and local development districts and organizations; and"; and

(2) in subsection (d)(1), by striking "State and local development districts" and inserting "multistate, regional, and local development districts and organizations".

(h) PROGRAM DEVELOPMENT CRITERIA.—Section 383I(a)(1) of the Consolidated Farm and Rural Development Act (as redesignated by subsection (b)(1)(A)) is amended by inserting "multistate or" before "regional".

(i) AUTHORIZATION OF APPROPRIATIONS.—Section 383N(a) of the Consolidated Farm and Rural Development Act (as redesignated by subsection (b)(1)(A)) is amended by striking "2002 through 2007" and inserting "2008 through 2012".

(j) TERMINATION OF AUTHORITY.—Section 383O of the Consolidated Farm and Rural Development Act (as redesignated by subsection (b)(1)(A)) is amended by striking "2007" and inserting "2012".

SEC. 6031. RURAL BUSINESS INVESTMENT PROGRAM.

(a) ISSUANCE AND GUARANTEE OF TRUST CERTIFICATES.—Section 384F of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–5) is amended—

(1) in subsection (a)(1), by inserting ", including an investment pool created entirely by such bank or savings association" before the period at the end;

(2) in subsection (b)(3)(A), by striking "In the event" and inserting the following:

"(i) AUTHORITY TO PREPAY.—A debenture may be prepaid at any time without penalty.

"(ii) REDUCTION OF GUARANTEE.—Subject to clause (i), if"; and

(3) in subsection (e), by adding at the end the following:

"(6) DISTRIBUTIONS.—

"(A) IN GENERAL.—The Secretary shall authorize distributions to investors for unrealized income from a debenture.

"(B) TREATMENT.—Distributions made by a rural business investment company to an investor of private capital in the rural business investment company for the purpose of covering the tax liability of the investor resulting from unrealized income of the rural business investment company shall not require the repayment of a debenture.".

(b) FEES.—Section 384G of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–6) is amended—

(1) in subsection (a), by striking "such fees as the Secretary considers appropriate" and inserting "a fee that does not exceed $500";

(2) in subsection (b), by striking "approved by the Secretary" and inserting "that does not exceed $500"; and

(3) in subsection (c)—

(A) in paragraph (1), by striking "The" and inserting "Except as provided in paragraph (3), the";

(B) in paragraph (2)—

(i) in subparagraph (A), by striking "and" at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(C) shall not exceed $500 for any fee collected under this subsection."; and

(C) by adding at the end the following:

"(3) PROHIBITION ON COLLECTION OF CERTAIN FEES.—In the case of a license described in paragraph (1) that was approved before July 1, 2007, the Secretary shall not collect any fees due on or after the date of enactment of this paragraph.".

(c) RURAL BUSINESS INVESTMENT COMPANIES.—Section 384I(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–8(c)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

"(3) TIME FRAME.—Each rural business investment company shall have a period of 2 years to meet the capital requirements of this subsection.".

(d) FINANCIAL INSTITUTION INVESTMENTS.—Section 384J of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–9) is amended by striking subsection (c).

(e) CONTRACTING OF FUNCTIONS.—Section 384Q of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–16) is repealed.

(f) FUNDING.—The Consolidated Farm and Rural Development Act is amended by striking section 384S (7 U.S.C. 2009cc–18) and inserting the following:

"SEC. 384S. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated such sums as are necessary to carry out this subtitle.".

SEC. 6032. RURAL COLLABORATIVE INVESTMENT PROGRAM.

Subtitle I of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009dd et seq.) is amended to read as follows:

"Subtitle I—Rural Collaborative Investment Program

"SEC. 385A. PURPOSE.

"The purpose of this subtitle is to establish a regional rural collaborative investment program—

"(1) to provide rural regions with a flexible investment vehicle, allowing for local control with Federal oversight, assistance, and accountability;

"(2) to provide rural regions with incentives and resources to develop and implement comprehensive strategies for achieving regional competitiveness, innovation, and prosperity;

"(3) to foster multisector community and economic development collaborations that will optimize the asset-based competitive advantages of rural regions with particular emphasis on innovation, entrepreneurship, and the creation of quality jobs;

“(4) to foster collaborations necessary to provide the professional technical expertise, institutional capacity, and economies of scale that are essential for the long-term competitiveness of rural regions; and

“(5) to better use Department of Agriculture and other Federal, State, and local governmental resources, and to leverage those resources with private, nonprofit, and philanthropic investments, to achieve measurable community and economic prosperity, growth, and sustainability.

“SEC. 385B. DEFINITIONS.

“In this subtitle:

“(1) BENCHMARK.—The term ‘benchmark’ means an annual set of goals and performance measures established for the purpose of assessing performance in meeting a regional investment strategy of a Regional Board.

“(2) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

“(3) NATIONAL BOARD.—The term ‘National Board’ means the National Rural Investment Board established under section 385C(c).

“(4) NATIONAL INSTITUTE.—The term ‘National Institute’ means the National Institute on Regional Rural Competitiveness and Entrepreneurship established under section 385C(b)(2).

“(5) REGIONAL BOARD.—The term ‘Regional Board’ means a Regional Rural Investment Board described in section 385D(a).

“(6) REGIONAL INNOVATION GRANT.—The term ‘regional innovation grant’ means a grant made by the Secretary to a certified Regional Board under section 385F.

“(7) REGIONAL INVESTMENT STRATEGY GRANT.—The term ‘regional investment strategy grant’ means a grant made by the Secretary to a certified Regional Board under section 385E.

“SEC. 385C. ESTABLISHMENT AND ADMINISTRATION OF RURAL COLLABORATIVE INVESTMENT PROGRAM.

“(a) ESTABLISHMENT.—The Secretary shall establish a Rural Collaborative Investment Program to support comprehensive regional investment strategies for achieving rural competitiveness.

“(b) DUTIES OF SECRETARY.—In carrying out this subtitle, the Secretary shall—

“(1) appoint and provide administrative and program support to the National Board;

“(2) establish a national institute, to be known as the ‘National Institute on Regional Rural Competitiveness and Entrepreneurship’, to provide technical assistance to the Secretary and the National Board regarding regional competitiveness and rural entrepreneurship, including technical assistance for—

“(A) the development of rigorous analytic programs to assist Regional Boards in determining the challenges and opportunities that need to be addressed to receive the greatest regional competitive advantage;

“(B) the provision of support for best practices developed by the Regional Boards;

“(C) the establishment of programs to support the development of appropriate governance and leadership skills in the applicable regions; and

“(D) the evaluation of the progress and performance of the Regional Boards in achieving benchmarks established in a regional investment strategy;

“(3) work with the National Board to develop a national rural investment plan, which shall—

“(A) create a framework to encourage and support a more collaborative and targeted rural investment portfolio in the United States;

“(B) establish the Rural Philanthropic Initiative, to work with rural communities to create and enhance the pool of permanent philanthropic resources committed to rural community and economic development;

“(C) cooperate with the Regional Boards and State and local governments, organizations, and entities to ensure investment strategies are developed that take into consideration existing rural assets; and

“(D) encourage the organization of Regional Boards;

“(4) certify the eligibility of Regional Boards to receive regional investment strategy grants and regional innovation grants;

“(5) provide grants for Regional Boards to develop and implement regional investment strategies;

“(6) provide technical assistance to Regional Boards on issues, best practices, and emerging trends relating to rural development, in cooperation with the National Rural Investment Board; and

“(7) provide analytic and programmatic support for regional rural competitiveness through the National Institute, including—

“(A) programs to assist Regional Boards in determining the challenges and opportunities that must be addressed to receive the greatest regional competitive advantage;

“(B) support for best practices development by the regional investment boards;

“(C) programs to support the development of appropriate governance and leadership skills in the region; and

“(D) a review and annual evaluation of the performance of the Regional Boards (including progress in achieving benchmarks established in a regional investment strategy) in an annual report submitted to—

“(i) the Committee on Agriculture of the House of Representatives; and

“(ii) the Committee on Agriculture, Nutrition, and Forestry of the Senate.

“(c) NATIONAL RURAL INVESTMENT BOARD.—The Secretary shall establish within the Department of Agriculture a board to be known as the ‘National Rural Investment Board’.

“(d) DUTIES OF NATIONAL BOARD.—The National Board shall—

“(1) not later than 180 days after the date of establishment of the National Board, develop rules relating to the operation of the National Board;

“(2) provide advice to the Secretary and subsequently review the design, development, and execution of the National Rural Investment Plan;

“(3) provide advice to Regional Boards on issues, best practices, and emerging trends relating to rural development; and

“(4) provide advice to the Secretary and the National Institute on the development and execution of the program under this subtitle.

“(e) MEMBERSHIP.—

“(1) IN GENERAL.—The National Board shall consist of 14 members appointed by the Secretary not later than 180 days after the date of enactment of the Food and Energy Security Act of 2007.

“(2) SUPERVISION.—The National Board shall be subject to the general supervision and direction of the Secretary.

“(3) SECTORS REPRESENTED.—The National Board shall consist of representatives from each of—

“(A) nationally recognized entrepreneurship organizations;

“(B) regional strategy and development organizations;

“(C) community-based organizations;

“(D) elected members of county and municipal governments;

“(E) elected members of State legislatures;

“(F) primary, secondary, and higher education, job skills training, and workforce development institutions;

“(G) the rural philanthropic community;

“(H) financial, lending, venture capital, entrepreneurship, and other related institutions;

“(I) private sector business organizations, including chambers of commerce and other for-profit business interests;

“(J) Indian tribes; and

“(K) cooperative organizations.

“(4) SELECTION OF MEMBERS.—

“(A) IN GENERAL.—In selecting members of the National Board, the Secretary shall consider recommendations made by—

“(i) the chairman and ranking member of each of the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate;

“(ii) the Majority Leader and Minority Leader of the Senate; and

“(iii) the Speaker and Minority Leader of the House of Representatives.

“(B) EX-OFFICIO MEMBERS.—In consultation with the chairman and ranking member of each of the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Secretary may appoint not more than 3 other officers or employees of the Executive Branch to serve as ex-officio, non-voting members of the National Board.

“(5) TERM OF OFFICE.—

“(A) IN GENERAL.—Subject to subparagraph (B), the term of office of a member of the National Board appointed under paragraph (1)(A) shall be for a period of not more than 4 years.

“(B) STAGGERED TERMS.—The members of the National Board shall be appointed to serve staggered terms.

“(6) INITIAL APPOINTMENTS.—Not later than 120 days after the date of enactment of the Food and Energy Security Act of 2007, the Secretary shall appoint the initial members of the National Board.

“(7) VACANCIES.—A vacancy on the National Board shall be filled in the same manner as the original appointment.

“(8) COMPENSATION.—A member of the National Board shall receive no compensation for service on the National Board, but shall be reimbursed for related travel and other expenses incurred in carrying out the duties of the member of the National Board in accordance with section 5702 and 5703 of title 5, United States Code.

“(9) CHAIRPERSON.—The National Board shall select a chairperson from among the members of the National Board.

“(10) FEDERAL STATUS.—For purposes of Federal law, a member of the National Board shall be considered a special Government employee (as defined in section 202(a) of title 18, United States Code).

“(f) ADMINISTRATIVE SUPPORT.—The Secretary, on a reimbursable basis from funds made available under section 385H(b)(3), may provide such administrative support to the National Board as the Secretary determines is necessary to carry out the duties of the National Board.

“SEC. 385D. REGIONAL RURAL INVESTMENT BOARDS.

“(a) IN GENERAL.—A Regional Rural Investment Board shall be a multijurisdictional and multisectoral group that—

"(1) represents the long-term economic, community, and cultural interests of a region;

"(2) is certified by the Secretary to establish a rural investment strategy and compete for regional innovation grants;

"(3) is composed of residents of a region that are broadly representative of diverse public, nonprofit, and private sector interests in investment in the region, including (to the maximum extent practicable) representatives of—

"(A) units of local government (including multijurisdictional units of local government);

"(B) nonprofit community-based development organizations, including community development financial institutions and community development corporations;

"(C) agricultural, natural resource, and other asset-based related industries;

"(D) in the case of regions with federally recognized Indian tribes, Indian tribes;

"(E) regional development organizations;

"(F) private business organizations, including chambers of commerce;

"(G)(i) institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)));

"(ii) tribally controlled colleges or universities (as defined in section 2(a) of Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a))); and

"(iii) tribal technical institutions;

"(H) workforce and job training organizations;

"(I) other entities and organizations, as determined by the Regional Board;

"(J) cooperatives; and

"(K) consortia of entities and organizations described in subparagraphs (A) through (J);

"(4) represents a region inhabited by—

"(A) more than 25,000 individuals, as determined in the latest available decennial census conducted under section 141(a) of title 13, United States Code; or

"(B) in the case of a region with a population density of less than 2 individuals per square mile, at least 10,000 individuals, as determined in that latest available decennial census;

"(5) has a membership of which not less than 25 percent, nor more than 40 percent, represents—

"(A) units of local government and Indian tribes described in subparagraphs (A) and (D) of paragraph (3);

"(B) nonprofit community and economic development organizations and institutions of higher education described in subparagraphs (B) and (G) of paragraph (3); or

"(C) private business (including chambers of commerce and cooperatives) and agricultural, natural resource, and other asset-based related industries described in subparagraphs (C) and (F) of paragraph (3);

"(6) has a membership that may include an officer or employee of a Federal or State agency, serving as an ex-officio, nonvoting member of the Regional Board to represent the agency; and

"(7) has organizational documents that demonstrate that the Regional Board shall—

"(A) create a collaborative, inclusive public-private strategy process;

"(B) develop, and submit to the Secretary for approval, a regional investment strategy that meets the requirements of section 385E, with benchmarks—

"(i) to promote investment in rural areas through the use of grants made available under this subtitle; and

"(ii) to provide financial and technical assistance to promote a broad-based regional development program aimed at increasing and diversifying economic growth, improved community facilities, and improved quality of life;

"(C) implement the approved regional investment strategy;

"(D) provide annual reports to the Secretary and the National Board on progress made in achieving the benchmarks of the regional investment strategy, including an annual financial statement; and

"(E) select a non-Federal organization (such as a regional development organization) in the local area served by the Regional Board that has previous experience in the management of Federal funds to serve as fiscal manager of any funds of the Regional Board.

"(b) URBAN AREAS.—A resident of an urban area may serve as an ex-officio member of a Regional Board.

"(c) DUTIES.—A Regional Board shall—

"(1) create a collaborative and inclusive planning process for public-private investment within a region;

"(2) develop, and submit to the Secretary for approval, a regional investment strategy;

"(3) develop approaches that will create permanent resources for philanthropic giving in the region, to the maximum extent practicable;

"(4) implement an approved strategy; and

"(5) provide annual reports to the Secretary and the National Board on progress made in achieving the strategy, including an annual financial statement.

"SEC. 385E. REGIONAL INVESTMENT STRATEGY GRANTS.

"(a) IN GENERAL.—The Secretary shall make regional investment strategy grants available to Regional Boards for use in developing, implementing, and maintaining regional investment strategies.

"(b) REGIONAL INVESTMENT STRATEGY.—A regional investment strategy shall provide—

"(1) an assessment of the competitive advantage of a region, including—

"(A) an analysis of the economic conditions of the region;

"(B) an assessment of the current economic performance of the region;

"(C) a background overview of the population, geography, workforce, transportation system, resources, environment, and infrastructure needs of the region; and

"(D) such other pertinent information as the Secretary may request;

"(2) an analysis of regional economic and community development challenges and opportunities, including—

"(A) incorporation of relevant material from other government-sponsored or supported plans and consistency with applicable State, regional, and local workforce investment strategies or comprehensive economic development plans; and

"(B) an identification of past, present, and projected Federal and State economic and community development investments in the region;

"(3) a section describing goals and objectives necessary to solve regional competitiveness challenges and meet the potential of the region;

"(4) an overview of resources available in the region for use in—

"(A) establishing regional goals and objectives;

"(B) developing and implementing a regional action strategy;

"(C) identifying investment priorities and funding sources; and

"(D) identifying lead organizations to execute portions of the strategy;

"(5) an analysis of the current state of collaborative public, private, and nonprofit participation and investment, and of the strategic roles of public, private, and nonprofit entities in the development and implementation of the regional investment strategy;

"(6) a section identifying and prioritizing vital projects, programs, and activities for consideration by the Secretary, including—

"(A) other potential funding sources; and

"(B) recommendations for leveraging past and potential investments;

"(7) a plan of action to implement the goals and objectives of the regional investment strategy;

"(8) a list of performance measures to be used to evaluate the implementation of the regional investment strategy, including—

"(A) the number and quality of jobs, including self-employment, created during implementation of the regional rural investment strategy;

"(B) the number and types of investments made in the region;

"(C) the growth in public, private, and nonprofit investment in the human, community, and economic assets of the region;

"(D) changes in per capita income and the rate of unemployment; and

"(E) other changes in the economic environment of the region;

"(9) a section outlining the methodology for use in integrating the regional investment strategy with the economic priorities of the State; and

"(10) such other information as the Secretary determines to be appropriate.

"(c) MAXIMUM AMOUNT OF GRANT.—A regional investment strategy grant shall not exceed $150,000.

"(d) COST SHARING.—

"(1) IN GENERAL.—Subject to paragraph (2), of the share of the costs of developing, maintaining, evaluating, implementing, and reporting with respect to a regional investment strategy funded by a grant under this section—

"(A) not more than 40 percent may be paid using funds from the grant; and

"(B) the remaining share shall be provided by the applicable Regional Board or other eligible grantee.

"(2) FORM.—A Regional Board or other eligible grantee shall pay the share described in paragraph (1)(B) in the form of cash, services, materials, or other in-kind contributions, on the condition that not more than 50 percent of that share is provided in the form of services, materials, and other in-kind contributions.

"SEC. 385F. REGIONAL INNOVATION GRANTS PROGRAM.

"(a) GRANTS.—

"(1) IN GENERAL.—The Secretary shall provide, on a competitive basis, regional innovation grants to Regional Boards for use in implementing projects and initiatives that are identified in a regional rural investment strategy approved under section 385E.

"(2) TIMING.—After October 1, 2008, the Secretary shall provide awards under this section on a quarterly funding cycle.

"(b) ELIGIBILITY.—For a Regional Board to receive a regional innovation grant, the Secretary shall determine that—

"(1) the regional rural investment strategy of a Regional Board has been reviewed by the National Board prior to approval by the Secretary;

"(2) the management and organizational structure of the Regional Board is sufficient to oversee grant projects, including management of Federal funds; and

"(3) the Regional Board has a plan to achieve, to the maximum extent practicable, the performance-based benchmarks of the project in the regional rural investment strategy of the Regional Board.

"(c) LIMITATIONS.—

"(1) AMOUNT RECEIVED.—A Regional Board may not receive more than $6,000,000 in regional innovation grants under this section during any 5-year period.

"(2) DETERMINATION OF AMOUNT.—The Secretary shall determine the amount of a regional innovation grant based on—

"(A) the needs of the region being addressed by the applicable regional rural investment strategy consistent with the purposes described in subsection (f)(2); and

"(B) the size of the geographical area of the region.

"(3) GEOGRAPHIC DIVERSITY.—The Secretary shall ensure that not more than 10 percent of funding made available under this section is provided to Regional Boards in any State.

"(d) COST-SHARING.—

"(1) LIMITATION.—Subject to paragraph (2), the amount of a grant made under this section shall not exceed 50 percent of the cost of the project.

"(2) WAIVER OF GRANTEE SHARE.—The Secretary may waive the limitation in paragraph (1) under special circumstances, as determined by the Secretary, including—

"(A) a sudden or severe economic dislocation;

"(B) significant chronic unemployment or poverty;

"(C) a natural disaster; or

"(D) other severe economic, social, or cultural duress.

"(3) OTHER FEDERAL ASSISTANCE.—For the purpose of determining cost-share limitations for any other Federal program, funds provided under this section shall be considered to be non-Federal funds.

"(e) PREFERENCES.—In providing regional innovation grants under this section, the Secretary shall give—

"(1) a high priority to strategies that demonstrate significant leverage of capital and quality job creation; and

"(2) a preference to an application proposing projects and initiatives that would—

"(A) advance the overall regional competitiveness of a region;

"(B) address the priorities of a regional rural investment strategy, including priorities that—

"(i) promote cross-sector collaboration, public-private partnerships, or the provision of collaborative gap financing or seed capital for program implementation;

"(ii) exhibit collaborative innovation and entrepreneurship, particularly within a public-private partnership; and

"(iii) represent a broad coalition of interests described in section 385D(a);

"(C) include a strategy to leverage public non-Federal and private funds and existing assets, including agricultural assets, natural assets, and public infrastructure, with substantial emphasis placed on the existence of real financial commitments to leverage the available funds;

"(D) create quality jobs;

"(E) enhance the role, relevance, and leveraging potential of community and regional foundations in support of regional investment strategies;

"(F) demonstrate a history, or involve organizations with a history, of successful leveraging of capital for economic development and public purposes;

"(G) address gaps in existing basic services, including technology, within a region;

"(H) address economic diversification, including agricultural and non-agriculturally based economies, within a regional framework;

"(I) improve the overall quality of life in the region (including with respect to education, health care, housing, recreation, and arts and culture);

"(J) enhance the potential to expand economic development successes across diverse stakeholder groups within the region;

"(K) include an effective working relationship with 1 or more institutions of higher education, tribally controlled colleges or universities, or tribal technical institutions; or

"(L) help to meet the other regional competitiveness needs identified by a Regional Board.

"(f) USES.—

"(1) LEVERAGE.—A Regional Board shall prioritize projects and initiatives carried out using funds from a regional innovation grant provided under this section, based in part on the degree to which members of the Regional Board are able to leverage additional funds for the implementation of the projects.

"(2) PURPOSES.—A Regional Board may use a regional innovation grant—

"(A) to support the development of critical infrastructure (including technology deployment and services) necessary to facilitate the competitiveness of a region;

"(B) to provide assistance to entities within the region that provide essential public and community services;

"(C) to enhance the value-added production, marketing, and use of agricultural and natural resources within the region, including activities relating to renewable and alternative energy production and usage;

"(D) to assist with entrepreneurship, job training, workforce development, housing, educational, or other quality of life services or needs, relating to the development and maintenance of strong local and regional economies;

"(E) to assist in the development of unique new collaborations that link public, private, and philanthropic resources, including community foundations;

"(F) to provide support for business and entrepreneurial investment, strategy, expansion, and development, including feasibility strategies, technical assistance, peer networks, and business development funds;

"(G) to carry out other broad activities relating to strengthening the economic competitiveness of the region; and

"(H) to provide matching funds to enable community foundations located within the region to build endowments which provide permanent philanthropic resources to implement a regional investment strategy.

"(3) AVAILABILITY OF FUNDS.—The funds made available to a Regional Board or any other eligible grantee through a regional innovation grant shall remain available for the 7-year period beginning on the date on which the award is provided, on the condition that the Regional Board or other grantee continues to be certified by the Secretary as making adequate progress toward achieving established benchmarks.

"(g) COST SHARING.—

"(1) WAIVER OF GRANTEE SHARE.—The Secretary may waive the share of a grantee of the costs of a project funded by a regional innovation grant under this section if the Secretary determines that such a waiver is appropriate, including with respect to special circumstances within tribal regions, in the event an area experiences—

"(A) a sudden or severe economic dislocation;

"(B) significant chronic unemployment or poverty;

"(C) a natural disaster; or

"(D) other severe economic, social, or cultural duress.

"(2) OTHER FEDERAL PROGRAMS.—For the purpose of determining cost-sharing requirements for any other Federal program, funds provided as a regional innovation grant under this section shall be considered to be non-Federal funds.

"(h) NONCOMPLIANCE.—If a Regional Board or other eligible grantee fails to comply with any requirement relating to the use of funds provided under this section, the Secretary may—

"(1) take such actions as are necessary to obtain reimbursement of unused grant funds; and

"(2) reprogram the recaptured funds for purposes relating to implementation of this subtitle.

"(i) PRIORITY TO AREAS WITH AWARDS AND APPROVED STRATEGIES.—

"(1) IN GENERAL.—Subject to paragraph (3), in providing rural development assistance under other programs, the Secretary shall give a high priority to areas that receive innovation grants under this section.

"(2) CONSULTATION.—The Secretary shall consult with the heads of other Federal agencies to promote the development of priorities similar to those described in paragraph (1).

"(3) EXCLUSION OF CERTAIN PROGRAMS.—Paragraph (1) shall not apply to the provision of rural development assistance under any program relating to basic health, safety, or infrastructure, including broadband deployment or minimum environmental needs.

"SEC. 385G. RURAL ENDOWMENT LOANS PROGRAM.

"(a) IN GENERAL.—The Secretary may provide long-term loans to eligible community foundations to assist in the implementation of regional investment strategies.

"(b) ELIGIBLE COMMUNITY FOUNDATIONS.—To be eligible to receive a loan under this section, a community foundation shall—

"(1) be located in an area that is covered by a regional investment strategy;

"(2) match the amount of the loan with an amount that is at least 250 percent of the amount of the loan; and

"(3) use the loan and the matching amount to carry out the regional investment strategy targeted to community and economic development, including through the development of community foundation endowments.

"(c) TERMS.—A loan made under this section shall—

"(1) have a term of not less than 10, nor more than 20, years;

"(2) bear an interest rate of 1 percent per annum; and

"(3) be subject to such other terms and conditions as are determined appropriate by the Secretary.

"SEC. 385H. FUNDING.

"(a) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall use $135,000,000 to carry out this subtitle, to remain available until expended.

"(b) USE BY SECRETARY.—Of the amounts made available to the Secretary under subsection (a), the Secretary shall use—

"(1) $15,000,000 to be provided for regional investment strategy grants to Regional Boards under section 385E;

"(2) $110,000,000 to provide innovation grants to Regional Boards under section 385F and for the cost of rural endowment loans under section 385G;

"(3) $5,000,000 for fiscal year 2008 to administer the duties of the National Board, to remain available until expended; and

"(4) $5,000,000 for fiscal year 2008 to administer the National Institute, to remain available until expended.

"(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds otherwise made available to carry out this subtitle, there are authorized to be appropriated to the Secretary such sums as are necessary to carry out this subtitle.".

SEC. 6033. FUNDING OF PENDING RURAL DEVELOPMENT LOAN AND GRANT APPLICATIONS.

(a) DEFINITION OF APPLICATION.—In this section, the term "application" does not include an application for a loan or grant that, as of the date of enactment of this Act, is in the preapplication phase of consideration under regulations of the Secretary in effect on the date of enactment of this Act.

(b) USE OF FUNDS.—Subject to subsection (c), the Secretary shall use funds made available under subsection (d) to provide funds for applications that are pending on the date of enactment of this Act for—

(1) water or waste disposal grants or direct loans under paragraph (1) or (2) of section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)); and

(2) emergency community water assistance grants under section 306A of that Act (7 U.S.C. 1926a).

(c) LIMITATIONS.—

(1) APPROPRIATED AMOUNTS.—Funds made available under this section shall be available to the Secretary to provide funds for applications for loans and grants described in subsection (b) that are pending on the date of enactment of this Act only to the extent that funds for the loans and grants appropriated in the annual appropriations Act for fiscal year 2007 have been exhausted.

(2) PROGRAM REQUIREMENTS.—The Secretary may use funds made available under this section to provide funds for a pending application for a loan or grant described in subsection (b) only if the Secretary processes, reviews, and approves the application in accordance with regulations in effect on the date of enactment of this Act.

(3) PRIORITY.—In providing funding under this section for pending applications for loans or grants described in subsection (b), the Secretary shall provide funding in the following order of priority (until funds made available under this section are exhausted):

(A) Pending applications for water systems.

(B) Pending applications for waste disposal systems.

(4) INDIVIDUAL STATES.—In allocating funds made available under subsection (d), the Secretary shall use not more 5 percent of the funds for pending applications for loans or grants described in subsection (b) that are made in any individual State.

(d) FUNDING.—Notwithstanding any other provision of law, of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $135,000,000, to remain available until expended.

Subtitle B—Rural Electrification Act of 1936

SEC. 6101. ENERGY EFFICIENCY PROGRAMS.

Sections 2(a) and 4 of the Rural Electrification Act of 1936 (7 U.S.C. 902(a), 904) are amended by inserting "efficiency and" before "conservation" each place it appears.

SEC. 6102. LOANS AND GRANTS FOR ELECTRIC GENERATION AND TRANSMISSION.

(a) IN GENERAL.—Section 4 of the Rural Electrification Act of 1936 (7 U.S.C. 904) is amended in the first sentence by striking "authorized and empowered, from the sums hereinbefore authorized, to" and inserting "shall".

(b) RURAL COMMUNITIES WITH EXTREMELY HIGH ENERGY COSTS.—Section 19(a) of the Rural Electrification Act of 1936 (7 U.S.C. 918a(a)) is amended in the matter preceding paragraph (1) by striking "may" and inserting "shall".

SEC. 6103. FEES FOR ELECTRIFICATION BASELOAD GENERATION LOAN GUARANTEES.

The Rural Electrification Act of 1936 is amended by inserting after section 4 (7 U.S.C. 904) the following:

"SEC. 5. FEES FOR ELECTRIFICATION BASELOAD GENERATION LOAN GUARANTEES.

"(a) IN GENERAL.—For electrification baseload generation loan guarantees, the Secretary shall, at the request of the borrower, charge an upfront fee to cover the costs of the loan guarantee.

"(b) FEE.—

"(1) IN GENERAL.—The fee described in subsection (a) for a loan guarantee shall be at least equal to the costs of the loan guarantee (within the meaning of section 502(5)(C) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)(C)).

"(2) SEPARATE FEE.—The Secretary may establish a separate fee for each loan.

"(c) ELIGIBILITY.—To be eligible for an electrification baseload generation loan guarantee under this section, a borrower shall—

"(1) provide a rating of the loan, exclusive of the Federal guarantee, by an organization identified by the Securities and Exchange Commission as a nationally recognized statistical rating organization that determines that the loan has at least a AA rating, or equivalent rating, as determined by the Secretary; or

"(2) obtain insurance or a guarantee for the full and timely repayment of principal and interest on the loan from an entity that has at least an AA or equivalent rating by a nationally recognized statistical rating organization.

"(d) LIMITATION.—Funds received from a borrower to pay for the fees described in this section shall not be derived from a loan or other debt obligation that is made or guaranteed by the Federal Government.".

SEC. 6104. DEFERMENT OF PAYMENTS TO ALLOWS LOANS FOR IMPROVED ENERGY EFFICIENCY AND DEMAND REDUCTION.

Section 12 of the Rural Electrification Act of 1936 (7 U.S.C. 912) is amended by adding at the end the following:

"(c) DEFERMENT OF PAYMENTS TO ALLOWS LOANS FOR IMPROVED ENERGY EFFICIENCY AND DEMAND REDUCTION.—

"(1) IN GENERAL.—The Secretary shall allow borrowers to defer payment of principal and interest on any direct loan made under this Act to enable the borrower to make loans to residential, commercial, and industrial consumers to install energy efficient measures or devices that reduce the demand on electric systems.

"(2) AMOUNT.—The total amount of a deferment under this subsection shall not exceed the sum of the principal and interest on the loans made to a customer of the borrower, as determined by the Secretary.

"(3) TERM.—The term of a deferment under this subsection shall not exceed 60 months.".

SEC. 6105. RURAL ELECTRIFICATION ASSISTANCE.

Section 13 of the Rural Electrification Act of 1936 (7 U.S.C. 913) is amended to read as follows:

"SEC. 13. DEFINITIONS.

"In this Act:

"(1) FARM.—The term 'farm' means a farm, as defined by the Bureau of the Census.

"(2) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(3) RURAL AREA.—

"(A) IN GENERAL.—Except as provided otherwise in this Act, the term 'rural area' means the farm and nonfarm population of—

"(i) any area described in section 343(a)(13)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(13)(A)); and

"(ii) any area within a service area of a borrower for which a borrower has an outstanding loan made under titles I through V as of the date of enactment of this paragraph.

"(B) RURAL BROADBAND ACCESS.—For the purpose of loans and loan guarantees made under section 601, the term 'rural area' has the meaning given the term in section 343(a)(13)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(13)(C)).

"(4) TERRITORY.—The term 'territory' includes any insular possession of the United States.

"(5) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.".

SEC. 6106. GUARANTEES FOR BONDS AND NOTES ISSUED FOR ELECTRIFICATION OR TELEPHONE PURPOSES.

Section 313A of the Rural Electrification Act of 1936 (7 U.S.C. 940c–1) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking "for electrification" and all that follows through the end and inserting "for eligible electrification or telephone purposes consistent with this Act."; and

(B) by striking paragraph (4) and inserting the following:

"(4) ANNUAL AMOUNT.—The total amount of guarantees provided by the Secretary under this section during a fiscal year shall not exceed $1,000,000,000, subject to the availability of funds under subsection (e).";

(2) in subsection (c), by striking paragraphs (2) and (3) and inserting the following:

"(2) AMOUNT.—

"(A) IN GENERAL.—The amount of the annual fee paid for the guarantee of a bond or note under this section shall be equal to 30 basis points of the amount of the unpaid principal of the bond or note guaranteed under this section.

"(B) PROHIBITION.—Except as otherwise provided in this subsection and subsection (e)(2), no other fees shall be assessed.

"(3) PAYMENT.—

"(A) IN GENERAL.—A lender shall pay the fees required under this subsection on a semiannual basis.

"(B) STRUCTURED SCHEDULE.—The Secretary shall, with the consent of the lender, structure the schedule for payment of the fee to ensure that sufficient funds are available to pay the subsidy costs for note or bond guarantees as provided for in subsection (e)(2)."; and

(3) in subsection (f), by striking "2007" and inserting "2012".

SEC. 6107. EXPANSION OF 911 ACCESS.

Section 315 of the Rural Electrification Act of 1936 (7 U.S.C. 940e) is amended to read as follows:

"SEC. 315. EXPANSION OF 911 ACCESS.

"(a) IN GENERAL.—Subject to such terms and conditions as the Secretary may prescribe, the Secretary may make loans under this title to entities eligible to borrow from the Rural Utilities Service, emergency communications equipment providers, State or local governments, Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), or other public entities for facilities and equipment to expand or improve—

"(1) 911 access;

"(2) integrated interoperable emergency communications, including multiuse networks that—

"(A) serve rural areas; and

"(B) provide commercial services or transportation information services in addition to emergency communications services;

"(3) homeland security communications;

"(4) transportation safety communications; or

"(5) location technologies used outside an urbanized area.

"(b) LOAN SECURITY.—Government-imposed fees related to emergency communications (including State or local 911 fees) may be considered to be security for a loan under this section.

"(c) REGULATIONS.—The Secretary shall—

"(1) not later than 90 days after the date of enactment of this subsection, promulgate proposed regulations to carry out this section; and

"(2) not later than 90 days after the publication of proposed rules to carry out this section, adopt final rules.

"(d) AUTHORIZATION OF APPROPRIATIONS.—The Secretary shall use to make loans under this section any funds otherwise made available for telephone or broadband loans for each of fiscal years 2007 through 2012.".

SEC. 6108. ELECTRIC LOANS TO RURAL ELECTRIC COOPERATIVES.

Title III of the Rural Electrification Act of 1936 is amended by inserting after section 316 (7 U.S.C. 940f) the following:

"SEC. 317. ELECTRIC LOANS TO RURAL ELECTRIC COOPERATIVES.

"(a) DEFINITION OF RENEWABLE ENERGY SOURCE.—In this section, the term 'renewable energy source' has the meaning given the term 'qualified energy resources' in section 45(c)(1) of the Internal Revenue Code of 1986.

"(b) LOANS.—In addition to any other funds or authorities otherwise made available under this Act, the Secretary may make electric loans under this title for—

"(1) electric generation from renewable energy resources for resale to rural and nonrural residents; and

"(2) transmission lines principally for the purpose of wheeling power from 1 or more renewable energy sources.

"(c) RATE.—The rate of a loan under this section shall be equal to the average tax-exempt municipal bond rate of similar maturities.".

SEC. 6109. AGENCY PROCEDURES.

Title III of the Rural Electrification Act of 1936 is amended by inserting after section 317 (as added by section 6108) the following:

"SEC. 318. AGENCY PROCEDURES.

"(a) CUSTOMER SERVICE.—The Secretary shall ensure that loan applicants under this Act are contacted at least once each month by the Rural Utilities Service regarding the status of any pending loan applications.

"(b) FINANCIAL NEED.—The Secretary shall ensure that—

"(1) an applicant for any grant program administered by the Rural Utilities Service has an opportunity to present special economic circumstances in support of the grant, such as the high cost of living, out migration, low levels of employment, weather damage, or environmental loss; and

"(2) the special economic circumstances presented by the applicant are considered in determining the financial need of the applicant.

"(c) MOBILE DIGITAL WIRELESS.—To facilitate the transition from analog wireless service to digital mobile wireless service, the Secretary may adjust population limitations under this Act related to digital mobile wireless service up to the level permitted under section 601.

"(d) BONDING REQUIREMENTS.—The Secretary shall review the bonding requirements for all programs administered by the Rural Utilities Service under this Act to ensure that bonds are not required if—

"(1) the interests of the Secretary are adequately protected by product warranties; or

"(2) the costs or conditions associated with a bond exceed the benefit of the bond to the Secretary.".

SEC. 6110. ACCESS TO BROADBAND TELECOMMUNICATIONS SERVICES IN RURAL AREAS.

(a) IN GENERAL.—Section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended to read as follows:

"SEC. 601. ACCESS TO BROADBAND TELECOMMUNICATIONS SERVICES IN RURAL AREAS.

"(a) PURPOSE.—The purpose of this section is to provide loans and loan guarantees to provide funds for the costs of the construction, improvement, and acquisition of facilities and equipment for broadband service in rural areas.

"(b) DEFINITION OF BROADBAND SERVICE.—In this section:

"(1) IN GENERAL.—The term 'broadband service' means any technology identified by the Secretary as having the capacity to transmit data to enable a subscriber to the service to originate and receive high-quality voice, data, graphics, and video.

"(2) MOBILE BROADBAND.—The term 'broadband service' includes any service described in paragraph (1) that is provided over a licensed spectrum through the use of a mobile station or receiver communicating with a land station or other mobile stations communicating among themselves.

"(c) LOANS AND LOAN GUARANTEES.—

"(1) IN GENERAL.—The Secretary shall make or guarantee loans to eligible entities described in subsection (d) to provide funds for the construction, improvement, or acquisition of facilities and equipment for the provision of broadband service in rural areas.

"(2) PRIORITY.—In making or guaranteeing loans under paragraph (1), the Secretary shall give the highest priority to applicants that offer to provide broadband service to the greatest proportion of households that, prior to the provision of the service, had no terrestrial broadband service provider.

"(3) OFFER OF SERVICE.—For purposes of this section, a provider shall be considered to offer broadband service in a rural area if the provider makes the broadband service available to households in the rural area at not more than average prices as compared to the prices at which similar services are made available in the nearest urban area, as determined by the Secretary.

"(d) ELIGIBLE ENTITIES.—

"(1) REQUIREMENTS.—

"(A) IN GENERAL.—To be eligible to obtain a loan or loan guarantee under this section, an entity shall—

"(i) have the ability to furnish, improve, or extend a broadband service to a rural area;

"(ii) submit to the Secretary a proposal that meets the requirements of this section for a project to offer to provide service to at least 25 percent of households in a specified rural area that, as of the date on which the proposal is submitted, are not offered broadband service by a terrestrial broadband service provider; and

"(iii) agree to complete buildout of the broadband service described in the proposal not later than 3 years after the date on which a loan or loan guarantee under this section is received.

"(B) PROHIBITION.—In carrying out this section, the Secretary may not make a loan or loan guarantee for a project in any specific area in which broadband service is offered by 3 or more terrestrial service providers that offer services that are comparable to the services proposed by the applicant.

"(C) EQUITY AND MARKET SURVEY REQUIREMENTS.—

"(i) IN GENERAL.—The Secretary may require an entity to provide a cost share in an amount not to exceed 10 percent of the amount of the loan or loan guarantee requested in the application of the entity.

"(ii) CREDIT.—Recurring revenues of an entity, including broadband service client revenues, may be credited toward the cost share required under clause (i).

"(iii) MARKET SURVEY.—

"(I) IN GENERAL.—The Secretary may require an entity that proposes to have a subscriber projection of more than 20 percent of the broadband service market in a rural area to submit to the Secretary a market survey.

"(II) LESS THAN 20 PERCENT.—The Secretary may not require an entity that proposes to have a subscriber projection of less than 20 percent of the broadband service market in a rural area to submit to the Secretary a market survey.

"(2) STATE AND LOCAL GOVERNMENTS AND INDIAN TRIBES.—Subject to paragraph (1), a State or local government (including any agency, subdivision, or instrumentality thereof (including consortia thereof)) and an Indian tribe shall be eligible for a loan or loan guarantee under this section to provide broadband services to a rural area.

"(3) ADEQUACY OF SECURITY.—The Secretary shall ensure that the type, amount, and method of security used to secure any loan or loan guarantee provided under this section is commensurate to the risk involved with the loan or loan guarantee, particularly if the loan or loan guarantee is issued to a financially-healthy, strong, and stable entity.

"(4) LIMITATION.—No entity (including subsidiaries of an entity) may acquire more than 20 percent of the resources of the program under this section in any fiscal year, as determined by the Secretary.

"(5) NOTICE REQUIREMENT.—The Secretary shall include a notice of applications under this section on the website of the Secretary for a period of not less than 90 days.

"(6) PROPOSAL INFORMATION.—

"(A) PUBLIC ACCESS.—The Secretary shall make available on the website of the Secretary during the consideration of a loan by the Secretary—

"(i) the name of the applicant;

"(ii) a description and geographical representation of the proposed area of broadband service;

"(iii) a geographical representation and numerical estimate of the households that have no terrestrial broadband service offered in the proposed service area of the project; and

"(iv) such other relevant information that the Secretary determines to be appropriate.

"(B) PROPRIETARY INFORMATION.—In making information available relating to a loan proposal as described in subparagraph (A), the Secretary shall not make available information that is proprietary (within the meaning of section 552(b)(4) of title 5, United States Code) to the business interests of the loan applicant.

“(7) TIMELINE.—The Secretary shall establish a timeline on the website for the Secretary for tracking applications received under this section.

“(8) ADDITIONAL INFORMATION AND DETERMINATION.—

“(A) PROMPT PROCESSING OF APPLICATIONS.—

“(i) IN GENERAL.—The Secretary shall establish, by regulation, procedures to ensure prompt processing of loan and loan guarantee applications under this section.

“(ii) TIME LIMITS.—Subject to clause (iii), the regulations shall establish general time limits for action by the Secretary and applicant response.

“(iii) EXTENSIONS.—The Secretary may grant an extension for a time limit established under clause (ii).

“(iv) ANNUAL REPORTS.—The Secretary shall publish an annual report that—

“(I) describes processing times for loan and loan guarantee applications under this section; and

“(II) provides an explanation for any processing time extensions required by the Secretary.

“(B) ADDITIONAL INFORMATION.—Not later than 60 days after the date on which an applicant submits an application, the Secretary shall request any additional information required for the application to be complete.

“(C) DETERMINATION.—Not later than 180 days after the date on which an applicant submits a completed application, the Secretary shall make a determination of whether to approve the application.

“(9) LOAN CLOSING.—Not later than 45 days after the date on which the Secretary approves an application, documents necessary for the closing of the loan or loan guarantee shall be provided to applicant.

“(10) FUND DISBURSEMENT.—Not later than 10 business days after the date of the receipt of valid documentation requesting disbursement of the approved, closed loan, the disbursement of loan funds shall occur.

“(11) PREAPPLICATION PROCESS.—The Secretary shall establish an optional preapplication process under which an applicant may apply to the Rural Utilities Service for a binding determination of area eligibility prior to preparing a full loan application.

“(12) PENDING APPLICATIONS.—An application for a loan or loan guarantee under this section, or a petition for reconsideration of a decision on such an application, that is pending on the date of enactment of this paragraph shall be considered under eligibility and feasibility criteria that are no less favorable to the applicant than the criteria in effect on the original date of submission of the application.

“(e) BROADBAND SERVICE.—

“(1) IN GENERAL.—The Secretary shall, from time to time as advances in technology warrant, review and recommend modifications of rate-of-data transmission criteria for purposes of the identification of broadband service technologies under subsection (b).

“(2) PROHIBITION.—The Secretary shall not establish requirements for bandwidth or speed that have the effect of precluding the use of evolving technologies appropriate for rural areas outside rural communities.

“(f) TECHNOLOGICAL NEUTRALITY.—For purposes of determining whether to make a loan or loan guarantee for a project under this section, the Secretary shall use criteria that are technologically neutral.

“(g) TERMS AND CONDITIONS FOR LOANS AND LOAN GUARANTEES.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, a loan or loan guarantee under subsection (c) shall—

“(A) bear interest at an annual rate of, as determined by the Secretary—

“(i) in the case of a direct loan, the lower of—

“(I) the cost of borrowing to the Department of the Treasury for obligations of comparable maturity; or

“(II) 4 percent; and

“(ii) in the case of a guaranteed loan, the current applicable market rate for a loan of comparable maturity; and

“(B) except as provided in paragraph (2), have a term not to exceed the useful life of the assets constructed, improved, or acquired with the proceeds of the loan or extension of credit.

“(2) TERM OF LOAN EXCEPTION.—A loan or loan guarantee under subsection (c) may have a term not to exceed 30 years if the Secretary determines that the loan security is sufficient.

“(3) RECURRING REVENUE.—The Secretary shall consider the recurring revenues of the entity at the time of application in determining an adequate level of credit support.

“(h) USE OF LOAN PROCEEDS TO REFINANCE LOANS FOR DEPLOYMENT OF BROADBAND SERVICE.—Notwithstanding any other provision of this Act, the proceeds of any loan made or guaranteed by the Secretary under this Act may be used by the recipient of the loan for the purpose of refinancing an outstanding obligation of the recipient on another telecommunications-related loan made under this Act if the use of the proceeds for that purpose will further the construction, improvement, or acquisition of facilities and equipment for the provision of broadband service in rural areas.

“(i) REPORTS.—Not later than 1 year after the date of enactment of the Food and Energy Security Act of 2007, and biennially thereafter, the Administrator shall submit to Congress a report that—

“(1) describes the ways in which the Administrator determines under subsection (b)(1) that a service enables a subscriber to originate and receive high-quality voice, data, graphics, and video; and

“(2) provides a detailed list of services that have been granted assistance under this section.

“(j) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $25,000,000 for each of fiscal years 2008 through 2012.

“(2) ALLOCATION OF FUNDS.—

“(A) IN GENERAL.—From amounts made available for each fiscal year under this subsection, the Secretary shall—

“(i) establish a national reserve for loans and loan guarantees to eligible entities in States under this section; and

“(ii) allocate amounts in the reserve to each State for each fiscal year for loans and loan guarantees to eligible entities in the State.

“(B) AMOUNT.—Based on information available from the most recent decennial census, the amount of an allocation made to a State for a fiscal year under subparagraph (A) shall bear the same ratio to the amount of allocations made for all States for the fiscal year as—

“(i) the number of communities with a population of 2,500 inhabitants or less in the State; bears to

“(ii) the number of communities with a population of 2,500 inhabitants or less in all States.

“(C) UNOBLIGATED AMOUNTS.—Any amounts in the reserve established for a State for a fiscal year under subparagraph (B) that are not obligated by April 1 of the fiscal year shall be available to the Secretary to make loans and loan guarantees under this section to eligible entities in any State, as determined by the Secretary.

“(k) TERMINATION OF AUTHORITY.—No loan or loan guarantee may be made under this section after September 30, 2012.”.

(b) NATIONAL CENTER FOR RURAL TELECOMMUNICATIONS ASSESSMENT.—Title VI of Rural Electrification Act of 1936 (7 U.S.C. 950bb et seq.) is amended by adding at the end the following:

“SEC. 602. NATIONAL CENTER FOR RURAL TELECOMMUNICATIONS ASSESSMENT.

“(a) ESTABLISHMENT OF CENTER.—The Secretary shall designate a National Center for Rural Telecommunications Assessment (referred to in this section as the ‘Center’).

“(b) CRITERIA.—In designating the Center, the Secretary shall ensure that—

“(1) the Center is an entity with a focus on rural policy research and a minimum of 5 years experience in rural telecommunications research and assessment;

“(2) the Center is capable of assessing broadband services in rural areas; and

“(3) the Center has significant experience with other rural economic development centers and organizations in the assessment of rural policies and formulation of policy solutions at the local, State, and Federal levels.

“(c) DUTIES.—The Center shall—

“(1) assess the effectiveness of programs under this section in increasing broadband availability and use in rural areas, especially in those rural communities identified by the Secretary as having no service before award of a broadband loan or loan guarantee under section 601(c);

“(2) develop assessments of broadband availability in rural areas, working with existing rural development centers selected by the Center;

“(3) identify policies and initiatives at the local, State, and Federal level that have increased broadband availability and use in rural areas;

“(4) conduct national studies of rural households and businesses focusing on the adoption of, barriers to, and use of broadband services, with specific attention addressing the economic, social and educational consequences of inaccessibility to affordable broadband services;

“(5) provide reports to the public on the activities carried out and funded under this section; and

“(6) conduct studies and provide recommendations to local, State, and Federal policymakers on effective strategies to bring affordable broadband services to rural citizens residing outside of the municipal boundaries of rural cities and towns.

“(d) REPORTING REQUIREMENTS.—Not later than December 1, 2008, and each year thereafter through December 1, 2012, the Center shall submit to the Secretary a report that—

“(1) describes the activities of the Center, the results of research carried out by the Center, and any additional information for the preceding fiscal year that the Secretary may request; and

“(2) includes—

“(A) assessments of the programs carried out under this section and section 601;

“(B) annual assessments on the effects of the policy initiatives identified under subsection (c)(3); and

“(C) results from the national studies of rural households and businesses conducted under subsection (c)(4).

"(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $1,000,000 for each of fiscal years 2008 through 2012.".

(c) REGULATIONS.—The Secretary may promulgate such regulations as are necessary to implement the amendments made by this section.

SEC. 6111. SUBSTANTIALLY UNDERSERVED TRUST AREAS.

The Rural Electrification Act of 1936 is amended by inserting after section 306E (7 U.S.C. 936e) the following:

"SEC. 306F. SUBSTANTIALLY UNDERSERVED TRUST AREAS.

"(a) DEFINITIONS.—In this section:

"(1) SUBSTANTIALLY UNDERSERVED TRUST AREA.—The term 'substantially underserved trust area' means a community in 'trust land' (as defined in section 3765 of title 38, United States Code) in which more than 20 percent of the residents do not have modern, affordable, or reliable utility services, as determined by the Secretary.

"(2) UTILITY SERVICE.—The term 'utility service' means electric, telecommunications, broadband, or water service.

"(b) INITIATIVE.—The Secretary, in consultation with local governments and Federal agencies, may implement an initiative to identify and improve the availability and quality of utility services in communities in substantially underserved trust areas.

"(c) AUTHORITY OF SECRETARY.—In carrying out subsection (b), the Secretary—

"(1) may make available from loan or loan guarantee programs administered by the Rural Utilities Service to qualified utilities or applicants financing with an interest rate as low as 2 percent, and extended repayment terms, for use in facilitating improved utility service in substantially underserved trust areas;

"(2) may waive nonduplication restrictions, matching fund requirements, credit support requirements, or other regulations from any loan or grant program administered by the Rural Utilities Service to facilitate the construction, acquisition, or improvement of infrastructure used to deliver affordable utility services to substantially underserved trust areas;

"(3) may assign the highest funding priority to projects in substantially underserved trust areas;

"(4) shall make any loan or loan guarantee found to be financially feasible to provide service to substantially underserved trust areas; and

"(5) may conduct research and participate in regulatory proceedings to recommend policy changes to enhance utility service in substantially underserved trust areas.

"(d) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, the Secretary shall submit to Congress a report that describes—

"(1) the progress of the initiative implemented under subsection (b); and

"(2) recommendations for any regulatory or legislative changes that would be appropriate to improve services to substantially underserved trust areas.".

SEC. 6112. STUDY OF FEDERAL ASSISTANCE FOR BROADBAND INFRASTRUCTURE.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of—

(1) how the Rural Utilities Service takes into account economic factors in the decisionmaking process of the Service in allocating Federal broadband benefits;

(2) what other considerations the Rural Utilities Service takes into account in making benefit awards;

(3) what economic forces prompt Rural Utilities Service broadband loan applicants to seek Federal funding rather than relying on the private market alone;

(4) how awards made by the Rural Utilities Service of Federal benefits impact the expansion of broadband infrastructure by the private sector; and

(5) what changes to Federal policy are needed to further encourage technology expansion by private broadband service providers.

(b) REPORT.—Not later than 30 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subsection (a), including any findings and recommendations.

Subtitle C—Connect the Nation Act

SEC. 6201. SHORT TITLE.

This subtitle may be cited as the "Connect the Nation Act".

SEC. 6202. GRANTS TO ENCOURAGE STATE INITIATIVES TO IMPROVE BROADBAND SERVICE.

(a) DEFINITIONS.—In this section:

(1) BROADBAND SERVICE.—The term "broadband service" means any service that connects the public to the Internet with a data transmission-rate equivalent that is at least 200 kilobits per second or 200,000 bits per second, or any successor transmission-rate established by the Federal Communications Commission for broadband, in at least 1 direction.

(2) ELIGIBLE ENTITY.—The term "eligible entity" means a nonprofit organization that, in conjunction with State agencies and private sector partners, carries out an initiative under the section to identify and track the availability and adoption of broadband services within States.

(3) NONPROFIT ORGANIZATION.—The term "nonprofit organization" means an organization that—

(A) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of that Code;

(B) has net earnings that do not inure to the benefit of any member, founder, contributor, or individual associated with the organization;

(C) has an established record of competence and working with public and private sectors to accomplish widescale deployment and adoption of broadband services and information technology; and

(D) has a board of directors that does not have a majority of individuals who are employed by, or otherwise associated with, any Federal, State, or local government or agency.

(4) SECRETARY.—The term "Secretary" means the Secretary of Commerce.

(b) PROGRAM.—The Secretary shall award grants to eligible entities to pay the Federal share of the cost of the development and implementation of statewide initiatives to identify and track the availability and adoption of broadband services within States.

(c) PURPOSES.—The purpose of a grant made this section shall be—

(1) to ensure, to the maximum extent practicable, that all citizens and businesses in States have access to affordable and reliable broadband service;

(2) to promote improved technology literacy, increased computer ownership, and home broadband use among those citizens and businesses;

(3) to establish and empower local grassroots technology teams in States to plan for improved technology use across multiple community sectors; and

(4) to establish and sustain an environment that supports broadband services and information technology investment.

(d) ELIGIBILITY.—To be eligible to receive a grant for an initiative under this section, an eligible entity shall—

(1) submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require; and

(2) provide matching non-Federal funds in an amount that is equal to not less than 20 percent of the total cost of the initiative.

(e) COMPETITIVE BASIS.—Grants under this section shall be awarded on a competitive basis.

(f) PEER REVIEW.—

(1) IN GENERAL.—The Secretary shall require technical and scientific peer review of applications for grants under this section.

(2) REVIEW PROCEDURES.—The Secretary shall require that any technical and scientific peer review group—

(A) be provided a written description of the grant to be reviewed;

(B) provide the results of any review by the group to the Secretary; and

(C) certify that the group will enter into such voluntary nondisclosure agreements as are necessary to prevent the unauthorized disclosure of confidential and propriety information provided by broadband service providers in connection with projects funded by a grant under this section.

(g) USE OF FUNDS.—A grant awarded to an eligible entity under this section shall be used—

(1) to provide a baseline assessment of broadband service deployment in 1 or more participating States;

(2) to identify and track—

(A) areas in the participating States that have low levels of broadband service deployment;

(B) the rate at which individuals and businesses adopt broadband service and other related information technology services; and

(C) possible suppliers of the services;

(3) to identify barriers to the adoption by individuals and businesses of broadband service and related information technology services, including whether—

(A) the demand for the services is absent; and

(B) the supply for the services is capable of meeting the demand for the services;

(4) to create and facilitate in each county or designated region in the participating States a local technology planning team—

(A) with members representing a cross section of communities, including representatives of business, telecommunications labor organizations, K-12 education, health care, libraries, higher education, community-based organizations, local government, tourism, parks and recreation, and agriculture; and

(B) that shall—

(i) benchmark technology use across relevant community sectors;

(ii) set goals for improved technology use within each sector; and

(iii) develop a tactical business plan for achieving the goals of the team, with specific recommendations for online application development and demand creation;

(5) to work collaboratively with broadband service providers and information technology companies to encourage deployment and use, especially in unserved, underserved,

and rural areas, through the use of local demand aggregation, mapping analysis, and the creation of market intelligence to improve the business case for providers to deploy;

(6) to establish programs to improve computer ownership and Internet access for unserved, underserved, and rural populations;

(7) to collect and analyze detailed market data concerning the use and demand for broadband service and related information technology services;

(8) to facilitate information exchange regarding the use and demand for broadband services between public and private sectors; and

(9) to create within the participating States a geographic inventory map of broadband service that shall—

(A) identify gaps in the service through a method of geographic information system mapping of service availability at the census block level; and

(B) provide a baseline assessment of statewide broadband deployment in terms of households with high-speed availability.

(h) Participation Limitation.—For each participating State, an eligible entity may not receive a new grant under this section to carry out the activities described in subsection (g) within the participating State if the eligible entity obtained prior grant awards under this section to carry out the same activities in the participating State for each of the previous 4 fiscal years.

(i) Report.—Each recipient of a grant under this section shall submit to the Secretary a report describing the use of the funds provided by the grant.

(j) No Regulatory Authority.—Nothing in this section provides any public or private entity with any regulatory jurisdiction or oversight authority over providers of broadband services or information technology.

(k) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $40,000,000 for each of fiscal years 2008 through 2012.

Subtitle D—Food, Agriculture, Conservation, and Trade Act of 1990

SEC. 6301. RURAL ELECTRONIC COMMERCE EXTENSION PROGRAM.

Section 1670(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5923(e)) is amended by striking "2007" and inserting "2012".

SEC. 6302. TELEMEDICINE, LIBRARY CONNECTIVITY, PUBLIC TELEVISION, AND DISTANCE LEARNING SERVICES IN RURAL AREAS.

(a) In General.—Chapter 1 of subtitle D of title XXII of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa et seq.) is amended in the chapter heading by striking "**AND DISTANCE LEARNING**" and inserting "**, LIBRARY CONNECTIVITY, PUBLIC TELEVISION, AND DISTANCE LEARNING**".

(b) Purpose.—Section 2331 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa) is amended by striking "telemedicine services and distance learning" and inserting "telemedicine services, library connectivity, and distance learning".

(c) Definitions.—Section 2332 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa-1) is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (2) through (4), respectively; and

(2) by inserting before paragraph (2) (as so redesignated) the following:

"(1) Connectivity.—The term 'connectivity' means the ability to use a range of high-speed digital services or networks.".

(d) Telemedicine, Library Connectivity, and Distance Learning Services in Rural Areas.—Section 2333 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa-2) is amended—

(1) in the section heading, by striking "**AND DISTANCE LEARNING**" and inserting "**, LIBRARY CONNECTIVITY, PUBLIC TELEVISION, AND DISTANCE LEARNING**";

(2) in subsection (a), by striking "construction of facilities and systems to provide telemedicine services and distance learning services" and inserting "construction and use of facilities and systems to provide telemedicine services, library connectivity, distance learning services, and public television station digital conversion";

(3) in subsection (b), by striking paragraph (2) and inserting the following:

"(2) Form.—The Secretary shall establish by notice the amount of the financial assistance available to applicants in the form of grants, costs of money loans, combinations of grants and loans, or other financial assistance so as to—

"(A)(i) further the purposes of this chapter; and

"(ii) in the case of loans, result in the maximum feasible repayment to the Federal Government of the loan; and

"(B) to ensure that funds made available to carry out this chapter are used to the maximum extent practicable to assist useful and needed projects.";

(4) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "financial assistance" and inserting "assistance in the form of grants";

(ii) in subparagraph (A), by striking "and" at the end;

(iii) in subparagraph (B)—

(I) by striking "service or distance" and inserting "services, library connectivity services, public television station digital conversion, or distance";

(II) by striking the period at the end and inserting a semicolon; and

(III) by adding at the end the following:

"(C) libraries or library support organizations;

"(D) public television stations and the parent organizations of public television stations; and

"(E) schools, libraries, and other facilities operated by the Bureau of Indian Affairs or the Indian Health Service.";

(B) in paragraph (4), by striking "services or distance" and inserting "service, library connectivity, public television station digital conversion, or distance"; and

(C) by adding at the end the following:

"(5) Public television grants.—The Secretary shall establish a separate competitive process to determine the allocation of grants under this chapter to public television stations.";

(5) in subsection (d)—

(A) in the matter preceding paragraph (1), by inserting "1 or more of" after "considering";

(B) in paragraph (12), by striking "and" at the end;

(C) by redesignating paragraph (13) as paragraph (14); and

(D) by inserting after paragraph (12) the following:

"(13) the cost and availability of high-speed network access; and";

(6) by striking subsection (f) and inserting the following:

"(f) Use of Funds.—Financial assistance provided under this chapter shall be used for—

"(1) the development, acquisition, and digital distribution of instructional programming to rural users;

"(2) the development and acquisition, through lease or purchase, of computer hardware and software, audio and visual equipment, computer network components, telecommunications terminal equipment, telecommunications transmission facilities, data terminal equipment, or interactive video equipment, teleconferencing equipment, or other facilities that would further telemedicine services, library connectivity, or distance learning services;

"(3) the provision of technical assistance and instruction for the development or use of the programming, equipment, or facilities referred to in paragraphs (1) and (2);

"(4) the acquisition of high-speed network transmission equipment or services that would not otherwise be available or affordable to the applicant;

"(5) costs relating to the coordination and collaboration among and between libraries on connectivity and universal service initiatives, or the development of multi-library connectivity plans that benefit rural users; or

"(6) other uses that are consistent with this chapter, as determined by the Secretary."; and

(7) in subsection (i)—

(A) in paragraph (1), by striking "telemedicine or distance" and inserting "telemedicine, library connectivity, public television station digital conversion, or distance"; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking "telemedicine or distance" and inserting "telemedicine, library connectivity, or distance"; and

(ii) in subparagraph (B), by inserting "nonproprietary information contained in" before "the applications".

(e) Administration.—Section 2334 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa-3) is amended—

(1) in subsection (a), by striking "services or distance" and inserting "services, library connectivity, or distance"; and

(2) in subsection (d), by striking "or distance learning" and all that follows through the end of the subsection and inserting ", library connectivity, or distance learning services through telecommunications in rural areas.".

(f) Authorization of Appropriations.—Section 2335A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa-5) is amended by striking "2007" and inserting "2012".

(g) Conforming Amendment.—Section 1(b) of Public Law 102–551 (7 U.S.C. 950aaa note; Public Law 102–551) is amended by striking "2007" and inserting "2012".

Subtitle E—Miscellaneous

SEC. 6401. VALUE-ADDED AGRICULTURAL PRODUCT MARKET DEVELOPMENT GRANTS.

(a) Definitions.—Section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note; Public Law 106–224) is amended by striking subsection (a) and inserting the following:

"(a) Definitions.—In this section:

"(1) Assisting organization.—The term 'assisting organization' means a nonprofit organization, institution of higher education, or units of government with expertise, as determined by the Secretary, to assist eligible producers and entities described in subsection (b)(1) through—

"(A) the provision of market research, training, or technical assistance; or

"(B) the development of supply networks for value-added products that strengthen the profitability of small and mid-sized family farms.

"(2) TECHNICAL ASSISTANCE.—The term 'technical assistance' means managerial, financial, operational, and scientific analysis and consultation to assist an individual or entity (including a recipient or potential recipient of a grant under this section)—

"(A) to identify and evaluate practices, approaches, problems, opportunities, or solutions; and

"(B) to assist in the planning, implementation, management, operation, marketing, or maintenance of projects authorized under this section.

"(3) VALUE-ADDED AGRICULTURAL PRODUCT.—

"(A) IN GENERAL.—The term 'value-added agricultural product' means any agricultural commodity or product that—

"(i)(I) has undergone a change in physical state;

"(II) was produced in a manner that enhances the value of the agricultural commodity or product, as demonstrated through a business plan that shows the enhanced value, as determined by the Secretary; or

"(III) is physically segregated in a manner that results in the enhancement of the value of the agricultural commodity or product; and

"(ii) as a result of the change in physical state or the manner in which the agricultural commodity or product was produced, marketed, or segregated—

"(I) the customer base for the agricultural commodity or product has been expanded; and

"(II) a greater portion of the revenue derived from the marketing, processing, or physical segregation of the agricultural commodity or product is available to the producer of the commodity or product.

"(B) INCLUSION.—The term 'value-added agricultural products' includes—

"(i) farm- or ranch-based renewable energy, including the sale of E-85 fuel; and

"(ii) the aggregation and marketing of locally-produced agricultural food products.".

(b) GRANT PROGRAM.—Section 231(b) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note; Public Law 106-224) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking "exceed $500,000" and inserting "exceed—

"(i) $300,000 in the case of grants including working capital; and

"(ii) $100,000 in the case of all other grants."; and

(B) by adding at the end the following:

"(C) RESEARCH, TRAINING, TECHNICAL ASSISTANCE, AND OUTREACH.—The amount of grant funds provided to an assisting organization for a fiscal year may not exceed 10 percent of the total amount of funds that are used to make grants for the fiscal year under this subsection.";

(2) in paragraph (3)—

(A) in subparagraph (A), by striking "or" at the end;

(B) in subparagraph (B), by striking the period at the end and inserting "; or"; and

(C) by adding at the end the following:

"(C) to conduct market research, provide training and technical assistance, develop supply networks, or provide program outreach."; and

(3) by striking paragraph (4) and inserting the following:

"(4) TERM.—A grant under this section shall have a term that does not exceed 3 years.

"(5) SIMPLIFIED APPLICATION.—The Secretary shall offer a simplified application form and process for project proposals requesting less than $50,000.

"(6) PRIORITY.—

"(A) IN GENERAL.—In awarding grants, the Secretary shall give the priority to projects that—

"(i) contribute to increasing opportunities for beginning farmers or ranchers, socially disadvantaged farmers or ranchers, and operators of small- and medium-sized farms and ranches that are not larger than family farms; and

"(ii) support new ventures that do not have well-established markets or product development staffs and budgets, including the development of local food systems and the development of infrastructure to support local food systems.

"(B) PARTICIPATION.—To the maximum extent practicable, the Secretary shall provide grants to projects that provide training and outreach activities in areas that have, as determined by the Secretary, received relatively fewer grants than other areas.

"(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection for each of fiscal years 2008 through 2012.".

SEC. 6402. STUDY OF RAILROAD ISSUES.

(a) IN GENERAL.—The Secretary, in coordination with the Secretary of Transportation, shall conduct a study of railroad issues regarding the movement of agricultural products, domestically-produced renewable fuels, and domestically-produced resources for the production of electricity in rural areas of the United States and for economic development in rural areas of the United States.

(b) ISSUE.—In conducting the study, the Secretary shall include an examination of—

(1) the importance of freight railroads to—

(A) the delivery of equipment, seed, fertilizer, and other products that are important to the development of agricultural commodities and products;

(B) the movement of agricultural commodities and products to market; and

(C) the delivery of ethanol and other renewable fuels;

(2) the sufficiency in rural areas of the United States of—

(A) railroad capacity;

(B) competition in the railroad system; and

(C) the reliability of rail service; and

(3) the accessibility to rail customers in rural areas of the United States to Federal processes for the resolution of rail customer grievances with the railroads.

(c) REPORT.—Not later than 270 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes—

(1) the results of the study conducted under this section; and

(2) the recommendations of the Secretary for new Federal policies to address any problems identified by the study.

SEC. 6403. INSURANCE OF LOANS FOR HOUSING AND RELATED FACILITIES FOR DOMESTIC FARM LABOR.

Section 514(f)(3) of the Housing Act of 1949 (42 U.S.C. 1484(f)(3)) is amended by striking "or the handling of such commodities in the unprocessed stage" and inserting ", the handling of agricultural or aquacultural commodities in the unprocessed stage, or the processing of agricultural or aquacultural commodities".

TITLE VII—RESEARCH AND RELATED MATTERS

Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977

SEC. 7001. DEFINITIONS.

Section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103) is amended—

(1) in paragraph (4)—

(A) by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively;

(B) by striking "(4) The terms" and inserting the following:

"(4) COLLEGE AND UNIVERSITY.—

"(A) IN GENERAL.—The terms"; and

(C) by adding at the end the following:

"(B) INCLUSIONS.—The terms 'college' and 'university' include a research foundation maintained by a college or university described in subparagraph (A).";

(2) by redesignating paragraphs (6) through (8), (9) through (14), (15), and (16) as paragraphs (7) through (9), (11) through (16), (19), and (6), respectively, and moving the paragraphs so as to appear in alphabetical order;

(3) by inserting after paragraph (9) (as redesignated by paragraph (2)) the following:

"(10) HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES.—The term 'Hispanic-serving agricultural colleges and universities' means a college or university that—

"(A) qualifies as a Hispanic-serving institution; and

"(B) offers associate, bachelor's, or other accredited degree programs in agriculture-related fields."; and

(4) by striking paragraph (11) (as so redesignated) and inserting the following:

"(11) HISPANIC-SERVING INSTITUTION.—The term 'Hispanic-serving institution' has the meaning given the term in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).".

SEC. 7002. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.

Section 1408(h) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(h)) is amended by striking "2007" and inserting "2012".

SEC. 7003. VETERINARY MEDICINE LOAN REPAYMENT.

Section 1415A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3151a) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

"(d) REGULATIONS.—Not later than 270 days after the date of enactment of the Food and Energy Security Act of 2007, the Secretary shall promulgate regulations to carry out this section.".

SEC. 7004. ELIGIBILITY OF UNIVERSITY OF THE DISTRICT OF COLUMBIA FOR GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURAL SCIENCES EDUCATION.

Section 1417 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152) is amended—

(1) in the matter preceding paragraph (1) of subsection (b), by inserting "(including the University of the District of Columbia)" after "land-grant colleges and universities"; and

(2) in subsection (d)(2), by inserting "(including the University of the District of Columbia)" after "universities".

SEC. 7005. GRANTS TO 1890 INSTITUTIONS TO EXPAND EXTENSION CAPACITY.

Section 1417(b)(4) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(b)(4)) is amended by striking "teaching and research" and inserting "teaching, research, and extension".

SEC. 7006. EXPANSION OF FOOD AND AGRICULTURAL SCIENCES AWARDS.

Section 1417(i) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(i)) is amended—

(1) in the subsection heading, by striking "TEACHING AWARDS " and "TEACHING, EXTENSION, AND RESEARCH AWARDS"; and

(2) by striking paragraph (1) and inserting the following:

"(1) ESTABLISHMENT.—

"(A) IN GENERAL.—The Secretary shall establish a National Food and Agricultural Sciences Teaching, Extension, and Research Awards program to recognize and promote excellence in teaching, extension, and research in the food and agricultural sciences at a college or university.

"(B) MINIMUM REQUIREMENT.—The Secretary shall make at least 1 cash award in each fiscal year to a nominee selected by the Secretary for excellence in each of the areas of teaching, extension, and research of food and agricultural science at a college or university.".

SEC. 7007. GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURAL SCIENCES EDUCATION.

(a) EDUCATION TEACHING PROGRAMS.—Section 1417(j) of the National Agricultural Research, Extension and Teaching Policy Act of 1977 (7 U.S.C. 3152(j)) is amended—

(1) in the subsection heading, by striking "AND 2-YEAR POSTSECONDARY EDUCATION TEACHING PROGRAMS" and inserting ", 2-YEAR POSTSECONDARY EDUCATION, AND AGRICULTURE IN THE K–12 CLASSROOM"; and

(2) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking "and institutions of higher education that award an associate's degree" and inserting ", institutions of higher education that award an associate's degree, other institutions of higher education, and nonprofit organizations";

(B) in subparagraph (E), by striking "and" at the end;

(C) in subparagraph (F), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

"(G) to support current agriculture in the classroom programs for grades K–12.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1417(l) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(l)) is amended by striking "2007" and inserting "2012".

(c) REPORT.—Section 1417 of the National Agricultural Research, Extension and Teaching Policy Act of 1977 (7 U.S.C. 3152) is amended—

(1) by redesignating subsection (l) as subsection (m); and

(2) by inserting after subsection (k) the following:

"(l) REPORT.—The Secretary shall submit an annual report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate describing the distribution of funds used to implement teaching programs under subsection (j).".

SEC. 7008. GRANTS FOR RESEARCH ON PRODUCTION AND MARKETING OF ALCOHOLS AND INDUSTRIAL HYDROCARBONS FROM AGRICULTURAL COMMODITIES AND FOREST PRODUCTS.

Section 1419(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3154(d)) is amended by striking "2007" and inserting "2012".

SEC. 7009. POLICY RESEARCH CENTERS.

Section 1419A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3155) is amended—

(1) in subsection (b), by inserting "(including the Food Agricultural Policy Research Institute, the Agricultural and Food Policy Center, the Rural Policy Research Institute, and the Community Vitality Center)" after "research institutions and organizations"; and

(2) in subsection (d), by striking "2007" and inserting "2012".

SEC. 7010. HUMAN NUTRITION INTERVENTION AND HEALTH PROMOTION RESEARCH PROGRAM.

Section 1424(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3174(d)) is amended by striking "2007" and inserting "2012".

SEC. 7011. PILOT RESEARCH PROGRAM TO COMBINE MEDICAL AND AGRICULTURAL RESEARCH.

Section 1424A(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3174a(d)) is amended by striking "2007" and inserting "2012".

SEC. 7012. NUTRITION EDUCATION PROGRAM.

(a) DEFINITIONS.—Section 1425 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175) is amended—

(1) by redesignating subsections (a) through (c) as subsections (b) through (d), respectively;

(2) by striking the section heading and "SEC. 1425." and inserting the following:

"SEC. 1425. NUTRITION EDUCATION PROGRAM.

"(a) DEFINITIONS.—In this section, the terms '1862 Institution' and '1890 Institution' have the meaning given those terms in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601).";

(3) in subsection (b) (as redesignated by paragraph (1)), by striking "The Secretary" and inserting the following:

"(b) ESTABLISHMENT.—The Secretary"; and

(4) in subsection (c) (as so redesignated), by striking "In order to enable" and inserting the following:

"(c) EMPLOYMENT AND TRAINING.—To enable".

(b) FUNDING TO 1862, 1890, AND INSULAR AREA INSTITUTIONS.—Subsection (d) of section 1425 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175) (as redesignated by subsection (a)(1)) is amended—

(1) in the matter preceding paragraph (1), by striking "Beginning" and inserting the following:

"(d) ALLOCATION OF FUNDING.—Beginning"; and

(2) in paragraph (2), by striking subparagraph (B) and inserting the following:

"(B) Notwithstanding section 3(d)(2) of the Act of May 8, 1914 (7 U.S.C. 343(d)(2)), the remainder shall be allocated among the States as follows:

"(i) $100,000 shall be distributed to each 1862 and 1890 land-grant college and university.

"(ii)(I) Subject to subclause (II), of the remainder, 10 percent for fiscal year 2008, 11 percent for fiscal year 2009, 12 percent for fiscal year 2010, 13 percent for fiscal year 2011, 14 percent for fiscal year 2012, and 15 percent for each fiscal year thereafter, shall be distributed among the 1890 Institutions, to be allocated to each 1890 Institution in an amount that bears the same ratio to the total amount to be allocated under this clause as—

"(aa) the population living at or below 125 percent of the income poverty guidelines (as prescribed by the Office of Management and Budget and as adjusted pursuant to section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) in the State in which the 1890 Institution is located; bears to

"(bb) the total population living at or below 125 percent of the income poverty guidelines in all States that have 1890 Institutions, as determined by the last preceding decennial census at the time each such additional amount is first appropriated.

"(II) The total amount allocated under this clause shall not exceed the amount of the funds appropriated for the conduct of the expanded food and nutrition education program for the fiscal year that are in excess of the amount appropriated for the conduct of the program for fiscal year 2007.

"(iii)(I) Subject to subclauses (II) and (III), the remainder shall be allocated to the 1862 institution in each State (including the appropriate insular area institution and the University of the District of Columbia) in an amount that bears the same ratio to the total amount to be allocated under this subparagraph as—

"(aa) the population of the State living at or below 125 percent of the income poverty guidelines prescribed by the Office of Management and Budget (adjusted pursuant to section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2))); bears to

"(bb) the total population of all the States living at or below 125 percent of the income poverty guidelines, as determined by the last preceding decennial census at the time each such additional amount is first appropriated.

"(II) The total amount allocated under this clause to the University of the District of Columbia shall not exceed the amount described in clause (ii)(II), reduced by the amount allocated to the University of the District of Columbia under clause (ii).

"(III) Nothing in this clause precludes the Secretary from developing educational materials and programs for persons in income ranges above the level designated in this clause.".

(c) AUTHORIZATION OF APPROPRIATIONS.—Subsection (d)(3) of section 1425 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175) (as redesignated by subsection (a)(1)) is amended—

(1) by striking "There is" and inserting the following:

"(3) AUTHORIZATION OF APPROPRIATIONS.—There is"; and

(2) by striking "$83,000,000 for each of fiscal years 1996 through 2007" and inserting "$90,000,000 for each of fiscal years 2008 through 2012".

(d) CONFORMING AMENDMENT.—Section 1588(b) of the Food Security Act of 1985 (7 U.S.C. 3175e(b)) is amended by striking "section 1425(c)(2)" and inserting "section 1425(d)(2)".

(e) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2007.

SEC. 7013. CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS.

Section 1433(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195(a)) is amended in the first sentence by striking "2007" and inserting "2012".

SEC. 7014. APPROPRIATIONS FOR RESEARCH ON NATIONAL OR REGIONAL PROBLEMS.

Section 1434(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3196(a)) is amended by striking "2007" and inserting "2012".

SEC. 7015. ANIMAL HEALTH AND DISEASE RESEARCH PROGRAM.

Section 1434(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3196(b)) is amended by inserting after "universities" the following: "(including 1890 Institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601)))".

SEC. 7016. AUTHORIZATION LEVEL FOR EXTENSION AT 1890 LAND-GRANT COLLEGES.

Section 1444(a)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221(a)(2)) is amended by striking "15 percent" and inserting "20 percent".

SEC. 7017. AUTHORIZATION LEVEL FOR AGRICULTURAL RESEARCH AT 1890 LAND-GRANT COLLEGES.

Section 1445(a)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222(a)(2)) is amended by striking "25 percent" and inserting "30 percent".

SEC. 7018. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

Section 1447(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b(b)) is amended by striking "2007" and inserting "2012".

SEC. 7019. GRANTS TO UPGRADE AGRICULTURE AND FOOD SCIENCES FACILITIES AT THE DISTRICT OF COLUMBIA LAND GRANT UNIVERSITY.

The National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended by inserting after section 1447 (7 U.S.C. 3222b) the following:

"SEC. 1447A. GRANTS TO UPGRADE AGRICULTURE AND FOOD SCIENCES FACILITIES AT THE DISTRICT OF COLUMBIA LAND GRANT UNIVERSITY.

"(a) Purpose.—It is the intent of Congress to assist the land grant university in the District of Columbia established under section 208 of the District of Columbia Public Postsecondary Education Reorganization Act (Public Law 93–471; 88 Stat. 1428) in efforts to acquire, alter, or repair facilities or relevant equipment necessary for conducting agricultural research.

"(b) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $750,000 for each of fiscal years 2008 through 2012.".

SEC. 7020. NATIONAL RESEARCH AND TRAINING VIRTUAL CENTERS.

Section 1448 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222c) is amended by striking "2007" each place it appears in subsections (a)(1) and (f) and inserting "2012".

SEC. 7021. MATCHING FUNDS REQUIREMENT FOR RESEARCH AND EXTENSION ACTIVITIES OF 1890 INSTITUTIONS.

Section 1449(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222d(c)) is amended in the first sentence by striking "2007" and inserting "2012.".

SEC. 7022. HISPANIC-SERVING INSTITUTIONS.

Section 1455 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3241) is amended—

(1) in subsection (a) by striking "(or grants without regard to any requirement for competition)";

(2) in subsection (b)—

(A) in paragraph (1), by striking "of consortia";

(B) in paragraph (3), by striking ", beginning with the mentoring of students" and all that follows through "doctoral degree"; and

(C) in paragraph (4)—

(i) by striking "2 or more"; and

(ii) by striking ", or between Hispanic-serving" and all that follows through "the private sector,"; and

(3) in subsection (c)—

(A) by striking "$20,000,000" and inserting "$40,000,000"; and

(B) by striking "2007" and inserting "2012".

SEC. 7023. HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES.

(a) In General.—The National Agricultural Research, Extension and Teaching Policy Act of 1977 is amended by inserting after section 1455 (7 U.S.C. 3241) the following:

"SEC. 1456. HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES.

"(a) Definition of Endowment Fund.—In this section, the term 'endowment fund' means the Hispanic-Serving Agricultural Colleges and Universities Fund established under subsection (b).

"(b) Endowment.—

"(1) In general.—The Secretary of the Treasury shall establish in accordance with this subsection a Hispanic-Serving Agricultural Colleges and Universities Fund.

"(2) Agreements.—The Secretary of the Treasury may enter into such agreements as are necessary to carry out this subsection.

"(3) Deposit to the endowment fund.—The Secretary of the Treasury shall deposit in the endowment fund any—

"(A) amounts made available through Acts of appropriations, which shall be the endowment fund corpus; and

"(B) interest earned on the endowment fund corpus.

"(4) Investments.—The Secretary of the Treasury shall invest the endowment fund corpus and income in interest-bearing obligations of the United States.

"(5) Withdrawals and expenditures.—

"(A) Corpus.—The Secretary of the Treasury may not make a withdrawal or expenditure from the endowment fund corpus.

"(B) Withdrawals.—On September 30, 2008, and each September 30 thereafter, the Secretary of the Treasury shall withdraw the amount of the income from the endowment fund for the fiscal year and warrant the funds to the Secretary of Agriculture who, after making adjustments for the cost of administering the endowment fund, shall distribute the adjusted income as follows:

"(i) 60 percent shall be distributed among the Hispanic-serving agricultural colleges and universities on a pro rata basis based on the Hispanic enrollment count of each institution.

"(ii) 40 percent shall be distributed in equal shares to the Hispanic-serving agricultural colleges and universities.

"(6) Endowments.—Amounts made available under this subsection shall be held and considered to be granted to Hispanic-serving agricultural colleges and universities to establish an endowment in accordance with this subsection.

"(7) Authorization of appropriations.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this subsection for fiscal year 2008 and each fiscal year thereafter.

"(c) Authorization for Annual Payments.—

"(1) In general.—For fiscal year 2008 and each fiscal year thereafter, there are authorized to be appropriated to the Department of Agriculture to carry out this subsection an amount equal to the product obtained by multiplying—

"(A) $80,000; by

"(B) the number of Hispanic-serving agricultural colleges and universities.

"(2) Payments.—For fiscal year 2008 and each fiscal year thereafter, the Secretary of the Treasury shall pay to the treasurer of each Hispanic-Serving agricultural college and university an amount equal to—

"(A) the total amount made available by appropriations under subparagraph (A); divided by

"(B) the number of Hispanic-serving agricultural colleges and universities.

"(3) Use of funds.—

"(A) In general.—Amounts authorized to be appropriated under this subsection shall be used in the same manner as is prescribed for colleges under the Act of August 30, 1890 (commonly known as the 'Second Morrill Act') (7 U.S.C. 321 et seq.).

"(B) Relationship to other law.—Except as otherwise provided in this subsection, the requirements of that Act shall apply to Hispanic-serving agricultural colleges and universities under this section.

"(d) Institutional Capacity-Building Grants.—

"(1) In general.—For fiscal year 2008 and each fiscal year thereafter, the Secretary shall make grants to assist Hispanic-serving agricultural colleges and universities in institutional capacity building (not including alteration, repair, renovation, or construction of buildings).

"(2) Criteria for institutional capacity-building grants.—

"(A) Requirements for grants.—The Secretary shall make grants under this subsection on the basis of a competitive application process under which Hispanic-serving agricultural colleges and universities may submit applications to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(B) Demonstration of need.—

"(i) In general.—As part of an application for a grant under this subsection, the Secretary shall require the applicant to demonstrate need for the grant, as determined by the Secretary.

"(ii) Other sources of funding.—The Secretary may award a grant under this subsection only to an applicant that demonstrates a failure to obtain funding for a project after making a reasonable effort to otherwise obtain the funding.

"(C) Payment of non-federal share.—A grant awarded under this subsection shall be made only if the recipient of the grant pays a non-Federal share in an amount that is specified by the Secretary and based on assessed institutional needs.

"(3) Authorization of appropriations.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this subsection for fiscal year 2008 and each fiscal year thereafter.

"(e) Competitive Grants Program.—

"(1) In general.—The Secretary shall establish a competitive grants program to fund fundamental and applied research at Hispanic-serving agricultural colleges and universities in agriculture, human nutrition, food science, bioenergy, and environmental science.

"(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this subsection for fiscal year 2008 and each fiscal year thereafter.".

(b) EXTENSION.—Section 3 of the Smith-Lever Act (7 U.S.C. 343) is amended—

(1) in subsection (b), by adding at the end the following:

"(4) ANNUAL APPROPRIATION FOR HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES.—

"(A) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this paragraph for fiscal year 2008 and each fiscal year thereafter.

"(B) ADDITIONAL AMOUNT.—Amounts made available under this paragraph shall be in addition to any other amounts made available under this section to States, the Commonwealth of Puerto Rico, or any other territory or possession of the United States.

"(C) ADMINISTRATION.—Amounts made available under this paragraph shall be—

"(i) distributed on the basis of a competitive application process to be developed and implemented by the Secretary and paid by the Secretary to the State institutions established in accordance with the Act of July 2, 1862 (commonly known as the 'First Morrill Act') (7 U.S.C. 301 et seq.); and

"(ii) administered by State institutions through cooperative agreements with the Hispanic-serving agricultural colleges and universities (as defined in section 1456 of the National Agricultural Research, Extension and Teaching Policy Act of 1977) in the State in accordance with regulations promulgated by the Secretary."; and

(2) in subsection (f)—

(A) in the subsection heading, by inserting "AND HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES" after "1994 INSTITUTIONS"; and

(B) by striking "pursuant to subsection (b)(3)" and inserting "or Hispanic-serving agricultural colleges and universities in accordance with paragraphs (3) and (4) of subsection (b)".

SEC. 7024. INTERNATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION.

Section 1458(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3291(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking "and" after the semicolon;

(B) in subparagraph (B), by adding "and" at the end; and

(C) by adding at the end the following:

"(C) giving priority to those institutions with existing memoranda of understanding, agreements, or other formal ties to United States institutions, or Federal or State agencies;";

(2) in paragraph (3), by inserting "Hispanic-serving agricultural colleges and universities," after "universities,";

(3) in paragraph (7)(A), by striking "and land-grant colleges and universities" and inserting ", land-grant colleges and universities, and Hispanic-serving agricultural colleges and universities";

(4) in paragraph (9)—

(A) in subparagraph (A), by striking "or other colleges and universities" and inserting ", Hispanic-serving agricultural colleges and universities, or other colleges and universities"; and

(B) in subparagraph (D), by striking "and" at the end;

(5) in paragraph (10), by striking the period at the end and inserting "; and"; and

(6) by adding at the end the following:

"(11) establish a program for the purpose of providing fellowships to United States or foreign students to study at foreign agricultural colleges and universities working under agreements provided for under paragraph (3).".

SEC. 7025. COMPETITIVE GRANTS FOR INTERNATIONAL AGRICULTURAL SCIENCE AND EDUCATION PROGRAMS.

Section 1459A(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b(c)) is amended by striking "2007" and inserting "2012".

SEC. 7026. INDIRECT COSTS.

Section 1462(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310(a)) is amended by striking "shall not exceed 19 percent" and inserting "shall be the negotiated indirect rate of cost established for an institution by the appropriate Federal audit agency for the institution, not to exceed 30 percent".

SEC. 7027. RESEARCH EQUIPMENT GRANTS.

Section 1462A(e) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310a(e)) is amended by striking "2007" and inserting "2012".

SEC. 7028. UNIVERSITY RESEARCH.

Section 1463 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3311) is amended by striking "2007" each place it appears in subsections (a) and (b) and inserting "2012".

SEC. 7029. EXTENSION SERVICE.

Section 1464 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3312) is amended by striking "2007" and inserting "2012".

SEC. 7030. SUPPLEMENTAL AND ALTERNATIVE CROPS.

Section 1473D(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d(a)) is amended by striking "2007" and inserting "2012".

SEC. 7031. AQUACULTURE RESEARCH FACILITIES.

(a) FISH DISEASE PROGRAM.—Section 1475(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3322(f)) is amended—

(1) by striking "The Secretary" and inserting the following:

"(1) IN GENERAL.—The Secretary"; and

(2) by adding at the end the following:

"(2) VIRAL HEMORRHAGIC SEPTICEMIA.—

"(A) IN GENERAL.—The study of viral hemorrhagic septicemia (referred to in this paragraph as 'VHS') and VHS management shall be considered an area of priority research under this subsection.

"(B) CONSULTATION.—

"(i) IN GENERAL.—The Secretary shall consult with appropriate directors of State natural resource management and agriculture agencies in areas that are VHS positive as of the date of enactment of this paragraph to develop and implement a comprehensive set of priorities for managing VHS, including providing funds for research into the spread and control of the disease, surveillance, monitoring, risk evaluation, enforcement, screening, education and outreach, and management.

"(ii) CONSIDERATION.—The Secretary shall provide special consideration to the recommendations of the directors described in clause (i) in the development of the VHS priorities.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1477 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324) is amended by striking "2007" and inserting "2012".

SEC. 7032. RANGELAND RESEARCH.

(a) GRANTS.—Section 1480(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3333(a)) is amended—

(1) in paragraph (1), by striking "; and" and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(3) pilot programs to coordinate and conduct collaborative projects to address natural resources management issues and facilitate the collection of information and analysis to provide Federal and State agencies, private landowners, and the public with information to allow for improved management of public and private rangeland.".

(b) MATCHING REQUIREMENTS.—Section 1480(b)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3333(b)(2)) is amended by striking "subsection (a)(2)" and inserting "paragraph (2) or (3) of subsection (a)".

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 1483(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3336(a)) is amended by striking "2007" and inserting "2012".

SEC. 7033. SPECIAL AUTHORIZATION FOR BIOSECURITY PLANNING AND RESPONSE.

Section 1484(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3351(a)) is amended by striking "2007" and inserting "2012".

SEC. 7034. RESIDENT INSTRUCTION AND DISTANCE EDUCATION GRANTS PROGRAM FOR INSULAR AREA INSTITUTIONS OF HIGHER EDUCATION.

(a) DISTANCE EDUCATION GRANTS FOR INSULAR AREAS.—Section 1490(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3362(f)) is amended by striking "2007" and inserting "2012".

(b) RESIDENT INSTRUCTION GRANTS FOR INSULAR AREAS.—Section 1491 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363) is amended—

(1) by redesignating subsection (e) as subsection (c); and

(2) in subsection (c) (as so redesignated), by striking "2007" and inserting "2012".

SEC. 7035. FARM MANAGEMENT TRAINING AND PUBLIC FARM BENCHMARKING DATABASE.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended by inserting after section 1467 (7 U.S.C. 3313) the following:

"SEC. 1468. FARM MANAGEMENT TRAINING AND PUBLIC FARM BENCHMARKING DATABASE.

"(a) DEFINITIONS.—In this section:

"(1) BENCHMARK, BENCHMARKING.—The term 'benchmark' or 'benchmarking' means the process of comparing the performance of an agricultural enterprise against the performance of other similar enterprises, through the use of comparable and reliable data, in order to identify business management strengths, weaknesses, and steps necessary to improve management performance and business profitability.

"(2) FARM MANAGEMENT ASSOCIATION.—The term 'farm management association' means a public or nonprofit organization or educational program—

"(A) the purpose of which is to assist farmers, ranchers, and other agricultural operators to improve financial management and business profitability by providing training on farm financial planning and analysis, record keeping, and other farm management topics; and

"(B) that is affiliated with a land-grant college or university, other institution of higher education, or nonprofit entity.

"(3) NATIONAL FARM MANAGEMENT CENTER.—The term 'National Farm Management Center' means a land-grant college or university that, as determined by the Secretary—

"(A) has collaborative partnerships with more than 5 farm management associations that are representative of agricultural diversity in multiple regions of the United States;

"(B) has maintained and continues to maintain farm financial analysis software applicable to the production and management of a wide range of crop and livestock agricultural commodities (including some organic commodities);

"(C) has established procedures that enable producers—

"(i) to benchmark the farms of the producers against peer groups; and

"(ii) to query the benchmarking database by location, farm type, farm size, and commodity at the overall business and individual enterprise levels; and

"(D) has provided and continues to provide public online access to farm and ranch financial benchmarking databases.

"(b) ESTABLISHMENT.—

"(1) IN GENERAL.—The Secretary shall establish a National Farm Management Center to improve the farm management knowledge and skills of individuals directly involved in production agriculture through—

"(A) participation in a farm management education and training program; and

"(B) direct access to a public farm benchmarking database.

"(2) PROPOSALS.—The Secretary shall request proposals from appropriate land-grant colleges and universities for the establishment of a National Farm Management Center in accordance with this section.

"(3) REQUIREMENTS.—The National Farm Management Center established under paragraph (1) shall—

"(A) coordinate standardized financial analysis methodologies for use by farmers, ranchers, other agricultural operators, and farm management associations;

"(B) provide the software tools necessary for farm management associations, farmers, ranchers, and other agricultural operators to perform the necessary financial analyses, including the benchmarking of individual enterprises; and

"(C) develop and maintain a national farm financial database to facilitate those financial analyses and benchmarking that is available online to farmers, ranchers, other agricultural operators, farm management associations, and the public.

"(c) ADMINISTRATIVE EXPENSES.—Not more than 8 percent of the funds made available to carry out this section may be used for the payment of administrative expenses of the Department of Agriculture in carrying out this section.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.".

SEC. 7036. TROPICAL AND SUBTROPICAL AGRICULTURAL RESEARCH.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) is amended by adding at the end the following:

"SEC. 1473E. TROPICAL AND SUBTROPICAL AGRICULTURAL RESEARCH.

"(a) DEFINITION OF CARIBBEAN AND PACIFIC BASINS.—In this section, the term 'Caribbean and Pacific basins', means—

"(1) the States of Florida and Hawaii;

"(2) the Commonwealth of Puerto Rico;

"(3) the United States Virgin Islands;

"(4) Guam;

"(5) American Samoa;

"(6) the Commonwealth of the Northern Mariana Islands;

"(7) the Federated States of Micronesia;

"(8) the Republic of the Marshall Islands; and

"(9) the Republic of Palau.

"(b) ESTABLISHMENT.—The Secretary shall establish a program, to be known as the 'Tropical and Subtropical Agricultural Research Program', to sustain the agriculture and environment of the Caribbean and Pacific basins, by supporting the full range of research relating to food and agricultural sciences in the Caribbean and Pacific basins, with an emphasis on—

"(1) pest management;

"(2) deterring introduction and establishment of invasive species;

"(3) enhancing existing and developing new tropical and subtropical agricultural products; and

"(4) expanding value-added agriculture in tropical and subtropical ecosystems.

"(c) GRANTS.—

"(1) IN GENERAL.—In carrying out this section, the Secretary shall provide grants to be awarded competitively to support tropical and subtropical agricultural research in the Caribbean and Pacific basins.

"(2) ELIGIBLE ENTITIES.—To be eligible to receive a grant, an entity shall be a land-grant college or university, or affiliated with a land-grant college or university, that is located in any region of the Caribbean and Pacific basin.

"(3) REQUIREMENTS.—

"(A) EQUAL AMOUNTS.—The total amount of grants provided under this subsection shall be equally divided between the Caribbean and Pacific basins, as determined by the Secretary.

"(B) RESEARCH INFRASTRUCTURE AND CAPABILITY PRIORITY.—In providing grants under this subsection, the Secretary shall give priority to projects of eligible entities that—

"(i) expand the infrastructure and capability of the region of the eligible entity;

"(ii) scientifically and culturally address regional agricultural and environmental challenges; and

"(iii) sustain agriculture in the region of the eligible entity.

"(C) TERM.—The term of a grant provided under this subsection shall not exceed 5 years.

"(D) PROHIBITIONS.—A grant provided under this subsection shall not be used for the planning, repair, rehabilitation, acquisition, or construction of any building or facility.

"(d) FUNDING.—

"(1) SET-ASIDE.—Not less than 25 percent of the funds made available to carry out this section during a fiscal year shall be used to support programs and services that—

"(A) address the pest management needs of a region in the Caribbean and Pacific basins; or

"(B) minimize the impact to a region in the Caribbean and Pacific basins of invasive species.

"(2) ADMINISTRATIVE COSTS.—The Secretary shall use not more than 4 percent of the funds made available under subsection (e) for administrative costs incurred by the Secretary in carrying out this section.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section such sums as are necessary for each of fiscal years 2008 through 2012.".

SEC. 7037. REGIONAL CENTERS OF EXCELLENCE.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) (as amended by section 7036) is amended by adding at the end the following:

"SEC. 1473F. REGIONAL CENTERS OF EXCELLENCE.

"(a) PURPOSES.—The purposes of this section are—

"(1) to authorize regional centers of excellence for specific agricultural commodities; and

"(2) to develop a national, coordinated program of research, teaching, and extension for commodities that will—

"(A) be cost effective by reducing duplicative efforts regarding research, teaching, and extension;

"(B) leverage available resources by using public/private partnerships among industry groups, institutions of higher education, and the Federal Government;

"(C) increase the economic returns to agricultural commodity industries by identifying, attracting, and directing funds to high-priority industry issues; and

"(D) more effectively disseminate industry issue solutions to target audiences through web-based extension information, instructional courses, and educational or training modules.

"(b) DEFINITIONS.—In this section:

"(1) AGRICULTURAL COMMODITY.—The term 'agricultural commodity' has the meaning given the term in section 513 of the Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7412).

"(2) LAND-GRANT COLLEGES AND UNIVERSITIES.—The term 'land-grant colleges and universities' means—

"(A) 1862 Institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601));

"(B) 1890 Institutions (as defined in section 2 of that Act); and

"(C) 1994 Institutions (as defined in section 2 of that Act).

"(c) ESTABLISHMENT.—

"(1) ORIGINAL COMPOSITION.—The Secretary shall establish regional centers of excellence for specific agricultural commodities that are each comprised of—

"(A) a lead land-grant college or university; and

"(B) 1 or more member land-grant colleges and universities that provide financial support to the regional center of excellence.

"(2) BOARD OF DIRECTORS.—Each regional center of excellence shall be administered by a board of directors consisting of 15 members, as determined by the lead and member land-grant colleges and universities of the center.

"(3) ADDITIONAL DIRECTORS AND INSTITUTIONS.—Each board of directors of a regional center of excellence may—

"(A) designate additional land-grant colleges and universities as members of the center; and

"(B) designate representatives of the additional land-grant colleges and universities and agriculture industry groups to be additional members of the board of directors.

"(d) PROGRAMS.—Each regional center of excellence shall achieve the purposes of this section through—

"(1) research initiatives focused on issues pertaining to the specific agricultural commodity;

"(2) teaching initiatives at lead and member land-grant colleges and universities to provide intensive education relating to the specific agricultural commodity; and

"(3) extension initiatives focusing on an internet-based information gateway to provide for relevant information development, warehousing, and delivery.

"(e) FUNDING.—

"(1) IN GENERAL.—Each regional center of excellence shall be funded through the use of—

"(A) grants made by the Secretary; and

"(B) matching funds provided by land-grant colleges and universities and agriculture industry groups.

"(2) PROCESS.—The board of directors of each regional center of excellence shall have the responsibility for submitting grant proposals to the Secretary to carry out the research, education, and extension program activities described in subsection (d).

"(3) TERM OF GRANT.—The term of a grant under this subsection may not exceed 5 years.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary for each of fiscal years 2008 through 2012.".

SEC. 7038. NATIONAL DROUGHT MITIGATION CENTER.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) (as amended by section 7037) is amended by adding at the end the following:

"SEC. 1473G. NATIONAL DROUGHT MITIGATION CENTER.

"(a) IN GENERAL.—The Secretary shall offer to enter into an agreement with the National Drought Mitigation Center, under which the Center shall—

"(1) continue to produce the United States Drought Monitor;

"(2) maintain a clearinghouse and internet portal on drought; and

"(3) develop new drought mitigation and preparedness strategies, responses, models, and methodologies for the agricultural community.

"(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each fiscal year.".

SEC. 7039. AGRICULTURAL DEVELOPMENT IN THE AMERICAN-PACIFIC REGION.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) (as amended by section 7038) is amended by adding at the end the following:

"SEC. 1473H. AGRICULTURAL DEVELOPMENT IN THE AMERICAN-PACIFIC REGION.

"(a) DEFINITIONS.—In this section:

"(1) AMERICAN-PACIFIC REGION.—The term 'American-Pacific region' means the region encompassing—

"(A) American Samoa;

"(B) Guam;

"(C) the Commonwealth of the Northern Mariana Islands;

"(D) the Federated States of Micronesia;

"(E) the Republic of the Marshall Islands;

"(F) the Republic of Palau;

"(G) the State of Hawaii; and

"(H) the State of Alaska.

"(2) CONSORTIUM.—The term 'consortium' means a collaborative group that—

"(A) is composed of each eligible institution; and

"(B) submits to the Secretary an application for a grant under subsection (b)(2).

"(3) ELIGIBLE INSTITUTION.—The term 'eligible institution' means a land-grant college or university that is located in the American-Pacific region.

"(b) AGRICULTURAL DEVELOPMENT IN THE AMERICAN PACIFIC GRANTS.—

"(1) IN GENERAL.—The Secretary may make grants to a consortium of eligible institutions to carry out integrated research, extension, and instruction programs in support of food and agricultural sciences.

"(2) APPLICATION.—To receive a grant under paragraph (1), a consortium of eligible institutions shall submit to the Secretary an application that includes—

"(A) for each eligible institution, a description of each objective, procedure, and proposed use of funds relating to any funds provided by the Secretary to the consortium under paragraph (1); and

"(B) the method of allocation proposed by the consortium to distribute to each eligible institution any funds provided by the Secretary to the consortium under paragraph (1).

"(3) USE OF FUNDS.—

"(A) IN GENERAL.—An eligible institution that receives funds through a grant under paragraph (1) shall use the funds—

"(i) to acquire the equipment, instrumentation, networking capability, hardware and software, digital network technology, and infrastructure required to integrate research, extension, and instruction programs in the American-Pacific region;

"(ii) to develop and provide support for conducting research, extension, and instruction programs in support of food and agricultural sciences relevant to the American-Pacific region, with special emphasis on—

"(I) the management of pests; and

"(II) the control of the spread of invasive alien species; and

"(iii) to provide leadership development to administrators, faculty, and staff of the eligible institution with responsibility for programs relating to agricultural research, extension, and instruction.

"(B) PROHIBITED USES.—An eligible institution that receives funds through a grant under paragraph (1) may not use the funds for any cost relating to the planning, acquisition, construction, rehabilitation, or repair of any building or facility of the eligible institution.

"(4) GRANT TERM.—A grant under paragraph (1) shall have a term of not more than 5 years.

"(5) ADMINISTRATION.—

"(A) AUTHORITY OF SECRETARY.—The Secretary may carry out this section in a manner that recognizes the different needs of, and opportunities for, each eligible institution.

"(B) ADMINISTRATIVE COSTS.—The Secretary shall use not more than 4 percent of the amount appropriated under subsection (d) for a fiscal year to pay administrative costs incurred in carrying out this section.

"(c) NO EFFECT ON DISTRIBUTION OF FUNDS.—Nothing in this section affects any basis for distribution of funds by a formula in existence on the date of enactment of this section relating to—

"(1) the Federated States of Micronesia;

"(2) the Republic of the Marshall Islands; or

"(3) the Republic of Palau.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.".

SEC. 7040. BORLAUG INTERNATIONAL AGRICULTURAL SCIENCE AND TECHNOLOGY FELLOWSHIP PROGRAM.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) (as amended by section 7039) is amended by adding at the end the following:

"SEC. 1473I. BORLAUG INTERNATIONAL AGRICULTURAL SCIENCE AND TECHNOLOGY FELLOWSHIP PROGRAM.

"(a) FELLOWSHIP PROGRAM.—

"(1) IN GENERAL.—The Secretary shall establish a fellowship program, to be known as the 'Borlaug International Agricultural Science and Technology Fellowship Program,' to provide fellowships for scientific training and study in the United States to individuals from eligible countries (as described in subsection (b)) who specialize in agricultural education, research, and extension.

"(2) PROGRAMS.—The Secretary shall carry out the fellowship program by implementing 3 programs designed to assist individual fellowship recipients, including—

"(A) a graduate studies program in agriculture to assist individuals who participate in graduate agricultural degree training at a United States institution;

"(B) an individual career improvement program to assist agricultural scientists from developing countries in upgrading skills and understanding in agricultural science and technology; and

"(C) a Borlaug agricultural policy executive leadership course to assist senior agricultural policy makers from eligible countries, with an initial focus on individuals from sub-Saharan Africa and the newly independent states of the former Soviet Union.

"(b) ELIGIBLE COUNTRIES.—An eligible country is a developing country, as determined by the Secretary using a gross national income per capita test selected by the Secretary.

"(c) PURPOSE OF FELLOWSHIPS.—A fellowship provided under this section shall—

"(1) promote food security and economic growth in eligible countries by—

"(A) educating a new generation of agricultural scientists;

"(B) increasing scientific knowledge and collaborative research to improve agricultural productivity; and

"(C) extending that knowledge to users and intermediaries in the marketplace; and

"(2) shall support—

"(A) training and collaborative research opportunities through exchanges for entry level international agricultural research scientists, faculty, and policymakers from eligible countries;

"(B) collaborative research to improve agricultural productivity;

"(C) the transfer of new science and agricultural technologies to strengthen agricultural practice; and

"(D) the reduction of barriers to technology adoption.

"(d) FELLOWSHIP RECIPIENTS.—

"(1) ELIGIBLE CANDIDATES.—The Secretary may provide fellowships under this section to individuals from eligible countries who specialize in or have experience in agricultural education, research, extension, or related fields, including—

"(A) individuals from the public and private sectors; and

"(B) private agricultural producers.

"(2) CANDIDATE IDENTIFICATION.—The Secretary shall use the expertise of United States land grant colleges and universities and similar universities, international organizations working in agricultural research and outreach, and national agricultural research organizations to help identify program candidates for fellowships under this section from the public and private sectors of eligible countries.

"(e) USE OF FELLOWSHIPS.—A fellowship provided under this section shall be used—

"(1) to promote collaborative programs among agricultural professionals of eligible countries, agricultural professionals of the United States, the international agricultural research system, and, as appropriate, United States entities conducting research; and

"(2) to support fellowship recipients through programs described in subsection (a)(2).

"(f) PROGRAM IMPLEMENTATION.—The Secretary shall provide for the management, coordination, evaluation, and monitoring of the overall Borlaug International Agricultural Science and Technology Fellowship Program and for the individual programs described in subsection (a)(2), except that the Secretary may contract out to 1 or more collaborating universities the management of 1 or more of the fellowship programs.

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section, to remain available until expended.".

SEC. 7041. NEW ERA RURAL TECHNOLOGY PROGRAM.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) (as amended by section 7040) is amended by adding at the end the following:

"SEC. 1473J. NEW ERA RURAL TECHNOLOGY PROGRAM.

"(a) DEFINITION OF RURAL COMMUNITY COLLEGE.—In this section, the term 'rural community college' means an institution of higher education that—

"(1) admits as regular students individuals who—

"(A) are beyond the age of compulsory school attendance in the State in which the institution is located; and

"(B) have the ability to benefit from the training offered by the institution, in accordance with criteria established by the Secretary;

"(2) does not provide an educational program for which it awards a bachelor's degree or an equivalent degree;

"(3)(A) provides an educational program of not less than 2 years that is acceptable for full credit toward such a degree; or

"(B) offers a 2-year program in engineering, technology, mathematics, or the physical, chemical or biological sciences that is designed to prepare a student to work as a technician or at the semiprofessional level in engineering, scientific, or other technological fields requiring the understanding and application of basic engineering, scientific, or mathematical principles of knowledge; and

"(4) is located in a rural area (as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)).

"(b) PROGRAM.—

"(1) IN GENERAL.—The Secretary shall establish a program, to be known as the 'New Era Rural Technology Program', under which the Secretary shall make grants available for technology development, applied research, and training to aid in the development of an agriculture-based renewable energy workforce.

"(2) FIELDS.—In making grants under the program, the Secretary shall support the fields of—

"(A) bioenergy;

"(B) pulp and paper manufacturing; and

"(C) agriculture-based renewable energy resources.

"(c) ELIGIBILITY.—To be eligible to receive a grant under this section, an entity shall—

"(1) be a rural community college or advanced technological center (as determined by the Secretary), in existence on the date of the enactment of this section, that participates in agricultural or bioenergy research and applied research;

"(2) have a proven record of development and implementation of programs to meet the needs of students, educators, business, and industry to supply the agriculture-based, renewable energy, or pulp and paper manufacturing fields with certified technicians, as determined by the Secretary; and

"(3) have the ability to leverage existing partnerships and occupational outreach and training programs for secondary schools, 4-year institutions, and relevant nonprofit organizations.

"(d) GRANT PRIORITY.—In making grants under this section, the Secretary shall give preference to rural community colleges working in partnership—

"(1) to improve information sharing capacity; and

"(2) to maximize the ability of eligible recipients to meet the purposes of this section.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.".

SEC. 7042. FARM AND RANCH STRESS ASSISTANCE NETWORK.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) (as amended by section 7041) is amended by adding at the end the following:

"SEC. 1473K. FARM AND RANCH STRESS ASSISTANCE NETWORK.

"(a) IN GENERAL.—The Secretary, in cooperation with the Secretary of Health and Human Services, shall establish a network, to be known as the 'Farm and Ranch Stress Assistance Network' (referred to in this section as the 'Network').

"(b) PURPOSE.—The purpose the network shall be to provide behavioral health programs to participants in the agricultural sector in the United States.

"(c) GRANTS.—The Secretary, in collaboration with the extension service at the National Institute of Food and Agriculture, shall provide grants on a competitive basis to States and nonprofit organizations for use in carrying out pilot projects to achieve the purpose of the Network.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.".

SEC. 7043. RURAL ENTREPRENEURSHIP AND ENTERPRISE FACILITATION PROGRAM.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) (as amended by section 7042) is amended by adding at the end the following:

"SEC. 1473L. RURAL ENTREPRENEURSHIP AND ENTERPRISE FACILITATION PROGRAM.

"(a) DEFINITION OF REGIONAL RURAL DEVELOPMENT CENTER.—In this section, the term 'regional rural development center' means—

"(1) the North Central Regional Center for Rural Development (or a designee);

"(2) the Northeast Regional Center for Rural Development (or a designee);

"(3) the Southern Rural Development Center (or a designee); and

"(4) the Western Rural Development Center (or a designee).

"(b) PROJECTS.—The Secretary shall carry out research, extension, and education projects to obtain data, convey knowledge, and develop skills through projects that—

"(1) transfer practical, reliable, and timely information to rural entrepreneurs and rural entrepreneurial development organizations concerning business management, business planning, microenterprise, marketing, entrepreneurial education and training, and the development of local and regional entrepreneurial systems in rural areas and rural communities;

"(2) provide education, training, and technical assistance to newly-operational and growing rural businesses;

"(3) improve access to diverse sources of capital, such as microenterprise loans and venture capital;

"(4) determine the best methods to train entrepreneurs with respect to preparing business plans, recordkeeping, tax rules, financial management, and general business practices;

"(5) promote entrepreneurship among—

"(A) rural youth, minority, and immigrant populations;

"(B) women; and

"(C) low- and moderate-income rural residents;

"(6) create networks of entrepreneurial support through partnerships among rural entrepreneurs, local business communities, all levels of government, nonprofit organizations, colleges and universities, and other sectors;

"(7) study and facilitate entrepreneurial development systems that best align with the unique needs and strengths of particular rural areas and communities; and

"(8) explore promising strategies for building an integrated system of program delivery to rural entrepreneurs.

"(c) AGREEMENTS.—To carry out projects under subsection (b), the Secretary shall provide grants to—

"(1) land-grant colleges and universities, including cooperative extension services, agricultural experiment stations, and regional rural development centers;

"(2) other colleges and universities;

"(3) community, junior, technical, and vocational colleges and other 2-year institutions of higher education, and post-secondary business and commerce schools;

"(4) elementary schools and secondary schools;

"(5) nonprofit organizations; and

"(6) Federal, State, local, and tribal governmental entities.

"(d) SELECTION AND PRIORITY OF PROJECTS.—

"(1) IN GENERAL.—In selecting projects to be carried out under this section, the Secretary shall take into consideration—

"(A) the relevance of the project to the purposes of this section;

"(B) the appropriateness of the design of the project;

"(C) the likelihood of achieving the objectives of the project; and

"(D) the national or regional applicability of the findings and outcomes of the project.

"(2) PRIORITY.—In carrying out projects under this section, the Secretary shall give priority to projects that—

"(A) enhance widespread access to entrepreneurial education, including access to such education in community-based settings for low- and moderate-income entrepreneurs and potential entrepreneurs;

"(B) closely coordinate research and education activities, including outreach education efforts;

"(C) indicate the manner in which the findings of the project will be made readily usable to rural entrepreneurs and to rural community leaders;

"(D) maximize the involvement and cooperation of rural entrepreneurs; and

"(E) involve cooperation and partnerships between rural entrepreneurs, nonprofit organizations, entrepreneurial development organizations, educational institutions at all levels, and government agencies at all levels.

"(e) COMPETITIVE BASIS.—Grants under this section shall be awarded on a competitive basis, in accordance with such criteria as the national administrative council established under subsection (j)(1) may establish.

"(f) TERM.—The term of a grant provided under this section shall be not more than 5 years.

"(g) LIMITATION.—Not more than 20 percent of the total amount of grants provided under this section shall be provided to projects in which cooperative extension services are involved as the sole or lead entity of the project.

"(h) DIVERSIFICATION OF RESEARCH, EXTENSION, AND EDUCATION PROJECTS.—The Secretary shall carry out projects under this section in areas that the Secretary determines to be broadly representative of the diversity of the rural areas of the United States, and of rural entrepreneurship in the United States, including entrepreneurship involving youth, minority populations, microenterprise, and women, with a focus on nonagricultural businesses or food and agriculturally-based businesses, but not direct agriculture production.

"(i) ADMINISTRATION.—The Secretary shall administer projects carried out under this section acting through the Administrator of the National Institute of Food and Agriculture.

"(j) NATIONAL ADMINISTRATIVE COUNCIL.—

"(1) ESTABLISHMENT.—The Secretary shall establish, in accordance with this subsection, a national administrative council to assist the Secretary in carrying out this section.

"(2) MEMBERSHIP.—The membership of the national administrative council shall include—

"(A) qualified representatives of entities with demonstrable expertise relating to rural entrepreneurship, including representatives of—

"(i) the Cooperative State Research, Education, and Extension Service;

"(ii) the Rural Business-Cooperative Service;

"(iii) the Small Business Administration;

"(iv) regional rural development centers;

"(v) nonprofit organizations;

"(vi) regional and State agencies;

"(vii) cooperative extension services;

"(viii) colleges and universities;

"(ix) philanthropic organizations; and

"(x) Indian tribal governments;

"(B) self-employed rural entrepreneurs and owners of rural small businesses;

"(C) elementary and secondary educators that demonstrate experience in rural entrepreneurship; and

"(D) other persons with experience relating to rural entrepreneurship and the impact of rural entrepreneurship on rural communities.

"(3) RESPONSIBILITIES.—In collaboration with the Secretary, the national administrative council established under this subsection shall—

"(A) promote the projects carried out under this section;

"(B) establish goals and criteria for the selection of projects under this section;

"(C)(i) appoint a technical committee to evaluate project proposals to be considered by the council; and

"(ii) make recommendations of the technical committee to the Secretary; and

"(D) prepare and make publicly available an annual report relating to each applicable project carried out under this section, including a review of projects carried out during the preceding year.

"(4) CONFLICT OF INTEREST.—A member of the national administrative council or a technical committee shall not participate in any determination relating to, or recommendation of, a project proposed to be carried out under this section if the member has had any business interest (including the provision of consulting services) in the project or the organization submitting the application.

"(k) AUTHORIZATION FOR APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of the fiscal years 2008 through 2012.".

SEC. 7044. SEED DISTRIBUTION.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) (as amended by section 7043) is amended by adding at the end the following:

"SEC. 1473M. SEED DISTRIBUTION.

"(a) ESTABLISHMENT.—The Secretary shall establish a program, to be known as the 'seed distribution program', under which the Secretary shall provide a grant to a nonprofit organization selected under subsection (c) to carry out a seed distribution program to administer and maintain the distribution of vegetable seeds donated by commercial seed companies.

"(b) PURPOSE.—The purpose of the seed distribution program under this section shall be to distribute vegetable seeds donated by commercial seed companies.

"(c) SELECTION OF NONPROFIT ORGANIZATIONS.—

"(1) IN GENERAL.—The nonprofit organization selected to receive a grant under subsection (a) shall demonstrate to the satisfaction of the Secretary that the organization—

"(A) has expertise regarding distribution of vegetable seeds donated by commercial seed companies; and

"(B) has the ability to achieve the purpose of the seed distribution program.

"(2) PRIORITY.—In selecting a nonprofit organization for purposes of this section, the Secretary shall give priority to a nonprofit organization that, as of the date of selection, carries out an activity to benefit underserved communities, such as communities that experience—

"(A) limited access to affordable fresh vegetables;

"(B) a high rate of hunger or food insecurity; or

"(C) severe or persistent poverty.

"(d) REQUIREMENT.—The nonprofit organization selected under this section shall ensure that seeds donated by commercial seed companies are distributed free-of-charge to appropriate—

"(1) individuals;

"(2) groups;

"(3) institutions;

"(4) governmental and nongovernmental organizations; and

"(5) such other entities as the Secretary may designate.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.".

SEC. 7045. FARM AND RANCH SAFETY.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) (as amended by section 7044) is amended by adding at the end the following:

"SEC. 1473N. FARM AND RANCH SAFETY.

"(a) IN GENERAL.—The Secretary shall establish a program, to be known as the 'agricultural safety program', under which the Secretary shall provide grants to eligible entities to carry out projects to decrease the incidence of injury and death on farms and ranches.

"(b) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

"(1) a nonprofit organization;

"(2) a land-grant college or university (including a cooperative extension service);

"(3) a minority-serving institution;

"(4) a 2-year or 4-year institution of higher education; or

"(5) such other entity as the Secretary may designate.

"(c) ELIGIBLE PROJECTS.—An eligible entity shall use a grant received under this section only to carry out—

"(1) a project at least 1 component of which emphasizes—

"(A) preventative service through on-site farm or ranch safety reviews;

"(B) outreach and dissemination of farm safety research and interventions to agricultural employers, employees, youth, farm and ranch families, seasonal workers, or other individuals; or

"(C) agricultural safety education and training; and

"(2) other appropriate activities, as determined by the Secretary;

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.".

SEC. 7046. WOMEN AND MINORITIES IN STEM FIELDS.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) (as amended by section 7045) is amended by adding at the end the following:

"SEC. 1473O. WOMEN AND MINORITIES IN STEM FIELDS.

"(a) ESTABLISHMENT.—The Secretary shall establish a program under which the Secretary, in coordination with applicable Federal, State, and local programs, shall provide grants to eligible institutions to increase, to the maximum extent practicable, participation by women and underrepresented minorities from rural areas (as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))), in science, technology, engineering, and mathematics fields (referred to in this section as 'STEM fields').

"(b) ACTIVITIES.—In carrying out the program established under subsection (a), the Secretary shall—

"(1) implement multitrack technology career advancement training programs and provide related services to engage, and encourage participation by, women and underrepresented minorities in STEM fields;

"(2) develop and administer training programs for educators, career counselors, and industry representatives in recruitment and retention strategies to increase and retain women and underrepresented minority students and job entrants into STEM fields; and

"(3) support education-to-workforce programs for women and underrepresented minorities to provide counseling, job shadowing, mentoring, and internship opportunities to guide participants in the academic, training, and work experience needed for STEM careers.

"(c) INSTITUTIONS.—

"(1) GRANTS.—The Secretary shall carry out the program under this section at such institutions as the Secretary determines to be appropriate by providing grants, on a competitive basis, to the institutions.

"(2) PRIORITY.—In providing grants under paragraph (1), the Secretary shall give priority, to the maximum extent practicable, to institutions carrying out continuing programs funded by the Secretary.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.".

SEC. 7047. NATURAL PRODUCTS RESEARCH PROGRAM.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) (as amended by section 7046) is amended by adding at the end the following:

"SEC. 1473P. NATURAL PRODUCTS RESEARCH PROGRAM.

"(a) IN GENERAL.—The Secretary shall establish a natural products research program.

"(b) DUTIES.—In carrying out the program established under subsection (a), the Secretary shall coordinate research relating to natural products, including—

"(1) research to improve human health and agricultural productivity through the discovery, development, and commercialization of pharmaceuticals and agrichemicals from bioactive natural products, including products from plant, marine, and microbial sources;

"(2) research to characterize the botanical sources, production, chemistry, and biological properties of plant-derived natural products important for agriculture and medicine; and

"(3) other research priorities identified by the Secretary.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary for each of fiscal years 2008 through 2012.".

SEC. 7048. INTERNATIONAL ANTI-HUNGER AND NUTRITION PROGRAM.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) (as amended by section 7047) is amended by adding at the end the following:

"SEC. 1473Q. INTERNATIONAL ANTI-HUNGER AND NUTRITION.

"(a) IN GENERAL.—The Secretary shall provide support to established nonprofit organizations that focus on promoting research concerning—

"(1) anti-hunger and improved nutrition efforts internationally; and

"(2) increased quantity, quality, and availability of food.

"(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for each of fiscal years 2008 through 2012.".

SEC. 7049. CONSORTIUM FOR AGRICULTURAL AND RURAL TRANSPORTATION RESEARCH AND EDUCATION.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) (as amended by section 7048) is amended by adding at the end the following:

"SEC. 1473R. CONSORTIUM FOR AGRICULTURAL AND RURAL TRANSPORTATION RESEARCH AND EDUCATION.

"(a) IN GENERAL.—Subject to the availability of appropriations to carry out this section, the Secretary, acting through the Agricultural Marketing Service, shall award grants to the Consortium for Agricultural and Rural Transportation Research and Education for the purpose of funding prospective, independent research, education, and technology transfer activities.

"(b) ACTIVITIES.—Activities funded with grants made under subsection (a) shall focus on critical rural and agricultural transportation and logistics issues facing agricultural producers and other rural businesses, including—

"(1) issues relating to the relationship between renewable fuels and transportation;

"(2) export promotion issues based on transportation strategies for rural areas;

"(3) transportation and rural business facility planning and location issues;

"(4) transportation management and supply chain management support issues;

"(5) rural road planning and finance issues;

"(6) advanced transportation technology applications in a rural area; and

"(7) creation of a national agricultural marketing and rural business transportation database.

"(c) REPORT.—Not later than September 30, 2011, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

"(1) describes the activities of Consortium for Agricultural and Rural Transportation Research and Education that have been funded through grants made under this section; and

"(2) contains recommendations about the grant program.

"(d) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $19,000,000 for each of fiscal years 2008 through 2012.

"(2) ADMINISTRATIVE EXPENSES.—Of the total amount made available under paragraph (1), not more than $1,000,000 may be used by the Agricultural Marketing Service for administrative expenses incurred in carrying out this section.".

Subtitle B—Food, Agriculture, Conservation, and Trade Act of 1990

SEC. 7101. NATIONAL GENETIC RESOURCES PROGRAM.

(a) IN GENERAL.—Section 1632 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5841) is amended—

(1) by striking subsection (b) and inserting the following:

"(b) PURPOSE.—The program is established for the purpose of—

"(1) maintaining and enhancing a program providing for the collection, preservation, and dissemination of plant, animal, and microbial genetic material of importance to food and agriculture production in the United States; and

"(2) undertaking long-term research on plant and animal breeding and disease resistance."; and

(2) in subsection (d)—

(A) in paragraph (5), by striking "and" at the end;

(B) by redesignating paragraph (6) as paragraph (7); and

(C) by inserting after paragraph (5) the following:

"(6) in conjunction with national programs for plant and animal genetic resources, undertake long-term research on plant and animal breeding, including the development of varieties adapted to sustainable and organic farming systems, and disease resistance; and".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1635(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5844(b)) is amended by striking "2007" and inserting "2012".

SEC. 7102. HIGH-PRIORITY RESEARCH AND EXTENSION INITIATIVES.

Section 1672 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925) is amended—

(1) in subsection (e), by adding at the end the following:

"(46) COLONY COLLAPSE DISORDER AND POLLINATOR RESEARCH PROGRAM.—Research and extension grants may be made to—

"(A) survey and collect data on bee colony production and health;

"(B) investigate pollinator biology, immunology, ecology, genomics, and bioinformatics;

"(C) conduct research on various factors that may be contributing to or associated with colony collapse disorder, and other serious threats to the health of honey bees and other pollinators, including—

"(i) parasites and pathogens of pollinators; and

"(ii) the sublethal effects of insecticides, herbicides, and fungicides on honey bees and native and managed pollinators;

"(D) develop mitigative and preventative measures to improve native and managed pollinator health; and

"(E) promote the health of honey bees and native pollinators through habitat conservation and best management practices.

"(47) MARINE SHRIMP FARMING PROGRAM.—Research and extension grants may be made to establish a research program to advance and maintain a domestic shrimp farming industry in the United States.

"(48) CRANBERRY RESEARCH PROGRAM.—Research and extension grants may be made to study new technologies to assist cranberry growers in complying with Federal and State environmental regulations, increase cranberry production, develop new growing techniques, establish more efficient growing methodologies, and educate farmers about sustainable growth practices.

"(49) TURFGRASS RESEARCH INITIATIVE.—Research and extension grants may be made to study the production of turfgrass (including the use of water, fertilizer, pesticides, fossil fuels, and machinery for turf establishment and maintenance) and environmental protection and enhancement relating to turfgrass production.

"(50) PESTICIDE SAFETY RESEARCH INITIATIVE.—Research grants may be made to study pesticide safety for migrant and seasonal agricultural workers, including research on increased risks of cancer or birth defects among migrant or seasonal farmworkers and their children, identification of objective biological indicators, and development of inexpensive clinical tests to enable clinicians to diagnose overexposure to pesticides, and development of field-level tests to determine when pesticide-treated fields are safe to reenter to perform hand labor activities.

"(51) SWINE GENOME PROJECT.—Research grants may be made under this section to conduct swine genome research and to map the swine genome.

"(52) HIGH PLAINS AQUIFER REGION.—Research and extension grants may be made to carry out interdisciplinary research relating to diminishing water levels and increased demand for water in the High Plains aquifer region encompassing the States of Colorado, Kansas, Nebraska, New Mexico, Oklahoma, South Dakota, Texas, and Wyoming.

"(53) CELLULOSIC FEEDSTOCK TRANSPORTATION AND DELIVERY INITIATIVE.—Research and extension grants may be made to study new technologies for the economic post-harvest densification, handling, transportation, and delivery of cellulosic feedstocks for bioenergy conversion.

"(54) DEER INITIATIVE.—Research and extension grants may be made to support collaborative research focusing on the development of viable strategies for the prevention, diagnosis, and treatment of infectious, parasitic, and toxic diseases of farmed deer and the mapping of the deer genome.

"(55) PASTURE-BASED BEEF SYSTEMS FOR APPALACHIA RESEARCH INITIATIVE.—Research and extension grants may be made to land-grant institutions—

"(A) to study the development of forage sequences and combinations for cow-calf, heifer development, stocker, and finishing systems;

"(B) to deliver optimal nutritive value for efficient production of cattle for pasture finishing;

"(C) to optimize forage systems to produce pasture finished beef that is acceptable to consumers;

"(D) to develop a 12-month production and marketing model cycle for forage-fed beef; and

"(E) to assess the effect of forage quality on reproductive fitness and related measures."; and

(2) in subsection (h), by striking "2007" and inserting "2012, of which $20,000,000 shall be used for each fiscal year to make grants described in subsection (e)(46)".

SEC. 7103. NUTRIENT MANAGEMENT RESEARCH AND EXTENSION INITIATIVE.

Section 1672A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925a) is amended—

(1) by redesignating subsection (g) as subsection (f); and

(2) in subsection (f) (as so redesignated), by striking "2007" and inserting "2012".

SEC. 7104. ORGANIC AGRICULTURE RESEARCH AND EXTENSION INITIATIVE.

Section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b) is amended by striking subsection (e) and inserting the following:

"(e) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $16,000,000 for each of fiscal years 2008 through 2012, to remain available until expended.".

SEC. 7105. AGRICULTURAL TELECOMMUNICATIONS PROGRAM.

Section 1673(h) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5926(h)) is amended by striking "2007" and inserting "2012".

SEC. 7106. ASSISTIVE TECHNOLOGY PROGRAM FOR FARMERS WITH DISABILITIES.

Section 1680(c)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5933(c)(1)) is amended by striking "2007" and inserting "2012".

SEC. 7107. NATIONAL RURAL INFORMATION CENTER CLEARINGHOUSE.

Section 2381(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 3125b(e)) is amended by striking "2007" and inserting "2012".

Subtitle C—Agricultural Research, Extension, and Education Reform Act of 1998

SEC. 7201. INITIATIVE FOR FUTURE AGRICULTURE AND FOOD SYSTEMS.

(a) FUNDING.—Section 401(b) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621(b)) is amended by striking paragraph (3) and inserting the following:

"(3) OTHER FUNDING.—

"(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $200,000,000 for each of fiscal years 2008 through 2012.

"(B) SHORTAGE OF FUNDS.—Notwithstanding any other provision of law, during any year for which funds are not made available under this subsection, the Secretary shall use not less than 80 percent of the funds made available for competitive mission-linked systems research grants under section 2(b)(10)(B) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(10)(B)) to carry out a competitive grant program under the same terms and conditions as are provided under this section.".

(b) PURPOSES.—Section 401(c) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621(c)) is amended—

(1) in paragraph (1)(D), by striking "policy"; and

(2) in paragraph (2)—

(A) by striking subparagraphs (A) and (D);

(B) by redesignating subparagraphs (B), (C), (E), and (F) as subparagraphs (A), (B), (F), and (G), respectively;

(C) by inserting after subparagraph (B) the following:

"(C) sustainable and renewable agriculture-based energy production options and policies;

"(D) environmental services and outcome-based conservation programs and markets;

"(E) agricultural and rural entrepreneurship and business and community development, including farming and ranching opportunities for beginning farmers or ranchers;"; and

(D) in subparagraph (F) (as redesignated by subparagraph (B))—

(i) by inserting "and environmental" after "natural resource"; and

(ii) by inserting "agro-ecosystems and" after "including"; and

(E) in subparagraph (G) (as redesignated by subparagraph (B))—

(i) by striking "including the viability" and inserting the following: "including—

"(i) the viability"; and

(ii) by striking "operations." and inserting the following: "operations;

"(ii) farm transition options for retiring farmers or ranchers; and

"(iii) farm transfer and entry alternatives for beginning or socially-disadvantaged farmers or ranchers.".

SEC. 7202. PARTNERSHIPS FOR HIGH-VALUE AGRICULTURAL PRODUCT QUALITY RESEARCH.

Section 402(g) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7622(g)) is amended by striking "2007" and inserting "2012".

SEC. 7203. PRECISION AGRICULTURE.

Section 403(i)(1) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7623(i)(1)) is amended by striking "2007" and inserting "2012".

SEC. 7204. BIOBASED PRODUCTS.

(a) PILOT PROJECT.—Section 404(e)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7624(e)(2)) is amended by striking "2007" and inserting "2012".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 404(h) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7624(h)) is amended by striking "2007" and inserting "2012".

SEC. 7205. THOMAS JEFFERSON INITIATIVE FOR CROP DIVERSIFICATION.

Section 405(h) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7625(h)) is amended by striking "2007" and inserting "2012".

SEC. 7206. INTEGRATED RESEARCH, EDUCATION, AND EXTENSION COMPETITIVE GRANTS PROGRAM.

Section 406(f) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626(f)) is amended by striking "2007" and inserting "2012".

SEC. 7207. SUPPORT FOR RESEARCH REGARDING DISEASES OF WHEAT, TRITICALE, AND BARLEY CAUSED BY FUSARIUM GRAMINEARUM OR BY TILLETIA INDICA.

Section 408(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7628(e)) is amended by striking "2007" and inserting "2012".

SEC. 7208. BOVINE JOHNE'S DISEASE CONTROL PROGRAM.

Section 409(b) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7629(b)) is amended by striking "2007" and inserting "2012".

SEC. 7209. GRANTS FOR YOUTH ORGANIZATIONS.

Section 410(c) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7630(c)) is amended by striking "2007" and inserting "2012".

SEC. 7210. AGRICULTURAL BIOTECHNOLOGY RESEARCH AND DEVELOPMENT FOR DEVELOPING COUNTRIES.

Section 411(c) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7631(c)) is amended by striking "2007" and inserting "2012".

SEC. 7211. SPECIALTY CROP RESEARCH INITIATIVE.

Title IV of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621 et seq.) is amended by adding at the end the following:

"SEC. 412. SPECIALTY CROP RESEARCH INITIATIVE.

"(a) DEFINITIONS.—In this section:

"(1) INITIATIVE.—The term 'Initiative' means the specialty crop research initiative established by subsection (b).

"(2) SPECIALTY CROP.—The term 'specialty crop' has the meaning given the term in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465).

"(b) ESTABLISHMENT.—There is established within the Department a specialty crop research initiative.

"(c) PURPOSE.—The purpose of the Initiative shall be to address the critical needs of the specialty crop industry by providing science-based tools to address needs of specific crops and regions, including—

"(1) fundamental and applied work in plant breeding, genetics, and genomics to improve crop characteristics, such as—

"(A) product appearance, quality, taste, yield, and shelf life;

"(B) environmental responses and tolerances;

"(C) plant-nutrient uptake efficiency resulting in improved nutrient management;

"(D) pest and disease management, including resilience to pests and diseases resulting in reduced application management strategies; and

"(E) enhanced phytonutrient content;

"(2) efforts to prevent, identify, control, or eradicate invasive species;

"(3) methods of improving agricultural production by developing more technologically-efficient and effective applications of water, nutrients, and pesticides to reduce energy use;

"(4) new innovations and technology to enhance mechanization and reduce reliance on labor;

"(5) methods of improving production efficiency, productivity, sustainability, and profitability over the long term;

"(6) methods to prevent, control, and respond to human pathogen contamination of specialty crops, including fresh-cut produce; and

"(7) efforts relating to optimizing the production of organic specialty crops.

"(d) Eligible Entities.—The Secretary may carry out the Initiative through—

"(1) Federal agencies;

"(2) national laboratories;

"(3) institutions of higher education;

"(4) research institutions and organizations;

"(5) private organizations and corporations;

"(6) State agricultural experiment stations; and

"(7) individuals.

"(e) Research Projects.—In carrying out this section, the Secretary may—

"(1) carry out research; and

"(2) award grants on a competitive basis.

"(f) Priorities.—In making grants under this section, the Secretary shall provide a higher priority to projects that—

"(1) are multistate, multi-institutional, or multidisciplinary; and

"(2) include explicit mechanisms to communicate usable results to producers and the public.

"(g) Funding.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $16,000,000 for each of fiscal years 2008 through 2012, to remain available until expended.".

SEC. 7212. OFFICE OF PEST MANAGEMENT POLICY.

(a) In General.—Section 614(b) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7653(b)) is amended—

(1) in the matter preceding paragraph (1), by striking "Department" and inserting "Office of the Chief Economist";

(2) in paragraph (1), by striking "the development and coordination" and inserting "the development, coordination, and representation"; and

(3) in paragraph (3), by striking "assisting other agencies of the Department in fulfilling their" and inserting "enabling the Secretary to fulfill the statutory".

(b) Authorization of Appropriations.—Section 614(f) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7653(f)) is amended by striking "2007" and inserting "2012".

SEC. 7213. FOOD ANIMAL RESIDUE AVOIDANCE DATABASE PROGRAM.

Section 604 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7642) is amended by adding at the end the following:

"(e) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $2,500,000 for each of fiscal years 2008 through 2012.".

Subtitle D—Other Laws

SEC. 7301. CRITICAL AGRICULTURAL MATERIALS ACT.

Section 16(a) of the Critical Agricultural Materials Act (7 U.S.C. 178n(a)) is amended by striking "2007" and inserting "2012".

SEC. 7302. EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.

(a) Definition of 1994 Institutions.—Section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended by adding at the end the following:

"(34) Ilisagvik College.".

(b) Endowment for 1994 Institutions.—Section 533(b) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended in the first sentence by striking "2007" and inserting "2012".

(c) Institutional Capacity Building Grants.—Section 535 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended by striking "2007" each place it appears and inserting "2012".

(d) Research Grants.—Section 536(c) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended in the first sentence by striking "2007" and inserting "2012".

SEC. 7303. SMITH-LEVER ACT.

(a) Children, Youth, and Families Education and Research Network Program.—Section 3 of the Smith-Lever Act (7 U.S.C. 343) is amended by adding at the end the following:

"(k) Children, Youth, and Families Education and Research Network Program.—Notwithstanding section 3(d)(2) of the Act of May 8, 1914 (7 U.S.C. 343(d)(2)), in carrying out the children, youth, and families education and research network program using amounts made available under subsection (d), the Secretary shall include 1890 Institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601)) as eligible program applicants and participants.".

(b) Elimination of the Governor's Report Requirement for Extension Activities.—Section 5 of the Smith-Lever Act (7 U.S.C. 345) is amended by striking the third sentence.

SEC. 7304. HATCH ACT OF 1887.

(a) District of Columbia.—Section 3(d)(4) of the Hatch Act of 1887 (7 U.S.C. 361c(d)(4)) is amended—

(1) in the paragraph heading, by inserting "AND THE DISTRICT OF COLUMBIA" after "AREAS";

(2) in subparagraph (A)—

(A) by inserting "and the District of Columbia" after "United States"; and

(B) by inserting "and the District of Columbia" after "respectively,"; and

(3) in subparagraph (B), by inserting "or the District of Columbia" after "area".

(b) Elimination of Penalty Mail Authorities.—

(1) In general.—Section 6 of the Hatch Act of 1887 (7 U.S.C. 361f) is amended in the first sentence by striking "under penalty indicia:" and all that follows through the end of the sentence and inserting a period.

(2) Conforming amendments in other laws.—

(A) National agricultural research, extension, and teaching policy act of 1977.—

(i) Section 1444(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221(f)) is amended by striking "under penalty indicia:" and all that follows through the end of the sentence and inserting a period.

(ii) Section 1445(e) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222(e)) is amended by striking "under penalty indicia:" and all that follows through the end of the sentence and inserting a period.

(B) Other provisions.—Section 3202(a) of title 39, United States Code, is amended—

(i) in paragraph (1)—

(I) in subparagraph (D), by adding "and" at the end;

(II) in subparagraph (E), by striking "sections; and" and inserting "sections."; and

(III) by striking subparagraph (F);

(ii) in paragraph (2), by adding "and" at the end;

(iii) in paragraph (3) by striking "thereof; and" and inserting "thereof."; and

(iv) by striking paragraph (4).

SEC. 7305. RESEARCH FACILITIES ACT.

Section 6(a) of the Research Facilities Act (7 U.S.C. 390d(a)) is amended by striking "2007" and inserting "2012".

SEC. 7306. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT AMENDMENTS OF 1985.

Section 1431 of the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985 (Public Law 99–198; 99 Stat. 1556) is amended by striking "2007" and inserting "2012".

SEC. 7307. COMPETITIVE, SPECIAL, AND FACILITIES RESEARCH GRANT ACT.

The Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i) is amended in subsection (b)—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "in the areas" and all that follows through "needs shall be" and inserting ", as"; and

(ii) by striking "year." and inserting "year, relating to—";

(B) in subparagraph (E), by striking "and" at the end and inserting "; agricultural genomics and biotechnology, including the application of genomics and bioinformatics tools to develop traits in plants and animals (translational genomics);";

(C) in subparagraph (F), by striking the period at the end and inserting ", including areas of concern to beginning farmers or ranchers; and"; and

(D) by adding at the end the following:

"(G) classical plant and animal breeding, including cultivar and breed development, selection theory, applied quantitative genetics, breeding for organic and sustainable systems, breeding for improved nutritional and eating quality, breeding for improved local adaptation to biotic stress, abiotic stress, and climate change, and participatory breeding with farmers and end users.";

(2) in paragraph (4)—

(A) by striking "The" and inserting the following:

"(A) In general.—Subject to subparagraph (B), the"; and

(B) by adding at the end the following:

"(B) Classical plant and animal breeding.—

"(i) TERM.—The term of a competitive grant relating to classical plant and animal breeding under paragraph (2)(G) shall not exceed 10 years.

"(ii) AVAILABILITY.—Funds made available for a fiscal year for a competitive grant relating to classical plant and animal breeding under paragraph (2)(G) shall remain available until expended to pay for obligations incurred in that fiscal year."; and

(3) in paragraph (10), by striking "2007" and inserting "2012".

SEC. 7308. EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.

Section 759 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000 (7 U.S.C. 3242) is amended—

(1) in subsection (a)(3), by striking "2006" and inserting "2012"; and

(2) in subsection (b)—

(A) in paragraph (2)(A), by inserting before the semicolon at the end the following: ", including permitting consortia to designate fiscal agents for the members of the consortia and to allocate among the members funds made available under this section"; and

(B) in paragraph (3), by striking "2006" and inserting "2012".

SEC. 7309. BEGINNING FARMER AND RANCHER DEVELOPMENT PROGRAM.

(a) GRANTS.—Section 7405(c) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (I), by inserting ", including energy conservation and efficiency" after "assistance"; and

(B) in subparagraph (K), by inserting ", including transition to organic and other source-verified and value-added alternative production and marketing systems" after "strategies";

(2) by striking paragraph (3) and inserting the following:

"(3) MAXIMUM TERM AND SIZE OF GRANT.—

"(A) IN GENERAL.—A grant under this subsection shall—

"(i) have a term that is not more than 3 years; and

"(ii) be in an amount that is not more than $250,000 a year.

"(B) CONSECUTIVE GRANTS.—An eligible recipient may receive consecutive grants under this subsection.";

(3) by redesignating paragraphs (5) through (7) as paragraphs (9) through (11), respectively;

(4) by inserting after paragraph (4) the following:

"(5) EVALUATION CRITERIA.—In making grants under this subsection, the Secretary shall evaluate—

"(A) relevancy;

"(B) technical merit;

"(C) achievability;

"(D) the expertise and track record of 1 or more applicants;

"(E) the adequacy of plans for the participatory evaluation process, outcome-based reporting, and the communication of findings and results beyond the immediate target audience; and

"(F) other appropriate factors, as determined by the Secretary.

"(6) REGIONAL BALANCE.—In making grants under this subsection, the Secretary shall, to the maximum extent practicable, ensure geographic diversity.

"(7) ORGANIC CONVERSION.—The Secretary may make grants under this subsection to support projects that provide comprehensive technical assistance to beginning farmers or ranchers who are in the process of converting to certified organic production.

"(8) PRIORITY.—In making grants under this subsection, the Secretary shall give priority to partnerships and collaborations that are led by or include non-governmental and community-based organizations with expertise in new farmer training and outreach."; and

(5) in paragraph (9) (as redesignated by paragraph (3))—

(A) in subparagraph (B), by striking "and" at the end;

(B) in subparagraph (C), by striking the period and adding "; and"; and

(C) by adding at the end the following:

"(D) refugee or immigrant beginning farmers or ranchers".

(b) EDUCATION TEAMS.—Section 7405(d)(2) of the Farm Security and Rural Investment At of 2002 (7 U.S.C. 3319f(d)(2)) is amended by inserting ", including sustainable and organic farming production and marketing methods" before the period at the end.

(c) STAKEHOLDER INPUT.—Section 7405(f) of the Farm Security and Rural Investment At of 2002 (7 U.S.C. 3319f(f)) is amended—

(1) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(2) by striking "In carrying out" and inserting the following:

"(1) IN GENERAL.—In carrying out"; and

(3) by adding at the end the following:

"(2) REVIEW PANELS.—In forming review panels to evaluate proposals submitted under this section, the Secretary shall include individuals from the categories described in paragraph (1).".

(d) FUNDING.—Section 7405 of the Farm Security and Rural Investment At of 2002 (7 U.S.C. 3319f) is amended by striking subsection (h) and inserting the following:

"(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $30,000,000 for each of fiscal years 2002 through 2012.".

SEC. 7310. MCINTIRE-STENNIS COOPERATIVE FORESTRY ACT.

Section 2 of Public Law 87–788 (commonly known as the "McIntire-Stennis Cooperative Forestry Act") (16 U.S.C. 582a–1) is amended by inserting "and 1890 Institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601))," before "and (b)".

SEC. 7311. NATIONAL AQUACULTURE ACT OF 1980.

Section 10 of the National Aquaculture Act of 1980 (16 U.S.C. 2809) is amended by striking "2007" each place it appears and inserting "2012".

SEC. 7312. NATIONAL ARBORETUM.

The Act of March 4, 1927 (20 U.S.C. 191 et seq.), is amended by adding at the end the following:

"SEC. 7. CONSTRUCTION OF A CHINESE GARDEN AT NATIONAL ARBORETUM.

"A Chinese Garden may be constructed at the National Arboretum established under this Act with—

"(1) funds accepted under section 5;

"(2) authorities provided to the Secretary of Agriculture under section 6; and

"(3) appropriations made for this purpose.".

SEC. 7313. ELIGIBILITY OF UNIVERSITY OF THE DISTRICT OF COLUMBIA FOR CERTAIN LAND-GRANT UNIVERSITY ASSISTANCE.

Section 208 of the District of Columbia Public Postsecondary Education Reorganization Act (Public Law 93–471; 88 Stat. 1428) is amended—

(1) in subsection (b)(2), by striking ", except" and all that follows through the period and inserting a period; and

(2) in subsection (c)—

(A) by striking "section 3" each place it appears and inserting "section 3(c)"; and

(B) by striking "Such sums may be used to pay" and all that follows through "work.".

SEC. 7314. EXCHANGE OR SALE AUTHORITY.

Title III of the Department of Agriculture Reorganization Act of 1994 is amended by adding after section 307 (7 U.S.C. 2204 note; Public Law 103–354) (as amended by section 2602) the following:

"SEC. 308. EXCHANGE OR SALE AUTHORITY.

"(a) DEFINITION OF QUALIFIED ITEMS OF PERSONAL PROPERTY.—In this section, the term 'qualified items of personal property' means—

"(1) animals;

"(2) animal products;

"(3) plants; and

"(4) plant products.

"(b) GENERAL AUTHORITY.—Except as provided in subsection (c), notwithstanding chapter 5 of subtitle I of title 40, United States Code, the Secretary of Agriculture, acting through the Under Secretary for Research, Education, and Economics, in managing personal property for the purpose of carrying out the research functions of the Department of Agriculture, may exchange, sell, or otherwise dispose of any qualified items of personal property, including by way of public auction, and may retain and apply the sale or other proceeds, without further appropriation, in whole or in partial payment—

"(1) to acquire any qualified items of personal property; or

"(2) to offset costs related to the maintenance, care, or feeding of any qualified items of personal property.

"(c) EXCEPTION.—Subsection (b) does not apply to the free dissemination of new varieties of seeds and germ plasm in accordance with section 520 of the Revised Statutes (commonly known as the 'Department of Agriculture Organic Act of 1862') (7 U.S.C. 2201).".

SEC. 7315. CARBON CYCLE RESEARCH.

(a) IN GENERAL.—To the extent funds are made available, the Secretary shall provide a grant to the Consortium for Agricultural Soils Mitigation of Greenhouse Gases, acting through Kansas State University, to develop, analyze, and implement, through the land grant universities described in subsection (b), carbon cycle and greenhouse gas management research at the national, regional, and local levels.

(b) LAND GRANT UNIVERSITIES.—The land grant universities referred to in subsection (a) are—

(1) Colorado State University;
(2) Iowa State University;
(3) Kansas State University;
(4) Michigan State University;
(5) Montana State University;
(6) Purdue University;
(7) Ohio State University;
(8) Texas A&M University; and
(9) University of Nebraska.

(c) USE.—Land grant universities described in subsection (b) shall use funds made available under this section—

(1) to conduct research to improve the scientific basis of using land management practices to increase soil carbon sequestration, including research on the use of new technologies to increase carbon cycle effectiveness, such as biotechnology and nanotechnology;

(2) to conduct research on management of other greenhouse gases in the agricultural sector;

(3) to enter into partnerships to identify, develop, and evaluate agricultural best practices, including partnerships between—

(A) Federal, State, or private entities; and

(B) the Department of Agriculture;

(4) to develop necessary computer models to predict and assess the carbon cycle;

(5) to estimate and develop mechanisms to measure carbon levels made available as a result of—

(A) voluntary Federal conservation programs;

(B) private and Federal forests; and

(C) other land uses;

(6) to develop outreach programs, in coordination with Extension Services, to share information on carbon cycle and agricultural best practices that is useful to agricultural producers; and

(7) to collaborate with the Great Plains Regional Earth Science Application Center to develop a space-based carbon cycle remote sensing technology program—

(A) to provide, on a near-continual basis, a real-time and comprehensive view of vegetation conditions;

(B) to assess and model agricultural carbon sequestration; and

(C) to develop commercial products.

(d) COOPERATIVE RESEARCH.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary, in cooperation with departments and agencies participating in the U.S. Global Change Research Program and eligible entities, may carry out research to promote understanding of—

(A) the flux of carbon in soils and plants (including trees); and

(B) the exchange of other greenhouse gases from agriculture.

(2) ELIGIBLE ENTITIES.—Research under this subsection may be carried out through the competitive awarding of grants and cooperative agreements to colleges and universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)).

(3) COOPERATIVE RESEARCH PURPOSES.—Research conducted under this subsection shall encourage collaboration among scientists with expertise in the areas of soil science, agronomy, agricultural economics, forestry, and other agricultural sciences to focus on—

(A) developing data addressing carbon losses and gains in soils and plants (including trees) and the exchange of methane and nitrous oxide from agriculture;

(B) understanding how agricultural and forestry practices affect the sequestration of carbon in soils and plants (including trees) and the exchange of other greenhouse gases, including the effects of new technologies such as biotechnology and nanotechnology;

(C) developing cost-effective means of measuring and monitoring changes in carbon pools in soils and plants (including trees), including computer models;

(D) evaluating the linkage between Federal conservation programs and carbon sequestration;

(E) developing methods, including remote sensing, to measure the exchange of carbon and other greenhouse gases sequestered, and to evaluate leakage, performance, and permanence issues; and

(F) assessing the applicability of the results of research conducted under this subsection for developing methods to account for the impact of agricultural activities (including forestry) on the exchange of greenhouse gases.

(e) EXTENSION PROJECTS.—

(1) IN GENERAL.—The Secretary, in cooperation with departments and agencies participating in the U.S. Global Change Research Program and local extension agents, experts from institutions of higher education that offer a curriculum in agricultural and biological sciences, and other local agricultural or conservation organizations, may implement extension projects (including on-farm projects with direct involvement of agricultural producers) that combine measurement tools and modeling techniques into integrated packages to monitor the carbon sequestering benefits of conservation practices and the exchange of greenhouse gas emissions from agriculture that demonstrate the feasibility of methods of measuring and monitoring—

(A) changes in carbon content and other carbon pools in soils and plants (including trees); and

(B) the exchange of other greenhouse gases.

(2) EDUCATION AND OUTREACH.—The Secretary shall make available to agricultural producers, private forest landowners, and appropriate State agencies in each State information concerning—

(A) the results of projects under this subsection;

(B) the manner in which the methods used in the projects might be applicable to the operations of the agricultural producers, private forest landowners, and State agencies; and

(C) information on how agricultural producers and private forest landowners can participate in carbon credit and greenhouse gas trading system.

(f) REPEAL.—Section 221 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 6711) is repealed.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2008 through 2012.

Subtitle E—National Institute of Food and Agriculture

SEC. 7401. NATIONAL INSTITUTE OF FOOD AND AGRICULTURE.

(a) IN GENERAL.—Subtitle F of the Department of Agriculture Reorganization Act of 1994 is amended by adding after section 252 (7 U.S.C. 6972) the following:

“SEC. 253. NATIONAL INSTITUTE OF FOOD AND AGRICULTURE.

“(a) DEFINITIONS.—In this section:

“(1) ADVISORY BOARD.—The term ‘Advisory Board’ means the National Agricultural Research, Extension, Education, and Economics Advisory Board established under section 1408 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123).

“(2) COMPETITIVE PROGRAM.—The term ‘competitive program’ means each of the following agricultural research, extension, education, and related programs for which the Secretary has administrative or other authority as of the day before the date of enactment of this section:

“(A) The competitive grant program established under section 2(b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)), commonly known as the ‘National Research Initiative Competitive Grants Program’.

“(B) The program providing competitive grants for risk management education established under section 524(a)(3) of the Federal Crop Insurance Act (7 U.S.C. 1524(a)(3)).

“(C) The program providing community food project competitive grants established under section 25 of the Food Stamp Act of 1977 (7 U.S.C. 2034).

“(D) Each grant program established under section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) providing outreach and assistance for socially disadvantaged farmers and ranchers.

“(E) The program providing grants under section 1417(b)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(b)(1)), commonly known as ‘Higher Education Challenge Grants’.

“(F) The program providing grants and related assistance established under section 1417(b)(5) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(b)(5)) commonly known as the ‘Higher Education Multicultural Scholars Program’.

“(G) The program providing food and agricultural sciences national needs graduate and postgraduate fellowship grants established under section 1417(b)(6) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(b)(6)).

“(H) The program providing grants under section 1417(j) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(j)), commonly known as ‘Institution Challenge Grants’.

“(I) The program providing grants for Hispanic-serving institutions established under section 1455 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3241).

“(J) The program providing competitive grants for international agricultural science and education programs under section 1459A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b).

“(K) The program of agricultural development in the American-Pacific region established under section 1473H of the National Agricultural Research, Extension, and Teaching Policy Act of 1977.

“(L) The research and extension projects carried out under section 1621 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5811), commonly known as the ‘Sustainable Agriculture Research and Education program’.

“(M) The biotechnology risk assessment research program established under section 1668 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5921).

“(N) The organic agriculture research and extension initiative established under section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b).

“(O) The Initiative for Future Agriculture and Food Systems established under section 401 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621).

“(P) The integrated research, education, and extension competitive grants program established under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626).

“(Q) The Small Business Innovation Research Program established under section 9 of the Small Business Act (15 U.S.C. 638).

“(R) The specialty crop research initiative under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998.

“(S) The administration and management of the regional bioenergy crop research program carried out under section 9012 of the Farm Security and Rural Investment Act of 2002.

"(T) Other programs, including any programs added by amendments made by title VII of the Food and Energy Security Act of 2007 that are competitive programs, as determined by the Secretary.

"(3) DIRECTOR.—The term 'Director' means the Director of the Institute.

"(4) INFRASTRUCTURE PROGRAM.—The term 'infrastructure program' means each of the following agricultural research, extension, education, and related programs for which the Secretary has administrative or other authority as of the day before the date of enactment of this section:

"(A) Each program providing funding to any of the 1994 Institutions under sections 533, 534(a), and 535 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) (commonly known as 'financial assistance, technical assistance, and endowments to tribal colleges and Navajo Community College').

"(B) The program established under section 536 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) providing research grants for 1994 institutions.

"(C) Each program established under subsections (b), (c), and (d) of section 3 of the Smith-Lever Act (7 U.S.C. 343).

"(D) Each program established under the Hatch Act of 1887 (7 U.S.C. 361a et seq.).

"(E) Each program established under section 1417(b)(4) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(b)(4)), including grant programs under that section (commonly known as the '1890 Institution Teaching and Research Capacity Building Grants Program').

"(F) The animal health and disease research program established under subtitle E of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3191 et seq.).

"(G) Each extension program available to 1890 Institutions established under sections 1444 and 1464 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221, 3312).

"(H) The program established under section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222) (commonly known as the 'Evans-Allen Program').

"(I) The program providing grants to upgrade agricultural and food sciences facilities at 1890 Institutions established under section 1447 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b).

"(J) The program providing distance education grants for insular areas established under section 1490 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3362).

"(K) The program providing resident instruction grants for insular areas established under section 1491 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363).

"(L) Each program available to 1890 Institutions established under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626).

"(M) The program providing competitive extension grants to eligible 1994 Institutions under section 1464 of National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3312) and the Equity in Educational Land-Grant Status Act of 1994 (Public Law 103–382; 7 U.S.C. 301 note) established under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626).

"(N) Each research and development and related program established under Public Law 87–788 (commonly known as the 'McIntire-Stennis Cooperative Forestry Act') (16 U.S.C. 582a et seq.).

"(O) Each program established under the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 et seq.).

"(P) Each program providing funding to Hispanic-serving agricultural colleges under section 1456 of the National Agricultural Research, Extension and Teaching Policy Act of 1977.

"(Q) The administration and management of the farm energy education and technical assistance program carried out under section 9005 of the Farm Security and Rural Investment Act of 2002.

"(R) Other programs, including any programs added by amendments made by title VII of the Food and Energy Security Act of 2007 that are infrastructure programs, as determined by the Secretary.

"(5) INSTITUTE.—The term 'Institute' means the National Institute of Food and Agriculture established by subsection (b)(1)(A).

"(b) ESTABLISHMENT OF NATIONAL INSTITUTE FOR FOOD AND AGRICULTURE.—

"(1) ESTABLISHMENT.—

"(A) IN GENERAL.—There is established within the Department an agency to be known as the 'National Institute of Food and Agriculture'.

"(B) LOCATION.—The location of the Institute shall be in Washington, District of Columbia, as determined by the Secretary.

"(C) MEMBERS.—The Institute shall consist of—

"(i) the Director;

"(ii) the individual offices established under subsection (e); and

"(iii) the staff and employees of National Institute for Food and Agriculture.

"(2) TRANSFER OF AUTHORITIES.—There are transferred to the Institute the authorities (including all budget authorities and personnel), duties, obligations, and related legal and administrative functions prescribed by law or otherwise granted to the Secretary, the Department, or any other agency or official of the Department under—

"(A) the infrastructure programs;

"(B) the competitive programs;

"(C) the research, education, economic, cooperative State research programs, cooperative extension and education programs, international programs, and other functions and authorities delegated by the Secretary to the Administrator of the Cooperative State Research, Education, and Extension Service pursuant to section 2.66 of title 7, Code of Federal Regulations (or successor regulations); and

"(D) any and all other authorities administered by the Administrator of the Cooperative State Research, Education, and Extension Service.

"(3) CONSOLIDATION OF AUTHORITIES.—To carry out this Act, in accordance with the transfer and continuation of the authorities, budgetary functions, and personnel resources under this subsection, the administrative entity within the Department known as the Cooperative State Research, Education, and Extension Service shall terminate on the earlier of—

"(A) October 1, 2008; or

"(B) such earlier date as the Director determines to be appropriate.

"(c) DIRECTOR.—

"(1) IN GENERAL.—The Institute shall be headed by a Director, who shall be an individual who is—

"(A) a distinguished scientist; and

"(B) appointed by the President, by and with the advice and consent of the Senate.

"(2) TERM.—The Director shall serve for a single, 6-year term.

"(3) SUPERVISION.—The Director shall report directly to the Secretary.

"(4) COMPENSATION.—The Director shall receive basic pay at the rate provided for level II of the Executive Schedule under section 5513 of title 5, United States Code.

"(5) AUTHORITY AND RESPONSIBILITIES OF DIRECTOR.—

"(A) IN GENERAL.—Except as otherwise specifically provided in this section, the Director shall—

"(i) exercise all of the authority provided to the Institute by this section;

"(ii) formulate programs in accordance with policies adopted by the Institute;

"(iii) establish offices within the Institute;

"(iv) establish procedures for the peer review of research funded by the Institute;

"(v) establish procedures for the provision and administration of grants by the Institute in accordance with this section;

"(vi) assess the personnel needs of agricultural research in the areas supported by the Institute, and, if determined to be appropriate by the Director, for other areas of food and agricultural research;

"(vii) plan programs that will help meet agricultural personnel needs in the future, including portable fellowship and training programs in fundamental agricultural research and fundamental science; and

"(viii) consult regularly with the National Agricultural Research, Extension, Education, and Economics Advisory Board.

"(B) FINALITY OF ACTIONS.—An action taken by the Director in accordance with this section shall be final and binding upon the Institute.

"(C) DELEGATION AND REDELEGATION OF FUNCTIONS.—

"(i) IN GENERAL.—Except as provided in clause (ii), the Director may, from time to time and as the Director considers to be appropriate, authorize the performance by any other officer, agency, or employee of the Institute of any of the functions of the Director under this section.

"(ii) CONTRACTS, GRANTS, AND OTHER ARRANGEMENTS.—The Director may enter into contracts and other arrangements, and provide grants, in accordance with this section.

"(iii) FORMULATION OF PROGRAMS.—The formulation of programs in accordance with the policies of the Institute shall be carried out by the Director.

"(6) STAFF.—The Director shall recruit and hire such senior staff and other personnel as are necessary to assist the Director in carrying out this section.

"(7) REPORTING AND CONSULTATION.—The Director shall—

"(A) periodically report to the Secretary with respect to activities carried out by the Institute; and

"(B) consult regularly with the Secretary to ensure, to the maximum extent practicable, that—

"(i) research of the Institute is relevant to agriculture in the United States and otherwise serves the national interest; and

"(ii) the research of the Institute supplements and enhances, and does not replace, research conducted or funded by—

"(I) other agencies of the Department;

"(II) the National Science Foundation; or

"(III) the National Institutes of Health.

"(d) POWERS.—

"(1) IN GENERAL.—The Institute shall have such authority as is necessary to carry out this section, including the authority—

"(A) to promulgate such regulations as the Institute considers to be necessary for governance of operations, organization, and personnel;

"(B) to make such expenditures as are necessary to carry out this section;

"(C) to enter into contracts or other arrangements, or modifications of contracts or other arrangements—

"(i) to provide for the conduct, by organizations or individuals in the United States (including other agencies of the Department, Federal agencies, and agencies of foreign countries), of such agricultural research or related activities as the Institute considers to be necessary to carry out this section; and

"(ii) for the conduct of such specific agricultural research as is in the national interest or is otherwise of critical importance, as determined by the Secretary, with the concurrence of the Institute;

"(D) to make advance, progress, and other payments relating to research and scientific activities without regard to subsections (a) and (b) of section 3324 of title 31, United States Code;

"(E) to receive and use donated funds, if the funds are donated without restriction other than that the funds be used in furtherance of 1 or more of the purposes of the Institute;

"(F) to publish or arrange for the publication of research and scientific information to further the full dissemination of information of scientific value consistent with the national interest, without regard to section 501 of title 44, United States Code;

"(G)(i) to accept and use the services of voluntary and uncompensated personnel; and

"(ii) to provide such transportation and subsistence as are authorized by section 5703 of title 5, United States Code, for individuals serving without compensation;

"(H) to prescribe, with the approval of the Comptroller General of the United States, the extent to which vouchers for funds expended under contracts for scientific or engineering research shall be subject to itemization or substantiation prior to payment, without regard to the limitations of other laws relating to the expenditure and accounting of public funds;

"(I) to reimburse the Secretary, and the heads of other Federal agencies, for the performance of any activity that the Institute is authorized to conduct; and

"(J) to enter into contracts, at the request of the Secretary, for the carrying out of such specific agricultural research as is in the national interest or otherwise of critical importance, as determined by the Secretary, with the consent of the Institute.

"(2) TRANSFER OF RESEARCH FUNDS OF OTHER DEPARTMENTS OR AGENCIES.—Funds available to the Secretary, or any other department or agency of the Federal Government, for agricultural or scientific research shall be—

"(A) available for transfer, with the approval of the Secretary or the head of the other appropriate department or agency involved, in whole or in part, to the Institute for use in providing grants in accordance with the purposes for which the funds were made available; and

"(B) if so transferred, expendable by the Institute for those purposes.

"(e) OFFICES.—

"(1) ESTABLISHMENT OF OFFICES.—

"(A) OFFICE OF THE AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION NETWORK.—

"(i) ESTABLISHMENT.—The Director shall establish within the Institute an Office of the Agricultural Research, Extension, and Education Network (referred to in this subparagraph as the 'Office').

"(ii) DUTIES.—At the discretion of the Director, the Office shall have responsibility for all infrastructure programs.

"(B) OFFICE OF COMPETITIVE PROGRAMS FOR FUNDAMENTAL RESEARCH.—

"(i) DEFINITION OF FUNDAMENTAL RESEARCH.—In this subparagraph, the term 'fundamental research' means research that—

"(I) is directed toward greater knowledge or understanding of the fundamental aspects of phenomena and has the potential for broad, rather than specific, application; and

"(II) has an effect on agriculture, food, nutrition, human health, or another purpose of this section.

"(ii) ESTABLISHMENT.—The Director shall establish within the Institute an Office of Competitive Programs for Fundamental Research (referred to in this subparagraph as the 'Office').

"(iii) DUTIES.—At the discretion of the Director, the Office shall have responsibility for all competitive programs relating to fundamental research.

"(C) OFFICE OF COMPETITIVE PROGRAMS FOR APPLIED RESEARCH.—

"(i) DEFINITION OF APPLIED RESEARCH.—In this subparagraph, the term 'applied research' means research that expands on the findings of fundamental research to uncover practical ways in which new knowledge can be advanced to benefit individuals and society.

"(ii) ESTABLISHMENT.—The Director shall establish within the Institute an Office of Competitive Programs for Applied Research (referred to in this subparagraph as the 'Office').

"(iii) DUTIES.—At the discretion of the Director, the Office shall have responsibility for all competitive programs relating to applied research.

"(D) OFFICE OF COMPETITIVE PROGRAMS FOR EDUCATION AND OTHER PURPOSES.—

"(i) ESTABLISHMENT.—The Director shall establish within the Institute an Office of Competitive Programs for Education and Other Purposes (referred to in this subparagraph as the 'Office')

"(ii) DUTIES.—At the discretion of the Director, the Office shall have responsibility for all competitive programs that provide education fellowships and other education-related grants.

"(2) COMPETITIVE PROGRAMS FOR FUNDAMENTAL AND APPLIED RESEARCH.—

"(A) DEFINITION OF A COMPETITIVE PROGRAM FOR FUNDAMENTAL AND APPLIED RESEARCH.—In this paragraph, the term 'competitive program for fundamental and applied research' means—

"(i) the competitive grant program established under section 2 of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i), commonly known as the 'National Research Initiative Competitive Grants Program'; and

"(ii) any other competitive program within the Institute that funds both fundamental and applied research, as determined by the Director.

"(B) PROGRAM ALLOCATIONS.—For purposes of determining which Office established under paragraph (1) should have primary responsibility for administering grants under a competitive program for fundamental and applied research, the Director shall—

"(i) determine whether the grant under the competitive program for fundamental and applied research is principally related to fundamental or applied research; and

"(ii) assign the grant to the appropriate Office.

"(3) RESPONSIBILITY OF THE DIRECTOR.—The Director shall ensure that the Offices established under paragraph (1) coordinate with each other Office for maximum efficiency.

"(f) REPORTING.—The Director shall submit to the Secretary, the Committee on Agriculture and the Committee on Appropriations of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Appropriations of the Senate—

"(1) not later than 1 year after the date of establishment of the Institute, and biennially thereafter, a comprehensive report that—

"(A) describes the research funded and other activities carried out by the Institute during the period covered by the report; and

"(B) describes each contract or other arrangement that the Institute has entered into, each grant awarded to the Institute, and each other action of the Director taken, under subsection (c)(5)(C)(ii); and

"(2) not later than 1 year after the date of establishment of the Institute, and annually thereafter, a report that describes the allocation and use of funds under subsection (g)(2) of section 401 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621).

"(g) FUNDING.—

"(1) IN GENERAL.—In addition to funds otherwise appropriated to carry out each program administered by the Institute, there are authorized to be appropriated such sums as are necessary to carry out this section for each fiscal year.

"(2) ALLOCATION.—Funding made available under paragraph (1) shall be allocated according to recommendations contained in the roadmap described in section 309(c)(1)(A).".

(b) NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT OF 1977.—Section 1408(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(b)) is amended—

(1) in paragraph (1), by striking "31 members" and inserting "24 members";

(2) by striking paragraph (3) and inserting the following:

"(3) MEMBERSHIP CATEGORIES.—The Advisory Board shall consist of members from each of the following categories:

"(A) 1 member representing a national farm organization.

"(B) 1 member representing farm cooperatives.

"(C) 1 member actively engaged in the production of a food animal commodity.

"(D) 1 member actively engaged in the production of a plant commodity.

"(E) 1 member actively engaged in aquaculture.

"(F) 1 member representing a national food animal science society.

"(G) 1 member representing a national crop, soil, agronomy, horticulture, plant pathology, or weed science society.

"(H) 1 member representing a national food science organization.

"(I) 1 member representing a national human health association.

"(J) 1 member representing a national nutritional science society.

"(K) 1 member representing the land-grant colleges and universities eligible to receive funds under the Act of July 2, 1862 (7 U.S.C. 301 et seq.).

"(L) 1 member representing the land-grant colleges and universities eligible to receive funds under the Act of August 30, 1890 (7

U.S.C. 321 et seq.), including Tuskegee University.

“(M) 1 member representing the 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (Public Law 103–382; 7 U.S.C. 301 note)).

“(N) 1 member representing Hispanic-serving institutions.

“(O) 1 member representing the American Colleges of Veterinary Medicine.

“(P) 1 member engaged in the transportation of food and agricultural products to domestic and foreign markets.

“(Q) 1 member representing food retailing and marketing interests.

“(R) 1 member representing food and fiber processors.

“(S) 1 member actively engaged in rural economic development.

“(T) 1 member representing a national consumer interest group.

“(U) 1 member representing a national forestry group.

“(V) 1 member representing a national conservation or natural resource group.

“(W) 1 member representing private sector organizations involved in international development.

“(X) 1 member representing a national social science association.”; and

(3) in paragraph (4), by striking “the Administrator of the Cooperative State Research, Education, and Extension Service” and inserting “the Director of the National Institute of Food and Agriculture”.

(c) CONFORMING AMENDMENTS.—

(1) Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended—

(A) in paragraph (4), by striking “or” at the end;

(B) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(6) the authority of the Secretary relating to the National Institute of Food and Agriculture under section 253; or”.

(2) The National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended—

(A) in section 1424A(b) (7 U.S.C. 3174a(b)), by striking “the Cooperative State Research, Education, and Extension Service” and inserting “the National Institute of Food and Agriculture”; and

(B) in section 1458(a)(10) (7 U.S.C. 3291(a)(10)), by striking “the Cooperative State Research, Education, and Extension Service” and inserting “the National Institute of Food and Agriculture”.

(3) Section 522(d)(2) of the Federal Crop Insurance Act (7 U.S.C. 1522(d)(2)) is amended by striking “the Cooperative State Research, Education, and Extension Service” and inserting “the National Institute of Food and Agriculture”.

(4) Section 524(a) of the Federal Crop Insurance Act (7 U.S.C. 1524(a)) is amended in each of paragraphs (1)(B) and (3)(A) by striking “the Cooperative State Research, Education, and Extension Service” each place it appears and inserting “the National Institute of Food and Agriculture”.

(5) Section 306(a)(11)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(11)(C)) is amended by striking “the Cooperative State Research, Education, and Extension Service” and inserting “the National Institute of Food and Agriculture”.

(6) Section 704 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006 (7 U.S.C. 2209b), is amended by striking “Cooperative State Research, Education, and Extension Service” and inserting “the National Institute of Food and Agriculture”.

(7) Section 7404(b)(1)(B) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3101 note; Public Law 107–171) is amended by striking clause (vi) and inserting the following:

“(vi) the National Institute of Food and Agriculture.”.

(8) Section 1499(c) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5506(c)) is amended by striking “the Cooperative State Research Service” and inserting “the National Institute of Food and Agriculture”.

(9) Section 1622 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5812) is amended—

(A) in subsection (a)(1), by striking “the Cooperative State Research Service” and inserting “the National Institute of Food and Agriculture”; and

(B) in subsection (b)(1), by striking subparagraph (B) and inserting the following:

“(B) the National Institute of Food and Agriculture;”.

(10) Section 1668(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5921(b)) is amended by striking “Cooperative State Research, Education, and Extension Service and the Agricultural Research Service” and inserting “the National Institute of Food and Agriculture”.

(11) Section 1670(a)(4) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5923(a)(4)) is amended by striking “the Administrator of the Cooperative State Research, Education, and Extension Service” and inserting “the Director of the National Institute of Food and Agriculture”.

(12) Section 537 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7446) is amended in each of subsections (a)(2) and (b)(3)(B)(i) by striking “Cooperative State Research, Education, and Extension Service” and inserting “the National Institute of Food and Agriculture”.

(13) Section 103(a) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7613(a)) is amended—

(A) in the subsection heading, by striking “COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE” and inserting “NATIONAL INSTITUTE OF FOOD AND AGRICULTURE”; and

(B) in each of paragraphs (1) and (2)(A), by striking “the Cooperative State Research, Education, and Extension Service” and inserting “the National Institute of Food and Agriculture”.

(14) Section 401(f)(5) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621(f)(5)) is amended by striking “the Cooperative State Research, Education, and Extension Service” and inserting “the National Institute of Food and Agriculture”.

(15) Section 407(c) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7627(c)) is amended by striking “the Cooperative State Research, Education, and Extension Service” and inserting “the National Institute of Food and Agriculture”.

(16) Section 410(a) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7630(a)) is amended by striking “the Administrator of the Cooperative State Research, Education, and Extension Service” and inserting “the Director of the National Institute of Food and Agriculture”.

(17) Section 307(g)(5) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 8606(g)(5)) is amended by striking “Administrator of the Cooperative State Research, Education, and Extension Service” and inserting “the Director of the National Institute of Food and Agriculture”.

(18) Section 6(b) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103b(b)) is amended by striking “the Cooperative State Research, Education, and Extension Service, may provide technical, financial, and related assistance to State foresters, equivalent State officials, or Cooperative Extension officials” and inserting “the National Institute of Food and Agriculture, may provide technical, financial and related assistance to State foresters, equivalent State officials, and Institute officials”.

(19) Section 19 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2113) is amended in subsections (a)(2) and (b)(1)(B)(i), by striking “Extension Service,” each place it appears and inserting “National Institute of Food and Agriculture,”.

(20) Section 105(a) of the Africa: Seeds of Hope Act of 1998 (22 U.S.C. 2293 note; Public Law 105–385) is amended by striking “the Cooperative State Research, Education, and Extension Service (CSREES)” and inserting “the National Institute of Food and Agriculture”.

(21) Section 307(a)(4) of the National Aeronautic and Space Administration Authorization Act of 2005 (42 U.S.C. 16657(a)(4)) is amended by striking subparagraph (B) and inserting the following:

“(B) the program and structure of, peer review process of, management of conflicts of interest by, compensation of reviewers of, and the effects of compensation on reviewer efficiency and quality within, the National Institute of Food and Agriculture of the Department of Agriculture;”.

SEC. 7402. COORDINATION OF AGRICULTURAL RESEARCH SERVICE AND NATIONAL INSTITUTE OF FOOD AND AGRICULTURE.

Title III of the Department of Agriculture Reorganization Act of 1994 is amended by adding after section 308 (as added by section 7314) the following:

“SEC. 309. COORDINATION OF AGRICULTURAL RESEARCH SERVICE AND NATIONAL INSTITUTE OF FOOD AND AGRICULTURE.

“(a) IN GENERAL.—The Undersecretary for Research, Education, and Economics shall coordinate the programs under the authority of the Administrator of the Agricultural Research Service and the Director of the National Institute of Food and Agriculture, and the staff of the Administrator and the Director, including national program leaders, shall meet on a regular basis to—

“(1) increase coordination and integration of research programs at the Agricultural Research Service and the research, extension, and education programs of the National Institute of Food and Agriculture;

“(2) coordinate responses to emerging issues;

“(3) minimize duplication of work and resources at the staff level of each agency;

“(4) use the extension and education program to deliver knowledge to stakeholders;

“(5) address critical needs facing agriculture; and

“(6) focus the research, extension, and education funding strategy of the Department.

“(b) REPORTS.—Not later than 270 days after the date of enactment of this section, and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing efforts to increase coordination between the Agricultural Research Service and the National Institute for Food and Agriculture.

"(c) ROADMAP.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary, acting through the Under Secretary for Research, Education, and Economics shall—

"(A) prepare a roadmap for agricultural research, extension, and education that—

"(i) identifies major opportunities and gaps in agricultural research, extension, and education that no single entity in the Department would be able to carry out individually, but that is necessary to carry out agricultural research;

"(ii) involves—

"(I) stakeholders from across the Federal Government;

"(II) stakeholders from across the full array of nongovernmental entities; and

"(III) the National Agricultural Research, Extension, Education, and Economics Advisory Board established under section 1408 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123);

"(iii) incorporates roadmaps for agricultural research made publicly available by other Federal entities, agencies, or offices; and

"(iv) describes recommended funding levels for areas of agricultural research, extension, and education, including—

"(I) competitive programs; and

"(II) infrastructure programs, with attention to the future growth needs of small 1862 Institutions, 1890 Institutions, and 1994 Institutions (as those terms are defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601)), Hispanic-serving agricultural colleges (as defined in section 1456(a) of the National Agricultural Research, Extension and Teaching Policy Act of 1977), and any other public college or university that is not such an institution or college but that offers a baccalaureate or higher degree in the study of agriculture;

"(B) use the roadmap to set the research, extension, and education agenda of the Department; and

"(C) submit a description of the roadmap to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

"(2) IMPLEMENTATION.—The Secretary, acting through the Under Secretary, shall implement, to the maximum extent practicable, the roadmap.

"(3) FUNDING.—There are authorized to be appropriated such sums as are necessary to carry out this subsection.".

Subtitle F—Miscellaneous

SEC. 7501. JOINT NUTRITION MONITORING AND RELATED RESEARCH ACTIVITIES.

The Secretary and the Secretary of Health and Human Services shall continue to provide jointly for national nutrition monitoring and related research activities carried out as of the date of enactment of this Act—

(1) to collect continuous data relating to diet, health, physical activity, and knowledge about diet and health, using a nationally-representative sample;

(2) to periodically collect data described in paragraph (1) on special at-risk populations, as identified by the Secretaries;

(3) to distribute information on health, nutrition, the environment, and physical activity to the public in a timely manner;

(4) to analyze new data as the data becomes available;

(5) to continuously update food composition tables; and

(6) to research and develop data collection methods and standards.

SEC. 7502. DEMONSTRATION PROJECT AUTHORITY FOR TEMPORARY POSITIONS.

Notwithstanding section 4703(d)(1) of title 5, United States Code, the amendment to the personnel management demonstration project established in the Department of Agriculture (67 Fed. Reg. 70776 (2002)), shall become effective upon the date of enactment of this Act and shall remain in effect unless modified by law.

SEC. 7503. REVIEW OF PLAN OF WORK REQUIREMENTS.

(a) REVIEW.—The Secretary of Agriculture (referred to in this section as the "Secretary") shall work with university partners in extension and research to review and identify measures to streamline the submission, reporting under, and implementation of plan of work requirements including requirements under—

(1) sections 1444(d) and 1445(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221(d), 3222(c));

(2) section 7 of the Hatch Act of 1887 (7 U.S.C. 361g); and

(3) section 4 of the Smith-Lever Act (7 U.S.C. 344).

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the results of the review conducted under subsection (a).

(2) INCLUSIONS.—The report shall include recommendations—

(A) to reduce the administrative burden and workload on institutions associated with plan of work compliance while meeting the reporting needs of the Department of Agriculture for input, output, and outcome indicators;

(B) to streamline the submission and reporting requirements of the plan of work so that the plan of work is of practical utility to both the Department of Agriculture and the institutions; and

(C) for any legislative changes necessary to carry out the plan of work improvements.

(c) CONSULTATION.—In carrying out this section, the Secretary shall consult with land-grant colleges and universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)).

SEC. 7504. STUDY AND REPORT ON ACCESS TO NUTRITIOUS FOODS.

(a) IN GENERAL.—The Secretary shall carry out a study of, and prepare a report on, areas in the United States with limited access to affordable and nutritious food, with a particular focus on predominantly lower-income neighborhoods and communities.

(b) CONTENTS.—The study and report shall—

(1) assess the incidence and prevalence of areas with limited access to affordable and nutritious food in the United States;

(2) identify—

(A) characteristics and factors causing and influencing those areas; and

(B) the effect on local populations of limited access to affordable and nutritious food; and

(3) develop recommendations for addressing the causes and influences of those areas through measures including—

(A) community and economic development initiatives;

(B) incentives for retail food market development, including supermarkets, small grocery stores, and farmers' markets; and

(C) improvements to Federal food assistance and nutrition education programs.

(c) COORDINATION WITH OTHER AGENCIES AND ORGANIZATIONS.—The Secretary shall conduct the study under this section in coordination and consultation with—

(1) the Secretary of Health and Human Services;

(2) the Administrator of the Small Business Administration;

(3) the Institute of Medicine; and

(4) representatives of appropriate businesses, academic institutions, and nonprofit and faith-based organizations.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit the report prepared under this section, including the findings and recommendations described in subsection (b), to—

(1) the Committee on Agriculture of the House of Representatives; and

(2) the Committee on Agriculture, Nutrition, and Forestry of the Senate.

TITLE VIII—FORESTRY

Subtitle A—Cooperative Forestry Assistance Act of 1978

SEC. 8001. NATIONAL PRIORITIES FOR PRIVATE FOREST CONSERVATION.

Section 2 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101) is amended—

(1) by redesignating subsections (c) and (d) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (b) the following:

"(c) PRIORITIES.—In allocating funds appropriated or otherwise made available under this Act, the Secretary shall focus on the following national private forest conservation priorities:

"(1) Conserving and managing working forest landscapes for multiple values and uses.

"(2) Protecting forests from threats to forest and forest health, including unnaturally large wildfires, hurricanes, tornadoes, windstorms, snow or ice storms, flooding, drought, invasive species, insect or disease outbreak, or development, and restoring appropriate forest structures and ecological processes in response to such threats.

"(3) Enhancing public benefits from private forests, including air and water quality, forest products, forestry-related jobs, production of renewable energy, wildlife, enhanced biodiversity, the establishment or maintenance of wildlife corridors and wildlife habitat, and recreation.

"(d) REPORTING REQUIREMENT.—Not later than September 30, 2011, the Secretary shall submit to Congress a report describing how funding was used under this Act to address the national priorities specified in subsection (c) and the outcomes achieved in meeting the national priorities.".

SEC. 8002. COMMUNITY FOREST AND OPEN SPACE CONSERVATION PROGRAM.

(a) FINDINGS.—Congress finds that—

(1) the Forest Service projects that, by calendar year 2030, approximately 44,000,000 acres of privately-owned forest land will be developed throughout the United States;

(2) public access to parcels of privately-owned forest land for outdoor recreational

activities, including hunting, fishing, and trapping, has declined and, as a result, participation in those activities has also declined in cases in which public access is not secured;

(3) rising rates of obesity and other public health problems relating to the inactivity of the citizens of the United States have been shown to be ameliorated by improving public access to safe and attractive areas for outdoor recreation;

(4) in rapidly-growing communities of all sizes throughout the United States, remaining parcels of forest land play an essential role in protecting public water supplies;

(5) forest parcels owned by local governmental entities and nonprofit organizations are providing important demonstration sites for private landowners to learn forest management techniques;

(6) throughout the United States, communities of diverse types and sizes are deriving significant financial and community benefits from managing forest land owned by local governmental entities for timber and other forest products; and

(7) there is an urgent need for local governmental entities to be able to leverage financial resources in order to purchase important parcels of privately-owned forest land as the parcels are offered for sale.

(b) COMMUNITY FOREST AND OPEN SPACE CONSERVATION PROGRAM.—The Cooperative Forestry Assistance Act of 1978 is amended by inserting after section 7 (16 U.S.C. 2103c) the following:

"SEC. 7A. COMMUNITY FOREST AND OPEN SPACE CONSERVATION PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a local governmental entity, Indian tribe, or nonprofit organization that owns or acquires a parcel under the program.

"(2) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(3) LOCAL GOVERNMENTAL ENTITY.—The term 'local governmental entity' includes any municipal government, county government, or other local government body with jurisdiction over local land use decisions.

"(4) NONPROFIT ORGANIZATION.—The term 'nonprofit organization' means any organization that—

"(A) is described in section 170(h)(3) of the Internal Revenue Code of 1986; and

"(B) operates in accordance with 1 or more of the purposes specified in section 170(h)(4)(A) of that Code.

"(5) PROGRAM.—The term 'Program' means the community forest and open space conservation program established under subsection (b).

"(6) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture, acting through the Chief of the Forest Service.

"(b) ESTABLISHMENT.—The Secretary shall establish a program, to be known as the 'community forest and open space conservation program'.

"(c) GRANT PROGRAM.—

"(1) IN GENERAL.—The Secretary may award grants to eligible entities to acquire private forest land, to be owned in fee simple, that—

"(A) are threatened by conversion to nonforest uses; and

"(B) provide public benefits to communities, including—

"(i) economic benefits through sustainable forest management;

"(ii) environmental benefits, including clean water and wildlife habitat;

"(iii) benefits from forest-based educational programs, including vocational education programs in forestry;

"(iv) benefits from serving as models of effectively-managed effective forest stewardship for private landowners; and

"(v) recreational benefits, including hunting and fishing.

"(2) FEDERAL COST SHARE.—An eligible entity may receive a grant under the Program in an amount equal to not more than 50 percent of the cost of acquiring 1 or more parcels, as determined by the Secretary.

"(3) NON-FEDERAL SHARE.—As a condition of receipt of the grant, an eligible entity that receives a grant under the Program shall provide, in cash, donation, or in kind, a non-Federal matching share in an amount that is at least equal to the amount of the grant received.

"(4) APPRAISAL OF PARCELS.—To determine the non-Federal share of the cost of a parcel of privately-owned forest land under paragraph (2), an eligible entity shall require appraisals of the land that comply with the Uniform Appraisal Standards for Federal Land Acquisitions developed by the Interagency Land Acquisition Conference.

"(5) APPLICATION.—An eligible entity that seeks to receive a grant under the Program shall submit to the State forester or equivalent official (or in the case of an eligible entity that is an Indian tribe, an equivalent official of the Indian tribe) an application that includes—

"(A) a description of the land to be acquired;

"(B) a forest plan that provides—

"(i) a description of community benefits to be achieved from the acquisition of the private forest land; and

"(ii) an explanation of the manner in which any private forest land to be acquired using funds from the grant will be managed; and

"(C) such other relevant information as the Secretary may require.

"(6) EFFECT ON TRUST LAND.—

"(A) INELIGIBILITY.—The Secretary shall not provide a grant under the Program for any project on land held in trust by the United States (including Indian reservations and allotment land).

"(B) ACQUIRED LAND.—No land acquired using a grant provided under the Program shall be converted to land held in trust by the United States on behalf of any Indian tribe.

"(7) APPLICATIONS TO SECRETARY.—The State forester or equivalent official (or in the case of an eligible entity that is an Indian tribe, an equivalent official of the Indian tribe) shall submit to the Secretary a list that includes a description of each project submitted by an eligible entity at such times and in such form as the Secretary shall prescribe.

"(d) DUTIES OF ELIGIBLE ENTITY.—An eligible entity—

"(1) shall provide public access to, and manage, forest land acquired with a grant under this section in a manner that is consistent with the purposes for which the land was acquired under the Program; and

"(2) shall not convert the property to other uses.

"(e) PROHIBITED USES.—

"(1) IN GENERAL.—Subject to paragraphs (2) and (3), an eligible entity that acquires a parcel under the Program shall not sell the parcel or convert the parcel to nonforest use.

"(2) REIMBURSEMENT OF FUNDS.—An eligible entity that sells or converts to nonforest use a parcel acquired under the Program shall pay to the Federal Government an amount equal to the greater of the current sale price, or current appraised value, of the parcel.

"(3) LOSS OF ELIGIBILITY.—An eligible entity that sells or converts a parcel acquired under the Program shall not be eligible for additional grants under the Program.

"(f) STATE ADMINISTRATION AND TECHNICAL ASSISTANCE.—To assist model stewardship of parcels acquired under the Program, the Secretary may allocate not more than 10 percent of all funds made available to carry out the Program for each fiscal year to State foresters or equivalent officials (including an equivalent official of an Indian tribe) for Program administration and technical assistance.

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.".

SEC. 8003. FEDERAL, STATE, AND LOCAL COORDINATION AND COOPERATION.

Section 19(b)(2)(D) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2113(b)(2)(D)) is amended by inserting "except for projects submitted by an Indian tribe," before "make recommendations".

SEC. 8004. COMPREHENSIVE STATEWIDE FOREST PLANNING.

The Cooperative Forestry Assistance Act of 1978 is amended—

(1) by redesignating section 20 (16 U.S.C. 2114) as section 22; and

(2) by inserting after section 19 (16 U.S.C. 2113) the following:

"SEC. 20. COMPREHENSIVE STATEWIDE FOREST PLANNING.

"(a) ESTABLISHMENT.—The Secretary shall establish a comprehensive statewide forest planning program under which the Secretary shall provide financial and technical assistance to States for use in the development and implementation of statewide forest resource assessments and plans.

"(b) STATEWIDE FOREST RESOURCE ASSESSMENT AND PLAN.—For a State to be eligible to receive funds under this Act, not later than 2 years after the date of enactment of the Food and Energy Security Act of 2007, the State Forester of the State, or an equivalent State official, shall develop a statewide forest resource assessment and plan that, at a minimum—

"(1) identifies each critical forest resource area in the State described in section 2(c);

"(2) to the maximum extent practicable—

"(A) incorporates any forest management plan of the State in existence on the date of enactment of this section;

"(B) addresses the needs of the region, without regard to the borders of each State of the region (or the political subdivisions of each State of the region);

"(C) provides a comprehensive statewide plan (including the opportunity for public participation in the development of the statewide plan) for—

"(i) managing the forest land in the State;

"(ii) achieving the national priorities specified in section 2(c)(2);

"(iii) monitoring the forest land in the State; and

"(iv) administering any forestry-related Federal, State, or private grants awarded to the State under this section or any other provisions of law; and

"(D) includes a multiyear, integrated forest management strategy that provides a management framework for—

"(i) the administration of each applicable program of the State; and "(ii) the use of any funds made available for the management of the forest land in the State; and

"(3) is determined by the Secretary to be sufficient to satisfy all relevant State planning and assessment requirements under this Act.

"(c) COORDINATION.—In developing the statewide assessment and plan under subsection (b), the State Forester or equivalent State official shall—

"(1) coordinate with—

"(A) the State Forest Stewardship Coordination Committee established for the State under section 19(b);

"(B) the State wildlife agency, with respect to strategies contained in the State wildlife action plans;

"(C) the State Technical Committee; and

"(D) applicable Federal land management agencies; and

"(2) for purposes of the Forest Legacy Program under section 7, work cooperatively with the State lead agency designated by the Governor.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each fiscal year.".

SEC. 8005. ASSISTANCE TO THE FEDERATED STATES OF MICRONESIA, THE REPUBLIC OF THE MARSHALL ISLANDS, AND THE REPUBLIC OF PALAU.

Section 13(d)(1) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2109(d)(1)) is amended by striking "the Trust Territory of the Pacific Islands," and inserting "the Federated States of Micronesia, the Republic of the Marshall Islands, the Republic of Palau,".

Subtitle B—Tribal-Forest Service Cooperative Relations

SEC. 8101. DEFINITIONS.

In this subtitle:

(1) INDIAN.—The term "Indian" means an individual who is a member of an Indian tribe.

(2) INDIAN TRIBE.—The term "Indian tribe"—

(A) for purposes of title I, has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b); and

(B) for purposes of title II, means any Indian or Alaska Native tribe, band, nation, pueblo, village, or other community the name of which is included on a list published by the Secretary of the Interior pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a-1).

(3) NATIONAL FOREST SYSTEM.—The term "National Forest System" has the meaning given the term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

PART I—COLLABORATION BETWEEN INDIAN TRIBES AND FOREST SERVICE

SEC. 8111. FOREST LEGACY PROGRAM.

(a) PARTICIPATION BY INDIAN TRIBES.—Section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c) is amended—

(1) in subsection (a), in the first sentence, by inserting ", including Indian tribes," after "government";

(2) in subsection (b), by inserting "or programs of Indian tribes" after "regional programs";

(3) in subsection (f), in the second sentence, by striking "other appropriate State or regional natural resource management agency" and inserting "other appropriate natural resource management agency of a State, region, or Indian tribe";

(4) in subsection (h)(2), by inserting ", including an Indian tribe" before the period at the end; and

(5) in subsection (j)(2), in the first sentence, by inserting "including Indian tribes," after "governmental units,".

(b) OPTIONAL STATE AND TRIBAL GRANTS.—Section 7(*l*) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c(*l*)) is amended—

(1) in the subsection heading, by inserting "AND TRIBAL" after "STATE";

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by striking paragraphs (1) and (2) and inserting the following:

"(1) DEFINITION OF INDIAN TRIBE.—In this subsection, the term 'Indian tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(2) GRANTS.—On request of a participating State or Indian tribe, the Secretary shall provide a grant to the State or Indian tribe to carry out the Forest Legacy Program in the State or with the Indian tribe.

"(3) ADMINISTRATION.—If a State or Indian tribe elects to receive a grant under this subsection—

"(A) the Secretary shall use a portion of the funds made available under subsection (m), as determined by the Secretary, to provide a grant to the State or Indian tribe; and

"(B) the State or Indian tribe shall use the grant to carry out the Forest Legacy Program in the State or with the Indian tribe, including through acquisition by the State or Indian tribe of land and interests in land.

"(4) EFFECT ON TRUST LAND.—

"(A) INELIGIBILITY.—The Secretary shall not provide a grant under this subsection for any project on land held in trust by the United States (including Indian reservations and allotment land).

"(B) ACQUIRED LAND.—No land acquired using a grant provided under this subsection shall be converted to land held in trust by the United States on behalf of any Indian tribe.".

(c) CONFORMING AMENDMENTS.—Section 7(j)(1) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c(j)(1)) is amended by striking the first sentence and inserting the following: "Fair market value shall be paid for any property interest acquired (other than by donation) under this section.".

SEC. 8112. FORESTRY AND RESOURCE MANAGEMENT ASSISTANCE FOR INDIAN TRIBES.

(a) DEFINITION OF ELIGIBLE INDIAN LAND.—In this section, the term "eligible Indian land" means, with respect to each participating Indian tribe—

(1) trust land located within the boundaries of the reservation of the Indian tribe;

(2) land owned in fee by the Indian tribe; and

(3) trust land located outside the boundaries of the reservation of the Indian tribe that is eligible for use for land programs of the Indian tribe.

(b) AUTHORITY TO PROVIDE ASSISTANCE.—The Secretary may provide financial, technical, educational, and related assistance to any Indian tribe for—

(1) tribal consultation and coordination with the Forest Service on issues relating to—

(A) access and use by members of the Indian tribe to National Forest System land and resources for traditional, religious, and cultural purposes;

(B) coordinated or cooperative management of resources shared by the Forest Service and the Indian tribe; or

(C) the provision of tribal traditional, cultural, or other expertise or knowledge;

(2) projects and activities for conservation education and awareness with respect to forest land or grassland that is eligible Indian land; and

(3) technical assistance for forest resources planning, management, and conservation on eligible Indian land.

(c) REQUIREMENTS.—

(1) IN GENERAL.—During any fiscal year, an Indian tribe may participate in only 1 approved activity that receives assistance under—

(A) subsection (b)(3); or

(B) the forest stewardship program under section 5 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103a).

(d) IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall promulgate regulations to implement subsection (b), including rules for determining the distribution of assistance under that subsection.

(2) CONSULTATION.—In developing regulations pursuant to paragraph (1), the Secretary shall conduct full, open, and substantive consultation with Indian tribal governments and other representatives of Indian tribes.

(e) COORDINATION WITH SECRETARY OF INTERIOR.—In carrying out this section, the Secretary shall coordinate with the Secretary of the Interior to ensure that activities under subsection (b)—

(1) do not conflict with Indian tribal programs provided by the Department of the Interior; and

(2) achieve the goals established by the affected Indian tribes.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

PART II—CULTURAL AND HERITAGE COOPERATION AUTHORITY

SEC. 8121. PURPOSES.

The purposes of this part are—

(1) to authorize the reburial of human remains and cultural items, including human remains and cultural items repatriated under the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), on National Forest System land;

(2) to prevent the unauthorized disclosure of information regarding reburial sites, including—

(A) the quantity and identity of human remains and cultural items on the sites; and

(B) the location of the sites;

(3) to authorize the Secretary to ensure access to National Forest System land, to the maximum extent practicable, by Indians and Indian tribes for traditional and cultural purposes;

(4) to authorize the Secretary to provide forest products free of charge to Indian tribes for traditional and cultural purposes;

(5) to authorize the Secretary to protect the confidentiality of certain information, including information that is culturally sensitive to Indian tribes;

(6) to increase the availability of Forest Service programs and resources to Indian tribes in support of the policy of the United States to promote tribal sovereignty and self-determination; and

(7) to strengthen support for the policy of the United States of protecting and preserving the traditional, cultural, and ceremonial rites and practices of Indian tribes,

in accordance with Public Law 95–341 (commonly known as the "American Indian Religious Freedom Act") (42 U.S.C. 1996).

SEC. 8122. DEFINITIONS.

In this part:

(1) ADJACENT SITE.—The term "adjacent site" means a site that borders a boundary line of National Forest system land.

(2) CULTURAL ITEMS.—

(A) IN GENERAL.—The term "cultural items" has the meaning given the term in section 2 of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001).

(B) EXCEPTION.—The term "cultural items" does not include human remains.

(3) HUMAN REMAINS.—The term "human remains" means the physical remains of the body of a person of Indian ancestry.

(4) LINEAL DESCENDANT.—The term "lineal descendant" means an individual that can trace, directly and without interruption, the ancestry of the individual through the traditional kinship system of an Indian tribe, or through the common law system of descent, to a known Indian, the human remains, funerary objects, or other sacred objects of whom are claimed by the individual.

(5) REBURIAL SITE.—The term "reburial site" means a discrete physical location at which cultural items or human remains are reburied.

(6) TRADITIONAL AND CULTURAL PURPOSE.—The term "traditional and cultural purpose", with respect to a definable use, area, or practice, means that the use, area, or practice is identified by an Indian tribe as traditional or cultural because of the long-established significance or ceremonial nature of the use, area, or practice to the Indian tribe.

SEC. 8123. REBURIAL OF HUMAN REMAINS AND CULTURAL ITEMS.

(a) REBURIAL SITES.—In consultation with an affected Indian tribe or lineal descendant, the Secretary may authorize the use of National Forest System land by the Indian tribe or lineal descendant for the reburial of human remains or cultural items in the possession of the Indian tribe or lineal descendant that have been disinterred from National Forest System land or an adjacent site.

(b) REBURIAL.—With the consent of the affected Indian tribe or lineal descendent, the Secretary may recover and rebury, at Federal expense or using other available funds, human remains and cultural items described in subsection (a) at the National Forest System land identified under that subsection.

(c) AUTHORIZATION OF USE.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may authorize such uses on reburial sites or adjacent sites as the Secretary determines to be necessary for management of the National Forest System.

(2) AVOIDANCE OF ADVERSE IMPACTS.—In carrying out paragraph (1), the Secretary shall avoid adverse impacts to cultural items and human remains, to the maximum extent practicable.

SEC. 8124. TEMPORARY CLOSURE FOR TRADITIONAL AND CULTURAL PURPOSES.

(a) RECOGNITION OF HISTORIC USE.—The Secretary shall, to the maximum extent practicable, ensure access to National Forest System land by Indians for traditional and cultural purposes, in accordance with subsection (b), in recognition of the historic use by Indians of National Forest System land.

(b) CLOSING LAND FROM PUBLIC ACCESS.—

(1) IN GENERAL.—On receipt of a request from an Indian tribe, the Secretary may temporarily close from public access specifically designated National Forest System land to protect the privacy of tribal activities for traditional and cultural purposes.

(2) LIMITATION.—A closure of National Forest System land under paragraph (1) shall affect the smallest practicable area for the minimum period necessary for activities of the applicable Indian tribe.

(3) CONSISTENCY.—Access by Indian tribes to National Forest System land under this subsection shall be consistent with the purposes of Public Law 95–341 (commonly known as the "American Indian Religious Freedom Act") (42 U.S.C. 1996).

SEC. 8125. FOREST PRODUCTS FOR TRADITIONAL AND CULTURAL PURPOSES.

(a) IN GENERAL.—Notwithstanding section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a), the Secretary may provide free of charge to Indian tribes any trees, portions of trees, or forest products from National Forest System land for traditional and cultural purposes.

(b) PROHIBITION.—Trees, portions of trees, or forest products provided under subsection (a) may not be used for commercial purposes.

SEC. 8126. PROHIBITION ON DISCLOSURE.

(a) NONDISCLOSURE OF INFORMATION.—

(1) IN GENERAL.—The Secretary shall not disclose under section 552 of title 5, United States Code (commonly known as the "Freedom of Information Act"), any information relating to—

(A) subject to subsection (b)(1), human remains or cultural items reburied on National Forest System land under section 8123; or

(B) subject to subsection (b)(2), resources, cultural items, uses, or activities that—

(i) have a traditional and cultural purpose; and

(ii) are provided to the Secretary by an Indian or Indian tribe under an express expectation of confidentiality in the context of forest and rangeland research activities carried out under the authority of the Forest Service.

(2) LIMITATIONS ON DISCLOSURE.—Subject to subsection (b)(2), the Secretary shall not be required to disclose information under section 552 of title 5, United States Code (commonly known as the "Freedom of Information Act"), concerning the identity, use, or specific location in the National Forest System of—

(A) a site or resource used for traditional and cultural purposes by an Indian tribe; or

(B) any cultural items not covered under section 8123.

(b) LIMITED RELEASE OF INFORMATION.—

(1) REBURIAL.—The Secretary may disclose information described in subsection (a)(1)(A) if, before the disclosure, the Secretary—

(A) consults with an affected Indian tribe or lineal descendent;

(B) determines that disclosure of the information—

(i) would advance the purposes of this part; and

(ii) is necessary to protect the human remains or cultural items from harm, theft, or destruction; and

(C) attempts to mitigate any adverse impacts identified by an Indian tribe or lineal descendant that reasonably could be expected to result from disclosure of the information.

(2) OTHER INFORMATION.—The Secretary may disclose information described under paragraph (1)(B) or (2) of subsection if the Secretary determines that disclosure of the information to the public—

(A) would advance the purposes of this part;

(B) would not create an unreasonable risk of harm, theft, or destruction of the resource, site, or object, including individual organic or inorganic specimens; and

(C) would be consistent with other applicable laws.

SEC. 8127. SEVERABILITY AND SAVINGS PROVISIONS.

(a) SEVERABILITY.—If any provision of this part, or the application of any provision of this part to any person or circumstance, is held invalid, the application of such provision or circumstance and the remainder of this part shall not be affected thereby.

(b) SAVINGS.—Nothing in this part—

(1) diminishes or expands the trust responsibility of the United States to Indian tribes, or any legal obligation or remedy resulting from that responsibility;

(2) alters, abridges, repeals, or affects any valid agreement between the Forest Service and an Indian tribe;

(3) alters, abridges, diminishes, repeals, or affects any reserved or other right of an Indian tribe; or

(4) alters, abridges, diminishes, repeals, or affects any other valid existing right relating to National Forest System land or other public land.

Subtitle C—Amendments to Other Laws

SEC. 8201. RENEWABLE RESOURCES EXTENSION ACTIVITIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 6 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1675) is amended in the first sentence by striking "2007" and inserting "2012".

(b) TERMINATION DATE.—Section 8 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 note; Public Law 95–306) is amended by striking "2007" and inserting "2012".

SEC. 8202. OFFICE OF INTERNATIONAL FORESTRY.

Section 2405(d) of the Global Climate Change Prevention Act of 1990 (7 U.S.C. 6704(d)) is amended by striking "2007" and inserting "2012".

TITLE IX—ENERGY

SEC. 9001. ENERGY.

Title IX of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101 et seq.) is amended to read as follows:

"TITLE IX—ENERGY

"SEC. 9001. DEFINITIONS.

"Except as otherwise provided, in this title:

"(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Environmental Protection Agency.

"(2) ADVISORY COMMITTEE.—The term 'Advisory Committee' means the Biomass Research and Development Technical Advisory Committee established by section 9008(d)(1).

"(3) ADVANCED BIOFUEL.—

"(A) IN GENERAL.—The term 'advanced biofuel' means fuel derived from renewable biomass other than corn starch.

"(B) INCLUSIONS.—The term 'advanced biofuel' includes—

"(i) biofuel derived from cellulose, hemicellulose, or lignin;

"(ii) biofuel derived from sugar and starch (other than ethanol derived from corn starch);

"(iii) biofuel derived from waste material, including crop residue, other vegetative waste material, animal waste, food waste, and yard waste;

"(iv) diesel-equivalent fuel derived from renewable biomass, including vegetable oil and animal fat;

"(v) biogas (including landfill gas and sewage waste treatment gas) produced through the conversion of organic matter from renewable biomass;

"(vi) butanol or other alcohols produced through the conversion of organic matter from renewable biomass; and

"(vii) other fuel derived from cellulosic biomass.

"(4) BIOBASED PRODUCT.—The term 'biobased product' means a product determined by the Secretary to be a commercial or industrial product (other than food or feed) that is—

"(A) composed, in whole or in significant part, of biological products, including renewable domestic agricultural materials and forestry materials; or

"(B) an intermediate ingredient or feedstock.

"(5) BIOFUEL.—The term 'biofuel' means a fuel derived from renewable biomass.

"(6) BIOMASS CONVERSION FACILITY.—The term 'biomass conversion facility' means a facility that converts or proposes to convert renewable biomass into—

"(A) heat;

"(B) power;

"(C) biobased products; or

"(D) advanced biofuels.

"(7) BIOREFINERY.—The term 'biorefinery' means equipment and processes that—

"(A) convert renewable biomass into biofuels and biobased products; and

"(B) may produce electricity.

"(8) BOARD.—The term 'Board' means the Biomass Research and Development Board established by section 9008(c).

"(9) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(10) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)).

"(11) INTERMEDIATE INGREDIENT OR FEEDSTOCK.—The term 'intermediate ingredient or feedstock' means a material or compound made in whole or in significant part from biological products, including renewable agricultural materials (including plant, animal, and marine materials) or forestry materials, that are subsequently used to make a more complex compound or product.

"(12) RENEWABLE BIOMASS.—The term 'renewable biomass' means—

"(A) materials, pre-commercial thinnings, or removed exotic species that—

"(i) are byproducts of preventive treatments (such as trees, wood, brush, thinnings, chips, and slash), that are removed—

"(I) to reduce hazardous fuels;

"(II) to reduce or contain disease or insect infestation; or

"(III) to restore ecosystem health;

"(ii) would not otherwise be used for higher-value products; and

"(iii) are harvested from National Forest System land or public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), in accordance with—

"(I) Federal and State law;

"(II) applicable land management plans; and

"(III) the requirements for old-growth maintenance, restoration, and management direction of paragraphs (2), (3), and (4) of subsection (e) of section 102 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6512) and the requirements for large-tree retention of subsection (f) of that section; or

"(B) any organic matter that is available on a renewable or recurring basis from non-Federal land or land belonging to an Indian or Indian tribe that is held in trust by the United States or subject to a restriction against alienation imposed by the United States, including—

"(i) renewable plant material, including—

"(I) feed grains;

"(II) other agricultural commodities;

"(III) other plants and trees; and

"(IV) algae; and

"(ii) waste material, including—

"(I) crop residue;

"(II) other vegetative waste material (including wood waste and wood residues);

"(III) animal waste and byproducts (including fats, oils, greases, and manure);

"(IV) construction waste; and

"(V) food waste and yard waste.

"(13) RENEWABLE ENERGY.—The term 'renewable energy' means energy derived from—

"(A) a wind, solar, renewable biomass, ocean (including tidal, wave, current, and thermal), geothermal, or hydroelectric source; or

"(B) hydrogen derived from renewable biomass or water using an energy source described in subparagraph (A).

"(14) RURAL AREA.—Except as otherwise provided in this title, the term 'rural area' has the meaning given the term in section 343(a)(13)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(13)(A)).

"(15) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.

"SEC. 9002. BIOBASED MARKETS PROGRAM.

"(a) FEDERAL PROCUREMENT OF BIOBASED PRODUCTS.—

"(1) DEFINITION OF PROCURING AGENCY.—In this subsection, the term 'procuring agency' means—

"(A) any Federal agency that is using Federal funds for procurement; or

"(B) a person that is a party to a contract with any Federal agency, with respect to work performed under such a contract.

"(2) APPLICATION OF SECTION.—Except as provided in paragraph (3), each procuring agency shall comply with this subsection (including any regulations issued under this subsection), with respect to any purchase or acquisition of a procurement item for which—

"(A) the purchase price of the item exceeds $10,000; or

"(B) the quantity of the items or of functionally-equivalent items purchased or acquired during the preceding fiscal year was at least $10,000.

"(3) PROCUREMENT PREFERENCE.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), after the date specified in applicable guidelines prepared pursuant to paragraph (5), each procuring agency that procures any items designated in the guidelines and items containing designated biobased intermediate ingredients and feedstocks shall, in making procurement decisions (consistent with maintaining a satisfactory level of competition, considering the guidelines), give preference to items that—

"(i) are composed of the highest percentage of biobased products practicable;

"(ii) are composed of at least 5 percent of intermediate ingredients and feedstocks (or a lesser percentage that the Secretary determines to be appropriate) as designated by the Secretary; or

"(iii) comply with the regulations issued under section 103 of Public Law 100-556 (42 U.S.C. 6914b-1).

"(B) FLEXIBILITY.—Notwithstanding subparagraph (A), a procuring agency may decide not to procure items described in that subparagraph if the procuring agency determines that the items—

"(i) are not reasonably available within a reasonable period of time;

"(ii) fail to meet—

"(I) the performance standards set forth in the applicable specifications; or

"(II) the reasonable performance standards of the procuring agencies; or

"(iii) are available only at an unreasonable price.

"(C) CERTIFICATION.—After the date specified in any applicable guidelines prepared pursuant to paragraph (5), contracting offices shall require that, with respect to biobased products, vendors certify that the biobased products to be used in the performance of the contract will comply with the applicable specifications or other contractual requirements.

"(4) SPECIFICATIONS.—Each Federal agency that has the responsibility for drafting or reviewing procurement specifications shall, not later than 1 year after the date of publication of applicable guidelines under paragraph (5), or as otherwise specified in the guidelines, ensure that the specifications require the use of biobased products consistent with this subsection.

"(5) GUIDELINES.—

"(A) IN GENERAL.—The Secretary, after consultation with the Administrator, the Administrator of General Services, and the Secretary of Commerce (acting through the Director of the National Institute of Standards and Technology), shall prepare, and from time to time revise, guidelines for the use of procuring agencies in complying with the requirements of this subsection.

"(B) REQUIREMENTS.—The guidelines under this paragraph shall—

"(i) designate those items that are or can be produced with biobased products (including biobased products for which there is only a single product or manufacturer in the category) and the procurement of which by procuring agencies will carry out the objectives of this subsection;

"(ii) designate those intermediate ingredients and feedstocks and finished products that contain significant portions of biobased materials or components the procurement of which by procuring agencies will carry out the objectives of this subsection;

"(iii) set forth recommended practices with respect to the procurement of biobased products and items containing such materials and with respect to certification by vendors of the percentage of biobased products used;

"(iv) provide information as to the availability, relative price, performance, and environmental and public health benefits, of such materials and items; and

"(v) automatically designate those items that are composed of materials and items designated pursuant to paragraph (3), if the content of the final product exceeds 50 percent (unless the Secretary determines a different composition percentage).

"(C) INFORMATION PROVIDED.—Information provided pursuant to subparagraph (B)(iv) with respect to a material or item shall be considered to be provided for another item made with the same material or item.

"(D) PROHIBITION.—Guidelines issued under this paragraph may not require a manufacturer or vendor of biobased products, as a condition of the purchase of biobased products from the manufacturer or vendor, to provide to procuring agencies more data than would be required to be provided by other manufacturers or vendors offering products for sale to a procuring agency, other than data confirming the biobased content of a product.

"(E) STATE PROCUREMENT.—Not later than 180 days after the date of enactment of this section, the Secretary shall offer procurement system models that States may use for the procurement of biobased products by the States.

"(6) ADMINISTRATION.—

"(A) OFFICE OF FEDERAL PROCUREMENT POLICY.—The Office of Federal Procurement Policy, in cooperation with the Secretary, shall—

"(i) coordinate the implementation of this subsection with other policies for Federal procurement;

"(ii) annually collect the information required to be reported under subparagraph (B) and make the information publicly available;

"(iii) take a leading role in conducting proactive research to inform and promote the adoption of and compliance with procurement requirements for biobased products by Federal agencies; and

"(iv) not less than once every 2 years, submit to Congress a report that—

"(I) describes the progress made in carrying out this subsection, including agency compliance with paragraph (4); and

"(II) contains a summary of the information reported pursuant to subparagraph (B).

"(B) OTHER AGENCIES.—To assist the Office of Federal Procurement Policy in carrying out subparagraph (A)—

"(i) each procuring agency shall submit each year to the Office of Federal Procurement Policy, to the maximum extent practicable, information concerning—

"(I) actions taken to implement paragraphs (3), (4), and (7);

"(II) the results of the annual review and monitoring program established under paragraph (7)(B)(iii);

"(III) the number and dollar value of contracts entered into during the year that include the direct procurement of biobased products;

"(IV) the number of service and construction (including renovations and modernizations) contracts entered into during the year that include language on the use of biobased products; and

"(V) the types and dollar value of biobased products actually used by contractors in carrying out service and construction (including renovations and modernizations) contracts during the previous year; and

"(ii) the General Services Administration and the Defense Logistics Agency shall submit each year to the Office of Federal Procurement Policy, to the maximum extent practicable, information concerning the types and dollar value of biobased products purchased by procuring agencies through GSA Advantage!, the Federal Supply Schedule, and the Defense Logistic Agency (including the DoD EMall).

"(7) PROCUREMENT PROGRAM.—

"(A) IN GENERAL.—Not later than 1 year after the date of publication of applicable guidelines under paragraph (5), each Federal agency shall develop a procurement program that—

"(i) will ensure that items composed of biobased products will be purchased to the maximum extent practicable; and

"(ii) is consistent with applicable provisions of Federal procurement law.

"(B) MINIMUM REQUIREMENTS.—Each procurement program required under this paragraph shall, at a minimum, contain—

"(i) a biobased products preference program;

"(ii) an agency promotion program to promote the preference program adopted under clause (i); and

"(iii) annual review and monitoring of the effectiveness of the procurement program of the agency.

"(C) CONSIDERATION.—

"(i) IN GENERAL.—In developing a preference program, an agency shall—

"(I) consider the options described in clauses (ii) and (iii); and

"(II) adopt 1 of the options, or a substantially equivalent alternative, for inclusion in the procurement program.

"(ii) CASE-BY-CASE POLICY DEVELOPMENT.—

"(I) IN GENERAL.—Subject to paragraph (3)(B), except as provided in subclause (II), in developing a preference program, an agency shall consider a policy of awarding contracts to the vendor offering an item composed of the highest percentage of biobased products practicable.

"(II) CERTAIN CONTRACTS ALLOWED.—Subject to paragraph (3)(B), an agency may make an award to a vendor offering items with less than the maximum biobased products content.

"(iii) MINIMUM CONTENT STANDARDS.—In developing a preference program, an agency shall consider minimum biobased products content specifications that are established in a manner that ensures that the biobased products content required is consistent with this subsection, without violating paragraph (3)(B).

"(b) LABELING.—

"(1) IN GENERAL.—The Secretary, in consultation with the Administrator, shall establish a voluntary program under which the Secretary authorizes producers of biobased products to use the label 'USDA Certified Biobased Product'.

"(2) ELIGIBILITY CRITERIA.—

"(A) CRITERIA.—

"(i) IN GENERAL.—Not later than 90 days after the date of the enactment of this section, except as provided in clause (ii), the Secretary, in consultation with the Administrator and representatives from small and large businesses, academia, other Federal agencies, and such other persons as the Secretary considers appropriate, shall issue criteria (as of the date of enactment of this section) for determining which products may qualify to receive the label under paragraph (1).

"(ii) EXCEPTION.—Clause (i) shall not apply to final criteria that have been issued (as of the date of enactment of this section) by the Secretary.

"(B) REQUIREMENTS.—Criteria issued under subparagraph (A)—

"(i) shall encourage the purchase of products with the maximum biobased content;

"(ii) shall provide that the Secretary may designate as biobased for the purposes of the voluntary program established under this subsection finished products that contain significant portions of biobased materials or components; and

"(iii) to the maximum extent practicable, should be consistent with the guidelines issued under subsection (a)(5).

"(3) USE OF LABEL.—The Secretary shall ensure that the label referred to in paragraph (1) is used only on products that meet the criteria issued pursuant to paragraph (2).

"(4) RECOGNITION.—The Secretary shall—

"(A) establish a voluntary program to recognize Federal agencies and private entities that use a substantial amount of biobased products; and

"(B) encourage Federal agencies to establish incentives programs to recognize Federal employees or contractors that make exceptional contributions to the expanded use of biobased products.

"(c) LIMITATION.—Nothing in this section (other than subsections (f), (g), and (h)) shall apply to the procurement of motor vehicle fuels, heating oil, or electricity.

"(d) INCLUSION.—

"(1) IN GENERAL.—Not later than 90 days after the date of enactment of the Food and Energy Security Act of 2007, the Architect of the Capitol, the Sergeant at Arms of the Senate, and the Chief Administrative Officer of the House of Representatives shall establish procedures that apply the requirements of this section to procurement for the Capitol Complex.

"(2) ANNUAL SHOWCASE.—Beginning in calendar year 2008, the Secretary shall sponsor or otherwise support, consistent with applicable Federal laws (including regulations), an annual exposition at which entities may display and demonstrate biobased products.

"(e) TESTING OF BIOBASED PRODUCTS.—

"(1) IN GENERAL.—The Secretary may establish 1 or more national testing centers for biobased products to verify performance standards, biobased contents, and other product characteristics.

"(2) REQUIREMENT.—In establishing 1 or more national testing centers under paragraph (1), the Secretary shall give preference to entities that have established capabilities and experience in the testing of biobased materials and products.

"(f) BIOENERGY AND OTHER BIOBASED PRODUCTS EDUCATION AND AWARENESS CAMPAIGN.—

"(1) IN GENERAL.—The Secretary in consultation with the Secretary of Energy, shall establish a program to make competitive grants to eligible entities to carry out broad-based education and public awareness campaigns relating to bioenergy (including biofuels but excluding biodiesel) and other biobased products.

"(2) ELIGIBLE ENTITIES.—An entity eligible to receive a grant described in paragraph (1) is an entity that has demonstrated a knowledge of bioenergy (including biofuels but excluding biodiesel) and other biobased products and is—

"(A) a State energy or agricultural office;

"(B) a regional, State-based, or tribal energy organization;

"(C) a land-grant college or university (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)) or other institution of higher education;

"(D) a rural electric cooperative or utility;

"(E) a nonprofit organization, including an agricultural trade association, resource conservation and development district, and energy service provider;

"(F) a State environmental quality office; or

"(G) any other similar entity, other than a Federal agency or for-profit entity, as determined by the Secretary.

"(g) REPORTS.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section and each year thereafter, the Secretary shall submit to Congress a report on the implementation of this section.

"(2) CONTENTS.—The report shall include—

"(A) a comprehensive management plan that establishes tasks, milestones, and timelines, organizational roles and responsibilities, and funding allocations for fully implementing this section; and

"(B) information on the status of implementation of—

"(i) item designations (including designation of intermediate ingredients and feedstocks); and

"(ii) the voluntary labeling program established under subsection (b).

"(h) FUNDING.—

"(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall use, to the maximum extent practicable, $3,000,000 for each of fiscal years 2008 through 2012—

"(A) to continue mandatory funding for biobased products testing as required to carry out this section; and

"(B) to carry out the bioenergy education and awareness campaign under subsection (f).

"(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other funds made available to carry out this section, there are authorized to be appropriated to carry out this section such sums as are necessary for each of fiscal years 2008 through 2012.

"(3) PRIORITY.—At the discretion of the Secretary, the Secretary may give priority to the testing of products for which private sector firms provide cost sharing for the testing.

"SEC. 9003. BIODIESEL FUEL EDUCATION.

"(a) PURPOSE.—The purpose of this section is to educate potential users about the proper use and benefits of biodiesel.

"(b) ESTABLISHMENT.—The Secretary shall, under such terms and conditions as are appropriate, make grants to eligible entities to educate governmental and private entities that operate vehicle fleets, oil refiners, automotive companies, owners and operators of watercraft fleets, other interested entities (as determined by the Secretary), and the public about the benefits of biodiesel fuel use.

"(c) ELIGIBLE ENTITIES.—To receive a grant under subsection (b), an entity shall—

"(1) be a nonprofit organization or institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

"(2) have demonstrated knowledge of biodiesel fuel production, use, or distribution; and

"(3) have demonstrated the ability to conduct educational and technical support programs.

"(d) CONSULTATION.—In carrying out this section, the Secretary shall consult with the Secretary of Energy.

"(e) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section, to the maximum extent practicable, $2,000,000 for each of fiscal years 2008 through 2012.

"SEC. 9004. BIOMASS CROP TRANSITION.

"(a) DEFINITIONS.—In this section:

"(1) ELIGIBLE CROP.—The term 'eligible crop' means a crop of renewable biomass.

"(2) ELIGIBLE PARTICIPANT.—The term 'eligible participant' means an agricultural producer or forest land owner—

"(A) that is establishing 1 or more eligible crops on private land to be used in the production of advanced biofuels, other biobased products, heat, or power from a biomass conversion facility;

"(B) that has a financial commitment from a biomass conversion facility, including a proposed biomass conversion facility that is economically viable, as determined by the Secretary, to purchase the eligible crops; and

"(C) the production operation of which is in such proximity to the biomass conversion facility described in subparagraph (B) as to make delivery of the eligible crops to that location economically practicable.

"(b) BIOMASS CROP TRANSITION ASSISTANCE.—

"(1) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a program to provide transitional assistance for the establishment and production of eligible crops to be used in the production of advanced biofuels, other biobased products, heat, or power from a biomass conversion facility.

"(2) EXCLUSION.—An agricultural producer shall not be eligible for assistance under paragraph (1) for the establishment and production of—

"(A) any crop that is eligible for benefits under title I of the Food and Energy Security Act of 2007; or

"(B) an annual crop.

"(3) CONTRACTS.—

"(A) IN GENERAL.—The Secretary shall enter into contracts with eligible participants and entities described in subparagraph (B) to provide transitional assistance payments to eligible participants.

"(B) CONTRACTS WITH MEMBER ENTITIES.—The Secretary may enter into 1 or more contracts with farmer-owned cooperatives, agricultural trade associations, or other similar entities on behalf of producer members that meet the requirements of, and elect to be treated as, eligible participants if the contract would offer greater efficiency in administration of the program.

"(C) REQUIREMENTS.—Under a contract described in subparagraph (A), an eligible participant shall be required, as determined by the Secretary—

"(i) to produce 1 or more eligible crops;

"(ii) to develop and actively apply a conservation plan that meets the requirements for highly erodible land conservation and wetlands conservation as established under subtitles B and C of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.); and

"(iii) to use such conservation practices as are necessary, where appropriate—

"(I) to advance the goals and objectives of State, regional, and national fish and wildlife conservation plans and initiatives; and

"(II) to comply with mandatory environmental requirements for a producer under Federal, State, and local law.

"(4) PAYMENTS.—

"(A) FIRST YEAR.—During the first year of the contract, the Secretary shall make a payment to an eligible participant in an amount that covers the cost of establishing 1 or more eligible crops.

"(B) SUBSEQUENT YEARS.—During any subsequent year of the contract, the Secretary shall make incentive payments to an eligible participant in an amount determined by the Secretary to encourage the eligible participant to produce renewable biomass.

"(c) ASSISTANCE FOR PRODUCTION OF ANNUAL CROP OF RENEWABLE BIOMASS.—

"(1) IN GENERAL.—The Secretary may provide assistance to eligible participants to plant an annual crop of renewable biomass for use in a biomass conversion facility in the form of—

"(A) technical assistance; and

"(B) cost-share assistance for the cost of establishing an annual crop of renewable biomass.

"(2) EXCLUSION.—An agricultural producer shall not be eligible for assistance under paragraph (1) for the establishment of any crop that is eligible for benefits under title I of the Food and Energy Security Act of 2007.

"(3) COMPLIANCE.—Eligible participants receiving assistance under paragraph (1)(B) shall develop and actively apply a conservation plan that meets the requirements for highly erodible land conservation and wetlands conservation as established under subtitles B and C of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.).

"(d) ASSISTANCE FOR COLLECTION, HARVEST, STORAGE, AND TRANSPORT OF RENEWABLE BIOMASS.—

"(1) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a program to provide assistance to eligible participants for collecting, harvesting, storing, and transporting eligible crops to be used in the production of advanced biofuels, biobased products, heat, or power from a biomass conversion facility.

"(2) PAYMENTS.—

"(A) IN GENERAL.—An eligible participant shall receive payments under this subsection for each ton of eligible crop delivered to a biomass conversion facility, based on a fixed rate to be established by the Secretary in accordance with subparagraph (B).

"(B) FIXED RATE.—The Secretary shall establish a fixed payment rate for purposes of subparagraph (A) to reflect—

"(i) the estimated cost of collecting, harvesting, storing, and transporting the applicable eligible crop; and

"(ii) such other factors as the Secretary determines to be appropriate.

"(e) BEST PRACTICES.—

"(1) RECORDKEEPING.—Each eligible participant, and each biomass conversion facility contracting with the eligible participant, shall maintain and make available to the Secretary, at such times as the Secretary may request, appropriate records of methods used for activities for which payment is received under this section.

"(2) INFORMATION SHARING.—From the records maintained under subparagraph (A), the Secretary shall maintain, and make available to the public, information regarding—

"(A) the production potential (including evaluation of the environmental benefits) of a variety of eligible crops; and

"(B) best practices for producing, collecting, harvesting, storing, and transporting eligible crops to be used in the production of advanced biofuels.

"(f) FUNDING.—

"(1) BIOMASS CROP TRANSITION ASSISTANCE.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out subsections (b) and (c) $130,000,000 for fiscal year 2008, to remain available until expended.

"(2) ASSISTANCE FOR COLLECTION, HARVEST, STORAGE, AND TRANSPORT OF RENEWABLE BIOMASS.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out subsection (d) $10,000,000 for each of fiscal years 2009 through 2011, to remain available until expended.

"SEC. 9005. BIOREFINERY AND REPOWERING ASSISTANCE.

"(a) PURPOSE.—The purpose of this section is to assist in the development of new or emerging technologies for the use of renewable biomass or other sources of renewable energy—

"(1) to develop advanced biofuels;

"(2) to increase the energy independence of the United States by promoting the replacement of energy generated from fossil fuels with energy generated from a renewable energy source;

"(3) to promote resource conservation, public health, and the environment;

"(4) to diversify markets for raw agricultural and forestry products, and agriculture waste material; and

"(5) to create jobs and enhance the economic development of the rural economy.

"(b) DEFINITION OF REPOWER.—In this section, the term 'repower' means to substitute the production of heat or power from a fossil fuel source with heat or power from sources of renewable energy.

"(c) ASSISTANCE.—

"(1) IN GENERAL.—The Secretary shall make available to eligible entities described in subsection (d)—

"(A) grants to assist in paying the costs of—

"(i) development and construction of pilot- and demonstration-scale biorefineries intended to demonstrate the commercial viability of 1 or more processes for converting renewable biomass to advanced biofuels;

"(ii) repowering a biomass conversion facility, power plant, or manufacturing facility, in whole or in part; or

"(iii) conducting a study to determine the feasibility of repowering a biomass conversion facility, power plant, or manufacturing facility, in whole or in part; and

"(B) guarantees for loans made to fund—

"(i) the development and construction of commercial-scale biorefineries; or

"(ii) the repowering of a biomass conversion facility, power plant, or manufacturing facility, in whole or in part.

"(2) PREFERENCE.—In selecting projects to receive grants and loan guarantees under this section, the Secretary shall give preference to projects that receive or will receive financial support from the State in which the project is carried out.

"(d) ELIGIBLE ENTITIES.—An eligible entity under this section is—

"(1) an individual;

"(2) a corporation;

"(3) a farm cooperative;

"(4) a rural electric cooperative or public power entity;

"(5) an association of agricultural producers;

"(6) a State or local energy agency or office;

"(7) an Indian tribe;

"(8) a consortium comprised of any individuals or entities described in any of paragraphs (1) through (7); or

"(9) any other similar entity, as determined by the Secretary.

"(e) GRANTS.—

"(1) IN GENERAL.—The Secretary shall award grants under subsection (c)(1)(A) on a competitive basis.

"(2) SELECTION CRITERIA.—

"(A) GRANTS FOR DEVELOPMENT AND CONSTRUCTION OF PILOT AND DEMONSTRATION SCALE BIOREFINERIES.—

"(i) IN GENERAL.—In awarding grants for development and construction of pilot and demonstration scale biorefineries under subsection (c)(1)(A)(i), the Secretary shall select projects based on the likelihood that the projects will demonstrate the commercial viability of a new or emerging process for converting renewable biomass into advanced biofuels.

"(ii) FACTORS.—The factors to be considered under clause (i) may include—

"(I) the potential market for 1 or more products;

"(II) the level of financial participation by the applicants;

"(III) the availability of adequate funding from other sources;

"(IV) the participation of producer associations and cooperatives;

"(V) the beneficial impact on resource conservation, public health, and the environment;

"(VI) the timeframe in which the project will be operational;

"(VII) the potential for rural economic development;

"(VIII) the participation of multiple eligible entities; and

"(IX) the potential for developing advanced industrial biotechnology approaches.

"(B) GRANTS FOR REPOWERING.—In selecting projects to receive grants for repowering under clauses (ii) and (iii) of subsection (c)(1)(A), the Secretary shall consider—

"(i) the change in energy efficiency that would result from the proposed repowering of the eligible entity;

"(ii) the reduction in fossil fuel use that would result from the proposed repowering; and

"(iii) the volume of renewable biomass located in such proximity to the eligible entity as to make local sourcing of feedstock economically practicable.

"(3) COST SHARING.—

"(A) LIMITS.—

"(i) DEVELOPMENT AND CONSTRUCTION OF PILOT AND DEMONSTRATION SCALE BIOREFINERIES.—The amount of a grant awarded for development and construction of a biorefinery under subsection (c)(1)(A)(i) shall not exceed 50 percent of the cost of the project.

"(ii) REPOWERING.—The amount of a grant awarded for repowering under subsection (c)(1)(A)(ii) shall not exceed 20 percent of the cost of the project.

"(iii) FEASIBILITY STUDY FOR REPOWERING.—The amount of a grant awarded for a feasibility study for repowering under subsection (c)(1)(A)(iii) shall not exceed an amount equal to the lesser of—

"(I) an amount equal to 50 percent of the total cost of conducting the feasibility study; and

"(II) $150,000.

"(B) FORM OF GRANTEE SHARE.—

"(i) IN GENERAL.—The grantee share of the cost of a project may be made in the form of cash or the provision of services, material, or other in-kind contributions.

"(ii) LIMITATION.—The amount of the grantee share of the cost of a project that is made in the form of the provision of services, material, or other in-kind contributions shall not exceed 15 percent of the amount of the grantee share determined under subparagraph (A).

"(f) LOAN GUARANTEES.—

"(1) CONDITIONS.—As a condition of making a loan guarantee under subsection (c)(1)(B), the Secretary shall require—

"(A) demonstration of binding commitments to cover, from sources other than Federal funds, at least 20 percent of the total cost of the project described in the application;

"(B) in the case of a new or emerging technology, demonstration that the project design has been validated through a technical review and subsequent operation of a pilot or demonstration scale facility that can be scaled up to commercial size; and

"(C) demonstration that the applicant provided opportunities to local investors (as determined by the Secretary) to participate in the financing or ownership of the biorefinery.

"(2) LOCAL OWNERSHIP.—The Secretary shall give preference under subsection (c)(1)(B) to applications for projects with significant local ownership.

"(3) APPROVAL.—Not later than 90 days after the Secretary receives an application for a loan guarantee under subsection (c)(1)(B), the Secretary shall approve or disapprove the application.

"(4) LIMITATIONS.—

"(A) MAXIMUM AMOUNT OF LOAN GUARANTEED.—

"(i) COMMERCIAL-SCALE BIOREFINERIES.—Subject to clause (iii), the principal amount of a loan guaranteed under subsection (c)(1)(B)(i) may not exceed $250,000,000.

"(ii) REPOWERING.—Subject to clause (iii), the principal amount of a loan guaranteed under subsection (c)(1)(B)(ii) may not exceed $70,000,000.

"(iii) RELATIONSHIP TO OTHER FEDERAL FUNDING.—The amount of a loan guaranteed under subsection (c)(1)(B) shall be reduced by the amount of other Federal funding that the entity receives for the same project.

"(B) MAXIMUM PERCENTAGE OF LOAN GUARANTEED.—A loan guaranteed under subsection (c)(1)(B) shall be in an amount not to exceed 80 percent of the project costs, as determined by the Secretary.

"(C) AUTHORITY TO GUARANTEE ENTIRE AMOUNT OF THE LOAN.—The Secretary may guarantee up to 100 percent of the principal and interest due on a loan guaranteed under subsection (c)(1)(B).

"(g) CONSULTATION.—In carrying out this section, the Secretary shall consult with the Secretary of Energy.

"(h) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use for the cost of grants and loan guarantees to carry out this section $300,000,000 for fiscal year 2008, to remain available until expended.

"SEC. 9006. BIOENERGY PROGRAM FOR ADVANCED BIOFUELS.

"(a) DEFINITION OF ELIGIBLE PRODUCER.—In this section, the term 'eligible producer' means a producer of advanced biofuels.

"(b) PAYMENTS.—The Secretary shall make payments to eligible producers to encourage increased purchases of renewable biomass for the purpose of expanding production of, and supporting new production capacity for, advanced biofuels.

"(c) CONTRACTS.—To receive a payment, an eligible producer shall—

"(1) enter into a contract with the Secretary to increase production of advanced biofuels for 1 or more fiscal years; and

"(2) submit to the Secretary such records as the Secretary may require as evidence of increased purchase and use of renewable biomass for the production of advanced biofuels.

"(d) BASIS FOR PAYMENTS.—The Secretary shall make payments under this section to eligible producers based on—

"(1) the level of production by the eligible producer of an advanced biofuel;

"(2) the price of each renewable biomass feedstock used for production of the advanced biofuel;

"(3) the net nonrenewable energy content of the advanced biofuel, if sufficient data is available, as determined by the Secretary; and

"(4) other appropriate factors, as determined by the Secretary.

"(e) OVERPAYMENTS.—If the total amount of payments that an eligible producer receives for a fiscal year under this section exceeds the amount that the eligible producer should have received, the eligible producer shall repay the amount of the overpayment to the Secretary, with interest (as determined by the Secretary).

"(f) LIMITATIONS.—

"(1) EQUITABLE DISTRIBUTION.—The Secretary may limit the amount of payments that may be received by a single eligible producer under this section in order to distribute the total amount of funding available in an equitable manner.

"(2) INELIGIBILITY.—An eligible producer that claims a credit allowed under section

40(a)(3), 40(a)(4), or 40A(a)(3) of the Internal Revenue Code of 1986 shall not be eligible to receive payments under subsection (d).

"(3) REFINING CAPACITY.—An eligible producer may not use any funds received under this section for an advanced biofuel production facility or other fuel refinery the total refining capacity of which is more than 150,000,000 gallons per year.

"(g) OTHER REQUIREMENTS.—To receive a payment under this section, an eligible producer shall meet any other requirements of Federal and State law (including regulations) applicable to the production of advanced biofuels.

"(h) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $245,000,000 for the period of fiscal years 2008 through 2012, to remain available until expended.

"SEC. 9007. RURAL ENERGY FOR AMERICA PROGRAM.

"(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Energy, shall establish a Rural Energy for America Program to promote energy efficiency and renewable energy development for agricultural producers, cooperatives, rural small businesses, and other similar entities through—

"(1) grants for energy audits and renewable energy development assistance;

"(2) financial assistance for energy efficiency improvements and renewable energy systems; and

"(3) financial assistance for facilities to convert animal manure to energy.

"(b) ENERGY AUDITS AND RENEWABLE ENERGY DEVELOPMENT ASSISTANCE.—

"(1) IN GENERAL.—The Secretary shall make competitive grants to eligible entities to provide assistance to agricultural producers and rural small businesses—

"(A) to become more energy efficient; and

"(B) to use renewable energy technology and resources.

"(2) ELIGIBLE ENTITIES.—An eligible entity under this subsection is—

"(A) a State agency;

"(B) a regional, State-based, or tribal energy organization;

"(C) a land-grant college or university or other institution of higher education;

"(D) a rural electric cooperative or public power entity;

"(E) a nonprofit organization; and

"(F) any other similar entity, as determined by the Secretary.

"(3) MERIT REVIEW.—

"(A) MERIT REVIEW PROCESS.—The Secretary shall establish a merit review process to review applications for grants under paragraph (1) that uses the expertise of other Federal agencies, industry, and nongovernmental organizations.

"(B) SELECTION CRITERIA.—In reviewing applications of eligible entities to receive grants under paragraph (1), the Secretary shall consider—

"(i) the ability and expertise of the eligible entity in providing professional energy audits and renewable energy assessments;

"(ii) the geographic scope of the program proposed by the eligible entity in relation to the identified need;

"(iii) the number of agricultural producers and rural small businesses to be assisted by the program;

"(iv) the potential for energy savings and environmental and public health benefits resulting from the program; and

"(v) the plan of the eligible entity for providing information to agricultural producers and rural small businesses on the benefits of energy efficiency and renewable energy development.

"(4) USE OF GRANT FUNDS.—

"(A) REQUIRED USES.—A recipient of a grant under paragraph (1) shall use the grant funds to conduct and promote energy audits for agricultural producers and rural small businesses to provide recommendations on how to improve energy efficiency and use renewable energy technology and resources.

"(B) PERMITTED USES.—In addition to the uses described in subparagraph (A), a recipient of a grant may use the grant funds to make agricultural producers and rural small businesses aware of—

"(i) financial assistance under subsection (c); and

"(ii) other Federal, State, and local financial assistance programs for which the agricultural producers and rural small businesses may be eligible.

"(5) COST SHARING.—A recipient of a grant under paragraph (1) that conducts an energy audit for an agricultural producer or rural small business under paragraph (4)(A) shall require that, as a condition of the energy audit, the agricultural producer or rural small business pay at least 25 percent of the cost of the energy audit, which shall be retained by the eligible entity for the cost of the energy audit.

"(c) FINANCIAL ASSISTANCE FOR ENERGY EFFICIENCY IMPROVEMENTS AND RENEWABLE ENERGY SYSTEMS.—

"(1) IN GENERAL.—In addition to any similar authority, the Secretary shall provide loan guarantees, grants, and production-based incentives to agricultural producers and rural small businesses—

"(A) to purchase renewable energy systems, including systems that may be used to produce and sell electricity; and

"(B) to make energy efficiency improvements.

"(2) AWARD CONSIDERATIONS.—In determining the amount of a grant, loan guarantee, or production-based incentive provided under this section, the Secretary shall take into consideration, as applicable—

"(A) the type of renewable energy system to be purchased;

"(B) the estimated quantity of energy to be generated by the renewable energy system;

"(C) the expected environmental benefits of the renewable energy system;

"(D) the quantity of energy savings expected to be derived from the activity, as demonstrated by an energy audit comparable to an energy audit under subsection (b);

"(E) the estimated period of time for the energy savings generated by the activity to equal the cost of the activity;

"(F) the expected energy efficiency of the renewable energy system; and

"(G) other appropriate factors.

"(3) FEASIBILITY STUDIES.—

"(A) IN GENERAL.—The Secretary may provide assistance in the form of grants to an agricultural producer or rural small business to conduct a feasibility study for a project for which assistance may be provided under this subsection.

"(B) LIMITATION.—The Secretary shall use not more than 10 percent of the funds made available to carry out this subsection to provide assistance described in subparagraph (A).

"(C) AVOIDANCE OF DUPLICATIVE ASSISTANCE.—An entity shall be ineligible to receive assistance to carry out a feasibility study for a project under this paragraph if the entity has received Federal or State assistance for a feasibility study for the project.

"(4) LIMITS.—

"(A) GRANTS.—The amount of a grant under this subsection shall not exceed 25 percent of the cost of the activity carried out using funds from the grant.

"(B) LOAN GUARANTEES.—

"(i) MAXIMUM AMOUNT.—The amount of a loan guaranteed under this subsection shall not exceed $25,000,000.

"(ii) MAXIMUM PERCENTAGE.—A loan guaranteed under this subsection shall not exceed 75 percent of the cost of the activity carried out using funds from the loan.

"(5) PRODUCTION-BASED INCENTIVE PAYMENTS IN LIEU OF GRANTS.—

"(A) IN GENERAL.—In addition to the authority under subsection (b), to encourage the production of electricity from renewable energy systems, the Secretary, on receipt of a request of an eligible applicant under this section, shall make production-based incentive payments to the applicant in lieu of a grant.

"(B) CONTINGENCY.—A payment under subparagraph (A) shall be contingent on documented energy production and sales by the renewable energy system of the eligible applicant to a third party.

"(C) LIMITATION.—The total net present value of a production-based incentive payment under this paragraph shall not exceed the lesser of—

"(i) an amount equal to 25 percent of the eligible project costs, as determined by the Secretary; and

"(ii) such other limit as the Secretary may establish, by rule or guidance.

"(d) FINANCIAL ASSISTANCE FOR FACILITIES TO CONVERT ANIMAL MANURE TO ENERGY.—

"(1) DEFINITION OF ANIMAL MANURE.—In this subsection, the term 'animal manure' means agricultural livestock excrement, including litter, wood shavings, straw, rice hulls, bedding material, and other materials incidentally collected with the manure.

"(2) GRANTS AND LOAN GUARANTEES.—The Secretary shall make grants and loan guarantees to eligible entities on a competitive basis for the installation, operation, and evaluation of facilities described in paragraph (4).

"(3) ELIGIBLE ENTITIES.—To be eligible to receive a grant or loan guarantee under this subsection, an entity shall be—

"(A) an agricultural producer;

"(B) a rural small business;

"(C) a rural cooperative; or

"(D) any other similar entity, as determined by the Secretary.

"(4) ELIGIBLE FACILITIES.—

"(A) IN GENERAL.—Subject to subparagraphs (B) through (E), an eligible entity may receive a grant or loan guarantee under this subsection for the installation, first-year operation, and evaluation of an on-farm or community facility (such as a digester or power generator using manure for fuel) the primary function of which is to convert animal manure into a useful form of energy (including gaseous or liquid fuel or electricity).

"(B) SUBSYSTEMS INCLUDED.—Funds from a grant and loan guarantee under subparagraph (A) may be used for systems that support an on-farm or community facility described in that subparagraph, which may include feedstock gathering systems and gas piping systems.

"(C) CONVERSION OF RENEWABLE BIOMASS.—An eligible entity may use a grant or loan guarantee provided under this subsection to convert renewable biomass other than animal manure (such as waste materials from food processing facilities and other green wastes) into energy at a facility if the majority of materials converted into energy at the facility is animal manure.

"(D) DEVELOPMENT AND DEMONSTRATION OF NEW TECHNOLOGIES.—An eligible entity may use a grant or loan guarantee provided under this subsection for the installation, demonstration, and first 2 years of operation of an on-farm or community facility that uses manure-to-energy technologies—

"(i) that are not in commercial use, as determined by the Secretary; and

"(ii) for which sufficient research has been conducted for the Secretary to determine that the technology is commercially viable.

"(5) SELECTION OF ELIGIBLE ENTITIES.—In selecting applications for grants and loan guarantees under this subsection, the Secretary shall consider—

"(A) the quality of energy produced; and

"(B) the projected net energy conversion efficiency, which shall be equal to the quotient obtained by dividing—

"(i) the energy output of the eligible facility; by

"(ii) the sum of—

"(I) the energy content of animal manure at the point of collection; and

"(II) the energy consumed in facility operations, including feedstock transportation;

"(C) environmental issues, including potential positive and negative impacts on water quality, air quality, odor emissions, pathogens, and soil quality resulting from—

"(i) the use and conversion of animal manure into energy;

"(ii) the installation and operation of the facility; and

"(iii) the disposal of any waste products (including effluent) from the facility;

"(D) the net impact of the facility and any waste from the facility on greenhouse gas emissions, based on the estimated emissions from manure storage systems in use before the installation of the manure-to-energy facility;

"(E) diversity factors, including diversity of—

"(i) sizes of projects supported; and

"(ii) geographic locations; and

"(F) the proposed project costs and levels of grants or loan guarantees requested.

"(6) AMOUNT.—

"(A) GRANTS.—

"(i) SMALLER PROJECTS.—In the case of a project with a total eligible cost (as described in paragraph (4)) of not more than $500,000, the amount of a grant made under this subsection shall not exceed 50 percent of the total eligible cost.

"(ii) LARGER PROJECTS.—In the case of a project with a total eligible cost (as described in paragraph (4)) of more than $500,000, the amount of a grant made under this subsection shall not exceed the greater of—

"(I) $250,000; or

"(II) 25 percent of the total eligible cost.

"(iii) MAXIMUM.—In no case shall the amount of a grant made under this section exceed $2,000,000.

"(B) LOAN GUARANTEES.—The principal amount and interest of a loan guaranteed under this subsection may not exceed the lesser of—

"(i) 80 percent of the difference between—

"(I) the total cost to install and operate the eligible facility for the first year, as determined by the Secretary; and

"(II) the amount of any Federal, State, and local funds received to support the eligible facility; and

"(ii) $25,000,000.

"(7) PROHIBITION.—A grant or loan guarantee may not be provided for a project under this subsection that also receives assistance under subsection (b) or (c).

"(e) ROLE OF STATE RURAL DEVELOPMENT DIRECTOR.—

"(1) OUTREACH AND AVAILABILITY OF INFORMATION.—

"(A) OUTREACH.—A State rural development director, acting through local rural development offices, shall provide outreach regarding the availability of financial assistance under this section.

"(B) AVAILABILITY OF INFORMATION.—A State rural development director shall make available information relating to the availability of financial assistance under this section at all local rural development, Farm Service Agency, and Natural Resources Conservation Service offices.

"(2) APPLICATION REVIEW.—Applications for assistance under this section shall be reviewed by the appropriate State rural development director.

"(f) SMALL PROJECTS.—

"(1) APPLICATION AND REVIEW PROCESS.—The Secretary shall develop a streamlined application and expedited review process for project applicants seeking less than $20,000 under this section.

"(2) PERCENTAGE OF FUNDS.—Not less than 20 percent of the funds made available under subsection (k)(1) shall be made available to make grants under this section in an amount of less than $20,000.

"(g) PREFERENCE.—In selecting projects to receive grants under this section, the Secretary shall give preference to projects that receive or will receive financial support from the State in which the project is carried out.

"(h) RURAL ENERGY STAR.—The Secretary, in coordination with the Administrator and the Secretary of Energy, shall extend the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a) to include a Rural Energy Star component to promote the development and use of energy-efficient equipment and facilities in the agricultural sector.

"(i) REPORTS.—Not later than 4 years after the date of enactment of the Food and Energy Security Act of 2007, the Secretary shall submit to Congress a report on the implementation of this section, including the outcomes achieved by projects funded under this section.

"(j) FUNDING.—

"(1) COMMODITY CREDIT CORPORATION.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available $230,000,000 to carry out subsections (c) and (d) for fiscal year 2008, to remain available until expended, of which not less than 15 percent shall be used to carry out subsection (d).

"(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other funds made available to carry out this section, there are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.

"SEC. 9008. BIOMASS RESEARCH AND DEVELOPMENT ACT OF 2000.

"(a) DEFINITIONS.—In this section:

"(1) BIOBASED PRODUCT.—The term 'biobased product' means—

"(A) an industrial product (including chemicals, materials, and polymers) produced from biomass; and

"(B) a commercial or industrial product (including animal feed and electric power) derived in connection with the conversion of biomass to fuel.

"(2) DEMONSTRATION.—The term 'demonstration' means demonstration of technology in a pilot plant or semi-works scale facility.

"(3) INITIATIVE.—The term 'Initiative' means the Biomass Research and Development Initiative established under subsection (e).

"(4) NATIONAL LABORATORY.—The term 'National Laboratory' has the meaning given that term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

"(5) POINT OF CONTACT.—The term 'point of contact' means a point of contact designated under this section.

"(b) COOPERATION AND COORDINATION IN BIOMASS RESEARCH AND DEVELOPMENT.—

"(1) IN GENERAL.—The Secretary of Agriculture and the Secretary of Energy shall cooperate with respect to, and coordinate, policies and procedures that promote research and development leading to the production of biofuels and biobased products.

"(2) POINTS OF CONTACT.—

"(A) IN GENERAL.—To coordinate research and development programs and activities relating to biofuels and biobased products that are carried out by their respective departments—

"(i) the Secretary of Agriculture shall designate, as the point of contact for the Department of Agriculture, an officer of the Department of Agriculture appointed by the President to a position in the Department before the date of the designation, by and with the advice and consent of the Senate; and

"(ii) the Secretary of Energy shall designate, as the point of contact for the Department of Energy, an officer of the Department of Energy appointed by the President to a position in the Department before the date of the designation, by and with the advice and consent of the Senate.

"(B) DUTIES.—The points of contact shall jointly—

"(i) assist in arranging interlaboratory and site-specific supplemental agreements for research and development projects relating to biofuels and biobased products;

"(ii) serve as cochairpersons of the Board;

"(iii) administer the Initiative; and

"(iv) respond in writing to each recommendation of the Advisory Committee made under subsection (d).

"(c) BIOMASS RESEARCH AND DEVELOPMENT BOARD.—

"(1) ESTABLISHMENT.—There is established the Biomass Research and Development Board, which shall supersede the Interagency Council on Biobased Products and Bioenergy established by Executive Order No. 13134 (7 U.S.C. 8101 note), to coordinate programs within and among departments and agencies of the Federal Government for the purpose of promoting the use of biofuels and biobased products by—

"(A) maximizing the benefits deriving from Federal grants and assistance; and

"(B) bringing coherence to Federal strategic planning.

"(2) MEMBERSHIP.—The Board shall consist of—

"(A) the point of contact of the Department of Energy designated under subsection (b)(2)(A)(ii), who shall serve as cochairperson of the Board;

"(B) the point of contact of the Department of Agriculture designated under subsection (b)(2)(A)(i), who shall serve as cochairperson of the Board;

"(C) a senior officer of each of the Department of the Interior, the Environmental Protection Agency, the National Science Foundation, and the Office of Science and Technology Policy, each of whom shall—

“(i) be appointed by the head of the respective agency; and

“(ii) have a rank that is equivalent to the rank of the points of contact; and

“(D) at the option of the Secretary of Agriculture and the Secretary of Energy, other members appointed by the Secretaries (after consultation with the members described in subparagraphs (A) through (C)).

“(3) DUTIES.—The Board shall—

“(A) coordinate research and development activities relating to biofuels and biobased products—

“(i) between the Department of Agriculture and the Department of Energy; and

“(ii) with other departments and agencies of the Federal Government;

“(B) provide recommendations to the points of contact concerning administration of this title;

“(C) ensure that—

“(i) solicitations are open and competitive with awards made annually; and

“(ii) objectives and evaluation criteria of the solicitations are clearly stated and minimally prescriptive, with no areas of special interest; and

“(D) ensure that the panel of scientific and technical peers assembled under subsection (e) to review proposals is composed predominantly of independent experts selected from outside the Departments of Agriculture and Energy.

“(4) FUNDING.—Each agency represented on the Board is encouraged to provide funds for any purpose under this section.

“(5) MEETINGS.—The Board shall meet at least quarterly to enable the Board to carry out the duties of the Board under paragraph (3).

“(d) BIOMASS RESEARCH AND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE.—

“(1) ESTABLISHMENT.—There is established the Biomass Research and Development Technical Advisory Committee, which shall supersede the Advisory Committee on Biobased Products and Bioenergy established by Executive Order No. 13134 (7 U.S.C. 8101 note)—

“(A) to advise the Secretary of Energy, the Secretary of Agriculture, and the points of contact concerning—

“(i) the distribution of funding;

“(ii) the technical focus and direction of requests for proposals issued under the Initiative; and

“(iii) procedures for reviewing and evaluating the proposals;

“(B) to facilitate consultations and partnerships among Federal and State agencies, agricultural producers, industry, consumers, the research community, and other interested groups to carry out program activities relating to the Initiative; and

“(C) to evaluate and perform strategic planning on program activities relating to the Initiative.

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The Advisory Committee shall consist of—

“(i) an individual affiliated with the biofuels industry;

“(ii) an individual affiliated with the biobased industrial and commercial products industry;

“(iii) an individual affiliated with an institution of higher education who has expertise in biofuels and biobased products;

“(iv) 2 prominent engineers or scientists from government or academia who have expertise in biofuels and biobased products;

“(v) an individual affiliated with a commodity trade association;

“(vi) 2 individuals affiliated with an environmental or conservation organization;

“(vii) an individual associated with State government who has expertise in biofuels and biobased products;

“(viii) an individual with expertise in energy and environmental analysis;

“(ix) an individual with expertise in the economics of biofuels and biobased products;

“(x) an individual with expertise in agricultural economics;

“(xi) an individual with expertise in plant biology and biomass feedstock development; and

“(xii) at the option of the points of contact, other members.

“(B) APPOINTMENT.—The members of the Advisory Committee shall be appointed by the points of contact.

“(3) DUTIES.—The Advisory Committee shall—

“(A) advise the points of contact with respect to the Initiative; and

“(B) evaluate whether, and make recommendations in writing to the Board to ensure that—

“(i) funds authorized for the Initiative are distributed and used in a manner that is consistent with the objectives, purposes, and considerations of the Initiative;

“(ii) solicitations are open and competitive with awards made annually and that objectives and evaluation criteria of the solicitations are clearly stated and minimally prescriptive, with no areas of special interest;

“(iii) the points of contact are funding proposals under this title that are selected on the basis of merit, as determined by an independent panel of scientific and technical peers predominantly from outside the Departments of Agriculture and Energy; and

“(iv) activities under this section are carried out in accordance with this section.

“(4) COORDINATION.—To avoid duplication of effort, the Advisory Committee shall coordinate the activities of the Advisory Committee with activities of other Federal advisory committees working in related areas.

“(5) MEETINGS.—The Advisory Committee shall meet at least quarterly to enable the Advisory Committee to carry out the duties of the Advisory Committee.

“(6) TERMS.—Members of the Advisory Committee shall be appointed for a term of 3 years.

“(e) BIOMASS RESEARCH AND DEVELOPMENT INITIATIVE.—

“(1) IN GENERAL.—The Secretary of Agriculture and the Secretary of Energy, acting through their respective points of contact and in consultation with the Board, shall establish and carry out a Biomass Research and Development Initiative under which competitively awarded grants, contracts, and financial assistance are provided to, or entered into with, eligible entities to carry out research on, and development and demonstration of, biofuels and biobased products, and the methods, practices, and technologies, for the production of the fuels and product.

“(2) OBJECTIVES.—The objectives of the Initiative are to develop—

“(A) technologies and processes necessary for abundant commercial production of biofuels at prices competitive with fossil fuels;

“(B) high-value biobased products—

“(i) to enhance the economic viability of biofuels and bioenergy;

“(ii) as substitutes for petroleum-based feedstocks and products; and

“(iii) to enhance the value of coproducts produced using the technologies and processes; and

“(C) a diversity of sustainable domestic sources of renewable biomass for conversion to biofuels, bioenergy, and biobased products.

“(3) PURPOSES.—The purposes of the Initiative are—

“(A) to increase the energy security of the United States;

“(B) to create jobs and enhance the economic development of the rural economy;

“(C) to enhance the environment and public health; and

“(D) to diversify markets for raw agricultural and forestry products.

“(4) TECHNICAL AREAS.—To advance the objectives and purposes of the Initiative, the Secretary of Agriculture and the Secretary of Energy, in consultation with the Administrator of the Environmental Protection Agency and heads of other appropriate departments and agencies (referred to in this subsection as the ‘Secretaries’), shall direct research, development, and demonstration toward—

“(A) feedstocks and feedstock systems relevant to production of raw materials for conversion to biofuels and biobased products, including—

“(i) development of advanced and dedicated crops with desired features, including enhanced productivity, broader site range, low requirements for chemical inputs, and enhanced processing;

“(ii) advanced crop production methods to achieve the features described in clause (i) and suitable assay techniques for those features;

“(iii) feedstock harvest, handling, transport, and storage;

“(iv) strategies for integrating feedstock production into existing managed land; and

“(v) improving the value and quality of coproducts, including material used for animal feeding;

“(B) development of cost-effective technologies for the use of cellulosic biomass in the production of biofuels and biobased products, including—

“(i) pretreatment in combination with enzymatic or microbial hydrolysis;

“(ii) thermochemical approaches, including gasification and pyrolysis; and

“(iii) self-processing crops that express enzymes capable of degrading cellulosic biomass;

“(C) product diversification through technologies relevant to production of a range of biobased products (including chemicals, animal feeds, and cogenerated power) that eventually can increase the feasibility of fuel production in a biorefinery, including—

“(i) catalytic processing, including thermochemical fuel production;

“(ii) metabolic engineering, enzyme engineering, and fermentation systems for biological production of desired products, coproducts, or cogeneration of power;

“(iii) product recovery;

“(iv) power production technologies;

“(v) integration into existing renewable biomass processing facilities, including starch ethanol plants, sugar processing or refining plants, paper mills, and power plants;

“(vi) enhancement of products and coproducts, including dried distillers grains; and

“(vii) technologies that allow for cost-effective harvest, handling, transport, and storage; and

“(D) analysis that provides strategic guidance for the application of renewable biomass technologies in accordance with realization of improved sustainability and environmental quality, cost effectiveness, security, and rural economic development, usually featuring system-wide approaches, including the harvest, handling, transport, and storage of renewable biomass.

“(5) ADDITIONAL CONSIDERATIONS.—Within the technical areas described in paragraph (4), and in addition to advancing the purposes described in paragraph (3) and the objectives described in paragraph (2), the Secretaries shall support research and development—

“(A) to create continuously expanding opportunities for participants in existing biofuels production by seeking synergies and continuity with current technologies and practices, such as improvements in dried distillers grains and other biofuel production coproducts for use as bridge feedstocks;

“(B) to maximize the environmental, economic, and social benefits of production of biofuels and biobased products on a large scale through life-cycle economic and environmental analysis and other means; and

“(C) to assess the potential of Federal land and land management programs as feedstock resources for biofuels and biobased products, consistent with the integrity of soil and water resources and with other environmental considerations.

“(6) ELIGIBLE ENTITIES.—To be eligible for a grant, contract, or assistance under this subsection, an applicant shall be—

“(A) an institution of higher education;

“(B) a National Laboratory;

“(C) a Federal research agency;

“(D) a State research agency;

“(E) a private sector entity;

“(F) a nonprofit organization; or

“(G) a consortium of 2 or more entities described in subparagraphs (A) through (F).

“(7) ADMINISTRATION.—

“(A) IN GENERAL.—After consultation with the Board, the points of contact shall—

“(i) publish annually 1 or more joint requests for proposals for grants, contracts, and assistance under this subsection;

“(ii) require that grants, contracts, and assistance under this section be awarded competitively, on the basis of merit, after the establishment of procedures that provide for scientific peer review by an independent panel of scientific and technical peers;

“(iii) give partial preference to applications that—

“(I) involve a consortia of experts from multiple institutions;

“(II) encourage the integration of disciplines and application of the best technical resources; and

“(III) increase the geographic diversity of demonstration projects; and

“(iv) require that not less than 15 percent of funds made available to carry out this section is used for research and development relating to each of the technical areas described in paragraph (4).

“(B) MATCHING FUNDS.—

“(i) IN GENERAL.—The non-Federal share of the cost of a demonstration project under this section shall be not less than 20 percent.

“(ii) COMMERCIAL APPLICATIONS.—The non-Federal share of the cost of a commercial application project under this section shall be not less than 50 percent.

“(C) TECHNOLOGY AND INFORMATION TRANSFER TO AGRICULTURAL USERS.—The Administrator of the National Institute of Food and Agriculture and the Chief of the Natural Resources Conservation Service shall ensure that applicable research results and technologies from the Initiative are—

“(i) adapted, made available, and disseminated through those services, as appropriate; and

“(ii) included in the best practices database established under section 220 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6920).

“(f) ADMINISTRATIVE SUPPORT AND FUNDS.—

“(1) IN GENERAL.—To the extent administrative support and funds are not provided by other agencies under paragraph (2), the Secretary of Energy and the Secretary of Agriculture may provide such administrative support and funds of the Department of Energy and the Department of Agriculture to the Board and the Advisory Committee as are necessary to enable the Board and the Advisory Committee to carry out their duties under this section.

“(2) OTHER AGENCIES.—The heads of the agencies referred to in subsection (c)(2)(C), and the other members of the Board appointed under subsection (c)(2)(D), may, and are encouraged to, provide administrative support and funds of their respective agencies to the Board and the Advisory Committee.

“(3) LIMITATION.—Not more than 4 percent of the amount made available for each fiscal year under subsection (h) may be used to pay the administrative costs of carrying out this section.

“(g) REPORTS.—

“(1) ANNUAL REPORTS.—For each fiscal year for which funds are made available to carry out this section, the Secretary of Energy and the Secretary of Agriculture shall jointly submit to Congress a detailed report on—

“(A) the status and progress of the Initiative, including a report from the Advisory Committee on whether funds appropriated for the Initiative have been distributed and used in a manner that—

“(i) is consistent with the objectives, purposes, and additional considerations described in paragraphs (2) through (5) of subsection (e);

“(ii) uses the set of criteria established in the initial report submitted under title III of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 7624 note; Public Law 106–224) (as in effect on the date before the date of enactment of the Food and Energy Security Act of 2007); and

“(iii) takes into account any recommendations that have been made by the Advisory Committee;

“(B) the general status of cooperation and research and development efforts carried out at each agency with respect to biofuels and biobased products, including a report from the Advisory Committee on whether the points of contact are funding proposals that are selected under subsection (d)(3)(B)(iii); and

“(C) the plans of the Secretary of Energy and the Secretary of Agriculture for addressing concerns raised in the report, including concerns raised by the Advisory Committee.

“(2) UPDATES.—The Secretary of Agriculture and the Secretary of Energy shall update the Vision and Roadmap documents prepared for Federal biomass research and development activities.

“(h) FUNDING.—

“(1) COMMODITY CREDIT CORPORATION FUNDS.—Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture, to the maximum extent practicable, shall use to carry out this section, to remain available until expended—

“(A) $15,000,000 for fiscal year 2008;

“(B) $25,000,000 for fiscal year 2009; and

“(C) $35,000,000 for fiscal year 2010.

“(2) ADDITIONAL FUNDING.—In addition to amounts described in paragraph (1), there is authorized to be appropriated to carry out this section $85,000,000 for each of fiscal years 2008 through 2012.

“SEC. 9009. SUN GRANT PROGRAM.

“(a) PURPOSES.—The purposes of the programs established under this section are—

“(1) to enhance national energy security through the development, distribution, and implementation of biobased energy technologies;

“(2) to promote diversification in, and the environmental sustainability of, agricultural production in the United States through biobased energy and product technologies;

“(3) to promote economic diversification in rural areas of the United States through biobased energy and product technologies; and

“(4) to enhance the efficiency of bioenergy and biomass research and development programs through improved coordination and collaboration between the Department of Agriculture, the Department of Energy, and the land-grant colleges and universities.

“(b) DEFINITION OF LAND-GRANT COLLEGES AND UNIVERSITIES.—The term ‘land-grant colleges and universities’ means—

“(1) 1862 Institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601));

“(2) 1890 Institutions (as defined in section 2 of that Act) and West Virginia State College; and

“(3) 1994 Institutions (as defined in section 2 of that Act).

“(c) ESTABLISHMENT.—To carry out the purposes described in subsection (a), the Secretary shall provide grants to sun grant centers specified in subsection (d).

“(d) GRANTS TO CENTERS.—The Secretary shall use amounts made available for a fiscal year under subsection (j) to provide a grants in equal amounts to each of the following sun grant centers:

“(1) NORTH-CENTRAL CENTER.—A north-central sun grant center at South Dakota State University for the region composed of the States of Illinois, Indiana, Iowa, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

“(2) SOUTHEASTERN CENTER.—A southeastern sun grant center at the University of Tennessee at Knoxville for the region composed of—

“(A) the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia;

“(B) the Commonwealth of Puerto Rico; and

“(C) the United States Virgin Islands.

“(3) SOUTH-CENTRAL CENTER.—A south-central sun grant center at Oklahoma State University for the region composed of the States of Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas.

“(4) WESTERN CENTER.—A western sun grant center at Oregon State University for the region composed of—

“(A) the States of Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Utah, and Washington; and

“(B) territories and possessions of the United States (other than the territories referred to in subparagraphs (B) and (C) of paragraph (2)).

“(5) NORTHEASTERN CENTER.—A northeastern sun grant center at Cornell University for the region composed of the States of Connecticut, Delaware, Massachusetts, Maryland, Maine, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and West Virginia.

“(6) WESTERN INSULAR PACIFIC SUBCENTER.—A western insular Pacific subcenter at the University of Hawaii for the region composed of the State of Alaska, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Federated

States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

"(e) USE OF FUNDS.—

"(1) CENTERS OF EXCELLENCE.—Of the amount of funds that are made available for a fiscal year to a sun grant center under subsection (d), the center shall use not more than 25 percent of the amount to support excellence in science, engineering, and economics at the center to promote the purposes described in subsection (a) through the State agricultural experiment station, cooperative extension services, and relevant educational programs of the university.

"(2) GRANTS TO LAND-GRANT COLLEGES AND UNIVERSITIES.—

"(A) IN GENERAL.—The sun grant center established for a region shall use the funds that remain available for a fiscal year after expenditures made under paragraph (1) to provide competitive grants to land-grant colleges and universities in the region of the sun grant center to conduct, consistent with the purposes described in subsection (a), multi-institutional and multistate—

"(i) research, extension, and educational programs on technology development; and

"(ii) integrated research, extension, and educational programs on technology implementation.

"(B) PROGRAMS.—Of the amount of funds that are used to provide grants for a fiscal year under subparagraph (A), the center shall use—

"(i) not less than 30 percent of the funds to carry out programs described in subparagraph (A)(i); and

"(ii) not less than 30 percent of the funds to carry out programs described in subparagraph (A)(ii).

"(3) INDIRECT COSTS.—A sun grant center may not recover the indirect costs of making grants under paragraph (2) to other land-grant colleges and universities.

"(f) PLAN.—

"(1) IN GENERAL.—Subject to the availability of funds under subsection (j), in cooperation with other land-grant colleges and universities and private industry in accordance with paragraph (2), the sun grant centers shall jointly develop and submit to the Secretary, for approval, a plan for addressing at the State and regional levels the bioenergy, biomass, and gasification research priorities of the Department of Agriculture and the Department of Energy for the making of grants under paragraphs (1) and (2) of subsection (e).

"(2) GASIFICATION COORDINATION.—

"(A) IN GENERAL.—In developing the plan under paragraph (1) with respect to gasification research, the sun grant centers identified in paragraphs (1) and (2) of subsection (d) shall coordinate with land grant colleges and universities in their respective regions that have ongoing research activities with respect to the research.

"(B) FUNDING.—Funds made available under subsection (d) to the sun grant center identified in subsection (e)(2) shall be available to carry out planning coordination under paragraph (1) of this subsection.

"(g) GRANTS TO OTHER LAND-GRANT COLLEGES AND UNIVERSITIES.—

"(1) PRIORITY FOR GRANTS.—In making grants under subsection (e)(2), a sun grant center shall give a higher priority to programs that are consistent with the plan approved by the Secretary under subsection (f).

"(2) TERM OF GRANTS.—The term of a grant provided by a sun grant center under subsection (e)(2) shall not exceed 5 years.

"(h) GRANT INFORMATION ANALYSIS CENTER.—The sun grant centers shall maintain a Sun Grant Information Analysis Center at the sun grant center specified in subsection (d)(1) to provide sun grant centers analysis and data management support.

"(i) ANNUAL REPORTS.—Not later than 90 days after the end of a year for which a sun grant center receives a grant under subsection (d), the sun grant center shall submit to the Secretary a report that describes the policies, priorities, and operations of the program carried out by the center during the year, including a description of progress made in facilitating the priorities described in subsection (f).

"(j) FUNDING.—

"(1) COMMODITY CREDIT CORPORATION.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section, to remain available until expended—

"(A) **$5,000,000** for fiscal year **2008**;

"(B) **$10,000,000** for fiscal year **2009**; and

"(C) **$10,000,000** for fiscal year **2010**.

"(2) AUTHORIZATION OF APPROPRIATIONS.—

"(A) IN GENERAL.—In addition to any other funds made available to carry out this section, there is authorized to be appropriated to carry out this section **$70,000,000** for each of fiscal years **2008** through **2012**.

"(B) GRANT INFORMATION ANALYSIS CENTER.—Of amounts made available under subparagraph (A), not more than **$4,000,000** for each fiscal year shall be made available to carry out subsection (h).

"SEC. 9010. REGIONAL BIOMASS CROP EXPERIMENTS.

"(a) PURPOSE.—The purpose of this section is to initiate multi-region side-by-side crop experiments to provide a sound knowledge base on all aspects of the production of biomass energy crops, including crop species, nutrient requirements, management practices, environmental impacts, greenhouse gas implications, and economics.

"(b) CROP EXPERIMENTS.—

"(1) IN GENERAL.—The Secretary, in consultation with the Board, based on the recommendations of the Advisory Committee, shall award 10 competitive grants to land-grant colleges and universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)) to establish regional biomass crop research experiments (including experiments involving annuals, perennials, and woody biomass species).

"(2) SELECTION OF GRANT RECIPIENTS.—Grant recipients shall be selected on the basis of applications submitted in accordance with guidelines issued by the Secretary.

"(3) SELECTION CRITERIA.—In selecting grant recipients, the Secretary shall consider—

"(A) the capabilities and experience of the applicant in conducting side-by-side crop experiments;

"(B) the range of species types and cropping practices proposed for study;

"(C) the quality of the proposed crop experiment plan;

"(D) the commitment of the applicant of adequate acreage and necessary resources for, and continued participation in, the crop experiments;

"(E) the need for regional diversity among the 10 institutions selected; and

"(F) such other factors as the Secretary may determine.

"(c) GRANTS.—The Secretary shall make a grant to each land-grant college or university selected under subsection (b) in the amount of—

"(1) **$1,000,000** for fiscal year **2008**;

"(2) **$2,000,000** for fiscal year **2009**; and

"(3) **$1,000,000** for fiscal year **2010**.

"(d) COORDINATION.—The Secretary shall coordinate with participants under this section—

"(1) to provide coordination regarding biomass crop research approaches; and

"(2) to ensure coordination between biomass crop research activities carried out by land-grant colleges and universities under this section and by sun grant centers under section **9009**.

"(e) FUNDING.—

"(1) COMMODITY CREDIT CORPORATION.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section, to remain available until expended—

"(A) **$10,000,000** for fiscal year **2008**;

"(B) **$20,000,000** for fiscal year **2009**; and

"(C) **$10,000,000** for fiscal year **2010**.

"(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other funds made available to carry out this section, there are authorized to be appropriated such sums are necessary to carry out this section for each of fiscal years **2008** through **2012**.

"SEC. 9011. BIOCHAR RESEARCH, DEVELOPMENT, AND DEMONSTRATION.

"(a) PURPOSE.—The purpose of this section is to support research, development, and demonstration of biochar as a coproduct of bioenergy production, as a soil enhancement practice, and as a carbon management strategy.

"(b) DEFINITION OF BIOCHAR.—In this section, the term 'biochar' means charcoal or biomass-derived black carbon that is added to soil to improve soil fertility, nutrient retention, and carbon content.

"(c) GRANTS.—The Secretary shall award competitive grants to eligible entities to support biochar research, development, and demonstration projects on multiple scales, including laboratory biochar research and field trials, and biochar systems on a single farm scale, local community scale, and agricultural cooperative scale.

"(d) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be an eligible entity described in section **9005**(d).

"(e) AREAS OF BIOCHAR RESEARCH, DEVELOPMENT, AND DEMONSTRATION.—In carrying out this section, the Secretary shall solicit proposals for activities that include—

"(1) the installation and use of biochar production systems, including pyrolysis and thermocombustion systems, and the integration of biochar production with bioenergy and bioproducts production;

"(2) the study of agronomic effects of biochar usage in soils, including plant growth and yield effects for different application rates and soil types, and implications for water and fertilizer needs;

"(3) biochar characterization, including analysis of physical properties, chemical structure, product consistency and quality, and the impacts of those properties on the soil-conditioning effects of biochar in different soil types;

"(4) the study of effects of the use of biochar on the carbon content of soils, with an emphasis on the potential for biochar applications to sequester carbon;

"(5) the study of effects of biochar on greenhouse gas emissions relating to crop production, including nitrous oxide and carbon dioxide emissions from cropland;

"(6) the study of the integration of renewable energy and bioenergy production with biochar production;

"(7) the study of the economics of biochar production and use, including considerations of feedstock competition, synergies of coproduction with bioenergy, the value of soil enhancements, and the value of soil carbon sequestration; and

"(8) such other topics as are identified by the Secretary.

"(f) FUNDING.—There is authorized to be appropriated to carry out this section $3,000,000 for each of fiscal years 2008 through 2012.

"SEC. 9012. RENEWABLE WOODY BIOMASS FOR ENERGY.

"(a) IN GENERAL.—The Secretary, acting through the Chief of the Forest Service (referred to in this section as the 'Secretary'), shall conduct a competitive research, technology development, and technology application program to encourage the use of renewable woody biomass for energy.

"(b) ELIGIBLE ENTITIES.—Entities eligible to compete under the program shall include—

"(1) the Forest Service (through Research and Development);

"(2) other Federal agencies;

"(3) State and local governments;

"(4) federally recognized Indian tribes;

"(5) colleges and universities; and

"(6) private entities.

"(c) PRIORITY FOR PROJECT SELECTION.—The Secretary shall give priority under the program to projects that—

"(1) develop technology and techniques to use low-value woody biomass sources, such as byproducts of forest health treatments and hazardous fuels reduction, for the production of energy;

"(2) develop processes that integrate production of energy from woody biomass into biorefineries or other existing manufacturing streams;

"(3) develop new transportation fuels from woody biomass; and

"(4) improve the growth and yield of trees intended for renewable energy production.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2008 through 2012.

"SEC. 9013. COMMUNITY WOOD ENERGY PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) COMMUNITY WOOD ENERGY PLAN.—The term 'community wood energy plan' means a plan that identifies how local forests can be accessed in a sustainable manner to help meet the wood supply needs of a community wood energy system.

"(2) COMMUNITY WOOD ENERGY SYSTEM.—

"(A) IN GENERAL.—The term 'community wood energy system' means an energy system that—

"(i) services schools, town halls, libraries, and other public buildings; and

"(ii) uses woody biomass as the primary fuel.

"(B) INCLUSIONS.—The term 'community wood energy system' includes single facility central heating, district heating, combined heat and energy systems, and other related biomass energy systems.

"(b) GRANT PROGRAM.—

"(1) IN GENERAL.—The Secretary, acting through the Chief of the Forest Service, shall establish a program to be known as the 'Community Wood Energy Program' to provide—

"(A) grants of up to $50,000 to State and local governments (or designees)—

"(i) to conduct feasibility studies related to community wood energy plans; and

"(ii) to develop community wood energy plans; and

"(B) competitive grants to State and local governments—

"(i) to acquire or upgrade community wood energy systems for public buildings; and

"(ii) to implement a community wood energy plan.

"(2) CONSIDERATIONS.—In selecting applicants for grants under paragraph (1)(B), the Secretary shall consider—

"(A) the energy efficiency of the proposed system; and

"(B) other conservation and environmental criteria that the Secretary considers appropriate.

"(c) COMMUNITY WOOD ENERGY PLAN.—

"(1) IN GENERAL.—A State or local government that receives a grant under subsection (b)(1)(A), shall use the grant, and the technical assistance of the State forester, to create a community wood energy plan to meet the wood supply needs of the community wood energy system, in a sustainable manner, that the State or local government proposes to purchase under this section.

"(2) USE OF PLAN.—A State or local government applying to receive a competitive grant described in subsection (b)(1)(B) shall submit to the Secretary as part of the grant application the applicable community wood energy plan described in paragraph (1).

"(3) REQUIREMENT.—To be included in a community wood energy plan, property shall be subject to a forest management plan.

"(d) USE IN PUBLIC BUILDINGS.—A State or local government that receives a grant under subsection (b)(1)(B) shall use a community wood energy system acquired, in whole or in part, with the use of the grant funds for primary use in a public facility owned by the State or local government.

"(e) LIMITATION.—A community wood energy system acquired with grant funds provided under subsection (b)(1)(B) shall not exceed an output of—

"(1) 50,000,000 Btu per hour for heating; and

"(2) 2 megawatts for electric power production.

"(f) MATCHING FUNDS.—A State or local government that receives a grant under subsection (b) shall contribute an amount of non-Federal funds towards the feasibility study, development of the community wood energy plan, or acquisition of the community wood energy systems that is at least equal to the amount of grant funds received by the State or local government under that subsection.

"(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2008 through 2012.

"SEC. 9014. RURAL ENERGY SYSTEMS RENEWAL.

"(a) PURPOSE.—The purpose of this section is to establish a Federal program—

"(1) to encourage communities in rural areas of the United States to establish energy systems renewal strategies for their communities;

"(2) to provide the information, analysis assistance, and guidance that the communities need; and

"(3) to provide financial resources to partially fund the costs of carrying out community energy systems renewal projects.

"(b) PROGRAM AUTHORITY.—The Secretary shall establish and carry out a program of competitive grants to support communities in rural areas in carrying out rural energy systems renewal projects.

"(c) USE OF GRANTS.—A community may use a grant provided under this section to carry out a project—

"(1) to conduct an energy assessment that assesses total energy usage by all members and activities of the community, including an assessment of—

"(A) energy used in community facilities, including energy for heating, cooling, lighting, and all other building and facility uses;

"(B) energy used in transportation by community members;

"(C) current sources and types of energy used;

"(D) energy embedded in other materials and products;

"(E) the major impacts of the energy usage (including the impact on the quantity of oil imported, total costs, the environment, and greenhouse gas emissions); and

"(F) such other activities as are determined appropriate by the community, consistent with the purposes described in subsection (a);

"(2) to formulate and analyze ideas for reducing conventional energy usage and greenhouse gas emissions by the community, including reduction of energy usage through—

"(A) housing insulation, automatic controls on lighting and electronics, zone energy usage, and home energy conservation practices;

"(B) transportation alternatives, vehicle options, transit options, transportation conservation, and walk- and bike-to-school programs;

"(C) community configuration alternatives to provide pedestrian access to regular services; and

"(D) community options for alternative energy systems (including alternative fuels, photovoltaic electricity, wind energy, geothermal heat pump systems, and combined heat and power);

"(3) to formulate and implement community strategies for reducing conventional energy usage and greenhouse gas emissions by the community;

"(4) to conduct assessments and to track and record the results of energy system changes; and

"(5) to train rural community energy professionals to provide expert support to community energy systems renewal projects.

"(d) FEDERAL SHARE.—The Federal cost of carrying out a project under this section shall be 50 percent of the total cost of the project.

"(e) ADMINISTRATION.—The Secretary shall—

"(1) issue, an annual basis, requests for proposals from communities in rural areas for energy systems renewal projects; and

"(2) establish criteria for program participation and evaluation of projects carried out under this section, including criteria based on—

"(A) the quality of the renewal projects proposed;

"(B) the probability of success of the community in meeting the energy systems renewal goals of the community;

"(C) the projected energy savings (including oil savings) resulting from the proposed projects; and

"(D) projected greenhouse gas emission reductions resulting from the proposed projects.

"(f) TECHNICAL ASSISTANCE.—The Secretary, in consultation with the Secretary of Energy, shall—

"(1) develop, and provide through the National Institute of Food and Agriculture or State Energy Offices, information and tools that communities in rural areas can use—

"(A) to assess the current energy systems of the communities, including sources, uses, and impacts;

"(B) to identify and evaluate options for changes;

"(C) to develop strategies and plans for changes; and

“(D) to implement changes and assess the impact of the changes; and

“(2) provide technical assistance and support to communities in rural areas that receive grants under this section to assist the communities in carrying out projects under this section.

“(g) REPORT.—Not later than December 31, 2011, and biennially thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that documents the best practices and approaches used by communities in rural areas that receive funds under this section.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to make grants under this section $5,000,000 for each of fiscal years 2008 through 2012.

“SEC. 9015. VOLUNTARY RENEWABLE BIOMASS CERTIFICATION PROGRAM.

“(a) ESTABLISHMENT.—The Secretary, in consultation with Administrator, shall establish a voluntary program to certify renewable biomass that meets sustainable growing standards designed—

“(1) to reduce greenhouse gases and improve soil carbon content;

“(2) to protect wildlife habitat, and

“(3) to protect air, soil, and water quality.

“(b) VOLUNTARY CERTIFICATION REQUIREMENTS.—To qualify for certification under the program established under subsection (a), a biomass crop shall be inspected and certified as meeting the standards adopted under subsection (c) by an inspector designated under subsection (d).

“(c) PRODUCTION STANDARDS.—

“(1) IN GENERAL.—The Secretary shall adopt standards for the certification of renewable biomass under subsection (b) that will apply to those producers who elect to participate in the voluntary certification program.

“(2) REQUIREMENT.—The standards under paragraph (1) shall provide measurement of a numerical reduction in greenhouse gases, improvement to soil carbon content, and reduction in soil and water pollutants, based on the recommendations of an advisory committee jointly established by the Secretary and the Administrator.

“(d) INSPECTORS.—The Secretary shall designate inspectors that the Secretary determines are qualified to carry out inspections and certifications under subsection (b) in order to certify renewable biomass under this section.

“(e) DESIGNATION.—A product produced from renewable biomass that is certified under this section may be designated as having been produced from certified renewable biomass if—

“(1) the producer of the product verifies that the product was produced from renewable biomass; and

“(2) the verification includes a copy of the certification obtained in accordance with subsection (b).

“SEC. 9016. ADMINISTRATION.

“The Secretary shall designate an entity within the Department of Agriculture to—

“(1) provide oversight and coordination of all activities relating to renewable energy and biobased product development within the Department;

“(2) act as a liaison between the Department and other Federal, State, and local agencies to ensure coordination among activities relating to renewable energy and biobased product development;

“(3) assist agriculture researchers by evaluating the market potential of new biobased products in the initial phase of development;

“(4) collect and disseminate information relating to renewable energy and biobased product development programs, including research, within the Federal Government; and

“(5) establish and maintain a public database of best practices to facilitate information sharing relating to—

“(A) renewable energy and biobased product development from programs under this title and other programs; and

“(B) best practices for producing, collecting, harvesting, storing, and transporting crops of renewable biomass, as described under section 9004(d)(3)(B) of the Farm Security and Rural Investment Act of 2002.

“SEC. 9017. BIOFUELS INFRASTRUCTURE STUDY.

“(a) IN GENERAL.—The Secretary, in collaboration with the Secretary of Energy, the Administrator, and the Secretary of Transportation, shall—

“(1) conduct an assessment of the infrastructure needs for expanding the domestic production, transport, and marketing of biofuels and bioenergy;

“(2) formulate recommendations for infrastructure development needs and approaches; and

“(3) submit to the appropriate committees of Congress a report describing the assessment and recommendations.

“(b) INFRASTRUCTURE AREAS.—In carrying out subsection (a), the Secretary shall consider—

“(1) biofuel transport and delivery infrastructure issues, including shipment by rail or pipeline or barge;

“(2) biofuel storage needs;

“(3) biomass feedstock delivery needs, including adequacy of rural roads;

“(4) biomass feedstock storage needs;

“(5) water resource needs, including water requirements for biorefineries; and

“(6) such other infrastructure issues as the Secretary may determine.

“(c) CONSIDERATIONS.—In carrying out subsection (a), the Secretary shall consider—

“(1) estimated future biofuels production levels of—

“(A) 20,000,000,000 gallons per year to 40,000,000,000 gallons per year by 2020; and

“(B) 50,000,000,000 gallons per year to 75,000,000,000 gallons per year by 2030;

“(2) the feasibility of shipping biofuels through existing pipelines;

“(3) the development of new biofuels pipelines, including siting, financing, timing, and other economic issues;

“(4) the environmental implications of alternative approaches to infrastructure development; and

“(5) the resource use and conservation characteristics of alternative approaches to infrastructure development.

“(d) IMPLEMENTATION.—In carrying out this section, the Secretary—

“(1) shall consult with individuals and entities with interest or expertise in the areas described in subsections (b) and (c); and

“(2) may issue a solicitation for a competition to select a contractor to support the Secretary.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for each of fiscal years 2008 and 2009.

“SEC. 9018. RURAL NITROGEN FERTILIZER STUDY.

“(a) PURPOSES.—The purposes of this section are—

“(1) to assess the feasibility of producing nitrogen fertilizer from renewable energy resources in rural areas; and

“(2) to formulate recommendations for a program to promote rural nitrogen fertilizer production from renewable energy resources in the future.

“(b) STUDY.—The Secretary shall—

“(1) conduct a study to assess and summarize the current state of knowledge regarding the potential for the production of nitrogen fertilizer from renewable energy sources in rural areas;

“(2) identify the critical challenges to commercialization of rural production of nitrogen fertilizer from renewables; and

“(3) not later than 270 days after the date of enactment of this section, submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that summarizes the results of the activities described in paragraphs (1) and (2).

“(c) NEEDS.—

“(1) IN GENERAL.—Based on the results of the study described in subsection (b), the Secretary shall identify the critical needs to commercializing the rural production of nitrogen fertilizer from renewables, including—

“(A) identifying alternative processes for renewables-to-nitrogen fertilizer production;

“(B) identifying efficiency improvements that are necessary for each component of renewables-to-nitrogen fertilizer production processes to produce cost-competitive nitrogen fertilizer;

“(C) identifying research and technology priorities for the most promising technologies;

“(D) identifying economic analyses needed to better understand the commercial potential of rural nitrogen production from renewables;

“(E) identifying additional challenges impeding commercialization, including—

“(i) cost competition from nitrogen fertilizer produced using natural gas and coal;

“(ii) modifications or expansion needed to the currently-installed nitrogen fertilizer (anhydrous ammonia) pipeline and storage tank system to enable interconnection of on-farm or rural renewables-to-nitrogen fertilizer systems;

“(iii) impact on nitrogen fertilizer (anhydrous ammonia) transportation infrastructure and safety regulations;

“(iv) supply of competitively-priced renewable electricity; and

“(v) impacts on domestic water supplies; and

“(F) determining greenhouse gas reduction benefits of producing nitrogen fertilizer from renewable energy.

“(d) PROGRAM RECOMMENDATIONS.—As part of the report described in subsection (b)(3) and based on the needs identified in subsection (c), the Secretary shall provide recommendations on—

“(1) the establishment of a research, development, and demonstration program to support commercialization of rural nitrogen production using renewables;

“(2) the appropriate contents of the program;

“(3) the appropriate approach to implementing the program, including participants and funding plans; and

“(4) legislation to support commercialization of rural nitrogen production using renewables.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for fiscal year 2008.

"SEC. 9019. STUDY OF LIFE-CYCLE ANALYSIS OF BIOFUELS.

"(a) IN GENERAL.—The Secretary, in consultation with the Secretary of Energy and the Administrator, shall conduct a study of—

"(1) published methods for evaluating the lifecycle greenhouse gas emissions of conventional fuels and biofuels; and

"(2) methods for performing simplified, streamlined lifecycle analyses of the greenhouse gas emissions of conventional fuels and biofuels.

"(b) REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subsection (a), including recommendations for a method for performing a simplified, streamlined lifecycle analysis of the greenhouse gas emissions of biofuels and fossil fuels that includes—

"(1) greenhouse gas emissions relating to the production, extraction, transportation, storage, and waste disposal of the fuels and the feedstocks of the fuels, including the greenhouse gases associated with electrical and thermal energy inputs;

"(2) greenhouse gas emissions relating to the distribution, marketing, and use of the fuels; and

"(3) to the maximum extent practicable, direct and indirect greenhouse gas emissions from changes in land use and land cover that occur domestically or internationally as a result of biofuel feedstock production.

"(c) UPDATE.—Not later than 2 years after the date on which the Secretary submits the report under subsection (b), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an update containing recommendations for an improved method for conducting lifecycle analysis of the greenhouse gas emissions of biofuels and fossil fuels that takes into account advances in the understanding of the emissions.

"SEC. 9020. E-85 FUEL PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) E-85 FUEL.—The term 'E-85 fuel' means a blend of gasoline at least 85 percent (or any other percentage, but not less than 70 percent, as determined by the Secretary, by rule, to provide for requirements relating to cold start, safety, or vehicle functions) of the content of which is derived from ethanol.

"(2) ELIGIBLE FACILITY.—The term 'eligible facility' means an ethanol production facility, the majority ownership of which is comprised of agricultural producers.

"(b) PROGRAM.—The Secretary shall make grants under this section to eligible facilities—

"(1) to install E-85 fuel infrastructure, including infrastructure necessary—

"(A) for the direct retail sale of E-85 fuel, including E-85 fuel pumps and storage tanks; and

"(B) to directly market E-85 fuel to gas retailers, including in-line blending equipment, pumps, storage tanks, and load-out equipment; and

"(2) to provide subgrants to direct retailers of E-85 fuel that are located in a rural area (as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))) for the purpose of installing E-85 fuel infrastructure for the direct retail sale of E-85 fuel, including E-85 fuel pumps and storage tanks.

"(c) COST SHARING.—

"(1) GRANTS.—The amount of a grant under this section shall be equal to 20 percent of the total costs of the installation of the E-85 fuel infrastructure, as determined by the Secretary.

"(2) RELATIONSHIP TO OTHER FEDERAL FUNDING.—The amount of a grant that an eligible facility receives under this section shall be reduced by the amount of other Federal funding that the eligible facility receives for the same purpose, as determined by the Secretary.

"(3) LIMITATION.—Not more than 70 percent of the total costs of E-85 fuel infrastructure provided assistance under this section shall be provided by the Federal Government and State and local governments.

"(d) AUTHORIZATION OF APPROPRIATIONS.—Subject to the availability of appropriations, there is authorized to be appropriated to carry out this section $20,000,000 for the period of fiscal years 2008 through 2012, to remain available until expended.

"SEC. 9021. RESEARCH AND DEVELOPMENT OF RENEWABLE ENERGY.

"(a) IN GENERAL.—The Secretary, in conjunction with the Colorado Renewable Energy Collaboratory, shall carry out a research and development program relating to renewable energy—

"(1) to conduct research on and develop high-quality energy crops that—

"(A) have high energy production values;

"(B) are cost efficient for producers and refiners;

"(C) are well suited to high yields with minimal inputs in arid and semiarid regions; and

"(D) are regionally appropriate;

"(2) to conduct research on and develop biorefining and biofuels through multidisciplinary research, including research relating to—

"(A) biochemical engineering;

"(B) process engineering;

"(C) thermochemical engineering;

"(D) product engineering; and

"(E) systems engineering;

"(3) to develop cost-effective methods for the harvesting, handling, transport, and storage of cellulosic biomass feedstocks;

"(4) to conduct research on and develop fertilizers from biobased sources other than hydrocarbon fuels;

"(5) to develop energy- and water-efficient irrigation systems;

"(6) to research and develop water-efficient biofuel production technologies;

"(7) to research and develop additional biobased products;

"(8) in cooperation with the Department of Energy and the Department of Defense, to develop storage and conversion technologies for wind- and solar-generated power for small-scale and utility-scale generation facilities; and

"(9) in cooperation with the Department of Energy, to research fuel cell technologies for use in farm, ranch, and rural applications.

"(b) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2008 through 2012, to remain available until expended.

"(2) ADDITIONAL FUNDS.—In addition to funds made available under paragraph (1), there are authorized to be appropriated—

"(A) $110,000,000 to the Under Secretary for Research, Education, and Economics, acting through the Agricultural Research Service, for cellulosic biofuel research for each of fiscal years 2008 through 2012; and

"(B) $110,000,000 to the Secretary and the Secretary of Energy for the development of smaller-scale biorefineries and biofuel plants for each of fiscal years 2008 through 2012.

"SEC. 9022. NORTHEAST DAIRY NUTRIENT MANAGEMENT AND ENERGY DEVELOPMENT PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) CONSORTIUM.—The term 'consortium' means a collaboration of land-grant colleges or universities in the Northeast region that have programs devoted to dairy manure nutrient management and energy conversion from dairy manure.

"(2) LAND-GRANT COLLEGES AND UNIVERSITIES.—The term 'land-grant colleges and universities' has the meaning given the term in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)).

"(3) NORTHEAST REGION.—The term 'Northeast region' means the States of Connecticut, Delaware, Massachusetts, Maryland, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia.

"(4) PROGRAM.—The term 'program' means the dairy nutrient management and energy development program established under subsection (b).

"(b) ESTABLISHMENT.—The Secretary shall establish a dairy nutrient management and energy development program under which the Secretary shall provide funds to the consortium to carry out multistate, integrated research, extension, and demonstration projects for nutrient management and energy development in the Northeast Region.

"(c) STEERING COMMITTEE.—

"(1) IN GENERAL.—The consortium shall establish a steering committee to administer the program.

"(2) CHAIRPERSON.—For each calendar year, or for such other period as the consortium determines to be appropriate, the consortium shall select a chairperson of the steering committee in a manner that ensures that each member of the consortium is represented by a chairperson on a rotating basis.

"(3) BOARD.—

"(A) IN GENERAL.—The steering committee shall establish a board of directors to assist in the administration of the program.

"(B) COMPOSITION.—The board shall consist of representatives of—

"(i) dairy cooperatives and other producer groups;

"(ii) State departments of agriculture;

"(iii) conservation organizations; and

"(iv) other appropriate Federal and State agencies.

"(d) USE OF FUNDS.—

"(1) ADMINISTRATIVE COSTS.—The consortium may use not more than 10 percent of the total amount of funds provided to the consortium under this section to pay the administrative costs of the program.

"(2) GRANT PROGRAM.—

"(A) IN GENERAL.—The consortium shall use the amounts provided under this section to provide grants to applicants, including dairy cooperatives, producers and producer groups, State departments of agriculture and other appropriate State agencies, and institutions of higher education, to carry out integrated research, extension, and demonstration projects in the Northeast region to address manure nutrient management and energy development.

"(B) APPLICATIONS.—The steering committee established under subsection (c)(1), in coordination with the board established by the steering committee, shall annually publish 1 or more requests to receive applications for grants under this paragraph.

"(C) SELECTION.—

"(i) IN GENERAL.—The board of the steering committee shall select applications submitted under subparagraph (B) for grants under this paragraph—

"(I) on a competitive basis;

"(II) in accordance with such priority technical areas and distribution requirements as the steering committee may establish; and

"(III) in a manner that ensures, to the maximum extent practicable, that an equal quantity of resources is provided to each member of the consortium.

"(ii) REVIEW.—Before selecting any application under clause (i), the board shall ensure that the program proposed in the application is subject to a merit review by an independent panel of scientific experts with experience relating to the program.

"(iii) PRIORITY.—In selecting applications under clause (i), the board shall give priority to applications for programs that—

"(I) include multiorganizational partnerships, especially partnerships that include producers; and

"(II) attract the most current and applicable science for nutrient management and energy development that can be applied in the Northeast region.

"(D) COST SHARING.—An applicant that receives a grant under this paragraph shall provide not less than 20 percent of the cost of the project carried out by the applicant.

"(e) AVAILABILITY OF RESULTS.—The consortium shall ensure that the results of each project carried out pursuant to the program are made publicly available.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

"SEC. 9023. FUTURE FARMSTEADS PROGRAM.

"(a) ESTABLISHMENT.—The Secretary shall establish a program to equip, in each of 5 regions of the United States chosen to represent different farming practices, a farm house and its surrounding fields, facilities, and forested areas with technologies to—

"(1) improve farm energy production and energy use efficiencies;

"(2) provide working examples to farmers; and

"(3) serve as an education, demonstration, and research facility that will teach graduate students whose focus of research is related to either renewable energy or energy conservation technologies.

"(b) GOALS.—The goals of the program established under subsection (a) shall be to—

"(1) advance farm energy use efficiencies and the on-farm production of renewable energies, along with advanced communication and control technologies with the latest in energy capture and conversion techniques, thereby enhancing rural energy independence and creating new revenues for rural economies;

"(2) accelerate private sector and university research into the efficient on-farm production of renewable fuels and help educate the farming industry, students, and the general public; and

"(3) accelerate energy independence, including the production and the conservation of renewable energies on farms.

"(c) COLLABORATION PARTNERS.—The program under this section shall be carried out in partnership with regional land grant institutions, agricultural commodity commissions, biofuels companies, sensor and controls companies, and internet technology companies.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.".

SEC. 9002. SENSE OF THE SENATE CONCERNING HIGHER LEVELS OF ETHANOL BLENDED GASOLINE.

(a) FINDINGS.—The Senate finds that, as of the date of enactment of this Act—

(1) annual ethanol production capacity totals 6,800,000,000 gallons;

(2) current and planned construction of ethanol refineries will likely increase annual ethanol production capacity to 12,000,000,000 to 13,000,000,000 gallons by December 31, 2009;

(3) under existing regulations, only gasoline blended with up to 10 percent ethanol (commonly known as "E–10") may be consumed by nonflexible fuel vehicles;

(4) the total market demand for E–10—

(A) is limited to 10 percent of domestic motor fuel consumption; and

(B) is further constrained by State-administered reformulated gasoline regulations and regional infrastructure constraints;

(5) beyond the market demand for E–10, insufficient E–85 infrastructure exists to absorb the increased ethanol production beyond 12,000,000,000 to 13,000,000,000 gallons in the short term;

(6) the approval of intermediate blends of ethanol-blended gasoline, such as E–13, E–15, E–20, and higher blends, is critical to the uninterrupted growth of the United States biofuels industry; and

(7) maintaining the growth of the United States biofuels industry is a matter of national security and sustainable economic growth.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Secretary should—

(1) collaborate with the Secretary of Energy, the Secretary of Transportation, and the Administrator of the Environmental Protection Agency in conducting a study of the economic and environmental effects of intermediate blends of ethanol in United States fuel supply;

(2) ensure that the approval of intermediate blends of ethanol occurs after the appropriate tests have successfully concluded proving the drivability, compatibility, emissions, durability, and health effects of higher blends of ethanol-blended gasoline; and

(3) ensure that the approval of intermediate blends of ethanol-blended gasoline occurs by not later than 1 year after the date of enactment of this Act.

SEC. 9003. CONFORMING AMENDMENTS.

(a) BIOMASS RESEARCH AND DEVELOPMENT ACT OF 2000.—Title III of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 7624 note; Public Law 106–224) is repealed.

(b) MARKETING PROGRAM FOR BIOBASED PRODUCTS.—

(1) IMPLEMENTATION.—

(A) IN GENERAL.—The Secretary shall continue to carry out the designation and labeling of biobased products in accordance with section 9002 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102) as in effect on the day before the date of enactment of this Act until the date on which the Secretary is able to begin carrying out section 9002(a) of that Act (as amended by section 9001), which shall begin not later than 90 days after the date of enactment of this Act.

(B) EXISTING LISTINGS.—Biobased products designated and labeled under section 9002 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102) as in effect on the day before the date of enactment of this Act shall continue to be considered designated and labeled biobased products after the date of enactment of this Act.

(C) PROPOSED ITEM DESIGNATIONS.—Notwithstanding any other provision of this Act or an amendment made by this Act, the Secretary shall have the authority to finalize the listings of any item proposed (prior to the date of enactment of this Act) to be designated in accordance with section 9002 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102) as in effect on the day before the date of enactment of this Act.

(2) BIOENERGY EDUCATION AND AWARENESS CAMPAIGN.—Section 947 of the Energy Policy Act of 2005 (42 U.S.C. 16256) is repealed.

TITLE X—LIVESTOCK MARKETING, REGULATORY, AND RELATED PROGRAMS

Subtitle A—Marketing

SEC. 10001. LIVESTOCK MANDATORY REPORTING.

(a) MANDATORY REPORTING FOR SWINE.—Section 232(c)(3) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635j(c)(3)) is amended—

(1) in subparagraph (A), by striking "2:00 p.m." and inserting "3:00 p.m."; and

(2) in subparagraph (B), by striking "3:00 p.m." and inserting "4:00 p.m.".

(b) MANDATORY PACKER REPORTING OF PORK PRODUCTS SALES.—

(1) IN GENERAL.—Section 232 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635j) is amended by adding at the end the following:

"(f) MANDATORY PACKER REPORTING OF PORK PRODUCTS SALES.—

"(1) IN GENERAL.—Beginning not earlier than the date on which the report under section 10001(b)(2)(C) of the Food and Energy Security Act of 2007 is submitted, the Secretary may require the corporate officers or officially designated representative of each packer processing plant to report to the Secretary at least twice each reporting day (not less than once before, and once after, 12:00 noon Central Time) information on total pork products sales, including price and volume information as specified by the Secretary.

"(2) PUBLICATION.—The Secretary shall make available to the public any information required to be reported under subparagraph (A) (including information on pork cuts and retail-ready pork products) not less than twice each reporting day.".

(2) STUDY AND REPORT.—

(A) STUDY.—The Secretary shall conduct a study on the effects of requiring packer processing plants to report to the Secretary information on total pork products sales (including price and volume information), including—

(i) the positive or negative economic effects on producers and consumers; and

(ii) the effects of a confidentiality requirement on mandatory reporting.

(B) INFORMATION.—The Secretary may collect such information as is necessary to enable the Secretary to conduct the study required under subparagraph (A).

(C) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the results of the study conducted under subparagraph (A).

(c) PUBLICATION OF INFORMATION ON RETAIL PURCHASE PRICES FOR REPRESENTATIVE MEAT PRODUCTS.—Section 257(a) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1636f(a)) is amended by inserting "and continuing not less than each month thereafter" after "this subtitle".

SEC. 10002. GRADING AND INSPECTION.

(a) GRADING.—Section 203 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622) is amended—

(1) by redesignating subsection (n) as subsection (o); and

(2) by inserting after subsection (m) the following:

"(n) GRADING PROGRAM.—To establish, within the Agricultural Marketing Service, a voluntary grading program for farm-raised animals described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1)).".

(b) AMENABLE SPECIES.—Section 1(w) of the Federal Meat Inspection Act (21 U.S.C. 601(w)) is amended—

(1) in paragraph (1), by striking "and" at the end;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

"(2) farm-raised animals described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1)); and".

(c) EXISTING ACTIVITIES.—The Secretary shall ensure, to the maximum extent practicable, that nothing in an amendment made by this section duplicates or impedes any of the food safety activities conducted by the Department of Commerce or the Food and Drug Administration.

SEC. 10003. COUNTRY OF ORIGIN LABELING.

Subtitle D of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638 et seq.) is amended—

(1) in section 281(2)(A)—

(A) in clause (v), by striking "and";

(B) in clause (vi), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(vii) meat produced from goats; and

"(viii) macadamia nuts.";

(2) in section 282—

(A) in subsection (a), by striking paragraphs (2) and (3) and inserting the following:

"(2) DESIGNATION OF COUNTRY OF ORIGIN FOR BEEF, LAMB, PORK, AND GOAT MEAT.—

"(A) UNITED STATES COUNTRY OF ORIGIN.—A retailer of a covered commodity that is beef, lamb, pork, or goat meat may designate the covered commodity as exclusively having a United States country of origin only if the covered commodity is derived from an animal that was—

"(i) exclusively born, raised, and slaughtered in the United States;

"(ii) born and raised in Alaska or Hawaii and transported for a period of not more than 60 days through Canada to the United States and slaughtered in the United States; or

"(iii) present in the United States on or before January 1, 2008, and once present in the United States, remained continuously in the United States.

"(B) MULTIPLE COUNTRIES OF ORIGIN.—

"(i) IN GENERAL.—A retailer of a covered commodity that is beef, lamb, pork, or goat meat that is derived from an animal that is—

"(I) not exclusively born, raised, and slaughtered in the United States,

"(II) born, raised, or slaughtered in the United States, and

"(III) not imported into the United States for immediate slaughter,

may designate the country of origin of such covered commodity as all of the countries in which the animal may have been born, raised, or slaughtered.

"(ii) RELATION TO GENERAL REQUIREMENT.—Nothing in this subparagraph alters the mandatory requirement to inform consumers of the country of origin of covered commodities under paragraph (1).

"(C) IMPORTED FOR IMMEDIATE SLAUGHTER.—A retailer of a covered commodity that is beef, lamb, pork, or goat meat that is derived from an animal that is imported into the United States for immediate slaughter shall designate the origin of such covered commodity as—

"(i) the country from which the animal was imported; and

"(ii) the United States.

"(D) FOREIGN COUNTRY OF ORIGIN.—A retailer of a covered commodity that is beef, lamb, pork, or goat meat that is derived from an animal that is not born, raised, or slaughtered in the United States shall designate a country other than the United States as the country of origin of such commodity.

"(E) GROUND BEEF, PORK, LAMB, AND GOAT.—The notice of country of origin for ground beef, ground pork, ground lamb, or ground goat shall include—

"(i) a list of all countries of origin of such ground beef, ground pork, ground lamb, or ground goat; or

"(ii) a list of all reasonably possible countries of origin of such ground beef, ground pork, ground lamb, or ground goat.

"(3) DESIGNATION OF COUNTRY OF ORIGIN FOR FISH.—

"(A) IN GENERAL.—A retailer of a covered commodity that is farm-raised fish or wild fish may designate the covered commodity as having a United States country of origin only if the covered commodity—

"(i) in the case of farm-raised fish, is hatched, raised, harvested, and processed in the United States; and

"(ii) in the case of wild fish, is—

"(I) harvested in the United States, a territory of the United States, or a State, or by a vessel that is documented under chapter 121 of title 46, United States Code, or registered in the United States; and

"(II) processed in the United States, a territory of the United States, or a State, including the waters thereof.

"(B) DESIGNATION OF WILD FISH AND FARM-RAISED FISH.—The notice of country of origin for wild fish and farm-raised fish shall distinguish between wild fish and farm-raised fish.

"(4) DESIGNATION OF COUNTRY OF ORIGIN FOR PERISHABLE AGRICULTURAL COMMODITIES, PEANUTS, AND MACADAMIA NUTS.—

"(A) IN GENERAL.—A retailer of a covered commodity that is a perishable agricultural commodity, peanut, or macadamia nut may designate the covered commodity as having a United States country of origin only if the covered commodity is exclusively produced in the United States.

"(B) STATE, REGION, LOCALITY OF THE UNITED STATES.—With respect to a covered commodity that is a perishable agricultural commodity produced exclusively in the United States, designation by a retailer of the State, region, or locality of the United States where such commodity was produced shall be sufficient to identify the United States as the country of origin."; and

(B) by striking subsection (d) and inserting the following:

"(d) AUDIT VERIFICATION SYSTEM.—

"(1) IN GENERAL.—The Secretary may conduct an audit of any person that prepares, stores, handles, or distributes a covered commodity for retail sale to verify compliance with this subtitle (including the regulations promulgated under section 284(b)).

"(2) RECORD REQUIREMENTS.—

"(A) IN GENERAL.—A person subject to an audit under paragraph (1) shall provide the Secretary with verification of the country of origin of covered commodities. Records maintained in the course of the normal conduct of the business of such person, including animal health papers, import or customs documents, or producer affidavits, may serve as such verification.

"(B) PROHIBITION ON REQUIREMENT OF ADDITIONAL RECORDS.—The Secretary may not require a person that prepares, stores, handles, or distributes a covered commodity to maintain a record of the country of origin of a covered commodity other than those maintained in the course of the normal conduct of the business of such person.";

(3) in section 283—

(A) by striking subsections (a) and (c);

(B) by redesignating subsection (b) as subsection (a);

(C) in subsection (a) (as so redesignated), by striking "retailer" and inserting "retailer or person engaged in the business of supplying a covered commodity to a retailer"; and

(D) by adding at the end the following new subsection:

"(b) FINES.—If, on completion of the 30-day period described in subsection (a)(2), the Secretary determines that the retailer or person engaged in the business of supplying a covered commodity to a retailer has—

"(1) not made a good faith effort to comply with section 282, and

"(2) continues to willfully violate section 282 with respect to the violation about which the retailer or person received notification under subsection (a)(1),

after providing notice and an opportunity for a hearing before the Secretary with respect to the violation, the Secretary may fine the retailer or person in an amount of not more than $1,000 for each violation.".

Subtitle B—Agricultural Fair Practices

SEC. 10101. DEFINITIONS.

Section 3 of the Agricultural Fair Practices Act of 1967 (7 U.S.C. 2302) is amended—

(1) by striking "When used in this Act—" and inserting "In this Act:";

(2) in subsection (a)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively; and

(B) in subparagraph (D) (as so redesignated), by striking "clause (1), (2), or (3) of this paragraph" and inserting "subparagraphs (A), (B), or (C)";

(3) by striking subsection (d);

(4) by redesignating subsections (a), (b), (c), and (e) as paragraphs (3), (4), (2), (1), respectively, indenting appropriately, and moving those paragraphs so as to appear in numerical order;

(5) in each paragraph (as so redesignated) that does not have a heading, by inserting a heading, in the same style as the heading in the amendment made by paragraph (6), the text of which is comprised of the term defined in the paragraph;

(6) in paragraph (2) (as so redesignated)—

(A) by striking "The term 'association of producers' means" and inserting the following:

"(2) ASSOCIATION OF PRODUCERS.—

"(A) IN GENERAL.—The term 'association of producers' means"; and

(B) by adding at the end the following:

"(B) INCLUSION.—The term 'association of producers' includes an organization of agricultural producers dedicated to promoting the common interest and general welfare of producers of agricultural products."; and

(7) by adding at the end the following:

"(5) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.".

SEC. 10102. PROHIBITED PRACTICES.

Section 4 of the Agricultural Fair Practices of 1967 (7 U.S.C. 2303) is amended—

(1) by redesignating subsections (a), (b), (c), (d), (e), and (f) as paragraphs (1), (2), (3), (4), (5), and (7), respectively, and indenting appropriately;

(2) in paragraph (1) (as so redesignated)—

(A) by striking "join and belong" each place it appears and inserting "form, join, and belong"; and

(B) by striking "joining or belonging" and inserting "forming, joining, or belonging"; and

(3) by inserting after paragraph (5) (as so redesignated) the following:

"(6) To fail to bargain in good faith with an association of producers; or".

SEC. 10103. ENFORCEMENT.

The Agricultural Fair Practices Act of 1967 is amended—

(1) by striking sections 5 and 6 (7 U.S.C. 2304, 2305); and

(2) by inserting after section 4 the following:

"SEC. 5. ENFORCEMENT.

"(a) Civil Actions by the Secretary Against Handlers.—In any case in which the Secretary has reasonable cause to believe that a handler or group of handlers has engaged in any act or practice that violates this Act, the Secretary may bring a civil action in United States district court by filing a complaint requesting preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, against the handler.

"(b) Civil Actions Against Handlers.—

"(1) Preventive relief.—

"(A) In general.—In any case in which any handler has engaged, or there are reasonable grounds to believe that any handler is about to engage, in any act or practice prohibited by this Act, a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted by the person aggrieved in United States district court.

"(B) Security.—The court may provide that no restraining order or preliminary injunction shall issue unless security is provided by the applicant, in such sum as the court determines to be appropriate, for the payment of such costs and damages as may be incurred or suffered by any party that is found to have been wrongfully enjoined or restrained.

"(2) Damages.—

"(A) In general.—Any person injured in the business or property of the person by reason of any violation of, or combination or conspiracy to violate, this Act may bring a civil action in United States district court to recover—

"(i) damages sustained by the person as a result of the violation; and

"(ii) any additional penalty that the court may allow, but not more than $1,000 per violation.

"(B) Limitation on actions.—A civil action under subparagraph (A) shall be barred unless commenced within 4 years after the cause of action accrues.

"(3) Attorneys' fees.—In any action commenced under paragraph (1) or (2), any person that has violated this Act shall be liable to any person injured as a result of the violation for the full amount of the damages sustained as a result of the violation, including costs of the litigation and reasonable attorneys' fees.

"(c) Jurisdiction of District Courts.—The district courts of the United States shall—

"(1) have jurisdiction of proceedings instituted pursuant to this section; and

"(2) exercise that jurisdiction without regard to whether the aggrieved party shall have exhausted any administrative or other remedies that may be provided by law.

"(d) Liability for Acts of Agents.—In the construction and enforcement of this Act, the act, omission, or failure of any officer, agent, or person acting for or employed by any other person within the scope of the employment or office of the officer, agent, or person, shall be considered to be the act, omission, or failure of the other person.

"(e) Relationship to State Law.—Nothing in this Act—

"(1) changes or modifies State law in effect on the date of enactment of this subsection; or

"(2) deprives a State court of jurisdiction.".

SEC. 10104. RULES AND REGULATIONS.

The Agricultural Fair Practices Act of 1967 is amended by inserting after section 5 (as added by section 10103) the following:

"SEC. 6. RULES AND REGULATIONS.

"The Secretary may promulgate such rules and regulations as are necessary to carry out this Act, including rules or regulations necessary to clarify what constitutes fair and normal dealing for purposes of the selection of customers by handlers.".

Subtitle C—Packers and Stockyards

SEC. 10201. SPECIAL COUNSEL FOR AGRICULTURAL COMPETITION.

(a) In General.—The Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.) is amended—

(1) by striking the title I heading and all that follows through "This Act" and inserting the following:

"TITLE I—GENERAL PROVISIONS

"Subtitle A—Definitions

"SEC. 1. SHORT TITLE.

"This Act"; and

(2) by inserting after section 2 (7 U.S.C. 183) the following:

"Subtitle B—Special Counsel for Agricultural Competition

"SEC. 11. SPECIAL COUNSEL FOR AGRICULTURAL COMPETITION.

"(a) Establishment.—

"(1) In general.—There is established within the Department of Agriculture an office to be known as the 'Office of Special Counsel for Agricultural Competition' (referred to in this section as the 'Office').

"(2) Duties.—The Office shall—

"(A) have responsibility for all duties and functions of the Packers and Stockyards programs of the Department of Agriculture;

"(B) investigate and prosecute violations of this Act and the Agricultural Fair Practices Act of 1967 (7 U.S.C. 2301 et seq.);

"(C) serve as a liaison between, and act in consultation with, the Department of Agriculture, the Department of Justice, and the Federal Trade Commission with respect to competition and trade practices in the food and agricultural sector; and

"(D) maintain a staff of attorneys and other professionals with the appropriate expertise.

"(b) Special Counsel for Agricultural Competition.—

"(1) In general.—The Office shall be headed by the Special Counsel for Agricultural Competition (referred to in this section as the 'Special Counsel'), who shall be appointed by the President, by and with the advice and consent of the Senate.

"(2) Independence of special authority.—

"(A) In general.—The Special Counsel shall report to and be under the general supervision of the Secretary.

"(B) Direction, control, and support.—The Special Counsel shall be free from the direction and control of any person in the Department of Agriculture other than the Secretary.

"(C) Prohibition on delegation.—The Secretary may not delegate any duty described in subsection (a)(2) to any other officer or employee of the Department other than the Special Counsel.

"(D) Reporting requirement.—

"(i) In general.—Twice each year, the Special Counsel shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that shall include, for the relevant reporting period, a description of—

"(I) the number of complaints that the Special Counsel has received and closed;

"(II)(aa) the number of investigations and civil and administrative actions that the Special Counsel has initiated, carried out, and completed, including the number of notices given to regulated entities for violations of this Act or the Agricultural Fair Practices Act of 1967 (7 U.S.C. 2301 et seq.);

"(bb) the number and types of decisions agreed to; and

"(cc) the number of stipulation agreements; and

"(III) the number of investigations and civil and administrative actions that the Secretary objected to or prohibited from being carried out, and the stated purpose of the Secretary for each objection or prohibition.

"(ii) Requirement.—The basis for each complaint, investigation, or civil or administrative action described in a report under clause (i) shall—

"(I) be organized by species; and

"(II) indicate if the complaint, investigation, or civil or administration action was for anti-competitive, unfair, or deceptive practices under this Act or was a violation of the Agricultural Fair Practices Act of 1967 (7 U.S.C. 2301 et seq.).

"(E) Removal.—

"(i) In general.—The Special Counsel may be removed from office by the President.

"(ii) Communication.—The President shall communicate the reasons for any such removal to both Houses of Congress.

"(3) Prosecutorial authority.—Subject to paragraph (4), the Special Counsel may commence, defend, or intervene in, and supervise the litigation of, any civil or administrative action authorized under this Act or the Agricultural Fair Practices Act of 1967 (7 U.S.C. 2301 et seq.).

"(4) Procedure for exercise of authority to litigate or appeal.—

"(A) In general.—Prior to commencing, defending, or intervening in any civil action under this Act or the Agricultural Fair Practices Act of 1967 (7 U.S.C. 2301 et seq.), the Special Counsel shall give written notification to, and attempt to consult with, the Attorney General with respect to the proposed action.

"(B) Failure to respond.—If, not later than 45 days after the date of provision of notification under subparagraph (A), the Attorney General has failed to commence, defend, or intervene in the proposed action, the Special Counsel may commence, defend, or intervene in, and supervise the litigation of, the action and any appeal of the action in the name of the Special Counsel.

"(C) AUTHORITY OF ATTORNEY GENERAL TO INTERVENE.—Nothing in this paragraph precludes the Attorney General from intervening on behalf of the United States in any civil action under this Act or the Agricultural Fair Practices Act of 1967 (7 U.S.C. 2301 et seq.), or in any appeal of such action, as may be otherwise provided by law.

"(c) RELATIONSHIP TO OTHER PROVISIONS.—Nothing in this section modifies or otherwise effects subsections (a) and (b) of section 406.".

(b) CONFORMING AMENDMENT.—Section 5315 of title 5, United States Code, is amended by adding at the end the following:

"Special Counsel for Agricultural Competition.".

SEC. 10202. INVESTIGATION OF LIVE POULTRY DEALERS.

(a) REMOVAL OF POULTRY SLAUGHTER REQUIREMENT FROM DEFINITIONS.—Section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)), is amended—

(1) by striking paragraph (8) and inserting the following:

"(8) POULTRY GROWER.—

"(A) IN GENERAL.—The term 'poultry grower' means any person engaged in the business of raising or caring for live poultry under a poultry growing arrangement, regardless of whether the poultry is owned by the person or by another person.

"(B) EXCLUSION.—The term 'poultry grower' does not include an employee of the owner of live poultry described in subparagraph (A).";

(2) in paragraph (9), by striking "and cares for live poultry for delivery, in accord with another's instructions, for slaughter" and inserting "or cares for live poultry in accordance with the instructions of another person"; and

(3) in paragraph (10), by striking "for the purpose of either slaughtering it or selling it for slaughter by another".

(b) ADMINISTRATIVE ENFORCEMENT AUTHORITY OVER LIVE POULTRY DEALERS.—Sections 203, 204, and 205 of the Packers and Stockyards Act, 1921 (7 U.S.C. 193, 194, 195), are amended by inserting "or live poultry dealer" after "packer" each place it appears.

(c) AUTHORITY TO REQUEST TEMPORARY INJUNCTION OR RESTRAINING ORDER.—Section 408 of the Packers and Stockyards Act, 1921 (7 U.S.C. 228a), is amended in the first sentence by striking "on account of poultry" and inserting "on account of poultry or poultry care".

(d) VIOLATIONS BY LIVE POULTRY DEALERS.—

(1) PENALTY.—Section 203(b) of the Packers and Stockyards Act, 1921 (7 U.S.C. 193(b)) is amended in the third sentence by striking "$10,000" and inserting "$22,000".

(2) REPEALS.—Sections 411, 412, and 413 of the Packers and Stockyards Act, 1921 (7 U.S.C. 228b-2, 228b-3, 228b-4)), are repealed.

SEC. 10203. PRODUCTION CONTRACTS.

(a) DEFINITIONS.—Section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)) is amended—

(1) by striking "When used in this Act—" and inserting "In this Act:";

(2) by striking paragraph (1);

(3) by redesignating paragraphs (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), and (14) as paragraphs (15), (6), (8), (9), (10), (13), (11), (12), (7), (2), (16), (17), and (18), respectively, indenting appropriately, and moving those paragraphs so as to appear in numerical order;

(4) in each paragraph (as so redesignated) that does not have a heading, by inserting a heading, in the same style as the heading in the amendment made by paragraph (5), the text of which is comprised of the term defined in the paragraph;

(5) by inserting before paragraph (2) (as so designated) the following:

"(1) CAPITAL INVESTMENT.—The term 'capital investment' means an investment in—

"(A) a structure, such as a building or manure storage structure; or

"(B) machinery or equipment associated with producing livestock or poultry that has a useful life of more than 1 year.";

(6) by inserting after paragraph (2) (as so redesignated) the following:

"(3) CONTRACTOR.—

"(A) IN GENERAL.—The term 'contractor' means a person that, in accordance with a production contract, obtains livestock or poultry that is produced by a contract producer.

"(B) INCLUSIONS.—The term 'contractor' includes—

"(i) a live poultry dealer; and

"(ii) a swine contractor.

"(4) CONTRACT PRODUCER.—

"(A) IN GENERAL.—The term 'contract producer' means a producer that produces livestock or poultry under a production contract.

"(B) INCLUSIONS.—The term 'contract producer' includes—

"(i) a poultry grower; and

"(ii) a swine production contract grower.

"(5) INVESTMENT REQUIREMENT.—The term 'investment requirement' means—

"(A) a provision in a production contract that requires a contract producer to make a capital investment associated with producing livestock or poultry that, but for the production contract, the contract producer would not have made; or

"(B) a representation by a contractor that results in a contract producer making a capital investment."; and

(7) by inserting after paragraph (13) (as so redesignated) the following:

"(14) PRODUCTION CONTRACT.—

"(A) IN GENERAL.—The term 'production contract' means a written agreement that provides for—

"(i) the production of livestock or poultry by a contract producer; or

"(ii) the provision of a management service relating to the production of livestock or poultry by a contract producer.

"(B) INCLUSIONS.—The term 'production contract' includes—

"(i) a poultry growing arrangement;

"(ii) a swine production contract;

"(iii) any other contract between a contractor and a contract producer for the production of livestock or poultry; and

"(iv) a contract between a live poultry dealer and poultry grower, swine contractor and swine production contract grower, or contractor and contract producer for the provision of a management service in the production of livestock or poultry.".

(b) PROHIBITIONS INVOLVING PRODUCTION CONTRACTS.—Title II of the Packers and Stockyards Act, 1921 (7 U.S.C. 198 et seq.), is amended by adding at the end the following:

"SEC. 208. PRODUCTION CONTRACTS.

"(a) RIGHT OF CONTRACT PRODUCERS TO CANCEL PRODUCTION CONTRACTS.—

"(1) IN GENERAL.—A contract producer may cancel a production contract by mailing a cancellation notice to the contractor not later than the later of—

"(A) the date that is 3 business days after the date on which the production contract is executed; or

"(B) any cancellation date specified in the production contract.

"(2) DISCLOSURE.—A production contract shall clearly disclose—

"(A) the right of the contract producer to cancel the production contract;

"(B) the method by which the contract producer may cancel the production contract; and

"(C) the deadline for canceling the production contract.

"(b) PRODUCTION CONTRACTS INVOLVING INVESTMENT REQUIREMENTS.—

"(1) APPLICABILITY.—This subsection applies only to a production contract between a contract producer and a contractor if the contract producer detrimentally relied on a representation by the contractor or a provision in the production contract that resulted in the contract producer making a capital investment of $100,000 or more.

"(2) RESTRICTIONS ON CONTRACT TERMINATION.—

"(A) NOTICE OF TERMINATION.—Except as provided in subparagraph (C), a contractor shall not terminate or cancel a production contract unless the contractor provides the contract producer with written notice of the intention of the contractor to terminate or cancel the production contract at least 90 days before the effective date of the termination or cancellation.

"(B) REQUIREMENTS.—The written notice required under subparagraph (A) shall include alleged causes of the termination.

"(C) EXCEPTIONS.—A contractor may terminate or cancel a production contract at any time without notice as required under subparagraph (A) if the basis for the termination or cancellation is—

"(i) a voluntary abandonment of the contractual relationship by the contract producer, such as a failure of the contract producer to substantially perform under the production contract;

"(ii) the conviction of the contract producer of an offense of fraud or theft committed against the contractor;

"(iii) the natural end of the production contract in accordance with the terms of the production contract; or

"(iv) because the well-being of the livestock or poultry subject to the contract is in jeopardy once under the care of the contract producer.

"(D) RIGHT TO CURE.—

"(i) IN GENERAL.—If, not later than 90 days after the date on which the contract producer receives written notice under subparagraph (A), the contract producer remedies each cause of the breach of contract alleged in the written notice, the contractor may not terminate or cancel a production contract under this paragraph.

"(ii) NO ADMISSION OF BREACH.—The remedy or attempt to remedy the causes for the breach of contract by the contract producer under clause (i) does not constitute an admission of breach of contract.

"(c) ADDITIONAL CAPITAL INVESTMENTS IN PRODUCTION CONTRACTS.—

"(1) IN GENERAL.—A contractor shall not require a contract producer to make additional capital investments in connection with a production contract that exceed the initial investment requirements of the production contract.

"(2) EXCEPTIONS.—Notwithstanding paragraph (1), a contractor may require additional capital investments if—

"(A)(i) the additional capital investments are offset by reasonable additional consideration, including compensation or a modification to the terms of the production contract; and

"(ii) the contract producer agrees in writing that there is acceptable and satisfactory consideration for the additional capital investment; or

"(B) without the additional capital investments the well-being of the livestock or poultry subject to the contract would be in jeopardy.

"(d) No Effect on State Law.—Nothing in this section preempts or otherwise affects any State law relating to production contracts that establishes a requirement or standard that is more stringent than a requirement or standard under this section.

"SEC. 209. CHOICE OF LAW, JURISDICTION, AND VENUE.

"(a) Choice of Law.—Any provision in a livestock or poultry production or marketing contract requiring the application of the law of a State other than the State in which the production occurs is void and unenforceable.

"(b) Jurisdiction.—A packer, live poultry dealer, or swine contractor that enters into a production or marketing contract with a producer shall be subject to personal jurisdiction in the State in which the production occurs.

"(c) Venue.—Venue shall be determined on the basis of the location of the production, unless the producer selects a venue that is otherwise permitted by law.

"(d) Application.—This section shall apply to any production or marketing contract entered into, amended, altered, modified, renewed, or extended after the date of enactment of this section.

"SEC. 210. ARBITRATION.

"(a) In General.—If a livestock or poultry contract provides for the use of arbitration to resolve a controversy under the livestock or poultry contract, arbitration may be used to settle the controversy only if, after the controversy arises, both parties consent in writing to use arbitration to settle the controversy.

"(b) Application.—Subsection (a) shall apply to any contract entered into, amended, altered, modified, renewed, or extended after the date of enactment of this section.".

SEC. 10204. RIGHT TO DISCUSS TERMS OF CONTRACT.

Section 10503(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 229b(b)) is amended—

(1) in paragraph (6), by striking "or" at the end;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

"(8) a business associate of the party; or

"(9) a neighbor of the party or other producer.".

SEC. 10205. ATTORNEYS' FEES.

Section 308(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 209(a)) is amended by inserting before the period at the end the following: "and for the costs of the litigation, including reasonable attorneys' fees".

SEC. 10206. APPOINTMENT OF OUTSIDE COUNSEL.

Section 407 of the Packers and Stockyards Act, 1921 (7 U.S.C. 228), is amended—

(1) in subsection (a), by inserting "obtain the services of attorneys who are not employees of the Federal Government," before "and make such expenditures"; and

(2) in subsection (c), by striking "Senate Committee on Agriculture and Forestry" and inserting "the Committee on Agriculture, Nutrition, and Forestry of the Senate".

SEC. 10207. PROHIBITION ON PACKERS OWNING, FEEDING, OR CONTROLLING LIVESTOCK.

(a) In General.—Section 202 of the Packers and Stockyards Act, 1921 (7 U.S.C. 192), is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following:

"(f) Own or feed livestock directly, through a subsidiary, or through an arrangement that gives the packer operational, managerial, or supervisory control over the livestock, or over the farming operation that produces the livestock, to such an extent that the producer is no longer materially participating in the management of the operation with respect to the production of the livestock, except that this subsection shall not apply to—

"(1) an arrangement entered into within 14 days (excluding any Saturday or Sunday) before slaughter of the livestock by a packer, a person acting through the packer, or a person that directly or indirectly controls, or is controlled by or under common control with, the packer;

"(2) a cooperative or entity owned by a cooperative, if a majority of the ownership interest in the cooperative is held by active cooperative members that—

"(A) own, feed, or control livestock; and

"(B) provide the livestock to the cooperative for slaughter;

"(3) a packer that is not required to report to the Secretary on each reporting day (as defined in section 212 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635a)) information on the price and quantity of livestock purchased by the packer; or

"(4) a packer that owns 1 livestock processing plant; or".

(b) Effective Date.—

(1) In general.—Subject to paragraph (2), the amendments made by subsection (a) take effect on the date of enactment of this Act.

(2) Transition rules.—In the case of a packer that on the date of enactment of this Act owns, feeds, or controls livestock intended for slaughter in violation of section 202(f) of the Packers and Stockyards Act, 1921 (as amended by subsection (a)), the amendments made by subsection (a) apply to the packer—

(A) in the case of a packer of swine, beginning on the date that is 18 months after the date of enactment of this Act; and

(B) in the case of a packer of any other type of livestock, beginning as soon as practicable, but not later than 180 days, after the date of enactment of this Act, as determined by the Secretary.

SEC. 10208. REGULATIONS.

(a) In General.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall promulgate regulations to implement the amendments made by this title, including—

(1) regulations providing a definition of the term "unreasonable preference or advantage" for purposes of section 202(b) of the Packers and Stockyards Act, 1921 (7 U.S.C. 192(b)); and

(2) regulations requiring live poultry dealers to provide written notice to poultry growers if the live poultry dealer imposes an extended layout period in excess of 30 days, prior to removal of the previous flock.

(b) Requirements.—Regulations promulgated pursuant to subsection (a)(1) relating to unreasonable preference or advantage shall strictly prohibit any preferences or advantages based on the volume of business, except for preferences or advantages that reflect actual, verifiable lower costs (including transportation or other costs), as determined by the Secretary, of procuring livestock from larger-volume producers.

Subtitle D—Related Programs

SEC. 10301. SENSE OF CONGRESS REGARDING PSEUDORABIES ERADICATION PROGRAM.

It is the sense of Congress that—

(1) the Secretary should recognize the threat that feral swine pose to the domestic swine population and the entire livestock industry;

(2) keeping the United States commercial swine herd free of pseudorabies is essential to maintaining and growing pork export markets;

(3) pseudorabies surveillance funding is necessary to assist the swine industry in the monitoring, surveillance, and eradication of pseudorabies, including the monitoring and surveillance of other diseases effecting swine production and trade; and

(4) pseudorabies eradication is a high priority that the Secretary should carry out under the Animal Health Protection Act (7 U.S.C. 8301 et seq.).

SEC. 10302. SENSE OF CONGRESS REGARDING CATTLE FEVER TICK ERADICATION PROGRAM.

It is the sense of Congress that—

(1) the cattle fever tick and the southern cattle tick are vectors of the causal agent of babesiosis, a severe and often fatal disease of cattle; and

(2) implementing a national strategic plan for the cattle fever tick eradication program is a high priority that the Secretary should carry out—

(A) to prevent the entry of cattle fever ticks into the United States;

(B) to enhance and maintain an effective surveillance program to rapidly detect any fever tick incursions; and

(C) to research, identify, and procure the tools and knowledge necessary to prevent and eradicate cattle ticks in the United States.

SEC. 10303. NATIONAL SHEEP AND GOAT INDUSTRY IMPROVEMENT CENTER.

(a) Name Change.—Section 375 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j) is amended—

(1) in the section heading, by inserting "**AND GOAT**" after "**NATIONAL SHEEP**"; and

(2) by inserting "and Goat" after "National Sheep" each place it appears.

(b) Funding.—Section 375(e)(6) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(e)(6)) is amended by striking subparagraphs (B) and (C) and inserting the following:

"(B) Mandatory funding.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $1,000,000 for fiscal year 2008, to remain available until expended.

"(C) Authorization of appropriations.—There is authorized to be appropriated to the Secretary to carry out this section $10,000,000 for each of fiscal years 2008 through 2012.".

(c) Repeal of Requirement to Privatize Revolving Fund.—

(1) In general.—Section 375 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j) is amended by striking subsection (j).

(2) Effective date.—The amendment made by paragraph (1) takes effect on May 1, 2007.

SEC. 10304. TRICHINAE CERTIFICATION PROGRAM.

Section 10409 of the Animal Health Protection Act (7 U.S.C. 8308) is amended by adding at the end the following:

"(c) Trichinae Certification Program.—

"(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this subsection, the Secretary shall issue final regulations to implement a trichinae certification program.

"(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out the program $1,250,000 for each of fiscal years 2008 through 2012.".

SEC. 10305. PROTECTION OF INFORMATION IN THE ANIMAL IDENTIFICATION SYSTEM.

The Animal Health Protection Act (7 U.S.C. 8301 et seq.) is amended—

(1) by redesignating sections 10416 through 10418 as sections 10417 through 10419, respectively; and

(2) by inserting after section 10415 the following:

"SEC. 10416. DISCLOSURE OF INFORMATION UNDER A NATIONAL ANIMAL IDENTIFICATION SYSTEM.

"(a) DEFINITION OF NATIONAL ANIMAL IDENTIFICATION SYSTEM.—In this section, the term 'national animal identification system' means a system for identifying or tracing animals that is established by the Secretary.

"(b) PROTECTION FROM DISCLOSURE.—

"(1) IN GENERAL.—Information obtained through a national animal identification system shall not be disclosed except as provided in this section.

"(2) USE.—Use of information described in paragraph (1) by any individual or entity except as otherwise provided in this section shall be considered a violation of this Act.

"(3) WAIVER OF PRIVILEGE OF PROTECTION.—The provision of information to a national animal identification system under this section or the disclosure of information pursuant to this section shall not constitute a waiver of any applicable privilege or protection under Federal law, including protection of trade secrets.

"(c) LIMITED RELEASE OF INFORMATION.—The Secretary may disclose information obtained through a national animal identification system if—

"(1) the Secretary determines that livestock may be threatened by a disease or pest;

"(2) the release of the information is related to an action the Secretary may take under this subtitle; and

"(3) the Secretary determines that the disclosure of the information to a government entity or person is necessary to assist the Secretary in carrying out this subtitle or a national animal identification system.

"(d) REQUIRED DISCLOSURE OF INFORMATION.—The Secretary shall disclose information obtained through a national animal identification system regarding particular animals to—

"(1) the person that owns or controls the animals, if the person requests the information in writing;

"(2) the State Department of Agriculture for the purpose of protection of animal health;

"(3) the Attorney General for the purpose of law enforcement;

"(4) the Secretary of Homeland Security for the purpose of homeland security;

"(5) the Secretary of Health and Human Services for the purpose of protecting public health;

"(6) an entity pursuant to an order of a court of competent jurisdiction; and

"(7) the government of a foreign country if disclosure of the information is necessary to trace animals that pose a disease or pest threat to livestock or a danger to human health, as determined by the Secretary.

"(e) DISCLOSURE UNDER STATE OR LOCAL LAW.—Any information relating to animal identification that a State or local government obtains from the Secretary shall not be made available by the State or local government pursuant to any State or local law requiring disclosure of information or records to the public.

"(f) REPORTING REQUIREMENT.—To disclose information under this section, the Secretary shall—

"(1) certify that the disclosure was necessary under this section; and

"(2) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a copy of the certification.".

SEC. 10306. LOW PATHOGENIC AVIAN INFLUENZA.

Sec. 10407(d)(2) of the Animal Health Protection Act (7 U.S.C. 8306(d)(2)) is amended—

(1) in subparagraph (A), by striking "subparagraphs (B) and (C)," and inserting "subparagraphs (B), (C), and (D),";

(2) by redesignating subparagraph (C) as subparagraph (D); and

(3) by inserting after subparagraph (B) the following:

"(C) LOW PATHOGENIC AVIAN INFLUENZA.—

"(i) DEFINITION OF ELIGIBLE COSTS.—In this subparagraph, the term 'eligible costs' means costs determined eligible for indemnity under part 56 of title 9, Code of Federal Regulations, as in effect on the date of enactment of this clause.

"(ii) INDEMNITIES.—Subject to subparagraphs (B) and (D), compensation to any owner or contract grower of poultry participating in the voluntary control program for low pathogenic avian influenza under the National Poultry Improvement Plan, and payments to cooperating State agencies, shall be made in an amount equal to 100 percent of the eligible costs.".

SEC. 10307. STUDY ON BIOENERGY OPERATIONS.

Not later than 180 days after the date of enactment of this Act, the Secretary, acting through the Office of the Chief Economist, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the potential economic issues (including potential costs) associated with animal manure used in normal agricultural operations and as a feedstock in bioenergy production.

SEC. 10308. SENSE OF THE SENATE ON INDEMNIFICATION OF LIVESTOCK PRODUCERS.

It is the sense of the Senate that the Secretary should partner with the private insurance industry to implement an approach for expediting the indemnification of livestock producers in the case of catastrophic disease outbreaks.

TITLE XI—MISCELLANEOUS

Subtitle A—Agricultural Security

SEC. 11011. DEFINITIONS.

In this subtitle:

(1) AGENT.—The term "agent" means a nuclear, biological, or chemical substance that causes an agricultural disease.

(2) AGRICULTURAL BIOSECURITY.—The term "agricultural biosecurity" means protection from an agent that poses a threat to—

(A) plant or animal health;

(B) public health, with respect to direct exposure to an agricultural disease; or

(C) the environment, with respect to agriculture facilities, farmland, air, and water in the immediate vicinity of an area associated with an agricultural disease or outbreak.

(3) AGRICULTURAL COUNTERMEASURE.—

(A) IN GENERAL.—The term "agricultural countermeasure" means a product, practice, or technology that is intended to enhance or maintain the agricultural biosecurity of the United States.

(B) EXCLUSIONS.—The term "agricultural countermeasure" does not include any product, practice, or technology used solely for human medical incidents or public health emergencies not related to agriculture.

(4) AGRICULTURAL DISEASE.—The term "agricultural disease" has the meaning given the term by the Secretary.

(5) AGRICULTURAL DISEASE EMERGENCY.—The term "agricultural disease emergency" means an incident of agricultural disease in which the Secretary, the Secretary of Homeland Security, the Secretary of Health and Human Services, the Administrator of the Environmental Protection Agency (or the heads of other applicable Federal departments or agencies), as appropriate, determines that prompt action is needed to prevent significant damage to people, plants, or animals.

(6) AGRICULTURE.—The term "agriculture" means—

(A) the science and practice of activities relating to food, feed, fiber, and energy production, processing, marketing, distribution, use, and trade;

(B) nutrition, food science and engineering, and agricultural economics;

(C) forestry, wildlife science, fishery science, aquaculture, floriculture, veterinary medicine, and other related natural resource sciences; and

(D) research and development activities relating to plant- and animal-based products.

(7) AGROTERRORIST ACT.—The term "agroterrorist act" means an act that—

(A) causes or attempts to cause—

(i) damage to agriculture; or

(ii) injury to a person associated with agriculture; and

(B) is committed—

(i) to intimidate or coerce; or

(ii) to disrupt the agricultural industry.

(8) ANIMAL.—The term "animal" means any member of the animal kingdom (except a human).

(9) DEPARTMENT.—The term "Department" means the Department of Agriculture.

(10) DEVELOPMENT.—The term "development" means—

(A) research leading to the identification of products or technologies intended for use as agricultural countermeasures;

(B) the formulation, production, and subsequent modification of those products or technologies;

(C) the conduct of preclinical and clinical studies;

(D) the conduct of field, efficacy, and safety studies;

(E) the preparation of an application for marketing approval for submission to applicable agencies; and

(F) other actions taken by an applicable agency in a case in which an agricultural countermeasure is procured or used prior to issuance of a license or other form of approval.

(11) DIRECTOR.—The term "Director" means the Director for Homeland Security of the Department appointed under section 11022(d)(2).

(12) HSPD-5.—The term "HSPD-5" means the Homeland Security Presidential Directive 5, dated February 28, 2003 (relating to a comprehensive national incident management system).

(13) HSPD-7.—The term "HSPD-7" means the Homeland Security Presidential Directive 7, dated December 17, 2003 (relating to a

national policy for Federal departments and agencies to identify and prioritize critical infrastructure and key resources and to protect the infrastructure and resources from terrorist attacks).

(14) HSPD-8.—The term "HSPD-8" means the Homeland Security Presidential Directive 8, dated December 17, 2003 (relating to the establishment of a national policy to strengthen the preparedness of the United States to prevent and respond to domestic terrorist attacks, major disasters, and other emergencies).

(15) HSPD-9.—The term "HSPD-9" means the Homeland Security Presidential Directive 9, dated January 30, 2004 (relating to the establishment of a national policy to defend the agriculture and food system against terrorist attacks, major disasters, and other emergencies).

(16) HSPD-10.—The term "HSPD-10" means the Homeland Security Presidential Directive 10, dated April 28, 2004 (relating to the establishment of a national policy relating to the biodefense of the United States).

(17) OFFICE.—The term "Office" means the Office of Homeland Security of the Department established by section 11022(d)(1).

(18) OTHER APPLICABLE FEDERAL DEPARTMENTS OR AGENCIES.—The term "other applicable Federal departments or agencies" means Federal departments or agencies that have a role, as determined by the Secretary of Homeland Security, in determining the need for prompt action against an agricultural disease emergency, including—

(A) the Executive departments identified in section 101 of title 5, United States Code;

(B) government corporations (as defined in section 103 of title 5, United States Code); and

(C) independent establishments (as defined in section 104(1) of title 5, United States Code).

(19) PLANT.—

(A) IN GENERAL.—The term "plant" means any plant (including any plant part) for or capable of propagation.

(B) INCLUSIONS.—The term "plant" includes—

(i) a tree;
(ii) a tissue culture;
(iii) a plantlet culture;
(iv) pollen;
(v) a shrub;
(vi) a vine;
(vii) a cutting;
(viii) a graft;
(ix) a scion;
(x) a bud;
(xi) a bulb;
(xii) a root; and
(xiii) a seed.

(20) QUALIFIED AGRICULTURAL COUNTERMEASURE.—The term "qualified agricultural countermeasure" means an agricultural countermeasure that the Secretary, in consultation with the Secretary of Homeland Security, determines to be a priority in order to address an agricultural biosecurity threat from—

(A) an agent placed on the Select Agents and Toxins list of the Department;

(B) an agent placed on the Plant Protection and Quarantine Select Agents and Toxins list of the Department; or

(C) an applicable agent placed on the Overlap Select Agents and Toxins list of the Department and the Department of Health and Human Services, in accordance with—

(i) part 331 of title 7, Code of Federal Regulations; and

(ii) part 121 of title 9, Code of Federal Regulations.

(21) ROUTINE AGRICULTURAL DISEASE EVENT.—The term "routine agricultural disease event" has the meaning given the term by the Secretary.

PART I—GENERAL AUTHORITY AND INTERAGENCY COORDINATION

SEC. 11021. POLICY.

(a) EFFECT OF PART.—Nothing in this part alters or otherwise impedes—

(1) any authority of the Department or other applicable Federal departments and agencies to perform the responsibilities provided to the Department or other applicable Federal departments and agencies pursuant to Federal law; or

(2) the ability of the Secretary to carry out this part.

(b) COOPERATION.—The Secretary shall cooperate with the Secretary of Homeland Security with respect to the responsibilities of the Secretary of Homeland Security and applicable presidential guidance, including HSPD-5, HSPD-7, HSPD-8, HSPD-9, and HSPD-10.

SEC. 11022. INTERAGENCY COORDINATION.

(a) LEADERSHIP.—The Secretary of Homeland Security shall serve as the principal Federal official to lead, coordinate, and integrate, to the maximum extent practicable, efforts by Federal departments and agencies, State, local, and tribal governments, and the private sector to enhance the protection of critical infrastructure and key resources of the agriculture and food system.

(b) SECTOR-SPECIFIC AGENCY.—

(1) IN GENERAL.—In accordance with guidance provided by the Secretary of Homeland Security under subsection (a)—

(A) the Secretary shall serve as the sector-specific lead official on efforts described in subsection (a) relating to agriculture, agricultural disease, meat, poultry, and egg food products, and for efforts relating to authorities pursuant to the Animal Health Protection Act (7 U.S.C. 8301 et seq.) and the Plant Protection Act (7 U.S.C. 7701 et seq.); and

(B) the Secretary shall work in coordination with the Secretary of Health and Human Services during any incident relating to a zoonotic disease in which the applicable agent originated—

(i) as an agricultural disease; or

(ii) from a plant or animal population directly related to agriculture.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection impedes any authority of the Secretary of Homeland Security as the principal Federal official for domestic incident management pursuant to HSPD-5.

(c) COORDINATION OF RESPONSE.—

(1) ROUTINE AGRICULTURAL DISEASE EVENTS.—To the maximum extent practicable, the Secretary shall work in consultation with the Secretary of Homeland Security in response to any routine domestic incident relating to a potential or actual agricultural disease.

(2) AGRICULTURAL BIOSECURITY THREATS.—If a routine domestic incident of agricultural disease is determined by the Secretary or the Secretary of Homeland Security to pose a significant threat to the agricultural biosecurity of the United States, the Secretary of Homeland Security shall serve as the principal Federal official to lead and coordinate the appropriate Federal response to the incident.

(d) OFFICE OF HOMELAND SECURITY.—

(1) ESTABLISHMENT.—There is established in the Department the Office of Homeland Security.

(2) DIRECTOR.—The Secretary shall appoint as the head of the Office a Director for Homeland Security.

(3) RESPONSIBILITIES.—The Director shall be responsible for—

(A) coordinating all homeland security activities of the Department, including integration and coordination, in consultation with the Office of Emergency Management and Homeland Security of the Animal and Plant Health Inspection Service and the Office of Food Defense and Emergency Response of the Food Safety and Inspection Service, of interagency emergency response plans for—

(i) agricultural disease emergencies;

(ii) agroterrorist acts; or

(iii) other threats to agricultural biosecurity;

(B) acting as the primary liaison on behalf of the Department with other Federal agencies on coordination efforts and interagency activities pertaining to agricultural biosecurity;

(C) advising the Secretary on policies, regulations, processes, budget, and actions pertaining to homeland security; and

(D) providing to State and local government officials timely updates and actionable information about threats, incidents, potential protective measures, and best practices relevant to homeland security issues in agriculture.

(4) AGRICULTURAL BIOSECURITY COMMUNICATION CENTER.—

(A) ESTABLISHMENT.—The Secretary shall establish in the Department a central communication center—

(i) to collect and disseminate information regarding, and prepare for, agricultural disease emergencies, agroterrorist acts, and other threats to agricultural biosecurity; and

(ii) to coordinate the activities described in clause (i) among agencies and offices within the Department.

(B) RESPONSE.—Any response by the Secretary to an agricultural threat to agricultural biosecurity shall be carried out under the direction of the Secretary of Homeland Security, in accordance with subsection (c).

(C) AUTHORITY OF THE SECRETARY.—In establishing the central communication center under subparagraph (A), the Secretary may use the existing resources and infrastructure of the Emergency Operations Center of the Animal and Plant Health Inspection Service located in Riverdale, Maryland.

(D) RELATION TO EXISTING DEPARTMENT OF HOMELAND SECURITY COMMUNICATION SYSTEMS.—

(i) CONSISTENCY AND COORDINATION.—The center established under subparagraph (A) shall, to the maximum extent practicable, share and coordinate the dissemination of timely information with—

(I) the National Operations Center and the National Coordinating Center of the Department of Homeland Security; and

(II) other appropriate Federal communication systems, as determined by the Secretary of Homeland Security.

(ii) AVOIDING REDUNDANCIES.—Nothing in this paragraph impedes, conflicts with, or duplicates any activity carried out by—

(I) the National Biosurveillance Integration Center of the Department of Homeland Security;

(II) the National Response Coordination Center of the Department of Homeland Security;

(III) the National Infrastructure Coordination Center of the Department of Homeland Security; or

(IV) any other communication system under the authority of the Secretary of Homeland Security.

(E) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this subsection for each of fiscal years 2008 through 2012.

SEC. 11023. SUBMISSION OF INTEGRATED FOOD DEFENSE PLAN.

Consistent with HSPD-9, the Secretary, the Secretary of Homeland Security, and the Secretary of Health and Human Services shall submit to the President and Congress an integrated plan for the defense of the food system of the United States.

SEC. 11024. TRANSFER OF CERTAIN AGRICULTURAL INSPECTION FUNCTIONS OF DEPARTMENT.

(a) DEFINITION OF FUNCTION.—In this section, the term "function" does not include any quarantine activity carried out under the laws specified in subsection (c).

(b) TRANSFER OF AGRICULTURAL IMPORT AND ENTRY INSPECTION FUNCTIONS.—There shall be transferred to the Secretary of Homeland Security the functions of the Secretary relating to agricultural import and entry inspection activities under the laws specified in subsection (c).

(c) COVERED ANIMAL AND PLANT PROTECTION LAWS.—The laws referred to in subsection (a) are the following:

(1) The eighth paragraph under the heading "BUREAU OF ANIMAL INDUSTRY" in the Act of March 4, 1913 (commonly known as the "Virus-Serum-Toxin Act") (21 U.S.C. 151 et seq.).

(2) Section 1 of the Act of August 31, 1922 (commonly known as the "Honeybee Act") (7 U.S.C. 281).

(3) Title III of the Federal Seed Act (7 U.S.C. 1581 et seq.).

(4) The Plant Protection Act (7 U.S.C. 7701 et seq.).

(5) The Animal Health Protection Act (7 U.S.C. 8301 et seq.).

(6) The Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.).

(7) Section 11 of the Endangered Species Act of 1973 (16 U.S.C. 1540).

(d) COORDINATION OF REGULATIONS.—

(1) COMPLIANCE WITH DEPARTMENT REGULATIONS.—The authority transferred pursuant to subsection (b) shall be exercised by the Secretary of Homeland Security in accordance with the regulations, policies, and procedures issued by the Secretary regarding the administration of the laws specified in subsection (c).

(2) RULEMAKING COORDINATION.—The Secretary shall coordinate with the Secretary of Homeland Security in any case in which the Secretary prescribes regulations, policies, or procedures for administering the functions transferred under subsection (b) under a law specified in subsection (c).

(3) EFFECTIVE ADMINISTRATION.—The Secretary of Homeland Security, in consultation with the Secretary, may issue such directives and guidelines as are necessary to ensure the effective use of personnel of the Department of Homeland Security to carry out the functions transferred pursuant to subsection (b).

(e) TRANSFER AGREEMENT.—

(1) AGREEMENT.—

(A) IN GENERAL.—Before the end of the transition period (as defined in section 1501 of the Homeland Security Act of 2002 (6 U.S.C. 541)), the Secretary and the Secretary of Homeland Security shall enter into an agreement to effectuate the transfer of functions required by subsection (b).

(B) REVISION.—The Secretary and the Secretary of Homeland Security may jointly revise the agreement as necessary after that transition period.

(2) REQUIRED TERMS.—The agreement required by this subsection shall specifically address the following:

(A) The supervision by the Secretary of the training of employees of the Secretary of Homeland Security to carry out the functions transferred pursuant to subsection (b).

(B) The transfer of funds to the Secretary of Homeland Security under subsection (f).

(3) COOPERATION AND RECIPROCITY.—The Secretary and the Secretary of Homeland Security may include as part of the agreement the following:

(A) Authority for the Secretary of Homeland Security to perform functions delegated to the Animal and Plant Health Inspection Service of the Department regarding the protection of domestic livestock and plants, but not transferred to the Secretary of Homeland Security pursuant to subsection (b).

(B) Authority for the Secretary to use employees of the Department of Homeland Security to carry out authorities delegated to the Animal and Plant Health Inspection Service regarding the protection of domestic livestock and plants.

(f) PERIODIC TRANSFER OF FUNDS TO DEPARTMENT OF HOMELAND SECURITY.—

(1) TRANSFER OF FUNDS.—Out of funds collected by fees authorized under sections 2508 and 2509 of the Food, Agriculture, Conservation, and Trade Act of 1990 (21 U.S.C. 136, 136a), the Secretary shall transfer, from time to time in accordance with the agreement under subsection (e), to the Secretary of Homeland Security funds for activities carried out by the Secretary of Homeland Security for which the fees were collected.

(2) LIMITATION.—The proportion of fees collected pursuant to those sections that are transferred to the Secretary of Homeland Security under this subsection may not exceed the proportion of the costs incurred by the Secretary of Homeland Security to all costs incurred to carry out activities funded by the fees.

(g) TRANSFER OF DEPARTMENT EMPLOYEES.—Not later than the completion of the transition period (as defined in section 1501 of the Homeland Security Act of 2002 (6 U.S.C. 541)), the Secretary shall transfer to the Secretary of Homeland Security not more than 3,200 full-time equivalent positions of the Department.

(h) EFFECT OF TRANSFER.—

(1) EXISTING AUTHORITY.—Nothing in the transfer of functions under subsection (b) preempts any authority of the Department as described in section 11022(b)(1).

(2) LIMITATION ON TRANSFER.—

(A) IMPORTS.—The Secretary shall retain responsibility for all other activities of the Agricultural Quarantine and Inspection Program regarding imports, including activities relating to—

(i) preclearance of commodities;

(ii) trade protocol verification;

(iii) fumigation;

(iv) quarantine;

(v) diagnosis;

(vi) eradication;

(vii) indemnification; and

(viii) other sanitary and phytosanitary measures carried out pursuant to the Animal Health Protection Act (7 U.S.C. 8301 et seq.) and the Plant Protection Act (7 U.S.C. 7701 et seq.).

(B) EXPORT, INTERSTATE, AND INTRASTATE ACTIVITIES.—The Department shall retain responsibility for all functions regarding export, interstate, and intrastate activities.

(C) TRAINING.—The Department shall retain responsibility for all agricultural inspection training.

(i) CONFORMING AMENDMENT.—Section 421 of the Homeland Security Act of 2002 (6 U.S.C. 231) is amended by striking "sec. 421" and all that follows through "(h) PROTECTION OF INSPECTION ANIMALS.—Title V" and inserting the following:

"SEC. 421. PROTECTION OF INSPECTION ANIMALS.

"Title V".

PART II—AGRICULTURAL QUARANTINE INSPECTION PROGRAM IMPROVEMENT

SEC. 11031. DEFINITIONS.

In this part:

(1) PROGRAM.—The term "program" means the agricultural quarantine inspection program.

(2) SECRETARY.—The term "Secretary" means the Secretary of Agriculture, acting through the Administrator of the Animal and Plant Health Inspection Service.

SEC. 11032. JOINT TASK FORCE.

(a) ESTABLISHMENT.—Not later than 30 days after the date of enactment of this Act, the Secretary and the Secretary of Homeland Security shall establish a Joint Task Force to provide coordinated central planning for the program.

(b) COMPOSITION.—The Joint Task Force shall be composed of employees of the Animal and Plant Health Inspection Service and Customs and Border Protection of the Department of Homeland Security, appointed by the Secretary and the Secretary of Homeland Security, respectively.

(c) DUTIES.—The Joint Task Force shall—

(1) prepare, and not less than biannually revise as necessary, a strategic plan for the program;

(2) establish performance measures that accurately gauge the success of the program;

(3) establish annual operating goals and plans for the program at national, regional, and port levels;

(4) establish and regularly revise as necessary a training program to ensure that all employees of Customs and Border Protection involved in agricultural inspection and quarantine activities have the skills, knowledge, and abilities necessary to protect the agricultural biosecurity of the United States;

(5) ensure effective and regular communications with all stakeholders under the program;

(6) maintain effective and regular communication between the Animal and Plant Health Inspection Service and Customs and Border Protection in carrying out the program;

(7) establish and carry out mechanisms to collect data to inform program planning and decisionmaking under the program;

(8) ensure access for employees of the Animal and Plant Health Inspection Service who, as determined by the Secretary, in consultation with the Secretary of Homeland Security—

(A) have met all applicable Customs and Border Protection security-related requirements; and

(B) to adequately perform the duties of the employees, require access to—

(i) each secure area of any terminal for screening passengers or cargo; and

(ii) each database relating to cargo manifests or any databases that may relate to the program;

(9) ensure the ability of the program to operate in case of emergencies; and

(10) establish a quality assurance program for the program, with performance standards and regular reviews of each port of entry to determine compliance with the quality standards.

SEC. 11033. ADVISORY BOARD.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary and the Secretary of Homeland Security shall establish a board to be known as the "Agricultural Quarantine Inspection Program Advisory Board" (referred to in this section as the "Advisory Board").

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Board shall consist of 11 members representing the Federal Government, State governments, and stakeholders, including—

(A) 2 members representing the Department, appointed by the Secretary, who shall serve as cochairperson of the Advisory Board;

(B) 1 member representing the Department of Homeland Security, appointed by the Secretary of Homeland Security, who shall serve as cochairperson of the Advisory Board;

(C) 1 member representing Customs and Border Protection agriculture specialists, appointed by the Secretary of Homeland Security, who shall serve as cochairperson of the Advisory Board;

(D) 1 member representing the National Plant Board, appointed by the Secretary based on nominations submitted by the Board;

(E) 1 member representing the United States Animal Health Association, appointed by the Secretary based on 1 or more nominations submitted by the Association;

(F) 1 member representing the National Association of State Departments of Agriculture, appointed by the Secretary based on 1 or more nominations submitted by the Association;

(G) 2 members representing stakeholders of organizations, associations, societies, councils, federations, groups, and companies, appointed by the Secretary from 2 or more nominations submitted by the stakeholders; and

(H) 2 members representing stakeholders of organizations, associations, societies, councils, federations, groups, and companies, appointed by the Secretary of Homeland Security from 2 or more nominations submitted by the stakeholders.

(2) TERMS OF SERVICE.—The term of a member of the Advisory Board shall be 2 years, except that, of the members initially appointed to the Board, the term of ½ of the members (as determined jointly by the Secretary and the Secretary of Homeland Security) shall be 1 year.

(c) DUTIES.—The Advisory Board shall—

(1) advise the Secretary and the Secretary of Homeland Security—

(A) on policies and other issues related to the mission of the program; and

(B) on appropriate mechanisms to ensure that interested stakeholders in the agriculture industry, State and local governments, and the general public have formal opportunities to provide comments on the program; and

(2) in the case of the cochairpersons of the Advisory Board—

(A) coordinate the advice and concerns of the members of the Advisory Board; and

(B) at least twice a year, submit the views of the Advisory Board to the Secretary and the Secretary of Homeland Security.

(d) MEETINGS.—The meetings of the Advisory Board shall take place at least twice a year, with the option of conducting the meetings in Washington, District of Columbia, and a Customs and Border Protection port on an alternating basis.

SEC. 11034. REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and annually thereafter through September 30, 2012, the Administrator of the Animal and Plant Health Inspection Service and the Commissioner of Customs and Border Protection, shall jointly submit to the committees described in subsection (b) a report on—

(1) the resource needs for import and entry agricultural inspections, including the number of inspectors required;

(2) the adequacy of inspection and monitoring procedures and facilities in the United States;

(3) new and emerging technologies and practices, including recommendations regarding the technologies and practices, to improve import and entry agricultural inspections; and

(4) questions or concerns raised by the Joint Task Force established under section 11032 and by the Agricultural Quarantine Inspection Program Advisory Board established under section 11033.

(b) COMMITTEES.—The Secretary and the Secretary of Homeland Security shall jointly submit the report required under subsection (a) to—

(1) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(2) the Committee on Agriculture of the House of Representatives;

(3) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(4) the Committee on Homeland Security of the House of Representatives.

(c) SATISFACTION OF REQUIREMENT.—The Administrator of the Animal and Plant Health Inspection Service and the Commissioner of Customs and Border Protection may satisfy the reporting requirement described in subsection (a) by submitting to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a copy of each relevant provision relating to appropriations or authorization requests for the applicable fiscal year.

SEC. 11035. PORT RISK COMMITTEES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of Homeland Security shall jointly create Port Risk Committees to service the agriculture mission for each port of entry into the United States that the Secretary of Homeland Security, in consultation with the Secretary, determines to be appropriate.

(b) MEMBERSHIP.—Each Committee may include representatives from—

(1) the Animal and Plant Health Inspection Service, appointed by the Secretary;

(2) Customs and Border Protection, appointed by the Secretary of Homeland Security;

(3) the Department of Health and Human Services, appointed by the Secretary of Health and Human Services;

(4) State and local governments, appointed jointly by the Secretary, the Secretary of Homeland Security, and the Secretary of Health and Human Services; and

(5) other stakeholders, appointed jointly by the Secretary, the Secretary of Homeland Security, and the Secretary of Health and Human Services, who shall—

(A) act as nonvoting members of the Committee; and

(B) only observe and provide information and comments with respect to activities of the Committee.

(c) DUTIES.—Each Committee shall examine issues affecting the local port of entry of the Committee to determine actions necessary to mitigate risks of threats to the agricultural biosecurity of the United States.

(d) REPORT.—The Committees shall report regularly to regional-level officials of the Animal and Plant Health Inspection Service and to field office officials of Customs and Border Protection.

SEC. 11036. EMERGENCY RESPONSE PLANNING AT PORTS OF ENTRY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of Homeland Security shall develop a comprehensive plan to identify and deploy trained and certified personnel in emergency response activities.

(b) PLAN.—The plan shall include a strategy for rapid identification and deployment of resources and a standard operating procedure to implement when significant agricultural pests and diseases are detected at ports of entry.

(c) CONTINUITY OF OPERATIONS PLANS.—The Secretary and the Secretary of Homeland Security, acting through Customs and Border Protection, shall coordinate and share national continuity of operations plans and plans for ports of entry.

SEC. 11037. PLANT PEST IDENTIFICATION JOINT PLAN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of Homeland Security shall prepare a joint plan to establish standards of service for—

(1) plant pest and disease identification;

(2) inspection techniques training; and

(3) discard authority.

(b) CONTENTS.—The plan shall—

(1) formalize plant pest and disease identification and inspection training of Customs and Border Protection agriculture specialists for all pathways, including conveyances, passengers, cargo, mail, and rail; and

(2) establish performance-related criteria for the appropriate Department of Homeland Security personnel to enable enhanced discard authority and improve plant pest and disease interception.

SEC. 11038. LIAISON OFFICER POSITIONS.

(a) CUSTOMS AND BORDER PROTECTION.—

(1) IN GENERAL.—The Secretary shall establish a program liaison officer position who is physically located in the same building as the highest ranking Customs and Border Protection official with primary responsibility for the agricultural inspection functions of Customs and Border Protection.

(2) EMPLOYEE.—The liaison officer shall be an employee of the Animal and Plant Health Inspection Service.

(3) SPACE AND STAFF.—Customs and Border Protection shall provide appropriate space for the liaison officer and commensurate support staff.

(4) EXPENSES.—The Secretary shall bear all costs for salary, benefits, and other expenses of the liaison officer.

(b) ANIMAL AND PLANT HEALTH INSPECTION SERVICE.—

(1) IN GENERAL.—The Secretary, acting through Customs and Border Protection, shall establish a program liaison officer position who is physically located in the same building as the highest ranking Animal and Plant Health Inspection Service official with primary responsibility for the agricultural inspection functions of the Service.

(2) EMPLOYEE.—The liaison officer shall be an employee of Customs and Border Protection.

(3) SPACE AND STAFF.—The Animal and Plant Health Inspection Service shall provide appropriate space for the liaison officer and commensurate support staff.

(4) EXPENSES.—Customs and Border Protection shall bear all costs for salary, benefits, and other expenses of the liaison officer.

(c) COMMUNICATIONS.—The liaison officers shall ensure daily communication between designated officials of the Animal and Plant Health Inspection Service and Customs and Border Protection.

PART III—MISCELLANEOUS

SEC. 11041. DESIGNATION AND EXPEDITED REVIEW AND APPROVAL OF QUALIFIED AGRICULTURAL COUNTERMEASURES.

(a) DESIGNATION OF CERTAIN AGRICULTURAL COUNTERMEASURES.—The Secretary and the Secretary of Homeland Security, in coordination with the Secretary of Health and Human Services, the Administrator of the Environmental Protection Agency, and the heads of other applicable Federal departments or agencies, and in consultation with the Director of the Office of Science and Technology Policy in the Executive Office of the President, shall designate a list of qualified agricultural countermeasures to protect against the intentional introduction or natural occurrence of agricultural disease emergencies.

(b) EXPEDITED REVIEW AND APPROVAL OF QUALIFIED COUNTERMEASURES.—A qualified agricultural countermeasure designated under subsection (a) shall be—

(1) granted expedited review for approval; and

(2) if the qualified agricultural countermeasure meets the requirements for approval under that expedited review process, promptly approved by the appropriate Federal department or agency for use or further testing.

(c) DELISTING OF AGRICULTURE COUNTERMEASURES.—The Secretary and the Secretary of Homeland Security, in coordination with the Secretary of Health and Human Services, the Administrator of the Environmental Protection Agency, and the heads of other applicable Federal departments or agencies, and in consultation with the Director of the Office of Science and Technology Policy in the Executive Office of the President, may delist qualified agricultural countermeasures that are no longer effective in maintaining or enhancing the agricultural biosecurity of the United States.

SEC. 11042. AGRICULTURAL DISEASE EMERGENCY DETECTION AND RESPONSE.

(a) EMERGENCY DETERMINATION.—

(1) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Secretary and the Secretary of Health and Human Services, shall—

(A) assess potential vulnerabilities to the agricultural biosecurity of the United States; and

(B) determine the incidence or outbreak of which agricultural diseases would constitute an emergency—

(i) to identify respective interagency priorities; and

(ii) to assist the Department of Homeland Security to establish biological threat awareness capacities pursuant to HSPD–9 and HSPD–10.

(2) NOTIFICATION BY OTHER FEDERAL ENTITIES.—On a determination by the Secretary of Homeland Security under paragraph (1)(B), each Federal department and agency shall notify the Secretary of Homeland Security, the Secretary, and the Secretary of Health and Human Services of specific emergency procedures to be deployed in the event of an outbreak of an agricultural disease, including—

(A) any regulations promulgated to address the outbreak; and

(B) a timetable for implementation of the regulations.

(3) INFORMATION SHARING.—The Secretary of Homeland Security may make notifications under paragraph (2) available to the Secretary, in order for the Secretary to meet the incident management activities and goals set forth in the Food and Agriculture Incident Annex of the National Response Plan.

(4) STATE AND LOCAL COORDINATION.—On receipt by the Secretary of Homeland Security of notification of special emergency procedures required by other Federal departments or agencies, the Secretary of Homeland Security, in consultation with the Secretary and the Secretary of Health and Human Services, shall—

(A) notify State, local, and tribal governments, as appropriate, of the emergency procedures; and

(B) institute test exercises to determine the effectiveness of the emergency procedures in geographical areas of significance, as determined by the Secretary of Homeland Security, in consultation with Secretary.

(b) DISEASE DETECTION.—The Secretary and the Secretary of Homeland Security shall—

(1) develop and deploy an advanced surveillance system to detect entry into the United States of agricultural biological threat agents that are likely to cause an agricultural disease emergency;

(2) develop national and international standards and implementation guidelines to be used in monitoring those agricultural biological threat agents;

(3) enhance animal and plant health laboratory networks in existence as of the date of enactment of this Act to increase the diagnostic capability for detecting those biological threat agents; and

(4) integrate the data and information obtained through the activities carried out under paragraphs (1) through (3) with the National Biosurveillance Integration Center of the Department of Homeland Security.

(c) ONSITE RAPID DIAGNOSTIC TOOLS.—

(1) DEVELOPMENT.—The Secretary, in consultation with the Secretary of Homeland Security and the Secretary of Health and Human Services, shall develop onsite rapid diagnostic tools to enable rapid diagnosis of incidents of agricultural diseases that would constitute an agricultural disease emergency at the site of the incident or outbreak.

(2) VALIDATION TESTING OF TOOLS.—In developing on-site rapid diagnostic tools under paragraph (1), the Secretary, in consultation with the Secretary of Homeland Security and the Secretary of Health and Human Services, shall conduct validation testing to ensure that each tool—

(A) identifies the agent for which the tool was developed; and

(B) will function properly if administered in the field by persons with varying levels of expertise in diagnostic testing, zoonotic disease surveillance, or agricultural disease emergencies.

(d) EMERGENCY RESPONSE.—

(1) IN GENERAL.—The Secretary shall work with State agriculture departments to ensure a coordinated response with State and local agencies responsible for early agricultural disease detection and control.

(2) EVALUATION.—Not later than 180 days after the date of enactment of this Act, the Secretary shall prepare and submit to the appropriate committees of Congress an evaluation of the current staff, budgets, and capabilities of regional coordinators of the Animal and Plant Health Inspection Service to identify areas of potential vulnerability or additional resource needs for emergency response capabilities in specific geographical areas.

(e) BEST PRACTICES.—

(1) AGRICULTURAL BIOSECURITY TASK FORCE.—The Secretary shall establish in the Department an agricultural biosecurity task force to identify best practices for use in carrying out a State or regional agricultural biosecurity program.

(2) INFORMATION AVAILABLE.—The Secretary, in coordination with the Secretary of Homeland Security, shall make available information regarding best practices for use in implementing a State or regional agricultural biosecurity program, including training exercises for emergency response providers and animal and plant disease specialists.

(f) FOREIGN ANIMAL DISEASE AS PREREQUISITE FOR VETERINARIAN ACCREDITATION.—The Secretary shall require candidates for veterinarian accreditation from the Department to receive training in foreign animal disease detection and response.

SEC. 11043. NATIONAL PLANT DISEASE RECOVERY SYSTEM AND NATIONAL VETERINARY STOCKPILE.

(a) NATIONAL PLANT DISEASE RECOVERY SYSTEM.—

(1) ESTABLISHMENT.—The Secretary, in coordination with the Secretary of Homeland Security, and in consultation with the Secretary of Health and Human Services and the Administrator of the Environmental Protection Agency, shall work with State and local governments and the private sector to establish a national plant disease recovery system to be used to respond to an outbreak of plant disease that poses a significant threat to agricultural biosecurity.

(2) REQUIREMENTS.—The national plant disease recovery system shall include agricultural countermeasures to be made available within a single growing season for crops of particular economic significance, as determined by the Secretary, in coordination with the Secretary of Homeland Security.

(b) NATIONAL VETERINARY STOCKPILE.—The Secretary, in coordination with the Secretary of Homeland Security, and in consultation with the Secretary of Health and Human Services and the Administrator of the Environmental Protection Agency, shall work with State and local governments and the private sector to establish a national veterinary stockpile, which shall be used by the Secretary, in coordination with the Secretary of Homeland Security—

(1) to make agricultural countermeasures available to any State veterinarian not later than 24 hours after submission of an official request for assistance by the State veterinarian, unless the Secretary and the Secretary of Homeland Security cannot accommodate such a request due to an emergency; and

(2) to leverage, where appropriate, the mechanisms and infrastructure of the Strategic National Stockpile.

SEC. 11044. RESEARCH AND DEVELOPMENT OF AGRICULTURAL COUNTERMEASURES.

(a) GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish a grant program to stimulate basic and applied research and development activity for qualified agricultural countermeasures.

(2) COMPETITIVE GRANTS.—In carrying out this section, the Secretary shall develop a process through which to award grants on a competitive basis.

(3) WAIVER IN EMERGENCIES.—The Secretary may waive the requirement in paragraph (2), if—

(A) the Secretary has declared a plant or animal disease emergency under the Plant

Protection Act (7 U.S.C. 7701 et seq.) or the Animal Health Protection Act (7 U.S.C. 8301 et seq.); and

(B) the waiver would lead to the rapid development of a qualified agricultural countermeasure, as determined by the Secretary.

(b) Use of Foreign Disease Permissible.—The Secretary shall permit the use of foreign animal and plant disease agents, and accompanying data, in research and development activities funded under this section if the Secretary determines that the diseases or data are necessary to demonstrate the safety and efficacy of an agricultural countermeasure in development.

(c) Coordination on Advanced Development.—The Secretary shall ensure that the Secretary of Homeland Security is provided information, on a quarterly basis, describing each grant provided by the Secretary for the purpose of facilitating the acceleration and expansion of the advanced development of agricultural countermeasures.

(d) Scope.—Nothing in this section impedes the ability of the Secretary of Homeland Security to administer grants for basic and applied research and advanced development activities for qualified agricultural countermeasures.

(e) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2008 through 2012.

SEC. 11045. VETERINARY WORKFORCE GRANT PROGRAM.

(a) In General.—The Secretary shall establish a grant program to increase the number of veterinarians trained in agricultural biosecurity.

(b) Considerations for Funding Awarded.—The Secretary shall establish procedures to ensure that grants are competitively awarded under the program based on—

(1) the ability of an applicant to increase the number of veterinarians who are trained in agricultural biosecurity practice areas determined by the Secretary;

(2) the ability of an applicant to increase research capacity in areas of agricultural biosecurity determined by the Secretary to be a priority; or

(3) any other consideration the Secretary determines to be appropriate.

(c) Use of Funds.—Amounts received under this section may be used by a grantee to pay—

(1) costs associated with construction and the acquisition of equipment, and other capital costs relating to the expansion of schools of veterinary medicine, departments of comparative medicine, departments of veterinary science, or entities offering residency training programs; or

(2) capital costs associated with the expansion of academic programs that offer postgraduate training for veterinarians or concurrent training for veterinary students in specific areas of specialization.

(d) Authorization of Appropriations.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.

SEC. 11046. ASSISTANCE TO BUILD LOCAL CAPACITY IN AGRICULTURAL BIOSECURITY PLANNING, PREPAREDNESS, AND RESPONSE.

(a) Advanced Training Programs.—

(1) Grant assistance.—The Secretary shall provide grant assistance to support the development and expansion of advanced training programs in agricultural biosecurity planning and response for food science professionals and veterinarians.

(2) Authorization of appropriations.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this subsection for each of fiscal years 2008 through 2012.

(b) Assessment of Response Capability.—

(1) Grant and loan assistance.—The Secretary shall provide grant and low-interest loan assistance to States for use in assessing agricultural disease response capability.

(2) Authorization of appropriations.—There is authorized to be appropriated to carry out this subsection $25,000,000 for each of fiscal years 2008 through 2012.

SEC. 11047. BORDER INSPECTIONS OF AGRICULTURAL PRODUCTS.

(a) Inspection.—

(1) In general.—The Secretary of Homeland Security, in consultation with the Secretary and the Secretary of Health and Human Services, shall coordinate with Federal intelligence officials to identify agricultural products that are imported from countries that have known capabilities to carry out an agroterrorist act.

(2) Priority.—

(A) In general.—Agricultural products imported from countries described in paragraph (1) shall be given priority status in the inspection process.

(B) Effect of threats.—If a credible and specific threat of an intended agroterrorist act is identified by Federal intelligence officials, each border inspection of a product that could be a pathway for the agroterrorist act shall be intensified.

(b) Coordination in Border Inspection.—In conducting inspections of agricultural products at the border, the Secretary, the Secretary of Homeland Security, and the Secretary of Health and Human Services shall use a compatible communication system in order to better coordinate the inspection process.

SEC. 11048. LIVE VIRUS OF FOOT AND MOUTH DISEASE RESEARCH.

(a) In General.—The Secretary shall issue a permit required under section 12 of the Act of May 29, 1884 (21 U.S.C. 113a) to the Secretary of Homeland Security for work on the live virus of foot and mouth disease at the National Bio and Agro-Defense Laboratory (referred to in this section as the "NBAF").

(b) Limitation.—The permit shall be valid unless the Secretary finds that the study of live foot and mouth disease virus at the NBAF is not being carried out in accordance with the regulations issued by the Secretary pursuant to the Agricultural Bioterrorism Protection Act of 2002 (7 U.S.C. 8401 et seq.).

(c) Authority.—The suspension, revocation, or other impairment of the permit issued under this section—

(1) shall be made by the Secretary; and

(2) is a nondelegable function.

Subtitle B—Other Programs

SEC. 11051. FORECLOSURE.

(a) In General.—Section 307 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1927) is amended by adding at the end the following:

"(f) Moratorium.—

"(1) In general.—Effective beginning on the date of enactment of this subsection, there shall be in effect a moratorium on all loan acceleration and foreclosure proceedings instituted by the Department for any case in which—

"(A) there is pending against the Department a claim of discrimination by a farmer or rancher related to a loan acceleration or foreclosure; or

"(B) a farmer or rancher files a claim of discrimination against the Department related to a loan acceleration or foreclosure.

"(2) Waiver of interest and offsets.—During the period of the moratorium, the Secretary shall waive the accrual of interest and offsets on all loans made under this subtitle for which loan acceleration or foreclosure proceedings have been instituted as described in paragraph (1).

"(3) Termination of moratorium.—The moratorium shall terminate with respect to a claim of discrimination by a farmer or rancher on the earlier of—

"(A) the date the Secretary resolves the claim; or

"(B) if the farmer or rancher appeals the decision of the Secretary on the claim to a court of competent jurisdiction, the date that the court renders a final decision on the claim.

"(4) Failure to prevail.—If a farmer or rancher does not prevail on a claim of discrimination described in paragraph (1), the farmer or rancher shall be liable for any interest and offsets that accrued during the period that the loan was in abeyance.".

(b) Foreclosure Report.—

(1) In general.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department of Agriculture (referred to in this subsection as the "Inspector General") shall determine whether decisions of the Department to implement foreclosure proceedings with respect to loans made under subtitle A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922 et seq.) to socially disadvantaged farmers or ranchers during the 5-year period preceding the date of enactment of this Act were consistent and in conformity with the applicable laws (including regulations) governing loan foreclosures.

(2) Report.—Not later than 1 year after the date of enactment of this Act, the Inspector General shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the determination of the Inspector General under paragraph (1).

SEC. 11052. OUTREACH AND TECHNICAL ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS.

(a) In General.—Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279)) is amended—

(1) in subsection (a)—

(A) by striking paragraph (2) and inserting the following:

"(2) Requirements.—The outreach and technical assistance program under paragraph (1) shall be used exclusively—

"(A) to enhance coordination of the outreach, technical assistance, and education efforts authorized under agriculture programs; and

"(B) to assist the Secretary in—

"(i) reaching socially disadvantaged farmers and ranchers and prospective socially disadvantaged farmers and ranchers in a culturally and linguistically appropriate manner; and

"(ii) improving the participation of those farmers and ranchers in Department programs, as determined under section 2501A.";

(B) in paragraph (3)—

(i) in subparagraph (A), by striking "entity to provide information" and inserting "entity that has demonstrated an ability to carry out the requirements described in paragraph (2) to provide outreach"; and

(ii) by adding at the end the following:

"(D) Renewal of contracts.—The Secretary may provide for renewal of a grant, contract, or other agreement under this section with an eligible entity that—

"(i) has previously received funding under this section;

"(ii) has demonstrated an ability to carry out the requirements described in paragraph (2); and

"(iii) demonstrates to the satisfaction of the Secretary that the entity will continue to fulfill the purposes of this section.

"(E) REVIEW OF PROPOSALS.—Notwithstanding subparagraph (D), the Secretary shall promulgate a regulation to establish criteria for the review process for grants and cooperative agreements (including multiyear grants), which shall include a review eligible entities on an individual basis.

"(F) REPORT.—The Secretary shall submit to Congress, and make publically available, an annual report that describes—

"(i) the accomplishments of the program under this section; and

"(ii) any gaps or problems in service delivery as reported by grantees."; and

(C) in paragraph (4)—

(i) by striking subparagraph (A), and inserting the following:

"(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $50,000,000 for each of fiscal years 2008 through 2012."; and

(ii) by adding at the end the following:

"(C) LIMITATION ON USE OF FUNDS FOR ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the amounts made available under this paragraph for a fiscal year may be used for expenses related to administering the program under this section."; and

(2) in subsection (e)(5)(A)—

(A) in clause (i), by striking "has demonstrated experience in" and inserting "has a reputation for, and has demonstrated experience in,"; and

(B) in clause (ii)—

(i) by inserting "and on behalf of" before "socially"; and

(ii) by striking "2-year" and inserting "3-year".

(b) COORDINATION WITH OUTREACH.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall develop a plan to join and relocate—

(A) the outreach and technical assistance program established under section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279); and

(B) the Office of Outreach of the Department of Agriculture.

(2) CONSULTATION.—In preparing the plan under paragraph (1), the Secretary shall, in consultation with eligible entities under section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279)—

(A) decide the most appropriate permanent location for the programs described in paragraph (1); and

(B) locate both programs together at that location.

(3) REPORT.—After the relocation described in this subsection is completed, the Secretary shall submit to Congress a report that includes information describing the new location of the programs.

SEC. 11053. ADDITIONAL CONTRACTING AUTHORITY.

Section 2501(a)(3) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)(3)) (as amended by section 11052(a)(1)(B)(ii)) is amended by adding at the end the following:

"(G) ADDITIONAL CONTRACTING AUTHORITY.—

"(i) IN GENERAL.—The Secretary shall provide to the Office of Outreach of the Department of Agriculture, the Natural Resources Conservation Service, the Farm Service Agency, the Risk Management Agency, the Forest Service, the Food Safety and Inspection Service, and such other agencies and programs as the Secretary determines to be necessary, the authority to make grants and enter into contracts and cooperative agreements with community-based organizations that meet the definition of an eligible entity under subsection (e).

"(ii) MATCHING FUNDS.—The Secretary is not required to require matching funds for a grant made, or a contract or cooperative agreement entered into, under this subparagraph.

"(iii) INTERAGENCY FUNDING.—Notwithstanding any other provision of law (including regulations), any Federal agency may participate in any grant made, or contract or cooperative agreement entered into, under this subsection by contributing funds, if the head of the agency determines that the objectives of the grant, contract, or cooperative agreement will further the authorized programs of the contributing agency.".

SEC. 11054. IMPROVED PROGRAM DELIVERY BY THE DEPARTMENT OF AGRICULTURE ON INDIAN RESERVATIONS.

Section 2501(g)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(g)(1)) is amended by striking the second sentence.

SEC. 11055. ACCURATE DOCUMENTATION IN THE CENSUS OF AGRICULTURE AND CERTAIN STUDIES.

Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is amended by adding at the end the following:

"(h) ACCURATE DOCUMENTATION.—The Secretary shall ensure, to the maximum extent practicable, that the Census of Agriculture and studies carried out by the Economic Research Service accurately document the number, location, and economic contributions of socially disadvantaged farmers and ranchers in agricultural production.".

SEC. 11056. IMPROVED DATA REQUIREMENTS.

Section 2501A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279–1) is amended by striking subsection (c) and inserting the following:

"(c) COMPILATION OF PROGRAM PARTICIPATION DATA.—

"(1) ANNUAL REQUIREMENT.—For each county and State in the United States, the Secretary of Agriculture (referred to in this section as the 'Secretary') shall annually compile program application and participation rate data regarding socially disadvantaged farmers and ranchers by computing for each program of the Department of Agriculture that serves agricultural producers or landowners—

"(A) raw numbers of applicants and participants by race, ethnicity, and gender, subject to appropriate privacy protections, as determined by the Secretary; and

"(B) the application and participation rate, by race, ethnicity, and gender, as a percentage of the total participation rate of all agricultural producers and landowners.

"(2) AUTHORITY TO COLLECT DATA.—The heads of the agencies of the Department of Agriculture shall collect and transmit to the Secretary any data, including data on race, gender, and ethnicity, that the Secretary determines to be necessary to carry out paragraph (1).

"(3) REPORT.—Using the technologies and systems of the National Agricultural Statistics Service, the Secretary shall compile and present the data required under paragraph (1) for each program described in that paragraph in a manner that includes the raw numbers and participation rates for—

"(A) the entire United States;

"(B) each State; and

"(C) each county in each State.

"(d) LIMITATIONS ON USE OF DATA.—

"(1) IN GENERAL.—In carrying out this section, the Secretary shall not disclose the names or individual data of any program participant.

"(2) AUTHORIZED USES.—The data under this section shall be used exclusively for the purposes described in subsection (a).

"(3) LIMITATION.—Except as otherwise provided, the data under this section shall not be used for the evaluation of individual applications for assistance.".

SEC. 11057. RECEIPT FOR SERVICE OR DENIAL OF SERVICE.

Section 2501A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279–1) (as amended by section 11056) is amended by adding at the end the following:

"(e) RECEIPT FOR SERVICE OR DENIAL OF SERVICE.—In any case in which a farmer or rancher, or a prospective farmer or rancher, in person or in writing, requests from the Farm Service Agency or the Natural Resources Conservation Service of the Department of Agriculture any benefit or service offered by the Department to agricultural producers or landowners, and at the time of the request requests a receipt, the Secretary of Agriculture shall issue, on the date of the request, a receipt to the farmer or rancher, or prospective farmer or rancher, that contains—

"(1) the date, place, and subject of the request; and

"(2) the action taken, not taken, or recommended to the farmer or rancher or prospective farmer or rancher.".

SEC. 11058. NATIONAL APPEALS DIVISION.

Section 280 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7000) is amended—

(1) by striking "On the return" and inserting the following:

"(a) IN GENERAL.—On the return"; and

(2) by adding at the end the following:

"(b) REPORTS.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, and every 180 days thereafter, the head of each agency shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, and publish on the website of the Department, a report that includes—

"(A) a description of all cases returned to the agency during the period covered by the report pursuant to a final determination of the Division;

"(B) the status of implementation of each final determination; and

"(C) if the final determination has not been implemented—

"(i) the reason that the final determination has not been implemented; and

"(ii) the projected date of implementation of the final determination.

"(2) UPDATES.—Each month, the head of each agency shall publish on the website of the Department any updates to the reports submitted under paragraph (1).".

SEC. 11059. FARMWORKER COORDINATOR.

(a) IN GENERAL.—Subtitle B of title II of the Department of Agriculture Reorganization Act of 1994 is amended by inserting after section 226A (7 U.S.C. 6933) the following:

"SEC. 226B. FARMWORKER COORDINATOR.

"(a) ESTABLISHMENT.—The Secretary shall establish within the Department the position of Farmworker Coordinator (referred to in this section as the 'Coordinator').

"(b) DUTIES.—The Secretary shall delegate to the Coordinator responsibility for—

"(1) assisting in administering the program established by section 2281 of the Food, Agriculture, Conservation, and Trade Act of 1990 (42 U.S.C. 5177a);

"(2) serving as a liaison to community-based nonprofit organizations that represent and have demonstrated experience serving low-income migrant and seasonal farmworkers;

"(3) coordinating with the Department, other Federal agencies, and State and local governments to ensure that farmworker needs are assessed and met during declared disasters and other emergencies;

"(4) consulting with the Office of Small Farm Coordination, Office of Outreach, Outreach Coordinators, and other entities to better integrate farmworker perspectives, concerns, and interests into the ongoing programs of the Department;

"(5) consulting with appropriate institutions on research, program improvements, or agricultural education opportunities that assist low-income and migrant seasonal farmworkers; and

"(6) ensuring that farmworkers have access to services and support to enter agriculture as producers.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.".

(b) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) (as amended by section 7401(c)(1)) is amended by adding at the end the following:

"(7) the authority of the Secretary to establish in the Department a position of Farmworker Coordinator in accordance with section 226B.".

SEC. 11060. CONGRESSIONAL BIPARTISAN FOOD SAFETY COMMISSION.

(a) COMMISSION.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is established a commission to be known as the "Congressional Bipartisan Food Safety Commission" (referred to in this section as the "Commission").

(B) PURPOSE.—The purpose of the Commission shall be to act in a bipartisan, consensus-driven fashion—

(i) to review the food safety system of the United States;

(ii) to prepare a report that—

(I) summarizes information about the food safety system as in effect as of the date of enactment of this Act; and

(II) makes recommendations on ways—

(aa) to modernize the food safety system of the United States;

(bb) to harmonize and update food safety statutes;

(cc) to improve Federal, State, local, and interagency coordination of food safety personnel, activities, budgets, and leadership;

(dd) to best allocate scarce resources according to risk;

(ee) to ensure that regulations, directives, guidance, and other standards and requirements are based on best-available science and technology;

(ff) to emphasize preventative rather than reactive strategies; and

(gg) to provide to Federal agencies funding mechanisms necessary to effectively carry out food safety responsibilities; and

(iii) to draft specific statutory language, including detailed summaries of the language and budget recommendations, that would implement the recommendations of the Commission.

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Commission shall be composed of 19 members.

(B) ELIGIBILITY.—Members of the Commission shall—

(i) have specialized training, education, or significant experience in at least 1 of the areas of—

(I) food safety research;

(II) food safety law and policy; and

(III) program design and implementation;

(ii) consist of—

(I) the Secretary of Agriculture (or a designee);

(II) the Secretary of Health and Human Services (or a designee);

(III) 1 Member of the House of Representatives; and

(IV) 1 Member of the Senate; and

(V) 15 additional members that include, to the maximum extent practicable, representatives of—

(aa) consumer organizations;

(bb) agricultural and livestock production;

(cc) public health professionals;

(dd) State regulators;

(ee) Federal employees; and

(ff) the livestock and food manufacturing and processing industry.

(C) APPOINTMENTS.—

(i) IN GENERAL.—The appointment of the members of the Commission shall be made not later than 60 days after the date of enactment of this Act.

(ii) CERTAIN APPOINTMENTS.—Of the members of the Commission described in subparagraph (B)(ii)(V)—

(I) 2 shall be appointed by the President;

(II) 7 shall be appointed by a working group consisting of—

(aa) the Chairman of each of the Committee on Agriculture, Nutrition, and Forestry and the Committee on Health, Education, Labor, and Pensions of the Senate;

(bb) the Chairman of each of the Committee on Agriculture and the Committee on Energy and Commerce of the House of Representatives;

(cc) the Speaker of the House of Representatives; and

(dd) the Majority Leader of the Senate; and

(III) 6 shall be appointed by a working group consisting of—

(aa) the Ranking Member of each of the Committees described in items (aa) and (bb) of subclause (II);

(bb) the Minority Leader of the House of Representatives; and

(cc) the Minority Leader of the Senate.

(D) TERM.—A member of the Commission shall be appointed for the life of the Commission.

(E) VACANCIES.—A vacancy on the Commission—

(i) shall not affect the powers of the Commission; and

(ii) shall be filled in the same manner as the original appointment was made.

(3) MEETINGS.—

(A) INITIAL MEETING.—Except as provided in subparagraph (B), the initial meeting of the Commission shall be conducted in Washington, District of Columbia, not later than 30 days after the date of appointment of the final member of the Commission under paragraph (2)(C).

(B) MEETING FOR PARTIAL APPOINTMENT.—If, as of the date that is 90 days after the date of enactment of this Act, all members of the Commission have not been appointed under paragraph (2)(C), but at least 8 members have been appointed, the Commission may hold the initial meeting of the Commission.

(C) OTHER MEETINGS.—The Commission shall—

(i) hold a series of at least 5 stakeholder meetings to solicit public comment, including—

(I) at least 1 stakeholder meeting, to be held in Washington, District of Columbia; and

(II) at least 4 stakeholder meetings, to be held in various regions of the United States; and

(ii) meet at the call of—

(I) the Chairperson;

(II) the Vice-Chairperson; or

(III) a majority of the members of the Commission.

(D) PUBLIC PARTICIPATION; INFORMATION.—To the maximum extent practicable—

(i) each meeting of the Commission shall be open to the public; and

(ii) all information from a meeting of the Commission shall be recorded and made available to the public.

(E) QUORUM.—With respect to meetings of the Commission—

(i) a majority of the members of the Commission shall constitute a quorum for the conduct of business of the Commission; but

(ii) for the purpose of a stakeholder meeting described in subparagraph (C)(i), 4 or more members of the Commission shall constitute a quorum.

(F) FACILITATOR.—The Commission shall contract with a nonpolitical, disinterested third-party entity to serve as a meeting facilitator.

(4) CHAIRPERSON AND VICE-CHAIRPERSON.—At the initial meeting of the Commission, the members of the Commission shall select from among the members a Chairperson and Vice-Chairperson of the Commission.

(b) DUTIES.—

(1) RECOMMENDATIONS.—The Commission shall review and consider the statutes, studies, and reports described in paragraph (2) for the purpose of understanding the food safety system of the United States in existence as of the date of enactment of this Act.

(2) STATUTES, STUDIES, AND REPORTS.—The statutes, studies, and reports referred to in paragraph (1) are—

(A) with respect with respect to laws administered by the Secretary of Agriculture—

(i) the Federal Seed Act (7 U.S.C. 1551 et seq.);

(ii) the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.);

(iii) the Animal Health Protection Act (7 U.S.C. 8301 et seq.);

(iv) the Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.);

(v) the Poultry Products Inspection Act (21 U.S.C. 451 et seq.);

(vi) the Federal Meat Inspection Act (21 U.S.C. 601 et seq.); and

(vii) the Egg Products Inspection Act (21 U.S.C. 1031 et seq.);

(B) with respect to laws administered by the Secretary of the Treasury, the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.);

(C) with respect to laws administered by the Federal Trade Commission, the Act of September 26, 1914 (15 U.S.C. 41 et seq.);

(D) with respect to laws administered by the Secretary of Health and Human Services—

(i) chapters I through IV of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.);

(ii) the Public Health Service Act (42 U.S.C. 201 et seq.);

(iii) the Import Milk Act (21 U.S.C. 141 et seq.);

(iv) the Food Additives Amendment of 1958 (Public Law 85–929; 52 Stat. 1041);

(v) the Fair Packaging and Labeling Act (Public Law 89–755; 80 Stat. 1296);

(vi) the Infant Formula Act of 1980 (21 U.S.C. 301 note; Public Law 96–359);

(vii) the Pesticide Monitoring Improvements Act of 1988 (Public Law 100–418; 102 Stat. 1411);

(viii) the Nutrition Labeling and Education Act of 1990 (21 U.S.C. 301 note; Public Law 101–535);

(ix) the Food and Drug Administration Modernization Act of 1997 (21 U.S.C. 301 note; Public Law 105–115); and

(x) the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (21 U.S.C. 201 note; Public Law 107–188);

(E) with respect to laws administered by the Attorney General, the Federal Anti-Tampering Act (18 U.S.C. 1365 note; Public Law 98–127);

(F) with respect to laws administered by the Administrator of the Environmental Protection Agency—

(i) the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.);

(ii) the Food Quality Protection Act of 1996 (7 U.S.C. 136 note; Public Law 104–170);

(iii) the Toxic Substances Control Act (15 U.S.C. 2601 et seq.); and

(iv) the Safe Drinking Water Act of 1974 (42 U.S.C. 201 note; Public Law 93–523); and

(G) with respect to laws administered by the Secretary of Transportation, chapter 57 of subtitle II of title 49, United States Code (relating to sanitary food transportation); and

(H) with respect to Government studies on food safety—

(i) the report of the National Academies of Science entitled "Ensuring Safe Food from Production to Consumption" and dated 1998;

(ii) the report of the National Academies of Science entitled "Scientific Criteria to Ensure Safe Food" and dated 2003;

(iii) reports of the Office of the Inspector General of the Department of Agriculture, including—

(I) report 24601-0008-CH, entitled "Egg Products Processing Inspection" and dated September 18, 2007;

(II) report 24005-1-AT, entitled "Food Safety and Inspection Service - State Meat and Poultry Inspection Programs" and dated September 27, 2006;

(III) report 24601-06-CH, entitled "Food Safety and Inspection Service's In-Plant Performance System" and dated March 28, 2006;

(IV) report 24601-05-AT, entitled "Hazard Analysis and Critical Control Point Implementation at Very Small Plants" and dated June 24, 2005;

(V) report 24601-04-HY, entitled "Food Safety and Inspection Service Oversight of the 2004 Recall by Quaker Maid Meats, Inc." and dated May 18, 2005;

(VI) report 24501-01-FM, entitled "Food Safety and Inspection Service Application Controls—Performance Based Inspection System" and dated November 24, 2004;

(VII) report 24601-03-CH, entitled "Food Safety and Inspection Service Use of Food Safety Information" and dated September 30, 2004;

(VIII) report 24601-03-HY, entitled "Food Safety and Inspection Service Effectiveness Checks for the 2002 Pilgrim's Pride Recall" and dated June 29, 2004;

(IX) report 24601-02-HY, entitled "Food Safety and Inspection Service Oversight of the Listeria Outbreak in the Northeastern United States" and dated June 9, 2004;

(X) report 24099-05-HY, entitled "Food Safety and Inspection Service Imported Meat and Poultry Equivalence Determinations Phase III" and dated December 29, 2003;

(XI) report 24601-2-KC, entitled "Food Safety and Inspection Service—Oversight of Production Process and Recall at Conagra Plant (Establishment 969)" and dated September 30, 2003;

(XII) report 24601-1-Ch, entitled "Laboratory Testing Of Meat And Poultry Products" and dated June 21, 2000;

(XIII) report 24001-3-At, 24601-1-Ch, 24099-3-Hy, 24601-4-At, entitled "Food Safety and Inspection Service: HACCP Implementation, Pathogen Testing Program, Foreign Country Equivalency, Compliance Activities" and dated June 21, 2000; and

(XIV) report 24001-3-At, entitled "Implementation of the Hazard Analysis and Critical Control Point System" and dated June 21, 2000; and

(I) with respect to reports prepared by the Government Accountability Office, the reports designated—

(i) GAO-05-212;

(ii) GAO-02-47T;

(iii) GAO/T-RCED-94-223;

(iv) GAO/RCED-99-80;

(v) GAO/T-RCED-98-191;

(vi) GAO/RCED-98-103;

(vii) GAO-07-785T;

(viii) GAO-05-51;

(ix) GAO/T-RCED-94-311;

(x) GAO/RCED-92-152;

(xi) GAO/T-RCED-99-232;

(xii) GAO/T-RCED-98-271;

(xiii) GAO-07-449T;

(xiv) GAO-05-213;

(xv) GAO-04-588T;

(xvi) GAO/RCED-00-255;

(xvii) GAO/RCED-00-195; and

(xviii) GAO/T-RCED-99-256.

(3) REPORT.—Not later than 360 days after the date on which the Commission first meets, the Commission shall submit to the President and Congress a report that includes the report and summaries, statutory language recommendations, and budget recommendations described in clauses (ii) and (iii) of subsection (a)(1)(B).

(c) POWERS OF THE COMMISSION.—

(1) HEARINGS.—The Commission or, at the direction of the Commission, any member of the Commission, may, for the purpose of carrying out this section—

(A) hold such hearings, meet and act at such times and places, take such testimony, receive such evidence, and administer such oaths; and

(B) require the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials;

as the Commission or member considers advisable.

(2) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly, from any Federal agency, such information as the Commission considers necessary to carry out this section.

(B) PROVISION OF INFORMATION.—

(i) IN GENERAL.—Subject to subparagraph (C), on the request of the Commission, the head of a Federal agency described in subparagraph (A) shall expeditiously furnish information requested by the Commission to the Commission.

(ii) ADMINISTRATION.—The furnishing of information by a Federal agency to the Commission shall not be considered a waiver of any exemption available to the agency under section 552 of title 5, United States Code.

(C) INFORMATION TO BE KEPT CONFIDENTIAL.—For purposes of section 1905 of title 18, United States Code—

(i) the Commission shall be considered an agency of the Federal Government; and

(ii) any individual employed by an individual, entity, or organization that is a party to a contract with the Commission under this section shall be considered an employee of the Commission.

(d) COMMISSION PERSONNEL MATTERS.—

(1) MEMBERS.—

(A) NON-FEDERAL EMPLOYEES.—A member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(B) FEDERAL EMPLOYEES.—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(C) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(2) STAFF.—

(A) EXECUTIVE DIRECTOR.—Not later than 30 days after the Chairperson and Vice-Chairperson of the Commission are selected under subsection (a)(4), the Chairperson and Vice-Chairperson shall jointly select an individual to serve as executive director of the Commission.

(B) ADDITIONAL STAFF.—The Chairperson of the Commission may, without regard to the civil service laws (including regulations), appoint and terminate the appointment of such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(C) CONFIRMATION OF EXECUTIVE DIRECTOR.—The employment of an executive director under this paragraph shall be subject to confirmation by the Commission.

(D) COMPENSATION.—

(i) IN GENERAL.—Except as provided in clause (ii), the Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(ii) MAXIMUM RATE OF PAY.—The rate of pay for the executive director and other personnel shall not exceed the rate payable for level II of the Executive Schedule under section 5316 of title 5, United States Code.

(3) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(A) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission, without reimbursement, for such period of time as is permitted by law.

(B) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(4) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson, Vice-Chairperson, and executive director of the

Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5316 of that title.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

(f) TERMINATION.—The Commission shall terminate on the date that is 60 days after the date on which the Commission submits the report under subsection (b)(2).

SEC. 11061. EMERGENCY GRANTS TO ASSIST LOW-INCOME MIGRANT AND SEASONAL FARMWORKERS.

Section 2281 of the Food, Agriculture, Conservation, and Trade Act of 1990 (42 U.S.C. 5177a) is amended to read as follows:

"SEC. 2281. EMERGENCY GRANTS TO ASSIST LOW-INCOME MIGRANT AND SEASONAL FARMWORKERS.

"(a) DEFINITIONS.—In this section:

"(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a public agency, community-based organization, or network of community-based organizations with tax-exempt status under section 501(c)(3) of the Internal Revenue Code of 1986, that has at least 5 years of demonstrated experience in representing and providing emergency services to low-income migrant or seasonal farmworkers

"(2) LOW-INCOME MIGRANT OR SEASONAL FARMWORKER.—The term 'low-income migrant or seasonal farmworker' means an individual—

"(A) who has, during any consecutive 12-month period within the preceding 24-month period, performed farm work for wages;

"(B) who has received not less than ½ of the total income of the individual from, or been employed at least ½ of total work time in, farm work; and

"(C) whose annual family income during the 12-month period described in paragraph (1) does not exceed the higher of, as determined by the Secretary—

"(i) 185 percent of the most recent annual Federal Poverty Income Guidelines published by the Department of Health and Human Services; or

"(ii) 70 percent of the lower living standard income level.

"(3) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.

"(b) GRANTS AVAILABLE.—The Secretary may make grants to eligible entities if the Secretary determines that a local, State, or national emergency or disaster has caused low-income migrant or seasonal farmworkers—

"(1) to lose income;

"(2) to be unable to work; or

"(3) to stay home or return home in anticipation of work shortages.

"(c) USE OF FUNDS.—As a condition of receiving a grant under subsection (b), an eligible entity shall use the grant to provide emergency services to low-income migrant or seasonal farmworkers, with a focus on—

"(1) assistance that allows low-income migrant or seasonal farmworkers to meet or access other resources to meet short-term emergency family needs for food, clothing, employment, transportation, and housing;

"(2) assistance that allows low-income and migrant seasonal farmworkers to remain in a disaster area; and

"(3) such other priorities that the Secretary determines to be appropriate.

"(d) DISASTER FUND.—

"(1) IN GENERAL.—The Secretary shall maintain a disaster fund of $2,000,000 to be used for immediate assistance for events described in subsection (b).

"(2) FUNDING.—There are authorized to be appropriated to the Secretary such sums as are necessary to maintain the disaster fund at $2,000,000 for each of fiscal years 2008 through 2012.".

SEC. 11062. GRANTS TO REDUCE PRODUCTION OF METHAMPHETAMINES FROM ANHYDROUS AMMONIA.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term "eligible entity" means—

(A) a producer of agricultural commodities;

(B) a cooperative association, a majority of the members of which produce or process agricultural commodities; or

(C) a person in the trade or business of—

(i) selling an agricultural product (including an agricultural chemical) at retail, predominantly to farmers and ranchers; or

(ii) aerial and ground application of an agricultural chemical.

(2) NURSE TANK.—The term "nurse tank" shall be considered to be a cargo tank (within the meaning of section 173.315(m) of title 49, Code of Federal Regulations, as in effect as of the date of the enactment of this Act).

(b) GRANT AUTHORITY.—The Secretary may make a grant to an eligible entity to enable the eligible entity to obtain and add to an anhydrous ammonia fertilizer nurse tank a physical lock or a substance to reduce the amount of methamphetamine that can be produced from any anhydrous ammonia removed from the nurse tank.

(c) GRANT AMOUNT.—The amount of a grant made under this section to an eligible entity shall be the product obtained by multiplying—

(1) an amount not less than $40 and not more than $60, as determined by the Secretary; and

(2) the number of fertilizer nurse tanks of the eligible entity.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to make grants under this section $15,000,000 for the period of fiscal years 2008 through 2012.

SEC. 11063. INVASIVE SPECIES MANAGEMENT, HAWAII.

(a) DEFINITIONS.—In this section:

(1) SECRETARIES.—The term "Secretaries" means—

(A) the Secretary of the Interior;

(B) the Secretary of Agriculture; and

(C) the Secretary of Homeland Security.

(2) SECRETARY CONCERNED.—The term "Secretary concerned" means—

(A) the Secretary of the Interior, with respect to matters under the jurisdiction of the Department of the Interior;

(B) the Secretary of Agriculture, with respect to matters under the jurisdiction of the Department of Agriculture; and

(C) the Secretary of Homeland Security, with respect to matters under the jurisdiction of the Department of Homeland Security.

(3) STATE.—The term "State" means the State of Hawaii.

(b) CONTROLLING INTRODUCTION AND SPREAD OF INVASIVE SPECIES AND DISEASES IN THE STATE.—

(1) CONSULTATION AND COOPERATION.—The Secretaries concerned shall—

(A) with respect to restricting the introduction or movement of invasive species and diseases into the State, consult and cooperate with the State; and

(B) in carrying out the activities described in this subsection, consult and cooperate with appropriate agencies and officers with experience relating to quarantine procedures, natural resources, conservation, and law enforcement of—

(i) the Department of Homeland Security;

(ii) the Department of Commerce;

(iii) the United States Treasury; and

(iv) the State.

(2) DEVELOPMENT OF COLLABORATIVE FEDERAL AND STATE PROCEDURES.—The Secretaries, in collaboration with the State, shall—

(A) develop procedures to minimize the introduction of invasive species into the State; and

(B) submit to Congress annual reports describing progress made and results achieved in carrying out the procedures.

(3) EXPEDITED CONSIDERATION OF STATE AND LOCAL CONTROL PROPOSALS.—

(A) EXPEDITED PROCESS.—Not later than 1 year after the date of enactment of this Act, the Secretaries shall establish an expedited process for the State and political subdivisions of the State under which the State and political subdivisions may, through the submission of an application, seek approval of the Secretary concerned to impose a general or specific prohibition or restriction on the introduction or movement of invasive species or diseases from domestic or foreign locations to the State that is in addition to the applicable prohibition or restriction imposed by the Secretary concerned.

(B) REVIEW PERIOD.—Not later than 60 days after the date of receipt by the Secretary concerned of an application under subparagraph (A) that the Secretary concerned determines to be a completed application, the Secretary concerned shall—

(i) review the completed application;

(ii) assess each potential risk with respect to the completed application; and

(iii) approve or disapprove the completed application.

(4) RESPONSE TO EMERGENCY THREATS.—

(A) IN GENERAL.—The State may carry out an emergency action to impose a prohibition or restriction on the entry of an invasive species or disease that is in addition to the applicable prohibition or restriction imposed by the Secretary concerned if—

(i) the State has submitted to the Secretary concerned a completed application under paragraph (3) that is pending approval by the Secretary concerned; and

(ii) an emergency or imminent threat from an invasive species or disease occurs in the State during the period in which the completed application described in clause (i) is pending approval by the Secretary concerned.

(B) NOTICE.—Before carrying out an emergency action under subparagraph (A), the State shall provide written notice to the Secretary concerned.

(C) PERIOD OF EMERGENCY ACTION.—If, by the date that is 10 days after the date of receipt of a written notice under subparagraph (B), the Secretary concerned does not object to the emergency action that is the subject of the notice, the State may carry out the emergency action during the 60-day period beginning on that date.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretaries such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.

SEC. 11064. OVERSIGHT AND COMPLIANCE.

The Secretary, acting through the Assistant Secretary for Civil Rights of the Department of Agriculture, shall use the reports described in subsection (c) of section 2501A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279–1) (as amended by section 11056) in the conduct of oversight and evaluation of civil rights compliance.

SEC. 11065. REPORT OF CIVIL RIGHTS COMPLAINTS, RESOLUTIONS, AND ACTIONS.

Each year, the Secretary shall—

(1) prepare a report that describes, for each agency of the Department of Agriculture—

(A) the number of civil rights complaints filed that relate to the agency, including whether a complaint is a program complaint or an employment complaint;

(B) the length of time the agency took to process each civil rights complaint;

(C) the number of proceedings brought against the agency, including the number of complaints described in paragraph (1) that were resolved with a finding of discrimination; and

(D) the number and type of personnel actions taken by the agency following resolution of civil rights complaints;

(2) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a copy of the report; and

(3) make the report available to the public by posting the report on the website of the Department.

SEC. 11066. GRANTS TO IMPROVE SUPPLY, STABILITY, SAFETY, AND TRAINING OF AGRICULTURAL LABOR FORCE.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term "eligible entity" means a nonprofit, community-based organization, or a consortium of nonprofit, community-based organizations, agricultural labor organizations, farmer or rancher cooperatives, and public entities, that has the capacity (including demonstrated experience in providing training, housing, or emergency services to migrant and seasonal farmworkers) to assist agricultural employers and farmworkers with improvements in the supply, stability, safety, and training of the agricultural labor force.

(b) GRANTS.—

(1) IN GENERAL.—The Secretary may provide grants to eligible entities for use in providing services to assist farmworkers in securing, retaining, upgrading, or returning from agricultural jobs.

(2) ELIGIBLE SERVICES.—The services referred to in paragraph (1) include—

(A) agricultural upgrading and cross training;

(B) the provision of agricultural labor market information;

(C) transportation;

(D) short-term housing, including housing for unaccompanied farmworkers and at migrant rest stops;

(E) travelers' aid;

(F) workplace literacy and assistance with English as a second language;

(G) health and safety instruction, including ways of safeguarding the food supply of the United States; and

(H) limited emergency and financial assistance, in cases in which the Secretary determines that a national, State, or local emergency or disaster has caused migrant or seasonal farmworkers to lose income or employment.

(3) EMERGENCY ASSISTANCE.—Any emergency services provided using funds from a grant in accordance with paragraph (2)(H)—

(A) shall be consistent with section 2281 of the Food, Agriculture, Conservation, and Trade Act of 1990 (as amended by section 11061);

(B) shall be focused on assistance to allow low-income farmworkers and their families to meet short-term needs for such food, clothing, employment, transportation, and housing as are necessary to regain employment or return home; and

(C) may include such other types of assistance as the Secretary determines to be appropriate.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.

SEC. 11067. INTERSTATE SHIPMENT OF MEAT AND POULTRY INSPECTED BY FEDERAL AND STATE AGENCIES FOR CERTAIN SMALL ESTABLISHMENTS.

(a) MEAT AND MEAT PRODUCTS.—The Federal Meat Inspection Act (21 U.S.C. 601 et seq.) is amended by adding at the end the following:

"TITLE V—INSPECTIONS BY FEDERAL AND STATE AGENCIES

"SEC. 501. INTERSTATE SHIPMENT OF MEAT INSPECTED BY FEDERAL AND STATE AGENCIES FOR CERTAIN SMALL ESTABLISHMENTS.

"(a) DEFINITIONS.—

"(1) APPROPRIATE STATE AGENCY.—The term 'appropriate State agency' means a State agency described in section 301(b).

"(2) DESIGNATED PERSONNEL.—The term 'designated personnel' means inspection personnel of a State agency that have undergone all necessary inspection training and certification to assist the Secretary in the administration and enforcement of this Act, including regulations.

"(3) ELIGIBLE ESTABLISHMENT.—The term 'eligible establishment' means an establishment that is in compliance with—

"(A) the State inspection program of the State in which the establishment is located; and

"(B) this Act.

"(4) MEAT ITEM.—The term 'meat item' means—

"(A) a portion of meat; and

"(B) a meat food product.

"(5) SELECTED ESTABLISHMENT.—The term 'selected establishment' means an eligible establishment that is selected by the Secretary, in coordination with the appropriate State agency of the State in which the eligible establishment is located, under subsection (b) to ship carcasses, portions of carcasses, and meat items in interstate commerce.

"(b) AUTHORITY OF SECRETARY TO ALLOW SHIPMENTS.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary, in coordination with the appropriate State agency of the State in which an establishment is located, may select the establishment to ship carcasses, portions of carcasses, and meat items in interstate commerce, and place on each carcass, portion of a carcass, and meat item shipped in interstate commerce a Federal mark, stamp, tag, or label of inspection, if the establishment—

"(A) is an eligible establishment; and

"(B) is located in a State that has designated personnel to inspect the eligible establishment.

"(2) PROHIBITED ESTABLISHMENTS.—In carrying out paragraph (1), the Secretary, in coordination with an appropriate State agency, shall not select an establishment that—

"(A) on average, employs more than 25 employees (including supervisory and nonsupervisory employees), as defined by the Secretary;

"(B) as of the date of enactment of this section, ships in interstate commerce carcasses, portions of carcasses, or meat items that are inspected by the Secretary in accordance with this Act;

"(C)(i) is a Federal establishment;

"(ii) was a Federal establishment that was reorganized on a later date under the same name or a different name or person by the person, firm, or corporation that controlled the establishment as of the date of enactment of this section; or

"(iii) was a State establishment as of the date of enactment of this section that—

"(I) as of the date of enactment of this section, employed more than 25 employees; and

"(II) was reorganized on a later date by the person, firm, or corporation that controlled the establishment as of the date of enactment of this section;

"(D) is in violation of this Act;

"(E) is located in a State that does not have a State inspection program; or

"(F) is the subject of a transition carried out in accordance with a procedure developed by the Secretary under paragraph (3)(A).

"(3) ESTABLISHMENTS THAT EMPLOY MORE THAN 25 EMPLOYEES.—

"(A) DEVELOPMENT OF PROCEDURE.—The Secretary may develop a procedure to transition to a Federal establishment any establishment under this section that, on average, consistently employs more than 25 employees.

"(B) ELIGIBILITY OF CERTAIN ESTABLISHMENTS.—

"(i) IN GENERAL.—A State establishment that employs more than 25 employees but less than 35 employees as of the date of enactment of this section may be selected as a selected establishment under this subsection.

"(ii) PROCEDURES.—A State establishment shall be subject to the procedures established under subparagraph (A) beginning on the date that is 3 years after the effective date described in subsection (j).

"(c) REIMBURSEMENT OF STATE COSTS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall reimburse a State for costs related to the inspection of selected establishments in the State in accordance with Federal requirements in an amount of not less than 60 percent of eligible State costs.

"(2) MICROBIOLOGICAL VERIFICATION TESTING.—The Secretary may reimburse a State for 100 percent of eligible State costs relating to the inspection of selected establishments in the State, if the State provides additional microbiological verification testing of the selected establishments, using standards under this Act, that is in excess of the typical verification testing frequency of the Federal Government with respect to Federal establishments.

"(d) COORDINATION BETWEEN FEDERAL AND STATE AGENCIES.—

"(1) IN GENERAL.—The Secretary shall designate an employee of the Federal Government as State coordinator for each appropriate State agency—

"(A) to provide oversight and enforcement of this title; and

"(B) to oversee the training and inspection activities of designated personnel of the State agency.

"(2) SUPERVISION.—A State coordinator shall be under the direct supervision of the Secretary.

"(3) DUTIES OF STATE COORDINATOR.—

"(A) IN GENERAL.—A State coordinator shall visit selected establishments with a frequency that is appropriate to ensure that selected establishments are operating in a manner that is consistent with this Act (including regulations and policies under this Act).

"(B) QUARTERLY REPORTS.—A State coordinator shall, on a quarterly basis, submit to the Secretary a report that describes the status of each selected establishment that is under the jurisdiction of the State coordinator with respect to the level of compliance of each selected establishment with the requirements of this Act.

"(C) IMMEDIATE NOTIFICATION REQUIREMENT.—If a State coordinator determines that any selected establishment that is under the jurisdiction of the State coordinator is in violation of any requirement of this Act, the State coordinator shall—

"(i) immediately notify the Secretary of the violation; and

"(ii) deselect the selected establishment or suspend inspection at the selected establishment.

"(4) PERFORMANCE EVALUATIONS.—Performance evaluations of State coordinators designated under this subsection shall be conducted by the Secretary as part of the Federal agency management control system.

"(e) AUDITS.—

"(1) PERIODIC AUDITS CONDUCTED BY INSPECTOR GENERAL OF THE DEPARTMENT OF AGRICULTURE.—Not later than 2 years after the effective date described in subsection (j), and not less often than every 2 years thereafter, the Inspector General of the Department of Agriculture shall conduct an audit of each activity taken by the Secretary under this section for the period covered by the audit to determine compliance with this section.

"(2) AUDIT CONDUCTED BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not earlier than 3 years, nor later than 5 years, after the date of enactment of this section, the Comptroller General of the United States shall conduct an audit of the implementation of this section to determine—

"(A) the effectiveness of the implementation of this section; and

"(B) the number of selected establishments selected by the Secretary under this section.

"(f) INSPECTION TRAINING DIVISION.—

"(1) ESTABLISHMENT.—Not later than 180 days after the effective date described in subsection (j), the Secretary shall establish in the Food Safety and Inspection Service of the Department of Agriculture an inspection training division to coordinate the initiatives of any other appropriate agency of the Department of Agriculture to provide—

"(A) outreach, education, and training to very small or certain small establishments (as defined by the Secretary); and

"(B) grants to appropriate State agencies to provide outreach, technical assistance, education, and training to very small or certain small establishments (as defined by the Secretary).

"(2) PERSONNEL.—The inspection training division shall be comprised of individuals that, as determined by the Secretary—

"(A) are of a quantity sufficient to carry out the duties of the inspection training division; and

"(B) possess appropriate qualifications and expertise relating to the duties of the inspection training division.

"(g) TRANSITION GRANTS.—The Secretary may provide grants to appropriate State agencies to assist the appropriate State agencies in helping establishments covered by title III to transition to selected establishments.

"(h) VIOLATIONS.—Any selected establishment that the Secretary determines to be in violation of any requirement of this Act shall be transitioned to a Federal establishment in accordance with a procedure developed by the Secretary under subsection (b)(3)(A).

"(i) EFFECT.—Nothing in this section limits the jurisdiction of the Secretary with respect to the regulation of meat and meat products under this Act.

"(j) EFFECTIVE DATE.—

"(1) IN GENERAL.—This section takes effect on the date on which the Secretary, after providing a period of public comment (including through the conduct of public meetings or hearings), promulgates final regulations to carry out this section.

"(2) REQUIREMENT.—Not later than 18 months after the date of enactment of this section, the Secretary shall promulgate final regulations in accordance with paragraph (1).".

(b) POULTRY AND POULTRY PRODUCTS.—The Poultry Products Inspection Act (21 U.S.C. 451 et seq.) is amended by adding at the end the following:

"SEC. 31. INTERSTATE SHIPMENT OF POULTRY INSPECTED BY FEDERAL AND STATE AGENCIES FOR CERTAIN SMALL ESTABLISHMENTS.

"(a) DEFINITIONS.—

"(1) APPROPRIATE STATE AGENCY.—The term 'appropriate State agency' means a State agency described in section 5(a)(1).

"(2) DESIGNATED PERSONNEL.—The term 'designated personnel' means inspection personnel of a State agency that have undergone all necessary inspection training and certification to assist the Secretary in the administration and enforcement of this Act, including regulations.

"(3) ELIGIBLE ESTABLISHMENT.—The term 'eligible establishment' means an establishment that is in compliance with—

"(A) the State inspection program of the State in which the establishment is located; and

"(B) this Act.

"(4) POULTRY ITEM.—The term 'poultry item' means—

"(A) a portion of poultry; and

"(B) a poultry product.

"(5) SELECTED ESTABLISHMENT.—The term 'selected establishment' means an eligible establishment that is selected by the Secretary, in coordination with the appropriate State agency of the State in which the eligible establishment is located, under subsection (b) to ship poultry items in interstate commerce.

"(b) AUTHORITY OF SECRETARY TO ALLOW SHIPMENTS.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary, in coordination with the appropriate State agency of the State in which an establishment is located, may select the establishment to ship poultry items in interstate commerce, and place on each poultry item shipped in interstate commerce a Federal mark, stamp, tag, or label of inspection, if the establishment—

"(A) is an eligible establishment; and

"(B) is located in a State that has designated personnel to inspect the eligible establishment.

"(2) PROHIBITED ESTABLISHMENTS.—In carrying out paragraph (1), the Secretary, in coordination with an appropriate State agency, shall not select an establishment that—

"(A) on average, employs more than 25 employees (including supervisory and nonsupervisory employees), as defined by the Secretary;

"(B) as of the date of enactment of this section, ships in interstate commerce carcasses, poultry items that are inspected by the Secretary in accordance with this Act;

"(C)(i) is a Federal establishment;

"(ii) was a Federal establishment as of the date of enactment of this section, and was reorganized on a later date under the same name or a different name or person by the person, firm, or corporation that controlled the establishment as of the date of enactment of this section; or

"(iii) was a State establishment as of the date of enactment of this section that—

"(I) as of the date of enactment of this section, employed more than 25 employees; and

"(II) was reorganized on a later date by the person, firm, or corporation that controlled the establishment as of the date of enactment of this section;

"(D) is in violation of this Act;

"(E) is located in a State that does not have a State inspection program; or

"(F) is the subject of a transition carried out in accordance with a procedure developed by the Secretary under paragraph (3)(A).

"(3) ESTABLISHMENTS THAT EMPLOY MORE THAN 25 EMPLOYEES.—

"(A) DEVELOPMENT OF PROCEDURE.—The Secretary may develop a procedure to transition to a Federal establishment any establishment under this section that, on average, consistently employs more than 25 employees.

"(B) ELIGIBILITY OF CERTAIN ESTABLISHMENTS.—

"(i) IN GENERAL.—A State establishment that employs more than 25 employees but less than 35 employees as of the date of enactment of this section may be selected as a selected establishment under this subsection.

"(ii) PROCEDURES.—A State establishment shall be subject to the procedures established under subparagraph (A) beginning on the date that is 3 years after the effective date described in subsection (i).

"(c) REIMBURSEMENT OF STATE COSTS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall reimburse a State for costs related to the inspection of selected establishments in the State in accordance with Federal requirements in an amount of not less than 60 percent of eligible State costs.

"(2) MICROBIOLOGICAL VERIFICATION TESTING.—The Secretary may reimburse a State for 100 percent of eligible State costs relating to the inspection of selected establishments in the State, if the State provides additional microbiological verification testing of the selected establishments, using standards under this Act, that is in excess of the typical verification testing frequency of the Federal Government with respect to Federal establishments.

"(d) COORDINATION BETWEEN FEDERAL AND STATE AGENCIES.—

"(1) IN GENERAL.—The Secretary shall designate an employee of the Federal Government as State coordinator for each appropriate State agency—

"(A) to provide oversight and enforcement of this section; and

"(B) to oversee the training and inspection activities of designated personnel of the State agency.

"(2) SUPERVISION.—A State coordinator shall be under the direct supervision of the Secretary.

"(3) DUTIES OF STATE COORDINATOR.—

"(A) IN GENERAL.—A State coordinator shall visit selected establishments with a frequency that is appropriate to ensure that selected establishments are operating in a manner that is consistent with this Act (including regulations and policies under this Act).

"(B) QUARTERLY REPORTS.—A State coordinator shall, on a quarterly basis, submit to the Secretary a report that describes the status of each selected establishment that is under the jurisdiction of the State coordinator with respect to the level of compliance of each selected establishment with the requirements of this Act.

"(C) IMMEDIATE NOTIFICATION REQUIREMENT.—If a State coordinator determines that any selected establishment that is under the jurisdiction of the State coordinator is in violation of any requirement of this Act, the State coordinator shall—

"(i) immediately notify the Secretary of the violation; and

"(ii) deselect the selected establishment or suspend inspection at the selected establishment.

"(4) PERFORMANCE EVALUATIONS.—Performance evaluations of State coordinators designated under this subsection shall be conducted by the Secretary as part of the Federal agency management control system.

"(e) AUDITS.—

"(1) PERIODIC AUDITS CONDUCTED BY INSPECTOR GENERAL OF THE DEPARTMENT OF AGRICULTURE.—Not later than 2 years after the effective date described in subsection (i), and not less often than every 2 years thereafter, the Inspector General of the Department of Agriculture shall conduct an audit of each activity taken by the Secretary under this section for the period covered by the audit to determine compliance with this section.

"(2) AUDIT CONDUCTED BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not earlier than 3 years, nor later than 5 years, after the date of enactment of this section, the Comptroller General of the United States shall conduct an audit of the implementation of this section to determine—

"(A) the effectiveness of the implementation of this section; and

"(B) the number of selected establishments selected by the Secretary under this section.

"(f) TRANSITION GRANTS.—The Secretary may provide grants to appropriate State agencies to assist the appropriate State agencies in helping establishments covered by this Act to transition to selected establishments.

"(g) VIOLATIONS.—Any selected establishment that the Secretary determines to be in violation of any requirement of this Act shall be transitioned to a Federal establishment in accordance with a procedure developed by the Secretary under subsection (b)(3)(A).

"(h) EFFECT.—Nothing in this section limits the jurisdiction of the Secretary with respect to the regulation of poultry and poultry products under this Act.

"(i) EFFECTIVE DATE.—

"(1) IN GENERAL.—This section takes effect on the date on which the Secretary, after providing a period of public comment (including through the conduct of public meetings or hearings), promulgates final regulations to carry out this section.

"(2) REQUIREMENT.—Not later than 18 months after the date of enactment of this section, the Secretary shall promulgate final regulations in accordance with paragraph (1).".

SEC. 11068. PREVENTION AND INVESTIGATION OF PAYMENT AND FRAUD AND ERROR.

Section 1113 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3413) is amended by striking subsection (k) and inserting the following:

"(k) DISCLOSURE NECESSARY FOR PROPER ADMINISTRATION OF PROGRAMS OF CERTAIN GOVERNMENT AUTHORITIES.—

"(1) DISCLOSURE TO GOVERNMENT AUTHORITIES.—Nothing in this title shall apply to the disclosure by the financial institution of the financial records of any customer to the Department of the Treasury, the Social Security Administration, the Railroad Retirement Board, or any other Government authority that certifies, disburses, or collects payments, when the disclosure of such information is necessary to, and such information is used solely for the purposes of—

"(A) the proper administration of section 1441 of the Internal Revenue Code of 1986 (26 U.S.C. 1441);

"(B) the proper administration of title II of the Social Security Act (42 U.S.C. 401 et seq.);

"(C) the proper administration of the Railroad Retirement Act of 1974 (45 U.S.C. 231 et seq.);

"(D) the verification of the identify of any person in connection with the issuance of a Federal payment or collection of funds by a Government authority; or

"(E) the investigation or recovery of an improper Federal payment or collection of funds, or an improperly negotiated Treasury check.

"(2) LIMITATIONS ON SUBSEQUENT DISCLOSURE.—Notwithstanding any other provision of law, any request authorized by paragraph (1), and the information contained therein, may be used by the financial institution and its agents solely for the purpose of providing the customer's financial records to the Government authority requesting the information and shall be barred from redisclosure by the financial institution or its agents. Any Government authority receiving information pursuant to paragraph (1) may not disclose or use the information except for the purposes set forth in such paragraph.".

SEC. 11069. ELIMINATION OF STATUTE OF LIMITATIONS APPLICABLE TO COLLECTION OF DEBT BY ADMINISTRATIVE OFFSET.

(a) ELIMINATION.—Section 3716 of title 31, United States Code, is amended by striking subsection (e) and inserting the following:

"(e)(1) Notwithstanding any other provision of law, regulation, or administrative limitation, no limitation on the period within which an offset may be initiated or taken pursuant to this section shall be effective.

"(2) This section does not apply when a statute explicitly prohibits using administrative offset or setoff to collect the claim or type of claim involved.".

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall apply to any debt outstanding on or after the date of the enactment of this Act.

SEC. 11070. STORED QUANTITIES OF PROPANE.

Section 550(a) of the Department of Homeland Security Appropriations Act, 2007 (6 U.S.C. 121 note; Public Law 109-295), is amended by striking "Commission." and inserting the following:

"Commission: *Provided further*, That the Secretary shall not apply interim or final regulations relating to stored threshold quantities of propane for sale, storage, or use on homestead property, agricultural operations, or small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) that are located in rural areas (as defined in section 520 of the Housing Act of 1949 (42 U.S.C. 1490)), unless the Secretary submits to Congress a report describing an immediate or imminent threat against such a stored quantity of propane: *Provided further*, That nothing in this section exempts the Secretary from implementing any interim or final regulation relating to stored threshold quantities of propane for sale, use, or storage in an area that is not a rural areas (as so defined).".

SEC. 11071. CLOSURE OF CERTAIN COUNTY FSA OFFICES.

(a) DEFINITION OF CRITICAL ACCESS COUNTY FSA OFFICE.—

(1) IN GENERAL.—In this section, the term "critical access county FSA office" means an office of the Farm Service Agency that, during the period described in paragraph (2), is—

(A) proposed to be closed;

(B) proposed to be closed with the closure delayed until after January 1, 2008, due to additional review pursuant to the third proviso of matter under the heading "SALARIES AND EXPENSES" under the heading "FARM SERVICE AGENCY" of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006 (Public Law 109-97; 119 Stat. 2131); or

(C) included on a list of critical access county FSA offices determined in accordance with that Act and submitted to the Committee on Agriculture, Nutrition, and Forestry of the Senate by the Secretary on October 24, 2007.

(2) DESCRIPTION OF PERIOD.—The period referred to in paragraph (1) is the period beginning on November 10, 2005, and ending on December 31, 2007.

(3) EXCEPTION.—The term "critical access county FSA office" does not include any office of the Farm Service Agency that—

(A) is located not more than 20 miles from another office of the Farm Service Agency, unless the office is located within an identified limited-resource area consisting of at least 4 contiguous high-poverty counties; or

(B) employs no full-time equivalent employees as of the date of enactment of this Act.

(b) EXTENSION OF PERIOD OF OPERATION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, except as provided in paragraph (3), none of the funds made available to the Secretary by any Act may be used to pay the salaries or expenses of any officer or employee of the Department of Agriculture to close any critical access county FSA office during the period beginning on November 1, 2007, and ending on September 30, 2012.

(2) NUMBER OF EMPLOYEES.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary shall ensure that each critical access county FSA office in each State maintains a staff level of not less than 3 full-time equivalent employees during the period described in paragraph (1).

(B) STAFFING FLEXIBILITY.—Notwithstanding subparagraph (A) and subject to subparagraph (C), an employee required to meet the staff level of a critical access county FSA office in a State as described in subparagraph (A) may be employed at any other county office of the Farm Service Agency in that State, as the Secretary determines to be appropriate.

(C) MINIMUM STAFFING LEVEL.—A critical access county FSA office shall be staffed by not less than 1 full-time equivalent employee during the period described in paragraph (1).

(3) EXCEPTION.—The Secretary may close a critical access county FSA office only on

concurrence in the determination to close the critical access county FSA office by—

(A) Congress; and

(B) the applicable State Farm Service Agency committee.

TITLE XII—TRADE AND TAX PROVISIONS

SEC. 12001. SHORT TITLE; ETC.

(a) SHORT TITLE.—This title may be cited as the "Heartland, Habitat, Harvest, and Horticulture Act of 2007".

(b) AMENDMENTS TO 1986 CODE.—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

Subtitle A—Supplemental Agricultural Disaster Assistance From the Agriculture Disaster Relief Trust Fund

SEC. 12101. SUPPLEMENTAL AGRICULTURE DISASTER ASSISTANCE.

(a) IN GENERAL.—The Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended by adding at the end the following:

"TITLE IX—SUPPLEMENTAL AGRICULTURE DISASTER ASSISTANCE

"SEC. 901. PERMANENT AUTHORITY FOR SUPPLEMENTAL REVENUE ASSISTANCE.

"(a) DEFINITIONS.—In this section:

"(1) ACTUAL PRODUCTION HISTORY YIELD.—The term 'actual production history yield' means the weighted average actual production history for each insurable commodity or noninsurable commodity, as calculated under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or the noninsured crop disaster assistance program, respectively.

"(2) COUNTER-CYCLICAL PROGRAM PAYMENT YIELD.—The term 'counter-cyclical program payment yield' means the weighted average payment yield established under section 1102 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912).

"(3) DISASTER COUNTY.—

"(A) IN GENERAL.—The term 'disaster county' means a county included in the geographic area covered by a qualifying natural disaster declaration.

"(B) INCLUSION.—The term 'disaster county' includes—

"(i) a county contiguous to a county described in subparagraph (A); and

"(ii) any farm in which, during a calendar year, the total loss of production of the farm relating to weather is greater than 50 percent of the normal production of the farm, as determined by the Secretary.

"(4) ELIGIBLE PRODUCER ON A FARM.—

"(A) IN GENERAL.—The term 'eligible producer on a farm' means an individual or entity described in subparagraph (B) that, as determined by the Secretary, assumes the production and market risks associated with the agricultural production of crops or livestock.

"(B) DESCRIPTION.—An individual or entity referred to in subparagraph (A) is—

"(i) a citizen of the United States;

"(ii) a resident alien;

"(iii) a partnership of citizens of the United States; or

"(iv) a corporation, limited liability corporation, or other farm organizational structure organized under State law.

"(5) FARM.—

"(A) IN GENERAL.—The term 'farm' means, in relation to an eligible producer on a farm, the sum of all crop acreage in all counties that —

"(i) is used for grazing by the eligible producer; or

"(ii) is planted or intended to be planted for harvest by the eligible producer.

"(B) AQUACULTURE.—In the case of aquaculture, the term 'farm' means, in relation to an eligible producer on a farm, all fish being produced in all counties that are intended to be harvested for sale by the eligible producer.

"(C) HONEY.—In the case of honey, the term 'farm' means, in relation to an eligible producer on a farm, all bees and beehives in all counties that are intended to be harvested for a honey crop by the eligible producer.

"(6) FARM-RAISED FISH.—The term 'farm-raised fish' means any aquatic species (including any species of finfish, mollusk, crustacean, or other aquatic invertebrate, amphibian, reptile, or aquatic plant) that is propagated and reared in a controlled or semicontrolled environment.

"(7) INSURABLE COMMODITY.—The term 'insurable commodity' means an agricultural commodity (excluding livestock) for which the producer on a farm is eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

"(8) LIVESTOCK.—The term 'livestock' includes—

"(A) cattle (including dairy cattle);

"(B) bison;

"(C) poultry;

"(D) sheep;

"(E) swine;

"(F) horses; and

"(G) other livestock, as determined by the Secretary.

"(9) MOVING 5-YEAR OLYMPIC AVERAGE COUNTY YIELD.—The term 'moving 5-year Olympic average county yield' means the weighted average yield obtained from the 5 most recent years of yield data provided by the National Agriculture Statistics Service obtained from data after dropping the highest and the lowest yields.

"(10) NONINSURABLE COMMODITY.—The term 'noninsurable commodity' means a crop for which the eligible producers on a farm are eligible to obtain assistance under the noninsured crop assistance program.

"(11) NONINSURED CROP ASSISTANCE PROGRAM.—The term 'noninsured crop assistance program' means the program carried out under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

"(12) QUALIFYING NATURAL DISASTER DECLARATION.—The term 'qualifying natural disaster declaration' means a natural disaster declared by the Secretary for production losses under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)).

"(13) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.

"(14) STATE.—The term 'State' means—

"(A) a State;

"(B) the District of Columbia;

"(C) the Commonwealth of Puerto Rico; and

"(D) any other territory or possession of the United States.

"(15) TRUST FUND.—The term 'Trust Fund' means the Agriculture Disaster Relief Trust Fund established under section 902.

"(16) UNITED STATES.—The term 'United States' when used in a geographical sense, means all of the States.

"(b) SUPPLEMENTAL REVENUE ASSISTANCE PAYMENTS.—

"(1) IN GENERAL.—The Secretary shall use such sums as are necessary from the Trust Fund to make crop disaster assistance payments to eligible producers on farms in disaster counties that have incurred crop production losses or crop quality losses, or both, during the crop year.

"(2) AMOUNT.—

"(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall provide crop disaster assistance payments under this section to an eligible producer on a farm in an amount equal to 52 percent of the difference between—

"(i) the disaster assistance program guarantee, as described in paragraph (3); and

"(ii) the total farm revenue for a farm, as described in paragraph (4).

"(B) LIMITATION.—The disaster assistance program guarantee for a crop used to calculate the payments for a farm under subparagraph (A)(i) may not be greater than 90 percent of the sum of the expected revenue, as described in paragraph (5) for each of the crops on a farm, as determined by the Secretary.

"(3) SUPPLEMENTAL REVENUE ASSISTANCE PROGRAM GUARANTEE.—

"(A) IN GENERAL.—Except as otherwise provided in this paragraph, the supplemental assistance program guarantee shall be the sum obtained by adding—

"(i) for each insurable commodity on the farm, the product obtained by multiplying—

"(I) the greatest of—

"(aa) the actual production history yield;

"(bb) 90 percent of the moving 5-year Olympic average county yield; and

"(cc) the counter-cyclical program payment yield for each crop;

"(II) the percentage of the crop insurance yield guarantee;

"(III) the percentage of crop insurance price elected by the eligible producer;

"(IV) the crop insurance price; and

"(V) 115 percent; and

"(ii) for each noninsurable commodity on a farm, the product obtained by multiplying—

"(I) the weighted noninsured crop assistance program yield guarantee;

"(II) except as provided in subparagraph (B), 100 percent of the noninsured crop assistance program established price; and

"(III) 115 percent.

"(B) SUPPLEMENTAL BUY-UP NONINSURED ASSISTANCE PROGRAM.—Beginning on the date that the Secretary makes available supplemental buy-up coverage under the noninsured assistance program in accordance with subsection (h), the percentage described in subclause (II) of subparagraph (A)(ii) shall be equal to the percentage of the noninsured assistance program price guarantee elected by the producer.

"(C) ADJUSTMENT INSURANCE GUARANTEE.—Notwithstanding subparagraph (A), in the case of an insurable commodity for which a plan of insurance provides for an adjustment in the guarantee, such as in the case of prevented planting, the adjusted insurance guarantee shall be the basis for determining the disaster assistance program guarantee for the insurable commodity.

"(D) ADJUSTED ASSISTANCE LEVEL.—Notwithstanding subparagraph (A), in the case of a noninsurable commodity for which the noninsured crop assistance program provides for an adjustment in the level of assistance, such as in the case of prevented harvesting, the adjusted assistance level shall be the basis for determining the disaster assistance program guarantee for the noninsurable commodity.

"(E) EQUITABLE TREATMENT FOR NON-YIELD BASED POLICIES.—The Secretary shall establish equitable treatment for non-yield based policies and plans of insurance, such as the

Adjusted Gross Revenue Lite insurance program.

"(F) PUBLIC MANAGED LAND.—Notwithstanding subparagraph (A), if rangeland is managed by a Federal agency and the carrying capacity of the managed rangeland is reduced as a result of a disaster in the preceding year that was the basis for a qualifying natural disaster declaration—

"(i) the calculation for the supplemental assistance program guarantee determined under subparagraph (A) as the guarantee applies to the managed rangeland shall be not less than 75 percent of the guarantee for the preceding year; and

"(ii) the requirement for a designation by the Secretary for the current year is waived.

"(4) FARM REVENUE.—

"(A) IN GENERAL.—For purposes of this subsection, the total farm revenue for a farm, shall equal the sum obtained by adding—

"(i) the estimated actual value for grazing and for each crop produced on a farm by using the product obtained by multiplying—

"(I) the actual crop acreage grazed or harvested by an eligible producer on a farm;

"(II) the estimated actual yield of the grazing land or crop production; and

"(III) subject to subparagraphs (B) and (C), the average market price received or value of the production during the first 5 months of the marketing year for the county in which the farm or portion of a farm is located;

"(ii) 20 percent of amount of any direct payments made to the producer under section 1103 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7913) or of any fixed direct payments made at the election of the producer in lieu of that section or a subsequent section;

"(iii) the amount of payments for prevented planting on a farm;

"(iv) the amount of crop insurance indemnities received by an eligible producer on a farm for each crop on a farm, including indemnities for grazing losses;

"(v) the amount of payments an eligible producer on a farm received under the noninsured crop assistance program for each crop on a farm, including grazing losses; and

"(vi) the value of any other natural disaster assistance payments provided by the Federal Government to an eligible producer on a farm for each crop on a farm for the same loss for which the eligible producer is seeking assistance.

"(B) ADJUSTMENT.—The Secretary shall adjust the average market price received by the eligible producer on a farm—

"(i) to reflect the average quality discounts applied to the local or regional market price of a crop, hay, or forage due to a reduction in the intrinsic characteristics of the production resulting from adverse weather, as determined annually by the State office of the Farm Service Agency; and

"(ii) to account for a crop the value of which is reduced due to excess moisture resulting from a disaster-related condition.

"(C) MAXIMUM AMOUNT FOR CERTAIN CROPS.—With respect to a crop for which an eligible producer on a farm receives assistance under the noninsured crop assistance program, the average market price received or value of the production during the first 5 months of the marketing year for the county in which the farm or portion of a farm is located shall be an amount not more than 100 percent of the price of the crop established under the noninsured crop assistance program.

"(5) EXPECTED REVENUE.—The expected revenue for each crop on a farm shall equal the sum obtained by adding—

"(A) the expected value of grazing;

"(B) the product obtained by multiplying—

"(i) the greatest of—

"(I) the actual production history yield of the eligible producer on a farm;

"(II) the moving 5-year Olympic average county yield; and

"(III) the counter-cyclical program payment yield;

"(ii) the acreage planted or intended to be planted for each crop; and

"(iii) 100 percent of the insurance price guarantee; and

"(C) the product obtained by multiplying—

"(i) 100 percent of the noninsured crop assistance program yield; and

"(ii) 100 percent of the noninsured crop assistance program price for each of the crops on a farm.

"(c) LIVESTOCK INDEMNITY PAYMENTS.—

"(1) IN GENERAL.—The Secretary shall use such sums as are necessary from the Trust Fund to make livestock indemnity payments to eligible producers on farms that have incurred livestock death losses in excess of the normal mortality due to adverse weather, as determined by the Secretary, during the calendar year, including losses due to hurricanes, floods, blizzards, disease, wildfires, extreme heat, and extreme cold.

"(2) PAYMENT RATES.—Indemnity payments to an eligible producer on a farm under paragraph (1) shall be made at a rate of 75 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

"(d) EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH.—

"(1) IN GENERAL.—The Secretary shall use up to $35,000,000 per year from the Trust Fund to provide emergency relief to eligible producers of livestock, honey bees, and farm-raised fish to aid in the reduction of losses due to adverse weather or other environmental conditions, such as blizzards and wildfires, as determined by the Secretary, that are not covered under the authority of the Secretary to make qualifying natural disaster declarations.

"(2) USE OF FUNDS.—Funds made available under this subsection shall be used to reduce losses caused by feed or water shortages, disease, or other factors as determined by the Secretary.

"(3) AVAILABILITY OF FUNDS.—Any funds made available under this subsection and not used in a crop year shall remain available until expended.

"(e) TREE ASSISTANCE PROGRAM.—

"(1) DEFINITIONS.—In this subsection:

"(A) ELIGIBLE ORCHARDIST.—The term 'eligible orchardist' means a person that—

"(i) produces annual crops from trees for commercial purposes; or

"(ii) produces nursery, ornamental, fruit, nut, or Christmas trees for commercial sale.

"(B) NATURAL DISASTER.—The term 'natural disaster' means plant disease, insect infestation, drought, fire, freeze, flood, earthquake, lightning, or other occurrence, as determined by the Secretary.

"(C) TREE.—The term 'tree' includes a tree, bush, and vine.

"(2) ELIGIBILITY.—

"(A) LOSS.—Subject to subparagraph (B), the Secretary shall provide assistance under paragraph (3) to eligible orchardists that planted trees for commercial purposes but lost the trees as a result of a natural disaster, as determined by the Secretary.

"(B) LIMITATION.—An eligible orchardist shall qualify for assistance under subparagraph (A) only if the tree mortality of the eligible orchardist, as a result of damaging weather or related condition, exceeds 15 percent (adjusted for normal mortality).

"(3) ASSISTANCE.—The assistance provided by the Secretary to eligible orchardists for losses described in paragraph (2) shall consist of—

"(A)(i) reimbursement of 75 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or

"(ii) at the option of the Secretary, sufficient seedlings to reestablish a stand; and

"(B) reimbursement of 50 percent of the cost of pruning, removal, and other costs incurred by an eligible orchardist to salvage existing trees or, in the case of tree mortality, to prepare the land to replant trees as a result of damage or tree mortality due to a natural disaster, as determined by the Secretary, in excess of 15 percent damage or mortality (adjusted for normal tree damage and mortality).

"(f) PLANT PEST AND DISEASE MANAGEMENT AND DISASTER PREVENTION.—

"(1) DEFINITIONS.—In this subsection:

"(A) EARLY PLANT PEST DETECTION AND SURVEILLANCE.—The term 'early plant pest detection and surveillance' means the full range of activities undertaken to find newly introduced plant pests, whether the plant pests are new to the United States or new to certain areas of the United States, before—

"(i) the plant pests become established; or

"(ii) the plant pest infestations become too large and costly to eradicate or control.

"(B) PLANT PEST.—The term 'plant pest' has the meaning given such term in section 403 of the Plant Protection Act (7 U.S.C. 7702).

"(C) SPECIALTY CROP.—The term 'specialty crop' has the meaning given the term in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108–465).

"(D) STATE DEPARTMENT OF AGRICULTURE.—The term 'State department of agriculture' means an agency of a State that has a legal responsibility to perform early plant pest detection and surveillance activities.

"(2) EARLY PLANT PEST DETECTION AND SURVEILLANCE IMPROVEMENT PROGRAM.—

"(A) COOPERATIVE AGREEMENTS.—The Secretary shall enter into a cooperative agreement with each State department of agriculture that agrees to conduct early plant pest detection and surveillance activities.

"(B) CONSULTATION.—In carrying out this paragraph, the Secretary shall consult with—

"(i) the National Plant Board;

"(ii) the National Association of State Departments of Agriculture; and

"(iii) stakeholders.

"(C) FUNDS UNDER AGREEMENTS.—Each State department of agriculture with which the Secretary enters into a cooperative agreement under this paragraph shall receive funding for each of fiscal years 2008 through 2012 in an amount to be determined by the Secretary.

"(D) USE OF FUNDS.—

"(i) PLANT PEST DETECTION AND SURVEILLANCE ACTIVITIES.—A State department of agriculture that receives funds under this paragraph shall use the funds to carry out early plant pest detection and surveillance activities to prevent the introduction of a plant pest or facilitate the eradication of a plant pest, pursuant to a cooperative agreement.

"(ii) SUBAGREEMENTS.—Nothing in this paragraph prevents a State department of agriculture from using funds received under subparagraph (C) to enter into subagreements with political subdivisions of the State that have legal responsibilities relating to agricultural plant pest and disease surveillance.

"(iii) NON-FEDERAL SHARE.—The non-Federal share of the cost of carrying out a cooperative agreement under this section may be provided in-kind, including through provision of such indirect costs of the cooperative agreement as the Secretary considers to be appropriate.

"(E) SPECIAL FUNDING CONSIDERATIONS.—The Secretary shall provide funds to a State department of agriculture if the Secretary determines that—

"(i) the State department of agriculture is in a State that has a high risk of being affected by 1 or more plant pests; and

"(ii) the early plant pest detection and surveillance activities supported with the funds will likely—

"(I) prevent the introduction and establishment of plant pests; and

"(II) provide a comprehensive approach to compliment Federal detection efforts.

"(F) REPORTING REQUIREMENT.—Not later than 180 days after the date of completion of an early plant pest detection and surveillance activity conducted by a State department of agriculture using funds provided under this subsection, the State department of agriculture shall submit to the Secretary a report that describes the purposes and results of the activities.

"(3) THREAT IDENTIFICATION AND MITIGATION PROGRAM.—

"(A) ESTABLISHMENT.—The Secretary, acting through the Administrator of the Animal and Plant Health Inspection Service (referred to in this section as the 'Secretary'), shall establish a threat identification and mitigation program to determine and prioritize foreign threats to the domestic production of crops.

"(B) REQUIREMENTS.—In conducting the program established under subparagraph (A), the Secretary shall—

"(i) consult with the Director of the Center for Plant Health Science and Technology;

"(ii) conduct, in partnership with States, early plant pest detection and surveillance activities;

"(iii) develop risk assessments of the potential threat to the agricultural industry of the United States from foreign sources;

"(iv) collaborate with the National Plant Board on the matters described in subparagraph (C);

"(v) implement action plans developed under subparagraph (C)(ii)(I) immediately after development of the action plans—

"(I) to test the effectiveness of the action plans; and

"(II) to assist in preventing the introduction and widespread dissemination of new foreign and domestic plant pest and disease threats in the United States; and

"(vi) as appropriate, consult with, and use the expertise of, the Administrator of the Agricultural Research Service in the development of plant pest and disease detection, control, and eradication strategies.

"(C) MATTERS DESCRIBED.—The matters described in this subparagraph are—

"(i) the prioritization of foreign threats to the agricultural industry; and

"(ii) the development, in consultation with State departments of agriculture and other State or regional resource partnerships, of—

"(I) action plans that effectively address the foreign threats, including pathway analysis, offshore mitigation measures, and comprehensive exclusion measures at ports of entry and other key distribution centers; and

"(II) strategies to employ if a foreign plant pest or disease is introduced;

"(D) REPORTS.—Not later than 1 year after the date of enactment of this paragraph, and annually thereafter, the Secretary shall update and submit to Congress the priority list and action plans described in subparagraph (C), including an accounting of funds expended on the action plans.

"(4) SPECIALTY CROP CERTIFICATION AND RISK MANAGEMENT SYSTEMS.—The Secretary shall provide funds and technical assistance to specialty crop growers, organizations representing specialty crop growers, and State and local agencies working with specialty crop growers and organizations for the development and implementation of—

"(A) audit-based certification systems, such as best management practices—

"(i) to address plant pests; and

"(ii) to mitigate the risk of plant pests in the movement of plants and plant products; and

"(B) nursery plant pest risk management systems, in collaboration with the nursery industry, research institutions, and other appropriate entities—

"(i) to enable growers to identify and prioritize nursery plant pests and diseases of regulatory significance;

"(ii) to prevent the introduction, establishment, and spread of those plant pests and diseases; and

"(iii) to reduce the risk of, mitigate, and eradicate those plant pests and diseases.

"(5) FUNDING.—The Secretary shall use from the Trust Fund to carry out this subsection—

"(A) $10,000,000 for fiscal year 2008;

"(B) $25,000,000 for fiscal year 2009;

"(C) $40,000,000 for fiscal year 2010;

"(D) $50,000,000 for fiscal year 2011; and

"(E) $64,000,000 for fiscal year 2012.

"(g) RISK MANAGEMENT PURCHASE REQUIREMENT.—

"(1) IN GENERAL.—Except as otherwise provided in this subsection, the eligible producers on a farm shall not be eligible for assistance under this section with respect to losses to an insurable commodity or noninsurable commodity if the eligible producers on the farm—

"(A) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) (excluding a crop insurance pilot program under that Act) for the crop incurring the losses; or

"(B) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under the noninsured crop assistance program for the crop incurring the losses.

"(2) MINIMUM.—To be considered to have obtained insurance under paragraph (1), an eligible producer on a farm shall have obtained a policy or plan of insurance with not less than 50 percent yield coverage at 55 percent of the insurable price for each crop grazed, planted, or intended to be planted for harvest on a whole farm.

"(3) WAIVER.—With respect to eligible producers that are limited resource, minority, or beginning farmers or ranchers, as determined by the Secretary, the Secretary may—

"(A) waive paragraph (1); and

"(B) provide disaster assistance under this section at a level that the Secretary determines to be equitable and appropriate.

"(4) EQUITABLE RELIEF.—The Secretary may provide equitable relief to eligible producers on a farm that unintentionally fail to meet the requirements of paragraph (1) for 1 or more crops on a farm on a case-by-case basis, as determined by the Secretary.

"(h) SUPPLEMENTAL BUY-UP NONINSURED ASSISTANCE PROGRAM.—

"(1) IN GENERAL.—The Secretary shall establish a program under which eligible producers on a farm may purchase under the noninsured crop assistance program additional yield and price coverage for a crop, including a forage, hay, or honey crop, of—

"(A) 60 or 65 percent (as elected by the producers on the farm) of the yield established for the crop under the program; and

"(B) 100 percent of the price established for the crop under the program.

"(2) FEES.—The Secretary shall establish and collect fees from eligible producers on a farm participating in the program established under paragraph (1) to offset all of the costs of the program, as determined by the Secretary.

"(i) PAYMENT LIMITATIONS.—

"(1) IN GENERAL.—The total amount of disaster assistance that an eligible producer on a farm may receive under this section may not exceed $100,000.

"(2) AGI LIMITATION.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a or any successor provision) shall apply with respect to assistance provided under this section.

"(j) PERIOD OF EFFECTIVENESS.—This section shall be effective only for losses that are incurred as the result of a disaster, adverse weather, or other environmental condition that occurs on or before September 30, 2012, as determined by the Secretary.

"SEC. 902. AGRICULTURE DISASTER RELIEF TRUST FUND.

"(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'Agriculture Disaster Relief Trust Fund', consisting of such amounts as may be appropriated or credited to such Trust Fund as provided in this section.

"(b) TRANSFER TO TRUST FUND.—

"(1) IN GENERAL.—There are appropriated to the Agriculture Disaster Relief Trust Fund amounts equivalent to 3.34 percent of the amounts received in the general fund of the Treasury of the United States during fiscal years 2008 through 2012 attributable to the duties collected on articles entered, or withdrawn from warehouse, for consumption under the Harmonized Tariff Schedule of the United States.

"(2) AMOUNTS BASED ON ESTIMATES.—The amounts appropriated under this section shall be transferred at least monthly from the general fund of the Treasury of the United States to the Agriculture Disaster Relief Trust Fund on the basis of estimates made by the Secretary of the Treasury. Proper adjustments shall be made in the amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

"(c) ADMINISTRATION.—

"(1) REPORTS.—The Secretary of the Treasury shall be the trustee of the Agriculture Disaster Relief Trust Fund and shall submit an annual report to Congress each year on the financial condition and the results of the operations of such Trust Fund during the preceding fiscal year and on its expected condition and operations during the 5 fiscal years succeeding such fiscal year. Such report shall be printed as a House document of the session of Congress to which the report is made.

"(2) INVESTMENT.—

"(A) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Agriculture Disaster Relief Trust Fund as is not in his judgment required to meet current withdrawals. Such investments may be made only in interest bearing obligations of the United States. For such purpose, such obligations may be acquired—

"(i) on original issue at the issue price, or

"(ii) by purchase of outstanding obligations at the market price.

"(B) SALE OF OBLIGATIONS.—Any obligation acquired by the Agriculture Disaster Relief Trust Fund may be sold by the Secretary of the Treasury at the market price.

"(C) INTEREST ON CERTAIN PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Agriculture Disaster Relief Trust Fund shall be credited to and form a part of such Trust Fund.

"(d) EXPENDITURES FROM TRUST FUND.—Amounts in the Agriculture Disaster Relief Trust Fund shall be available for the purposes of making expenditures to meet those obligations of the United States incurred under section 901.

"(e) AUTHORITY TO BORROW.—

"(1) IN GENERAL.—There are authorized to be appropriated, and are appropriated, to the Agriculture Disaster Relief Trust Fund, as repayable advances, such sums as may be necessary to carry out the purposes of such Trust Fund.

"(2) REPAYMENT OF ADVANCES.—

"(A) IN GENERAL.—Advances made to the Agriculture Disaster Relief Trust Fund shall be repaid, and interest on such advances shall be paid, to the general fund of the Treasury when the Secretary determines that moneys are available for such purposes in such Trust Fund.

"(B) RATE OF INTEREST.—Interest on advances made pursuant to this subsection shall be—

"(i) at a rate determined by the Secretary of the Treasury (as of the close of the calendar month preceding the month in which the advance is made) to be equal to the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the anticipated period during which the advance will be outstanding, and

"(ii) compounded annually.".

(b) TECHNICAL PROVISIONS RELATING TO THE PLANT PROTECTION ACT.—

(1) Section 442(c) of the Plant Protection Act (7 U.S.C. 7772(c)) is amended by striking "of longer than 60 days".

(2) Congress disapproves the rule submitted by the Secretary of Agriculture relating to cost-sharing for animal and plant health emergency programs (68 Fed. Reg. 40541 (2003)), and such rule shall have no force or effect.

Subtitle B—Conservation Provisions

PART I—LAND AND SPECIES PRESERVATION PROVISIONS

SEC. 12201. CONSERVATION RESERVE TAX CREDIT.

(a) ALLOWANCE OF CREDIT.—

(1) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 is amended by adding at the end the following new section:

"SEC. 30D. CONSERVATION RESERVE CREDIT.

"(a) IN GENERAL.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the rental value of any land enrolled in the conservation reserve program.

"(b) LIMITATIONS.—

"(1) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under this section for any taxable year shall not exceed the excess of—

"(A) the regular tax liability for the taxable year reduced by the sum of the credits allowable under subpart A and sections 27, 30, 30B, and 30C, over

"(B) the tentative minimum tax for the taxable year.

"(2) LIMITATION BASED ON ALLOCATED PORTION OF NATIONAL LIMITATION.—The credit allowed under subsection (a) for any taxpayer for any taxable year shall not exceed the excess of—

"(A) the amount of the national credit limitation allocated to such taxpayer under subsection (c) for the fiscal year in which such taxable year ends and all prior fiscal years, over

"(B) the credit allowed under subsection (a) for all prior taxable years.

"(c) CONSERVATION RESERVE CREDIT LIMITATION.—

"(1) IN GENERAL.—There is a conservation reserve credit limitation for each fiscal year of the United States. Such limitation is—

"(A) $750,000,000 for each of fiscal years 2009 through 2012, and

"(B) zero thereafter.

"(2) ALLOCATION.—

"(A) IN GENERAL.—The Secretary, in consultation with the Secretary of Agriculture, shall allocate the conservation reserve credit limitation to taxpayers—

"(i) who are owners or operators of land enrolled in the conservation reserve program, and

"(ii) who have made an election under section 1234(c)(6) of the Food Security Act of 1985 to receive an allocation under this paragraph in lieu of a rental payment for such year under 1233(2) of such Act.

"(B) ALLOCATION LIMITATION.—The Secretary may not allocate more than $50,000 to any 1 taxpayer for any fiscal year.

"(3) CARRYFORWARD OF LIMITATION.—

"(A) IN GENERAL.—If for any fiscal year the limitation under paragraph (1) (after the application of this paragraph) exceeds the amount allocated to all eligible taxpayers for such fiscal year, the limitation amount for the following fiscal year shall be increased by the amount of such excess.

"(B) SPECIAL RULE FOR 2012.—Notwithstanding subparagraph (A), no amount of the conservation reserve credit limitation may be carried to any fiscal year following fiscal year 2012.

"(d) CARRYFORWARD.—If the amount of the credit allowable under subsection (a) for any taxpayer for any taxable year (determined without regard to subsection (b)(1)) exceeds the limitation under subsection (b)(1), such excess may be carried forward to the succeeding taxable year and added to the credit allowable under subsection (a) for such succeeding taxable year.

"(e) OTHER DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

"(1) CONSERVATION RESERVE PROGRAM.—For purposes of this subsection, the term 'conservation reserve program' means the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985.

"(2) DENIAL OF DOUBLE BENEFIT.—No deduction or other credit shall be allowed under this chapter for any amount with respect to which a credit is allowed under subsection (a).

"(3) RECAPTURE OF ALLOCATION.—If a taxpayer terminates a contract under the conservation reserve program before the end of the fiscal year with respect to which an allocation under subsection (c)(2) is made, the Secretary shall recapture the amount of the credit allowed under this section which bears the same ratio to the amount so allocated as the number of days in the fiscal year during which the contract was not in effect bears to 365.

"(4) TREATMENT OF CREDIT UNDER INCOME TAX AND SELF-EMPLOYMENT INCOME TAX.—For purposes of this chapter and chapter 2, the amount of any credit received under this section shall not be treated as income.".

(2) CLERICAL AMENDMENT.—The table of sections for subpart B of part IV of subchapter A of chapter 1 is amended by inserting after the item relating to section 30C the following new item:

"Sec. 30D. Conservation reserve credit.".

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years ending after the date of the enactment of this Act.

(b) CONFORMING AMENDMENTS TO THE FOOD SECURITY ACT OF 1985.—

(1) ELECTION TO RECEIVE TAX CREDITS IN LIEU OF PAYMENTS.—Section 1234(c) of the Food Security Act of 1985 (16 U.S.C. 3834(c)), as amended by this Act, is amended by adding at the end the following new paragraph:

"(6) ELECTION TO RECEIVE TAX CREDITS IN LIEU OF PAYMENTS.—

"(A) IN GENERAL.—In lieu of an annual rental payment for any year, an owner or operator with land enrolled under the program established under this subchapter may elect to receive for such year an allocation of tax credits under section 30D(c)(2) of the Internal Revenue Code of 1986.

"(B) ELECTION.—Any election under this paragraph shall be made in such form and at such time as the Secretary shall prescribe and shall apply to all contracts of the owner or operator under this subchapter.

"(C) LIMITATION.—Any election under this paragraph shall not apply with respect to payments under the emergency forestry conservation reserve program under section 1231(k).".

(2) PAYMENT LIMITATION.—Paragraph (1) of section 1234(e) of such Act (16 U.S.C. 3834(e)(1)) is amended by inserting "and allocations of tax credits under section 30D(c)(2) of the Internal Revenue Code of 1986" after "in-kind commodities".

SEC. 12202. EXCLUSION OF CONSERVATION RESERVE PROGRAM PAYMENTS FROM SECA TAX FOR CERTAIN INDIVIDUALS.

(a) INTERNAL REVENUE CODE.—Section 1402(a)(1) (defining net earnings from self-employment) is amended by inserting ", and including payments under section 1233(2) of the Food Security Act of 1985 (16 U.S.C. 3833(2)) to individuals receiving benefits under section 202 or 223 of the Social Security Act" after "crop shares".

(b) SOCIAL SECURITY ACT.—Section 211(a)(1) of the Social Security Act is amended by inserting ", and including payments under section 1233(2) of the Food Security Act of 1985 (16 U.S.C. 3833(2)) to individuals receiving benefits under section 202 or 223" after "crop shares".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to payments made after December 31, 2007.

SEC. 12203. PERMANENT EXTENSION OF SPECIAL RULE ENCOURAGING CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY FOR CONSERVATION PURPOSES.

(a) IN GENERAL.—

(1) INDIVIDUALS.—Subparagraph (E) of section 170(b)(1) (relating to contributions of qualified conservation contributions) is amended by striking clause (vi).

(2) CORPORATIONS.—Subparagraph (B) of section 170(b)(2) (relating to qualified conservation contributions by certain corporate farmers and ranchers) is amended by striking clause (iii).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2007.

SEC. 12204. TAX CREDIT FOR RECOVERY AND RESTORATION OF ENDANGERED SPECIES.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1, as amended by this Act, is amended by adding at the end the following new section:

"SEC. 30E. ENDANGERED SPECIES RECOVERY AND RESTORATION CREDIT.

"(a) IN GENERAL.—In the case of an eligible taxpayer, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of—

"(1) the habitat protection easement credit, plus

"(2) the habitat restoration credit.

"(b) LIMITATION.—

"(1) IN GENERAL.—The credit allowed under subsection (a) for any taxpayer for any taxable year shall not exceed the endangered species recovery credit limitation allocated to the eligible taxpayer under subsection (f) for the calendar year in which the taxpayer's taxable year ends.

"(2) CARRYFORWARDS.—

"(A) IN GENERAL.—If the amount of the credit allowable under subsection (a) for any taxpayer for any taxable year (determined without regard to paragraph (1)) exceeds the endangered species recovery credit limitation allocated under subsection (f) to such taxpayer for the calendar year in which the taxpayer's taxable year ends, such excess may be carried forward to the next taxable year for which an allocation is made to such taxpayer under subsection (f). Any amount carried to another taxable year under this subparagraph shall be treated as added to the credit allowable under subsection (a)(1) or (a)(2), whichever is appropriate, for such taxable year.

"(B) CARRYFORWARD OF ALLOCATION AMOUNT.—If the amount of the endangered species recovery credit limitation allocated to a taxpayer for any calendar year under subsection (f) exceeds the amount of the credit allowed to the taxpayer under subsection (a) for the taxable year ending in such calendar year, such excess may be carried forward to the next taxable year of the taxpayer. Any amount carried to another taxable year under this subparagraph shall be treated as allocated to the taxpayer for use in such taxable year under subsection (f).

"(c) ELIGIBLE TAXPAYER; QUALIFIED AGREEMENTS.—For purposes of this section—

"(1) IN GENERAL.—The term 'eligible taxpayer' means—

"(A) a taxpayer who—

"(i) owns real property which contains the habitat of a qualified species, and

"(ii) enters into a qualified perpetual habitat protection agreement, a qualified 30-year habitat protection agreement, or a qualified habitat protection agreement with respect to such real property, and

"(B) any other taxpayer who—

"(i) is a party to a qualified perpetual habitat protection agreement, a qualified 30-year habitat protection agreement, or a qualified habitat protection agreement, and

"(ii) as part of any such agreement, agrees to assume responsibility for costs paid or incurred as a result of implementing such agreement.

"(2) QUALIFIED PERPETUAL HABITAT PROTECTION AGREEMENT.—The term 'qualified perpetual habitat protection agreement' means an agreement—

"(A) under which a taxpayer described in paragraph (1)(A) grants to the appropriate Secretary, the Secretary of Agriculture, the Secretary of Defense, or a State an easement in perpetuity for the protection of the habitat of a qualified species, and

"(B) which meets the requirements of paragraph (5).

"(3) QUALIFIED 30-YEAR HABITAT PROTECTION AGREEMENT.—The term 'qualified 30-year habitat protection agreement' means an agreement not described in paragraph (2)—

"(A) under which a taxpayer described in paragraph (1)(A) grants to the appropriate Secretary, the Secretary of Agriculture, the Secretary of Defense, or a State an easement for a period of 30 years or greater for the protection of the habitat of a qualified species, and

"(B) which meets the requirements of paragraph (5).

"(4) QUALIFIED HABITAT PROTECTION AGREEMENT.—The term 'qualified habitat protection agreement' means an agreement—

"(A) under which a taxpayer described in paragraph (1)(A) enters into an agreement not described in paragraph (2) or (3) with the appropriate Secretary, the Secretary of Agriculture, the Secretary of Defense, or a State to protect the habitat of a qualified species for a specified period of time, and

"(B) which meets the requirements of paragraph (5).

"(5) REQUIREMENTS.—An agreement meets the requirements of this paragraph if the agreement—

"(A) is consistent with any recovery plan which is applicable and which has been approved for a qualified species under section 4 of the Endangered Species Act of 1973,

"(B) includes a habitat management plan agreed to by the appropriate Secretary and the eligible taxpayer, and

"(C) requires that technical assistance with respect to the duties under the habitat management plan be provided to the taxpayer by the appropriate Secretary or an entity approved by the appropriate Secretary.

"(d) HABITAT PROTECTION EASEMENT CREDIT.—

"(1) IN GENERAL.—For purposes of subsection (a)(1), the habitat protection easement credit for any taxable year is an amount equal to—

"(A) in the case of a taxpayer described in subsection (c)(1)(A) who has entered into a qualified perpetual habitat protection agreement during such taxable year, 100 percent of the excess (if any) of—

"(i) the fair market value of the real property with respect to which the qualified perpetual habitat protection agreement is made, determined on the day before such agreement is entered into, over

"(ii) the fair market value of such property, determined on the day after such agreement is entered into,

"(B) in the case of a taxpayer described in subsection (c)(1)(A) who has entered into a qualified 30-year habitat protection agreement during such taxable year, 75 percent of such excess, and

"(C) in the case of any other taxpayer, zero.

"(2) REDUCTION FOR AMOUNT RECEIVED FOR EASEMENT.—The amount determined under paragraph (1) shall be reduced by any amount received by the taxpayer in connection with the easement.

"(3) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under subsection (a)(1) for any taxable year shall not exceed the sum of—

"(A) the taxpayer's regular tax liability for the taxable year reduced by the sum of the credits allowable under subpart A and sections 27, 30, 30B, 30C, and 30D, and

"(B) the tax imposed by section 55(a) for the taxable year.

"(4) CARRYFORWARD OF UNUSED CREDIT.—If the credit allowable under subsection (a)(1) for any taxable year exceeds the limitation imposed by paragraph (3) for such taxable year, such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a)(1) for such succeeding taxable year.

"(5) QUALIFIED APPRAISALS REQUIRED.—No amount shall be taken into account under this subsection unless the eligible taxpayer includes with the taxpayer's return for the taxable year a qualified appraisal (within the meaning of section 170(f)(11)(E)) of the real property.

"(e) HABITAT RESTORATION CREDIT.—

"(1) IN GENERAL.—For purposes of subsection (a)(2), the habitat restoration credit for any taxable year shall be an amount equal to—

"(A) in the case of a qualified perpetual habitat protection agreement, 100 percent of the costs paid or incurred by an eligible taxpayer during such taxable year pursuant to the habitat management plan under such agreement,

"(B) in the case of a qualified 30-year habitat protection agreement, 75 percent of the costs paid or incurred by an eligible taxpayer during such taxable year pursuant to the habitat management plan under such agreement, and

"(C) in the case of a qualified habitat protection agreement, 50 percent of the costs paid or incurred by an eligible taxpayer during such taxable year pursuant to the habitat management plan under such agreement.

"(2) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under subsection (a)(2) for any taxable year shall not exceed the excess (if any) of—

"(A) the regular tax liability for the taxable year reduced by the sum of the credits allowable under subpart A, sections 27, 30, 30B, 30C, 30D, and subsection (a)(1), over

"(B) the tentative minimum tax for the taxable year.

"(3) CARRYFORWARD OF UNUSED CREDIT.—If the credit allowable under subsection (a)(2) for any taxable year exceeds the limitation imposed by paragraph (2) for such taxable year, such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a)(2) for such succeeding taxable year.

"(4) SPECIAL RULES.—

"(A) CERTAIN COSTS NOT INCLUDED.—No amount shall be taken into account with respect to any cost which is paid or incurred by a taxpayer to comply with any requirement of a Federal, State, or local government (other than costs required under an agreement described in subsection (c)).

"(B) SUBSIDIZED FINANCING.—For purposes of paragraph (1), the amount of costs paid or incurred by an eligible taxpayer pursuant to any habitat management plan described in subsection (c)(5)(B) shall be reduced by the amount of any financing provided under any Federal or State program a principal purpose of which is to subsidize financing for the conservation of the habitat of a qualified species.

"(f) ENDANGERED SPECIES RECOVERY CREDIT LIMITATION.—

"(1) IN GENERAL.—There is an endangered species recovery credit limitation for each calendar year. Such limitation is —

"(A) for 2008, 2009, 2010, 2011, and 2012—

"(i) with respect to allocations described in paragraph (2)(A)—

"(I) $5,000,000 with respect to qualified perpetual habitat protection agreements,

"(II) $2,000,000 with respect to qualified 30-year habitat protection agreements, and

"(III) $1,000,000 with respect to qualified habitat protection agreements, and

"(ii) with respect to allocations described in paragraph (2)(B)—

"(I) $290,000,000 with respect to qualified perpetual habitat protection agreements,

"(II) $55,000,000 with respect to qualified 30-year habitat protection agreements, and

"(III) $35,000,000 with respect to qualified habitat protection agreements, and

"(B) except as provided in paragraph (3), zero thereafter.

"(2) ALLOCATION OF LIMITATION.—

"(A) ALLOCATIONS IN COORDINATION WITH THE SECRETARY OF AGRICULTURE.—The limitations described in paragraph (1)(A)(i) shall be allocated to eligible taxpayers by the Secretary in consultation with the Secretary of Agriculture.

"(B) OTHER ALLOCATIONS.—

"(i) IN GENERAL.—The limitations described in paragraph (1)(A)(ii) shall be allocated to eligible taxpayers in consultation with the Secretary of the Interior and the Secretary of Commerce.

"(ii) ESTABLISHMENT OF ALLOCATION PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall, by regulation, establish a program to process applications from eligible taxpayers and to determine how to best allocate the credit limitations under clause (i) taking into account the considerations described in clause (iii).

"(iii) CONSIDERATIONS.—In accepting applications to make allocations to eligible taxpayers under this section, priority shall be given to taxpayers with agreements—

"(I) relating to habitats that will significantly increase the likelihood of recovering and delisting a species as an endangered species or a threatened species (as defined under section 2 of the Endangered Species Act of 1973),

"(II) that are cost-effective and maximize the benefits to a qualified species per dollar expended,

"(III) relating to habitats of species which have a federally approved recovery plan pursuant to section 4 of the Endangered Species Act of 1973,

"(IV) relating to habitats with the potential to contribute significantly to the improvement of the status of a qualified species,

"(V) relating to habitats with the potential to contribute significantly to the eradication or control of invasive species that are imperiling a qualified species,

"(VI) with habitat management plans that will manage multiple qualified species,

"(VII) with habitat management plans that will create adjacent or proximate habitat for the recovery of a qualified species,

"(VIII) relating to habitats for qualified species with an urgent need for protection,

"(IX) with habitat management plans that assist in preventing the listing of a species as endangered or threatened under the Endangered Species Act of 1973 or a similar State law,

"(X) with habitat management plans that may resolve conflicts between the protection of qualified species and otherwise lawful human activities, and

"(XI) with habitat management plans that may resolve conflicts between the protection of a qualified species and military training or other military operations.

"(3) CARRYOVER OF UNUSED LIMITATION.—If for any calendar year any of the limitations under paragraph (1) (after the application of this paragraph) exceeds the amount allocated to eligible taxpayers for such calendar year, such limitation amount for the following calendar year shall be increased by the amount of such excess.

"(g) OTHER DEFINITIONS AND SPECIAL RULES.—

"(1) APPROPRIATE SECRETARY.—The term 'appropriate Secretary' has the meaning given to the term 'Secretary' under section 3(15) of the Endangered Species Act of 1973.

"(2) HABITAT MANAGEMENT PLAN.—The term 'habitat management plan' means, with respect to any habitat, a plan which—

"(A) identifies one or more qualified species to which the plan applies,

"(B) is designed to—

"(i) restore or enhance the habitat of the qualified species, or

"(ii) reduce threats to the qualified species through the management of the habitat,

"(C) describes the current condition of the habitat to be restored or enhanced,

"(D) describes the threats to the qualified species that are intended to be reduced through the plan,

"(E) describes the management practices to be undertaken by the taxpayer,

"(F) provides a schedule of deadlines for undertaking such management practices and the expected responses of the habitat and the species,

"(G) requires monitoring of the management practices and the status of the qualified species and its habitat, and

"(H) describes the technical assistance to be provided to the taxpayer and identifies the entity that will provide such assistance.

"(3) QUALIFIED SPECIES.—The term 'qualified species' means—

"(A) any species listed as an endangered species or threatened species under the Endangered Species Act of 1973, or

"(B) any species for which a finding has been made under section 4(b)(3) of the Endangered Species Act of 1973 that listing under such Act may be warranted.

"(4) TAKING.—The term 'taking' has the meaning given to such term under the Endangered Species Act of 1973.

"(5) REDUCTION IN BASIS.—For purposes of this subtitle—

"(A) HABITAT PROTECTION EASEMENT CREDIT.—The basis of any property for which a credit is allowed under subsection (a)(1) shall be reduced by the amount of basis which is allocated, under regulations prescribed by the Secretary, to the easement granted as part of a qualified perpetual habitat protection agreement or a qualified 30-year habitat protection agreement.

"(B) HABITAT RESTORATION CREDIT.—If a credit is allowed under subsection (a)(2) for any expenditure with respect to any property, the increase in the basis of such property which would (but for this subparagraph) result from such expenditure shall be reduced by the amount of the credit so allowed.

"(6) DENIAL OF DOUBLE BENEFIT.—No deduction or other credit shall be allowed under this chapter for any amount with respect to which a credit is allowed under subsection (a).

"(7) CERTIFICATION.—No credit shall be allowed under subsection (a) unless the appropriate Secretary certifies that any agreement described in subsection (c) will contribute to the recovery of a qualified species.

"(8) REQUEST FOR AUTHORIZATION OF INCIDENTAL TAKINGS.—The Secretary shall request the appropriate Secretary to consider whether to authorize under the Endangered Species Act of 1973 takings by an eligible taxpayer of a qualified species to which an agreement described in subsection (c) relates if the takings are incidental to—

"(A) the restoration, enhancement, or management of the habitat pursuant to the habitat management plan under the agreement, or

"(B) the use of the property to which the agreement pertains at any time after the expiration of the easement or the specified period described in subsection (c)(4)(A), but only if such use will leave the qualified species at least as well off on the property as it was before the agreement was made.

"(9) RECAPTURE.—The Secretary shall, by regulations, provide for recapturing the benefit under any credit allowable under subsection (a) if the Secretary determines that—

"(A) the taxpayer has failed to carry out the duties of the taxpayer under the terms of a qualified perpetual habitat protection agreement, a qualified 30-year habitat protection agreement, or a qualified habitat protection agreement, and

"(B) there are no other available means to remediate such failure.".

(b) GAO STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall undertake a study on the effectiveness of the credit allowed under section 30E of the Internal Revenue Code of 1986 (as added by this Act).

(2) ISSUES TO BE STUDIED.—The study under paragraph (1) shall—

(A) evaluate—

(i) the contributions that habitat management plans established under such credit have made in restoring or enhancing species habitat and reducing threats to species, and

(ii) the implementation of the credit allocation program established in section 30E(f)(2) of such Code (as so added), and

(B) include recommendations for improving the effectiveness of such credit.

(3) REPORTS.—

(A) INTERIM REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress an interim report on the study conducted under paragraph (1).

(B) FINAL REPORT.—Not later than 5 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a final report on the study conducted under paragraph (1).

(c) CONFORMING AMENDMENTS.—

(1) Section 1016(a) is amended by striking "and" at the end of paragraph (36), by striking the period at the end of paragraph (37) and inserting ", and", and by inserting after paragraph (37) the following new paragraph:

"(38) to the extent provided in section 30E(g)(5).".

(2) The table of sections for subpart B of part IV of subchapter A of chapter 1, as amended by this Act, is amended by inserting after the item relating to section 30D the following new item:

"Sec. 30E. Endangered species recovery and restoration credit.".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 12205. DEDUCTION FOR ENDANGERED SPECIES RECOVERY EXPENDITURES.

(a) DEDUCTION FOR ENDANGERED SPECIES RECOVERY EXPENDITURES.—

(1) IN GENERAL.—Paragraph (1) of section 175(c) (relating to definitions) is amended by inserting after the first sentence the following new sentence: "Such term shall include expenditures paid or incurred for the purpose of achieving site-specific management actions recommended in recovery plans approved pursuant to the Endangered Species Act of 1973.".

(2) CONFORMING AMENDMENTS.—

(A) Section 175 is amended by inserting ", or for endangered species recovery" after "prevention of erosion of land used in farming" each place it appears in subsections (a) and (c).

(B) The heading of section 175 is amended by inserting "; **endangered species recovery expenditures**" before the period.

(C) The item relating to section 175 in the table of sections for part VI of subchapter B of chapter 1 is amended by inserting "; endangered species recovery expenditures" before the period.

(b) LIMITATIONS.—Paragraph (3) of section 175(c) (relating to additional limitations) is amended—

(1) in the heading, by inserting "OR ENDANGERED SPECIES RECOVERY PLAN" after "CONSERVATION PLAN", and

(2) in subparagraph (A)(i), by inserting "or the recovery plan approved pursuant to the Endangered Species Act of 1973" after "Department of Agriculture".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to expenditures paid or incurred after the date of the enactment of this Act.

SEC. 12206. EXCLUSION FOR CERTAIN PAYMENTS AND PROGRAMS RELATING TO FISH AND WILDLIFE.

(a) IN GENERAL.—Subsection (a) of section 126 (relating to certain cost-sharing payments) is amended by redesignating paragraph (10) as paragraph (13) and by inserting after paragraph (9) the following new paragraphs:

"(10) The Partners for Fish and Wildlife Program authorized by the Partners for Fish and Wildlife Act.

"(11) The Landowner Incentive Program, the State Wildlife Grants Program, and the Private Stewardship Grants Program authorized by the Fish and Wildlife Act of 1956.

"(12) The Forest Health Protection Program and the program related to integrated pest management authorized by the Cooperative Forestry Assistance Act of 1978.".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to payments received after the date of the enactment of this Act.

SEC. 12207. CREDIT FOR EASEMENTS GRANTED UNDER CERTAIN DEPARTMENT OF AGRICULTURE CONSERVATION PROGRAMS.

(a) IN GENERAL.—

(1) ALLOWANCE OF CREDIT.—Subpart B of part IV of subchapter A of chapter 1, as amended by this Act, is amended by adding at the end the following new section:

"SEC. 30F. AGRICULTURE CONSERVATION EASEMENT CREDIT.

"(a) IN GENERAL.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of—

"(1) the wetlands reserve conservation credit, plus

"(2) the grassland reserve conservation credit.

"(b) LIMITATIONS.—

"(1) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under this section for any taxable year shall not exceed the excess of—

"(A) the regular tax liability for the taxable year reduced by the sum of the credits allowable under subpart A and sections 27, 30, 30B, 30C, 30D, 30E(a)(1), and 30E(a)(2), over

"(B) the tentative minimum tax for the taxable year.

"(2) LIMITATION BASED ON ALLOCATED PORTION OF NATIONAL LIMITATION.—The credit allowed under subsection (a) for any taxpayer for any taxable year shall not exceed the excess of—

"(A) the amount of the national credit limitation allocated to such taxpayer under subsection (e) for such taxable year and all prior taxable years, over

"(B) the credit allowed under subsection (a) for all prior taxable years.

"(c) WETLANDS RESERVE CONSERVATION CREDIT.—

"(1) IN GENERAL.—For purposes of subsection (a)(1), in the case of a wetlands reserve eligible taxpayer, the wetlands reserve conservation credit for any taxable year is an amount equal to the applicable percentage of the wetlands reserve easement value.

"(2) WETLANDS RESERVE ELIGIBLE TAXPAYER.—For purposes of this section, the term 'wetlands reserve eligible taxpayer' means any taxpayer who—

"(A) has granted an easement to the Secretary of Agriculture under the wetlands reserve program, and

"(B) who has made an election under section 1237A(f)(5) of the Food Security Act of 1985 to receive an allocation under subsection (e)(2) in lieu of a payment under section 1237A(f)(1) of such Act.

"(3) APPLICABLE PERCENTAGE.—For purposes paragraph (1), the term 'applicable percentage' means the percentage equal to—

"(A) 100 percent, minus

"(B) the highest percentage of tax which would apply under section 1 or 11 with respect to the taxpayer if the taxable income of the taxpayer were increased by an amount equal to the wetlands reserve easement value.

"(4) WETLANDS RESERVE EASEMENT VALUE.—For purposes of this section, the term 'wetlands reserve easement value' means the lesser of—

"(A) the product of—

"(i) the wetlands reserve geographic area rate for the area in which the real property to which the easement pertains is located, and

"(ii) the number of acres to which the easement applies, or

"(B) the value of any payment to which the taxpayer would be entitled with respect to such easement under section 1237A(f)(1) of the Food Security Act of 1985 if the taxpayer had not made an election under section 1237A(f)(5) of such Act.

"(5) WETLANDS RESERVE GEOGRAPHIC AREA RATE.—For purposes of paragraph (4)(A)(i), the wetlands reserve geographic area rate with respect to any geographic area shall be the rate per acre, determined by the Secretary in consultation with the Secretary of Agriculture, appropriate for easements granted under the wetlands reserve program in such area.

"(d) GRASSLAND RESERVE CONSERVATION CREDIT.—

"(1) IN GENERAL.—For purposes of subsection (a)(2), in the case of any grassland reserve eligible taxpayer, the grassland reserve conservation credit for any taxable year is an amount equal to the applicable percentage of the grassland reserve easement value.

"(2) GRASSLAND RESERVE ELIGIBLE TAXPAYER.—For purposes of this section, the term 'grassland reserve eligible taxpayer' means any taxpayer who—

"(A) has granted an easement under the grassland reserve program to an eligible easement holder, and

"(B) who has made an election under section 1238P(b)(2)(C) of the Food Security Act of 1985 to receive an allocation under subsection (e)(2) in lieu of a payment under section 1238P(b)(2)(A)(i) of such Act.

"(3) APPLICABLE PERCENTAGE.—For purposes paragraph (1), the term 'applicable percentage' means the percentage equal to—

"(A) 100 percent, minus

"(B) the highest percentage of tax which would apply under section 1 or 11 with respect to the taxpayer if the taxable income of the taxpayer were increased by an amount equal to the grassland reserve easement value.

"(4) GRASSLAND RESERVE EASEMENT VALUE.—For purposes of this section, the term 'grassland reserve easement value' means—

"(A) in the case of a permanent conservation easement (within the meaning of section 1238N(3) of the Food Security Act of 1985), the lesser of—

"(i) the product of—

"(I) the grassland reserve program geographic area rate for the area in which the real property to which the easement pertains is located, and

"(II) the number of acres to which the easement applies, or

"(ii) the value of any payment to which the taxpayer would be entitled in return for such easement under section 1238P(b)(2)(A)(i)(I) of the Food Security Act of 1985 if the taxpayer had not made an election under section 1238P(b)(2)(C) of such Act, and

"(B) in the case of a 30-year conservation easement (within the meaning of section 1238O(b)(2) of such Act), the lesser of—

"(i) 30 percent of the lesser of the amount determined under clause (i) or (ii) of subparagraph (A), or

"(ii) the value of any payment to which the taxpayer would be entitled in return for such easement under section 1238P(b)(1)(A)(i)(II) of such Act if the taxpayer had not made an election under section 1238P(b)(2)(C) of such Act.

"(5) GRASSLAND RESERVE GEOGRAPHIC AREA RATE.—For purposes of paragraph (4)(A)(i)(I), the grassland reserve geographic area rate with respect to any geographic area shall be the rate, determined by the Secretary in consultation with the Secretary of Agriculture, appropriate for easements granted under the grassland reserve program in such area.

"(e) NATIONAL CONSERVATION CREDIT LIMITATION.—

"(1) IN GENERAL.—The aggregate credits allowed under subsection (a) for all taxpayers shall not exceed $1,000,000,000.

"(2) ALLOCATION.—The Secretary, in consultation with the Secretary of Agriculture, shall allocate the credit limitation under paragraph (1) to taxpayers who—

"(A) have granted an easement—

"(i) to the Secretary of Agriculture under the wetlands reserve program, or

"(ii) to an eligible easement holder under the grassland reserve program, and

"(B) make an election under such program to receive an allocation under this paragraph in lieu of a payment under such program.

“(3) LIMITATION ON ALLOCATION.—No amount of the credit limitation may be allocated to any taxpayer for any taxable year which ends after September 30, 2012.

“(f) CARRYFORWARD.—If the amount of the credit allowable under subsection (a) for any taxpayer for any taxable year (determined without regard to subsection (b)(1)) exceeds the limitation under subsection (b)(1), such excess may be carried forward to the succeeding taxable year and added to the credit allowable under subsection (a) for such succeeding taxable year.

“(g) OTHER DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

“(1) WETLANDS RESERVE PROGRAM.—The term ‘wetlands reserve program’ means the wetlands reserve program established under subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985.

“(2) GRASSLAND RESERVE PROGRAM.—The term ‘grassland reserve program’ means the grassland reserve program established under subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985.

“(3) ELIGIBLE EASEMENT HOLDER.—The term ‘eligible easement holder’ means the Secretary of Agriculture or a State.

“(4) DENIAL OF DOUBLE BENEFIT.—No deduction or other credit shall be allowed under this chapter for any amount with respect to which a credit is allowed under subsection (a).

“(5) REDUCTION IN BASIS.—For purposes of this subtitle, the basis of any property for which a credit is allowed under subsection (a) shall be reduced by the amount of basis which is allocated, under regulations prescribed by the Secretary, to the easement granted under the wetlands reserve program or the grassland reserve program.

“(6) RECAPTURE.—The Secretary shall, by regulations, provide for recapturing the benefit of any credit allowable under subsection (a) if the Secretary, in consultation with the Secretary of Agriculture, determines that—

“(A) the eligible taxpayer has failed to carry out the duties of the taxpayer under the terms of the easement, and

“(B) there are no other available means to remediate such failure.”.

(2) CONFORMING AMENDMENTS.—

(A) Section 1016(a), as amended by this Act, is amended by striking “and” at the end of paragraph (37), by striking the period at the end of paragraph (38) and inserting “, and”, and by inserting after paragraph (38) the following new paragraph:

“(39) to the extent provided in section 30F(g)(5).”.

(B) The table of sections for subpart B of part IV of subchapter A of chapter 1, as amended by this Act, is amended by inserting after the item relating to section 30E the following new item:

“Sec. 30F. Agriculture conservation easement credit.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to easements granted after September 30, 2007, in taxable years ending after such date.

(b) CONFORMING AMENDMENTS TO THE FOOD SECURITY ACT OF 1985.—

(1) WETLANDS RESERVE PROGRAM.—Section 1237A(f) of the Food Security Act of 1985 (16 U.S.C. 3837a(f)), as amended by this Act, is amended by adding at the end the following new paragraph:

“(5) ELECTION TO RECEIVE TAX CREDITS IN LIEU OF PAYMENTS.—

“(A) IN GENERAL.—In lieu of a payment in cash under paragraph (1), the landowner may elect to receive an allocation of tax credits under section 30E(e)(2) of the Internal Revenue Code of 1986.

“(B) LIMITATION.—No election may be made under this paragraph with respect to payments to a landowner under a special wetlands reserve enhancement program described in subsection (h).”.

(2) GRASSLAND RESERVE PROGRAM.—Section 1238P(b)(2) of the Food Security Act of 1985 (16 U.S.C. 3838p(b)(2)) is amended by adding at the end the following new subparagraph:

“(C) ELECTION TO RECEIVE TAX CREDITS IN LIEU OF CERTAIN PAYMENTS.—In lieu of a payment in return for a permanent conservation easement under subparagraph (A)(i)(I) or a 30-year conservation easement under subparagraph (A)(i)(II), the landowner may elect to receive an allocation of tax credits under section 30E(e)(2) of the Internal Revenue Code of 1986.”.

PART II—TIMBER PROVISIONS

SEC. 12211. FOREST CONSERVATION BONDS.

(a) TAX-EXEMPT BOND FINANCING.—

(1) IN GENERAL.—For purposes of the Internal Revenue Code of 1986, any qualified forest conservation bond shall be treated as an exempt facility bond under section 142 of such Code.

(2) QUALIFIED FOREST CONSERVATION BOND.—For purposes of this section, the term “qualified forest conservation bond” means any bond issued as part of an issue if—

(A) 95 percent or more of the net proceeds (as defined in section 150(a)(3) of such Code) of such issue are to be used for qualified project costs, and

(B) such bond is issued before the date which is 36 months after the date of the enactment of this Act.

(3) LIMITATION ON AGGREGATE AMOUNT ISSUED.—

(A) IN GENERAL.—The maximum aggregate face amount of bonds which may be issued under this subsection shall not exceed $1,500,000,000 for all projects (excluding refunding bonds).

(B) ENFORCEMENT OF LIMITATION.—An issue shall not be treated as an issue described in paragraph (2) if the aggregate face amount of bonds issued pursuant to such issue for any qualified projects costs (when added to the aggregate face amount of bonds previously so issued for such costs) exceeds the amount allocated under subparagraph (C).

(C) INITIAL ALLOCATION OF LIMITATION.—The limitation described in subparagraph (A) shall be allocated by the Secretary of the Treasury among qualified organizations as follows:

(i) 35 percent for qualified project costs with respect to the cost of acquisition by any qualified organization in the Pacific Northwest region.

(ii) 30 percent for qualified project costs with respect to the cost of acquisition by any qualified organization in the Western region.

(iii) 17.5 percent for qualified project costs with respect to the cost of acquisition by any qualified organization in the Southeast region.

(iv) 17.5 percent for qualified project costs with respect to the cost of acquisition by any qualified organization in the Northeast region.

(D) SECONDARY ALLOCATION PROCEDURE.—If for the period ending on the last day of the 24th month after the date of the enactment of this Act, the limitation amount for any region under subparagraph (C) exceeds the amount of bonds allocated by the Secretary of the Treasury during such period, the Secretary of the Treasury may allocate such excess among qualified organizations in any other region in such manner as the Secretary of the Treasury determines appropriate.

(E) REGIONS.—For purposes of this paragraph—

(i) PACIFIC NORTHWEST REGION.—The term “Pacific Northwest region” means Region 6 as defined by the United States Forest Service of the Department of Agriculture under section 200.2 of title 36, Code of Federal Regulations.

(ii) WESTERN REGION.—The term “Western region” means Regions 1, 2, 3, 4, 5, and 10 (as so defined).

(iii) SOUTHEAST REGION.—The term “Southeast region” means Region 8 (as so defined).

(iv) NORTHEAST REGION.—The term “Northeast region” means Region 9 (as so defined).

(4) QUALIFIED PROJECT COSTS.—For purposes of this subsection, the term “qualified project costs” means the costs of acquisition by a qualified organization from an unrelated person of forests and forest land which, at the time of acquisition or immediately thereafter, are subject to a conservation restriction described in subsection (c)(2).

(5) SPECIAL RULES.—In applying the Internal Revenue Code of 1986 to any qualified forest conservation bond, the following modifications shall apply:

(A) Section 146 of such Code (relating to volume cap) shall not apply.

(B) For purposes of section 147(b) of such Code (relating to maturity may not exceed 120 percent of economic life), the land and standing timber acquired with proceeds of qualified forest conservation bonds shall have an economic life of 35 years.

(C) Subsections (c) and (d) of section 147 of such Code (relating to limitations on acquisition of land and existing property) shall not apply.

(6) TREATMENT OF CURRENT REFUNDING BONDS.—Paragraphs (2)(B) and (3) shall not apply to any bond (or series of bonds) issued to refund a qualified forest conservation bond issued before the date which is 36 months after the date of the enactment of this Act, if—

(A) the average maturity date of the issue of which the refunding bond is a part is not later than the average maturity date of the bonds to be refunded by such issue,

(B) the amount of the refunding bond does not exceed the outstanding amount of the refunded bond, and

(C) the net proceeds of the refunding bond are used to redeem the refunded bond not later than 90 days after the date of the issuance of the refunding bond.

For purposes of subparagraph (A), average maturity shall be determined in accordance with section 147(b)(2)(A) of such Code.

(7) EFFECTIVE DATE.—This subsection shall apply to obligations issued on or after the date which is 180 days after the date of the enactment of this Act.

(b) ITEMS FROM QUALIFIED HARVESTING ACTIVITIES NOT SUBJECT TO TAX OR TAKEN INTO ACCOUNT.—

(1) IN GENERAL.—Income, gains, deductions, losses, or credits from a qualified harvesting activity conducted by a qualified organization shall not be subject to tax or taken into account under subtitle A of the Internal Revenue Code of 1986.

(2) LIMITATION.—The amount of income excluded from gross income under paragraph (1) for any taxable year shall not exceed the amount used by the qualified organization to make debt service payments during such taxable year for qualified forest conservation bonds.

(3) QUALIFIED HARVESTING ACTIVITY.—For purposes of paragraph (1)—

(A) IN GENERAL.—The term "qualified harvesting activity" means the sale, lease, or harvesting, of standing timber—

(i) on land owned by a qualified organization which was acquired with proceeds of qualified forest conservation bonds, and

(ii) pursuant to a qualified conservation plan adopted by the qualified organization.

(B) EXCEPTIONS.—

(i) CESSATION AS QUALIFIED ORGANIZATION.—The term "qualified harvesting activity" shall not include any sale, lease, or harvesting for any period during which the organization ceases to qualify as a qualified organization.

(ii) EXCEEDING LIMITS ON HARVESTING.—The term "qualified harvesting activity" shall not include any sale, lease, or harvesting of standing timber on land acquired with proceeds of qualified forest conservation bonds to the extent that—

(I) the average annual area of timber harvested from such land exceeds 2.5 percent of the total area of such land, or

(II) the quantity of timber removed from such land exceeds the quantity which can be removed from such land annually in perpetuity on a sustained-yield basis with respect to such land.

The limitations under subclauses (I) and (II) shall not apply to post-fire restoration and rehabilitation or sanitation harvesting of timber stands which are substantially damaged by fire, windthrow, or other catastrophes, or which are in imminent danger from insect or disease attack.

(4) TERMINATION.—This subsection shall not apply to any qualified harvesting activity of a qualified organization occurring after the date on which—

(A) there is no outstanding qualified forest conservation bond with respect to such qualified organization, or

(B) any such bond ceases to be a tax-exempt bond.

(5) PARTIAL RECAPTURE OF BENEFITS IF HARVESTING LIMIT EXCEEDED.—If, as of the date that this subsection ceases to apply under paragraph (4)(B), the average annual area of timber harvested from the land exceeds the requirement of subclause (I) or (II) of paragraph (3)(B)(ii), the tax imposed by chapter 1 of the Internal Revenue Code of 1986 shall be increased, under rules prescribed by the Secretary of the Treasury, by the sum of the tax benefits attributable to such excess and interest at the underpayment rate under section 6621 of such Code for the period of the underpayment.

(c) DEFINITIONS.—For purposes of this section—

(1) QUALIFIED CONSERVATION PLAN.—The term "qualified conservation plan" means a multiple land use program or plan which—

(A) is designed and administered primarily for the purposes of protecting and enhancing wildlife and fish, timber, scenic attributes, recreation, and soil and water quality of the forest and forest land,

(B) mandates that conservation of forest and forest land is the single-most significant use of the forest and forest land, and

(C) requires that timber harvesting be consistent with—

(i) restoring and maintaining reference conditions for the region's ecotype,

(ii) restoring and maintaining a representative sample of young, mid, and late successional forest age classes,

(iii) maintaining or restoring the resources' ecological health for purposes of preventing damage from fire, insect, or disease,

(iv) maintaining or enhancing wildlife or fish habitat, or

(v) enhancing research opportunities in sustainable renewable resource uses.

(2) CONSERVATION RESTRICTION.—The conservation restriction described in this paragraph is a restriction which—

(A) is granted in perpetuity to an unrelated person which is described in section 170(h)(3) of such Code and which, in the case of a nongovernmental unit, is organized and operated for conservation purposes,

(B) meets the requirements of clause (ii) or (iii)(II) of section 170(h)(4)(A) of such Code,

(C) obligates the qualified organization to pay the costs incurred by the holder of the conservation restriction in monitoring compliance with such restriction, and

(D) requires an increasing level of conservation benefits to be provided whenever circumstances allow it.

(3) QUALIFIED ORGANIZATION.—The term "qualified organization" means a nonprofit organization—

(A) substantially all the activities of which are charitable, scientific, or educational, including acquiring, protecting, restoring, managing, and developing forest lands and other renewable resources for the long-term charitable, educational, scientific, and public benefit,

(B) which periodically conducts educational programs designed to inform the public of environmentally sensitive forestry management and conservation techniques,

(C) which has at all times a board of directors—

(i) at least 20 percent of the members of which are representatives of the conservation community,

(ii) at least 20 percent of the members of which are public officials, and

(iii) not more than one-third of the members of which are individuals who are or were at any time within 5 years before the beginning of a term of membership on the board, an employee of, independent contractor with respect to, officer of, director of, or held a material financial interest in, a commercial forest products enterprise with which the qualified organization has a contractual or other financial arrangement,

(D) the bylaws of which require at least two-thirds of the members of the board of directors to vote affirmatively to approve the qualified conservation plan and any change thereto, and

(E) upon dissolution, is required to dedicate its assets to—

(i) an organization described in section 501(c)(3) of such Code which is organized and operated for conservation purposes, or

(ii) a governmental unit described in section 170(c)(1) of such Code.

(4) UNRELATED PERSON.—The term "unrelated person" means a person who is not a related person.

(5) RELATED PERSON.—A person shall be treated as related to another person if—

(A) such person bears a relationship to such other person described in section 267(b) (determined without regard to paragraph (9) thereof), or 707(b)(1), of such Code, determined by substituting "25 percent" for "50 percent" each place it appears therein, and

(B) in the case such other person is a nonprofit organization, if such person controls directly or indirectly more than 25 percent of the governing body of such organization.

SEC. 12212. DEDUCTION FOR QUALIFIED TIMBER GAIN.

(a) IN GENERAL.—Part I of subchapter P of chapter 1 is amended by adding at the end the following new section:

"SEC. 1203. DEDUCTION FOR QUALIFIED TIMBER GAIN.

"(a) IN GENERAL.—In the case of a taxpayer which elects the application of this section for a taxable year, there shall be allowed a deduction against gross income in an amount equal to 60 percent of the lesser of—

"(1) the taxpayer's qualified timber gain for such year, or

"(2) the taxpayer's net capital gain for such year.

"(b) QUALIFIED TIMBER GAIN.—For purposes of this section, the term 'qualified timber gain' means, with respect to any taxpayer for any taxable year, the excess (if any) of—

"(1) the sum of the taxpayer's gains described in subsections (a) and (b) of section 631 for such year, over

"(2) the sum of the taxpayer's losses described in such subsections for such year.

"(c) SPECIAL RULES FOR PASS-THRU ENTITIES.—

"(1) In the case of any qualified timber gain of a pass-thru entity (as defined in section 1(h)(10)) other than a real estate investment trust, the election under this section shall be made separately by each taxpayer subject to tax on such gain.

"(2) In the case of any qualified timber gain of a real estate investment trust, the election under this section shall be made by the real estate investment trust.

"(d) ELECTION.—An election under this section may be made only with respect to the first taxable year beginning after the date of the enactment of this section.".

(b) COORDINATION WITH MAXIMUM CAPITAL GAINS RATES.—

(1) TAXPAYERS OTHER THAN CORPORATIONS.—Paragraph (2) of section 1(h) is amended to read as follows:

"(2) REDUCTION OF NET CAPITAL GAIN.—For purposes of this subsection, the net capital gain for any taxable year shall be reduced (but not below zero) by the sum of—

"(A) the amount which the taxpayer takes into account as investment income under section 163(d)(4)(B)(iii), and

"(B) in the case of a taxable year with respect to which an election is in effect under section 1203, the lesser of—

"(i) the amount described in paragraph (1) of section 1203(a), or

"(ii) the amount described in paragraph (2) of such section.".

(2) CORPORATIONS.—Section 1201 is amended by redesignating subsection (b) as subsection (c) and inserting after subsection (a) the following new subsection:

"(b) QUALIFIED TIMBER GAIN NOT TAKEN INTO ACCOUNT.—For purposes of this section, in the case of a corporation with respect to which an election is in effect under section 1203, the net capital gain for any taxable year shall be reduced (but not below zero) by the corporation's qualified timber gain (as defined in section 1203(b)).".

(c) DEDUCTION ALLOWED WHETHER OR NOT INDIVIDUAL ITEMIZES OTHER DEDUCTIONS.—Subsection (a) of section 62 is amended by inserting before the last sentence the following new paragraph:

"(22) QUALIFIED TIMBER GAINS.—The deduction allowed by section 1203.".

(d) DEDUCTION ALLOWED IN COMPUTING ADJUSTED CURRENT EARNINGS.—Subparagraph (C) of section 56(g)(4) is amended by adding at the end the following new clause:

"(vii) DEDUCTION FOR QUALIFIED TIMBER GAIN.—Clause (i) shall not apply to any deduction allowed under section 1203.".

(e) DEDUCTION ALLOWED IN COMPUTING TAXABLE INCOME OF ELECTING SMALL BUSINESS TRUSTS.—Subparagraph (C) of section 641(c)(2) is amended by inserting after clause (iii) the following new clause:

"(iv) The deduction allowed under section 1203.".

(f) TREATMENT OF QUALIFIED TIMBER GAIN OF REAL ESTATE INVESTMENT TRUSTS.—Paragraph (3) of section 857(b) is amended by inserting after subparagraph (F) the following new subparagraph:

"(G) TREATMENT OF QUALIFIED TIMBER GAIN.—For purposes of this part, in the case of a real estate investment trust with respect to which an election is in effect under section 1203—

"(i) REDUCTION OF NET CAPITAL GAIN.—The net capital gain of the real estate investment trust for any taxable year shall be reduced (but not below zero) by the real estate investment trust's qualified timber gain (as defined in section 1203(b)).

"(ii) ADJUSTMENT TO SHAREHOLDER'S BASIS ATTRIBUTABLE TO DEDUCTION FOR QUALIFIED TIMBER GAINS.—

"(I) IN GENERAL.—The adjusted basis of shares in the hands of the shareholder shall be increased by the amount of the deduction allowable under section 1203(a) as provided in subclauses (II) and (III).

"(II) ALLOCATION OF BASIS INCREASE FOR DISTRIBUTIONS MADE DURING TAXABLE YEAR.—For any taxable year of a real estate investment trust for which an election is in effect under section 1203, in the case of a distribution made with respect to shares during such taxable year of amounts attributable to the deduction allowable under section 1203(a), the adjusted basis of such shares shall be increased by the amount of such distributions.

"(III) ALLOCATION OF EXCESS.—If the deduction allowable under section 1203(a) for a taxable year exceeds the amount of distributions described in subclause (II), the excess shall be allocated to every shareholder of the real estate investment trust at the close of the trust's taxable year in the same manner as if a distribution of such excess were made with respect to such shares.

"(IV) DESIGNATIONS.—To the extent provided in regulations, a real estate investment trust shall designate the amounts described in subclauses (II) and (III) in a manner similar to the designations provided with respect to capital gains described in subparagraphs (C) and (D).

"(V) DEFINITIONS.—As used in this subparagraph, the terms 'share' and 'shareholder' shall include beneficial interests and holders of beneficial interests, respectively.

"(iii) EARNINGS AND PROFITS DEDUCTION FOR QUALIFIED TIMBER GAINS.—The deduction allowable under section 1203(a) for a taxable year shall be allowed as a deduction in computing the earnings and profits of the real estate investment trust for such taxable year. The earnings and profits of any such shareholder which is a corporation shall be appropriately adjusted in accordance with regulations prescribed by the Secretary.".

(g) LOSS ATTRIBUTABLE TO BASIS ADJUSTMENT FOR DEDUCTION FOR QUALIFIED TIMBER GAIN OF REAL ESTATE INVESTMENT TRUSTS.—

(1) Section 857(b)(8) is amended by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively, and by inserting after subparagraph (A) the following new subparagraph:

"(B) LOSS ATTRIBUTABLE TO BASIS ADJUSTMENT FOR DEDUCTION FOR QUALIFIED TIMBER GAIN.—If—

"(i) a shareholder of a real estate investment trust receives a basis adjustment provided under subsection (b)(3)(G)(ii), and

"(ii) the taxpayer has held such share or interest for 6 months or less,

then any loss on the sale or exchange of such share or interest shall, to the extent of the amount described in clause (i), be disallowed.".

(2) Subparagraph (D) of section 857(b)(8), as redesignated by paragraph (1), is amended by striking "subparagraph (A)" and inserting "subparagraphs (A) and (B)".

(h) CONFORMING AMENDMENTS.—

(1) Subparagraph (B) of section 172(d)(2) is amended to read as follows:

"(B) the exclusion under section 1202, and the deduction under section 1203, shall not be allowed.".

(2) Paragraph (4) of section 642(c) is amended by striking the first sentence and inserting "To the extent that the amount otherwise allowable as a deduction under this subsection consists of gain described in section 1202(a) or qualified timber gain (as defined in section 1203(b)), proper adjustment shall be made for any exclusion allowable to the estate or trust under section 1202 and for any deduction allowable to the estate or trust under section 1203."

(3) Paragraph (3) of section 643(a) is amended by striking the last sentence and inserting "The exclusion under section 1202 and the deduction under section 1203 shall not be taken into account.".

(4) Subparagraph (C) of section 643(a)(6) is amended to read as follows:

"(C) Paragraph (3) shall not apply to a foreign trust. In the case of such a trust—

"(i) there shall be included gains from the sale or exchange of capital assets, reduced by losses from such sales or exchanges to the extent such losses do not exceed gains from such sales or exchanges, and

"(ii) the deduction under section 1203 shall not be taken into account.".

(5) Paragraph (4) of section 691(c) is amended by inserting "1203," after "1202,".

(6) Paragraph (2) of section 871(a) is amended by inserting "or 1203," after "1202,".

(7) The table of sections for part I of subchapter P of chapter 1 is amended by adding at the end the following new item:

"Sec. 1203. Deduction for qualified timber gain.".

(i) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 12213. EXCISE TAX NOT APPLICABLE TO SECTION 1203 DEDUCTION OF REAL ESTATE INVESTMENT TRUSTS.

(a) IN GENERAL.—

(1) ORDINARY INCOME.—Subparagraph (B) of section 4981(e)(1) is amended to read as follows:

"(B) by not taking into account—

"(i) any gain or loss from the sale or exchange of capital assets (determined without regard to any reduction that would be applied for purposes of section 857(b)(3)(G)(i)), and

"(ii) any deduction allowable under section 1203, and".

(2) CAPITAL GAIN NET INCOME.—Section 4981(e)(2) is amended by adding at the end the following new subparagraph:

"(D) QUALIFIED TIMBER GAIN.—The amount determined under subparagraph (A) shall be determined without regard to any reduction that would be applied for purposes of section 857(b)(3)(G)(i) but shall be reduced for any deduction allowable under section 1203 for such calendar year.".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 12214. TIMBER REIT MODERNIZATION.

(a) IN GENERAL.—Section 856(c)(5) is amended by adding after subparagraph (G) the following new subparagraph:

"(H) TREATMENT OF TIMBER GAINS.—

"(i) IN GENERAL.—Gain from the sale of real property described in paragraph (2)(D) and (3)(C) shall include gain which is—

"(I) recognized by an election under section 631(a) from timber owned by the real estate investment trust, the cutting of which is provided by a taxable REIT subsidiary of the real estate investment trust;

"(II) recognized under section 631(b); or

"(III) income which would constitute gain under subclause (I) or (II) but for the failure to meet the 1-year holding period requirement.

"(ii) SPECIAL RULES.—

"(I) For purposes of this subtitle, cut timber, the gain of which is recognized by a real estate investment trust pursuant to an election under section 631(a) described in clause (i)(I) or so much of clause (i)(III) as relates to clause (i)(I), shall be deemed to be sold to the taxable REIT subsidiary of the real estate investment trust on the first day of the taxable year.

"(II) For purposes of this subtitle, income described in this subparagraph shall not be treated as gain from the sale of property described in section 1221(a)(1).

"(iii) TERMINATION.—This subparagraph shall not apply to dispositions after the termination date.".

(b) TERMINATION DATE.—Subsection (c) of section 856 is amended by adding at the end the following new paragraph:

"(8) TERMINATION DATE.—For purposes of this subsection, the term 'termination date' means the last day of the first taxable year beginning after the date of the enactment of this paragraph.".

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to dispositions in taxable years beginning after the date of the enactment of this Act.

SEC. 12215. MINERAL ROYALTY INCOME QUALIFYING INCOME FOR TIMBER REITS.

(a) IN GENERAL.—Section 856(c)(2) is amended by striking "and" at the end of subparagraph (G), by inserting "and" at the end of subparagraph (H), and by adding after subparagraph (H) the following new subparagraph:

"(I) mineral royalty income earned in the first taxable year beginning after the date of the enactment of this subparagraph from real property owned by a timber real estate investment trust held, or once held, in connection with the trade or business of producing timber by such real estate investment trust;".

(b) TIMBER REAL ESTATE INVESTMENT TRUST.—Section 856(c)(5), as amended by this Act, is amended by adding after subparagraph (H) the following new subparagraph:

"(I) TIMBER REAL ESTATE INVESTMENT TRUST.—The term 'timber real estate investment trust' means a real estate investment trust in which more than 50 percent in value of its total assets consists of real property held in connection with the trade or business of producing timber.".

(c) EFFECTIVE DATE.—The amendments by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 12216. MODIFICATION OF TAXABLE REIT SUBSIDIARY ASSET TEST FOR TIMBER REITS.

(a) IN GENERAL.—Section 856(c)(4)(B)(ii) is amended by inserting "(in the case of a quarter which closes on or before the termination date, 25 percent in the case of a timber real estate investment trust)" after "not more than 20 percent of the value of its total assets is represented by securities of one or more taxable REIT subsidiaries".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 12217. SAFE HARBOR FOR TIMBER PROPERTY.

(a) IN GENERAL.—Section 857(b)(6) (relating to income from prohibited transactions) is amended by adding at the end the following new subparagraph:

"(G) SPECIAL RULES FOR SALES TO QUALIFIED ORGANIZATIONS.—

"(i) IN GENERAL.—In the case of sale of a real estate asset (as defined in section 856(c)(5)(B)) to a qualified organization (as defined in section 170(h)(3)) exclusively for conservation purposes (within the meaning of section 170(h)(1)(C)), subparagraph (D) shall be applied—

"(I) by substituting '2 years' for '4 years' in clause (i), and

"(II) by substituting '2-year period' for '4-year period' in clauses (ii) and (iii).

"(ii) TERMINATION.—This subparagraph shall not apply to sales after the termination date.".

(b) PROHIBITED TRANSACTIONS.—Section 857(b)(6)(D)(v) is amended by inserting "or, in the case of a sale on or before the termination date, a taxable REIT subsidiary" after "independent contractor (as defined in section 856(d)(3)) from whom the trust itself does not derive or receive any income".

(c) SALES THAT ARE NOT PROHIBITED TRANSACTIONS.—Section 857(b)(6), as amended by subsection (a), is amended by adding at the end the following new subparagraph:

"(H) SALES OF PROPERTY THAT ARE NOT A PROHIBITED TRANSACTION.—In the case of a sale on or before the termination date, the sale of property which is not a prohibited transaction through application of subparagraph (D) shall be considered property held for investment or for use in a trade or business and not property described in section 1221(a)(1) for all purposes of this subtitle.".

(d) TERMINATION DATE.—Section 857(b)(6), as amended by subsections (a) and (c), is amended by adding at the end the following new subparagraph:

"(I) TERMINATION DATE.—For purposes of this paragraph, the term 'termination date' means the last day of the first taxable year beginning after the date of the enactment of this subparagraph.".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to dispositions in taxable years beginning after the date of the enactment of this Act.

Subtitle C—Energy Provisions

PART I—ELECTRICITY GENERATION

SEC. 12301. CREDIT FOR RESIDENTIAL AND BUSINESS WIND PROPERTY.

(a) RESIDENTIAL WIND PROPERTY.—

(1) IN GENERAL.—Section 25D(a) (relating to allowance of credit) is amended by striking "and" at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting ", and", and by adding at the end the following new paragraph:

"(4) 30 percent of the qualified small wind energy property expenditures made by the taxpayer during such year.".

(2) LIMITATION.—Section 25D(b)(1) (relating to maximum credit) is amended by striking "and" at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting ", and", and by adding at the end the following new subparagraph:

"(D) $4,000 with respect to any qualified small wind energy property expenditures.".

(3) QUALIFIED SMALL WIND ENERGY PROPERTY EXPENDITURES.—

(A) IN GENERAL.—Section 25D(d) (relating to definitions) is amended by adding at the end the following new paragraph:

"(4) QUALIFIED SMALL WIND ENERGY PROPERTY EXPENDITURE.—The term 'qualified small wind energy property expenditure' means an expenditure for qualified small wind energy property (as defined in section 48(c)(3)(A)) installed on or in connection with a dwelling unit located in the United States and used as a residence by the taxpayer.".

(B) NO DOUBLE BENEFIT.—Section 45(d)(1) (relating to wind facility) is amended by adding at the end the following new sentence: "Such term shall not include any facility with respect to which any qualified small wind energy property expenditure (as defined in subsection (d)(4) of section 25D) is taken into account in determining the credit under such section.".

(4) MAXIMUM EXPENDITURES IN CASE OF JOINT OCCUPANCY.—Section 25D(e)(4)(A) (relating to maximum expenditures) is amended by striking "and" at the end of clause (ii), by striking the period at the end of clause (iii) and inserting ", and", and by adding at the end the following new clause:

"(iv) $1,667 in the case of wind turbines for which qualified small wind energy property expenditures are made.".

(b) BUSINESS WIND PROPERTY.—

(1) IN GENERAL.—Section 48(a)(3)(A) (defining energy property) is amended by striking "or" at the end of clause (iii), by adding "or" at the end of clause (iv), and by inserting after clause (iv) the following new clause:

"(v) qualified small wind energy property,".

(2) 30 PERCENT CREDIT.—Section 48(a)(2)(A)(i) is amended by striking "and" at the end of subclause (II) and by inserting after subclause (III) the following new subclause:

"(IV) qualified small wind energy property, and".

(3) QUALIFIED SMALL WIND ENERGY PROPERTY.—Section 48(c) is amended—

(A) by inserting "; QUALIFIED SMALL WIND ENERGY PROPERTY" after "QUALIFIED MICROTURBINE PROPERTY" in the heading,

(B) by striking "For purposes of this subsection" and inserting "For purposes of this section",

(C) by striking "paragraph (1)" in paragraphs (1)(B) and (2)(B) and inserting "subsection (a)(1)", and

(D) by adding at the end the following new paragraph:

"(3) QUALIFIED SMALL WIND ENERGY PROPERTY.—

"(A) IN GENERAL.—The term 'qualified small wind energy property' means property which uses a qualifying small wind turbine to generate electricity.

"(B) LIMITATION.—In the case of qualified small wind energy property placed in service during the taxable year, the credit otherwise determined under subsection (a)(1) for such year with respect to such property shall not exceed $4,000 with respect to any taxpayer.

"(C) QUALIFYING SMALL WIND TURBINE.—The term 'qualifying small wind turbine' means a wind turbine which—

"(i) has a nameplate capacity of not more than 100 kilowatts, and

"(ii) meets the performance standards of the American Wind Energy Association.

"(D) TERMINATION.—The term 'qualified small wind energy property' shall not include any property for any period after December 31, 2008.".

(4) CONFORMING AMENDMENT.—Section 48(a)(1) is amended by striking "paragraphs (1)(B) and (2)(B)" and inserting "paragraphs (1)(B), (2)(B), and (3)(B)".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to expenditures after December 31, 2007.

SEC. 12302. LANDOWNER INCENTIVE TO ENCOURAGE ELECTRIC TRANSMISSION BUILD-OUT.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 (relating to items specifically excluded from gross income) is amended by inserting after section 139A the following new section:

"SEC. 139B. ELECTRIC TRANSMISSION EASEMENT PAYMENTS.

"(a) IN GENERAL.—Gross income shall not include any qualified electric transmission easement payment.

"(b) QUALIFIED ELECTRIC TRANSMISSION EASEMENT PAYMENT.—For purposes of this section, the term 'qualified electric transmission payment' means any payment which is made—

"(1) by an electric utility or electric transmission entity pursuant to an easement or other agreement granted by the payee (or any predecessor of such payee), and

"(2) for the right of such entity (or any successors of such entity) to locate on such payee's property transmission lines and equipment used to transmit electricity at 230 or more kilovolts, primarily from qualified facilities described in section 45(d) (without regard to any placed in service date or the last sentence of paragraph (4) thereof) or energy property (as defined in section 48(a)(3)) placed in service after the date of the enactment of this section.

"(c) NO INCREASE IN BASIS.—Notwithstanding any other provision of this subtitle, no increase in the basis or adjusted basis of any property shall result from any amount excluded under this subsection with respect to such property.

"(d) DENIAL OF DOUBLE BENEFIT.—Notwithstanding any other provision of this subtitle, no deduction or credit shall be allowed (to the person for whose benefit a qualified electric transmission easement payment is made) for, or by reason of, any expenditure to the extent of the amount excluded under this section with respect to such expenditure.".

(b) CLERICAL AMENDMENT.—The table of sections for such part III is amended by inserting after the item relating to section 139A the following new item:

"Sec. 139B. Electric transmission easement payments.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to payments received after the date of the enactment of this Act.

SEC. 12303. EXCEPTION TO REDUCTION OF RENEWABLE ELECTRICITY CREDIT.

(a) IN GENERAL.—Section 45(b)(3) (relating to credit reduced for grants, tax-exempt bonds, subsidized energy financing, and other credits) is amended by adding after the last sentence the following: "This paragraph shall not apply with respect to any loans, loan guarantees, or grants issued by the Secretary of Agriculture under authority granted by section 9006 of the Farm Security and Rural Investment Act of 2002."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to facilities placed in service after the date of the enactment of this Act.

PART II—ALCOHOL FUEL

SEC. 12311. EXPANSION OF SPECIAL ALLOWANCE TO CELLULOSIC BIOMASS ALCOHOL FUEL PLANT PROPERTY.

(a) IN GENERAL.—Paragraph (3) of section 168(l) (relating to special allowance for cellulosic biomass ethanol plant property) is amended to read as follows:

"(3) CELLULOSIC BIOMASS ALCOHOL.—For purposes of this subsection, the term 'cellulosic biomass alcohol' means any alcohol produced from any lignocellulosic or hemicellulosic matter that is available on a renewable or recurring basis.".

(b) CONFORMING AMENDMENTS.—

(1) Subsection (l) of section 168 is amended by striking "cellulosic biomass ethanol" each place it appears and inserting "cellulosic biomass alcohol".

(2) The heading of section 168(l) is amended by striking "CELLULOSIC BIOMASS ETHANOL" and inserting "CELLULOSIC BIOMASS ALCOHOL".

(3) The heading of paragraph (2) of section 168(l) is amended by striking "CELLULOSIC BIOMASS ETHANOL" and inserting "CELLULOSIC BIOMASS ALCOHOL".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act, in taxable years ending after such date.

SEC. 12312. CREDIT FOR PRODUCTION OF CELLULOSIC BIOMASS ALCOHOL.

(a) IN GENERAL.—Subsection (a) of section 40 (relating to alcohol used as fuel) is amended by striking "plus" at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting ", plus", and by adding at the end the following new paragraph:

"(4) the small cellulosic alcohol producer credit.".

(b) SMALL CELLULOSIC ALCOHOL PRODUCER CREDIT.—

(1) IN GENERAL.—Subsection (b) of section 40 is amended by adding at the end the following new paragraph:

"(6) SMALL CELLULOSIC ALCOHOL PRODUCER CREDIT.—

"(A) IN GENERAL.—In addition to any other credit allowed under this section, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the applicable amount for each gallon of not more than 60,000,000 gallons of qualified cellulosic alcohol production.

"(B) APPLICABLE AMOUNT.—For purposes of subparagraph (A), the applicable amount means the excess of—

"(i) $1.28, over

"(ii) the sum of—

"(I) the amount of the credit in effect for alcohol which is ethanol under subsection (b)(1) (without regard to subsection (b)(3)) at the time of the qualified cellulosic alcohol production, plus

"(II) the amount of the credit in effect under subsection (b)(4) at the time of such production.

"(C) QUALIFIED CELLULOSIC ALCOHOL PRODUCTION.—For purposes of this section, the term 'qualified cellulosic alcohol production' means any cellulosic biomass alcohol which is produced by an eligible small cellulosic alcohol producer and which during the taxable year—

"(i) is sold by the taxpayer to another person—

"(I) for use by such other person in the production of a qualified alcohol mixture in such other person's trade or business (other than casual off-farm production),

"(II) for use by such other person as a fuel in a trade or business, or

"(III) who sells such cellulosic biomass alcohol at retail to another person and places such cellulosic biomass alcohol in the fuel tank of such other person, or

"(ii) is used or sold by the taxpayer for any purpose described in clause (i).

"(D) ADDITIONAL DISTILLATION EXCLUDED.—The qualified cellulosic alcohol production of any taxpayer for any taxable year shall not include any alcohol which is purchased by the taxpayer and with respect to which such producer increases the proof of the alcohol by additional distillation.

"(E) APPLICATION OF PARAGRAPH.—This paragraph shall apply with respect to qualified cellulosic alcohol production after December 31, 2007, and before April 1, 2015.".

(2) TERMINATION DATE NOT TO APPLY.—Subsection (e) of section 40 (relating to termination) is amended—

(A) by inserting "or subsection (b)(6)(E)" after "by reason of paragraph (1)" in paragraph (2), and

(B) by adding at the end the following new paragraph:

"(3) EXCEPTION FOR SMALL CELLULOSIC ALCOHOL PRODUCER CREDIT.—Paragraph (1) shall not apply to the portion of the credit allowed under this section by reason of subsection (a)(4).".

(c) ELIGIBLE SMALL CELLULOSIC ALCOHOL PRODUCER.—Section 40 is amended by adding at the end the following new subsection:

"(i) DEFINITIONS AND SPECIAL RULES FOR SMALL CELLULOSIC ALCOHOL PRODUCER.—For purposes of this section—

"(1) IN GENERAL.—The term 'eligible small cellulosic alcohol producer' means a person, who at all times during the taxable year, has a productive capacity for cellulosic biomass alcohol not in excess of 60,000,000 gallons.

"(2) CELLULOSIC BIOMASS ALCOHOL.—

"(A) IN GENERAL.—The term 'cellulosic biomass alcohol' has the meaning given such term under section 168(l)(3), but does not include any alcohol with a proof of less than 150.

"(B) DETERMINATION OF PROOF.—The determination of the proof of any alcohol shall be made without regard to any added denaturants.

"(3) AGGREGATION RULE.—For purposes of the 60,000,000 gallon limitation under paragraph (1) and subsection (b)(6)(A), all members of the same controlled group of corporations (within the meaning of section 267(f)) and all persons under common control (within the meaning of section 52(b) but determined by treating an interest of more than 50 percent as a controlling interest) shall be treated as 1 person.

"(4) PARTNERSHIP, S CORPORATIONS, AND OTHER PASS-THRU ENTITIES.—In the case of a partnership, trust, S corporation, or other pass-thru entity, the limitation contained in paragraph (1) shall be applied at the entity level and at the partner or similar level.

"(5) ALLOCATION.—For purposes of this subsection, in the case of a facility in which more than 1 person has an interest, productive capacity shall be allocated among such persons in such manner as the Secretary may prescribe.

"(6) REGULATIONS.—The Secretary may prescribe such regulations as may be necessary to prevent the credit provided for in subsection (a)(4) from directly or indirectly benefitting any person with a direct or indirect productive capacity of more than 60,000,000 gallons of cellulosic biomass alcohol during the taxable year.

"(7) ALLOCATION OF SMALL CELLULOSIC PRODUCER CREDIT TO PATRONS OF COOPERATIVE.—Rules similar to the rules under subsection (g)(6) shall apply for purposes of this subsection.".

(d) ALCOHOL NOT USED AS A FUEL, ETC.—

(1) IN GENERAL.—Paragraph (3) of section 40(d) is amended by redesignating subparagraph (D) as subparagraph (E) and by inserting after subparagraph (C) the following new subparagraph:

"(D) SMALL CELLULOSIC ALCOHOL PRODUCER CREDIT.—If—

"(i) any credit is allowed under subsection (a)(4), and

"(ii) any person does not use such fuel for a purpose described in subsection (b)(6)(C),

then there is hereby imposed on such person a tax equal to the applicable amount for each gallon of such cellulosic biomass alcohol.".

(2) CONFORMING AMENDMENTS.—

(A) Subparagraph (C) of section 40(d)(3) is amended by striking "PRODUCER" in the heading and inserting "SMALL ETHANOL PRODUCER".

(B) Subparagraph (E) of section 40(d)(3), as redesignated by paragraph (1), is amended by striking "or (C)" and inserting "(C), or (D)".

(e) ALCOHOL PRODUCED IN THE UNITED STATES.—Section 40(d), as amended by this section, is amended by adding at the end the following new paragraph:

"(6) SPECIAL RULE FOR SMALL CELLULOSIC ALCOHOL PRODUCERS.—No small cellulosic alcohol producer credit shall be determined under subsection (a) with respect to any alcohol unless such alcohol is produced in the United States.".

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel produced after December 31, 2007.

SEC. 12313. EXTENSION OF SMALL ETHANOL PRODUCER CREDIT.

Paragraph (1) of section 40(e) (relating to termination) is amended—

(1) in subparagraph (A), by inserting "(December 31, 2012, in the case of the credit allowed by reason of subsection (a)(3))" after "December 31, 2010", and

(2) in subparagraph (B), by inserting "(January 1, 2013, in the case of the credit allowed by reason of subsection (a)(3))" after "January 1, 2011".

SEC. 12314. CREDIT FOR PRODUCERS OF FOSSIL FREE ALCOHOL.

(a) IN GENERAL.—Subsection (a) of section 40 (relating to alcohol used as fuel), as amended by this Act, is amended by striking "plus" at the end of paragraph (3), by striking the period at the end of paragraph (4) and inserting ", plus", and by adding at the end the following new paragraph:

"(5) the small fossil free alcohol producer credit.".

(b) SMALL FOSSIL FREE ALCOHOL PRODUCER CREDIT.—Subsection (b) of section 40, as amended by this Act, is amended by adding at the end the following new paragraph:

"(7) SMALL FOSSIL FREE ALCOHOL PRODUCER CREDIT.—

"(A) IN GENERAL.—In addition to any other credit allowed under this section, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 10 cents for each gallon of not more than 60,000,000 gallons of qualified fossil free alcohol production.

"(B) QUALIFIED FOSSIL FREE ALCOHOL PRODUCTION.—For purposes of this section, the term 'qualified fossil free alcohol production' means alcohol which is produced by an eligible small fossil free alcohol producer at a fossil free alcohol production facility and which during the taxable year—

"(i) is sold by the taxpayer to another person—

"(I) for use by such other person in the production of a qualified alcohol mixture in such other person's trade or business (other than casual off-farm production),

"(II) for use by such other person as a fuel in a trade or business, or

"(III) who sells such alcohol at retail to another person and places such alcohol in the fuel tank of such other person, or "(ii) is used or sold by the taxpayer for any purpose described in clause (i).

"(C) ADDITIONAL DISTILLATION EXCLUDED.—The qualified fossil free alcohol production of any taxpayer for any taxable year shall not include any alcohol which is purchased by the taxpayer and with respect to which such producer increases the proof of the alcohol by additional distillation.".

(c) ELIGIBLE SMALL FOSSIL FREE ALCOHOL PRODUCER.—Section 40, as amended by this Act, is amended by adding at the end the following new subsection:

"(j) DEFINITIONS AND SPECIAL RULES FOR SMALL FOSSIL FREE ALCOHOL PRODUCER.—For purposes of this section—

"(1) IN GENERAL.—The term 'eligible small fossil free alcohol producer' means a person, who at all times during the taxable year, has a productive capacity for alcohol from all fossil free alcohol production facilities of the taxpayer which is not in excess of 60,000,000 gallons.

"(2) FOSSIL FREE ALCOHOL PRODUCTION FACILITY.—The term 'fossil free alcohol production facility' means any facility at which 90 percent of the energy used in the production of alcohol is produced from biomass (as defined in section 45K(c)(3)).

"(3) AGGREGATION RULE.—For purposes of the 60,000,000 gallon limitation under paragraph (1) and subsection (b)(7)(A), all members of the same controlled group of corporations (within the meaning of section 267(f)) and all persons under common control (within the meaning of section 52(b) but determined by treating an interest of more than 50 percent as a controlling interest) shall be treated as 1 person.

"(4) PARTNERSHIP, S CORPORATIONS, AND OTHER PASS-THRU ENTITIES.—In the case of a partnership, trust, S corporation, or other pass-thru entity, the limitation contained in paragraph (1) shall be applied at the entity level and at the partner or similar level.

"(5) ALLOCATION.—For purposes of this subsection, in the case of a facility in which more than 1 person has an interest, productive capacity shall be allocated among such persons in such manner as the Secretary may prescribe.

"(6) REGULATIONS.—The Secretary may prescribe such regulations as may be necessary to prevent the credit provided for in subsection (a)(5) from directly or indirectly benefitting any person with a direct or indirect productive capacity of more than 60,000,000 gallons of alcohol from fossil free alcohol production facilities during the taxable year.

"(7) ALLOCATION OF SMALL FOSSIL FREE ALCOHOL PRODUCER CREDIT TO PATRONS OF COOPERATIVE.—Rules similar to the rules under subsection (g)(6) shall apply for purposes of this subsection.".

(d) ALCOHOL NOT USED AS A FUEL, ETC.—

(1) IN GENERAL.—Paragraph (3) of section 40(d), as amended by this Act, is amended by redesignating subparagraph (E) as subparagraph (F) and by inserting after subparagraph (D) the following new subparagraph:

"(E) SMALL FOSSIL FREE ALCOHOL PRODUCER CREDIT.—If—

"(i) any credit is allowed under subsection (a)(5), and

"(ii) any person does not use such fuel for a purpose described in subsection (b)(7)(B),

then there is hereby imposed on such person a tax equal to 10 cents for each gallon of such alcohol.".

(2) CONFORMING AMENDMENT.—Subparagraph (F) of section 40(d)(3), as redesignated by paragraph (1) and amended by this Act, is amended by striking "or (D)" and inserting "(D), or (E)".

(e) ALCOHOL PRODUCED IN THE UNITED STATES.—Section 40(d)(6), as added by section 312 of this Act, is amended—

(1) by inserting "or small fossil free alcohol producer credit" after "cellulosic alcohol producer credit", and

(2) by inserting "**and fossil free**" after "**cellulosic**" in the heading.

(f) TERMINATION.—Paragraph (1) of section 40(e), as amended by this Act, is amended—

(1) in subparagraph (A), by inserting ", and December 31, 2011, in the case of the credit allowed by reason of subsection (a)(5)" after "subsection (a)(3)", and

(2) in subparagraph (B), by inserting ", and January 1, 2012, in the case of the credit allowed by reason of subsection (a)(5)" after "subsection (a)(3)".

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel produced after December 31, 2007.

SEC. 12315. MODIFICATION OF ALCOHOL CREDIT.

(a) INCOME TAX CREDIT.—Subsection (h) of section 40 (relating to reduced credit for ethanol blenders) is amended by adding at the end the following new paragraph:

"(3) REDUCED AMOUNT AFTER SALE OF 7,500,000,000 GALLONS.—

"(A) IN GENERAL.—In the case of any calendar year beginning after the date described in subparagraph (B), the last row in the table in paragraph (2) shall be applied by substituting '46 cents' for '51 cents'.

"(B) DATE DESCRIBED.—The date described in this subparagraph is the first date on which 7,500,000,000 gallons of ethanol (including cellulosic ethanol) have been produced in or imported into the United States after the date of the enactment of this paragraph, as certified by the Secretary, in consultation with the Administrator of the Environmental Protection Agency.".

(b) EXCISE TAX CREDIT.—

(1) IN GENERAL.—Paragraph (2) of section 6426(b) (relating to alcohol fuel mixture credit) is amended by adding at the end the following new subparagraph:

"(C) REDUCED AMOUNT AFTER SALE OF 7,500,000,000 GALLONS.—In the case of any alcohol fuel mixture produced in a calendar year beginning after the date described in section 40(h)(3)(B), subparagraph (A) shall be applied by substituting '46 cents' for '51 cents'.".

(2) CONFORMING AMENDMENT.—Subparagraph (A) of section 6426(b)(2) is amended by striking "subparagraph (B)" and inserting "subparagraphs (B) and (C)".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 12316. CALCULATION OF VOLUME OF ALCOHOL FOR FUEL CREDITS.

(a) IN GENERAL.—Paragraph (4) of section 40(d) (relating to volume of alcohol) is amended by striking "the volume of alcohol" and all that follows and inserting "the volume of alcohol shall not include any denaturant added to such alcohol.".

(b) CONFORMING AMENDMENT FOR EXCISE TAX CREDIT.—Section 6426(b) (relating to alcohol fuel mixture credit) is amended by redesignating paragraph (5) as paragraph (6) and by inserting after paragraph (4) the following new paragraph:

"(5) VOLUME OF ALCOHOL.—For purposes of determining under subsection (a) the number of gallons of alcohol with respect to which a credit is allowable under subsection (a), the volume of alcohol shall not include any denaturant added to such alcohol.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2007.

SEC. 12317. ETHANOL TARIFF EXTENSION.

Headings 9901.00.50 and 9901.00.52 of the Harmonized Tariff Schedule of the United States are each amended in the effective period column by striking "1/1/2009" and inserting "1/1/2011".

SEC. 12318. LIMITATIONS ON, AND REDUCTIONS OF, DUTY DRAWBACK ON CERTAIN IMPORTED ETHANOL.

(a) IN GENERAL.—Section 313(p) of the Tariff Act of 1930 (19 U.S.C. 1313(p)) is amended by adding at the end the following new paragraph:

"(5) SPECIAL RULES FOR ETHYL ALCOHOL.—For purposes of this subsection, an exported article that does not contain ethyl alcohol or a mixture of ethyl alcohol shall not be treated as the same kind and quality as a qualified article that does contain ethyl alcohol or a mixture of ethyl alcohol.".

(b) LIMITATIONS ON, AND REDUCTIONS OF, DRAWBACKS.—Section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) is amended by adding at the end the following new subsection:

"(z) LIMITATIONS ON, AND REDUCTIONS OF, DRAWBACKS.—

"(1) LIMITATIONS.—

"(A) IN GENERAL.—Ethyl alcohol or mixture containing ethyl alcohol described in subparagraph (B) may be treated as being of the same kind and quality under subsection (b) of this section or may be treated as being commercially interchangeable with any other ethyl alcohol or mixture containing ethyl alcohol under subsection (j)(2) of this section, only if the other ethyl alcohol or mixture—

"(i) if imported, is subject to the additional duty under subheading 9901.00.50 of the Harmonized Tariff Schedule of the United States; or

"(ii) if domestic, is suitable for use as a fuel or in a mixture to be used as a fuel as described in such subheading 9901.00.50.

"(B) ETHYL ALCOHOL OR MIXTURE CONTAINING ETHYL ALCOHOL DESCRIBED.—Ethyl alcohol or mixture containing ethyl alcohol described in this subparagraph means—

"(i) ethyl alcohol classifiable under subheading 2207.10.60 or 2207.20.00 of the Harmonized Tariff Schedule of the United States, or

"(ii) a mixture containing ethyl alcohol classifiable under heading 2710 or 3824 of the Harmonized Tariff Schedule of the United States,

which, if imported would be subject to additional duty under subheading 9901.00.50 of such Schedule.

"(2) REDUCTION OF DRAWBACK.—For purposes of subsections (b), (j)(2), and (p) of this section, the amount of the refund as drawback under this section shall be reduced by an amount equal to any Federal tax credit or refund of any Federal tax paid on the merchandise with respect to which the drawback is claimed.".

(c) EFFECTIVE DATE.—The amendments made by this section apply to articles exported on or after the date that is 15 days after the date of the enactment of this Act.

PART III—BIODIESEL AND RENEWABLE DIESEL FUEL

SEC. 12321. EXTENSION AND MODIFICATION OF CREDIT FOR BIODIESEL AND RENEWABLE DIESEL USED AS FUEL.

(a) EXTENSION.—

(1) INCOME TAX CREDITS FOR BIODIESEL AND RENEWABLE DIESEL AND SMALL AGRI-BIODIESEL PRODUCER CREDIT.—Section 40A(g) (relating to termination) is amended by striking "December 31, 2008" and inserting "December 31, 2010 (December 31, 2012, in the case of the credit allowed by reason of subsection (a)(3))".

(2) EXCISE TAX CREDIT.—Section 6426(c)(6) (relating to termination) is amended by striking "2008" and inserting "2010".

(3) FUELS NOT USED FOR TAXABLE PURPOSES.—Section 6427(e)(5)(B) (relating to termination) is amended by striking "2008" and inserting "2010".

(b) MODIFICATION OF CREDIT FOR RENEWABLE DIESEL.—Section 40A(f) (relating to renewable diesel) is amended by adding at the end the following new paragraph:

"(4) SPECIAL RULE FOR CO-PROCESSED RENEWABLE DIESEL.—In the case of a taxpayer which produces renewable diesel through the co-processing of biomass and petroleum at any facility, this subsection shall not apply to so much of the renewable diesel produced at such facility and sold or used during the taxable year in a mixture described in subsection (b)(1)(B) as exceeds 60,000,000 gallons.".

(c) MODIFICATION RELATING TO DEFINITION OF AGRI-BIODIESEL.—Paragraph (2) of section 40A(d) (relating to agri-biodiesel) is amended by striking "and mustard seeds" and inserting "mustard seeds, and camelina".

(d) EFFECTIVE DATES.—The amendments made by this section shall apply to fuel sold or used after the date of the enactment of this Act.

SEC. 12322. TREATMENT OF QUALIFIED ALCOHOL FUEL MIXTURES AND QUALIFIED BIODIESEL FUEL MIXTURES AS TAXABLE FUELS.

(a) IN GENERAL.—

(1) QUALIFIED ALCOHOL FUEL MIXTURES.—Paragraph (2) of section 4083(a) (relating to gasoline) is amended—

(A) by striking "and" at the end of subparagraph (A),

(B) by redesignating subparagraph (B) as subparagraph (C), and

(C) by inserting after subparagraph (A) the following new subparagraph:

"(B) includes any qualified mixture (as defined in section 40(b)(1)(B)), and".

(2) QUALIFIED BIODIESEL FUEL MIXTURES.—Subparagraph (A) of section 4083(a)(3) (relating to diesel fuel) is amended by striking "and" at the end of clause (ii), by redesignating clause (iii) as clause (iv), and inserting after clause (ii) the following new clause:

"(iii) any qualified biodiesel mixture (as defined in section 40A(b)(1)(B)), and".

(b) MODIFICATION OF BIODIESEL CERTIFICATION REQUIREMENT.—Paragraph (4) of section 40A(b) is amended by striking "which identifies" and all that follows and inserting "which—

"(A) identifies the product produced and the percentage of biodiesel and agri-biodiesel in the product, and

"(B) documents that the biodiesel was independently tested and meets the requirements of ASTM D6751.".

(c) INFORMATION REPORTING REQUIREMENT FOR PRODUCERS OF QUALIFIED MIXTURES.—Section 4101(d) (relating to information reporting) is amended to read as follows:

"(d) INFORMATION REPORTING.—The Secretary—

"(1) may require—

"(A) information reporting by any person registered under this section, and

"(B) information reporting by such other persons as the Secretary deems necessary to carry out this part, and

"(2) shall require information reporting by any person registered under this section and producing any qualified mixture (as defined in section 40(b)(1)(B)) or any qualified biodiesel mixture (as defined in section 40A(b)(1)(B)).

Any person who is required to report under this subsection and who has 25 or more reportable transactions in a month shall file such report in electronic format.".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to fuels removed, entered, or sold after December 31, 2007.

PART IV—ALTERNATIVE FUEL

SEC. 12331. EXTENSION AND MODIFICATION OF ALTERNATIVE FUEL CREDIT.

(a) EXTENSION.—

(1) ALTERNATIVE FUEL CREDIT.—Paragraph (4) of section 6426(d) (relating to alternative fuel credit) is amended by striking "September 30, 2009" and inserting "December 31, 2010".

(2) ALTERNATIVE FUEL MIXTURE CREDIT.—Paragraph (3) of section 6426(e) (relating to alternative fuel mixture credit) is amended by striking "September 30, 2009" and inserting "December 31, 2010".

(3) PAYMENTS.—Subparagraph (C) of section 6427(e)(5) (relating to termination) is amended by striking "September 30, 2009" and inserting "December 31, 2010".

(b) MODIFICATIONS.—

(1) ALTERNATIVE FUEL TO INCLUDE COMPRESSED OR LIQUIFIED BIOMASS GAS.—Paragraph (2) of section 6426(d) (relating to alternative fuel credit) is amended by striking "and" at the end of subparagraph (E), by redesignating subparagraph (F) as subparagraph (G), and by inserting after subparagraph (E) the following new subparagraph:

"(F) compressed or liquefied biomass gas, and".

(2) CREDIT ALLOWED FOR AVIATION USE OF FUEL.—Paragraph (1) of section 6426(d) is amended by inserting "sold by the taxpayer for use as a fuel in aviation," after "motorboat,".

(c) CARBON CAPTURE REQUIREMENT FOR CERTAIN FUELS.—

(1) IN GENERAL.—Subsection (d) of section 6426, as amended by subsection (a), is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph:

"(4) CARBON CAPTURE REQUIREMENT.—

"(A) IN GENERAL.—The requirements of this paragraph are met if the fuel is certified, under such procedures as required by the Secretary, as having been derived from coal produced at a gasification facility which separates and sequesters not less than the applicable percentage of such facility's total carbon dioxide emissions.

"(B) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A), the applicable percentage is—

"(i) 50 percent in the case of fuel produced after the date of the enactment of this paragraph and on or before the earlier of—

"(I) the date the Secretary makes a determination under subparagraph (C), or

"(II) December 30, 2010, and

"(ii) 75 percent in the case of fuel produced after the date on which the applicable percentage under clause (i) ceases to apply.

"(C) DETERMINATION TO INCREASE APPLICABLE PERCENTAGE BEFORE DECEMBER 31, 2010.—If the Secretary, after considering the recommendations of the Carbon Sequestration Capability Panel, finds that the applicable percentage under subparagraph (B) should be 75 percent for fuel produced before December 31, 2010, the Secretary shall make a determination under this subparagraph. Any determination made under this subparagraph shall be made not later than 30 days after the Secretary receives from the Carbon Sequestration Panel the report required under section 331(c)(3)(D) of the Heartland, Habitat, Harvest, and Horticulture Act of 2007.".

(2) CONFORMING AMENDMENT.—Subparagraph (E) of section 6426(d)(2) is amended by inserting "which meets the requirements of paragraph (4) and which is" after "any liquid fuel".

(3) CARBON SEQUESTRATION CAPABILITY PANEL.—

(A) ESTABLISHMENT OF PANEL.—There is established a panel to be known as the "Carbon Sequestration Capability Panel" (hereafter in this paragraph referred to as the "Panel").

(B) MEMBERSHIP.—The Panel shall be composed of—

(i) 1 representative from the National Academy of Sciences,

(ii) 1 representative from the University of Kentucky Center for Applied Energy Research, and

(iii) 1 individual appointed jointly by the representatives under clauses (i) and (ii).

(C) STUDY.—The Panel shall study the appropriate percentage of carbon dioxide for separation and sequestration under section 6426(d)(4) of the Internal Revenue Code of 1986 consistent with the purposes of such section. The panel shall consider whether it is feasible to separate and sequester 75 percent of the carbon dioxide emissions of a facility, including costs and other factors associated with separating and sequestering such percentage of carbon dioxide emissions.

(D) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Panel shall report to the Secretary of Treasury, the Committee on Finance of the Senate, and the Committee on Ways and Means of the House of Representatives on the study under subparagraph (C).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after the date of the enactment of this Act.

SEC. 12332. EXTENSION OF ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY CREDIT.

Paragraph (2) of section 30C(g) (relating to termination) is amended by striking "December 31, 2009" and inserting "December 31, 2010".

Subtitle D—Agricultural Provisions

SEC. 12401. INCREASE IN LOAN LIMITS ON AGRICULTURAL BONDS.

(a) IN GENERAL.—Subparagraph (A) of section 147(c)(2) (relating to exception for first-time farmers) is amended by striking "$250,000" and inserting "$450,000".

(b) INFLATION ADJUSTMENT.—Section 147(c)(2) is amended by adding at the end the following new subparagraph:

"(H) ADJUSTMENTS FOR INFLATION.—In the case of any calendar year after 2008, the dollar amount in subparagraph (A) shall be increased by an amount equal to—

"(i) such dollar amount, multiplied by

"(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2007' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as increased under the preceding sentence is not a multiple of $100, such amount shall be rounded to the nearest multiple of $100.".

(c) MODIFICATION OF SUBSTANTIAL FARMLAND DEFINITION.—Section 147(c)(2)(E) (defining substantial farmland) is amended by striking "unless" and all that follows through the period and inserting "unless such parcel is smaller than 30 percent of the median size of a farm in the county in which such parcel is located.".

(d) CONFORMING AMENDMENT.—Section 147(c)(2)(C)(i)(II) is amended by striking "$250,000" and inserting "the amount in effect under subparagraph (A)".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after the date of the enactment of this Act.

SEC. 12402. MODIFICATION OF INSTALLMENT SALE RULES FOR CERTAIN FARM PROPERTY.

(a) IN GENERAL.—Section 453(i) (relating to recognition of recapture income in year of disposition) is amended by adding at the end the following new paragraph:

"(3) EXCEPTION FOR CERTAIN FARM PROPERTY.—Paragraph (1) shall not apply to any installment sale of any single purpose agricultural or horticultural structure or any tree or vine bearing fruit or nuts eligible for classification as 10-year property under section 168(e)(3)(D).".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to installment sales occurring after the date of the enactment of this Act.

SEC. 12403. ALLOWANCE OF SECTION 1031 TREATMENT FOR EXCHANGES INVOLVING CERTAIN MUTUAL DITCH, RESERVOIR, OR IRRIGATION COMPANY STOCK.

(a) IN GENERAL.—Section 1031 (relating to exchange of property held for productive use or investment) is amended by adding at the end the following new subsection:

"(i) SPECIAL RULES FOR MUTUAL DITCH, RESERVOIR, OR IRRIGATION COMPANY STOCK.—For purposes of subsection (a)(2)(B), the term 'stocks' shall not include shares in a mutual ditch, reservoir, or irrigation company if at the time of the exchange—

"(1) the mutual ditch, reservoir, or irrigation company is an organization described in section 501(c)(12)(A) (determined without regard to the percentage of its income that is collected from its members for the purpose of meeting losses and expenses), and

"(2) the shares in such company have been recognized by the highest court of the State in which such company was organized or by applicable State statute as constituting or representing real property or an interest in real property.".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to exchanges completed after the date of the enactment of this Act.

SEC. 12404. CREDIT TO HOLDERS OF RURAL RENAISSANCE BONDS.

(a) IN GENERAL.—Subpart H of part IV of subchapter A of chapter 1 (relating to credits against tax) is amended by adding at the end the following new section:

"SEC. 54A. CREDIT TO HOLDERS OF RURAL RENAISSANCE BONDS.

"(a) ALLOWANCE OF CREDIT.—In the case of a taxpayer who holds a rural renaissance bond on 1 or more credit allowance dates of the bond occurring during any taxable year, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of the credits determined under subsection (b) with respect to such dates.

"(b) AMOUNT OF CREDIT.—

"(1) IN GENERAL.—The amount of the credit determined under this subsection with respect to any credit allowance date for a rural renaissance bond is 25 percent of the annual credit determined with respect to such bond.

"(2) ANNUAL CREDIT.—The annual credit determined with respect to any rural renaissance bond is the product of—

"(A) the credit rate determined by the Secretary under paragraph (3) for the day on which such bond was sold, multiplied by

"(B) the outstanding face amount of the bond.

"(3) DETERMINATION.—For purposes of paragraph (2), with respect to any rural renaissance bond, the Secretary shall determine daily or caused to be determined daily a credit rate which shall apply to the first day on which there is a binding, written contract for the sale or exchange of the bond. The credit rate for any day is the credit rate which the Secretary or the Secretary's designee estimates will permit the issuance of rural renaissance bonds with a specified maturity or redemption date without discount and without interest cost to the qualified issuer.

"(4) CREDIT ALLOWANCE DATE.—For purposes of this section, the term 'credit allowance date' means—

"(A) March 15,

"(B) June 15,

"(C) September 15, and

"(D) December 15.

Such term also includes the last day on which the bond is outstanding.

"(5) SPECIAL RULE FOR ISSUANCE AND REDEMPTION.—In the case of a bond which is issued during the 3-month period ending on a credit allowance date, the amount of the credit determined under this subsection with respect to such credit allowance date shall be a ratable portion of the credit otherwise determined based on the portion of the 3-month period during which the bond is outstanding. A similar rule shall apply when the bond is redeemed or matures.

"(c) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess of—

"(1) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

"(2) the sum of the credits allowable under this part (other than subpart C, section 1400N(l), and this section).

"(d) RURAL RENAISSANCE BOND.—For purposes of this section—

"(1) IN GENERAL.—The term 'rural renaissance bond' means any bond issued as part of an issue if—

"(A) the bond is issued by a qualified issuer pursuant to an allocation by the Secretary to such issuer of a portion of the national rural renaissance bond limitation under subsection (f)(2),

"(B) 95 percent or more of the proceeds from the sale of such issue are to be used for capital expenditures incurred by qualified borrowers for 1 or more qualified projects,

"(C) the qualified issuer designates such bond for purposes of this section and the bond is in registered form,

"(D) the issue meets the requirements of subsection (h), and

"(E) such bond is not a federally guaranteed bond (within the meaning of section 149(b)(2)).

"(2) QUALIFIED PROJECT; SPECIAL USE RULES.—

"(A) IN GENERAL.—The term 'qualified project' means 1 or more projects described in subparagraph (B) located in a rural area.

"(B) PROJECTS DESCRIBED.—A project described in this subparagraph is a project eligible for assistance under—

"(i) the utilities programs described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d(d)(2)),

"(ii) the distance learning or telemedicine programs authorized pursuant to chapter 1 of subtitle D of title XXIII of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa et seq.),

"(iii) the rural electric programs authorized pursuant to the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.),

"(iv) the rural telephone programs authorized pursuant to the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.),

"(v) the broadband access programs authorized pursuant to title VI of the Rural Electrification Act of 1936 (7 U.S.C. 950bb et seq.), and

"(vi) the rural community facility programs as described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d(d)(1)).

"(C) REFINANCING RULES.—For purposes of paragraph (1)(B), a qualified project may be refinanced with proceeds of a rural renaissance bond only if the indebtedness being refinanced (including any obligation directly or indirectly refinanced by such indebtedness) was originally incurred by a qualified borrower after the date of the enactment of this section.

"(D) REIMBURSEMENT.—For purposes of paragraph (1)(B), a rural renaissance bond may be issued to reimburse a qualified borrower for amounts paid after the date of the enactment of this section with respect to a qualified project, but only if—

"(i) prior to the payment of the original expenditure, the qualified borrower declared its intent to reimburse such expenditure with the proceeds of a rural renaissance bond,

"(ii) not later than 60 days after payment of the original expenditure, the qualified issuer adopts an official intent to reimburse the original expenditure with such proceeds, and

"(iii) the reimbursement is made not later than 18 months after the date the original expenditure is paid.

"(E) TREATMENT OF CHANGES IN USE.—For purposes of paragraph (1)(B), the proceeds of an issue shall not be treated as used for a qualified project to the extent that a qualified borrower or qualified issuer takes any action within its control which causes such proceeds not to be used for a qualified project. The Secretary shall prescribe regulations specifying remedial actions that may be taken (including conditions to taking such remedial actions) to prevent an action described in the preceding sentence from causing a bond to fail to be a rural renaissance bond.

"(F) TREATMENT OF OTHER SUBSIDIES.—For purposes of subparagraph (B), a qualified project does not include any portion of a project financed by grants or subsidized financing provided (directly or indirectly) under a Federal program, including any State or local obligation used to provide financing for such portion the interest on which is exempt from tax under section 103.

"(e) MATURITY LIMITATIONS.—

"(1) DURATION OF TERM.—A bond shall not be treated as a rural renaissance bond if the maturity of such bond exceeds the maximum term determined by the Secretary under paragraph (2) with respect to such bond.

"(2) MAXIMUM TERM.—During each calendar month, the Secretary shall determine the maximum term permitted under this paragraph for bonds issued during the following calendar month. Such maximum term shall be the term which the Secretary estimates will result in the present value of the obligation to repay the principal on the bond being equal to 50 percent of the face amount of such bond. Such present value shall be determined without regard to the requirements of paragraph (3) and using as a discount rate the average annual interest rate of tax-exempt obligations having a term of 10 years or more which are issued during the month. If the term as so determined is not a multiple of a whole year, such term shall be rounded to the next highest whole year.

"(3) RATABLE PRINCIPAL AMORTIZATION REQUIRED.—A bond shall not be treated as a rural renaissance bond unless it is part of an issue which provides for an equal amount of principal to be paid by the qualified issuer during each calendar year that the issue is outstanding.

"(f) LIMITATION ON AMOUNT OF BONDS DESIGNATED.—

"(1) NATIONAL LIMITATION.—There is a national rural renaissance bond limitation of $400,000,000.

"(2) ALLOCATION BY SECRETARY.—

"(A) IN GENERAL.—In accordance with subparagraph (B), the Secretary shall allocate the amount described in paragraph (1) among at least 20 qualified projects, or such lesser number of qualified projects with proper applications filed after 12 months after the adoption of the selection process under subparagraph (B).

"(B) SELECTION PROCESS.—In consultation with the Secretary of Agriculture, the Secretary shall adopt a process to select projects described in subparagraph (A). Under such process, the Secretary shall not allocate more than 15 percent of the allocation under subparagraph (A) to qualified projects within a single State.

"(g) CREDIT INCLUDED IN GROSS INCOME.—Gross income includes the amount of the credit allowed to the taxpayer under this section (determined without regard to subsection (c)) and the amount so included shall be treated as interest income.

"(h) SPECIAL RULES RELATING TO EXPENDITURES.—

"(1) IN GENERAL.—An issue shall be treated as meeting the requirements of this subsection if, as of the date of issuance, the qualified issuer reasonably expects—

"(A) at least 95 percent of the proceeds from the sale of the issue are to be spent for 1 or more qualified projects within the 5-year period beginning on the date of issuance of the rural renaissance bond,

"(B) a binding commitment with a third party to spend at least 10 percent of the proceeds from the sale of the issue will be incurred within the 6-month period beginning on the date of issuance of the rural renaissance bond or, in the case of a rural renaissance bond the proceeds of which are to be loaned to 2 or more qualified borrowers, such binding commitment will be incurred within the 6-month period beginning on the date of the loan of such proceeds to a qualified borrower, and

"(C) such projects will be completed with due diligence and the proceeds from the sale of the issue will be spent with due diligence.

"(2) EXTENSION OF PERIOD.—Upon submission of a request prior to the expiration of the period described in paragraph (1)(A), the Secretary .may extend such period if the qualified issuer establishes that the failure to satisfy the 5-year requirement is due to reasonable cause and the related projects will continue to proceed with due diligence.

"(3) FAILURE TO SPEND REQUIRED AMOUNT OF BOND PROCEEDS WITHIN 5 YEARS.—To the extent that less than 95 percent of the proceeds of such issue are expended by the close of the 5-year period beginning on the date of issuance (or if an extension has been obtained under paragraph (2), by the close of the extended period), the qualified issuer shall redeem all of the nonqualified bonds within 90 days after the end of such period. For purposes of this paragraph, the amount of the nonqualified bonds required to be redeemed shall be determined in the same manner as under section 142.

"(i) SPECIAL RULES RELATING TO ARBITRAGE.—A bond which is part of an issue shall not be treated as a rural renaissance bond unless, with respect to the issue of which the bond is a part, the qualified issuer satisfies the arbitrage requirements of section 148 with respect to proceeds of the issue.

"(j) DEFINITIONS AND SPECIAL RULES RELATING TO ISSUERS AND BORROWERS.—For purposes of this section—

"(1) QUALIFIED ISSUER.—The term 'qualified issuer' means—

"(A) a rural renaissance bond lender,

"(B) a cooperative electric company, or

"(C) a governmental body.

"(2) QUALIFIED BORROWER.—The term 'qualified borrower' means—

"(A) a mutual or cooperative electric company described in section 501(c)(12) or 1381(a)(2)(C), or

"(B) a governmental body.

"(3) RURAL RENAISSANCE BOND LENDER.—The term 'rural renaissance bond lender' means a lender which is a cooperative which is owned by, or has outstanding loans to, 100 or more cooperative electric companies and is in existence on February 1, 2002, and shall include any affiliated entity which is controlled by such lender.

"(4) COOPERATIVE ELECTRIC COMPANY.—The term 'cooperative electric company' means a mutual or cooperative electric company described in section 501(c)(12) or section 1381(a)(2)(C), or a not-for-profit electric utility which has received a loan or loan guarantee under the Rural Electrification Act.

"(5) GOVERNMENTAL BODY.—The term 'governmental body' means any State, territory, possession of the United States, the District of Columbia, Indian tribal government, and any political subdivision thereof.

"(k) SPECIAL RULES RELATING TO POOL BONDS.—No portion of a pooled financing bond may be allocable to loan unless the borrower has entered into a written loan commitment for such portion prior to the issue date of such issue.

"(l) OTHER DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

"(1) BOND.—The term 'bond' includes any obligation.

"(2) POOLED FINANCING BOND.—The term 'pooled financing bond' shall have the meaning given such term by section 149(f)(4)(A).

"(3) RURAL AREA.—The term 'rural area' shall have the meaning given such term by section 1393(a)(2).

"(4) PARTNERSHIP; S CORPORATION; AND OTHER PASS-THRU ENTITIES.—

"(A) IN GENERAL.—Under regulations prescribed by the Secretary, in the case of a partnership, trust, S corporation, or other pass-thru entity, rules similar to the rules of section 41(g) shall apply with respect to the credit allowable under subsection (a).

"(B) NO BASIS ADJUSTMENT.—In the case of a bond held by a partnership or an S corporation, rules similar to the rules under section 1397E(i) shall apply.

"(5) BONDS HELD BY REGULATED INVESTMENT COMPANIES.—If any rural renaissance bond is held by a regulated investment company, the credit determined under subsection (a) shall be allowed to shareholders of such company under procedures prescribed by the Secretary.

"(6) REPORTING.—Issuers of rural renaissance bonds shall submit reports similar to the reports required under section 149(e).

"(7) TERMINATION.—This section shall not apply with respect to any bond issued after December 31, 2008.".

(b) REPORTING.—Subsection (d) of section 6049 (relating to returns regarding payments of interest) is amended by adding at the end the following new paragraph:

"(9) REPORTING OF CREDIT ON RURAL RENAISSANCE BONDS.—

"(A) IN GENERAL.—For purposes of subsection (a), the term 'interest' includes amounts includible in gross income under section 54A(g) and such amounts shall be treated as paid on the credit allowance date (as defined in section 54A(b)(4)).

"(B) REPORTING TO CORPORATIONS, ETC.—Except as otherwise provided in regulations, in the case of any interest described in subparagraph (A), subsection (b)(4) shall be applied without regard to subparagraphs (A), (H), (I), (J), (K), and (L)(i) of such subsection.

"(C) REGULATORY AUTHORITY.—The Secretary may prescribe such regulations as are necessary or appropriate to carry out the purposes of this paragraph, including regulations which require more frequent or more detailed reporting.".

(c) CONFORMING AMENDMENTS.—

(1) The table of sections for subpart H of part IV of subchapter A of chapter 1 is amended by adding at the end the following new item:

"Sec. 54A. Credit to holders of rural renaissance bonds.".

(2) Section 54(c)(2) is amended by inserting "section 54A," after "subpart C,".

(d) ISSUANCE OF REGULATIONS.—The Secretary of Treasury shall issue regulations required under section 54A (as added by this section) not later than 120 days after the date of the enactment of this Act.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after the date of the enactment of this Act.

SEC. 12405. AGRICULTURAL CHEMICALS SECURITY CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business related credits) is amended by adding at the end the following new section:

"SEC. 45O. AGRICULTURAL CHEMICALS SECURITY CREDIT.

"(a) IN GENERAL.—For purposes of section 38, in the case of an eligible agricultural business, the agricultural chemicals security credit determined under this section for the taxable year is 30 percent of the qualified security expenditures for the taxable year.

"(b) FACILITY LIMITATION.—The amount of the credit determined under subsection (a) with respect to any facility for any taxable year shall not exceed—

"(1) $100,000, reduced by

"(2) the aggregate amount of credits determined under subsection (a) with respect to such facility for the 5 prior taxable years.

"(c) ANNUAL LIMITATION.—The amount of the credit determined under subsection (a) with respect to any taxpayer for any taxable year shall not exceed $2,000,000.

"(d) QUALIFIED CHEMICAL SECURITY EXPENDITURE.—For purposes of this section, the term 'qualified chemical security expenditure' means, with respect to any eligible agricultural business for any taxable year, any amount paid or incurred by such business during such taxable year for—

"(1) employee security training and background checks,

"(2) limitation and prevention of access to controls of specified agricultural chemicals stored at the facility,

"(3) tagging, locking tank valves, and chemical additives to prevent the theft of specified agricultural chemicals or to render such chemicals unfit for illegal use,

"(4) protection of the perimeter of specified agricultural chemicals, "(5) installation of security lighting, cameras, recording equipment, and intrusion detection sensors,

"(6) implementation of measures to increase computer or computer network security,

"(7) conducting a security vulnerability assessment,

"(8) implementing a site security plan, and

"(9) such other measures for the protection of specified agricultural chemicals as the Secretary may identify in regulation.

Amounts described in the preceding sentence shall be taken into account only to the extent that such amounts are paid or incurred for the purpose of protecting specified agricultural chemicals.

"(e) ELIGIBLE AGRICULTURAL BUSINESS.—For purposes of this section, the term 'eligible agricultural business' means any person in the trade or business of—

"(1) selling agricultural products, including specified agricultural chemicals, at retail predominantly to farmers and ranchers, or

"(2) manufacturing, formulating, distributing, or aerially applying specified agricultural chemicals.

"(f) SPECIFIED AGRICULTURAL CHEMICAL.—For purposes of this section, the term 'specified agricultural chemical' means—

"(1) any fertilizer commonly used in agricultural operations which is listed under—

"(A) section 302(a)(2) of the Emergency Planning and Community Right-to-Know Act of 1986,

"(B) section 101 of part 172 of title 49, Code of Federal Regulations, or

"(C) part 126, 127, or 154 of title 33, Code of Federal Regulations, and

"(2) any pesticide (as defined in section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act), including all active and inert ingredients thereof, which is customarily used on crops grown for food, feed, or fiber.

"(g) CONTROLLED GROUPS.—Rules similar to the rules of paragraphs (1) and (2) of section 41(f) shall apply for purposes of this section.

"(h) REGULATIONS.—The Secretary may prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section, including regulations which—

"(1) provide for the proper treatment of amounts which are paid or incurred for purpose of protecting any specified agricultural chemical and for other purposes, and

"(2) provide for the treatment of related properties as one facility for purposes of subsection (b).

"(i) TERMINATION.—This section shall not apply to any amount paid or incurred after December 31, 2012.".

(b) CREDIT ALLOWED AS PART OF GENERAL BUSINESS CREDIT.—Section 38(b) is amended by striking "plus" at the end of paragraph (30), by striking the period at the end of paragraph (31) and inserting ", plus", and by adding at the end the following new paragraph:

"(32) in the case of an eligible agricultural business (as defined in section 45O(e)), the agricultural chemicals security credit determined under section 45O(a).".

(c) DENIAL OF DOUBLE BENEFIT.—Section 280C is amended by adding at the end the following new subsection:

"(f) CREDIT FOR SECURITY OF AGRICULTURAL CHEMICALS.—No deduction shall be allowed for that portion of the expenses otherwise allowable as a deduction taken into account in determining the credit under section 45O for the taxable year which is equal to the amount of the credit determined for such taxable year under section 45O(a).".

(d) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 is amended by adding at the end the following new item:

"Sec. 45O. Agricultural chemicals security credit.".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act.

SEC. 12406. CREDIT FOR DRUG SAFETY AND EFFECTIVENESS TESTING FOR MINOR ANIMAL SPECIES.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business related credits), as amended by this Act, is amended by adding at the end the following new section:

"SEC. 45P. DRUG SAFETY AND EFFECTIVENESS TESTING FOR MINOR ANIMAL SPECIES.

"(a) ALLOWANCE OF CREDIT.—For purposes of section 38, in the case of an eligible taxpayer, the drug safety and effectiveness testing for minor animal species credit determined under this section for the taxable year shall be an amount equal to 50 percent of the qualified safety and effectiveness testing expenses paid or incurred by the taxpayer during the taxable year.

"(b) ELIGIBLE TAXPAYER.—For purposes of this section, the term 'eligible taxpayer' any taxpayer—

"(1) which—

"(A) applies for the designation of a new animal drug for use on a minor animal species under section 573 of the Federal Food, Drug, and Cosmetic Act, or

"(B) owns animals which are the subject of safety and effectiveness testing, and

"(2) which elects the application of this section for the taxable year.

"(c) QUALIFIED SAFETY AND EFFECTIVENESS TESTING EXPENSES.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified safety and effectiveness testing expenses' means the sum of the following amounts which are paid or incurred by the eligible taxpayer during the taxable year in carrying on any trade or business of such taxpayer:

"(A) In-house safety and effectiveness testing expenses.

"(B) Contract safety and effectiveness testing expenses.

Such term does not include any amount to the extent such amount is funded by any grant, contract, or otherwise by another person (or any governmental entity).

"(2) IN-HOUSE SAFETY AND EFFECTIVENESS TESTING EXPENSES.—

"(A) IN GENERAL.—The term 'in-house safety and effectiveness testing expenses' means—

"(i) any wages paid or incurred to an employee for qualified services performed by such employee,

"(ii) any amount paid or incurred for supplies used in the conduct of safety and effectiveness testing, and

"(iii) under regulations prescribed by the Secretary, any amount paid or incurred to another person for the right to use computers in the conduct of safety and effectiveness testing.

Clause (iii) shall not apply to any amount to the extent that the taxpayer (or any person with whom the taxpayer must aggregate expenditures under rules specified under subsection (f)(2)) receives or accrues any amount from any other person for the right to use substantially identical personal property.

"(B) QUALIFIED SERVICES.—The term 'qualified services' means services consisting of—

"(i) engaging in safety and effectiveness testing, or

"(ii) engaging in the direct supervision or direct support of such testing.

If substantially all of the services performed by an individual for the taxpayer during the taxable year consists of services meeting the requirements of clause (i) or (ii), the term 'qualified services' means all of the services performed by such individual for the taxpayer during the taxable year.

"(C) WAGES AND SUPPLIES.—The terms 'wages' and 'supplies' have the meanings given such terms by section 41(b).

"(3) CONTRACT SAFETY AND EFFECTIVENESS TESTING EXPENSES.—

"(A) IN GENERAL.—The term 'contract safety and effectiveness testing expenses' means any amount paid or incurred by the taxpayer to any person (other than an employee of the taxpayer) for safety and effectiveness testing.

"(B) PREPAID AMOUNTS.—If any contract safety and effectiveness testing expenses paid or incurred during any taxable year are attributable to safety and effectiveness testing to be conducted after the close of such taxable year, such amount shall be treated as paid or incurred during the period during which the safety and effectiveness testing is conducted.

"(d) SAFETY AND EFFECTIVENESS TESTING.—For purposes of this section—

"(1) IN GENERAL.—The term 'safety and effectiveness testing' means any testing which—

"(A) is related to the use of a new animal drug for use on a minor animal species for which it was designated under section 573 of the Federal Food, Drug, and Cosmetic Act,

"(B) is carried out under an exemption for such new animal drug under section 512(j) of such Act (or regulations issued under such section),

"(C) occurs—

"(i) after the date on which the application for designation of such new animal drug under section 573 of such Act is filed, and

"(ii) before the date on which such application is approved under section 512(c) of such Act, and

"(D) which is conducted by or on behalf of an eligible taxpayer.

"(2) MINOR ANIMAL SPECIES.—

"(A) IN GENERAL.—The term 'minor animal species' means animals, other than humans, which are not major animal species.

"(B) MAJOR ANIMAL SPECIES.—The term 'major animal species' means cattle, horses, swine, chickens, turkeys, dogs, cats, and any other species as determined by the Secretary, after consultation with the Secretary of Agriculture.

"(e) TREATMENT OF QUALIFIED SAFETY AND EFFECTIVENESS TESTING EXPENSES.—

"(1) IN GENERAL.—Except as provided in paragraph (2), any qualified safety and effectiveness testing expenses for a taxable year to which an election under this section applies shall not be taken into account for purposes of determining the credit allowable under section 41 for such taxable year.

"(2) TREATED AS BASE PERIOD RESEARCH EXPENSES.—Any qualified safe and effectiveness testing expenses for any taxable year which are qualified research expenses (within the meaning of section 41(b)) shall be taken into account in determining base period research expenses for purposes of applying section 41 to subsequent taxable years.

“(f) SPECIAL RULES.—

“(1) LIMITATION.—No credit shall be allowed under this section with respect to any safety and effectiveness testing conducted by a corporation to which an election under section 936 applies.

“(2) AGGREGATION OF EXPENDITURES AND ALLOCATIONS OF CREDIT.—Rules similar to the rules of paragraphs (1) and (2) of section 41(f) and section 41(g) shall apply for purposes of this section.”.

(b) CREDIT ALLOWED AS PART OF GENERAL BUSINESS CREDIT.—Section 38(b), as amended by this Act, is amended by striking “plus” at the end of paragraph (31), by striking the period at the end of paragraph (32) and inserting “, plus”, and by adding at the end the following new paragraph:

“(33) the drug safety and effectiveness testing for minor animal species credit determined under section 45P(a).”.

(c) DENIAL OF DOUBLE BENEFIT.—Section 280C, as amended by this Act, is amended by adding at the end the following new subsection:

“(g) DRUG SAFETY AND EFFECTIVENESS TESTING FOR MINOR ANIMAL SPECIES CREDIT.—

“(1) IN GENERAL.—No deduction shall be allowed for that portion of the qualified safety and effectiveness testing expenses (as defined in section 45P(c)(1)) otherwise allowable as a deduction for the taxable year which is equal to the amount of the credit determined for such taxable year under section 45P(a).

“(2) SIMILAR RULE WHERE TAXPAYER CAPITALIZES RATHER THAN DEDUCTS EXPENSES.—If—

“(A) the amount of the credit determined for the taxable year under section 45P(a), exceeds

“(B) the amount allowable as a deduction for such taxable year for qualified safety and effectiveness testing expenses (determined without regard to paragraph (1)),

the amount chargeable to capital account for the taxable year for such expenses shall be reduced by the amount of such excess.

“(3) CONTROLLED GROUPS.—Paragraph (3) of subsection (b) shall apply for purposes of this subsection.”.

(d) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1, as amended by this Act, is amended by adding at the end the following new item:

“Sec. 45P. Drug safety and effectiveness testing for minor animal species.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act.

SEC. 12407. CERTAIN FARMING BUSINESS MACHINERY AND EQUIPMENT TREATED AS 5-YEAR PROPERTY.

(a) IN GENERAL.—Section 168(e)(3)(B) (defining 5-year property) is amended by striking “and” at the end of clause (v), by striking the period at the end of clause (vi)(III) and inserting “, and”, and by inserting after clause (vi) the following new clause:

“(vii) any machinery or equipment (other than any grain bin, cotton ginning asset, fence, or other land improvement) which is used in a farming business (as defined in section 263A(e)(4)), the original use of which commences with the taxpayer after the date of the enactment of this clause, and which is placed in service before January 1, 2010.”.

(b) ALTERNATIVE SYSTEM.—The table contained in section 168(g)(3)(B) (relating to special rule for certain property assigned to classes) is amended by inserting after the item relating to subparagraph (B)(iii) the following:

“(B)(vii) .... 10”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

SEC. 12408. EXPENSING OF BROADBAND INTERNET ACCESS EXPENDITURES.

(a) IN GENERAL.—Part VI of subchapter B of chapter 1 (relating to itemized deductions for individuals and corporations) is amended by inserting after section 190 the following new section:

“SEC. 191. BROADBAND EXPENDITURES.

“(a) TREATMENT OF EXPENDITURES.—

“(1) IN GENERAL.—A taxpayer may elect to treat any qualified broadband expenditure which is paid or incurred by the taxpayer as an expense which is not chargeable to a capital account. Any expenditure which is so treated shall be allowed as a deduction.

“(2) ELECTION.—An election under paragraph (1) shall be made at such time and in such manner as the Secretary may prescribe by regulation.

“(b) QUALIFIED BROADBAND EXPENDITURES.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualified broadband expenditure’ means, with respect to any taxable year, any direct or indirect costs incurred after the date of the enactment of this section, and on or before the first December 31 which is 3 years after such date, and properly taken into account with respect to—

“(A) the purchase or installation of qualified equipment (including any upgrades thereto), and

“(B) the connection of such qualified equipment to any qualified subscriber.

“(2) CERTAIN SATELLITE EXPENDITURES EXCLUDED.—Such term shall not include any costs incurred with respect to the launching of any satellite equipment.

“(3) LEASED EQUIPMENT.—Such term shall include so much of the purchase price paid by the lessor of qualified equipment subject to a lease described in subsection (c)(2)(B) as is attributable to expenditures incurred by the lessee which would otherwise be described in paragraph (1).

“(4) LIMITATION WITH REGARD TO CURRENT GENERATION BROADBAND SERVICES.—Only 50 percent of the amounts taken into account under paragraph (1) with respect to qualified equipment through which current generation broadband services are provided shall be treated as qualified broadband expenditures.

“(c) WHEN EXPENDITURES TAKEN INTO ACCOUNT.—For purposes of this section—

“(1) IN GENERAL.—Qualified broadband expenditures with respect to qualified equipment shall be taken into account with respect to the first taxable year in which—

“(A) current generation broadband services are provided through such equipment to qualified subscribers, or

“(B) next generation broadband services are provided through such equipment to qualified subscribers.

“(2) LIMITATION.—

“(A) IN GENERAL.—Qualified expenditures shall be taken into account under paragraph (1) only with respect to qualified equipment—

“(i) the original use of which commences with the taxpayer, and

“(ii) which is placed in service after the date of the enactment of this Act.

“(B) SALE-LEASEBACKS.—For purposes of subparagraph (A), if property—

“(i) is originally placed in service after the date of the enactment of this Act by any person, and

“(ii) sold and leased back by such person within 3 months after the date such property was originally placed in service,

such property shall be treated as originally placed in service not earlier than the date on which such property is used under the leaseback referred to in clause (ii).

“(d) SPECIAL ALLOCATION RULES.—

“(1) CURRENT GENERATION BROADBAND SERVICES.—For purposes of determining the amount of qualified broadband expenditures under subsection (a)(1) with respect to qualified equipment through which current generation broadband services are provided, if the qualified equipment is capable of serving both qualified subscribers and other subscribers, the qualified broadband expenditures shall be multiplied by a fraction—

“(A) the numerator of which is the sum of the number of potential qualified subscribers within the rural areas and the underserved areas which the equipment is capable of serving with current generation broadband services, and

“(B) the denominator of which is the total potential subscriber population of the area which the equipment is capable of serving with current generation broadband services.

“(2) NEXT GENERATION BROADBAND SERVICES.—For purposes of determining the amount of qualified broadband expenditures under subsection (a)(1) with respect to qualified equipment through which next generation broadband services are provided, if the qualified equipment is capable of serving both qualified subscribers and other subscribers, the qualified broadband expenditures shall be multiplied by a fraction—

“(A) the numerator of which is the sum of—

“(i) the number of potential qualified subscribers within the rural areas and underserved areas, plus

“(ii) the number of potential qualified subscribers within the area consisting only of residential subscribers not described in clause (i),

which the equipment is capable of serving with next generation broadband services, and

“(B) the denominator of which is the total potential subscriber population of the area which the equipment is capable of serving with next generation broadband services.

“(e) DEFINITIONS.—For purposes of this section—

“(1) ANTENNA.—The term ‘antenna’ means any device used to transmit or receive signals through the electromagnetic spectrum, including satellite equipment.

“(2) CABLE OPERATOR.—The term ‘cable operator’ has the meaning given such term by section 602(5) of the Communications Act of 1934 (47 U.S.C. 522(5)).

“(3) COMMERCIAL MOBILE SERVICE CARRIER.—The term ‘commercial mobile service carrier’ means any person authorized to provide commercial mobile radio service as defined in section 20.3 of title 47, Code of Federal Regulations.

“(4) CURRENT GENERATION BROADBAND SERVICE.—The term ‘current generation broadband service’ means the transmission of signals at a rate of at least 5,000,000 bits per second to the subscriber and at least 1,000,000 bits per second from the subscriber.

“(5) MULTIPLEXING OR DEMULTIPLEXING.—The term ‘multiplexing’ means the transmission of 2 or more signals over a single channel, and the term ‘demultiplexing’ means the separation of 2 or more signals previously combined by compatible multiplexing equipment.

“(6) NEXT GENERATION BROADBAND SERVICE.—The term ‘next generation broadband service' means the transmission of signals at a rate of at least 100,000,000 bits per second to the subscriber and at least 20,000,000 bits per second from the subscriber.

"(7) NONRESIDENTIAL SUBSCRIBER.—The term 'nonresidential subscriber' means any person who purchases broadband services which are delivered to the permanent place of business of such person.

"(8) OPEN VIDEO SYSTEM OPERATOR.—The term 'open video system operator' means any person authorized to provide service under section 653 of the Communications Act of 1934 (47 U.S.C. 573).

"(9) OTHER WIRELESS CARRIER.—The term 'other wireless carrier' means any person (other than a telecommunications carrier, commercial mobile service carrier, cable operator, open video system operator, or satellite carrier) providing current generation broadband services or next generation broadband service to subscribers through the radio transmission of energy.

"(10) PACKET SWITCHING.—The term 'packet switching' means controlling or routing the path of any digitized transmission signal which is assembled into packets or cells.

"(11) PROVIDER.—The term 'provider' means, with respect to any qualified equipment—

"(A) a cable operator,

"(B) a commercial mobile service carrier,

"(C) an open video system operator,

"(D) a satellite carrier,

"(E) a telecommunications carrier, or

"(F) any other wireless carrier,

providing current generation broadband services or next generation broadband services to subscribers through such qualified equipment.

"(12) PROVISION OF SERVICES.—A provider shall be treated as providing services to 1 or more subscribers if—

"(A) such a subscriber has been passed by the provider's equipment and can be connected to such equipment for a standard connection fee,

"(B) the provider is physically able to deliver current generation broadband services or next generation broadband services, as applicable, to such a subscriber without making more than an insignificant investment with respect to such subscriber,

"(C) the provider has made reasonable efforts to make such subscribers aware of the availability of such services,

"(D) such services have been purchased by 1 or more such subscribers, and

"(E) such services are made available to such subscribers at average prices comparable to those at which the provider makes available similar services in any areas in which the provider makes available such services.

"(13) QUALIFIED EQUIPMENT.—

"(A) IN GENERAL.—The term 'qualified equipment' means equipment which provides current generation broadband services or next generation broadband services—

"(i) at least a majority of the time during periods of maximum demand to each subscriber who is utilizing such services, and

"(ii) in a manner substantially the same as such services are provided by the provider to subscribers through equipment with respect to which no deduction is allowed under subsection (a)(1).

"(B) ONLY CERTAIN INVESTMENT TAKEN INTO ACCOUNT.—Except as provided in subparagraph (C) or (D), equipment shall be taken into account under subparagraph (A) only to the extent it—

"(i) extends from the last point of switching to the outside of the unit, building, dwelling, or office owned or leased by a subscriber in the case of a telecommunications carrier or broadband-over-powerline operator,

"(ii) extends from the customer side of the mobile telephone switching office to a transmission/receive antenna (including such antenna) owned or leased by a subscriber in the case of a commercial mobile service carrier,

"(iii) extends from the customer side of the headend to the outside of the unit, building, dwelling, or office owned or leased by a subscriber in the case of a cable operator or open video system operator, or

"(iv) extends from a transmission/receive antenna (including such antenna) which transmits and receives signals to or from multiple subscribers, to a transmission/receive antenna (including such antenna) on the outside of the unit, building, dwelling, or office owned or leased by a subscriber in the case of a satellite carrier or other wireless carrier, unless such other wireless carrier is also a telecommunications carrier.

"(C) PACKET SWITCHING EQUIPMENT.—Packet switching equipment, regardless of location, shall be taken into account under subparagraph (A) only if it is deployed in connection with equipment described in subparagraph (B) and is uniquely designed to perform the function of packet switching for current generation broadband services or next generation broadband services, but only if such packet switching is the last in a series of such functions performed in the transmission of a signal to a subscriber or the first in a series of such functions performed in the transmission of a signal from a subscriber.

"(D) MULTIPLEXING AND DEMULTIPLEXING EQUIPMENT.—Multiplexing and demultiplexing equipment shall be taken into account under subparagraph (A) only to the extent it is deployed in connection with equipment described in subparagraph (B) and is uniquely designed to perform the function of multiplexing and demultiplexing packets or cells of data and making associated application adaptions, but only if such multiplexing or demultiplexing equipment is located between packet switching equipment described in subparagraph (C) and the subscriber's premises.

"(14) QUALIFIED SUBSCRIBER.—The term 'qualified subscriber' means—

"(A) with respect to the provision of current generation broadband services—

"(i) any nonresidential subscriber maintaining a permanent place of business in a rural area or underserved area, or

"(ii) any residential subscriber residing in a dwelling located in a rural area or underserved area which is not a saturated market, and

"(B) with respect to the provision of next generation broadband services—

"(i) any nonresidential subscriber maintaining a permanent place of business in a rural area or underserved area, or

"(ii) any residential subscriber.

"(15) RESIDENTIAL SUBSCRIBER.—The term 'residential subscriber' means any individual who purchases broadband services which are delivered to such individual's dwelling.

"(16) RURAL AREA.—The term 'rural area' means any census tract which—

"(A) is not within 10 miles of any incorporated or census designated place containing more than 25,000 people, and

"(B) is not within a county or county equivalent which has an overall population density of more than 500 people per square mile of land.

"(17) RURAL SUBSCRIBER.—The term 'rural subscriber' means any residential subscriber residing in a dwelling located in a rural area or nonresidential subscriber maintaining a permanent place of business located in a rural area.

"(18) SATELLITE CARRIER.—The term 'satellite carrier' means any person using the facilities of a satellite or satellite service licensed by the Federal Communications Commission and operating in the Fixed-Satellite Service under part 25 of title 47 of the Code of Federal Regulations or the Direct Broadcast Satellite Service under part 100 of title 47 of such Code to establish and operate a channel of communications for distribution of signals, and owning or leasing a capacity or service on a satellite in order to provide such point-to-multipoint distribution.

"(19) SATURATED MARKET.—The term 'saturated market' means any census tract in which, as of the date of the enactment of this section—

"(A) current generation broadband services have been provided by a single provider to 85 percent or more of the total number of potential residential subscribers residing in dwellings located within such census tract, and

"(B) such services can be utilized—

"(i) at least a majority of the time during periods of maximum demand by each such subscriber who is utilizing such services, and

"(ii) in a manner substantially the same as such services are provided by the provider to subscribers through equipment with respect to which no deduction is allowed under subsection (a)(1).

"(20) SUBSCRIBER.—The term 'subscriber' means any person who purchases current generation broadband services or next generation broadband services.

"(21) TELECOMMUNICATIONS CARRIER.—The term 'telecommunications carrier' has the meaning given such term by section 3(44) of the Communications Act of 1934 (47 U.S.C. 153(44)), but—

"(A) includes all members of an affiliated group of which a telecommunications carrier is a member, and

"(B) does not include a commercial mobile service carrier.

"(22) TOTAL POTENTIAL SUBSCRIBER POPULATION.—The term 'total potential subscriber population' means, with respect to any area and based on the most recent census data, the total number of potential residential subscribers residing in dwellings located in such area and potential nonresidential subscribers maintaining permanent places of business located in such area.

"(23) UNDERSERVED AREA.—The term 'underserved area' means—

"(A) any census tract which is located in—

"(i) an empowerment zone or enterprise community designated under section 1391, or

"(ii) the District of Columbia Enterprise Zone established under section 1400, or

"(B) any census tract—

"(i) the poverty level of which is at least 30 percent (based on the most recent census data), and

"(ii) the median family income of which does not exceed—

"(I) in the case of a census tract located in a metropolitan statistical area, 70 percent of the greater of the metropolitan area median family income or the statewide median family income, and

"(II) in the case of a census tract located in a nonmetropolitan statistical area, 70 percent of the nonmetropolitan statewide median family income.

"(24) UNDERSERVED SUBSCRIBER.—The term 'underserved subscriber' means any residential subscriber residing in a dwelling located in an underserved area or nonresidential subscriber maintaining a permanent place of business located in an underserved area.

"(f) SPECIAL RULES.—

"(1) PROPERTY USED OUTSIDE THE UNITED STATES, ETC., NOT QUALIFIED.—No expenditures shall be taken into account under subsection (a)(1) with respect to the portion of the cost of any property referred to in section 50(b) or with respect to the portion of the cost of any property specified in an election under section 179.

"(2) BASIS REDUCTION.—

"(A) IN GENERAL.—For purposes of this title, the basis of any property shall be reduced by the portion of the cost of such property taken into account under subsection (a)(1).

"(B) ORDINARY INCOME RECAPTURE.—For purposes of section 1245, the amount of the deduction allowable under subsection (a)(1) with respect to any property which is of a character subject to the allowance for depreciation shall be treated as a deduction allowed for depreciation under section 167.

"(3) COORDINATION WITH SECTION 38.—No credit shall be allowed under section 38 with respect to any amount for which a deduction is allowed under subsection (a)(1).".

(b) SPECIAL RULE FOR MUTUAL OR COOPERATIVE TELEPHONE COMPANIES.—Section 512(b) (relating to modifications) is amended by adding at the end the following new paragraph:

"(20) SPECIAL RULE FOR MUTUAL OR COOPERATIVE TELEPHONE COMPANIES.—A mutual or cooperative telephone company which for the taxable year satisfies the requirements of section 501(c)(12)(A) may elect to reduce its unrelated business taxable income for such year, if any, by an amount that does not exceed the qualified broadband expenditures which would be taken into account under section 191 for such year by such company if such company was not exempt from taxation. Any amount which is allowed as a deduction under this paragraph shall not be allowed as a deduction under section 191 and the basis of any property to which this paragraph applies shall be reduced under section 1016(a)(40).".

(c) CONFORMING AMENDMENTS.—

(1) Section 263(a)(1) (relating to capital expenditures) is amended by striking "or" at the end of subparagraph (J), by striking the period at the end of subparagraph (K) and inserting ", or", and by adding at the end the following new subparagraph:

"(L) expenditures for which a deduction is allowed under section 191.".

(2) Section 1016(a), as amended by this Act, is amended by striking "and" at the end of paragraph (38), by striking the period at the end of paragraph (39) and inserting ", and", and by adding at the end the following new paragraph:

"(40) to the extent provided in section 191(f)(2).".

(3) The table of sections for part VI of subchapter A of chapter 1 is amended by inserting after the item relating to section 190 the following new item:

"Sec. 191. Broadband expenditures.".

(d) DESIGNATION OF CENSUS TRACTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall, not later than 90 days after the date of the enactment of this Act, designate and publish those census tracts meeting the criteria described in paragraphs (16), (22), and (23) of section 191(e) of the Internal Revenue Code of 1986 (as added by this section). In making such designations, the Secretary of the Treasury shall consult with such other departments and agencies as the Secretary determines appropriate.

(2) SATURATED MARKET.—

(A) IN GENERAL.—For purposes of designating and publishing those census tracts meeting the criteria described in subsection (e)(19) of such section 191—

(i) the Secretary of the Treasury shall prescribe not later than 30 days after the date of the enactment of this Act the form upon which any provider which takes the position that it meets such criteria with respect to any census tract shall submit a list of such census tracts (and any other information required by the Secretary) not later than 60 days after the date of the publication of such form, and

(ii) the Secretary of the Treasury shall publish an aggregate list of such census tracts and the applicable providers not later than 30 days after the last date such submissions are allowed under clause (i).

(B) NO SUBSEQUENT LISTS REQUIRED.—The Secretary of the Treasury shall not be required to publish any list of census tracts meeting such criteria subsequent to the list described in subparagraph (A)(ii).

(e) OTHER REGULATORY MATTERS.—

(1) PROHIBITION.—No Federal or State agency or instrumentality shall adopt regulations or ratemaking procedures that would have the effect of eliminating or reducing any deduction or portion thereof allowed under section 191 of the Internal Revenue Code of 1986 (as added by this section) or otherwise subverting the purpose of this section.

(2) TREASURY REGULATORY AUTHORITY.—It is the intent of Congress in providing the election to deduct qualified broadband expenditures under section 191 of the Internal Revenue Code of 1986 (as added by this section) to provide incentives for the purchase, installation, and connection of equipment and facilities offering expanded broadband access to the Internet for users in certain low income and rural areas of the United States, as well as to residential users nationwide, in a manner that maintains competitive neutrality among the various classes of providers of broadband services. Accordingly, the Secretary of the Treasury shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of section 191 of such Code, including—

(A) regulations to determine how and when a taxpayer that incurs qualified broadband expenditures satisfies the requirements of section 191 of such Code to provide broadband services, and

(B) regulations describing the information, records, and data taxpayers are required to provide the Secretary to substantiate compliance with the requirements of section 191 of such Code.

SEC. 12409. CREDIT FOR ENERGY EFFICIENT MOTORS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business related credits), as amended by this Act, is amended by inserting at the end the following new section:

"SEC. 45Q. CREDIT FOR ENERGY EFFICIENT MOTORS.

"(a) IN GENERAL.—For purposes of section 38, the energy efficient motors credit determined under this section for any taxable year is an amount equal to the lesser of —

"(1) $15 per horsepower generated by qualified energy efficient motors the original use of which begins with the taxpayer during such taxable year, or

"(2) $1,250,000.

"(b) QUALIFIED ENERGY EFFICIENT MOTOR.—The term 'qualified energy efficient motor' means a general- or definite-purpose electric motor of 500 horsepower or less which meets or exceeds the efficiency levels specified in Tables 12-12 or 12-13 of the National Electrical Manufacturers Association MG-1 (2006).

"(c) SPECIAL RULES.—

"(1) BASIS REDUCTION.—The basis of any property for which a credit is allowable under subsection (a) shall be reduced by the amount of such credit.

"(2) RECAPTURE.—The Secretary shall, by regulations, provide for recapturing the benefit of any credit allowable under subsection (a) with respect to any property which ceases to be property eligible for such credit.

"(3) PROPERTY USED OUTSIDE UNITED STATES, ETC., CERTAIN DEPRECIABLE PROPERTY NOT QUALIFIED.—No credit shall be allowed under subsection (a) with respect to any property referred to in section 50(b) or with respect to the portion of the cost of any property taken into account under section 179.

"(d) TERMINATION.—This section shall not apply to any property placed in service after the date which is 3 years after the date of the enactment of this section.".

(b) CREDIT ALLOWED AS PART OF GENERAL BUSINESS CREDIT.—Section 38(b), as amended by this Act, is amended by striking "plus" at the end of paragraph (32), by striking the period at the end of paragraph (33) and inserting ", plus", and by adding at the end the following new paragraph:

"(34) the credit for energy efficient motors determined under section 45Q(a).".

(c) CONFORMING AMENDMENTS.—

(1) Section 1016(a), as amended by this Act, is amended by striking "and" at the end of paragraph (39), by striking the period at the end of paragraph (40) and inserting ", and", and by adding at the end the following new paragraph:

"(41) to the extent provided in section 45Q(c)(1).".

(2) The table of sections for subpart D of part IV of subchapter A of chapter 1, as amended by this Act, is amended by adding at the end the following new item:

"Sec. 45Q. Credit for energy efficient motors.".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

Subtitle E—Revenue Provisions

PART I—MISCELLANEOUS REVENUE PROVISIONS

SEC. 12501. LIMITATION ON FARMING LOSSES OF CERTAIN TAXPAYERS.

(a) IN GENERAL.—Section 461 (relating to general rule for taxable year of deduction) is amended by adding at the end the following new subsection:

"(j) LIMITATION ON FARMING LOSSES OF CERTAIN TAXPAYERS.—

"(1) IN GENERAL.—If an applicable taxpayer has a farming loss for the taxable year, such loss shall be allowed for such taxable year only to the extent such loss does not exceed $200,000.

"(2) FARMING LOSS.—For purposes of this subsection, the term 'farming loss' means the excess of the deductions of the taxpayer for the taxable year which are attributable to farming businesses (as defined in section 263A(e)(4)) of such taxpayer over income or gain of such taxpayer for the taxable year which is attributable to such deductions.

"(3) DISALLOWED LOSS CARRIED TO NEXT YEAR.—Any loss which is disallowed under paragraph (1) shall be treated as a deduction of the taxpayer attributable to farming businesses in the next taxable year.

"(4) APPLICABLE TAXPAYER.—For purposes of this subsection, the term 'applicable taxpayer' means, with respect to any taxable year, any individual, partnership, estate, or trust which receives—

"(A) benefits under subtitle A or B of title I of the Food and Energy Security Act of 2007 in such taxable year, or

"(B) Commodity Credit Corporation loans in such taxable year.".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 12502. MODIFICATION TO OPTIONAL METHOD OF COMPUTING NET EARNINGS FROM SELF-EMPLOYMENT.

(a) AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986.—

(1) IN GENERAL.—The matter following paragraph (17) of section 1402(a) is amended—

(A) by striking "$2,400" each place it appears and inserting "the upper limit", and

(B) by striking "$1,600" each place it appears and inserting "the lower limit".

(2) DEFINITIONS.—Section 1402 is amended by adding at the end the following new subsection:

"(l) UPPER AND LOWER LIMITS.—For purposes of subsection (a)—

"(1) LOWER LIMIT.—The lower limit for any taxable year is the sum of the amounts required under section 213(d) of the Social Security Act for a quarter of coverage in effect with respect to each calendar quarter ending with or within such taxable year.

"(2) UPPER LIMIT.—The upper limit for any taxable year is the amount equal to 150 percent of the lower limit for such taxable year.".

(b) AMENDMENTS TO THE SOCIAL SECURITY ACT.—

(1) IN GENERAL.—The matter following paragraph (16) of section 211(a) of the Social Security Act is amended—

(A) by striking "$2,400" each place it appears and inserting "the upper limit", and

(B) by striking "$1,600" each place it appears and inserting "the lower limit".

(2) DEFINITIONS.—Section 211 of such Act is amended by adding at the end the following new subsection:

"Upper and Lower Limits

"(k) For purposes of subsection (a)—

"(1) The lower limit for any taxable year is the sum of the amounts required under section 213(d) for a quarter of coverage in effect with respect to each calendar quarter ending with or within such taxable year.

"(2) The upper limit for any taxable year is the amount equal to 150 percent of the lower limit for such taxable year.".

(3) CONFORMING AMENDMENT.—Section 212 of such Act is amended—

(A) in subsection (b), by striking "For" and inserting "Except as provided in subsection (c), for"; and

(B) by adding at the end the following new subsection:

"(c) For the purpose of determining average indexed monthly earnings, average monthly wage, and quarters of coverage in the case of any individual who elects the option described in clause (ii) or (iv) in the matter following section 211(a)(16) for any taxable year that does not begin with or during a particular calendar year and end with or during such year, the self-employment income of such individual deemed to be derived during such taxable year shall be allocated to the two calendar years, portions of which are included within such taxable year, in the same proportion to the total of such deemed self-employment income as the sum of the amounts applicable under section 213(d) for the calendar quarters ending with or within each such calendar year bears to the lower limit for such taxable year specified in section 211(k)(1).".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 12503. INFORMATION REPORTING FOR COMMODITY CREDIT CORPORATION TRANSACTIONS.

(a) IN GENERAL.—Subpart A of part III of subchapter A of chapter 61 (relating to information concerning persons subject to special provisions) is amended by inserting after section 6039I the following new section:

"SEC. 6039J. INFORMATION REPORTING WITH RESPECT TO COMMODITY CREDIT CORPORATION TRANSACTIONS.

"(a) REQUIREMENT OF REPORTING.—The Commodity Credit Corporation, through the Secretary of Agriculture, shall make a return, according to the forms and regulations prescribed by the Secretary of the Treasury, setting forth any market gain realized by a taxpayer during the taxable year in relation to the repayment of a loan issued by the Commodity Credit Corporation, without regard to the manner in which such loan was repaid.

"(b) STATEMENTS TO BE FURNISHED TO PERSONS WITH RESPECT TO WHOM INFORMATION IS REQUIRED.—The Secretary of Agriculture shall furnish to each person whose name is required to be set forth in a return required under subsection (a) a written statement showing the amount of market gain reported in such return.".

(b) CLERICAL AMENDMENT.—The table of sections for subpart A of part III of subchapter A of chapter 61 is amended by inserting after the item relating to section 6039I the following new item:

"Sec. 6039J. Information reporting with respect to Commodity Credit Corporation transactions.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to loans repaid on or after January 1, 2007.

SEC. 12504. MODIFICATION OF SECTION 1031 TREATMENT FOR CERTAIN REAL ESTATE.

(a) IN GENERAL.—Section 1031 (relating to exchange of property held for productive use or investment), as amended by this Act, is amended by adding at the end the following new subsection:

"(j) SPECIAL RULE FOR AGRICULTURAL REAL PROPERTY.—

"(1) IN GENERAL.—Unimproved agricultural real property and improved real property are not property of a like kind.

"(2) UNIMPROVED AGRICULTURAL REAL PROPERTY.—For purposes of this subsection, the term 'unimproved agricultural real property' means real property—

"(A) which is unimproved;

"(B) which is used for farming purposes (within the meaning of section 2032A(e)(5)); and

"(C) with respect to which a taxpayer receives, in the taxable year in which an exchange of such property is made, any benefits under subtitle A or B of title I of the Food and Energy Security Act of 2007 or Commodity Credit Corporation loans.

"(3) EXCEPTION.—Paragraph (1) shall not apply with respect to any unimproved agricultural real property which, not later than the date of the exchange, is permanently retired from any program under which any payment, loan, or benefit described in paragraph (2)(C) is made.".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to exchanges completed after the date of the enactment of this Act.

SEC. 12505. MODIFICATION OF EFFECTIVE DATE OF LEASING PROVISIONS OF THE AMERICAN JOBS CREATION ACT OF 2004.

(a) LEASES TO FOREIGN ENTITIES.—Section 849(b) of the American Jobs Creation Act of 2004 is amended by adding at the end the following new paragraph:

"(5) LEASES TO FOREIGN ENTITIES.—In the case of tax-exempt use property leased to a tax-exempt entity which is a foreign person or entity, the amendments made by this part shall apply to taxable years beginning after December 31, 2006, with respect to leases entered into on or before March 12, 2004.".

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the enactment of the American Jobs Creation Act of 2004.

SEC. 12506. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

The percentage under subparagraph (B) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 in effect on the date of the enactment of this Act is increased by 7.00 percentage points.

SEC. 12507. INELIGIBILITY OF COLLECTIBLES FOR NONTAXABLE LIKE KIND EXCHANGE TREATMENT.

(a) IN GENERAL.—Section 1031(a)(2) (relating to exception) is amended by striking "or" at the end of subparagraph (E), by striking the period at the end of subparagraph (F) and inserting ", or", and by inserting after subparagraph (F) the following new subparagraph:

"(G) collectibles (as defined in section 408(m)(2)).".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to exchanges completed after the date of the enactment of this Act.

SEC. 12508. DENIAL OF DEDUCTION FOR CERTAIN FINES, PENALTIES, AND OTHER AMOUNTS.

(a) IN GENERAL.—Subsection (f) of section 162 (relating to trade or business expenses) is amended to read as follows:

"(f) FINES, PENALTIES, AND OTHER AMOUNTS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), no deduction otherwise allowable shall be allowed under this chapter for any amount paid or incurred (whether by suit, agreement, or otherwise) to, or at the direction of, a government or entity described in paragraph (4) in relation to—

"(A) the violation of any law, or

"(B) an investigation or inquiry into the potential violation of any law which is initiated by such government or entity.

"(2) EXCEPTION FOR AMOUNTS CONSTITUTING RESTITUTION OR PAID TO COME INTO COMPLIANCE WITH LAW.—Paragraph (1) shall not apply to any amount which—

"(A) the taxpayer establishes—

"(i) constitutes restitution (or remediation of property) for damage or harm caused by, or which may be caused by, the violation of any law or the potential violation of any law, or

"(ii) is paid to come into compliance with any law which was violated or involved in the investigation or inquiry, and

"(B) is identified as an amount described in clause (i) or (ii) of subparagraph (A), as the case may be, in the court order or settlement agreement, except that the requirement of this subparagraph shall not apply in the case of any settlement agreement which requires the taxpayer to pay or incur an amount not greater than $1,000,000.

A taxpayer shall not meet the requirements of subparagraph (A) solely by reason of an identification under subparagraph (B). This paragraph shall not apply to any amount paid or incurred as reimbursement to the government or entity for the costs of any investigation or litigation unless such amount is paid or incurred for a cost or fee regularly charged for any routine audit or other customary review performed by the government or entity.

"(3) EXCEPTION FOR AMOUNTS PAID OR INCURRED AS THE RESULT OF CERTAIN COURT ORDERS.—Paragraph (1) shall not apply to any amount paid or incurred by order of a court in a suit in which no government or entity described in paragraph (4) is a party.

"(4) CERTAIN NONGOVERNMENTAL REGULATORY ENTITIES.—An entity is described in this paragraph if it is—

"(A) a nongovernmental entity which exercises self-regulatory powers (including imposing sanctions) in connection with a qualified board or exchange (as defined in section 1256(g)(7)), or

"(B) to the extent provided in regulations, a nongovernmental entity which exercises self-regulatory powers (including imposing sanctions) as part of performing an essential governmental function.

"(5) EXCEPTION FOR TAXES DUE.—Paragraph (1) shall not apply to any amount paid or incurred as taxes due.".

(b) REPORTING OF DEDUCTIBLE AMOUNTS.—

(1) IN GENERAL.—Subpart B of part III of subchapter A of chapter 61 is amended by inserting after section 6050V the following new section:

"SEC. 6050W. INFORMATION WITH RESPECT TO CERTAIN FINES, PENALTIES, AND OTHER AMOUNTS.

"(a) REQUIREMENT OF REPORTING.—

"(1) IN GENERAL.—The appropriate official of any government or entity which is described in section 162(f)(4) which is involved in a suit or agreement described in paragraph (2) shall make a return in such form as determined by the Secretary setting forth—

"(A) the amount required to be paid as a result of the suit or agreement to which paragraph (1) of section 162(f) applies,

"(B) any amount required to be paid as a result of the suit or agreement which constitutes restitution or remediation of property, and

"(C) any amount required to be paid as a result of the suit or agreement for the purpose of coming into compliance with any law which was violated or involved in the investigation or inquiry.

"(2) SUIT OR AGREEMENT DESCRIBED.—

"(A) IN GENERAL.—A suit or agreement is described in this paragraph if—

"(i) it is—

"(I) a suit with respect to a violation of any law over which the government or entity has authority and with respect to which there has been a court order, or

"(II) an agreement which is entered into with respect to a violation of any law over which the government or entity has authority, or with respect to an investigation or inquiry by the government or entity into the potential violation of any law over which such government or entity has authority, and

"(ii) the aggregate amount involved in all court orders and agreements with respect to the violation, investigation, or inquiry is $600 or more.

"(B) ADJUSTMENT OF REPORTING THRESHOLD.—The Secretary may adjust the $600 amount in subparagraph (A)(ii) as necessary in order to ensure the efficient administration of the internal revenue laws.

"(3) TIME OF FILING.—The return required under this subsection shall be filed not later than—

"(A) 30 days after the date on which a court order is issued with respect to the suit or the date the agreement is entered into, as the case may be, or

"(B) the date specified by the Secretary.

"(b) STATEMENTS TO BE FURNISHED TO INDIVIDUALS INVOLVED IN THE SETTLEMENT.—Every person required to make a return under subsection (a) shall furnish to each person who is a party to the suit or agreement a written statement showing—

"(1) the name of the government or entity, and

"(2) the information supplied to the Secretary under subsection (a)(1).

The written statement required under the preceding sentence shall be furnished to the person at the same time the government or entity provides the Secretary with the information required under subsection (a).

"(c) APPROPRIATE OFFICIAL DEFINED.—For purposes of this section, the term 'appropriate official' means the officer or employee having control of the suit, investigation, or inquiry or the person appropriately designated for purposes of this section.".

(2) CONFORMING AMENDMENT.—The table of sections for subpart B of part III of subchapter A of chapter 61 is amended by inserting after the item relating to section 6050V the following new item:

"Sec. 6050W. Information with respect to certain fines, penalties, and other amounts".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred on or after the date of the enactment of this Act, except that such amendments shall not apply to amounts paid or incurred under any binding order or agreement entered into before such date. Such exception shall not apply to an order or agreement requiring court approval unless the approval was obtained before such date.

SEC. 12509. INCREASE IN INFORMATION RETURN PENALTIES.

(a) FAILURE TO FILE CORRECT INFORMATION RETURNS.—

(1) IN GENERAL.—Section 6721(a)(1) is amended—

(A) by striking "$50" and inserting "$250", and

(B) by striking "$250,000" and inserting "$3,000,000".

(2) REDUCTION WHERE CORRECTION IN SPECIFIED PERIOD.—

(A) CORRECTION WITHIN 30 DAYS.—Section 6721(b)(1) is amended—

(i) by striking "$15" and inserting "$50",

(ii) by striking "$50" and inserting "$250", and

(iii) by striking "$75,000" and inserting "$500,000".

(B) FAILURES CORRECTED ON OR BEFORE AUGUST 1.—Section 6721(b)(2) is amended—

(i) by striking "$30" and inserting "$100",

(ii) by striking "$50" and inserting "$250", and

(iii) by striking "$150,000" and inserting "$1,500,000".

(3) LOWER LIMITATION FOR PERSONS WITH GROSS RECEIPTS OF NOT MORE THAN $5,000,000.—Section 6721(d)(1) is amended—

(A) in subparagraph (A)—

(i) by striking "$100,000" and inserting "$1,000,000", and

(ii) by striking "$250,000" and inserting "$3,000,000",

(B) in subparagraph (B)—

(i) by striking "$25,000" and inserting "$175,000", and

(ii) by striking "$75,000" and inserting "$500,000", and

(C) in subparagraph (C)—

(i) by striking "$50,000" and inserting "$500,000", and

(ii) by striking "$150,000" and inserting "$1,500,000".

(4) PENALTY IN CASE OF INTENTIONAL DISREGARD.—Section 6721(e) is amended—

(A) by striking "$100" in paragraph (2) and inserting "$500",

(B) by striking "$250,000" in paragraph (3)(A) and inserting "$3,000,000".

(b) FAILURE TO FURNISH CORRECT PAYEE STATEMENTS.—

(1) IN GENERAL.—Section 6722(a) is amended—

(A) by striking "$50" and inserting "$250", and

(B) by striking "$100,000" and inserting "$1,000,000".

(2) PENALTY IN CASE OF INTENTIONAL DISREGARD.—Section 6722(c) is amended—

(A) by striking "$100" in paragraph (1) and inserting "$500", and

(B) by striking "$100,000" in paragraph (2)(A) and inserting "$1,000,000".

(c) FAILURE TO COMPLY WITH OTHER INFORMATION REPORTING REQUIREMENTS.—Section 6723 is amended—

(1) by striking "$50" and inserting "$250", and

(2) by striking "$100,000" and inserting "$1,000,000".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to information returns required to be filed on or after January 1, 2008.

PART II—ECONOMIC SUBSTANCE DOCTRINE

SEC. 12511. CLARIFICATION OF ECONOMIC SUBSTANCE DOCTRINE.

(a) IN GENERAL.—Section 7701 is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

"(p) CLARIFICATION OF ECONOMIC SUBSTANCE DOCTRINE; ETC.—

"(1) GENERAL RULES.—

"(A) IN GENERAL.—In any case in which a court determines that the economic substance doctrine is relevant for purposes of this title to a transaction (or series of transactions), such transaction (or series of transactions) shall have economic substance only if the requirements of this paragraph are met.

"(B) DEFINITION OF ECONOMIC SUBSTANCE.—For purposes of subparagraph (A)—

"(i) IN GENERAL.—A transaction has economic substance only if—

"(I) the transaction changes in a meaningful way (apart from Federal tax effects) the taxpayer's economic position, and

"(II) subject to clause (iii), the taxpayer has a substantial purpose (other than a Federal tax purpose) for entering into such transaction.

"(ii) SPECIAL RULE WHERE TAXPAYER RELIES ON PROFIT POTENTIAL.—A transaction shall not be treated as having economic substance solely by reason of having a potential for profit unless the present value of the reasonably expected pre-Federal tax profit from the transaction is substantial in relation to the present value of the expected net Federal tax benefits that would be allowed if the transaction were respected. In determining pre-Federal tax profit, there shall be taken into account fees and other transaction expenses and to the extent provided by the Secretary, foreign taxes.

"(iii) SPECIAL RULES FOR DETERMINING WHETHER NON-FEDERAL TAX PURPOSE.—For purposes of clause (i)(II)—

"(I) a purpose of achieving a financial accounting benefit shall not be taken into account in determining whether a transaction has a substantial purpose (other than a Federal tax purpose) if the origin of such financial accounting benefit is a reduction of Federal tax, and

"(II) the taxpayer shall not be treated as having a substantial purpose (other than a Federal tax purpose) with respect to a transaction if the only such purpose is the reduction of non-Federal taxes and the transaction will result in a reduction of Federal taxes substantially equal to, or greater than, the reduction in non-Federal taxes because of similarities between the laws imposing the taxes.

"(2) DEFINITIONS AND SPECIAL RULES.—For purposes of this subsection—

"(A) ECONOMIC SUBSTANCE DOCTRINE.—The term 'economic substance doctrine' means the common law doctrine under which tax benefits under subtitle A with respect to a transaction are not allowable if the transaction does not have economic substance or lacks a business purpose.

"(B) EXCEPTION FOR PERSONAL TRANSACTIONS OF INDIVIDUALS.—In the case of an individual, this subsection shall apply only to transactions entered into in connection with a trade or business or an activity engaged in for the production of income.

"(3) OTHER PROVISIONS NOT AFFECTED.—Except as specifically provided in this subsection, the provisions of this subsection shall not be construed as altering or supplanting any other rule of law or provision of this title, and the requirements of this subsection shall be construed as being in addition to any such other rule of law or provision of this title.

"(4) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this subsection. Such regulations may include exemptions from the application of this subsection.".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to transactions entered into after the date of the enactment of this Act.

SEC. 12512. PENALTY FOR UNDERSTATEMENTS ATTRIBUTABLE TO TRANSACTIONS LACKING ECONOMIC SUBSTANCE, ETC.

(a) IN GENERAL.—Subchapter A of chapter 68 is amended by inserting after section 6662A the following new section:

"SEC. 6662B. PENALTY FOR UNDERSTATEMENTS ATTRIBUTABLE TO TRANSACTIONS LACKING ECONOMIC SUBSTANCE, ETC.

"(a) IMPOSITION OF PENALTY.—If a taxpayer has an noneconomic substance transaction understatement for any taxable year, there shall be added to the tax an amount equal to 30 percent of the amount of such understatement.

"(b) REDUCTION OF PENALTY FOR DISCLOSED TRANSACTIONS.—Subsection (a) shall be applied by substituting '20 percent' for '30 percent' with respect to the portion of any noneconomic substance transaction understatement with respect to which the relevant facts affecting the tax treatment of the item are adequately disclosed in the return or a statement attached to the return.

"(c) NONECONOMIC SUBSTANCE TRANSACTION UNDERSTATEMENT.—For purposes of this section—

"(1) IN GENERAL.—The term 'noneconomic substance transaction understatement' means any amount which would be an understatement under section 6662A(b)(1) if section 6662A were applied by taking into account items attributable to noneconomic substance transactions rather than items to which section 6662A would apply without regard to this paragraph.

"(2) NONECONOMIC SUBSTANCE TRANSACTION.—The term 'noneconomic substance transaction' means any transaction if there is a lack of economic substance (within the meaning of section 7701(p)(1)(B)) for the transaction giving rise to the claimed benefit.

"(d) RULES APPLICABLE TO ASSERTION, COMPROMISE, AND COLLECTION OF PENALTY.—

"(1) IN GENERAL.—Only the Chief Counsel for the Internal Revenue Service may assert a penalty imposed under this section or may compromise all or any portion of such penalty. The Chief Counsel may delegate the authority under this paragraph only to an individual holding the position of chief of a branch within the Office of the Chief Counsel for the Internal Revenue Service.

"(2) SPECIFIC REQUIREMENTS.—

"(A) ASSERTION OF PENALTY.—The Chief Counsel for the Internal Revenue Service (or the Chief Counsel's delegate under paragraph (1)) shall not assert a penalty imposed under this section unless, before the assertion of the penalty, the taxpayer is provided—

"(i) a notice of intent to assert the penalty, and

"(ii) an opportunity to provide to the Commissioner (or the Chief Counsel's delegate under paragraph (1)) a written response to the proposed penalty within a reasonable period of time after such notice.

"(B) COMPROMISE OF PENALTY.—A compromise shall not result in a reduction in the penalty imposed by this section in an amount greater than the amount which bears the same ratio to the amount of the penalty determined without regard to the compromise as—

"(i) the reduction under the compromise in the noneconomic substance transaction understatement to which the penalty relates, bears to

"(ii) the amount of the noneconomic substance transaction understatement determined without regard to the compromise.

"(3) RULES RELATING TO RELEVANCY REQUIREMENT.—

"(A) DETERMINATION OF RELEVANCE BY CHIEF COUNSEL.—The Chief Counsel for the Internal Revenue Service (or the Chief Counsel's delegate under paragraph (1)) may assert, compromise, or collect a penalty imposed by this section with respect to a noneconomic substance transaction even if there has not been a court determination that the economic substance doctrine was relevant for purposes of this title to the transaction if the Chief Counsel (or delegate) determines that either was so relevant.

"(B) FINAL ORDER OF COURT.—If there is a final order of a court that determines that the economic substance doctrine was not relevant for purposes of this title to a transaction (or series of transactions), any penalty imposed under this section with respect to the transaction (or series of transactions) shall be rescinded.

"(4) APPLICABLE RULES.—The rules of paragraphs (2) and (3) of section 6707A(d) shall apply to a compromise under paragraph (1).

"(e) COORDINATION WITH OTHER PENALTIES.—Except as otherwise provided in this part, the penalty imposed by this section shall be in addition to any other penalty imposed by this title.

"(f) CROSS REFERENCES.—

"(1) For coordination of penalty with understatements under section 6662 and other special rules, see section 6662A(e).

"(2) For reporting of penalty imposed under this section to the Securities and Exchange Commission, see section 6707A(e).".

(b) COORDINATION WITH OTHER UNDERSTATEMENTS AND PENALTIES.—

(1) The second sentence of section 6662(d)(2)(A) is amended by inserting "and without regard to items with respect to which a penalty is imposed by section 6662B" before the period at the end.

(2) Subsection (e) of section 6662A is amended—

(A) in paragraph (1), by inserting "and noneconomic substance transaction understatements" after "reportable transaction understatements" both places it appears,

(B) in paragraph (2)(A)—

(i) by inserting "6662B or" before "6663" in the text, and

(ii) by striking "PENALTY" in the heading and inserting "AND ECONOMIC SUBSTANCE PENALTIES",

(C) in paragraph (2)(B)—

(i) by inserting "and section 6662B" after "This section", and

(ii) by striking "PENALTY" in the heading and inserting "AND ECONOMIC SUBSTANCE PENALTIES",

(D) in paragraph (3), by inserting "or noneconomic substance transaction understatement" after "reportable transaction understatement", and

(E) by adding at the end the following new paragraph:

"(4) NONECONOMIC SUBSTANCE TRANSACTION UNDERSTATEMENT.—For purposes of this subsection, the term 'noneconomic substance transaction understatement' has the meaning given such term by section 6662B(c).".

(3) Subsection (e) of section 6707A is amended—

(A) by striking "or" at the end of subparagraph (B), and

(B) by striking subparagraph (C) and inserting the following new subparagraphs:

"(C) is required to pay a penalty under section 6662B with respect to any noneconomic substance transaction, or

"(D) is required to pay a penalty under section 6662(h) with respect to any transaction and would (but for section 6662A(e)(2)(B)) have been subject to penalty under section 6662A at a rate prescribed under section 6662A(c) or to penalty under section 6662B,".

(c) CLERICAL AMENDMENT.—The table of sections for part II of subchapter A of chapter 68 is amended by inserting after the item relating to section 6662A the following new item:

"Sec. 6662B. Penalty for understatements attributable to transactions lacking economic substance, etc.".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to transactions entered into after the date of the enactment of this Act.

SEC. 12513. DENIAL OF DEDUCTION FOR INTEREST ON UNDERPAYMENTS ATTRIBUTABLE TO NONECONOMIC SUBSTANCE TRANSACTIONS.

(a) IN GENERAL.—Section 163(m) (relating to interest on unpaid taxes attributable to nondisclosed reportable transactions) is amended—

(1) by striking "attributable" and all that follows and inserting the following: "attributable to—

"(1) the portion of any reportable transaction understatement (as defined in section 6662A(b)) with respect to which the requirement of section 6664(d)(2)(A) is not met, or

"(2) any noneconomic substance transaction understatement (as defined in section 6662B(c)).", and

(2) by inserting "AND NONECONOMIC SUBSTANCE TRANSACTIONS" in the heading thereof after "TRANSACTIONS".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to transactions after the date of the enactment of this Act in taxable years ending after such date.

Subtitle F—Protection of Social Security

SEC. 12601. PROTECTION OF SOCIAL SECURITY.

To ensure that the assets of the trust funds established under section 201 of the Social Security Act (42 U.S.C. 401) are not reduced as a result of the enactment of this Act, the Secretary of the Treasury shall transfer annually from the general revenues of the Federal Government to those trust funds the following amounts:

(1) For fiscal year 2009, $86,000,000.
(2) For fiscal year 2010, $90,000,000.
(3) For fiscal year 2011, $88,000,000.
(4) For fiscal year 2012, $88,000,000.
(5) For fiscal year 2013, $5,000,000.
(6) For fiscal year 2014, $5,000,000.
(7) For fiscal year 2015, $4,000,000.
(8) For each fiscal year after fiscal year 2015, $2,000,000.

SA 3501. Mr. BARRASSO (for himself, Mr. CRAIG, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

Section 7307 is amended by striking the matter preceding paragraph (1) and inserting the following:

(a) COMPETITIVE GRANTS.—The Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i) is amended in subsection (b)—

Section 7307 is amended by adding at the end the following:

(b) NATIONAL RESEARCH SUPPORT PROJECT-7.—The Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i) is amended by adding at the end the following:

"(l) NATIONAL RESEARCH SUPPORT PROJECT-7.—

"(1) DEFINITIONS.—In this subsection:

"(A) PROJECT.—The term 'project' means the project established by the Secretary under paragraph (2).

"(B) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.

"(2) ESTABLISHMENT.—The Secretary shall establish the National Research Support Project-7—

"(A) to assist in the registration or reregistration of minor use animal drugs;

"(B) to identify the animal drug needs for—

"(i) minor species; and

"(ii) minor uses in major species;

"(C) to generate and disseminate data to ensure the safe, effective, and lawful use of drugs to be used primarily for the therapy or reproductive management of minor animal species; and

"(D) to facilitate the approval of drugs for minor species, and minor uses in major species, by the Center for Veterinary Medicine of the Food and Drug Administration.

"(3) ADMINISTRATION OF PROJECT.—

"(A) NATIONAL RESEARCH SUPPORT PROJECT-7.—The Secretary shall carry out the project in accordance with each purpose and principle of the National Research Support Project-7 carried out by the Administrator of the Cooperative State Research, Education, and Extension Service as of the day before the date of enactment of this subsection.

"(B) CONSULTATION WITH OTHER ENTITIES.—The Secretary shall carry out the project in consultation with—

"(i) the Commissioner of Food and Drugs;

"(ii) State agricultural experiment stations;

"(iii) institutions of higher education;

"(iv) private entities; and

"(v) any other interested individual or entity.

"(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection.".

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, November 14, 2007, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the Global Nuclear Energy Partnership as it relates to U.S. policy on nuclear fuel management.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to Rosemarie_Calabro@energy.senate.gov.

For further information, please contact Jonathan Epstein at (202) 228-3031 or Rosemarie Calabro at (202) 224-5039.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. KERRY. Mr. President, I would like to inform the Members that the Committee on Small Business and Entrepreneurship will hold a public markup of S. 2300, the Small Business Contracting Revitalization Act of 2007, on Wednesday, November 7, 2007, beginning at 9:30 a.m. in room 428A of the Russell Senate Office Building.

PRIVILEGES OF THE FLOOR

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that Camila Knowles of my staff have floor privileges for the duration of the debate on the farm bill, and that Alan Mackey and Patty Lawrence, detailees from the U.S. Department of Agriculture on my committee staff, have floor privileges for today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Amanda Taylor be granted the privilege of the floor for the duration of the consideration of the farm bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

LYTTON RANCHERIA TRIBAL LANDS HELD IN TRUST

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 452, S. 1347.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 1347) to amend the Omnibus Indian Advancement Act to modify the date as of which certain tribal land of the Lytton Rancheria of California is deemed to be held in trust and to provide for the conduct of certain activities on the land.

There being no objection, the Senate proceeded to consider the bill.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1347) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1347

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LYTTON RANCHERIA OF CALIFORNIA.

Section 819 of the Omnibus Indian Advancement Act (Public Law 106-568; 114 Stat. 2919) is amended—

(1) in the first sentence, by striking "Notwithstanding" and inserting the following:

"(a) ACCEPTANCE OF LAND.—Notwithstanding";

(2) in the second sentence, by striking "The Secretary" and inserting the following:

"(b) DECLARATION.—The Secretary"; and

(3) by striking the third sentence and inserting the following:

"(c) TREATMENT OF LAND FOR PURPOSES OF CLASS II GAMING.—

"(1) IN GENERAL.—Subject to paragraph (2), notwithstanding any other provision of law, the Lytton Rancheria of California may conduct activities for class II gaming (as defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)) on the land taken into trust under this section.

"(2) REQUIREMENT.—The Lytton Rancheria of California shall not expand the exterior physical measurements of any facility on the Lytton Rancheria in use for class II gaming activities on the date of enactment of this paragraph.

"(d) TREATMENT OF LAND FOR PURPOSES OF CLASS III GAMING.—Notwithstanding subsection (a), for purposes of class III gaming (as defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)), the land taken into trust under this section shall be treated, for purposes of section 20 of the Indian Gaming Regulatory Act (25 U.S.C. 2719), as if the land was acquired on October 9, 2003, the date on which the Secretary took the land into trust.''.

ORDERS FOR TUESDAY, NOVEMBER 6, 2007

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. Tuesday, November 6; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders reserved for their use later in the day; that there then be a period for the transaction of morning business for 60 minutes with Senators permitted to speak therein for up to 10 minutes each and the time equally divided and controlled between the leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that at the close of morning business, the Senate resume consideration of H.R. 2419; further, that on Tuesday, the Senate stand in recess from 12:30 p.m. to 2:15 p.m. for the respective party conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. WHITEHOUSE. Mr. President, if there is no further business, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:58 p.m., adjourned until Tuesday, November 6, 2007, at 10 a.m.

HOUSE OF REPRESENTATIVES—*Monday, November 5, 2007*

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. MAHONEY of Florida).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 5, 2007.

I hereby appoint the Honorable TIM MAHONEY to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER) for 5 minutes.

PRESIDENT MUSHARRAF OF PAKISTAN

Mr. GEORGE MILLER of California. Mr. Speaker, this weekend a devastating blow was struck against the efforts to try to grow and make sustainable democracy in Pakistan when President Musharraf of Pakistan announced that he would have an emergency order which has essentially become martial law against all those in the country who disagreed with him; against all of those on the supreme court, all of those in the legal community, all of those in general society who disagree with him are now subject to arrest, are subject to beatings, are subject to imprisonment. That is wrong, and this country cannot look the other way.

For too long this administration and this Congress have looked the other way as President Musharraf has worked to limit and now crush democracy in Pakistan. Too many excuses have been offered to allow him to continue this trend against free and open elections, against a growing democracy, against a growing independent press and TV stations because we said he is helping us in Pakistan against the terrorists, the Taliban, in Afghanistan.

Of course, what we know is that he has played us over these many years as he has received billions of dollars in aid. He has continued to play us to suggest that he is really concentrating on the effort to rid both Afghanistan and Pakistan of terrorists, but in fact that is not what has been taking place. In fact, he has cut agreements, he has arranged for safe haven, for safe travel for the Taliban as they have moved back and forth against our troops and against people in Afghanistan who are trying to establish a democracy there.

Some months ago when I visited Afghanistan, we asked the commander of our troops there what was the biggest threat to our troops in Afghanistan, and he said the border with Pakistan. And that remains true today as the Taliban move back and forth, as recruits from al Qaeda move back and forth, and at a time when President Musharraf simply gives voice to the idea that he is going to stop this from happening, that he is going to create an environment where that will not be allowed to continue. That simply has not happened, because President Musharraf has been more interested in securing his reelection as the leader of Pakistan than he has been in getting rid of the extremists and the terrorists. In fact, he has allowed the extremists to grow even in Islamabad, where their presence wasn't known only a few years ago.

We must take a stand against these actions. We must speak out. The administration has spoken out now, but already questions are being raised as to whether or not we will condition aid, whether or not we will forcefully show Musharraf that we cannot have him crush democracy in Pakistan. Pakistan needs more democracy, not less. It needs democracy to strengthen that country so that it can reject extremism and terrorists. It needs free elections so that the people will believe that they are represented, not by the continuing building of a dictatorship by President Musharraf who controls the military, who controls the intelligence, and now is using them against the very people that he is supposed to represent, and that is the people of Pakistan. We cannot stand by while he takes this extraordinary effort to crush democracy, to potentially postpone the elections, to seize the independent media, and to throw hundreds and hundreds so far of his citizens into jail because they simply seek to oppose him and seek a brighter future, a more democratic future for the country of Pakistan.

The time has come for this country to take a very strong stand against the corruption of this government and the growing dictatorship presented by the rule of President Musharraf.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 37 minutes p.m.), the House stood in recess until 2 p.m.

☐ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RUPPERSBERGER) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God of power and mercy, peace is not the absence of war, nor is it found in the simple balance of opposing forces. Peace cannot be imposed by absolute power. For us, Lord, peace will always be the work of justice.

You have implanted in human society an innate desire for order which can be realized only when people hunger and thirst for an ever more perfect justice.

Bring Congress to order, Lord, that it may model behavior for this democracy. Make it Your instrument, to instill in the minds and hearts of the Nation a fervent and consuming desire for equal justice among all peoples. Thus may this Nation give You glory now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Wisconsin (Mr. KAGEN) come forward and lead the House in the Pledge of Allegiance.

Mr. KAGEN led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

HONORING THE MEMORY OF NAVAL CHIEF PETTY OFFICER PATRICK WADE

(Mr. KAGEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KAGEN. Mr. Speaker, kindly join me in honoring the memory of Naval Chief Petty Officer Patrick Wade from Manawa, Wisconsin, who perished in combat on July 17, 2007.

Pat Wade was a true American patriot.

While some people spend their time talking about what they think is wrong in the world, Chief Wade spent his time doing what he knew was right. Believing in personal sacrifice for the betterment of others, he made a selfless commitment to defend all of us.

Rear Admiral Michael Tillotson, deputy commander of the naval Expeditionary Combat Command on which Wade served said, "Pat Wade gave his life saving lives. He was doing what he wanted."

It is difficult for most of us to comprehend such selflessness. Chief Wade's life was one of putting principle into practice. He wanted us to be not only better Americans, but better people.

Today, with this in mind, please join me in honoring his life of service.

MILITARY FAMILY APPRECIATION MONTH

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, November is Military Family Appreciation Month. As many brave men and women fight overseas to protect American families at home, we must not forget to recognize the millions of military families.

Military families lead unique and often challenging lives. They can be separated from their loved ones for months or years at a time. This is offset by extraordinary opportunities of education and travel and meeting new people around the world.

As a member of a three-generation military family, I know these families share a kinship with each other. As a 31-year veteran of the South Carolina Army National Guard and the father of four sons serving in the military, I ask my colleagues to join me in showing our gratitude and appreciation for these families.

I wish to recognize and thank the incredible work being done by the South Carolina National Guard Family Readiness Program. Whether it is during times of peace or war, these individuals are always ready to help military families with whatever assistance they may require.

In conclusion, God bless our troops, and we will never forget September 11th.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 1, 2007.

Hon. NANCY PELOSI,
The Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 1, 2007, at 5:56 pm:

That the Senate passed without amendment H.R. 3963.

With best wishes, I am,
Sincerely,
LORRAINE C. MILLER,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 2, 2007.

Hon. NANCY PELOSI,
The Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 2, 2007, at 1:07 pm:

That the Senate passed without amendment H.R. 2546.

That the Senate passed with an amendment H.R. 797.

Appointments:

Board of Visitors of the U.S. Coast Guard Academy.

With best wishes, I am,
Sincerely,
LORRAINE C. MILLER,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 2, 2007.

Hon. NANCY PELOSI,
The Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on November 2, 2007, at 1:49 p.m. and said to contain a message from the President whereby he returns without his approval, H.R. 1495, the "Water Resources Development Act of 2007."

With best wishes, I am
Sincerely,
LORRAINE C. MILLER,
Clerk of the House.

WATER RESOURCES DEVELOPMENT ACT OF 2007—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–71)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.R. 1495, the "Water Resources Development Act of 2007."

This bill lacks fiscal discipline. I fully support funding for water resources projects that will yield high economic and environmental returns to the Nation and each year my budget has proposed reasonable and responsible funding, including $4.9 billion for 2008, to support the Army Corps of Engineers' (Corps) main missions. However, this authorization bill makes promises to local communities that the Congress does not have a track record of keeping. The House of Representatives took a $15 billion bill into negotiations with a $14 billion bill from the Senate and instead of splitting the difference, emerged with a Washington compromise that costs over $23 billion. This is not fiscally responsible, particularly when local communities have been waiting for funding for projects already in the pipeline. The bill's excessive authorization for over 900 projects and programs exacerbates the massive backlog of ongoing Corps construction projects, which will require an additional $38 billion in future appropriations to complete.

This bill does not set priorities. The authorization and funding of Federal water resources projects should be focused on those projects with the greatest merit that are also a Federal responsibility. My Administration has repeatedly urged the Congress to authorize only those projects and programs that provide a high return on investment and are within the three main missions of the Corps' civil works program: Facilitating commercial navigation, reducing the risk of damage from floods and storms, and restoring aquatic ecosystems. This bill does

not achieve that goal. This bill promises hundreds of earmarks and hinders the Corps' ability to fulfill the Nation's critical water resources needs—including hurricane protection for greater New Orleans, flood damage reduction for Sacramento, and restoration of the Everglades—while diverting resources from the significant investments needed to maintain existing Federal water infrastructure. American taxpayers should not be asked to support a pork-barrel system of Federal authorization and funding where a project's merit is an afterthought.

I urge the Congress to send me a fiscally responsible bill that sets priorities. Americans sent us to Washington to achieve results and be good stewards of their hard-earned taxpayer dollars. This bill violates that fundamental commitment. For the reasons outlined above, I must veto H.R. 1495.

GEORGE W. BUSH.

THE WHITE HOUSE, *November 2, 2007*.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the veto message and the bill will be printed as a House document.

Pursuant to the order of the House of Thursday, November 1, 2007, further consideration of the veto message and the bill will be postponed until tomorrow.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

STOP TUBERCULOSIS (TB) NOW ACT OF 2007

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1567) to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1567

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Stop Tuberculosis (TB) Now Act of 2007".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Tuberculosis is one of the greatest infectious causes of death of adults worldwide, killing 1.6 million people per year—one person every 20 seconds.

(2) One-third of the world's population is infected with the tuberculosis bacterium and an estimated 8.8 million individuals develop active tuberculosis each year.

(3) Tuberculosis is the leading infectious killer among individuals who are HIV-positive due to their weakened immune systems, and it is estimated that one-third of people with HIV infection have tuberculosis.

(4) Today, tuberculosis is a leading killer of women of reproductive age.

(5) There are 22 countries that account for 80 percent of the world's burden of tuberculosis. The People's Republic of China and India account for 36 percent of all estimated new tuberculosis cases each year.

(6) Driven by the HIV/AIDS pandemic, incidence rates of tuberculosis in Africa have more than doubled on average since 1990. The problem is so pervasive that in August 2005, African Health Ministers and the World Health Organization (WHO) declared tuberculosis to be an emergency in Africa.

(7) The wide extent of drug resistance, including both multi-drug resistant tuberculosis (MDR–TB) and extensively drug resistant tuberculosis (XDR–TB), represents both a critical challenge to the global control of tuberculosis and a serious worldwide public health threat. XDR–TB, which is characterized as being MDR–TB with additional resistance to multiple second-line anti-tuberculosis drugs, is associated with worst treatment outcomes of any form of tuberculosis. XDR–TB is converging with the HIV epidemic, undermining gains in HIV prevention and treatment programs and requires urgent interventions. Drug resistance surveillance reports have confirmed the serious scale and spread of tuberculosis with XDR–TB strains confirmed on six continents. Demonstrating the lethality of XDR–TB, an initial outbreak in Tugela Ferry, South Africa, in 2006 killed 52 of 53 patients with hundreds more cases reported since that time. Of the world's regions, sub-Saharan Africa, faces the greatest gap in capacity to prevent, find, and treat XDR–TB.

(8) With more than 50 percent of tuberculosis cases in the United States attributable to foreign-born individuals and with the increase in international travel, commerce, and migration, elimination of tuberculosis in the United States depends on efforts to control the disease in developing countries. Recent research has shown that to invest in tuberculosis control abroad, where treatment and program costs are significantly cheaper than in the United States, would be a cost-effective strategy to reduce tuberculosis-related morbidity and mortality domestically.

(9) The threat that tuberculosis poses for Americans derives from the global spread of tuberculosis and the emergence and spread of strains of multi-drug resistant tuberculosis and extensively drug resistant tuberculosis, which are far more deadly, and more difficult and costly to treat.

(10) DOTS (Directly Observed Treatment Short-course) is one of the most cost-effective health interventions available today and is a core component of the new Stop TB Strategy.

(11) The Stop TB Strategy, developed by the World Health Organization, builds on the success of DOTS and ongoing challenges so as to serve all those in need and reach targets for prevalence, mortality, and incidence reduction. The Stop TB Strategy includes six components:

(A) Pursuing high-quality expansion and enhancement of DOTS coverage.

(B) Implementing tuberculosis and HIV collaborative activities, preventing and controlling multi-drug resistant tuberculosis, and addressing other special challenges.

(C) Contributing to the strengthening of health systems.

(D) Engaging all health care providers, including promotion of the International Standards for Tuberculosis Care.

(E) Empowering individuals with tuberculosis and communities.

(F) Enabling and promoting research to develop new diagnostics, drugs, vaccines, and program-based operational research relating to tuberculosis.

(12) The Global Plan to Stop TB 2006–2015: Actions for Life is a comprehensive plan developed by the Stop TB Partnership that sets out the actions necessary to achieve the millennium development goal of cutting tuberculosis deaths and disease burden in half by 2015 and thus eliminate tuberculosis as a global health problem by 2050.

(13) While innovations such as the Global Tuberculosis Drug Facility have enabled low-income countries to treat a standard case of tuberculosis with drugs that cost as little as $16 for a full course of treatment, there are still millions of individuals with no access to effective treatment.

(14) As the global resource investment in fighting tuberculosis increases, partner nations and international institutions must commit to a corresponding increase in the technical and program assistance necessary to ensure that the most effective and efficient tuberculosis treatments are provided.

(15) The Global Fund to Fight AIDS, Tuberculosis and Malaria is an important global partnership established to combat these three infectious diseases that together kill millions of people a year. Expansion of effective tuberculosis treatment programs constitutes a major component of Global Fund investment, along with integrated efforts to address HIV and tuberculosis in areas of high prevalence.

(16) The United States Agency for International Development and the Centers for Disease Control and Prevention are actively involved with global tuberculosis control efforts. Because the global tuberculosis epidemic directly impacts tuberculosis in the United States, Congress has urged the Centers for Disease Control and Prevention each year to increase its involvement with international tuberculosis control efforts.

(17) The United States Agency for International Development is the lead United States Government agency for international tuberculosis efforts, working in close partnership with the Centers for Disease Control and Prevention and with the President's Emergency Plan for HIV/AIDS Relief. The goal of the United States Agency for International Development is to contribute to the global reduction of morbidity and mortality associated with tuberculosis by building country capacity to prevent and cure tuberculosis and achieve global targets of 70 percent case detection and 85 percent treatment success rates. The United States Agency for International Development provides support for tuberculosis programs in countries that have a high burden of tuberculosis, a high prevalence of tuberculosis and HIV, and a high risk of MDR–TB.

SEC. 3. ASSISTANCE TO COMBAT TUBERCULOSIS.

(a) POLICY.—Subsection (b) of section 104B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b-3) is amended to read as follows:

"(b) POLICY.—It is a major objective of the foreign assistance program of the United States to control tuberculosis. In all countries in which the Government of the United States has established development programs, particularly in countries with the highest burden of tuberculosis and other countries with high rates of tuberculosis, the United States Government should prioritize the achievement of the following goals by not later than December 31, 2015:

"(1) Reduce by half the tuberculosis death and disease burden from the 1990 baseline.

"(2) Sustain or exceed the detection of at least 70 percent of sputum smear-positive cases of tuberculosis and the cure of at least 85 percent of those cases detected.".

(b) AUTHORIZATION.—Subsection (c) of such section is amended—

(1) in the heading, by striking "AUTHORIZATION" and inserting "ASSISTANCE REQUIRED"; and

(2) by striking "is authorized to" and inserting "shall".

(c) PRIORITY TO STOP TB STRATEGY.—Subsection (e) of such section is amended—

(1) in the heading, to read as follows: "PRIORITY TO STOP TB STRATEGY.—";

(2) in the first sentence, by striking "In furnishing" and all that follows through ", including funding" and inserting the following:

"(1) PRIORITY.—In furnishing assistance under subsection (c), the President shall give priority to—

"(A) activities described in the Stop TB Strategy, including expansion and enhancement of DOTS coverage, treatment for individuals infected with both tuberculosis and HIV and treatment for individuals with multi-drug resistant tuberculosis (MDR-TB), strengthening of health systems, use of the International Standards for Tuberculosis Care by all providers, empowering individuals with tuberculosis, and enabling and promoting research to develop new diagnostics, drugs, and vaccines, and program-based operational research relating to tuberculosis; and

"(B) funding"; and

(3) in the second sentence—

(A) by striking "In order to" and all that follows through "not less than" and inserting the following:

"(2) AVAILABILITY OF AMOUNTS.—In order to meet the requirements of paragraph (1), the President—

"(A) shall ensure that not less than";

(B) by striking "for Directly Observed Treatment Short-course (DOTS) coverage and treatment of multi-drug resistant tuberculosis using DOTS-Plus," and inserting "to implement the Stop TB Strategy; and"; and

(C) by striking "including" and all that follows and inserting the following:

"(B) should ensure that not less than $15,000,000 of the amount made available to carry out this section for a fiscal year is used to make a contribution to the Global Tuberculosis Drug Facility.".

(d) ASSISTANCE FOR WHO AND THE STOP TUBERCULOSIS PARTNERSHIP.—Such section is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection:

"(f) ASSISTANCE FOR WHO AND THE STOP TUBERCULOSIS PARTNERSHIP.—In carrying out this section, the President, acting through the Administrator of the United States Agency for International Development, is authorized to provide increased resources to the World Health Organization (WHO) and the Stop Tuberculosis Partnership to improve the capacity of countries with high rates of tuberculosis and other affected countries to implement the Stop TB Strategy and specific strategies related to addressing extensively drug resistant tuberculosis (XDR-TB).".

(e) DEFINITIONS.—Subsection (g) of such section, as redesignated by subsection (d)(1), is amended—

(1) in paragraph (1), by adding at the end before the period the following: ", including low cost and effective diagnosis and evaluation of treatment regimes, vaccines, and monitoring of tuberculosis, as well as a reliable drug supply, and a management strategy for public health systems, with health system strengthening, promotion of the use of the International Standards for Tuberculosis Care by all care providers, bacteriology under an external quality assessment framework, short-course chemotherapy, and sound reporting and recording systems"; and

(2) by adding after paragraph (5) the following new paragraph:

"(6) STOP TB STRATEGY.—The term 'Stop TB Strategy' means the six-point strategy to reduce tuberculosis developed by the World Health Organization. The strategy is described in the Global Plan to Stop TB 2007–2016: Actions for Life, a comprehensive plan developed by the Stop Tuberculosis Partnership that sets out the actions necessary to achieve the millennium development goal of cutting tuberculosis deaths and disease burden in half by 2016.".

(f) ANNUAL REPORT.—Clause (iii) of section 104A(e)(2)(C) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b-2(e)(2)(C)) is amended by adding at the end before the semicolon the following: ", including the percentage of such United States foreign assistance provided for diagnosis and treatment of individuals with tuberculosis in countries with the highest burden of tuberculosis, as determined by the World Health Organization (WHO)".

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the President not more than $400,000,000 for fiscal year 2008 and not more than $550,000,000 for fiscal year 2009 to carry out section 104B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–3), as amended by subsections (a) through (e) of this section.

(2) FUNDING FOR CDC.—Of the amounts appropriated pursuant to the authorization of appropriations under paragraph (1), not more than $70,000,000 for fiscal year 2008 and not more than $100,000,000 for fiscal year 2009 shall be made available for the purpose of carrying out global tuberculosis activities through the Centers for Disease Control and Prevention.

(3) ADDITIONAL PROVISIONS.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) and amounts made available pursuant to paragraph (2)—

(A) are in addition amounts otherwise made available for such purposes; and

(B) are authorized to remain available until expended.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this bill. H.R. 1567, the Stop TB Now Act, which I introduced with my colleagues, the gentlewoman from New Mexico (Mrs. WILSON) and the gentleman from Washington (Mr. SMITH), has 106 bipartisan cosponsors, and I am proud it is moving forward today. It is a very, very important and timely bill.

International tuberculosis control has become an important issue to me. It is remarkable in this day and age, with treatment available, that TB is the biggest infectious killer of young women in the world. In fact, TB kills more women worldwide than all causes of maternal mortality. As you know, tuberculosis is also the biggest killer of people with AIDS worldwide. Someone in the world is newly infected with TB every second, and TB counts for more than one-quarter of all preventable adult deaths in developing countries.

I strongly believe that the global community, with the United States in the lead, must do more to adequately address this disease by investing in quality TB control programs, using the groundbreaking Global Plan to Stop TB as a guide. It is for this reason that I have introduced this bill, the Stop TB Now Act, which will set forth the U.S. fair share towards achieving the goals of the Global Plan.

I believe if we don't make bold and wise investments in international tuberculosis control, not only will we fail to save millions of lives and miss out on the many accompanying benefits of controlling this killer, but also that this disease will become far more difficult and costly to treat.

Extremely drug-resistant TB, or XDR-TB for short, highlights this danger. It has been found on 6 continents, is a growing epidemic in southern Africa, and is already reported to be here in the U.S. Regular, or non-drug-resistant, TB is curable with drugs that cost just $16 in most developing countries.

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Cases of drug-resistant TB, however, can cost thousands of dollars to cure, with treatment that is far more difficult for patients and practitioners. Drug-resistant tuberculosis is a manmade problem and is caused by poor TB treatment. We, the global community, have the power to prevent drug-resistant TB and the power to treat and control regular TB, and yet, unfortunately, we have chosen not to do so by our inaction.

Through aggressive, committed leadership, the U.S. has proven that it is feasible to massively scale-up our investment to fight HIV/AIDS and malaria, and well we should. We have increased funding to fight AIDS from $840 million in 2001 to $2.9 billion in 2004, to over $4.4 billion in the House Foreign Operations bill in fiscal year 2008.

U.S. funding for malaria efforts increased from $100 million in 2006 to an administration request of $387 million for fiscal year 2008, with a House Foreign Operations level of $350 million.

Even our response to the potential threat of avian flu has been aggressive, from just $4 million a few years ago to $100 million in the Foreign Operations budget for fiscal year 2008 and an additional $160 million in the fiscal year 2007 supplemental.

However, only tuberculosis, the greatest curable infectious killer on the planet, has been left behind, and we must correct that, and that's the purpose of this legislation.

Because of our chronic neglect of tuberculosis, this disease is not only responsible for the preventable deaths of some 4,000 people every day, it is undermining our enormous efforts and billions in investments to fight AIDS. Tuberculosis is the leading killer of people with AIDS. Through U.S. leadership, we are seeing increasing numbers of AIDS patients access life-saving antiretroviral therapy, but they're not dying of AIDS. They're dying instead of tuberculosis. And what a shame that is and how ridiculous it is when we have the power to stop and end it. And more recently, people have been dying in large numbers in southern Africa due to drug-resistant TB.

While the President's AIDS initiative has made commendable scale-ups in TB and HIV efforts, they are still, in my opinion, grossly insufficient. Much of PEPFAR's scale-up supports testing tuberculosis patients for HIV and ensuring that TB and AIDS programs work together. It's very important. I'm glad we're doing it, but it's not addressing the core TB program needs. And PEPFAR's TB-HIV efforts are focused on those co-infected with both diseases and mostly in Africa, again, while commendable, but TB is a global problem and we need to combat it everywhere.

The costs of inaction are greater than the costs laid out in this bill. This past spring, it became clearer than ever that tuberculosis knows no border when a gentleman named Andrew Speaker, an attorney from Atlanta, traveled across the globe and came back to the United States with a highly resistant form of TB. We all remember that. Many of us were shocked by it.

Being from New York, I'm very familiar with what happens when TB control is neglected. In the late 1980s to the early 1990s, the City of New York paid a dear price for its failure to invest adequately in tuberculosis control. The city, along with many other areas of the country at the time, experienced an epidemic of tuberculosis. In this case, the epidemic was a multidrug-resistant TB, which inevitably develops in the absence of basic TB control. New York City launched an aggressive tuberculosis control campaign and brought down its burden of drug-resistant TB. The cost to the city? Over $1 billion to control some 300 cases, far higher than it would have been and it would have cost to prevent the situation in the first place. Tuberculosis is not just a global issue, but as we can see, it's certainly a local one as well.

When it comes to tuberculosis, Mr. Speaker, we simply cannot afford to maintain the status quo. The resources authorized in this bill represent a realistic and urgently needed increase in funding for global TB control based on the needs laid out in a costed-out, comprehensive business plan. The cost of inaction is much, much greater.

In conclusion, I would especially like to pay tribute to our former colleague, Senator Sherrod Brown, who was a champion of global tuberculosis efforts during his time in the House. He's doing this great work as well now in the Senate.

I would also like to thank the many groups whose advocacy helped bring the Stop TB Now Act to the floor, particularly RESULTS and the American Thoracic Society.

Finally, I would like to thank Chairman LANTOS, Congressman PAYNE and their staffs for their unfailing support for tuberculosis control and this legislation and to the Energy and Commerce Committee and Mr. DINGELL for expediting consideration of this bill. I'm proud to serve on both the Foreign Affairs and the Energy and Commerce Committee, the two committees that have jurisdiction on this bill.

Again, this is truly a bipartisan bill. I wish to thank the ranking member, Ms. ROS-LEHTINEN, and all the people, all the colleagues who have cooperated on both sides of the aisle because only by working together can we get at the scourge of TB.

Mr. Speaker, I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I may consume.

The bill before us, H.R. 1567, the Stop Tuberculosis Act of 2007, has been put forward by its supporters to provide a very significant increase in our foreign aid spending on anti-TB programs abroad.

If we rely on figures gathered with the assistance of the Congressional Research Service, the bill would raise our spending on such programs through the U.S. Agency for International Development by about 6 times in the next 2 years.

According to a brief letter received late last week from the Congressional Budget Office, the bill would increase such spending somewhat less, by somewhere between two and three times in the next 2-year period.

Although it is possible that the latter estimate by CBO may inadvertently have included in its baseline comparison current funding levels for some anti-TB programs outside of the scope of this bill, it is clear that this measure seeks a major increase in the AID programs it covers.

Along those lines, the bill strongly encourages, if not directs, the President to ensure that the funds that would be provided under this bill will be transferred to the World Health Organization's "Stop TB Partnership" plan.

Finally, the funding amounts in the bill have apparently been formulated using a calculation meant to reflect what the United States' fair share might be in funding that international plan.

Mr. Speaker, I recognize the determination of the supporters of this measure to do more to combat TB overseas.

On a personal note, my mother was afflicted with tuberculosis when she was in her mid to late teens and was on her back for a year, just didn't get out of bed. So we understand the importance of eradicating TB, not only worldwide but in the United States. She's done well, though. By coincidence, this is her 86th birthday, and so she recovered fully.

I also want to thank Congressman ENGEL for his work on this. I know that he's worked very, very hard, and also Congresswoman HEATHER WILSON of New Mexico.

With that, we don't have any more speakers, and if you all don't, I will yield back.

Do you have some more speakers?

Mr. ENGEL. I have no further speakers, but I would like to respond a bit to some of the points that you made.

Mr. BOOZMAN. Mr. Speaker, I yield back the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself as much time as I may consume.

I thank my colleague, and I just want to let him know and let my colleagues know that we worked together with Senator LUGAR, who's the ranking member of the Senate Foreign Relations Committee, and we specified that the funding would be a ceiling, not a floor.

The bill appropriates up to $400 million in 2008 and up to $550 million in 2009, including global activities to be carried out by USAID and CDC. So that's what we did. We negotiated it so we wouldn't necessarily spend all the money. We would spend up to that amount of money, and that would be the limit, but it would not be the money that we would spend if we didn't need to spend it.

We worked closely with WHO, CDC and USAID, and the overall global number is derived from Stop TB Partnership's Global Plan to Stop TB 2006 through 2015, of which WHO is a partner and USAID is the current Chair of the Stop TB Partnership's coordinating board. The plan is well documented, detailed, costed out, and again, builds up from country estimates and was reviewed in an exhaustive process.

Finally and furthermore, the World Health Organization developed and released a "Global MDR-TB and XDR-TB Response Plan" that supplements the need calculated by the Global Plan's need in light of the outbreak of drug-resistant TB.

USAID and the CDC work together globally and both have agreed to this coordination of funding, and again, we have a ceiling of what we spend and not a floor.

So, again, I thank my colleague.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in strong support of this legislation. There is a great need, at home and abroad, for increased resources against the fight of Tuberculosis. Worldwide, nearly 2 million people died from TB in 2006. Adding to the problem, the TB germ is changing and new, drug-resistant strains have been found in 28 countries on 6 continents, including the U.S. The Stop Tuberculosis Now Act of 2007 requires the President to make TB prevention, treatment and elimination a priority. This act authorizes the President to increase aid to the World Health Organization through USAID specifically for TB strategies against these drug-resistant strains and to support affected countries, also increasing appropriations for CDCP and TB programs.

This legislation addresses the need abroad, but we also still need more interest here in the states. That is why I introduced The Comprehensive TB Elimination Act (H.R. 1532) earlier this year to confront that exact problem. In 2005, more than 14,000 people had TB in the U.S., including over 1500 cases in Texas. There also is an estimated 10 to 15 million people in the U.S. with latent TB, approximately 10 percent of which will go on to develop active TB. In the face of this problem, the standard method for diagnosis is more than 100 years and isn't adequately effective in testing children or those also infected with HIV/AIDS. The newest class of anti-TB drugs is 40 years old. The current drug- resistant strains that we know of are nearly untreatable with the drugs available today.

These facts highlight the obvious need for TB research and development of active attempts not only to control the problem, but decrease the threat and hopefully eradicate it completely. The Comprehensive Tuberculosis Elimination Act (H.R. 1532) will do that at home and The Stop Tuberculosis Now Act of 2007 (H.R. 1567) will do that abroad. I urge my colleagues' to join me in supporting this legislation.

Mr. ENGEL. Mr. Speaker, we have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and pass the bill, H.R. 1567, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EURASIA FOUNDATION ACT

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2949) to authorize grants to the Eurasia Foundation, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2949

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Eurasia Foundation Act".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) There has been established in the District of Columbia a private, nonprofit corporation known as the Eurasia Foundation (hereafter in this Act referred to as the "Foundation"), which is not an agency or establishment of the United States Government.

(2) In recognition of the valuable contributions of the Foundation to long-range United States foreign policy interests, the United States Government has, through the United States Agency for International Development and the Department of State, provided financial support for the Foundation.

(3) It is in the interest of the United States, and the further strengthening of cooperation with the countries of Eurasia, to establish a more permanent mechanism for United States Government financial support for the ongoing activities of the Foundation, while preserving the independent character of the Foundation.

(b) PURPOSES.—The purposes of the Foundation are—

(1) to promote civil society, private enterprise, and sound public administration and policy in the countries of Eurasia and in lending encouragement and assistance to citizens of such countries in their own efforts to develop more open, just, and democratic societies;

(2) to strengthen indigenous institutions that foster national development, constructive social change, equitable economic growth, and cooperative international relationships that are fully consistent with and supportive of long-term United States interests with respect to the countries of Eurasia; and

(3) to conduct programs in response to initiatives in the countries of Eurasia that would be difficult or impossible for an official United States entity, and, as a result of its position in the countries of Eurasia, to respond quickly and flexibly to meet new opportunities.

SEC. 3. GRANTS TO THE FOUNDATION.

(a) GRANTS REQUIRED.—

(1) IN GENERAL.—The Secretary of State shall make an annual grant to the Foundation to enable the Foundation to carry out its purposes as specified in section 2(b).

(2) ADDITIONAL REQUIREMENTS.—Each grant required under paragraph (1)—

(A) shall be made with funds specifically appropriated for grants to the Foundation; and

(B) shall be made pursuant to a grant agreement between the Secretary and the Foundation which—

(i) requires that grant funds will only be used for activities the Board of Directors of the Foundation determines are consistent with the purposes described in section 2(b), and that the Foundation will otherwise comply with the requirements of this Act; and

(ii) may not require the Foundation to comply with requirements other than those specified in this Act.

(b) USE OF FUNDS.—The Foundation may use funds received under a grant described in subsection (a) to carry out the purposes described in section 2(b).

(c) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to make the Foundation an agency or establishment of the United States Government or to make the members of the Board of Directors of the Foundation, or the officers or employees of the Foundation, officers or employees of the United States.

(d) OVERSIGHT.—The Foundation and its grantees shall be subject to the appropriate oversight procedures of Congress.

(e) OTHER FUNDING.—The Foundation shall have authority to accept funding from non-United States Government sources to complement United States Government funding.

(f) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a robust Foundation, funded at the levels authorized under section 6 of this Act, and at appropriate levels in subsequent fiscal years, can contribute significantly to the political, economic, and social development of democracy and human rights in the countries of Eurasia;

(2) notwithstanding the Foundation's distinguished record of performance, organizations that seek competitive grants typically perform in a more transparent and effective manner; and

(3) to the maximum extent possible, the Foundation should seek competitive grants to supplement appropriations from the United States Government, and at least 20 percent of the funding received in each fiscal year by the Foundation should be from non-United States Government sources to ensure continued strong performance of the Foundation.

SEC. 4. ELIGIBILITY OF THE FOUNDATION FOR GRANTS.

(a) COMPLIANCE WITH STATUTORY REQUIREMENTS.—Grants may be made to the Foundation under this Act only if the Foundation agrees to comply with the requirements specified in this section and elsewhere in this Act.

(b) FUNDING FOR COVERED PROGRAMS ONLY.—The Foundation may provide funding only for programs that are consistent with the purposes set forth in section 2(b).

(c) COMPENSATION FOR OFFICERS AND EMPLOYEES OF THE FOUNDATION.—If an individual who is an officer or employee of the United States Government serves as a member of the Board of Directors or as an officer or employee of the Foundation, that individual may not receive any compensation or travel expenses in connection with service performed for the Foundation.

(d) PROHIBITION RESPECTING FINANCIAL MATTERS.—The Foundation shall not issue any shares of stock or declare or pay any dividends. No part of the assets of the Foundation shall inure to the benefit of any member of the Board of Directors of the Foundation, any officer or employee of the Foundation, or any other individual, except as salary or reasonable compensation for expenses incurred in the performance of duties to the Foundation.

(e) AUDIT OF ACCOUNTS; REPORTING REQUIREMENTS.—

(1) AUDIT OF ACCOUNTS.—The accounts of the Foundation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States.

(2) REPORTING REQUIREMENTS.—The report of each such independent audit shall be included in the annual report required by subsection (h) of this section. The audit report shall set forth the scope of the audit and include such statements as are necessary to present fairly the Foundation's assets and liabilities, surplus or deficit, with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the Foundation's income and expenses during the year, and a statement of the application of funds, together with the independent auditor's opinion of those statements.

(f) AUDIT OF FINANCIAL TRANSACTIONS.—

(1) AUDIT OF FINANCIAL TRANSACTIONS.—The financial transactions of the Foundation for each fiscal year may be audited by the Government Accountability Office in accordance with such principles and procedures and under such rules and regulations as may be prescribed by the Comptroller General of the United States.

(2) REPORTING REQUIREMENTS.—A report of each such audit shall be made by the Comptroller General to the Congress. The report to the Congress shall contain such comments and information as the Comptroller General may deem necessary to inform the Congress of the financial operations and condition of the Foundation, together which such recommendations with respect thereto as the Comptroller General may deem advisable. A copy of each report shall be furnished to the President and to the Foundation at the time submitted to the Congress.

(g) RECORDKEEPING REQUIREMENTS; AUDIT AND EXAMINATION OF BOOKS.—

(1) RECORDKEEPING REQUIREMENTS.—The Foundation shall ensure that each recipient of assistance provided through the Foundation under this Act keeps such records as may be reasonably necessary to fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(2) AUDIT AND EXAMINATION OF BOOKS.—The Foundation shall ensure that it, or any of its duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance provided through the Foundation under this Act. The Comptroller General of the United States or any duly authorized representative of the Comptroller General shall also have access thereto for such purpose.

(h) ANNUAL REPORT; TESTIMONY RELATING TO REPORT.—

(1) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than March 31 of each year, the Foundation shall submit an annual report for the preceding fiscal year to the President for transmittal to the Congress.

(B) CONTENTS.—The report required under subparagraph (A) shall include a comprehensive and detailed report of the Foundation's operations, activities, financial condition, and accomplishments under this Act and may include such recommendations as the Foundation deems appropriate. The report should also include any information regarding allegations or reports on the misuse of funds and how such allegations or reports were addressed by the Foundation.

(2) TESTIMONY RELATING TO REPORT.—The Board members and officers of the Foundation shall be available to testify before appropriate committees of the Congress with respect to the report required under paragraph (1), the report of any audit made by the Comptroller General of the United States pursuant to subsection (f) of this section, or any other matter which any such committees may determine.

(i) GRANTEE; CONFLICT OF INTEREST.—A member of the Board of Directors of the Foundation who serves as a member of the board of directors or an officer of a grantee of the Foundation may not receive compensation for their services but shall be entitled to reimbursement for travel and other expenses incurred by them in connection with their duties on behalf of such grantee.

SEC. 5. AGREEMENT BETWEEN FOUNDATION AND SUCCESSOR OR RELATED ENTITY TO THE U.S. RUSSIA INVESTMENT FUND.

(a) AGREEMENT REQUIRED.—The Foundation and any successor or related entity to the U.S. Russia Investment Fund shall enter into a memorandum of understanding for the purpose of coordinating activities carried out by the Foundation and the successor or related entity. The memorandum of understanding shall include language that prohibits the same entities from carrying out the same activities.

(b) DEADLINE.—The memorandum of understanding described in subsection (a) shall be entered into between the Foundation and the successor or related entity described in subsection (a) by not later than the later of the following:

(1) If the successor or related entity is established on or before the date of the enactment of this Act, 90 days after the date of the enactment of this Act.

(2) If the successor or related entity is established after the date of the enactment of this Act, 90 days after the date on which the entity is established.

(c) SUBMISSION TO SECRETARY OF STATE AND CONGRESS.—The Foundation and the successor or related entity described in subsection (a) shall submit to the Secretary of State and Congress a copy of the memorandum of understanding described in subsection (a) not later than 30 days after the date on which the parties enter into the memorandum of understanding.

(d) LIMITATIONS.—For the period beginning on the date on which the successor or related entity described in subsection (a) is established, or the date of the enactment of this Act, whichever occurs later, and ending on the date on which the memorandum of understanding described in subsection (a) is entered into—

(1) United States assistance may not be provided to the Foundation under any other provision of law; and

(2) funds may not be transferred from the U.S. Russia Investment Fund to the successor or related entity or placed in a trust on behalf of the successor or related entity.

(e) SUCCESSOR OR RELATED ENTITY TO THE U.S. RUSSIA INVESTMENT FUND DEFINED.—In this section, the term "successor or related entity to the U.S. Russia Investment Fund" or "successor or related entity" means any organization, corporation, limited-liability partnership, foundation, or other corporate structure that receives any or all of the remaining funds of the U.S. Russia Investment Fund after liquidation of assets upon closure of the U.S. Russia Investment Fund.

SEC. 6. COUNTRIES OF EURASIA DEFINED.

In this Act, the term "countries of Eurasia" means Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, the Kyrgyz Republic, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act $15,000,000 for fiscal year 2008 and such sums as may be necessary for fiscal year 2009.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriation under subsection (a) are authorized to remain available for 2 years from the end of the fiscal year for which the amount was appropriated.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ENGEL. Mr. Speaker, I rise in strong support of this bill, and I yield myself as much time as I may consume.

Let me first thank my good friend and colleague, the chairman of the Europe Subcommittee, Mr. WEXLER from Florida, for introducing this important bill.

The Eurasia Foundation has been a key U.S. government partner in the ongoing effort to promote democracy, expand economic opportunities, and facilitate government reform in countries that formerly comprised the Soviet Union.

Created in 1992 with bipartisan support, the Eurasia Foundation has invested over $360 million in Russia, the Caucasus, and Central Asia in programs that have complemented United States goals for participatory government and active citizenry in this region.

In addition, the Eurasia Foundation has been able to leverage significant private sector funding, in main part due to the annual funding support from the U.S. Government.

This bill seeks to enhance those efforts by recognizing the Eurasia Foundation as a distinct and independent entity that could continue to raise private capital while under a U.S. Government authorization.

Vital work remains unfinished in this part of the world. It is clear that political and economic stability in Eurasia will have a direct impact on the security of the United States.

For these reasons, it's imperative that we continue to support programs such as those conducted by the Eurasia Foundation.

I strongly support this legislation and encourage my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I may consume.

The Eurasia Foundation has reportedly done some good work over the past few years of the region of the former Soviet Union. Because the aid programs for the countries of that region from which the foundation has received its funding are now closing down, the issue before us is whether that foundation should be authorized to continue to receive funds directly from the U.S. in order to continue its democracy promotion work independently. I suspect that for many of us in this House the answer would be yes.

Just as we have had an Asia foundation, it is possible to see the work of funding this kind of foundation to do democracy promotion in Eurasia.

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The passage of this bill, H.R. 2949, would help ensure that funding.

At the request of Members from our side of the aisle and the Foreign Affairs Committee, this bill has been amended in committee to try to address a significant problem that is not directly related to the Eurasia Foundation but that is an issue of importance to the wise use of our United States Government funds if they are appropriated to the foundation under this bill in the future.

Independent of the Eurasia Foundation, our United States Government-funded Enterprise Fund in Russia, the major state of that region, is closing down and is seeking to use the hundreds of millions of dollars from the sale of its assets to fund democracy promotion, civil society and rule-of-law programs in Russia, as well as economic reform efforts.

At the same time, we have democracy promotion programs under way across Russia and the rest of the region, through the National Endowment for Democracy, the National Democratic Institute, and the International Republican Institute.

So there is obviously a possibility that duplications of efforts will take place unless this Congress finds ways to ensure that it doesn't. We don't want to see U.S. Government-funded organizations compete to do the same kinds of activities if that leads to duplication and waste, and the democracy promotion in that region is too important to see money wasted at a time when Russian President Putin and others are forcing their own brand of authoritarian government on their nations.

This measure has been amended in a way that seeks to mandate that any successor to the U.S. Government-funded Enterprise Fund in Russia has to reach an agreement with the Eurasia Foundation before it engages in any democracy promotion efforts in that country. Hopefully, that will eliminate duplication to some degree.

The bill, as amended, does not go as far as some of us would like, I must note. It does not address the similar situation that will arise in the Ukraine in the next few years when our U.S. Government-funded Enterprise Fund there closes down and seeks to set up its own successor foundation that may, once again, end up duplicating the work done by the Eurasia Foundation in the Ukraine.

It also does not address a completely separate question about how the assets of such U.S. Government-funded Enterprise Funds in Russia and Ukraine will be disposed of, an issue that involves hundreds of millions of dollars in U.S. taxpayer funds. It has been the practice to ensure that the taxpayers get back at least 50 percent of the funds held by such funds when they close down their operations.

There is an effort in the House-passed fiscal year 2008 foreign aid appropriations bill, however, to allow our fund in Russia not to turn back to our Treasury half of its assets. That would mean that the taxpayers would lose $160 million, or perhaps even more than that, depending on the value of the assets sold in the case of the Russia fund alone. Those are monies that might otherwise go to help fund other worthwhile programs.

Perhaps this is not the bill in which to debate that issue, and our efforts in committee to address it in this measure were unsuccessful. But I take this opportunity to point out that issue in the hopes that the administration will be supported by Congress in its efforts to follow current practice and ensure that our Treasury gets back that very significant sum of money.

Mr. WEXLER. Mr. Speaker, I rise in strong support of H.R. 2949, authorizing 15 million dollars in appropriations to the Eurasia Foundation for Fiscal Years 2008 and 2009. This legislation will enable the Eurasia Foundation—which has been operating in the former Soviet Union since 1992—to continue to engage at the highest level in democracy building, civil society promotion and private sector expansion.

I wish to thank Chairman LANTOS and Ranking Member ROS-LEHTINEN for their support of this legislation, as well as Congressman GALLEGLY who was the lead sponsor of this legislation in the 109th Congress. All of these Members have been tireless advocates for providing critical aid and support to former Soviet countries.

Mr. Speaker, this legislation comes at a critical time in our relations with Eurasian states that are still in political, economic and social transition following the collapse of the Soviet Union. It is also coming at a time when U.S. aid to the region is unconscionably shrinking. To this end, organizations such as the Eurasia Foundation are critical components of our strategy to remain engaged at governmental and non-governmental levels in a region that stretches from Armenia to Uzbekistan and from Ukraine to Kazakhstan.

This legislation recognizes the important work being done by the Eurasia Foundation and its efforts to promote civil society, public administration and rule of law—in a region of the world that needs America's attention, assistance and support. Passage of H.R. 2949 today will provide the Eurasia Foundation—a partner of the U.S.—the funds it needs to continue to issue thousands of grants and operate programs in Eurasia that have proven to be effective over fourteen years.

Again, I want to thank Chairman LANTOS and Ranking Member ROS-LEHTINEN for supporting this important legislation and urge my colleagues to vote in favor of this legislation when it comes to the floor for a vote.

Mr. BOOZMAN. Mr. Speaker, I yield back the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield back the balance of my time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and pass the bill, H.R. 2949, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CONGRATULATING NICOLAS SARKOZY ON HIS ELECTION TO THE PRESIDENCY OF FRANCE

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 379) congratulating Nicolas Sarkozy on his election to the presidency of France, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 379

Whereas the Marquis de Lafayette and the people of France offered unparalleled friendship to the people of the United States in their pursuit of freedom and democracy during the American Revolution;

Whereas there are deep cultural ties between the American and French people, as exemplified by the large flow of visitors each year between the two nations, as well as extensive exchanges between United States and French academic institutions, museums, and sister cities;

Whereas the United States is France's 6th largest export market, and its top export market outside of the European Union, and for the United States, France is its 9th largest trading partner, and the United States is the largest foreign investor in France;

Whereas the United States and France are working together to solve important international crises;

Whereas Nicolas Sarkozy, upon winning the election to become the next President of France, said that the United States can count on France as a friend; and

Whereas the people of the United States support any effort by the Governments of France and the United States to maintain and grow a spirit of friendship and cooperation: Now, therefore, be it

Resolved, That the House of Representatives congratulates Mr. Nicolas Sarkozy on his election to the presidency of France and welcomes President Sarkozy on the occasion of his appearance before a Joint Meeting of Congress.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ENGEL. Mr. Speaker, I rise in strong support of this resolution and yield myself such time as I may consume.

I would first like to commend our distinguished colleague, the gentleman from Texas (Mr. POE), for introducing this important resolution that congratulates Mr. Sarkozy on being elected the next President of France.

Over two centuries ago, the people of France assisted the people of the United States in their pursuit of independence during the American Revolution. Since then, the U.S. and France have shared an extensive and mutually beneficial relationship. Today, the United States and France are major economic partners, with nearly $1 billion in trade taking place between the two countries each and every day.

France is the United States' ninth largest partner for trade in goods and sixth largest partner for trade and services. The United States and France are scientific and technical partners as well. Research institutions and private companies in both countries participate in extensive scientific collaboration on a wide range of issues, including computer development, biotechnology, and space exploration.

This spirit of cooperation also typifies the cultural exchange that takes place between American and French academic institutions, museums, and theatres. In light of our continued friendship between the people of the United States and France, we are honored that President Sarkozy will be appearing before a joint session of Congress this week on November 7, 2007.

I urge my colleagues to support this resolution, which congratulates Mr. Nicholas Sarkozy on his election to the presidency of France and welcomes President Sarkozy to Washington.

I might also add that it is especially nice that the leader of France has demonstrated time and time again that he has warm feelings towards the United States of America and is, indeed, a pro-American leader of France. The relations between the United States and France in the past several years has been a little frosty, and it's nice to see that those frosty relations have thawed. It's nice to see a leader of France who understands and wants to work with the United States and understands that we have a very close, long-standing relationship between our people.

I welcome President Sarkozy. I look forward to hearing him when he speaks before a joint session of the House and Congress later on this week. I think that this resolution is a fitting tribute to him, and I believe that the United States and France, under his leadership, will enjoy warm ties.

If I can think a bit about my French from grammar school, I could say, Vive la France.

Mr. Speaker, I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I may consume.

The great nation of France and the United States of America have a shared heritage of commitment to freedom and independence. From time to time, of course, we have made different choices or followed different paths in our commitment to the rule of law, human rights and democracy, but we in the United States are always grateful to have France's collaboration in advancing important foreign policy and security objectives. The newly elected President of France, Mr. Nicholas Sarkozy, is this week paying an official visit to Washington and will address a joint meeting of this Congress during his visit.

His visit prompts us to recall some of the expressions of support Mr. Sarkozy has offered to our country and some of the concrete steps he has, indeed, taken to join with the United States in addressing key issues of our day.

On the eve of the fifth anniversary of the September 11 attacks, then-French Interior Minister Nicholas Sarkozy traveled to New York City to demonstrate solidarity with the American people on that occasion. During his visit, Mr. Sarkozy paid tribute to New York City's Police and Fire Departments as part of the commemoration of the anniversary and noted as part of his remarks the following: "One thing is sure in the history of our two peoples, each time we faced a challenge, France was able to count on the United States of America."

He then presented to the New York Fire Department the French Medal of Honor, the very first time that the medal, the highest award for French firefighters, has been awarded to foreigners. By taking such actions, as both Minister of the Interior and now as the President of France, Mr. Sarkozy has won the appreciation of the American people.

I note that his attitude regarding the necessity of preventing Iran from achieving its nuclear ambitions, his expressed support for the nation of Israel and his praise for the United States as a land of opportunity are very much appreciated as well.

Mr. Speaker, we are glad to have France as an ally, and we hope to deepen the friendship and partnership that the United States and France have enjoyed so many times in the history of our two countries. As the cochair of the Congressional French Caucus, I believe that the resolution before us today helps send a message of continued friendship with the people of France while congratulating President Sarkozy on his election and welcoming him to the United States.

I ask all of my colleagues to join in supporting this very timely resolution.

I have one additional speaker.

Mr. ENGEL. Mr. Speaker, I would continue to reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield to the gentleman from California (Mr. DREIER) as much time as he may consume.

Mr. DREIER. I thank my good friend from Arkansas, the cochair of the U.S.-French Caucus, and appreciate his thoughtful remarks as well as the remarks of my friend from New York.

Mr. Speaker, I rise because I think it is really a great day that we are once again, after what could only be considered as somewhat of a hiatus in this institution, underscoring the importance of the relationship between the United States and France. It's very clear that there was a period of time when we were quite critical of France and, in fact, we all know that the sort of the politically correct thing to do was to engage in French bashing.

I always had a tough time with that myself. One of the reasons is that as we are here in this Chamber, the portrait just to my right is of the man who underwrote the American Revolution, Marquis de Lafayette. In fact, his portrait is the only portrait of a non-American that hangs anywhere in this great building, the U.S. Capitol.

For us to recognize, as my friend from Arkansas just has said in his remarks, the great new, renewed friendship with the election of President

Sarkozy between the United States and France is, I think, a great thing. I am very enthused about 11 o'clock Wednesday morning when we are in this very Chamber going to hear the words of France's new President.

As my friend said, for Nicholas Sarkozy, before he became President, when he was a minister on the fifth anniversary of September 11, to go to New York and demonstrate his solidarity with those who stood up to the terrorists and, again, his great assistance in working with us in supporting the State of Israel, in making sure that we do everything that we can to diminish the threat of the potential nuclear buildup in Iran; of course, the kinds of missions that Nicholas Sarkozy has embarked on most recently to return the hostages of many conflicts around is something that, I believe, is to be heralded. We just had the news this morning that President Sarkozy personally was able to see the return of, I think it was 7 nurses, who had been held hostage.

So his commitment to the cause of freedom and liberty, and I will say, yes, his underscoring the great importance of the relationship and the alliance between France and the United States of America is a great thing for us. I congratulate my colleagues for their support and urge everyone to support this resolution.

Mr. BOOZMAN. Mr. Speaker, I yield back the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the resolution, H. Res. 379, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BOOZMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXPRESSING CONCERN RELATING TO IRANIAN REGIME AND MAHMOUD AHMADINEJAD

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 435) expressing concern relating to the threatening behavior of the Iranian regime and its leader Mahmoud Ahmadinejad, and the activities of terrorist organizations sponsored by that regime in Latin America, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 435

Whereas the Department of State has said that Iran is the "most active state sponsor of terrorism";

Whereas the Department of State 2007 International Narcotics Control Strategy Report moved Iran to a "Jurisdiction of Primary Concern";

Whereas in February 2006, the chairman of the Iranian legislative body announced an offer to assist Venezuela with a nuclear program;

Whereas in February 2006, Cuba, Venezuela, and Syria were the only 3 member nations of the 35-nation board of the International Atomic Energy Agency to vote against referring Iran to the United Nations Security Council for its nuclear program;

Whereas in September 2007, Iran requested observer-status membership in the Bolivarian Alternative for the Peoples of the Americas (ALBA), an organization led by Hugo Chavez, President of Venezuela, to counter United States-led efforts for free trade in that region;

Whereas in September 2007, Mahmoud Ahmadinejad, the President of Iran, made his third visit in one year to Latin America, this time visiting Venezuela and Bolivia, where Mr. Ahmadinejad announced a commitment of Iranian investment in Bolivia of up to $1,000,000,000 over five years;

Whereas Mr. Ahmadinejad and Mr. Chavez have announced plans for a $2,000,000,000 shared fund to invest in projects in countries that Mr. Chavez characterized as seeking to "liberate themselves from the U.S. imperialist yoke";

Whereas in July 2007, the Venezuelan energy minister announced plans to sell gasoline to Iran following riots in Iran opposing the Iranian Government's policy of gas rationing;

Whereas in March, 2007 routine civilian airline flights were established from Tehran, Iran directly to Caracas, Venezuela;

Whereas the 2006 State Department's Country Reports on Terrorism stated that Venezuela is not "fully cooperating" with United States antiterrorism efforts;

Whereas according to the State Department, "an individual claiming to be a member of an Islamic extremist group in Venezuela placed two pipe bombs outside the American Embassy in Caracas on October 23, 2006. Venezuelan police safely disposed of the two pipe bombs and immediately made one arrest. The investigation by Venezuelan authorities resulted in the additional arrest of the alleged ideological leader of the group. At year's end, both suspects remained in jail and prosecutors were pressing terrorism charges against them";

Whereas Hizbollah, Iran's proxy terrorist group, executed the deadliest terrorist attack against Americans abroad since World War II, the 1983 suicide bombing of a United States Marine barracks in Beirut, Lebanon, that killed 241 American servicemen;

Whereas Iran and Hizbollah were involved in the two deadliest terrorist attacks in Argentina: the March 1992 bombing of the Israeli Embassy in Buenos Aires, Argentina, which killed 29 people and the July 1994 attack against the Argentine-Israeli Mutual Association (AMIA), which killed 85 people;

Whereas the Government of Argentina is currently seeking legal action against the perpetrators of the 1994 AMIA terrorist attack;

Whereas in September 2007, the President of Argentina said to the United Nations General Assembly, "I want to stress here, in the United Nations headquarters, that unfortunately until now, the Islamic Republic of Iran has not collaborated with the Argentine justice system to clarify what occurred";

Whereas according to a 2003 report by the Library of Congress, money laundered in the tri-border region, the area where Argentina, Paraguay and Brazil meet, "probably are in the billions of dollars per year" and "Hizbollah has reaped hundreds of millions of dollars in profits from narcotics and arms trafficking, product piracy, and other illicit activities in the tri-border area";

Whereas the television station Telemundo interviewed residents of the tri-border region who said that "they're only waiting for an order to put bombs on their body and attack the United States";

Whereas in March 2007, Brazilian officials arrested 31 people for illegally issuing passports over the past 14 years, and press reports indicate that some of these passports may have been provided to members of terrorist organizations, including members of Hizbollah;

Whereas Brazil, Argentina, Paraguay, and the United States have formed the 3+1 Group, which has focused on the financing of terrorism, drug and arms trafficking, and border security, as well as the exchange of information, with the purpose of preventing terrorism and transnational crimes in the tri-border region;

Whereas in November 2006, Brazil established a new Regional Intelligence Center in the tri-border region, dedicated to coordinating intelligence activities of the police forces of Argentina, Brazil, and Paraguay, and invited Argentina and Paraguay to send official representatives to the Center;

Whereas in March 2007, the Organization of American States' Inter-American Committee Against Terrorism (CICTE) reaffirmed that "terrorism in all its forms and manifestations, whatever its origin or motivation, has no justification whatsoever, affects the full enjoyment and exercise of human rights, and constitutes a grave threat to international peace and security, democratic institutions, and the values enshrined in the OAS Charter, the Inter-American Democratic Charter, and other regional and international instruments";

Whereas in July 2007, the Government of Argentina enacted anti-terrorism legislation that put in place harsher penalties for cooperating with terrorists; and

Whereas as of March 2007, the Government of Brazil was considering expanded anti-terrorism legislation: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses concern over the emerging national security implications of the Iranian regime's efforts to expand its influence in Latin America;

(2) supports the existing counterterrorism efforts of Latin American countries, including the successful counterterrorism efforts of the 3+1 Group (consisting of Brazil, Argentina, Paraguay, and the United States);

(3) emphasizes the importance of eliminating Hizbollah's financial network in the tri-border region of South America where Brazil, Paraguay, and Argentina meet and throughout the Western Hemisphere;

(4) commends and supports the efforts of individual countries and regional bodies in the Western Hemisphere that have led efforts to eliminate terrorist financing and other terrorist operations;

(5) calls on the United States Government to work with governments in the Western Hemisphere to pursue an antiterrorism campaign based on cooperation and constant vigilance;

(6) urges the United States Government to work bilaterally and multilaterally with countries in the Western Hemisphere to help them create antiterrorism legislation that would give governmental authorities new tools to take action against terrorist networks; and

(7) recommends that the President of the United States create more mechanisms for joint counterterrorism operations and intraregional information sharing among supportive countries in the Western Hemisphere, especially in light of Iran's increased involvement in the region.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

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GENERAL LEAVE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ENGEL. Mr. Speaker, I rise in support of this resolution and yield myself as much time as I may consume.

I want to thank the gentlemen from Florida, Mr. KLEIN and Mr. MACK, both active and valued members of the Subcommittee on the Western Hemisphere, which I chair, for their work on this timely and important resolution that raises awareness about Iran's growing foothold in the Western Hemisphere and its national security implications for all countries of this region.

This resolution is particularly valuable as it catalogues a series of facts and actions related to the growing presence of Iran south of our border.

Last month, immediately after his address to the United Nations General Assembly, Iranian President Ahmadinejad flew to Venezuela and Bolivia. This was his third trip the region this year. Mr. Ahmadinejad has used these trips to announce increased diplomatic cooperation and multilateral agreements on energy and industry.

Iranian involvement, Mr. Speaker, in Latin America is not new, as we all know. In 1994, Iran and its proxy terrorist group, Hezbollah, were involved in planning the bombing of the AMIA Jewish Cultural Center in Buenos Aires, where 85 people lost their lives in the bombing.

In fact, just last week I met with the U.S. Ambassador to Argentina, who updated me on Argentina's progress on the AMIA bombings.

Hezbollah remains operational in parts of Latin America, and they continue to fundraise for their global operations.

The United States must do everything we can to help Latin America crack down on terrorist groups in the region, both through joint military exercises and through legislation, giving to governments new tools to eliminate the terrorist threats.

I strongly urge passage of this timely resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I may consume.

I welcome the focus this bill places on the growing influence of Iran in Latin America. Because Iran is the leading state sponsor of terrorism, we dare not lose sight of its increasing presence and activities in the region, nor can we forget its past transgressions.

One year ago, Argentina's State Prosecutor concluded that the horrific 1994 AMIA bombing was "decided and organized by the highest leaders of the former government of Iran."

Yet, somehow the leader of Iran continues to be warmly received by many in the hemisphere. In fact, he has found much strength in his friendship formed with Hugo Chavez, Ahmadinejad's key ally in the region.

The implications of Iran's presence in Latin America are disconcerting in themselves. When partnered with the power of Venezuela's petroleum, it is truly a cause for alarm and concern.

Ahmadinejad has capitalized on his relationship with Chavez to inject his influence throughout the hemisphere, recently signing a cooperation agreement worth $1 billion with Bolivia, and is reportedly making plans to establish an embassy for the first time in Quito, Ecuador.

Furthermore, the disturbing alliance between Venezuela, Iran and Cuba cannot be ignored. The radical efforts of Ahmadinejad, Chavez and Castro to stir anti-U.S. resentment in the region and support for anti-American regimes across the hemisphere are an increasing and undeniable threat to our security. For this reason, we must remain vigilant in our attention to the hemisphere and be sincere in our efforts to strengthen our relationships with the nations of Latin America.

I commend the efforts being taken by the U.S. and our partners in Latin America to combat terrorist activities. However, we must recognize that if the U.S. is to support the efforts of our friends in the region, we must support them wholeheartedly. We cannot continue to send mixed signals. Denying free trade agreements with Colombia, while calling for increased cooperation on any front is not good, fair or effective policy.

I thank my colleague for introducing this measure and look forward to additional efforts by Congress to comprehensively support our security in the Western Hemisphere.

Again, I have one more speaker, Mr. ENGEL.

Mr. ENGEL. I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield as much time as he would like to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, I again thank my friend from Arkansas for yielding, and I thank the gentleman from New York for his very thoughtful remarks on this important resolution. I rise in strong support of it.

I think that both my friends from New York and Arkansas have underscored the grave concern that we have about Iran's entry into this hemisphere, and especially in the remarks offered by the gentleman from Arkansas, Mr. Speaker, he underscored this nexus which has been developed by Hugo Chavez in Caracas, Venezuela and Mahmoud Ahmadinejad.

Now, what is it that we have seen? Obviously there are a great deal of differences that exist when it comes to the vision that a Hugo Chavez would have and Mahmoud Ahmadinejad would have. But they have rallied around one particular point, and that is, virulent opposition to everything that the United States of America stands for. Both of them have been hypercritical of the United States and our policies and the cause of freedom, quite frankly, based on what we've seen in both countries.

The thing that is most troubling is the fact that Mr. Chavez has had this pattern of inviting Mr. Ahmadinejad into this hemisphere and, basically, continuing to promote the anti-American sentiment. And it is cause for concern, and I believe this resolution is very important.

Mr. Chavez took Mr. Ahmadinejad to the inauguration of Rafael Correa in Quito, Ecuador. And again, as my friend from Arkansas has just said, the prospect of an Iranian Embassy opening in Quito is something that's very troubling.

Similarly, he took him to meet with Evo Morales, the President of Bolivia, again, a very, very troubling sign. And I will say, quite frankly, I am even concerned about, while we've heralded the election that took place a week ago yesterday in Argentina, I do believe that there is reason for concern of the potential for this linkage there that exists. I think it's very exciting to see Cristina Kirchner become the President, succeeding her husband in Argentina, but I do believe that we need to remain very vigilant in looking at this linkage between Hugo Chavez, Mahmoud Ahmadinejad and others within this hemisphere.

I would also like to laud my colleague from Arkansas for underscoring the importance of continuing to build our economic alliances with those countries in the hemisphere that are committed to political pluralism, the development of democratic institutions, the rule of law and self-determination.

We are on the verge, this week, we're going to be addressing the issue of a U.S.-Peru free trade agreement. We also have on the horizon, as we all know, in this hemisphere both the Panama and the Colombia free trade agreements.

And so I will say, Mr. Speaker, I think this resolution is very timely. I congratulate my friends for underscoring the importance of this. And I hope that a by-product of it will be the recognition that working with our allies in this region to develop even stronger economic ties should be the next step for us to take.

Again, I urge strong support of this resolution.

Mr. MACK. Mr. Speaker, I rise today to express my support for House Resolution 435, concerning Iran's growing influence in Latin America.

I also want to thank my colleague from Florida, Congressman RON KLEIN, for all of his hard work on this resolution.

He is passionate about Latin America and it has been a pleasure to work with you to get this important resolution to the floor today.

This resolution, which has garnered wide, bi-partisan support, formally expresses what many of us have known for quite some time: Iran's growing ties and meddling in Latin America is a grave concern for us all.

There is no doubt that Iran has given strategic, financial, logistical, and tactical support and safe haven to terrorists groups such as Hezbollah and others.

And, according to military leaders at U.S. Southern Command, there is no doubt that Islamic terrorist groups, such as Hezbollah, have infiltrated indigenous groups throughout significant areas of Latin America in order to develop terrorist networks throughout the region.

Of particular concern to me is the growing and burgeoning friendship between Iran's Mahmoud Ahmadinejad and Venezuelan President Hugo Chavez.

Iran, in my opinion, is seeking to do in Venezuela what the former Soviet Union did in Cuba: establish a base of operations in the Western Hemisphere in order to foment hatred and instability throughout the region.

This should cause great alarm for us all.

But this problem is bigger than Iran and Venezuela alone.

For far too long we have ignored growing unrest and loss of freedoms and the foundations for democracy throughout Latin America.

I have publicly and privately urged this administration and Congress to embrace our allies and do more throughout the region.

Our neglect has allowed leaders such as President Chavez to whip up opposition to the United States.

And further neglect, should we not act now to support our friends in the region, will allow Iran and others to continue to grow their terrorist networks throughout Latin America.

Mr. Speaker, I urge all of my colleagues to support this important resolution.

Mr. KLEIN of Florida. Mr. Speaker, I rise in support of H. Res. 435, a resolution that I authored with my friend, Mr. MACK.

This resolution expresses the concern of the House of Representatives about the growing national security implications of Iran's relationships with countries in the Western Hemisphere.

Iranian President Mahmoud Ahmadinejad has visited Latin America three times in the past year, and has signed agreements with several countries in the region worth billions of dollars. This is a strategic move on his part to build capabilities in our neighborhood.

On one side of the word, Iran continues to make progress on its nuclear program. And, on this side of the world, Iran has tried to sway leaders into supporting this dangerous agenda. And so far, his strategy is gaining momentum, which is extremely alarming.

Iranian involvement in Latin America is particularly concerning, especially considering Iran's history in places like Argentina. This week, Interpol, the world's law enforcement agency, will consider whether to uphold the arrest warrants for five Iranians and one Lebanese who planned and executed the 1994 bombing of the AMIA Jewish community center. Argentines are still waiting for justice to be served against those responsible, and Hizbollah and Iran are the lead suspects.

I also remain concerned about Hizbollah in our hemisphere as it relates to fundraising in the tri-border area, and other places. In fact, just last month, Admiral Jim Stavreedees, head of the U.S. Southern Command wrote, "We consider Latin America and the Caribbean as being highly likely bases for future terrorist threats to the U.S. and others."

The region has seen some progress, with new anti-terrorism legislation and increased counter-terrorism efforts. But, we all have a long way to go. Eliminating the threat of terrorism and its state sponsors is not just in the best interest of the United States. The countries in our hemisphere will be safer. The United States and Central and Latin America have an aligned interest.

I hope that this resolution is seen as a signal that the United States is willing to help our friends in Central and Latin America make their countries safer and free from terrorism.

Mr. BOOZMAN. Mr. Speaker, having no further speakers, I yield back the balance of my time.

Mr. ENGEL. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the resolution, H. Res. 435, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING THE CLOSE RELATIONSHIP BETWEEN THE UNITED STATES AND THE REPUBLIC OF SAN MARINO

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 236) recognizing the close relationship between the United States and the Republic of San Marino, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 236

Whereas the Republic of San Marino is the oldest republic in the world;

Whereas the Republic of San Marino was founded by those fleeing the religious persecution of the Roman Empire, and has adhered to the principles of tolerance and individual liberty throughout its history;

Whereas the United States and the Republic of San Marino have long held close ties based on common interests and common values;

Whereas the special bond between the Republic of San Marino and the United States was first expressed nearly a century and a half ago in an exchange of letters between President Abraham Lincoln and the Captains Regent of San Marino;

Whereas President Lincoln expressed in his letter his deep respect for the Republic of San Marino as "one of the most honored in all of history" and took encouragement from its example that a "government founded on republican principles is capable of being so administered as to be secure and enduring";

Whereas the Republic of San Marino has been a steadfast ally of the United States in many international organizations, such as the United Nations and the International Monetary Fund;

Whereas the Republic of San Marino has been a close collaborator on a number of key economic issues, such as the protection of intellectual property;

Whereas the Republic of San Marino has been a close collaborator in the fight against terrorism, including efforts to combat international terrorist financing;

Whereas through its chairmanship of the Committee of Ministers of the Council of Europe, the Republic of San Marino has worked to promote inter-religious and inter-cultural dialogue;

Whereas earlier this year, the United States and the Republic of San Marino upgraded their diplomatic relations to ambassador-level, and exchanged the first bilateral Ambassadors in our history;

Whereas Paolo Rondelli, the first Ambassador Extraordinary and Plenipotentiary of the Republic of San Marino to the United States, presented his credentials to President Bush at a ceremony at the White House on July 25, 2007; and

Whereas the Honorable Ronald P. Spogli presented credentials to the Captains Regent (co-Heads of State) in a ceremony in San Marino's Palazzo Publico on March 8, 2007: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes the close relationship between the United States and the Republic of San Marino;

(2) expresses its deep gratitude to the Republic of San Marino for its close collaboration and support in issues of critical importance to our economic and national security interests; and

(3) commemorates the first bilateral exchange of Ambassadors in the history of our long relationship.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ENGEL. Mr. Speaker, I rise in strong support of this resolution and yield myself as much time as I may consume.

I would like to thank my good friend and colleague, the gentleman from California (Mr. DREIER), for introducing this resolution that recognizes a small but important friend of the United States.

It is often said, Mr. Speaker, that good things come in small packages, and in the case of San Marino, this is certainly true. San Marino is the third smallest country in Europe, only Vatican City and Monaco being smaller.

San Marino, which is home to 29,000 inhabitants in a territory one-third the size of the District of Columbia, attracts several million visitors a year. The tourist industry makes up over 50 percent of the country's GDP.

San Marino is said to be the oldest republic in the world. It was founded in 301 A.D. by Marinus of Rab, a Christian fleeing from religious persecution by the Roman Emperor.

Its constitution, which dates back to 1600, is the world's oldest written constitution, and remains in effect to this day.

San Marino has been an active player at the international level, including the United Nations, International Monetary Fund, and Council of Europe. Through these bodies, San Marino has sought to promote interreligious and intercultural dialogue, as well as the protection of intellectual property.

San Marino has also cultivated a close friendship with the United States based on our shared values and interests. This relationship was first expressed when President Abraham Lincoln exchanged letters with the Captains Regent of San Marino.

Nearly 150 years after these letters were sent, the United States and San Marino upgraded their bilateral relations to include the first ever exchange of ambassadors. President Bush welcomed San Marino's new Ambassador, Paulo Rondelli, during a White House ceremony on July 25. U.S. Ambassador Ronald Spogli presented his credentials to the Captains Regent in San Marino's Palazzo Publico on March 8. I welcome this development in our bilateral relations, and look forward to ever closer cooperation with our European ally.

I urge my colleagues to join me in supporting this resolution which recognizes the close relationship between our two countries, expresses gratitude to San Marino for its friendship and support, and commemorates the first ever exchange of ambassadors.

Mr. Speaker, I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let's take a moment to recognize an ally whose relationship with the United States certainly exceeds its size. Completely surrounded by Italy, the European microstate of San Marino has the smallest population of all the members of the Council of Europe. Yet, San Marino has made a strong ally of the United States, most notably within a number of international institutions, including the United Nations and the International Monetary Fund. In fact, the U.S. and San Marino have collaborated closely on several key issues such as combating international terrorist financing and protecting intellectual property rights.

Moreover, San Marino has been a leader in promoting interreligious and intercultural dialogue within the European Union. The value of our relationship was marked earlier this year by the first exchange of ambassadors between the U.S. and San Marino.

I, therefore, ask my colleagues to join me in supporting Ranking Member DREIER's H. Con. Res. 236, recognizing our close relationship with the Republic of San Marino.

Mr. ENGEL. Mr. Speaker, I reserve my time.

Mr. BOOZMAN. Mr. Speaker, I yield to the author of this resolution, the gentleman from California (Mr. DREIER) such time as he may consume.

Mr. DREIER. Mr. Speaker, I want to thank my colleagues, the gentleman from New York (Mr. ENGEL) and the gentleman from Arkansas (Mr. BOOZMAN), for their very thoughtful remarks on this resolution.

I also want to join in expressing my appreciation to my fellow Californian, the distinguished Chair of the Committee on Foreign Affairs, Mr. LANTOS and, of course, the ranking Republican, Ms. ROS-LEHTINEN.

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I think both of the sets of remarks offered underscore something that is extraordinarily important, and that is that we thank and express our appreciation to our allies, no matter how large or how small their populations, in dealing with the challenges that we face internationally.

But I will say I have a particular interest in the world's oldest republic because I am privileged to represent its namesake, the City of San Marino, California.

I had the privilege, Mr. Speaker, of leading the first bipartisan delegation to what, as my friend from New York correctly said, is the oldest republic on the face of the Earth, and we took this delegation back in 2004 to the Republic of San Marino. I had the opportunity to present to the Captains Regent, as was said, the co-heads of their state, of their government, a proclamation passed by the San Marino City Council expressing its greetings and appreciation for the friendship that they share.

San Marino, California, was named at its founding for the republic on the Adriatic Sea and displays in its seal Mount Titano, where the republic was first established. Today, like its namesake, San Marino, California, is known for its beauty. It is home to the Huntington Library and Gardens, one of Southern California's great treasures. But the relationship with the Republic of San Marino reaches far beyond beauty. It's my hope that this resolution will help to make us all more aware of the great bond the United States shares with this small, but very important, country.

The Republic of San Marino, as was said, was founded over 17 centuries ago by those who were fleeing the religious persecution of the Roman Empire. They founded a community based on liberty and tolerance 1,300 years before the Pilgrims would land on Plymouth Rock on a similar endeavor. Since those early days of the republic, San Marino has continued its strong tradition of democracy and freedom.

Our close bond, based on a shared commitment to these principles, was first, as my friend from New York said, recorded in history through an exchange of letters between President Lincoln and the Captains Regent. President Lincoln expressed in that letter his deep respect for the Republic of San Marino, saying, "as one of the most honored in all of world history."

Mr. Speaker, he took encouragement from its example that any "government founded on republican principles is capable of being so administered as to be secure and enduring." Those are the words of President Lincoln. Now, as our Nation faced a great crisis, Lincoln looked to the example of San Marino, which had endured for so long while standing with its small "r" republican foundation.

As the United States has faced new crises in the 20th and 21st centuries, it has again relied upon San Marino for its steadfast support within international institutions such as the

United Nations. San Marino has been a close collaborator on a number of critical issues like combating international terrorist financing. This year we have honored their friendship and support, as was said, by elevating our relationship to the ambassadorial level.

My good friend and fellow Californian Ron Spogli, as the first U.S. Ambassador to the Republic of San Marino, presented his credentials to the Captains Regent in a ceremony in San Marino's Palazzo Publico on March 8 of 2007. And as my friend from New York said, the exchange was completed when on July 25 of this year, Paolo Rondelli, the first Ambassador of the Republic of San Marino to the United States, presented his credentials to President Bush at the White House.

Mr. Speaker, today we honor this exchange of ambassadors, and we honor the close relationship between our Nation and the world's oldest republic and the fundamental values that bind us.

And, again, I thank my colleagues for their support of this resolution.

Mr. BOOZMAN. Mr. Speaker, I urge adoption of Congressman DREIER's resolution.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ENGEL. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 236, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BOOZMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CONGRATULATING THE PEOPLE OF ETHIOPIA ON ETHIOPIA'S SECOND MILLENNIUM

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 550) congratulating the people of Ethiopia on the second millennium of Ethiopia, and for other purposes, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 550

Whereas Ethiopia is a proud country with a long, rich history;

Whereas the earliest known hominid, internationally known as Lucy and classified as the Australopithecus Afarensis, was found in Ethiopia;

Whereas in the 9th century, Ethiopians discovered coffee beans in what is now known as the Kaffa region;

Whereas Lalibela, a group of 11 medieval monolithic rock-hewn churches, was constructed in the 13th-century during the Zagwe Dynasty;

Whereas in 1978, Lalibela was recognized on the World Heritage List as a property considered to have outstanding universal cultural value by the World Heritage Committee of the United Nations Educational, Scientific and Cultural Organization (UNESCO);

Whereas in the mid-19th century, Emperor Tewodros II began the modernization of Ethiopia and led a successful campaign to unify Ethiopia;

Whereas the proud and courageous people of Ethiopia defeated the invading Italian army in the Battle of Adowa in 1896;

Whereas United States-Ethiopian relations were established on December 27, 1903, by Emperor Menelik II and President Theodore Roosevelt;

Whereas since then, the Ethiopian-American community has grown to become the second largest African immigrant group in the United States;

Whereas in 1908, European colonial powers recognized Ethiopia's borders and sovereignty;

Whereas in 1923, Ethiopia officially banned the slave trade;

Whereas in 1923, Ethiopia joined the League of Nations;

Whereas Ethiopia is the only country in Africa that was never colonized, with the exception of the 6 years of occupation by the Fascist government of Italy;

Whereas Ethiopia played an important role in the struggle for freedom for many African countries during the colonial period;

Whereas in 1930, Ras Tafari Makonnen was crowned as Emperor Haile Selassie of Ethiopia;

Whereas Emperor Haile Selassie modernized Ethiopia, kept the country united, and largely peaceful;

Whereas in 1974, Emperor Haile Selassie was ousted from power through a military coup by the Derg junta and Lt. Col. Mengistu Haile Mariam was installed as Head of State;

Whereas in May 1991, the brutal Mengistu dictatorship came to an end after a 17-year reign of terror;

Whereas Ethiopia was a founding member of the United Nations and one of the original drafters of the Security Council Charter;

Whereas Ethiopia played a pivotal role in creating the Organization of Africa Unity (OAU), which was founded on May 25, 1963;

Whereas Addis Ababa, Ethiopia, became the headquarters of the OAU and remains the headquarters of its successor, the African Union; and

Whereas the 8th African Union Summit, held from January 29-30, 2007, officially declared the second Ethiopian millennium as the second African millennium: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the people of Ethiopia on the second millennium of Ethiopia;

(2) recognizes the long, rich history of Ethiopia;

(3) commends Ethiopia's contribution to peace and stability on the African continent through the role it played in the creation of the Organization of African Unity (OAU);

(4) recognizes the longstanding relationship between Ethiopia and the United States;

(5) commends the organizers of the second millennium celebration in Ethiopia and the United States; and

(6) commends the peaceful and jubilant celebration of the second millennium of Ethiopia.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of this resolution.

I first want to thank the gentleman from California, our colleague Mr. HONDA, for this resolution congratulating the Ethiopian people for their nation's second millennium. I also commend America's large Ethiopian community, the Committee for the Celebration of the Ethiopian Millennium, and Ambassador Samuel Assefa and his staff for making the celebration in Washington, DC, a truly memorable event. That celebration brought together the finest Ethiopian artists, musicians, scientists, and scholars from around the world for the purpose of making the event not just a social festival but also a learning experience.

Mr. Speaker, Ethiopia is one of the most fascinating countries in the world. It is a country of great antiquity with a culture and tradition dating back thousands of years. The most recent humanoid remains yet discovered, known as "Lucy," were found in Ethiopia.

Modern-day Ethiopia is a multiethnic country with some 83 languages spoken, most of which belong to four main language groups. It is a multireligious country where for centuries, Christians, Muslims, and Jews have co-existed.

In a region of the country known as Kaffa, Ethiopians in the ninth century discovered what we now know as coffee. Ethiopians still practice a traditional ceremony around coffee, a significant social event of the day for family and community.

Today Ethiopia is an emerging democracy, a leader on the continent of Africa, and a friend to the United States. Ethiopia stood by the American people on September 11 and has continued to cooperate with the U.S. Government and the world community in the fight against terrorism.

I wish to express our gratitude and to extend our best wishes to the people of Ethiopia as their nation observes the beginning of its third millennium.

Mr. Speaker, I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to rise in support of H. Res. 550, which congratulates the people of Ethiopia as they celebrate their second millennium. This commends Ethiopia's contribution to peace and stability on the African continent and recognizes the longstanding relationship between Ethiopia and the United States.

While much of the world celebrated the dawn of the second millennium in January of 2000, Ethiopia recognizes the Coptic calendar, which falls 7 years behind our own. This practice is in keeping with Ethiopia's long and rich cultural heritage.

Ethiopia is the only country on the African continent never to have been colonized and, in fact, played an important role in the liberation struggles of numerous other African countries during the colonial period. It continues to play an important role in promoting peace across the continent, both as a major supporter of peacekeeping efforts and the home of the African Union.

Ethiopia has served as a model of religious toleration in the region, a place where Christianity, Judaism, and Islam have co-existed peacefully for centuries. Ethiopia also is home to countless historical artifacts and world heritage sites, including the earliest known hominid, Lucy; and the medieval rock churches of Lalibela, which have been recognized as a wonder of the world. All of these facts have contributed to the strong sense of pride and nationalism that Ethiopians enjoy today.

And while Ethiopia continues to face significant challenges in terms of security and democratic and economic development, this is a country that has served as one of the strongest allies of the United States in the region. The value of our relationship should not be taken lightly.

I was particularly pleased to learn that Prime Minister Meles, Ethiopia's Prime Minister, kicked off the celebrations in September by granting amnesty to thousands of political prisoners, including a number of opposition leaders.

It is my hope that the spirit of rebirth and reconciliation engendered in the celebration will continue to take root as Ethiopia embarks on a second millennium.

So I rise to congratulate our friends in Ethiopia on this joyous occasion, and I urge my colleagues to support this measure.

With that, Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have now concluded six bills that came out of the Foreign Affairs Committee, and I just want to congratulate all the sponsors of the bills and the members of the committee. You can see these bills were all supported with strong bipartisan support. But I want to especially commend the staffs on both sides of the aisle for working very, very hard in getting these bills through.

The very first bill we did was H.R. 1567, which was my bill, the Stop TB Now Act of 2007. And I want to especially commend my legislative director, Emily Gibbons, who was so responsible for this bill. If it wasn't for her, I don't think this bill would have come to its fruition. She was tenacious and was extraordinarily helpful to me in passing this legislation, and this legislation is clearly also a tribute to her fine work.

So I wanted to mention that, and I wanted to again thank my colleague from Arkansas.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 550, congratulating the people of Ethiopia on the second millennium of Ethiopia, and for other purposes, introduced by my distinguished colleague from California, Representative MICHAEL HONDA. This important legislation recognizes the significant efforts made by the government of Ethiopia to move forward in peace and stability, and it encourages our continued relationship.

Ethiopia is currently on the road to democracy. This is a path that should be paved with civil and political discourse, peaceful transitions of power, and respect for human rights. By necessity, the achievement of a modern democracy requires the implementation of electoral reforms, the separation of powers in the government, and the establishment of a truly independent judiciary. These are the founding principles of our American Republic, and I have seen firsthand the progress on the path to democracy Ethiopia has made since the brutal dictatorship of Mengistu Haile Mariam was brought down in 1991. I strongly believe that the United States should do all it can to support this transition, including bolstering civil society and speaking out when fundamental human rights are violated.

Ethiopia has a long and proud history. It is the cradle of mankind, as illustrated by Lucy, also known as Dinkinesh (Amharic for "you are wonderful"), which is the nearly complete hominid skeleton discovered by archaeologists in the Awash Valley of Ethiopia on November 30, 1974. Lucy is estimated to have lived 3.2 million years ago and has redefined science's understanding of human evolution. I was happy to work with Texas State Senator Rodney Ellis, Ethiopian Ambassador Samuel Assefa, and the Houston Museum of Natural Science to bring Lucy to Houston, which is one of only nine American cities and the only city in Texas to host the exhibit. The bones are currently on display in Houston, and will be until April 2008.

Ethiopia is also the oldest independent nation in Africa, has never been colonized, and is home to the African Union. Despite Ethiopia's rich history, however, recent decades have brought hardship and suffering to Ethiopia's people, through military conflict, natural disasters, and a military dictatorship.

For over a decade in the House of Representatives, and prior to that in the Houston city council, I have been an outspoken and unwavering advocate for the country of Ethiopia and its people, both in Ethiopia and in the diaspora. Following in the legendary footsteps of my predecessor, Mickey Leland, who died attempting to alleviate the starvation faced by Ethiopia's innocent populace, I have been a champion of increasing foreign aid to, political, economic, and social cooperation with, and improving human rights in Ethiopia.

Mr. Speaker, I believe this legislation is extremely important in encouraging the progressive strides of the government of Ethiopia. This legislation not only congratulates the people of Ethiopia on Ethiopia's second millennium and their long and rich history, but also commends Ethiopia's contribution to peace and stability on the African continent through its role in the creation of the Organization of African Unity. It further recognizes the longstanding Ethiopia-U.S. relationship and commends the organizers of the second millennium celebrations both in Ethiopia and the United States.

I strongly urge my colleagues to join me in supporting this important legislation.

Mr. ENGEL. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the resolution, H. Res. 550, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

NATIONAL HEROES CREDIT PROTECTION ACT

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 513) to amend the Servicemembers Civil Relief Act to enhance the protection of credit ratings of active duty military personnel who are activated for military service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 513

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Heroes Credit Protection Act".

SEC. 2. PROTECTION OF CREDIT RATINGS OF MEMBERS OF THE RESERVE COMPONENTS DEPLOYED IN SUPPORT OF CONTINGENCY OPERATIONS.

(a) IN GENERAL.—Title II of the Servicemembers Civil Relief Act (50 U.S.C. App. 521 et seq.) is amended by adding at the end the following new section:

"SEC. 208. PROTECTION OF CREDIT RATINGS OF MEMBERS OF RESERVE COMPONENTS DEPLOYED IN SUPPORT OF CONTINGENCY OPERATIONS.

"(a) REQUEST FOR MILITARY SERVICE DEPLOYMENT EXPLANATION.—At any time during or after serving on active duty in support of a contingency operation, an eligible servicemember may request that a consumer reporting agency include a military service deployment explanation with respect to a qualifying account in the file of that servicemember at the consumer reporting agency.

"(b) RESPONSIBILITIES OF CONSUMER REPORTING AGENCIES.—Upon receiving a request from an eligible servicemember under subsection (a), a consumer reporting agency shall—

"(1) include a military service deployment explanation with respect to a qualifying account in the file of that servicemember and provide the military service deployment explanation to each person who requests the credit score or consumer report of the servicemember;

"(2) develop and maintain procedures for the referral to other such agencies of any military service deployment explanation received by the agency; and

"(3) notify the servicemember in writing that the inclusion of any explanation or notation in the file of the servicemember could potentially negatively affect the credit rating of the servicemember and may not mitigate a low credit score.

"(c) DUTY OF RESELLER TO RECONVEY MILITARY SERVICE DEPLOYMENT EXPLANATION.—A reseller shall include in any report of the reseller on a servicemember any military service deployment explanation placed in the file of that servicemember by another consumer reporting agency pursuant to this section.

"(d) ACKNOWLEDGMENT OF MILITARY SERVICE DEPLOYMENT EXPLANATION.—Any prospective user of a consumer credit report containing a military service deployment explanation shall acknowledge such military service deployment explanation.

"(e) DEFINITIONS.—For the purposes of this section:

"(1) The term 'eligible servicemember' means a member of a reserve component who serves on active duty outside the continental United States in support of a contingency operation under a call or order specifying a period of such service of not less than 180 days (or who enters such service under a call or order specifying a period of 180 days or less and who, without a break in service, receives orders extending the period of such service to a period of not less than 180 days).

"(2) The term 'military service deployment explanation' means a code generated by a consumer reporting agency that is delivered in conjunction with a consumer report or credit score to a user of the consumer report or credit score to indicate that the consumer report or credit score of the consumer was adversely affected during a period in which the consumer was a servicemember serving on active duty outside the continental United States in support of a contingency operation.

"(3) The term 'contingency operation' has the meaning given that term under section 101(a)(13) of title 10, United States Code.

"(4) The term 'active duty' has the meaning given that term under section 101(d)(1) of title 10, United States Code.

"(5) The term 'consumer reporting agency' has the meaning given that term under section 603 of the Fair Credit Reporting Act.

"(6) The term 'reseller' has the meaning given that term under section 603 of the Fair Credit Reporting Act.

"(7) The term 'qualifying account' means an account that was opened by a servicemember before the date on which the servicemember was deployed outside the continental United States in support of a contingency operation, but only with respect to obligations incurred before such date.".

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 207 the following new item:

"Sec. 208. Protection of credit ratings of certain servicemembers.".

(c) MILITARY SERVICE DEPLOYMENT EXPLANATION NOT TO AFFECT CERTAIN FUTURE TRANSACTIONS.—Section 108 of such Act (50 U.S.C. App. 518) is amended in the matter preceding paragraph (1), by inserting after "liability of that servicemember" the following: ", or the inclusion of a military service deployment explanation in a file of the servicemember at a consumer reporting agency pursuant to section 208,".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I yield myself such time as I may consume.

As we approach Veterans Day in another week, it is important that we, as Members of the House, not just give our speeches and ride in the parades on Veterans Day but we actually do things that will help our veterans, say thank you for their service, and make sure they get the benefits that are due them when they return home, and that they also avoid pitfalls that come about because they are serving their Nation abroad. There are many examples of this, and we are going to correct a few today.

The first and most important, I think, is to assure that when our service men and women are abroad, when they are in active duty, that they do not face credit problems as a result of that duty if they miss some payments on bills back home. Our colleague, Mr. BRADY from Philadelphia, chairman also of our House Administration Committee, has looked at this problem and has come up with a solution.

Mr. Speaker. I rise in strong support of H.R. 513, as amended.

I would like to thank my distinguished colleague, Congressman ROBERT BRADY of Pennsylvania, for crafting this important bill to help protect our Nations veterans. I'd also like to thank the Subcommittee on Economic Opportunity Chairwoman, STEPHANIE HERSETH SANDLIN, and Ranking Member JOHN BOOZMAN for the strong bipartisan leadership they demonstrated in working on this legislation.

When called to duty, servicemembers across our Nation leave their loved ones, school, and work behind.

Unfortunately as we are witnessing today, some of these servicemembers are returning to letters of delinquency from credit lenders and credit bureaus due to their extended military service abroad.

Mr. Speaker, we must honor our servicemembers' sacrifice by providing them with the resources and financial security needed to protect what they have left behind, so that they may have the peace of mind that their financial interests are protected while serving our Nation.

Mr. Speaker, as you know, a credit score impacts all aspects of your life. It represents you as a consumer and indicates to the potential lender if you are trustworthy of repaying your debt. It also determines whether you will qualify for a good interest for a home loan, buying a car, or even school loans.

H.R. 513, as amended, would protect these men and women while they are at war, by providing an explanation in their credit report. This explanation would be generated by a consumer reporting agency, and delivered in conjunction with a consumer report or credit score.

It will indicate in the consumer report, or credit score, that the consumer was adversely affected during a period in which the servicemember was on active duty outside the continental United States in support of a contingency operation.

To qualify, a person would have to be a member of the National Guard or Reserve, have the account open prior to deployment, and served a specifying period of service of no less than 180 days. By including a military service deployment explanation, any person who requests the credit score or consumer report of the servicemember will be informed of a potential reason of non-payment or missed payments.

Currently, there is no credit protection offered to the men and women in the National Guard and Reserve.

Furthermore, this legislation alleviates the servicemembers' concerns over negative financial implications of their deployment.

Regardless of your view on the war, we all stand united in caring for our veterans. I urge all my colleagues to join me in support of H.R. 513, as amended.

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. BRADY) to explain how this bill will help our active duty forces when they return home.

☐ 1515

Mr. BRADY of Pennsylvania. I thank the gentleman for yielding me time.

I rise in support of H.R. 513, the National Heroes Credit Protection Act.

Just after the start of the Iraq war, I met a lady who served in Operation Desert Storm. This young lady told me that problems in notifying her creditors of deployment had almost cost her to lose her home. Her problems are all too common. This simple piece of legislation was written with those heroes in mind.

H.R. 513 would amend the Servicemembers Civil Relief Act to require credit reporting agencies, when asked, to include a notation in a consumer report or credit score for reserved members of the U.S. Armed Forces when they are called up or deployed. The bill would also require consumer reporting agencies to refer the explanations to other consumer reporting agencies.

More than 300,000 guardsmen and reservists have been called up since September 11. They are doing more missions and activations with fewer personnel. They shouldn't have to worry about protecting their credit while they're keeping us safe.

This bill is revenue neutral. CBO estimates that it would have no significant effect on the Federal budget and minimal costs to the private sector. My staff have discussed this report with representatives of the credit and credit reporting agencies. They have been helpful in suggesting ways to improve the bill's protection for our troops and support the purpose and intent of the measure.

This legislation protects creditors by continuing to require repayment of a soldier's debts, but it provides important new protections for our troops by making it easier for them to take advantage of rights they already have.

I know that Chairman FILNER and Chairwoman HERSETH SANDLIN have worked closely with the minority on their committee, and we are happy to include provisions suggested by the minority. I want to thank them as well as Ranking Members BUYER and BOOZMAN.

Mr. Speaker, the bill will make a major difference in the lives of our heroes and their families. I urge all my colleagues to support the National Heroes Credit Protection Act.

Mr. FILNER. Mr. Speaker, I reserve the balance of my time.

Mr. STEARNS. Mr. Speaker, I think we've talked about this bill, and it's a very good bill. I thought I might take from my colleagues and just read the summary of it just to remind ourselves that H.R. 513 is to amend the Servicemembers Civil Relief Act to enhance the protection of credit ratings of active duty military personnel who are activated for military service.

And the question usually comes up on some of these bills, what do they cost. Mr. BRADY, the gentleman from Pennsylvania, talked about that. So we have a Congressional Budget Office cost estimate that I would share with my colleagues, and it says, "The requirements imposed on credit reporting agencies would be private sector mandates as defined in the Unfunded Mandates Reform Act, the UMRA. CBO suspects the cost of the mandates would be minimal and unlikely to exceed the threshold for private sector mandates established in the UMRA."

So, I think we have a bill that we can all support. So, obviously on this side, we do support it.

The bill, as amended, will improve the protections of the Servicemembers Civil Relief Act by providing the opportunity for certain servicemembers experiencing financial difficulties, while deployed, to simply request that their credit record be annotated to reflect simply that deployment. It also requires the credit industry to take such deployment into consideration.

This new protection, my colleagues, would cover credit accounts opened before the servicemember was deployed. While these protections are important, it is also critical that Members understand that such an annotation may have adverse effects on their credit rating, despite all the existing laws prohibiting such actions. Therefore, my colleagues, the bill also requires the National Credit Bureau to inform applicants of that potential in writing.

So, Mr. Speaker, I think that, in terms of its strong support for veterans, and in their case, when they're deployed, I urge support for the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. FILNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this war in Iraq has involved our National Guard and Reserve units to an extent that has never before been the case. And many of our laws simply do not reflect the new force structure that you see in Iraq. And that is what we, as a committee, are working to change. For example, the National Guard and Reserve units, even if they are in active duty, as they are in Iraq, are not eligible for the same benefits from the GI Bill as our active duty troops. We are going to change that. We are going to change a number of things. And I thank Mr. BRADY, the gentleman from Philadelphia, for making sure that the Guard and Reserve groups have the protections in law that our active duty troops already have. We must protect their jobs, their credit ratings, and their quality of life as they are away from home in active duty supporting our Nation.

The laws have not kept up with this force structure. This is one of the ways that we're going to change that. So we're going to make sure that when they come home, they are recognized and not penalized for their active duty.

Mr. STEARNS. Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 513, as amended.

The SPEAKER pro tempore (Mr. RUPPERSBERGER). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FILNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 513, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. FILNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXPRESSING SUPPORT FOR DESIGNATION OF A NATIONAL VETERANS HISTORY PROJECT WEEK

Mr. FILNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 770) expressing support for designation of a National Veterans History Project Week to encourage public participation in a nationwide project that collects and preserves the stories of the men and women who served our nation in times of war and conflict.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 770

Whereas the Veterans History Project was established by a unanimous vote of the United States Congress to collect and preserve the wartime stories of American veterans;

Whereas Congress charged the American Folklife Center at the Library of Congress to undertake the Veterans History Project and to engage the public in the creation of a collection of oral histories that would be a lasting tribute to individual veterans and an abundant resource for scholars;

Whereas there are 17,000,000 wartime veterans in America whose stories can educate people of all ages about important moments and events in the history of the United States and the world and provide instructive narratives that illuminate the meanings of "service", "sacrifice", "citizenship", and "democracy";

Whereas the Veterans History Project relies on a corps of volunteer interviewers, partner organizations, and an array of civic minded institutions nationwide who interview veterans according to the guidelines it provides;

Whereas increasing public participation in the Veterans History Project will increase the number of oral histories that can be collected and preserved and increase the number of veterans it so honors; and

Whereas "National Veterans Awareness Week" commendably preceded this resolution in the years 2005 and 2006: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes "National Veterans Awareness Week";

(2) supports the designation of a "National Veterans History Project Week";

(3) calls on the people of the United States to interview at least one veteran in their families or communities according to guidelines provided by the Veterans History Project; and

(4) encourages local, State, and national organizations along with Federal, State, city and county governmental institutions to participate in support of the effort to document, preserve, and honor the service of American wartime veterans.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the author of this legislation, the gentleman from Nevada (Mr. PORTER), who will speak on his resolution in a few minutes.

I want to point out that Abraham Lincoln, during his address at Gettysburg, said that "the world will little note, nor long remember, what we say here, but it can never forget what they did here." In that spirit, and to make sure that people will long remember what was done, Congress created the Veterans History Project in the year 2000 with unanimous support from this body.

The Project directed the Library of Congress to establish a national archives for the collection and preservation of videotaped oral histories of our veterans, as well as the copying of letters written during their time of service and diaries they kept. So there is a national repository of this very important part of our Nation's history. This worthwhile investment of time and resources is a gift that can be given for generations and centuries to come. The goal of the project is to capture the personal stories of our Nation's heroes so our children and their children can more fully understand the history of this century.

For a lot of reasons, we find that our Nation's heroes, when they come back from combat, do not even let their families know exactly what happened. They feel like they were just doing their job or don't want to bring up some memories, and so those stories will go with them to their grave. But with this project, we can tap into the stories of more than 24 million veterans who are still alive today, including 3 million from World War II, who are leaving us at the rate of more than 1,000 per day.

It is important that these stories are told, and more important that these stories are told from the mouths of those that were on the front lines and participated firsthand as history was made.

This oral history project requires the cooperation of volunteers across the country to get not only the veterans to come forward to offer their stories, but also the family members and friends to capture their accounts.

So, H. Res. 770 calls on the people of the United States to interview at least one veteran in their families or communities according to guidelines provided by the Veterans History Project. It also encourages local, State and national organizations to participate in support of the effort to document, preserve and honor the service of American wartime heroes.

As chairman of the Veterans' Committee in the House of Representatives, I have had the opportunity and the honor to hear the many accounts from these veterans. I hear the sense of pride that comes along with the duty of defending this country. I know that my father served in World War II, but I never fully got the stories, I don't think, that he had in his memory, and I wish we had captured before he died.

So, I encourage all Americans to reach out to their veterans, thank them and their families for their amazing sacrifice, learn more about their great contributions to our Nation, and gain the wisdom of their personal stories of our Nation's history. Each and every one of us should learn more about the American Folk Life Center at the Library of Congress because their staff is always glad to work with researchers and volunteers to expand their library of these stories.

Volunteers and participants become historians themselves. They can collect audio and video recordings, create a collection of recordings to be available for public use, or collect written materials relevant to personal histories of war veterans.

So, on this Veterans Day, let us, again, do more than just give speeches and ride in parades. Let's join and take the time to show the gratitude that we have to these veterans by asking them to relate their stories for the preservation of history.

Mr. Speaker, I would reserve the balance of my time.

Mr. STEARNS. Mr. Speaker, I yield myself such time as I may consume.

I thought again I would just say that H. Res. 770, summarized, it says "it encourages public participation in a nationwide project that collects and preserves the stories of the men and women who served our Nation in times of war and conflict."

This is very appropriate, and we're coming to Veterans Day. And I commend JON PORTER from Nevada for sponsoring this bill, and I urge my colleagues to support it.

In 2000, Congress unanimously voted to create the Veterans History Project as part of the American Folk Life Center at the Library of Congress. Since its creation, the Veterans History Project has collected thousands of veterans' accounts of their military experiences. My staff has actually gone down to my district with a tape recorder and was participating, recording these histories with our veterans. Each of these accounts is easily accessible on the history project's Web site and will be an invaluable source for future generations.

While there are several ways to record a veteran's history, the most common form of record in this project is through oral interviews. That is what my staff did. They would stand at the town square, and we notified through the newspapers that these individuals could come in. They would come in, and through a tape recorded oral interview, we were able to do that. These oral interviews are conducted all across the country by volunteer interviewers. These narrations provide a firsthand account of the courageous and patriotic sacrifices of our Nation's veterans. That is why, Mr. Speaker, I am happy that this resolution calls on all Americans to take time to interview at least one veteran in their family or their community; just a simple request. With over 17 million wartime veterans living in the United States, we have our work cut out for us. And my colleagues, I think it's imperative that we increase participation in the program while members of these great generations are still among us. And we don't have long to do so.

So, I want to thank Chairman FILNER and the ranking member, Mr. BUYER, for bringing this important resolution to the floor. I urge all of my colleagues to support it.

With that, Mr. Speaker, I recognize the author of the bill, the gentleman from Nevada (Mr. PORTER), for 3 minutes.

□ 1530

Mr. PORTER. Mr. Speaker, I rise today in support of H. Res. 770, which recognizes the goals and ideals of National Veterans History Project Week. This resolution will help highlight the ongoing efforts of the American Folklife Center in the Library of Congress to collect and to document the personal histories of our Nation's greatest heroes, our Nation's veterans. I can't imagine a better way to recognize these heroes. They are amongst us. They are in our families. They are in our neighborhoods. They need some encouragement, but I can't think of a better way.

National Veterans History Project Week will focus the Nation's attention on the importance of veterans' history. The goal is to honor veterans and to ensure that their stories are available for future generations. We owe every freedom we have to the service and, of course, the sacrifice of America's veterans and their families. Their experience teaches us about the power of the human spirit and the realities of war. It is incumbent upon us to ensure that their history is honored and preserved.

This resolution calls upon the people of the U.S. to interview at least one veteran from their families or their communities, following the guidelines set forth by the Veterans History Project, encourages local, State and national organizations, along with the Federal, State and local government institutions to document, to preserve and honor the service of American wartime veterans.

I only wish my father, who passed away in 1995 and was a World War II veteran, had the opportunity to share his history and the past experiences that he had. As a matter of fact, my father was very cautious in even talking about his experiences in the war until the final weeks of his life. I truly only wish that he had had this opportunity to share with his grandchildren.

The Veterans History Project relies on the efforts of volunteer interviewers from the veterans service organizations, libraries, historical societies, museums, retirement communities, professional associations, governmental agencies, universities, high school students, boy scouts, girl scouts, and families to contribute to its collection which currently has more than 50,000 individuals.

Yes, veterans need some encouragement. They want to be asked. I and a number of individuals that we have interviewed and we have placed their history into the CONGRESSIONAL RECORD, many of them served our Nation's wars from World War II, Jack Mates, Martin Schlesinger, and Jack Watson. From the Korean War, Johnnie Phillips, from Vietnam, Johnny Kinder, Chuck Baker, and Stephen Long. From the Cold War, Al O'Donnell from Las Vegas. And from Iraq and Afghanistan, Henry Lujan.

I am proud to be an original sponsor of this bipartisan resolution. While this issue is not and shall not be forgotten, we need to continue reminding our veterans that we need and we appreciate who they are and what they have done. I believe that preserving the histories of our Nation's veterans is of the utmost importance for us as Americans. This is an appropriate way to honor our veterans and the volunteers to seek and collect those wonderful stories of heroism.

I would also like to thank my friend and colleague, Mr. KIND from Wisconsin, for his strong support.

Mr. STEARNS. Mr. Speaker, just a few words, and then I think we will yield back the balance of our time.

The ranking member, Mr. BUYER, of the Veterans Committee also has recorded his experience when he was the United States captain in the Gulf War in this project. So I think it is appropriate to bring that to our colleagues' attention.

I conclude about the bill, in addition to encouraging veterans, it encourages the local government, the State and national organizations, along with the Federal, State, city and county government institutions, to encourage, to participate in support of this effort to document, preserve, and honor the service of American wartime veterans.

Mr. Speaker, I yield back the balance of our time.

Mr. FILNER. Mr. Speaker, I thank the gentleman from Nevada (Mr. PORTER) for bringing us this resolution. As an historian myself who has worked with oral histories, I know how important it is professionally and, as he said, also personally. So I urge everyone to support this bill.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I also ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 770.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KIND. Mr. Speaker, I rise today in support of House Resolution 770 which encourages the designation of a National Veterans History Project Week. This resolution encourages increased public participation in the Veterans History Project.

As you may know, the Veterans History Project collects and saves the stories of America's veterans who have bravely served this country from World War I to today's conflicts in Iraq and Afghanistan. This project provides Americans an important way to honor our soldiers: by preserving the story of their service, in their own words, for the use and benefit of future generations.

In 2000, I authored and Congress unanimously passed legislation creating the Veterans History Project. Since its beginning, the project has collected more than 50,000 stories and documents. In addition, the Veterans History Project was honored by Harvard University as one of the finalists for the Innovations in American Government Award competition in 2005.

We must get the word out to all veterans about this important initiative. We have millions of wartime veterans and civilians in this country and their stories are a reminder to us all of the costs of the freedoms we so deeply cherish. Let this resolution also serve as a reminder to the distinguished members of this body that the decisions we make here in Washington have a far-reaching impact in the homes and communities all over this great country. We must support these brave men and women whom we send out to the front lines to fight for the freedoms we are privileged to enjoy.

Since the beginning of our Nation, the soldiers, sailors, airmen, and marines of the armed forces have been called on to risk their lives and fight for the ideals that make America great. Regardless of what one thinks about the wars that they fought in, or the wisdom of our involvement, all Americans must agree that the men and women of our armed forces have responded to the call of their country and performed with honor and dignity. War veterans and the civilians who have supported them all across this Nation have stepped forward once again, this time answering the call of civic duty by recording their stories and contributing personal documents for the Veterans History Project. Their participation ensures that their accounts are recorded and preserved, becoming a part of this Nation's memory and history.

The volume of materials already collected by the Veterans History Project is a testament to its success. I believe, however, we can do even better. By passing this resolution today, we can encourage more participation in this important program and ensure that this vital collection of American history continues to grow even further.

Capturing the stories of our war veterans is more important now than ever before. Every day, America loses over 1,000 of our aging World War II veterans and with them, their firsthand accounts of that war. As our country faces new challenges and threats in foreign policy, we must not forget the events and lessons of World War II. That is why it is imperative that we capture the stories and personal histories of those veterans today before it is too late. The Veterans History Project is instrumental in accomplishing this important goal.

I call upon all members of this body to publicize and promote the Veterans History Project in their own districts and communities. I cannot think of a better way to honor our veterans than by trying to preserve as many of their memories and stories as possible.

I commend the gentleman from Nevada for introducing this resolution and I strongly urge my colleagues for their support.

Mr. FILNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and agree to the resolution, H. Res. 770.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING SUPPORT FOR THE GOALS OF VETERANS EDUCATE TODAY'S STUDENTS (VETS) DAY

Mr. FILNER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 60) expressing support for the goals of Veterans Educate Today's Students (VETS) Day, and for other purposes.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 60

Whereas the United States has, in the course of its history, fought in many wars and conflicts to defend freedom and protect the interests of the Nation;

Whereas millions of men and women have served the Nation in time of need as members of the Armed Forces;

Whereas the service of veterans has been vital to the Nation, and the sacrifices made by veterans and their families should not be forgotten with the passage of time;

Whereas children throughout the Nation would benefit from programs that provide education about veterans and that instill a patriotic appreciation of the sacrifices made by veterans to defend freedom and to protect the interests of the Nation;

Whereas efforts are being made throughout the Nation to devote November 10, or another date as may be designated, to an event known as Veterans Educate Today's Students Day; and

Whereas schools that participate in Veterans Educate Today's Students Day set aside a portion of the school day for the study, recognition, and appreciation of veterans: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes the importance of veterans to the United States;

(2) expresses support for the goals of Veterans Educate Today's Students Day;

(3) urges teachers, civic leaders, and veterans to carry out programs that educate children about the service of veterans and the sacrifices made by veterans and their families; and

(4) encourages the people of the United States to participate in local and national activities recognizing Veterans Educate Today's Students Day and other events that foster education about the importance of veterans to the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I yield myself such time as I may consume.

Again, I am proud to bring to the floor another motion, another resolution, another action that will help us understand and better appreciate the contributions of our veterans from many wars. I want to thank Congressman FRANK PALLONE from New Jersey, who offers this resolution, and it will recognize our Nation's veterans for their sacrifice to our country.

Currently, brave men and women who are fighting in missions throughout the world, including in Iraq and Afghanistan, do not have an exact avenue to let us know what has occurred or let us know how to appreciate or spread that appreciation to others in our society. This resolution will provide an avenue to educate our children about the sacrifice our servicemembers and their families are making.

Veterans Educate Today's Students Day will designate November 10 as VETS Day that would call for teachers, civic leaders, and veterans to carry out programs to educate children about the service of our Nation's veterans and their sacrifice. VETS Day is a day students can be taught to appreciate that because of our Nation's veterans we are able to enjoy the many freedoms that we take for granted. VETS Day should be the day we highlight veterans' service, American freedoms and pass on to our children our American ideals. This is why I urge all my colleagues to join me in support of H. Con. Res. 60.

Mr. Speaker, I reserve the balance of my time.

Mr. STEARNS. Mr. Speaker, I yield myself such time as I may consume.

This is a simple resolution, just basically expressing support for the goals of Veterans Educate Today's Students Day, and for other purposes. I believe that in this case it will be November 10, the day before Veterans Day, when this will be celebrated. So obviously we need to support this resolution. It expresses the sense of the support of Congress for the goals of this VETS Day.

It is noticeable that we recognize the importance of educating the children of today about this sacrificial history of veterans and their families so close to the national day of honor for those same veterans, which is on November 11, Veterans Day.

My colleagues, the number of veterans today is not as large as it used to be. The children in schools are less likely to have a parent, uncle or aunt who served in the military who could tell them about their experiences. My father served in Iwo Jima. He could tell me about his experience during that Pacific war. He has since been deceased. But I remember him talking about it and how much education it was for me. So those from the Greatest Generation who have passed from this world leave behind a legacy of courage, loyalty, and honor. This legacy was picked up and continued by the next generation of veterans from the Korean War, the Vietnam War, military engagements in Haiti and Kosovo, Gulf War I, and today in the current conflicts in Afghanistan and in Iraq.

So, Mr. Speaker, to set aside a specific day to educate our children about the sacrifice, the gallantry of our Nation's heroes demonstrates the importance of that service. It is because of them that we still have the freedom in this Chamber and the freedom we cherish today.

Now, some school districts are already taking steps in this direction by inviting veterans to speak in their classrooms on Veterans Day and share their stories with the students and all the teachers. We should encourage this worthwhile educational activity in more schools across the Nation.

Mr. Speaker, I encourage my colleagues to join me in support of H. Con. Res. 60.

Mr. Speaker, I reserve the balance of my time.

Mr. FILNER. Mr. Speaker, I am honored to yield such time as he may consume to the author of this resolution, a man who fights for veterans in his district and around the Nation, Mr. PALLONE from New Jersey.

Mr. PALLONE. Thank you, Mr. Chairman.

Mr. Speaker, as we approach Veterans Day on November 11 of this month, I want to say a few words about why I introduced House Concurrent Resolution 60 which, as you know, expresses support for the goals of Veterans Educate Today's Students Day, or VETS Day.

Throughout our Nation's history, millions of men and women have served the U.S. in times of need as members of the armed services, and these veterans and their families have made sacrifices that should not be forgotten with the passage of time. In the U.S., hundreds of memorials and monuments stand to honor those who have served in the armed services. While these tributes help remind Americans of the great sacrifices that were made to protect our freedoms, they can't educate today's youth the way actual veterans can.

The VETS Day essentially would urge teachers and civic leaders to organize events and forums where students can interact with America's veterans.

H. Con. Res. 60 would encourage schools to set aside a portion of the day in November to allow veterans to answer students' questions while conveying important stories and lessons about their service. I actually have participated in these kinds of programs in my own district, Mr. Speaker; and I know how valuable they can be.

At a time when the men and women of our armed services are in harm's way, we should be educating today's students on the sacrifices these brave men and women make every day. The children of our Nation will benefit from programs that provide education about veterans and instill a patriotic appreciation of the sacrifices made by veterans to defend freedom and protect the interests of our Nation.

Again, I think the most important thing is hearing firsthand accounts from veterans themselves, and that is the best way that students can better understand veterans' service and sacrifice. Again, I want to thank the chairman for his assistance and urge swift passage of this resolution.

Mr. STEARNS. Mr. Speaker, I will conclude by saying that obviously encouraging the people of the United States to participate in local and national activities, recognizing Veterans Educate Today's Students Day, or VETS Day, is something that we should remind all Americans about how important it is and realize that it not only fosters education of our youth, but it also provides the veterans an opportunity to explain things perhaps that no one has ever asked them or taken the time to say, what was it like? So in a way, it is an opportunity for them, as well as the students.

I urge adoption of this resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. FILNER. Mr. Speaker, again I want to thank Mr. PALLONE for authoring this resolution. I know many of us who give speeches on Memorial Day and on Veterans Day note always that there are not many youth in the audience. And to bring these stories to our students, to our youth, is extremely important.

I ask unanimous support of this resolution.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I would also ask unanimous consent that all

Members may have 5 legislative days in way to revise and extend their remarks and include extraneous material on House Concurrent Resolution 60.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 60.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING THE CONTRIBUTIONS OF NATIVE AMERICAN VETERANS

Mr. FILNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 744) recognizing the contributions of Native American veterans and calling upon the President to issue a proclamation urging the people of the United States to observe a day in honor of Native American veterans.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 744

Whereas there are 195,871 Native American veterans in the United States;

Whereas Native Americans have participated for over 200 years in United States military actions;

Whereas the participation of Native Americans in the War of 1812, the Civil War, and the Spanish-America War was significant;

Whereas in World War I, it is estimated that more than 12,000 Native Americans served the United States Armed Forces;

Whereas more than 44,000 Native Americans served in the Armed Forces during World War II, in both the European and Pacific fronts, representing a substantial portion of the 350,000 Native Americans then living in the United States;

Whereas Native Americans fought in the Korean conflict, and more than 42,000 Native Americans fought in the Vietnam War, 90 percent of whom served as volunteers;

Whereas Native Americans also provided significant contributions in the military operations in Grenada and Panama and the Persian Gulf War in 1980s and 1990s; and

Whereas Native Americans should also be recognized for their participation in Operation Enduring Freedom and Operation Iraqi Freedom: Now, therefore, be it—

Resolved, That the House of Representatives—

(1) recognizes all Native American veterans who have served the Nation with honor, pride, devotion, wisdom and strength for serving their country and protecting their homeland; and

(2) calls upon the President to issue a proclamation urging the people of the United States to observe a day honoring Native American veterans with appropriate ceremonies and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I rise in strong support of this resolution to recognize our Native American veterans who have served and continue to serve this Nation with honor and with pride. I represent a county in California, San Diego, that has one of the largest numbers of Native American tribes in our Nation, and I have heard many of their stories. We know that Native Americans have participated with distinction in U.S. military actions for more than 200 years. Their courage, determination, and fighting spirit are well documented throughout our history.

It is well recognized, also, that Native Americans have the highest record of service per capita when compared to other ethnic groups. Presently, there are almost 200,000 Native American military veterans alive today. At least 18,000 of the 22,000 Native Americans currently in uniform have been deployed at least once to Iraq or Afghanistan as of July of this year.

Native Americans who volunteer for military service aspire to uphold their proud cultural tradition. This warrior tradition is a willingness to engage the enemy in battle. This characteristic has been clearly demonstrated by the courageous deeds of our Native Americans in combat. Five Native Americans have been among those soldiers who distinguished themselves by receiving the military's highest award, the Medal of Honor. This medal is given for military heroism "above and beyond the call of duty." These warriors exhibited extraordinary bravery in the face of the enemy and, in 2 cases, made the ultimate sacrifice for their country.

This House, led by the Committee on Veterans' Affairs, had the enormous privilege of naming 2 Veterans Affairs Medical Centers in honor of these heroes just last June. Charles George was a member of the Cherokee tribe from North Carolina and private first class in Korea when he was killed on November 30 of 1952. During battle, George threw himself upon a grenade and smothered it with his body. In doing so, he sacrificed his own life, but saved the lives of his comrades.

□ 1545

Ernest Childers was a member of the Creek Tribe from Oklahoma and a First Lieutenant with the 45th Infantry Division. He received a Medal of Honor for heroic action in 1943 when, up against machine gun fire, he and 8 men charged the enemy. Although suffering a broken foot in this assault, Childers ordered covering fire and advanced up the hill, single-handedly killing the snipers, silencing 2 machine gun nests, and capturing an enemy mortar observer.

The warrior tradition is exemplified by strength, honor, pride, devotion, and wisdom. These qualities are a perfect fit with our Nation's proud military traditions.

I urge the people of our Nation, I urge the Members of this Congress, to make sure we have a day honoring our proud and brave Native American veterans.

Mr. Speaker, I reserve the balance of my time.

Mr. STEARNS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is an important resolution, H. Res. 744, obviously, recognizing the contributions of Native American veterans is important, and asking the President to issue a proclamation urging the people of the United States to also observe a day of honor for Native American veterans. My colleague from California has talked about this. It's interesting; we recognize the contributions of Native American veterans to our society and, of course, by so doing, we are recognizing their achievements, their singular achievements, if I might add. I compliment the resolution that was introduced by my good friend, the gentlewoman from New Mexico (Mrs. WILSON), and the gentlewoman from South Dakota (Ms. HERSETH SANDLIN) for their support and also their prescience for bringing this bill forward.

We have Veterans Day less than a week away, my colleagues. I think it's important this body recognize one often overlooked group of veterans. These veterans have made numerous contributions to the United States military, not just recently in World War II, but as far back as the War of 1812. Currently, there are 195,000 Native American veterans who live in the United States. According to the U.S. Army Center of Military History Web site, there have been 24 Native American Medal of Honor recipients since the Civil War. Let me just repeat that. There have been, according to the U.S. Army Center of Military History Web site, there have been 24 Native American Medal of Honor recipients.

During World War II, we know about the Navajo Code Talkers, whose ranks in the Pacific Theater exceeded 400 during World War II, and in all 6 Marine divisions from 1942 to 1945. They were credited with saving thousands of lives and actually hastening the end of the war itself. At the time of the war, World War II, fewer than 30 non-Native speakers understood the Navajo's unwritten language. The size and simple complexity of the language made the code extremely difficult to comprehend, much less decipher. In fact, it was not until 1968 that the United States Government declassified the code. The Japanese never were able to decode this code. So that is a compliment to their accomplishments with the Navajo Code Talkers. In fact, there has been a movie made on it.

In Congress, we have begun to recognize the extraordinary achievement from veterans such as these. This past June, the House passed H.R. 366. This was introduced by Congressman John Sullivan of Oklahoma, naming the Department of Veterans Affairs Outpatient Clinic in Tulsa, Oklahoma, as the Ernest Childers Department of Veterans Affairs Outpatient Clinic. This man was a Native American from the Creek nation, who was awarded the Medal of Honor for his courageous actions during World War II.

In addition, the House passed H.R. 2546, which names the Asheville VA Medical Center after another brave Native American, PFC Charles George. He also was honored with the Medal of Honor posthumously for his actions in the Korean War. H.R. 2546 was passed last week by the Senate and now is awaiting the President's signature.

So, Mr. Speaker, it is because of the gallant actions of our Native American veterans like those of Lieutenant Colonel Childers and PFC George, as well as the bravery and fortitude of the Navajo Code Talkers who served with the Marines, that I and other Members are proud to sponsor this resolution. We urge its passage. It actually recognizes the many contributions throughout the history of our Nation of our Native American veterans in protecting the freedoms that we enjoy in this country today. So I encourage all Americans, take time to recognize the sacrifice and achievement of these veterans.

Ms. HERSETH SANDLIN. Mr. Speaker, I rise in strong support of H. Res. 744, which recognizes the contributions of Native American veterans and calls upon the president to issue a day in honor of their service.

As an original cosponsor of H.R. 744, I would like to thank Representative WILSON for introducing this important resolution to honor the service of our nation's Native American Veterans. I also would like to recognize Veterans' Affairs Committee Chairman BOB FILNER and Ranking Member STEVE BUYER for their strong leadership and unwavering dedication to Native American veterans and for working to quickly move this resolution to the House floor.

For more than 200 years Native Americans have served in the military—at a higher rate than any other ethnic group. Now, in Iraq and Afghanistan, a new generation of Native Americans serve their country. These young men and women, such as Private First Class Sheldon Hawk Eagle, from Eagle Butte, South Dakota and Corporal Brett Lundstrom from Pine Ridge, South Dakota, who were both killed while serving in Iraq, join a long line of Native Americans that have answered the call to duty on behalf of their country. Their service to our nation must never be forgotten.

To honor the sacrifice of countless Native American veterans, like Private First Class Hawk Eagle and Corporal Lundstrom, I encourage my colleagues to support final passage of this resolution.

Mr. UDALL of New Mexico. Mr. Speaker, I rise today in support of House Resolution 744 and in honor of this country's Native American veterans.

For well over 200 years, Native Americans have provided military and strategic service to the U.S., acting as patriotic soldiers and standing side-by-side their fellow citizens in defense of our country. There are nearly 200,000 Native American veterans in the U.S. today, including members of every single tribe and pueblo. In New Mexico, there are countless stories of heroic Native American men and women serving in uniform.

I am proud to have sponsored earlier legislation to honor Native American veterans. During the 106th Congress, I introduced a bill to honor the Navajo Code Talkers with the Congressional Gold Medal in honor of their dedicated service during World War II. These brave interpreters used their native tongue to carefully transmit confidential Allied messages regarding the movement and strategy of millions of fellow soldiers. Not once was their code broken. Sixty years after their service, these men were honored in the Capitol Rotunda with the Congressional Gold Medal.

This past Congress, I was privileged to sponsor a measure to allow Native American tribes to be eligible for grants to establish state veterans cemeteries on tribal land. This long overdue legislation ensures that those Native American veterans who desire to be buried at home will not have their final wishes denied. I was happy that it was passed and am encouraged that we will soon see the first state veterans cemetery locate on tribal land.

To date, 47 Native Americans have given their lives in Afghanistan and Iraq. We honor their memory and their sacrifice by ensuring the Native American veterans who return home and granted the respect they deserve. As we approach Veterans Day later this week, we must remember that Native American have served our nation with pride, and continue to put on the uniform with bravery, honor, and dignity. I urge all of my colleagues to thank all veterans for their service, and to recognize the considerable sacrifice given by our country's Native Americans.

Mrs. WILSON of New Mexico. Mr. Speaker, as the sponsor of H. Res. 744, I rise in strong support of this resolution and urge its passage. I want to thank Representative STEPHANIE HERSETH SANDLIN who is an original cosponsor of this resolution and who is a strong advocate for our veterans. I also want to thank Chairman BOB FILNER, who cosponsored the resolution and Ranking Member STEVE BUYER for his commitment to all veterans.

Earlier this year I met with some Native American veterans in my State. They expressed many concerns to me and were worried that all Native American Veterans had not been recognized for their service to their country.

On October 15, 2007, Congresswoman HERSETH SANDLIN and I introduced H. Res. 744, a resolution that recognizes the contributions of Native American veterans and calls upon the President of the United States to issue a proclamation urging the United States to observe a day in honor of Native American veterans.

Native Americans were participants in the War of 1812, the Civil War and the Spanish-American War. During World War I, 12,000 Native Americans served in the United States military and in World War II, more than 44,000 Native Americans served their country in both the European and Pacific fronts of the war. Native Americans also fought in the Korean conflict and the Vietnam war. In Operation Iraqi Freedom and Operation Enduring Freedom, Native Americans have made significant contributions.

Native American veterans should be recognized for their service in uniform. This resolution gives all Native American veterans the formal recognition they deserve for their sacrifices and contributions.

I have also introduced H.R. 4012, the Native American Language Assistance Act of 2007, a bill to assist VA hospitals and clinics that treat a large number of Native American patients. I urge my colleagues to cosponsor this legislation that will ensure that Native American veterans have access, delivery and follow-up of services at the VA.

The bill would require the Secretary of Veterans Affairs to carry out a program to make competitive grants to any VA medical facility that treats a high number of Native American veterans. The grants, up to $100,000 each, would provide interpreters or other language resources to improve access to, delivery of, and follow-up for medical services provided by the Department of Veterans Affairs.

I am concerned that Indian veterans are. not receiving adequate assistance and support for their care at our VA hospitals. This bill will provide help to those hospitals that treat high numbers of Indians. By providing our VA hospitals with funding for language programs and outreach, we can better communicate to these veterans about what services and benefits are available to them and make sure they are getting the care and support they need.

Nationally, there are 195,871 Native American veterans. There are 11,929 Native American Veterans in New Mexico—3.1 percent of the entire American Indian veteran population.

I am grateful to all who serve their Nation and we as a Congress have a responsibility to ensure they receive the best possible care. In this war on terrorism, the greatest burdens have fallen on the shoulders of a relatively small number of Americans who have volunteered to take great risks on our behalf. Events over the last few years have made a new generation of Americans realize just how precious our freedoms really are. We owe our freedom fighters—past, present, and future—a debt of gratitude for their selflessness and sacrifice. I will continue to fight to ensure that our veterans get the benefits they were promised, the health care they deserve, and the recognition that our Nation owes them.

I support passage of this resolution.

Mr. SHULER. Mr. Speaker, I rise today in strong support of H. Res. 744, recognizing the contributions of Native American veterans. These veterans have served with courage, pride, and honor to protect this country and the freedoms we hold dear.

As we approach Veterans Day, it is imperative that we all remember and honor those who have sacrificed their lives and families for the safety and security of this Nation.

I am very pleased that Congress has passed my legislation that honors Private First Class Charles George, a Native American veteran that served in the Korean War. Pfc. George was a member of the Eastern Band of Cherokee Indians and was raised in the Birdtown community of the Qualla Boundary. He attended Cherokee Schools before enlisting in the U.S. Army and being sent to fight in the Korean War. Pfc. George left his home to fight for our Nation, but the young man did not return to our mountains.

On November 30th, 1952, while fighting in Korea, Private First Class George was killed in action. He died saving the lives of those around him. He was posthumously awarded the Congressional Medal of Honor for his actions during the Korean War.

The Department of Veterans Affairs Medical Center in Asheville, North Carolina will be renamed the "Charles George Department of Veterans Affairs Medical Center" at the end of this month to honor his actions and valor.

I ask my colleagues to join me in honoring Native American veterans for their valiant service on behalf of our Nation.

Mr. STEARNS. Mr. Speaker, I yield back the balance of my time.

Mr. FILNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and agree to the resolution, H. Res. 744.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. STEARNS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material in the RECORD on H. Res. 744.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PROVIDING FOR THE REAPPOINTMENT OF ROGER W. SANT AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 7) providing for the reappointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution.

The Clerk read the title of the Senate joint resolution.

The text of the Senate joint resolution is as follows:

S.J. RES. 7

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring because of the expiration of the term of Roger W. Sant of Washington, D.C., is filled by the reappointment of Roger W. Sant, for a term of 6 years, effective October 25, 2007.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this joint resolution will reappoint Roger W. Sant to be a citizen regent of the Smithsonian Institution for a second 6-year term. The last few years have been very difficult ones for the Smithsonian. The aftermath of the September 11 attacks caused a significant drop in public attendance at the Smithsonian facilities, which has only recently begun to bounce back. Many believe the Institution has become too closely identified with donors and corporate sponsors of its buildings and activities, which threatens its reputation for independence.

Mr. Speaker, the House Administration Committee thought long and hard about whether it would be appropriate to replace some members of the Board of Regents. In prior years, the committee had essentially rubber-stamped appointment recommendations from the board, and candidates seeking a second term routinely received it. This year, two citizens regents are seeking reappointment, including Mr. Sant, and two additional seats will be filled by new members who have who not yet been recommended to us. So there is a process of natural rotation.

We ultimately decided to give the board more time to implement the promising reforms recommended both by its Governance Committee and the Independent Review Committee. The committee expects the board to appoint a secretary who will be fully responsive to the board and protect the values the American public has expected of the Smithsonian.

As part of the process of considering this joint resolution, committee members met with Mr. Sant 2 weeks ago to hear his views about recent events in the Smithsonian and assessment of the pace of the ongoing reforms at the Institution. We were cautiously optimistic that the board is on the right track. Mr. Sant has broad understanding of the Smithsonian operation and its past flaws, and we believe he can make a useful contribution to the restructuring of the board.

He also informed the committee that he is not running for the new and enhanced position of chairman of the board, which is expected to be created January 2008 as one of the principal reform recommendations. We think the new occupant of this position should bring a fresh perspective of the management of the board's affairs.

For these reasons, we have decided to recommend Mr. Sant's reappointment to the board for a second 6-year term and urge his approval by the House.

Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as ranking member of the House Administration Committee, I am pleased to support S.J. Res. 7, a bill that allows for the reappointment of Roger Sant as a citizen regent of the Smithsonian Institution.

Several other members of the Committee on House Administration and I had the opportunity recently to meet with Mr. Sant and discuss the road ahead for the Smithsonian in this time of change and opportunity, and also to discuss the mistakes of the past. Mr. Sant assured me that, with his reappointment, he would do his part to ensure that the "Nation's attic," which is the common name for the Smithsonian, is not being looted by those who have put personal gain above the interests of the Institution.

In the last Congress, this committee conducted an oversight hearing into Smithsonian Business Ventures in what would turn out to be a prophetic concern about the museum's financial operations. While my colleague Chairman BRADY and and I are committed to continuing vigorous oversight of the Smithsonian, an effective and engaged Board of Regents is an essential first line of defense in ensuring that we do not experience a repeat of those problems that plagued the immediate past president of the Smithsonian.

I am confident, based on the statements made by Mr. Sant, that he is committed to earning back the trust of the Congress and the American people regarding the board's role of safeguarding our Nation's most treasured assets and ensuring proper governance of the Smithsonian and all its different enterprises.

I appreciate the leadership given by the chairman of this committee, Mr.

BRADY, and the way he has taken hold of this issue, among others, and I am pleased to join him in approving this resolution.

Ms. MATSUI. Mr. Speaker, I rise today in strong support of the reappointment of Roger Sant to the Smithsonian Board of Regents.

I am a new member of the Board of Regents since January. And although the past eleven months have been challenging for the Smithsonian . . . this period of transition will result in a new Secretary, an improved governance structure and a stronger relationship with Congress and the American people. I believe that much of the changes can be attributed to Mr. Sant's leadership during this time.

In March, Mr. Sant led the effort to create both an Independent Review Committee, headed by Chuck Bowsher, formerly the Comptroller General of the United States . . . and an internal Governance Committee, on which I serve.

As a result of both of the committees' work, the Regents adopted a comprehensive set of governance reforms, comprised of 25 specific changes in June, 2007. In broad terms, these reforms will ensure that the Board of Regents and the Secretary of the Smithsonian work together in a constructive partnership, and will improve the Smithsonian's culture of accountability and transparency. To date, eleven of these 25 reforms have been implemented in whole or in part, and the remainder will be implemented by May, 2008.

Additionally, Mr. Sant serves on the new Facilities Revitalization Committee. The Committee is addressing shortfalls in funding for Smithsonian facilities revitalization and maintenance, estimated to require $1 billion above current funding levels over the next ten years. The Regents are hard at work developing a plan to fund this shortfall and return the Smithsonian's museums and other facilities to the condition expected by the American public.

My colleagues and I on the Board of Regents are fully committed to ensuring that the Institution operates at the highest level of integrity and transparency. Mr. Sant has been involved at every level of reform and has done a tremendous amount of work, as have my fellow Regents. The Board is guided by the same principals that guide our work in Congress . . . operating as a public trust . . . following only the highest ethical standards . . . and conducting business with an increased ethos of transparency.

The Board's accomplishments during these few months are notable, as are its plans for future improvements. The Board of Regents is currently conducting a search for a new Secretary, and is still in the midst of a thorough and thoughtful process to reform its governance structure. We have the momentum and the dedication from the Board Members and need to be able to continue our work.

I applaud Chairman BRADY and Ranking Member EHLERS for moving Mr. Sant's reappointment at this time. And for their continued commitment to the betterment of the Institution.

Let me conclude by saying that each year, over 25 million visitors come to the Smithsonian. The National Collections, containing over 135 million items, are cared for, displayed, and made available for research by this beloved institution.

The Smithsonian faces many challenges as it pursues its mission for "the increase and diffusion of knowledge." While the Board works to find a new Secretary, institute governance reforms and address facilities needs . . . the Smithsonian continues to mount world-class exhibitions and conduct cutting-edge research in science, history, art, and culture.

The Smithsonian offers a uniquely American experience to all of our constituents when they come to the nation's capitol. Mr. Sant's dedication and commitment to the Smithsonian benefit us all.

I would urge my colleagues to support his reappointment to ensure that all of the reforms that he has helped to implement are executed in a prompt and timely manner. I thank him for his leadership during this period of transition.

Mr. EHLERS. Mr. Speaker, I yield back the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 7.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate joint resolution was passed.

A motion to reconsider was laid on the table.

PROVIDING TECHNICAL CORRECTIONS TO PUBLIC LAW 109–116

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2206) to provide technical corrections to Public Law 109–116 (2 U.S.C. 2131a note) to extend the time period for the Joint Committee on the Library to enter into an agreement to obtain a statue of Rosa Parks, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2206

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ROSA PARKS STATUE.

(a) IN GENERAL.—Section 1(a) of Public Law 109–116 (2 U.S.C. 2131a note) is amended by—

(1) striking "2 years" and inserting "4 years"; and

(2) adding at the end the following: "The Joint Committee may authorize the Architect of the Capitol to enter into the agreement and related contracts required under this subsection on its behalf, under such terms and conditions as the Joint Committee may require.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of Public Law 109–116.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill will provide technical corrections to Public Law 109–116 to extend the time period for the Joint Committee on the Library to obtain a statue honoring Rosa Parks, and for other purposes.

In November of 2005, this House passed Public Law 109–116, then H.R. 4145, which provided for the placement of a statue of Rosa Parks in the National Statuary Hall. Due to technical drafting errors, we failed to provide the Architect of the Capitol with the resources necessary to acquire such a statue.

The original bill set a deadline of December 1, 2007, for acquisition of the statue, and S. 2206 would extend the deadline for 2 years. Further, the bill authorizes the Architect of the Capitol to enter into any agreement or contract necessary to have the statue rendered.

It is imperative that we honor the memory of Rosa Parks in Statuary Hall as soon as possible. The House is in agreement today, as it was 2 years ago, that this is long overdue. Her contributions to the civil rights movement and to the historical record of this country deserve to be reflected in Statuary Hall.

Mr. Speaker, I reserve the balance of my time.

☐ 1600

Mr. EHLERS. Mr. Speaker, I rise in support of S. 2206, which will extend the time period for the Joint Committee on the Library to enter into an agreement to obtain a statue of Rosa Parks.

A tireless advocate for equality, Rosa Parks is best remembered for a single act of civil disobedience that would change the history of our Nation. By refusing to move to the back of the bus in her native Alabama, to make room for white passengers, Mrs. Parks ignited passions on both sides of the civil rights movement. This led to the Montgomery bus boycott and helped to elevate the work of another great American of the civil rights movement, Dr. Martin Luther King, Jr., as well as an august Member of this body, Congressman John Lewis, who also participated and played a leading role in some of the demonstrations of that time.

Even in her passing, Rosa Parks was a trailblazer as the first woman and only the second African American to lie in state in the Capitol rotunda.

I am especially pleased to speak on her behalf since she decided to take up residence in Michigan for the remainder of her life after she had gone through various demonstrations and activities surrounding her initial act of defiance. She was a distinguished citizen of our State, and in fact we recently dedicated a new park in downtown Grand Rapids in her honor. It is named the Rosa Parks Park.

By extending the time period to procure a statue of Mrs. Parks, this bill will allow the Joint Committee on the Library to delegate the administration of the statue selection process to the Architect of the Capitol. The JCL was not designed for, nor is it equipped, to run an arts competition. Allowing the Architect of the Capitol to administer the competition process will ensure that the statue selected is a fitting tribute to this marvelous civil rights pioneer.

Mr. Speaker, I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I would like to recognize the gentleman from Illinois (Mr. JACKSON) for such time as he may consume.

Mr. JACKSON of Illinois. Mr. Speaker, I rise in support of S. 2206, a bill that simply provides technical corrections to Public Law 109–116.

This legislation authorizes the Architect of the Capitol to enter into agreement on behalf of the Joint Committee of the Library to acquire a statue of Mrs. Rosa Parks. It also extends the time period for that agreement by 2 years.

In 2005, it was my privilege to introduce this very important legislation with Senator JOHN KERRY and Senator MITCH MCCONNELL of the other body to honor the life and work of the late Mrs. Rosa Parks by placing a statue in National Statuary Hall.

Everyone knows the story of how Mrs. Parks helped spark the modern civil rights movement when she refused to give up her seat on a legally segregated bus that fateful day, December 1, 1955, leading to the Montgomery bus boycott and the emergence of Martin Luther King, Jr.

From the beginning, Mrs. Parks led a life dedicated to social change, becoming an active member of the Montgomery, Alabama, chapter of the NAACP, which in the 1940s and 1950s was considered a dangerous organization. It could cost you your job. It could even cost you your life.

In 1943, along with the State president of the NAACP, she mobilized a historic voter registration drive in Montgomery and was later elected NAACP chapter secretary. Mrs. Parks was a courageous woman who possessed the firm and quiet strength necessary to challenge injustice.

Following the 1954 Brown Supreme Court decision which provided equal protection under the law's legal framework, her refusal to give up her seat eventually led to the 1964 Civil Rights Act, the 1965 Voting Rights Act, the 1968 Open Housing Act, all of which helped make America better for all Americans.

Rosa Parks remained a committed activist until the end of her life. In the 1980s, she worked in support of the South Africa anti-apartheid movement. In Detroit with Congressman JOHN CONYERS in 1997, she founded the Rosa and Raymond Parks Institute for Self-Development, a career counseling center for African American youth.

With dignity, with grace and with courage, Rosa Parks inspired generations and helped to make the world a more just and compassionate place. In life she received the Presidential Medal of Freedom in 1996 and the Congressional Gold Medal in 1999, the highest honors our Nation bestows on civilians.

This placing of a Rosa Parks statue in National Statuary Hall is a testament to the fact that the long arc of history bends towards freedom and justice and equality. When Statuary Hall was created by law in 1864, African Americans could not be citizens of the United States. Indeed, the term "African Americans" did not exist. Under that law it was impossible for us to be considered favorite sons or favorite daughters of States.

When Rosa Parks takes her place in National Statuary Hall, she takes with her Frederick Douglass. She takes with her the United States coloreds troops. She takes with her Harriet Tubman and Sojourner Truth. She takes them there. Indeed, she takes the legacy and history of redefining what it means to be an American for all Americans as she takes her place among the enormous statues that presently represent the various States within that great Hall.

She takes with her countless nameless people of African descent, who from slavery to today, sacrificed for an America many would never live to see.

As Dr. Martin Luther King, Jr., whose half statue is not in Statuary Hall, would implore us, Now is the time.

I want to thank Senator FEINSTEIN for introducing this bill in the other body. I want to thank Matt McGowan and Khalil Abboud from the Joint Committee on the Library for diligently working to get this extension enacted into law. I want to thank Barbara Wolanin from the Architect of the Capitol's Office for working with all of us to make sure that the goals of my original bill are realized.

I want to thank Chairman BRADY and Ranking Member EHLERS for their sensitivity on this critical issue at this critical hour. And I want to thank in a special way our late Chair, Juanita Millender-McDonald, who worked with me tirelessly on this effort.

In fact, Mr. Speaker, I might add that in the 13 years I have had the privilege of serving in this body, I have only missed two votes: one vote because my pager died and the battery did not forward my pager the power to let me know to vote; and the other vote was when I was on the other side of the aisle so overwhelmed by the number of Republicans who were willing to sign onto a Rosa Parks statue in Statuary Hall that the Democratic clerks could not find me to tell me to vote. I was overwhelmed by that occasion.

I am hoping, Mr. Speaker, that today Members of Congress will once again vote "aye" on S. 2206. I know of no American more worthy of an honor than the late Mrs. Rosa Parks.

Mr. EHLERS. Mr. Speaker, I have no other speakers, but I would like to close with a few additional comments.

First of all, I admire my colleague's voting record. It is a rare person who misses only two votes during 13 years.

But above all, I want to comment on a few things relating to Rosa Parks. First, what impresses me is how much one person who is determined to fight for what is right can accomplish. She was a marvelous person and stuck to her guns in tough situations, and she carried the day and inspired a lot of other people to carry the day.

The other factor is, as I look around the world today, and the United States especially, and compare that to the world before Rosa Parks, what a mammoth change we have undergone. But also as I look around, I still remember how much further we have to go. And let us always work in the spirit of Rosa Parks to destroy discrimination of all sorts and make certain that every American and in fact every citizen of this planet enjoys the freedom that we enjoy.

Mr. Speaker, I yield back the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I would again like to thank the gentleman from Illinois (Mr. JACKSON) for his participation and for his voting record also. And I thank my friend from Michigan, the ranking member, for all he has done. We have a great working relationship, and I thank him for continuing that relationship.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the Senate bill, S. 2206.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 9 minutes p.m.), the House stood in recess subject to the call of the Chair.

☐ 1833

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LINCOLN DAVIS of Tennessee) at 6 o'clock and 33 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3685, EMPLOYMENT NON-DISCRIMINATION ACT OF 2007

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110–422) on the resolution (H. Res. 793) providing for consideration of the bill (H.R. 3685) to prohibit employment discrimination on the basis of sexual orientation, which was referred to the House Calendar and ordered to be printed.

APPOINTMENT OF CONFEREES ON H.R. 3222, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2008

Mr. MURTHA. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 3222) making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion.

The motion was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. MURTHA, DICKS, VISCLOSKY, MORAN of Virginia, Ms. KAPTUR, Messrs. CRAMER, BOYD of Florida, ROTHMAN, BISHOP of Georgia, OBEY, YOUNG of Florida, HOBSON, FRELINGHUYSEN, TIAHRT, WICKER, KINGSTON, and LEWIS of California.

There was no objection.

MOTION TO CLOSE CONFERENCE COMMITTEE MEETINGS ON H.R. 3222, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2008, WHEN CLASSIFIED NATIONAL SECURITY INFORMATION IS UNDER CONSIDERATION

Mr. MURTHA. Mr. Speaker, pursuant to clause 12 of rule XXII, I move that meetings of the conference between the House and the Senate on H.R. 3222 be closed to the public at such times as classified national security information may be broached, providing that any sitting Member of the Congress shall be entitled to attend any meetings of the conference.

The SPEAKER pro tempore. Pursuant to clause 12 of rule XXII, the motion is not debatable and the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on permitting closed conference committee meetings on H.R. 3222 will be followed by 5-minute votes on motions to suspend the rules with regard to H.R. 513, by the yeas and nays, and H. Res. 744, by the yeas and nays.

The votes on H. Res. 379 and H. Con. Res. 236 will be taken later in the week.

The vote was taken by electronic device, and there were—yeas 351, nays 0, not voting 81, as follows:

[Roll No. 1034]

YEAS—351

Abercrombie
Aderholt
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillibrand
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kildee
Kilpatrick
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
LoBiondo
Loebsack
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Nunes
Obey
Ortiz
Pallone
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—81

Ackerman
Akin
Alexander
Baird
Bean
Berman
Blunt
Boswell
Braley (IA)
Brown, Corrine
Butterfield
Buyer
Cannon
Carney
Carson
Costello
Crowley
Cubin
Cummings
Davis (IL)
Dicks
Doolittle
Doyle
Duncan
Emanuel
Ferguson
Flake
Forbes
Giffords
Gohmert
Gutierrez
Hare
Harman
Hastert
Herseth Sandlin
Holden
Inslee
Israel
Jindal
Johnson (IL)
Johnson, Sam
Kennedy
Kind
Kucinich
Linder
Lipinski
Lowey
Maloney (NY)
Manzullo
McNulty
Meeks (NY)
Murphy, Tim
Neal (MA)
Oberstar
Olver
Pascrell
Pastor
Payne
Peterson (PA)
Pickering
Price (NC)
Pryce (OH)
Radanovich

Rohrabacher
Roskam
Rush
Saxton
Schakowsky
Shimkus
Shuster
Smith (WA)
Tancredo
Terry
Thornberry
Tiberi
Towns
Visclosky
Weller
Westmoreland
Wilson (OH)
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are less than 2 minutes to vote.

□ 1857

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL HEROES CREDIT PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 513, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 513, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 349, nays 0, not voting 83, as follows:

[Roll No. 1035]

YEAS—349

Abercrombie
Aderholt
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillibrand
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Hall (NY)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
LoBiondo
Loebsack
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Musgrave
Myrick
Napolitano
Neugebauer
Nunes
Obey
Olver
Pallone
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—83

Ackerman
Akin
Alexander
Baird
Bean
Berman
Blunt
Boswell
Braley (IA)
Brown, Corrine
Butterfield
Buyer
Cannon
Carney
Carson
Costello
Crowley
Cubin
Cummings
Davis (IL)
Dicks
Doolittle
Doyle
Duncan
Emanuel
Ferguson
Flake
Forbes
Giffords
Gohmert
Grijalva
Gutierrez
Hare
Harman
Hastert
Herseth Sandlin
Holden
Inslee
Israel
Jindal
Johnson (IL)
Johnson, Sam
Kind
Kucinich
Linder
Lipinski
Lowey
Maloney (NY)
Manzullo
McNulty
Meeks (NY)
Murphy, Tim
Nadler
Neal (MA)
Oberstar
Ortiz
Pascrell
Pastor
Payne
Peterson (PA)
Pickering
Price (NC)
Pryce (OH)
Radanovich
Reyes
Rohrabacher
Roskam
Saxton
Schakowsky
Shimkus
Shuster
Smith (WA)
Sullivan
Tancredo
Terry
Thornberry
Tiberi
Towns
Visclosky
Weller
Westmoreland
Wilson (OH)
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1904

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A Bill to amend the Servicemembers Civil Relief Act to enhance the protection of credit ratings of members of the reserve component who serve on active duty in support of a contingency operation, and for other purposes''.

A motion to reconsider was laid on the table.

RECOGNIZING THE CONTRIBUTIONS OF NATIVE AMERICAN VETERANS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 744, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and agree to the resolution, H. Res. 744.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 351, nays 0, not voting 81, as follows:

[Roll No. 1036]

YEAS—351

Abercrombie
Aderholt
Allen
Altmire
Andrews
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Bachmann
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Baker
Baldwin
Barrett (SC)
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Bilbray
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Bishop (GA)
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Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carter
Castle
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Cole (OK)
Conaway
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt

DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillibrand
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Hall (NY)
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Hastings (FL)
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Hayes
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Honda
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Hulshof
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Inglis (SC)
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
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Kennedy
Kildee
Kilpatrick
King (IA)
King (NY)
Kingston
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Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
LoBiondo
Loebsack
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
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Thompson (CA)
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Weldon (FL)
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Wilson (SC)
Wolf
Woolsey
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Wynn
Young (AK)
Young (FL)

NOT VOTING—81

Ackerman
Akin
Alexander
Baird
Bean
Berman
Blunt
Boswell
Braley (IA)
Brown, Corrine
Butterfield
Buyer
Cannon
Carney
Carson
Costello
Crowley
Cubin
Cummings
Davis (IL)
Dicks
Doolittle
Doyle
Duncan
Emanuel
Ferguson
Flake
Forbes
Giffords
Gohmert
Granger
Grijalva
Gutierrez
Hare
Harman
Hastert
Herseth Sandlin
Holden
Inslee
Israel
Jindal
Johnson (IL)
Johnson, Sam
Kind
Kucinich
Linder
Lipinski
Lowey
Maloney (NY)
Manzullo
McNulty
Meeks (NY)
Murphy, Tim
Neal (MA)
Oberstar
Pascrell
Pastor
Payne
Peterson (PA)
Pickering
Price (NC)
Pryce (OH)
Radanovich
Rohrabacher
Roskam
Saxton
Schakowsky
Shimkus
Shuster
Smith (WA)
Tancredo
Terry
Thornberry
Tiberi
Towns
Visclosky
Weller
Westmoreland
Whitfield
Wilson (OH)
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1911

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. EMANUEL. Mr. Speaker, I was absent from the Chamber for rollcall votes 1034, 1035, and 1036 on November 5, 2007. Had I been present, I would have voted "yea" on all three rollcall votes.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this chamber today. Had I been present, I would have voted "yea" on rollcall votes 1034, 1035 and 1036.

PERSONAL EXPLANATION

Mr. BOSWELL. Mr. Speaker, I regret that flight delays prevented me from being to vote today. Had I been present, I would have voted "yea" on the motion to close portions of the conference on H.R. 3222, H.R. 513, and H. Res. 744.

REPORT ON RESOLUTION RECOMMENDING THAT THE HOUSE FIND HARRIET MIERS AND JOSHUA BOLTEN IN CONTEMPT OF CONGRESS

Mr. CONYERS from the Committee on the Judiciary, submitted a privileged report (Rept. No. 110–423) on the resolution recommending that the House of Representatives find Harriet Miers and Joshua Bolten, Chief of Staff, White House, in contempt of Congress for refusal to comply with subpoenas duly issued by the Committee on the Judiciary, which was referred to the House Calendar and ordered to be printed.

OKLAHOMA IS OK WITH NEW IMMIGRATION LAW

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, there is a new immigration law in effect, and even Federal judges refused to stop it.

On November 1 it became a felony to knowingly harbor and hide illegals. It is against the law to give illegals driver's licenses or give them public benefits. Local police may now hold illegals they arrest for felonies and detain them for Federal deportation. And employers must use the new Federal verification system to determine legal status of workers.

This, unfortunately, is not a new Federal law, but one passed recently by the Sooner State: Oklahoma. Apparently, Okies are frustrated with too few results from Federal enforcement folk so they passed their own State law on immigration.

And good for them. Hopefully, other States will follow.

Of course, noncitizen groups and the "give America away" crowd sued Oklahoma in Federal court. And they lost. Early results of the law indicate illegals are leaving Oklahoma, some even going back to their own country, as it ought to be. They are getting the message: Come to America the legal way or don't come at all.

And that's just the way it is.

□ 1915

PERU FREE TRADE AGREEMENT

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise to strongly oppose the proposed U.S.-Peru Free Trade Agreement.

My opposition to the Peru FTA reflects America's opposition to the recent string of trade pacts that benefitted the wealthiest few at the expense of hardworking Americans. A recent poll revealed that six in 10 Republicans think free trade has been bad for the U.S., and that's just Republicans.

The American public is tired of waiting for this administration to "get it" and to start negotiating fair and smart trade deals that can benefit the little guy as well as the corporate fat cat.

The American public is impatient and, frankly, so am I. Fair trade can create economic opportunities for everyone, big business and working families alike, at home and abroad. Fair trade can advance our economy without jeopardizing good jobs and encourage development without ravaging our environment.

Some say that the Peru FTA is better than what we've had in the past. I join the American people in saying, "It's not good enough."

Join me in standing up for American families. I urge my colleagues to vote "no" on the Peru Free Trade Agreement.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. LINCOLN DAVIS of Tennessee). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

NATIONAL BIBLE WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCINTYRE) is recognized for 5 minutes.

Mr. MCINTYRE. Mr. Speaker, what a privilege it is to speak on National Bible Week as we celebrate the written Word of God, as we anticipate the upcoming celebration, the week of November 18–25. In fact, this book, the number one best seller of all time, the book is known as a book of encouragement, a book of enlightenment, and a book of edification.

Encouragement. When I think about what the Bible has meant to me, I remember some of the great verses from the Old Testament, such as Joshua 1:9, "Be strong and courageous. Do not be terrified. Do not be discouraged. For the Lord God will be with you wherever you go." And Psalm 118:13–15 says, "I was pushed back and about to fall, but the Lord has helped me. The Lord is my strength and my song, He has become my salvation."

And then Psalm 138:8, which precedes my favorite Psalm, 139, it says, "The Lord will accomplish that which concerns me. Your love, O Lord, endures forever."

When we think of this day, when so many people are discouraged, I know, as we celebrate National Bible Week, that the Bible has been a Word of encouragement that I've experienced and I know many others have.

In addition to encouragement, it's a Word of enlightenment. Psalm 19 says, "Your Word is a lamp unto my feet and a light unto my path. The unfolding of Your Word gives light and gives understanding to the simple." And as many of my friends back home in North Carolina know, my favorite Old Testament verse is from Proverbs, 29:18, that says, "Where there is no vision, the people perish." And I think that's a great challenge to us, as leaders in this country, to have vision for where we want to take our country and what we want to do and how we want to solve the problems. In fact, this verse, "Where there is no vision, the people perish," is inscribed in our own Science Committee room in the Rayburn House Office Building.

In addition to encouragement and enlightenment, the Bible is a book of edification. Paul writes in the Book of Romans 10:17 that faith comes from hearing and hearing by the Word. And then James 1:22 reminds that we should be doers of the Word and not hearers only.

The Bible allows us to see ourselves through its many stories and parables and prophesies and teachings. It also shows the flaws and frailties that we all share in common in humanity. It also shows the fellowship, both human and divine, that calls forth those values that so often we look for in our society today, values of forgiveness, of faithfulness and of fulfillment in becoming all that we know that we can become.

I'm grateful that we take time in this country to celebrate the national week of the Bible coming up the week of November 18–25, and that we would take time tonight to celebrate not only the historical importance, but the personal importance that this great book, the best seller of all time, has for people literally the world over.

PRESIDENT NICOLAS SARKOZY ADDRESSES CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, I rise tonight to congratulate President Nicolas Sarkozy on his election to the presidency of France, and also welcome him to Washington, DC, as he addresses a joint meeting of this Congress on Wednesday of this week. I look forward to hearing his remarks in this Chamber.

This past May, Mr. Speaker, Nicolas Sarkozy became the 23rd President of France. His election has ushered in a new and welcomed era in positive relations between France and the United States.

The history of friendship between these two countries, the United States and France, runs deep and it runs wide. Since the American Revolution, we have shared a deep commitment to freedom and independence; both of our countries have. Perhaps one of the best early demonstrations of France's commitment to our shared heritage of freedom is the example of General Marquis de Lafayette—General Lafayette, a young Frenchman who believed so passionately in the cause of freedom and liberty for all individuals that he left his homeland of France and came to join the American colonies in their fight for independence against Great Britain.

It was General Lafayette who persuaded the French to help Americans in their fight for freedom and independence from Great Britain. He served courageously under the command of General George Washington. George Washington's and Lafayette's portraits both hang in this hall tonight.

General Lafayette is the only non-American portrait in the entire Capitol building, and is the only other portrait besides General Washington in this House Chamber. There is a reason for that; both of them, General Washington and his friend Lafayette, were committed to liberty for all.

The American people will always be grateful to the commitment of General Lafayette and the people of France throughout our pursuit for freedom and democracy through the American Revolution. And the American Revolution was successful because of their help.

In the same way, Mr. Speaker, we are hopeful that the election of President Sarkozy will renew the ties of friendship that bind our two countries and our long heritage together.

On the eve of the election, President Sarkozy said that "American friends can rely on France's friendship. France will always be next to them when they need us." We are hopeful, Mr. Speaker, that in the midst of many international crises, most notably, the threat of nuclear Iran and the global war on terrorism, that France will remain an ally committed to world peace and democracy for all and continue to pursue freedom for all peoples throughout the world.

I am pleased to be the sponsor of legislation H. Res. 379, which honors President Sarkozy and his appearance before Congress. I look forward to his continued friendship and an alliance between not only him and the United States, but the people of France and the United States.

And that's just the way it is.

NATIONAL BIBLE WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RUSH) is recognized for 5 minutes.

Mr. RUSH. Mr. Speaker, on the week of November 18 we begin to celebrate in this Nation National Bible Week.

National Bible Week is the National Bible Association's signature event which is celebrated the week before Thanksgiving every year since it began in 1941.

In this week, we encourage the citizens of this Nation to read the Bible. Mr. Speaker, I must admit that I was not always an ardent Bible reader. I was always in and around the church, but as so many of us who belong to church, I was in the church, but church wasn't in me.

Mr. Speaker, I came to this Congress in 1993 and almost immediately upon my presence here I received a Bible similar to this given by Rev. Dr. D. James Kennedy. And, Mr. Speaker, I found my evenings alone, my wife and my family back in Chicago, and somehow I had a prompting to pick up the Bible and to read the Bible. I must admit, Mr. Speaker, that although I wasn't an ardent reader, now I'm a ferocious reader of the Bible, avaricious in my interests in terms of the words recorded in God's living book.

Mr. Speaker, I must say that I have been renewed as a man by the renewing of my mind according to the dictates and the Spirit that's incorporated in the reading of the Bible. I am a changed man; I am a new man. I don't have the same friends I used to have. I don't walk the same way; I don't talk the same way, and it's all because of this Bible.

Mr. Speaker, I am an activist, and for years I had shunned this Bible because it didn't speak to my activism. And then the Holy Spirit spoke to me through my conversations and through my interests in reading the Bible. And, Mr. Speaker, I came across a Scripture that really moved me, two, as a matter of fact. One is taken from the Old Testament, Micah 6:6–8: "With what shall I come before the Lord and bow myself before the high God? Shall I come before him with burnt offerings, with calves a year old? Will the Lord be pleased with thousands of ram, 10,000 rivers of oil? Shall I give my firstborn for my transgression, the fruit of my body for the sin of my soul?"

The Lord answers, "He has shown you, O man, what is good. And what does the Lord require of you? But to do justly, to love mercy and to walk humbly with your God."

Mr. Speaker, in those words, it encapsulated all that I had attempted to be, my activism, my love for humanity and my love for the Lord. Mr. Speaker, Luke 4 and 4:18: "The spirit of the Lord is upon Me. Because He has anointed me to preach the Gospel to the poor. He has sent me to heal the brokenhearted, to proclaim liberty to the captives and recovery of sight to the blind, to set at liberty those who are oppressed, to proclaim the acceptable year of the Lord."

Mr. Speaker, my life had been, and continues today, to be a reflection of the spirit that is within me, the Holy Spirit that is within me. I call on all good citizens, Christians and non-Christians alike, during this week and every week of the year, pick up your Bible. Read the Bible. You have no better friend. You have no better solution than what is recorded in these words.

☐ 1930

RECOGNIZING AND CONGRATULATING ROSS AND MARIANNA BEACH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, I appreciate the testimony and words as spoken by the gentleman from Illinois. I rise tonight to speak to congratulate Ross and Marianna Beach and the Marianna Kistler Beach Museum of Art on the occasion of the museum's grand reopening. Located in Manhattan, on the campus of Kansas State University, the Beach Museum of Art has become a cherished cultural center in the Flint Hills of my home State. Over the years, the museum has nearly tripled the number of their works of art and has enhanced the lives of thousands of patrons.

Originally opening on October 16, 1996, the museum offers a wide array of services to the area. While continually adding to the collection of regionally inspired art, the museum contributors have also made educational programs, lectures, tours, and workshops available. The new 15,000 square-foot addition of the Mary and Morgan Jarvis Wing is evidence of the museum's continuing success and benefit.

Believing in art appreciation and education, the Beach Museum is poised to contribute to the culture in Kansas for generations to come. The impact the museum has on Kansas is immeasurable. Located on the campus of a nationally ranked university and in close proximity to Fort Riley, the Beach Museum serves a highly diverse population. Students, along with military personnel and their families, come from all over the globe to live, work, and learn. This oftentimes short-term community is always pleased to discover an art museum of such fine quality.

Through the efforts of Kansas State University president Dr. Jon Wefald and his wife, Ruth Ann, the museum has gained national notoriety. Mrs. Wefald's leadership on the museum advisory board has proven to be a major factor in the museum's rapid growth and expansion.

The university, the City of Manhattan and the State of Kansas have benefited tremendously from the Wefalds' dedication. Gratitude is owed for their committed devotion to the museum. Museum director Lorne Render should be commended for guiding the museum into the 21st century. Through Lorne's service to the arts, the Beach Museum continues to offer exhibits and programs that enhance the quality of life of all Kansans and, in fact, many Americans. As the museum continues to contribute to the appreciation of the arts, appreciation should be extended to Lorne for the museum and the museum's knowledgeable staff.

The museum would not have been possible but for the generous philanthropic ideals exhibited by the lead donors, Ross and Marianna Beach. The Marianna Kistler Beach Museum of Art was named by Mr. Beach for his wife in commemoration of their 50th wedding anniversary. Mr. And Mrs. Beach are longtime donors of talent and treasure to the State of Kansas. Their commitments to the arts extend beyond the Beach Museum in Manhattan. They were instrumental in establishing the Beach/Schmidt Performing Arts Center on the campus of Fort Hays State University in Hays, Kansas. This center has been providing a venue for plays, speeches, debates, and concerts for more than 20 years. The Beachs' commitment to the arts extends across the State and is appreciated by Kansans from all walks of life.

My wife and I are proud to serve on the museum's board of visitors. We have witnessed, firsthand, the results Ross and Marianna Beach have attained. It is certain that the Beach legacy will be experienced by thousands of people for generations to come.

Mr. Speaker, I ask the House to join me in acknowledging the Marianna Kistler Beach Museum of Art along with Ross and Marianna Kistler Beach for their contributions to our society. Kansas is proud to have the museum for our enlightenment and enjoyment. And I am also proud to call Ross and Marianna Beach my friends and fellow Kansans.

NATIONAL BIBLE WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Kansas (Mrs. BOYDA) is recognized for 5 minutes.

Mrs. BOYDA of Kansas. Last weekend, I spoke on a panel about civics and civility at Kansas State University. And during the question-and-answer time, a teacher stood up and asked me a question. She said, Do you know of any books that might be like a checklist that I could share, be a checklist on teaching my kids civics and civility? I thought for a minute, and I said, As a matter of fact, I do.

I am holding it right here in my hand, Mr. Speaker. It is the Bible. This particular copy was my mother's Bible. And it is the one that I was sworn in last January. So it has a great deal of meaning to me. The lessons in the Bible are truly a checklist for decent living. In Matthew 22, when the disciples asked what is the greatest commandment, it is to love our God with all of our heart and soul and mind, and the second is likened to it, to love thy neighbor as thyself. And then He says, on these hang all the laws and the prophets. Love thy neighbor as thyself. Very clear. Judge not lest you be judged.

The Bible has all the wisdom that we need to bring our country together. And that's why I'm glad the House is pausing tonight to recognize the start of National Bible Week. Faith has an important role to play in the lives of all Americans. It is a role that may be more important today in these dangerous and complicated times than ever before. And it is a role that we, yes, we as public servants have to defend.

Just last month, the Architect of the Capitol refused to fulfill a citizen's request for a flag certificate that referred to devotion to God. Just last week, the National Cemetery Administration banned a flag folding ceremony used at veterans' funerals because of references to God. Let's be clear: neither mentioning God in a flag certificate nor speaking of God in a funeral ceremony poses any threat to the separation of church and State. Not only is speaking about religion permitted by the Constitution; it is a right that is protected by the first amendment.

Thankfully, both of these bans have been reversed, and not a moment too soon. As we begin National Bible Week, I hope that all of my colleagues and citizens across America will pause to recognize the role that faith plays in all of our lives to reflect on the lessons of the Bible. It is our guidebook. It is our guidebook to civics and civility, as well. It is our how-to guide for public service. Everything we need is right here, folks. It is right here between these two covers.

WATER RESOURCES DEVELOPMENT ACT OF 2007

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. HULSHOF) is recognized for 5 minutes.

Mr. HULSHOF. Mr. Speaker, I look at the time, it is about 13 years ago exactly at this moment that I was standing at the altar saying, "I do" to the love of my life. So I must begin by wishing a happy 13th anniversary to the most beautiful woman in the world, with all respect to those ladies that are here present. I guess every marriage has obviously some high points and some disappointments.

And the other reason for me coming to floor is to actually speak about the disappointment that I have with the White House, particularly with its veto of H.R. 1495, the Water Resources Development Act, often referred to as WRDA. This veto, if I must say so, was ill advised and I expect will be overridden by this House tomorrow and the Senate in the coming days.

I acknowledge that the President, during the veto message, mentioned that when the WRDA bill left the House, it was about $15 billion. The Senate's version was at 14 billion. And the final version of the water resources bill was somewhere around 23 billion. Yet certainly the White House understands that the bill that left the House had different priorities emphasized, different projects were being considered by the Senate and as such when the conference was convened, those bills had to be combined. The President, in his veto message, said, in essence, I fully support funding for water resources projects.

Respectfully, I must point out that the President's budget each year woefully underfunds the Army Corps of Engineers budget in my view, the operations and maintenance budget. And the White House went on with its veto message to say, My administration has repeatedly urged Congress to authorize only those projects that provide a high return on investment.

Well, I share the White House's belief that taxpayers deserve a dollar's worth of services for every dollar they remit in taxes. But just looking at water resources projects in terms of dollars and cents is what caused us to only have category 3 levees in New Orleans. We have seen how short-sighted that decision was. In fact, I would suggest that over the last 25 years, every dollar that the Corps has invested in flood control has been returned six-fold in potential damages that had been averted.

A WRDA bill has not been passed by Congress in 7 years. Communities around this Nation are now in desperate need for projects such as levees and protective coastal wetlands. Moreover, in the past 7 years, our waterborne transportation infrastructure has continued to crumble. There are 192 active locks on navigable waterways in this Nation. The average age is 60. The President, by his veto, is choosing to ignore these needs, possibly harming the lives and certainly the livelihoods of millions of people in this country.

One of the most important projects for the Missouri-Illinois delegations is the much-needed modernization of the five locks on the upper Mississippi River and two on the Illinois waterway. This is something that we helped author back in the 108th Congress. And certainly I acknowledge my good friends and supporters of this, the gentleman from Iowa (Mr. BOSWELL), the dynamic duo from Illinois, Mr. COSTELLO and Mr. SHIMKUS on our side of the aisle, and also Chairman OBERSTAR and Ranking Member BAKER have been instrumental in bringing this project to fruition.

Look, these locks are vital to farmers, manufacturers and many other industries in Missouri, Illinois, Minnesota, and Wisconsin. These locks on the Mississippi and Illinois rivers facilitate the movement of 100 million tons of cargo every year. While almost 50 percent, half of this is cargo, is agricultural, the river also transports asphalt for road construction, coal for electricity. In fact, did you know that every gallon of jet fuel that is used at O'Hare and Midway Airports in Chicago is transported on our navigable waterways?

The shipments of these products via the river saves the American public between $800 million and $2 billion over other modes of transportation. Certainly I would suggest that while not every farmer in the region uses the river to ship crops, all growers are impacted by it. Every day the price of grain a farmer receives at his home market is based on the price of grain that moves on the Mississippi River to export markets. The lower the cost of transportation here within our own borders, the lower the cost of U.S. grain is on the world market, the more grain the United States is able to sell to our foreign trading partners.

As some in this Chamber know, I have a personal experience shipping on the river. I grew up in the shadow of the levees along the Mississippi in southeast Missouri. Lock modernization, I can assure you, will ensure that farmers in Missouri, Iowa, Illinois, Minnesota, Wisconsin and elsewhere continue to have the same benefit that my family had growing up on our family's farm, the ability to ship crops to international markets via the most cost-effective method.

Now, many of these locks, unfortunately, are being held together with bailing wire and duct tape. Our senior Senator, Senator BOND, is fond of saying that these locks belong on the National Register of Historic Places. He is actually mistaken. They are already on the National Registry of Historic Places.

I urge this House to override the President's veto.

□ 1945

GENERAL LEAVE

Mr. CLYBURN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

NATIONAL BIBLE WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. CLYBURN) is recognized for 5 minutes.

Mr. CLYBURN. Mr. Speaker, it is interesting that I come after the gentleman from Missouri, because before leaving home down in South Carolina this morning, I went to dedicate a water project in a part of my State where they have a real problem with potable water, and extensive health problems as well. During that ceremony, it was asked of me what kind of guarantee that I have that this water project would be seen to fruition. This morning we were dedicating the first phase. There are two others.

In answering the question, I referred to the greatest of all books, the Bible.

I referred to the Book of Hebrew, the 11th chapter. I call that the faith chapter of the Bible. I quoted Hebrew 11.1: Faith, the substance of things hoped for and the evidence of things unseen. I quoted that because in our work here, much of the time, though we don't view our work as being grounded in the Bible, we often strike out on faith. We have a little idea sometimes of exactly where any issue is going. I do believe that as we carry out our duties and responsibilities to the people of this great Nation, sometimes we ought to pause and give credence to where that emanates from.

So I am pleased that my good friend from Illinois asked me to come down tonight and to join in this special order commemorating the Bible during National Bible Week. When I was growing up, my father, who was a fundamentalist minister, never asked me to read the Bible, never instructed me to do so. He just told me every morning at the breakfast table to recite a Bible verse. Now, it would be a little difficult to do that without reading the Bible. He made sure that we didn't do the same one twice. Daddy set down the rule. He took Jesus' whip off the table. So it was very, very important for me to read the Bible daily.

He also had a second rule, and that is that every night before retiring to bed, we had to share with our parents, or one of them, some current event. He would often have ways of showing us how that particular event that we may have shared was grounded in the Good Book.

So long before I became House Majority Whip, I assumed the leadership of the Democrats' Faith Working Group. For the last 3 years now, Mr. Speaker, it has been my great joy to work with the members of our caucus, trying to get our membership comfortable with the fact that our work here is in fact faith-based.

If you doubt it, then I ask all of my colleagues to just take a look at my favorite book of the Bible, the Book of James. It has got nothing to do with my name, though that would not be a bad thing. It's a very short book, but it tells us a lot about our responsibility. There, in the second chapter of James, we are all instructed that if your brother or sister comes to you hungry and naked, it is not enough to tell them to go in faith; you feed them and you clothe them.

That is what this Congress is all about. This Congress is about doing those things that are necessary to make sure that our constituents and make sure that our citizens are fed that need to be fed or clothed that need to be clothed. I do believe if James were writing his epistle today, he would also tell us it is also important to house them when they need shelter.

Mr. RAHALL. Mr. Speaker, this year the week of November 18–24th has been designated "National Bible Week," a week to renew our interest in the Bible and to recognize the influence that the Bible has had in our lives and on our nation throughout its history.

As a child growing up in West Virginia, I was encouraged by my father to read the Bible daily, because he found such solace and comfort in the Word. As Paul wrote in Philippians 4:13, "I have learned the secret of being content in any and every situation, whether well fed or hungry, whether living in plenty or in want, I can do everything through Christ who gives me strength."

Knowing this soothes and comforts my soul in times of distress. It is my guiding light that keeps me centered and focused and I derive great joy from reading the scriptures during my time of mediation and reflection.

Today, God's Word written in the Holy Scriptures of the Bible is important to me both as an individual and as a leader. It is the Bible that guides me through the day, as I seek to make decisions that will affect people in my state and in our nation—decisions that require a wisdom that is found throughout the Old and New Testaments of the Bible.

It is the Word of God written in the Bible that gives me the fortitude I need to carry out my responsibilities as a friend, a father, a husband, and a Congressman. The Bible provides the wisdom to know how to respond to my family and constituents during times of dire crisis.

For these reasons, and many more, I thank God that we have a manual for our daily living in the Bible.

As we face the unforeseen challenges that lie ahead, both at home and abroad, I encourage all Americans to read the Bible and read it often, to study its teachings, and to make it an important part of their lives.

CONFERENCE REPORT ON H.R. 3043, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. OBEY submitted the following conference report and statement on the bill (H.R. 3043) making appropriations for the Departments of Labor, Health And Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes:

CONFERENCE REPORT (H. REPT. 110–424)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3043) "making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.
Sec. 2. References.
Sec. 3. Statement of Appropriations.

DIVISION A—LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS, 2008

Title I—Department of Labor
Title II—Department of Health and Human Services
Title III—Department of Education
Title IV—Related Agencies
Title V—General Provisions

DIVISION B—MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS, 2008

Title I—Department of Defense
Title II—Department of Veterans Affairs
Title III—Related Agencies
Title IV—General Provisions

SEC. 2. REFERENCES.

Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 3. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2008.

DIVISION A—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

TITLE I

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING RESCISSIONS)

For necessary expenses of the Workforce Investment Act of 1998 ("WIA"), the Denali Commission Act of 1998, and the Women in Apprenticeship and Non-Traditional Occupations Act of 1992, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIA; $3,618,940,000, plus reimbursements, is available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, $2,994,510,000 as follows:

(A) $864,199,000 for adult employment and training activities, of which $152,199,000 shall be available for the period July 1, 2008 to June 30, 2009, and of which $712,000,000 shall be available for the period October 1, 2008 through June 30, 2009;

(B) $940,500,000 for youth activities, which shall be available for the period April 1, 2008 through June 30, 2009; and

(C) $1,189,811,000 for dislocated worker employment and training activities, of which $341,811,000 shall be available for the period July 1, 2008 through June 30, 2009, and of which $848,000,000 shall be available for the period October 1, 2008 through June 30, 2009:

Provided, That notwithstanding the transfer limitation under section 133(b)(4) of the WIA, up to 30 percent of such funds may be transferred by a local board if approved by the Governor;

(2) for federally administered programs, $483,371,000 as follows:

(A) $282,092,000 for the dislocated workers assistance national reserve, of which $6,300,000 shall be available on October 1, 2007, of which $63,792,000 shall be available for the period July 1, 2008 through June 30, 2009, and of which $212,000,000 shall be available for the period October 1, 2008 through June 30, 2009: Provided,

That up to $125,000,000 may be made available for Community-Based Job Training grants from funds reserved under section 132(a)(2)(A) of the WIA and shall be used to carry out such grants under section 171(d) of such Act, except that the 10 percent limitation otherwise applicable to the amount of funds that may be used to carry out section 171(d) shall not be applicable to funds used for Community-Based Job Training grants: Provided further, That funds provided to carry out section 132(a)(2)(A) of the WIA may be used to provide assistance to a State for State-wide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: Provided further, That funds provided to carry out section 171(d) of the WIA may be used for demonstration projects that provide assistance to new entrants in the workforce and incumbent workers: Provided further, That $2,600,000 shall be for a noncompetitive grant to the National Center on Education and the Economy, which shall be awarded not later than 30 days after the date of enactment of this Act: Provided further, That $1,500,000 shall be for a non-competitive grant to the AFL–CIO Working for America Institute, which shall be awarded not later than 30 days after the date of enactment of this Act: Provided further, That $2,200,000 shall be for a non-competitive grant to the AFL–CIO Appalachian Council, Incorporated, for Job Corps career transition services, which shall be awarded not later than 30 days after the date of enactment of this Act;

(B) $55,039,000 for Native American programs, which shall be available for the period July 1, 2008 through June 30, 2009;

(C) $82,740,000 for migrant and seasonal farmworker programs under section 167 of the WIA, including $77,265,000 for formula grants (of which not less than 70 percent shall be for employment and training services), $4,975,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and $500,000 for other discretionary purposes, which shall be available for the period July 1, 2008 through June 30, 2009: Provided, That, notwithstanding any other provision of law or related regulation, the Department shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services;

(D) $1,000,000 for carrying out the Women in Apprenticeship and Nontraditional Occupations Act, which shall be available for the period July 1, 2008 through June 30, 2009; and

(E) $62,500,000 for YouthBuild activities as described in section 173A of the WIA, which shall be available for the period April 1, 2008 through June 30, 2009;

(3) for national activities, $141,059,000, which shall be available for the period July 1, 2008 through July 30, 2009 as follows:

(A) $50,569,000 for Pilots, Demonstrations, and Research, of which $5,000,000 shall be for grants to address the employment and training needs of young parents (notwithstanding the requirements of sections 171(b)(2)(B) or 171(c)(4)(D) of the WIA): Provided, That funding provided to carry out projects under section 171 of the WIA that are identified in the statement of the managers on the conference report accompanying this Act, shall not be subject to the requirements of section 171(b)(2)(B) and 171(c)(4)(D) of the WIA, the joint funding requirements of sections 171(b)(2)(A) and 171(c)(4)(A) of the WIA, or any time limit requirements of sections 171(b)(2)(C) and 171(c)(4)(B) of the WIA;

(B) $78,694,000 for ex-offender activities, under the authority of section 171 of the Act, notwithstanding the requirements of sections 171(b)(2)(B) or 171(c)(4)(D), of which not less than $59,000,000 shall be for youthful offender activities: Provided, That $50,000,000 shall be available from program year 2007 and program year 2008 funds for competitive grants to local educational agencies or community-based organizations to develop and implement mentoring strategies that integrate educational and employment interventions designed to prevent youth violence in schools identified as persistently dangerous under section 9532 of the Elementary and Secondary Education Act;

(C) $4,921,000 for Evaluation under section 172 of the WIA; and

(D) $6,875,000 for the Denali Commission, which shall be available for the period July 1, 2008 through June 30, 2009.

Of the amounts made available under this heading in Public Law 107–116 to carry out the activities of the National Skills Standards Board, $44,000 are rescinded.

Of the unexpended balances remaining from funds appropriated to the Department of Labor under this heading for fiscal years 2005 and 2006 to carry out the Youth, Adult and Dislocated Worker formula programs under the Workforce Investment Act, $245,000,000 are rescinded: Provided, That the Secretary of Labor may, upon the request of a State, apply any portion of the State's share of this rescission to funds otherwise available to the State for such programs during program year 2007: Provided further, That notwithstanding any provision of such Act, the Secretary may waive such requirements as may be necessary to carry out the instructions relating to this rescission in the statement of the managers on the conference report accompanying this Act.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965, $530,900,000, which shall be available for the period July 1, 2008 through June 30, 2009.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during fiscal year 2008 of trade adjustment benefit payments and allowances under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, allowances for job search and relocation, and related State administrative expenses under Part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, $888,700,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, 2008.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $90,517,000, together with not to exceed $3,337,506,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund ("the Trust Fund"), of which:

(1) $2,510,723,000 from the Trust Fund is for grants to States for the administration of State unemployment insurance laws as authorized under title III of the Social Security Act (including $10,000,000 to conduct in-person reemployment and eligibility assessments in one-stop career centers of claimants of unemployment insurance), the administration of unemployment insurance for Federal employees and for ex-service members as authorized under sections 8501–8523 of title 5, United States Code, and the administration of trade readjustment allowances and alternative trade adjustment assistance under the Trade Act of 1974, and shall be available for obligation by the States through December 31, 2008, except that funds used for automation acquisitions shall be available for obligation by the States through September 30, 2010, and funds used for unemployment insurance workloads experienced by the States through September 30, 2008 shall be available for Federal obligation through December 31, 2008;

(2) $10,500,000 from the Trust Fund is for national activities necessary to support the administration of the Federal-State unemployment insurance system;

(3) $693,000,000 from the Trust Fund, together with $22,883,000 from the General Fund of the Treasury, is for grants to States in accordance with section 6 of the Wagner-Peyser Act, and shall be available for Federal obligation for the period July 1, 2008 through June 30, 2009;

(4) $32,766,000 from the Trust Fund is for national activities of the Employment Service, including administration of the work opportunity tax credit under section 51 of the Internal Revenue Code of 1986, the administration of activities, including foreign labor certifications, under the Immigration and Nationality Act, and the provision of technical assistance and staff training under the Wagner-Peyser Act, including not to exceed $1,228,000 that may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980;

(5) $52,985,000 from the General Fund is to provide workforce information, national electronic tools, and one-stop system building under the Wagner-Peyser Act and shall be available for Federal obligation for the period July 1, 2008 through June 30, 2009; and

(6) $14,649,000 from the General Fund is to provide for work incentive grants to the States and shall be available for the period July 1, 2008 through June 30, 2009:

Provided, That to the extent that the Average Weekly Insured Unemployment ("AWIU") for fiscal year 2008 is projected by the Department of Labor to exceed 2,786,000, an additional $28,600,000 from the Trust Fund shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) to carry out title III of the Social Security Act: Provided further, That funds appropriated in this Act that are allotted to a State to carry out activities under title III of the Social Security Act may be used by such State to assist other States in carrying out activities under such title III if the other States include areas that have suffered a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act: Provided further, That the Secretary of Labor may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States for the use of the National Directory of New Hires under section 453(j)(8) of such Act: Provided further, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance or immigration programs, may be obligated in contracts, grants, or agreements with non-State entities: Provided further, That funds appropriated under this Act for activities authorized under title III of the Social Security Act and the Wagner-Peyser Act may be used by States to fund integrated Unemployment Insurance and Employment Service automation efforts, notwithstanding cost allocation principles prescribed under the Office of Management and Budget Circular A–87.

In addition, $40,000,000 from the Employment Security Administration Account of the Unemployment Trust Fund shall be available to conduct in-person reemployment and eligibility assessments in one-stop career centers of claimants of unemployment insurance: Provided, That not later than 180 days following the end of the current fiscal year, the Secretary shall submit an *interim report to the Congress that includes available information on expenditures, number of individuals assessed, and outcomes from the assessments: Provided further, That not later than 18 months following the end of the fiscal year, the Secretary of Labor shall submit to the Congress a final report containing comprehensive information on the estimated savings that result from the assessments of claimants and identification of best practices.*

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and to the "Federal unemployment benefits and allowances" account, to remain available until September 30, 2009, $437,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 2008, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $88,451,000, together with not to exceed $88,211,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, $142,925,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by subtitle E of title IV of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 4201 et seq.), within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 9104), as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2008, for such Corporation: Provided, That none of the funds available to the Corporation for fiscal year 2008 shall be available for obligations for administrative expenses in excess of $411,151,000: Provided further, That to the extent that the number of new plan participants in plans terminated by the Corporation exceeds 100,000 in fiscal year 2008, an amount not to exceed an additional $9,200,000 shall be available for obligation for administrative expenses for every 20,000 additional terminated participants: Provided further, That an additional $50,000 shall be made available for obligation for investment management fees for every $25,000,000 in assets received by the Corporation as a result of new plan terminations, after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING RESCISSION)

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $435,397,000, together with $2,111,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d), and 44(j) of the Longshore and Harbor Workers' Compensation Act: Provided, That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938 and for processing applications and issuing registrations under title I of the Migrant and Seasonal Agricultural Worker Protection Act.

Of the unobligated funds collected pursuant to section 286(v) of the Immigration and Nationality Act, $102,000,000 are rescinded.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by chapter 81 of title 5, United States Code; continuation of benefits as provided for under the heading "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948; and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, $203,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: Provided, That amounts appropriated may be used under section 8104 of title 5, United States Code, by the Secretary of Labor to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 2007, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2008: Provided further, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, $52,280,000 shall be made available to the Secretary as follows:

(1) For enhancement and maintenance of automated data processing systems and telecommunications systems, $21,855,000.

(2) For automated workload processing operations, including document imaging, centralized mail intake and medical bill processing, $16,109,000.

(3) For periodic roll management and medical review, $14,316,000.

(4) The remaining funds shall be paid into the Treasury as miscellaneous receipts:

Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under chapter 81 of title 5, United States Code, or the Longshore and Harbor Workers' Compensation Act, provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107–275, $208,221,000, to remain available until expended.

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of such Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV for the first quarter of fiscal year 2009, $62,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, $104,745,000, to remain available until expended: Provided, That the Secretary of Labor is authorized to transfer to any executive agency with authority under the Energy Employees Occupational Illness Compensation Program Act, including within the Department of Labor, such sums as may be necessary in fiscal year 2008 to carry out those authorities: Provided further, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim, such identifying information (including Social Security account number) as may be prescribed: Provided further, That not later than 30 days after enactment of this Act, in addition to other sums transferred by the Secretary to the National Institute for Occupational Safety and Health ("NIOSH") for the administration of the Energy Employees Occupational Illness Compensation Program ("EEOICP"), the Secretary shall transfer $4,500,000 to NIOSH from the funds appropriated to the Energy Employees Occupational Illness Compensation Fund, for use by or in support of the Advisory Board on Radiation and Worker Health ("the Board") to carry out its statutory responsibilities under the EEOICP, including obtaining audits, technical assistance and other support from the Board's audit contractor with regard to radiation dose estimation and reconstruction efforts, site profiles, procedures, and review of Special Exposure Cohort petitions and evaluation reports.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

In fiscal year 2008 and thereafter, such sums as may be necessary from the Black Lung Disability Trust Fund, to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (4), and (7) of the Internal Revenue Code of 1954; and interest on advances, as authorized by section 9501(c)(2) of that Act. In addition, the following amounts shall be available from the Fund for fiscal year 2008 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): not to exceed $32,761,000 for transfer to the Employment Standards Administration "Salaries and Expenses"; not to exceed $24,785,000 for transfer to Departmental Management, "Salaries and Expenses"; not to exceed $335,000 for transfer to Departmental Management, "Office of Inspector General"; and not to exceed $356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $500,568,000, including not to exceed $91,093,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the "Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary of Labor under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to

$750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education grants: Provided, That, notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, 2008, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: Provided further, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred (DART) occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except—

(1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by the Act with respect to imminent dangers;

(4) to take any action authorized by the Act with respect to health hazards;

(5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by the Act; and

(6) to take any action authorized by the Act with respect to complaints of discrimination against employees for exercising rights under the Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That $10,116,000 shall be available for Susan Harwood training grants, of which $3,200,000 shall be used for the Institutional Competency Building training grants which commenced in September 2000, for program activities for the period of October 1, 2007 to September 30, 2008, provided that a grantee has demonstrated satisfactory performance: Provided further, That such grants shall be awarded not later than 30 days after the date of enactment of this Act: Provided further, That the Secretary shall provide a report to the Committees on Appropriations of the House of Representatives and the Senate with timetables for the development and issuance of occupational safety and health standards on beryllium, silica, cranes and derricks, confined space entry in construction, and hazard communication global harmonization; such timetables shall include actual or estimated dates for: the publication of an advance notice of proposed rulemaking, the commencement and completion of a Small Business Regulatory Enforcement Fairness Act review (if required), the completion of any peer review (if required), the submission of the draft proposed rule to the Office of Management and Budget for review under Executive Order No. 12866 (if required), the publication of a proposed rule, the conduct of public hearings, the submission of a draft final rule to the Office of Management and Budget for review under Executive Order No. 12866 (if required), and the issuance of a final rule; and such report shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate within 90 days of the enactment of this Act, with updates provided every 90 days thereafter that shall include an explanation of the reasons for any delays in meeting the projected timetables for action.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $339,893,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to $2,000,000 for mine rescue and recovery activities, $2,200,000 for an award to the United Mine Workers of America, for classroom and simulated rescue training for mine rescue teams, and $1,215,000 for an award to the Wheeling Jesuit University, for the National Technology Transfer Center for a coal slurry impoundment project; in addition, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3302; and, in addition, the Mine Safety and Health Administration may retain up to $1,000,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities; the Secretary of Labor is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization; and any funds available to the Department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $488,804,000, together with not to exceed $78,000,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund, of which $5,000,000 may be used to fund the mass layoff statistics program under section 15 of the Wagner-Peyser Act: Provided, That the Current Employment Survey shall maintain the content of the survey issued prior to June 2005 with respect to the collection of data for the women worker series.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, $27,712,000.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including the management or operation, through contracts, grants or other arrangements of Departmental activities conducted by or through the Bureau of International Labor Affairs, including bilateral and multilateral technical assistance and other international labor activities, $304,856,000, of which $82,516,000 is for the Bureau of International Labor Affairs (including $5,000,000 to implement model programs to address worker rights issues through technical assistance in countries with which the United States has trade preference programs), and of which $20,000,000 is for the acquisition of Departmental information technology, architecture, infrastructure, equipment, software and related needs, which will be allocated by the Department's Chief Information Officer in accordance with the Department's capital investment management process to assure a sound investment strategy; together with not to exceed $318,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

OFFICE OF JOB CORPS

To carry out subtitle C of title I of the Workforce Investment Act of 1998, including Federal administrative expenses, the purchase and hire of passenger motor vehicles, the construction, alteration and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act; $1,650,516,000, plus reimbursements, as follows:

(1) $1,507,684,000 for Job Corps Operations, of which $916,684,000 is available for obligation for the period July 1, 2008 through June 30, 2009 and of which $591,000,000 is available for obligation for the period October 1, 2008 through June 30, 2009;

(2) $113,960,000 for construction, rehabilitation and acquisition of Job Corps Centers, of which $13,960,000 is available for the period July 1, 2008 through June 30, 2011 and $100,000,000 is available for the period October 1, 2008 through June 30, 2011; and

(3) $28,872,000 for necessary expenses of the Office of Job Corps is available for obligation for the period October 1, 2007 through September 30, 2008:

Provided, That the Office of Job Corps shall have contracting authority: Provided further, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers: Provided further, That none of the funds made available in this Act shall be used to reduce Job Corps total student training slots below 44,791 in program year 2008.

VETERANS EMPLOYMENT AND TRAINING

Not to exceed $197,143,000 may be derived from the Employment Security Administration Account in the Unemployment Trust Fund to carry out the provisions of sections 4100–4113, 4211–4215, and 4321–4327 of title 38, United States Code, and Public Law 103–353, and which shall be available for obligation by the States through December 31, 2008, of which $1,967,000 is for the National Veterans' Employment and Training

Services Institute. To carry out the Homeless Veterans Reintegration Programs under section 5(a)(1) of the Homeless Veterans Comprehensive Assistance Act of 2001 and the Veterans Workforce Investment Programs under section 168 of the Workforce Investment Act, $31,055,000, of which $7,435,000 shall be available for obligation for the period July 1, 2008, through June 30, 2009.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $72,929,000, together with not to exceed $5,729,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this Act for the Job Corps shall be used to pay the salary of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level I.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall be available only to meet emergency needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 103. In accordance with Executive Order No. 13126, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, whole or in part, by forced or indentured child labor in industries and host countries already identified by the United States Department of Labor prior to enactment of this Act.

SEC. 104. After September 30, 2007, the Secretary of Labor shall issue a monthly transit subsidy of not less than the full amount (of not less than $110) that each of its employees of the National Capital Region is eligible to receive.

SEC. 105. None of the funds appropriated in this title for grants under section 171 of the Workforce Investment Act of 1998 may be obligated prior to the preparation and submission of a report by the Secretary of Labor to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

SEC. 106. There is authorized to be appropriated such sums as may be necessary to the Denali Commission through the Department of Labor to conduct job training of the local workforce where Denali Commission projects will be constructed.

SEC. 107. None of the funds made available to the Department of Labor for grants under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 may be used for any purpose other than training in the occupations and industries for which employers are using H–1B visas to hire foreign workers, and the related activities necessary to support such training: Provided, That the preceding limitation shall not apply to grants awarded under section 107 of this title and to multi-year grants awarded in response to competitive solicitations issued prior to April 15, 2007.

SEC. 108. None of the funds available in this Act or available to the Secretary of Labor from other sources for Community-Based Job Training grants and grants authorized under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 shall be obligated for a grant awarded on a non-competitive basis.

SEC. 109. The Secretary of Labor shall take no action to amend, through regulatory or administration action, the definition established in 20 CFR 667.220 for functions and activities under title I of the Workforce Investment Act of 1998, or to modify, through regulatory or administrative action, the procedure for redesignation of local areas as specified in subtitle B of title I of that Act (including applying the standards specified in section 116(a)(3)(B) of that Act, but notwithstanding the time limits specified in section 116(a)(3)(B) of that Act), until such time as legislation reauthorizing the Act is enacted. Nothing in the preceding sentence shall permit or require the Secretary of Labor to withdraw approval for such redesignation from a State that received the approval not later than October 12, 2005, or to revise action taken or modify the redesignation procedure being used by the Secretary in order to complete such redesignation for a State that initiated the process of such redesignation by submitting any request for such redesignation not later than October 26, 2005.

SEC. 110. None of the funds made available in this or any other Act shall be available to finalize or implement any proposed regulation under the Workforce Investment Act of 1998, Wagner-Peyser Act of 1933, or the Trade Adjustment Assistance Reform Act of 2002 until such time as legislation reauthorizing the Workforce Investment Act of 1998 and the Trade Adjustment Assistance Reform Act of 2002 is enacted.

SEC. 111. (a) On or before November 30, 2007, the Secretary of Labor shall, pursuant to section 6 of the Occupational Safety and Health Act of 1970, promulgate a final occupational safety and health standard concerning employer payment for personal protective equipment. The final standard shall provide no less protection to employees and shall have no further exceptions from the employer payment requirement than the proposed rule published in the Federal Register on March 31, 1999 (64 Fed. Reg. 15402).

(b) In the event that such standard is not promulgated by the date required, the proposed standard on employer payment for personal protective equipment published in the Federal Register on March 31, 1999 (64 Fed. Reg. 15402) shall become effective as if such standard had been promulgated as a final standard by the Secretary of Labor.

SEC. 112. None of the funds available in this Act may be used to carry out a public-private competition or direct conversion under Office of Management and Budget Circular A–76 or any successor administrative regulation, directive or policy until 60 days after the Government Accountability Office provides a report to the Committees on Appropriations of the House of Representatives and the Senate on the use of competitive sourcing at the Department of Labor.

SEC. 113. (a) Not later than June 20, 2008, the Secretary of Labor shall propose regulations pursuant to section 303(y) of the Federal Mine Safety and Health Act of 1977, consistent with the recommendations of the Technical Study Panel established pursuant to section 11 of the Mine Improvement and New Emergency Response (MINER) Act (Public Law 109–236), to require that in any coal mine, regardless of the date on which it was opened, belt haulage entries not be used to ventilate active working places without prior approval from the Assistant Secretary. Further, a mine ventilation plan incorporating the use of air coursed through belt haulage entries to ventilate active working places shall not be approved until the Assistant Secretary has reviewed the elements of the plan related to the use of belt air and determined that the plan at all times affords at least the same measure of protection where belt haulage entries are not used to ventilate working places. The Secretary shall finalize the regulations not later than December 31, 2008.

(b) Not later than June 15, 2008, the Secretary of Labor shall propose regulations pursuant to section 315 of the Federal Coal Mine Health and Safety Act of 1969, consistent with the recommendations of the National Institute for Occupational Safety and Health pursuant to section 13 of the MINER Act (Public Law 109–236), requiring rescue chambers, or facilities that afford at least the same measure of protection, in underground coal mines. The Secretary shall finalize the regulations not later than December 31, 2008.

SEC. 114. None of the funds appropriated in this Act under the heading "Employment and Training Administration" shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A–133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs.

This title may be cited as the "Department of Labor Appropriations Act, 2008".

TITLE II

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, IV, VII, VIII, X, XII, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V and sections 1128E, and 711, and 1820 of the Social Security Act, the Health Care Quality Improvement Act of 1986, the Native Hawaiian Health Care Act of 1988, the Cardiac Arrest Survival Act of 2000, and section 712 of the American Jobs Creation Act of 2004, $7,235,468,000, of which $317,684,000 shall be available for construction and renovation (including equipment) of health care and other facilities and other health-related activities as specified in the statement of the managers on the conference report accompanying this Act, and of which $38,538,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program under such section: Provided, That of the funds made available under this heading, $160,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: Provided further, That $40,000,000 of the funding provided for community health centers shall be for base grant adjustments for existing health centers: Provided further, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: Provided further, *That fees collected for the full disclosure of information under the "Health Care Fraud and Abuse Data Collection Program", authorized by section 1128E(d)(2) of the Social Security Act, shall be sufficient to recover the full costs of operating the program, and shall remain available until expended to carry out that Act: Provided further, That no more than $40,000 is available until expended for carrying out the provisions of 42 U.S.C. 233(o) including associated administrative expenses and relevant evaluations: Provided further, That no more than $44,055,000 is available until expended for carrying out the provisions of Public Law 104–73 and for expenses incurred by the Department of Health and Human Services pertaining to administrative claims made under such law: Provided further, That of the funds made available under this heading, $310,910,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: Provided further, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: Provided further, That of the funds available under this heading, $1,868,809,000 shall remain available to the Secretary of Health and Human Services through September 30, 2010, for parts A and B of title XXVI of the Public Health Service Act: Provided further, That within the amounts provided for part A of title XXVI of the Public Health Service Act, $9,377,000 is available to the Secretary of Health and Human Services through September 30, 2010, and shall be made available to qualifying jurisdictions within 45 days of enactment, for increasing supplemental grants for fiscal year 2008 to metropolitan areas that received grant funding in fiscal year 2007 under subpart I of part A of title XXVI of the Public Health Service Act to ensure that an area's total funding under subpart I of part A for fiscal year 2007, together with the amount of this additional funding, is not less than 91.6 percent of the amount of such area's total funding under part A for fiscal year 2006, and to transitional areas that received grant funding in fiscal year 2007 under subpart II of part A of title XXVI of the Public Health Service Act to ensure that an area's total funding under subpart II of part A for fiscal year 2007, together with the amount of this additional funding, is not less than 86.6 percent of the amount of such area's total funding under part A for fiscal year 2006: Provided further, That, notwithstanding section 2603(c)(1) of the Public Health Service Act, the additional funding to areas under the immediately preceding proviso, which may be used for costs incurred during fiscal year 2007, shall be available to the area for obligation from the date of the award through the end of the grant year for the award: Provided further, That $822,570,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act: Provided further, That in addition to amounts provided herein, $25,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out Parts A, B, C, and D of title XXVI of the Public Health Service Act to fund section 2691 Special Projects of National Significance: Provided further, That, notwithstanding section 502(a)(1) and 502(b)(1) of the Social Security Act, not to exceed $103,666,000 is available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act and $10,586,000 is available for projects described in paragraphs (A) through (F) of section 501(a)(3) of such Act: Provided further, That of the funds provided, $39,283,000 shall be provided to the Denali Commission as a direct lump payment pursuant to Public Law 106–113: Provided further, That of the funds provided, $25,000,000 shall be provided for the Delta Health Initiative as authorized in section 219 of this Act and associated administrative expenses: Provided further, That notwithstanding section 747(e)(2) of the PHS Act, not less than $5,000,000 shall be for general dentistry programs, not less than $5,000,000 shall be for pediatric dentistry programs and not less than $24,614,000 shall be for family medicine programs: Provided further, That of the funds available under this heading, $12,000,000 shall be provided for the National Cord Blood Inventory pursuant to the Stem Cell Therapeutic and Research Act of 2005.*

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM ACCOUNT

Such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act. For administrative expenses to carry out the guaranteed loan program, including section 709 of the Public Health Service Act, $2,906,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: Provided, That for necessary administrative expenses, not to exceed $6,000,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, XIX, XXI, and XXVI of the Public Health Service Act, sections 101, 102, 103, 201, 202, 203, 301, 501, and 514 of the Federal Mine Safety and Health Act of 1977, section 13 of the Mine Improvement and New Emergency Response Act of 2006, sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, and for expenses necessary to support activities related to countering potential biological, disease, nuclear, radiological, and chemical threats to civilian populations; including purchase and insurance of official motor vehicles in foreign countries; and purchase, hire, maintenance, and operation of aircraft, $6,288,289,000, of which $147,000,000 shall remain available until expended for equipment, construction and renovation of facilities; of which $568,803,000 shall remain available until expended for the Strategic National Stockpile; of which $52,500,000 shall be available until expended to provide screening and treatment for first response emergency services personnel, residents, students, and others related to the September 11, 2001 terrorist attacks on the World Trade Center; and of which $121,541,000 for international HIV/AIDS shall remain available until September 30, 2009. In addition, such sums as may be derived from authorized user fees, which shall be credited to this account: Provided, That in addition to amounts provided herein, the following amounts shall be available from amounts available under section 241 of the Public Health Service Act: (1) $12,794,000 to carry out the National Immunization Surveys; (2) $116,550,000 to carry out the National Center for Health Statistics surveys; (3) $24,751,000 to carry out information systems standards development and architecture and applications-based research used at local public health levels; (4) $44,523,000 for Health Marketing; (5) $31,000,000 to carry out Public Health Research; and (6) $97,404,000 to carry out research activities within the National Occupational Research Agenda: Provided further, That none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used, in whole or in part, to advocate or promote gun control: Provided further, That up to $31,800,000 shall be made available until expended for Individual Learning Accounts for full-time equivalent employees of the Centers for Disease Control and Prevention: Provided further, That the Director may redirect the total amount made available under authority of Public Law 101–502, section 3, dated November 3, 1990, to activities the Director may so designate: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are to be notified promptly of any such transfer: Provided further, That not to exceed $19,414,000 may be available for making grants under section 1509 of the Public Health Service Act to not less than 15 States, tribes, or tribal organizations: Provided further, That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the project: Provided further, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232–18: Provided further, That of the funds appropriated, $10,000 is for official reception and representation expenses when specifically approved by the Director of the Centers for Disease Control and Prevention: Provided further, That employees of the Centers for Disease Control and Prevention or the Public Health Service, both civilian and Commissioned Officers, detailed to States, municipalities, or other organizations under authority of section 214 of the Public Health Service Act, or in overseas assignments, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or the Department of Health and Human Services during the period of detail or assignment: Provided further, That out of funds made available under this heading for domestic HIV/AIDS testing, up to $30,000,000 shall be for States eligible under section 2625 of the Public Health Service Act as of December 31, 2007 and shall be distributed by March 31, 2008 based on standard criteria relating to a State's epidemiological profile, and of which not more than $1,000,000 may be made available to any one State, and any amounts that have not been obligated by March 31, 2008 shall be used to make grants authorized by other provisions of the Public Health Service Act to States and local public health departments for HIV prevention activities.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, $4,925,740,000, of which up to $8,000,000 may be used for facilities repairs and improvements at the NCI-Frederick Federally Funded Research and Development Center in Frederick, Maryland.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $3,001,691,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, $399,867,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, $1,753,037,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, $1,578,210,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

(INCLUDING TRANSFER OF FUNDS)

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, $4,682,585,000: Provided, That $300,000,000 may be made available to International Assistance Programs "Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis", to remain available until expended: Provided further, That such sums obligated in fiscal years 2003 through 2007 for extramural facilities construction projects are to remain available until expended for disbursement, with prior notification of such projects to the Committees on Appropriations of the House of Representatives and the Senate.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, $1,984,879,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, $1,286,379,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, $684,126,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out sections 301 and 311 and title IV of the Public Health Service Act with respect to environmental health sciences, $658,258,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, $1,076,389,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, $521,459,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, $403,958,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, $140,900,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, $447,245,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, $1,025,839,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health, $1,440,557,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, $498,748,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the Public Health Service Act with respect to biomedical imaging and bioengineering research, $305,884,000.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, $1,182,015,000.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to complementary and alternative medicine, $124,647,000.

NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the Public Health Service Act with respect to minority health and health disparities research, $204,542,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities of the John E. Fogarty International Center (described in subpart 2 of part E of title IV of the Public Health Service Act), $68,216,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, $329,039,000, of which $4,000,000 shall be available until expended for improvement of information systems: Provided, That in fiscal year 2008, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health: Provided further, That in addition to amounts provided herein, $8,200,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out the purposes of the National Information Center on Health Services Research and Health Care Technology established under section 478A of the Public Health Service Act and related health services.

OFFICE OF THE DIRECTOR

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, $1,145,790,000, of which up to $25,000,000 shall be used to carry out section 215 of this Act: Provided, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: Provided further, That the National Institutes of Health is authorized to collect third party payments for the cost of clinical services that are incurred in National Institutes of Health research facilities and that such payments shall be credited to the National Institutes of Health Management Fund: Provided further, That all funds credited to such Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: Provided further, That no more than $500,000 shall be available to carry out section 499 of the Public Health Service Act: Provided further, That $110,900,000 shall be available for continuation of the National Children's Study: Provided further, That $531,300,000 shall be available for the Common Fund established under section 402A(c)(1) of the Public Health Service Act: Provided further, That of the funds provided $10,000 shall be for official reception and representation expenses when specifically approved by the Director of the National Institutes of Health: Provided further, That the Office of AIDS Research within the Office of the Director of the National Institutes of Health may spend up to $4,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the Public Health Service Act.

BUILDINGS AND FACILITIES

For the study of, construction of, renovation of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, $130,000,000, to remain available until expended.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out titles V and XIX of the Public Health Service Act ("PHS Act") with respect to substance abuse and mental health services, the Protection and Advocacy for Individuals with Mental Illness Act, and section 301 of the PHS Act with respect to program management, $3,290,848,000, of which $19,644,000 shall be available for the projects and in the amounts specified in the statement of the managers on the conference report accompanying this Act: Provided, That notwithstanding section 520A(f)(2) of the PHS Act, no funds appropriated for carrying out section 520A are available for carrying out section 1971 of the PHS Act: Provided further, That in addition to amounts provided herein, the following amounts shall be available under section 241 of the PHS Act: (1) $79,200,000 to carry out subpart II of part B of title XIX of the PHS Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of part B of title XIX; (2) $21,413,000 to carry out subpart I of part B of title XIX of the PHS Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX; (3) $19,750,000 to carry out national surveys on drug abuse; and (4) $4,300,000 to evaluate substance abuse treatment programs: Provided further, That section 520E(b)(2) of the Public Health Service Act shall not apply to funds appropriated under this Act for fiscal year 2008.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until expended: Provided, That the amount made available pursuant to section 937(c) of the Public Health Service Act shall not exceed $334,564,000.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $141,628,056,000, to remain available until expended.

For making, after May 31, 2008, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 2008 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2009, $67,292,669,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under section 1844 and 1860D–16 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $188,828,000,000.

In addition, for making matching payments under section 1844, and benefit payments under section 1860D–16 of the Social Security Act, not anticipated in budget estimates, such sums as may be necessary.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed $3,276,502,000, to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the Public Health Service Act and section 1857(e)(2) of the Social Security Act, funds retained by the Secretary pursuant to section 302 of the Tax Relief and Health Care Act of 2006; and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended: Provided, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act shall be credited to and available for carrying out the purposes of this appropriation: Provided further, That $49,869,000, to remain available until September 30, 2009, is for contract costs for the Healthcare Integrated General Ledger Accounting System: Provided further, That $193,000,000, to remain available until September 30, 2009, is for CMS Medicare contracting reform activities: Provided further, That funds appropriated under this heading are available for the Healthy Start, Grow Smart program under which the Centers for Medicare and Medicaid Services may, directly or through grants, contracts, or cooperative agreements, produce and distribute informational materials including, but not limited to, pamphlets and brochures on infant and toddler health care to expectant parents enrolled in the Medicaid program and to parents and guardians enrolled in such program with infants and children: Provided further, That the Secretary of Health and Human Services is directed to collect fees in fiscal year 2008 from Medicare Advantage organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act: Provided further, That $5,140,000 shall be available for the projects and in the amounts specified in the statement of the managers on the conference report accompanying this Act.

HEALTH CARE FRAUD ABUSE AND CONTROL ACCOUNT

In addition to amounts otherwise available for program integrity and program management, $383,000,000, to be available until expended, to be transferred from the Federal Hospital Insurance and the Federal Supplementary Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act, of which $249,620,000 is for the Centers for Medicare and Medicaid Services for carrying out program integrity activities with respect to title XVIII of such Act, including activities authorized under the Medicare Integrity Program under section 1893 of such Act; of which $35,000,000 is for the Centers for Medicare and Medicaid Services for carrying out Medicaid IPIA Compliance with respect to titles XIX and XXI of such Act; and of which, for carrying out fraud and abuse control activities authorized by section 1817(k)(3) of such Act, $36,690,000 is for the Department of Justice; $36,690,000 is for the Department of Health and Human Services Office of the Inspector General, and $25,000,000 is for the Department of Health and Human Services: Provided, That the report required by section 1817(k)(5) of such Act for fiscal year 2008 shall include measures of the operational efficiency and impact on fraud, waste and abuse in the Medicare and Medicaid programs of the funds provided by this appropriation.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For making payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. chapter 9), $2,949,713,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2009, $1,000,000,000, to remain available until expended.

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV–A of the Social Security Act before the effective date of the program of Temporary Assistance for Needy Families (TANF) with respect to such State, such sums as may be necessary: Provided, That the sum of the amounts available to a State with respect to expenditures under such title IV–A in fiscal year 1997 under this appropriation and under such title IV–A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. chapter 9), for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

LOW-INCOME HOME ENERGY ASSISTANCE

For making payments under section 2604(a)–(d) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(a)–(d)), $1,980,000,000.

For making payments under section 2604(e) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(e)), $431,585,000, notwithstanding the designation requirement of section 2602(e) of such Act.

REFUGEE AND ENTRANT ASSISTANCE

For necessary expenses for refugee and entrant assistance activities and for costs associated with the care and placement of unaccompanied alien children authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980, for carrying out section 462 of the Homeland Security Act of 2002, and for carrying out the Torture Victims Relief Act of 1998, $652,394,000, of which up to $9,814,000 shall be available to carry out the Trafficking Victims Protection Act of 2000: Provided, That funds appropriated under this heading pursuant to section 414(a) of the Immigration and Nationality Act and section 462 of the Homeland Security Act of 2002 for fiscal year 2008 shall be available for the costs of assistance provided and other activities to remain available through September 30, 2010.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out the Child Care and Development Block Grant Act of 1990, $2,094,581,000 shall be used to supplement, not supplant State general revenue funds for child care assistance for low-income families: Provided, That $18,777,370 shall be available for child care resource and referral and school-aged child care activities, of which $982,080 shall be for the Child Care Aware toll-free hotline: Provided further, That, in addition to the amounts required to be reserved by the States under section 658G, $267,785,718 shall be reserved by the States for activities authorized under section 658G, of which $98,208,000 shall be for activities that improve the quality of infant and toddler care: Provided further, That $9,821,000 shall be for use by the Secretary for child care research, demonstration, and evaluation activities.

In addition, $5,000,000, to remain available until September 30, 2009, shall be for carrying out the small business child care grant program under section 8303 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, $1,700,000,000: Provided, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX of such Act shall be 10 percent.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, sections 310 and 316 of the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (adoption opportunities), sections 330F and 330G of the Public Health Service Act, the Abandoned Infants Assistance Act of 1988, sections 261 and 291 of the Help America Vote Act of 2002, part B(1) of title IV and sections 413, 1110, and 1115 of the Social Security Act; for making payments under the Community Services Block Grant Act, sections 439(i), 473B, and 477(i) of the Social Security Act, and the Assets for Independence Act, and for necessary administrative expenses to carry out such Acts and titles I, IV, V, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. chapter 9), the Low-Income Home Energy Assistance Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, and section 505 of the Family Support Act of 1988, $9,220,695,000, of which $4,400,000, to remain available until September 30, 2009, shall be for grants to States for adoption incentive payments, as authorized by section 473A of the Social Security Act and may be made for adoptions completed before September 30, 2008: Provided, That $7,042,196,000 shall be for making payments under the Head Start Act, of which $1,388,800,000 shall become available October 1, 2008, and remain available through September 30, 2009: Provided further, That $706,125,000 shall be for making payments under the Community Services Block Grant Act: Provided further, That not less than $8,000,000 shall be for section 680(3)(B) of the Community Services Block Grant Act: Provided further, That in addition to amounts provided herein, $6,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out the provisions of section 1110 of the Social Security Act: Provided further, That to the extent Community Services

Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: Provided further, That the Secretary of Health and Human Services shall establish procedures regarding the disposition of intangible property which permits grant funds, or intangible assets acquired with funds authorized under section 680 of the Community Services Block Grant Act to become the sole property of such grantees after a period of not more than 12 years after the end of the grant for purposes and uses consistent with the original grant: Provided further, That funds appropriated for section 680(a)(2) of the Community Services Block Grant Act shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: Provided further, That $53,625,000 is for a compassion capital fund to provide grants to charitable organizations to emulate model social service programs and to encourage research on the best practices of social service organizations: Provided further, That $18,820,000 shall be for activities authorized by the Help America Vote Act of 2002, of which $12,920,000 shall be for payments to States to promote access for voters with disabilities, and of which $5,900,000 shall be for payments to States for protection and advocacy systems for voters with disabilities: Provided further, That $136,664,000 shall be for making competitive grants to provide abstinence education (as defined by section 510(b)(2) of the Social Security Act) to adolescents, and for Federal costs of administering the grant: Provided further, That grants under the immediately preceding proviso shall be made only to public and private entities which agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which abstinence education was provided: Provided further, That within amounts provided herein for abstinence education for adolescents, up to $10,000,000 may be available for a national abstinence education campaign: Provided further, That in addition to amounts provided herein for abstinence education for adolescents, $4,500,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out evaluations (including longitudinal evaluations) of adolescent pregnancy prevention approaches: Provided further, That up to $2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system's effectiveness.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out section 436 of the Social Security Act, $345,000,000 and section 437, $89,100,000.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities under title IV–E of the Social Security Act, $5,067,000,000.

For making payments to States or other non-Federal entities under title IV–E of the Act, for the first quarter of fiscal year 2009, $1,776,000,000.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under section 474 of title IV–E, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965 and section 398 of the Public Health Service Act, $1,446,651,000, of which $5,500,000 shall be available for activities regarding medication management, screening, and education to prevent incorrect medication and adverse drug reactions.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out titles III, XVII, XX, and XXI of the Public Health Service Act, the Lifespan Respite Care Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, $387,070,000, together with $5,851,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund, and $46,756,000 from the amounts available under section 241 of the Public Health Service Act to carry out national health or human services research and evaluation activities: Provided, That of the funds made available under this heading for carrying out title XX of the Public Health Service Act, $13,120,000 shall be for activities specified under section 2003(b)(2), all of which shall be for prevention service demonstration grants under section 510(b)(2) of title V of the Social Security Act, as amended, without application of the limitation of section 2010(c) of said title XX: Provided further, That of this amount, $51,891,000 shall be for minority AIDS prevention and treatment activities; and $5,941,000 shall be to assist Afghanistan in the development of maternal and child health clinics, consistent with section 103(a)(4)(H) of the Afghanistan Freedom Support Act of 2002; and $1,000,000 shall be transferred, not later than 30 days after enactment of this Act, to the National Institute of Mental Health to administer the Interagency Autism Coordinating Committee; and $5,500,000 shall be for a Health Diplomacy Initiative and may be used to carry out health diplomacy activities such as health training, services, education, and program evaluation, provided directly, through grants, or through contracts: Provided further, That specific information requests from the chairmen and ranking members of the Subcommittees on Labor, Health and Human Services, and Education, and Related Agencies, on scientific research or any other matter, shall be transmitted to the Committees on Appropriations in a prompt, professional manner and within the time frame specified in the request: Provided further, That scientific information, including such information provided in congressional testimony, requested by the Committees on Appropriations and prepared by government researchers and scientists shall be transmitted to the Committees on Appropriations, uncensored and without delay: Provided further, That funds provided in this Act for embryo adoption activities may be used to provide, to individuals adopting embryos, through grants and other mechanisms, medical and administrative services deemed necessary for such adoptions: Provided further, That such services shall be provided consistent with 42 CFR 59.5(a)(4).

OFFICE OF MEDICARE HEARINGS AND APPEALS

For expenses necessary for administrative law judges responsible for hearing cases under title XVIII of the Social Security Act (and related provisions of title XI of such Act), $67,500,000, to be transferred in appropriate part from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

For expenses necessary for the Office of the National Coordinator for Health Information Technology, including grants, contracts and cooperative agreements for the development and advancement of an interoperable national health information technology infrastructure, $27,651,000: Provided, That in addition to amounts provided herein, $38,500,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out health information technology network development.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, $45,187,000: Provided, That of such amount, necessary sums are available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $33,748,000, together with not to exceed $3,314,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. chapter 55), such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to support activities related to countering potential biological, disease, nuclear, radiological and chemical threats to civilian populations, and for other public health emergencies, $741,586,000, of which not to exceed $22,363,000, to remain available until September 30, 2009, is to pay the costs described in section 319F–2(c)(7)(B) of the Public Health Service Act, and of which $149,250,000 shall be used to support advanced research and development of medical countermeasures, consistent with section 319L of the Public Health Service Act.

For expenses necessary to prepare for and respond to an influenza pandemic, $763,923,000, of which $685,832,000 shall be available until expended, for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools: Provided, That products purchased with these funds may, at the discretion of the Secretary, be deposited in the Strategic National Stockpile: Provided further, That notwithstanding section 496(b) of the Public Health Service Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccines and other biologicals, where the Secretary finds such a contract necessary to secure sufficient supplies of such vaccines or biologicals: Provided further, That funds appropriated herein may be transferred to other appropriation accounts of the Department of Health and Human Services, as determined by the Secretary to be appropriate, to be used for the purposes specified in this sentence.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed $50,000 for official reception and representation expenses when specifically approved by the Secretary of Health and Human Services.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated in this Act for the National Institutes of Health, the Agency for Healthcare Research and Quality, and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level I.

SEC. 204. None of the funds appropriated in this title for Head Start shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

SEC. 205. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the preparation and submission of a report by the Secretary of Health and Human Services to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

SEC. 206. Notwithstanding section 241(a) of the Public Health Service Act, such portion as the Secretary of Health and Human Services shall determine, but not more than 2.4 percent, of any amounts appropriated for programs authorized under such Act shall be made available for the evaluation (directly, or by grants or contracts) of the implementation and effectiveness of such programs.

(TRANSFER OF FUNDS)

SEC. 207. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall be available only to meet emergency needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 208. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: Provided, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 209. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the National Institutes of Health and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the Public Health Service Act.

SEC. 210. None of the funds appropriated in this Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 211. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 212. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare Advantage program if the Secretary of Health and Human Services denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: Provided, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): Provided further, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare Advantage organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 213. (a) Except as provided by subsection (e) none of the funds appropriated by this Act may be used to withhold substance abuse funding from a State pursuant to section 1926 of the Public Health Service Act (42 U.S.C. 300x–26) if such State certifies to the Secretary of Health and Human Services by May 1, 2008, that the State will commit additional State funds, in accordance with subsection (b), to ensure compliance with State laws prohibiting the sale of tobacco products to individuals under 18 years of age.

(b) The amount of funds to be committed by a State under subsection (a) shall be equal to 1 percent of such State's substance abuse block grant allocation for each percentage point by which the State misses the retailer compliance rate goal established by the Secretary of Health and Human Services under section 1926 of such Act.

(c) The State is to maintain State expenditures in fiscal year 2008 for tobacco prevention programs and for compliance activities at a level that is not less than the level of such expenditures maintained by the State for fiscal year 2007, and adding to that level the additional funds for tobacco compliance activities required under subsection (a). The State is to submit a report to the Secretary on all fiscal year 2007 State expenditures and all fiscal year 2008 obligations for tobacco prevention and compliance activities by program activity by July 31, 2008.

(d) The Secretary shall exercise discretion in enforcing the timing of the State obligation of the additional funds required by the certification described in subsection (a) as late as July 31, 2008.

(e) None of the funds appropriated by this Act may be used to withhold substance abuse funding pursuant to section 1926 of the Public Health Service Act from a territory that receives less than $1,000,000.

SEC. 214. In order for the Centers for Disease Control and Prevention to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2008:

(1) The Secretary of Health and Human Services (in this section referred to as the "Secretary of HHS") may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(c)). The Secretary of HHS shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) and other applicable statutes administered by the Department of State.

(2) The Secretary of HHS is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of the Department of Health and Human Services. The Department of State shall cooperate fully with the Secretary of HHS to ensure that the Department of Health and Human Services has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary of HHS is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

SEC. 215. (a) AUTHORITY.—Notwithstanding any other provision of law, the Director of the National Institutes of Health (in this section referred to as the "Director of NIH") may use funds available under section 402(b)(7) or 402(b)(12) of the Public Health Service Act (42 U.S.C. 282(b)(7), 282(b)(12)) to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research identified pursuant to such section 402(b)(7) (pertaining to the Common Fund) or research and activities described in such section 402(b)(12).

(b) PEER REVIEW.—In entering into transactions under subsection (a), the Director of the NIH may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the Public Health Service Act (42 U.S.C. 241(a)(3), 284(b)(1)(B), 284(b)(2), 284a(a)(3)(A), 289a, and 289c).

SEC. 216. Funds which are available for Individual Learning Accounts for employees of the Centers for Disease Control and Prevention ("CDC") and the Agency for Toxic Substances and Disease Registry ("ATSDR)" may be transferred to "Disease Control, Research, and Training", to be available only for Individual Learning Accounts: Provided, That such funds *may be used for any individual full-time equivalent employee while such employee is employed either by CDC or ATSDR.*

SEC. 217. Notwithstanding any other provisions of law, funds made available in this Act may be used to continue operating the Council on Graduate Medical Education established by section 301 of Public Law 102–408.

SEC. 218. The Director of the National Institutes of Health shall require that all investigators funded by the NIH submit or have submitted for them to the National Library of Medicine's PubMed Central an electronic version of their final, peer-reviewed manuscripts upon acceptance for publication, to be made publicly available no later than 12 months after the official date of publication: Provided, That the NIH shall implement the public access policy in a manner consistent with copyright law.

SEC. 219. (a) The Secretary of Health and Human Services is authorized to award a grant to the Delta Health Alliance, a nonprofit alliance of academic institutions in the Mississippi Delta region that has as its primary purposes addressing longstanding, unmet health needs and catalyzing economic development in the Mississippi Delta.

(b) To be eligible to receive a grant under subsection (a), the Delta Health Alliance shall solicit and fund proposals from local governments, hospitals, health care clinics, academic institutions, and rural public health-related entities and organizations for research development, educational programs, health care services, job training, and planning, construction, and equipment of public health-related facilities in the Mississippi Delta region.

(c) With respect to the use of grant funds under this section for construction or major alteration of property, the Federal interest in the property involved shall last for a period of 1 year following the completion of the project or until such time that the Federal Government is compensated for its proportionate interest in the property if the property use changes or the property is transferred or sold, whichever time period is less. At the conclusion of such period, the Notice of Federal Interest in such property shall be removed.

(d) There are authorized to be appropriated such sums as may be necessary to carry out this section in fiscal year 2008 and in each of the five succeeding fiscal years.

SEC. 220. Not to exceed $35,000,000 of funds appropriated by this Act to the institutes and centers of the National Institutes of Health may be used for alteration, repair, or improvement of facilities, as necessary for the proper and efficient conduct of the activities authorized herein, at not to exceed $2,500,000 per project.

SEC. 221. (a) PROHIBITION.—With respect to the 2010–2011 influenza season, the Secretary of Health and Human Services (the Secretary) shall not use or make available any funds for the administration of any influenza vaccine containing thimerosal as a preservative (thimerosal-free) to any child under 3 years of age, unless the Secretary:

(1) finds that there is inadequate supply of thimerosal-free influenza vaccine for the covered population and for the respective influenza season; or

(2) finds that an actual or potential public health situation justifies the use of other influenza vaccine for children under 3 years of age; and

(3) gives written notice of such findings (and an explanation of the basis for the findings) to the Congress and of actions the Secretary is taking to ensure adequate supply of pediatric thimerosal-free influenza vaccine for the following influenza season.

(b) REPORT TO CONGRESS.—To improve public confidence in the safety of vaccines, the Secretary shall submit to the Congress a plan no later than April 1, 2008—

(1) to work proactively with manufacturers of influenza vaccine to facilitate the approval of thimerosal-free influenza vaccine for administration to children under 3 years of age;

(2) to increase the Federal Government's purchases of thimerosal-free influenza vaccine; and

(3) to take any other actions determined appropriate by the Secretary to increase the supply of thimerosal-free influenza vaccine.

(TRANSFER OF FUNDS)

SEC. 222. Of the amounts made available in this Act for the National Institutes of Health, 1 percent of the amount made available for National Research Service Awards (NRSA) shall be made available to the Administrator of the Health Resources and Services Administration to make NRSA awards for research in primary medical care to individuals affiliated with entities who have received grants or contracts under section 747 of the Public Health Service Act, and 1 percent of the amount made available for NRSA shall be made available to the Director of the Agency for Healthcare Research and Quality to make NRSA awards for health service research.

SEC. 223. None of the funds made available in this Act may be used—

(1) for the Ombudsman Program of the Centers for Disease Control and Prevention; and

(2) by the Centers for Disease Control and Prevention to provide additional rotating pastel lights, zero-gravity chairs, or dry-heat saunas for its fitness center.

SEC. 224. There is hereby established in the Treasury of the United States a fund to be known as the "Nonrecurring expenses fund" (the Fund): Provided, That unobligated balances of expired discretionary funds appropriated for this or any succeeding fiscal year from the General Fund of the Treasury to the Department of Health and Human Services by this or any other Act may be transferred (not later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated) into the Fund: Provided further, That amounts deposited in the Fund shall be available until expended, and in addition to such other funds as may be available for such purposes, for capital acquisition necessary for the operation of the Department, including facilities infrastructure and information technology infrastructure, subject to approval by the Office of Management and Budget: Provided further, That amounts in the Fund may be obligated only after the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of the planned use of funds.

This title may be cited as the "Department of Health and Human Services Appropriations Act, 2008".

TITLE III

DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 ("ESEA") and section 418A of the Higher Education Act of 1965, $15,930,691,000, of which $7,611,423,000 shall become available on July 1, 2008, and shall remain available through September 30, 2009, and of which $8,136,218,000 shall become available on October 1, 2008, and shall remain available through September 30, 2009, for academic year 2008–2009: Provided, That $6,808,971,000 shall be for basic grants under section 1124: Provided further, That up to $4,000,000 of these funds shall be available to the Secretary of Education on October 1, 2007, to obtain annually updated local educational-agency-level census poverty data from the Bureau of the Census: Provided further, That $1,365,031,000 shall be for concentration grants under section 1124A: Provided further, That $3,068,680,000 shall be for targeted grants under section 1125: Provided further, That $3,068,680,000 shall be for education finance incentive grants under section 1125A: Provided further, That $9,330,000 shall be to carry out sections 1501 and 1503: Provided further, That $1,634,000 shall be available for a comprehensive school reform clearinghouse.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, $1,262,778,000, of which $1,126,192,000 shall be for basic support payments under section 8003(b), $49,466,000 shall be for payments for children with disabilities under section 8003(d), $17,820,000 shall be for construction under section 8007(b) and shall remain available through September 30, 2009, $64,350,000 shall be for Federal property payments under section 8002, and $4,950,000, to remain available until expended, shall be for facilities maintenance under section 8008: Provided, That for purposes of computing the amount of a payment for an eligible local educational agency under section 8003(a) for school year 2007–2008, children enrolled in a school of such agency that would otherwise be eligible for payment under section 8003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 8003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by title II, part B of title IV, subparts 6 and 9 of part D of title V, parts A and B of title VI, and parts B and C of title VII of the Elementary and Secondary Education Act of 1965 ("ESEA"); the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, $5,411,758,000, of which $3,790,731,000 shall become available on July 1, 2008, and remain available through September 30, 2009, and of which $1,435,000,000 shall become available on October 1, 2008, and shall remain available through September 30, 2009, for academic year 2008–2009: Provided, That funds made available to carry out part B of title VII of the ESEA may be used for construction, renovation and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body: Provided further, That from the funds referred to in the preceding proviso, not less than $1,250,000 shall be for a grant to the Department of Education of the State of Hawaii for the activities described in such proviso, and $1,250,000 shall be for a grant to the University of Hawaii School of Law for a Center of Excellence in Native Hawaiian law: Provided further, That funds made available to carry out part C of title VII of the ESEA may be used for construction: Provided further, That up to 100 percent of the funds available to a State educational agency under part D of title II of the ESEA may be used for subgrants described in section 2412(a)(2)(B) of such Act: Provided further, That $58,129,000 shall be available to carry out section 203 of the Educational Technical Assistance Act of 2002: Provided further, That $34,376,000 shall be available to carry out part D of title V of the ESEA: Provided further, That no funds appropriated under this heading may be used to carry out section 5494 under the ESEA: Provided further, That $18,001,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia and the Republic of the Marshall Islands: Provided further, That up to 5 percent of these amounts may be reserved by the Federated States of Micronesia and the Republic of the Marshall Islands to administer the Supplemental Education Grants programs and to obtain technical assistance, oversight and consultancy services in the administration of these grants and to reimburse the United States Departments of Labor, Health and Human Services, and Education for such services: Provided further, That $3,000,000 of the funds available for the Foreign Language Assistance Program shall be available for 5-year grants to local educational agencies that would work in partnership with one or more institutions of higher education to establish or expand articulated programs of study in languages critical to United States national security that will enable successful students to advance from elementary school through college to achieve a superior level of proficiency in those languages.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VII, part A of the Elementary and Secondary Education Act of 1965, $124,000,000.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by part G of title I, subpart 5 of part A and parts C and D of title II, parts B, C, and D of title V, and section 1504 of the Elementary and Secondary Education Act of 1965 ("ESEA"), $1,010,084,000: Provided, That $9,821,000 shall be provided to the National Board for Professional Teaching Standards to carry out section 2151(c) of the ESEA: Provided further, That from funds for subpart 4, part C of title II, up to 3 percent shall be available to the Secretary for technical assistance and dissemination of information: Provided further, That $361,917,000 shall be available to carry out part D of title V of the ESEA: Provided further, That $103,293,000 of the funds for subpart 1, part D of title V of the ESEA shall be available for the projects and in the amounts specified in the statement of the managers on the conference report accompanying this Act: Provided further, That $99,000,000 of the funds for subpart 1 shall be for competitive grants to local educational agencies, including charter schools that are local educational agencies, or States, or partnerships of: (1) a local educational agency, a State, or both; and (2) at least one non-profit organization to develop and implement performance-based teacher and principal compensation systems in high-need schools: Provided further, That such performance-based compensation systems must consider gains in student academic achievement as well as classroom evaluations conducted multiple times during each school year among other factors and provide educators with incentives to take on additional responsibilities and leadership roles: Provided further, That up to 5 percent of such funds for competitive grants shall be available for technical assistance, training, peer review of applications, program outreach and evaluation activities: Provided further, That of the funds available for part B of title V, the Secretary shall use up to $24,783,000 to carry out activities under section 5205(b) and under subpart 2, and shall use not less than $190,000,000 to carry out other activities authorized under subpart 1.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by subpart 3 of part C of title II, part A of title IV, and subparts 2, 3, and 10 of part D of title V of the Elementary and Secondary Education Act of 1965 ("ESEA"), $708,835,000, of which $300,000,000 shall become available on July 1, 2008, and remain available through September 30, 2009: Provided, That $300,000,000 shall be available for subpart 1 of part A of title IV and $222,519,000 shall be available for subpart 2 of part A of title IV, of which not less than $1,500,000, to remain available until expended, shall be for the Project School Emergency Response to Violence ("Project SERV") program to provide education-related services to local educational agencies and to institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis: Provided further, That Project SERV funds appropriated in previous fiscal years may be used to provide services to local educational agencies and to institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis: Provided further, That $152,998,000 shall be available to carry out part D of title V of the ESEA: Provided further, That of the funds available to carry out subpart 3 of part C of title II, up to $12,072,000 may be used to carry out section 2345 and $3,025,000 shall be used by the Center for Civic Education to implement a comprehensive program to improve public knowledge, understanding, and support of the Congress and the State legislatures.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the Elementary and Secondary Education Act of 1965, $722,717,000, which shall become available on July 1, 2008, and shall remain available through September 30, 2009, except that 6.5 percent of such amount shall be available on October 1, 2007, and shall remain available through September 30, 2009, to carry out activities under section 3111(c)(1)(C).

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act ("IDEA") and the Special Olympics Sport and Empowerment Act of 2004, $12,357,999,000, of which $5,461,394,000 shall become available on July 1, 2008, and shall remain available through September 30, 2009, and of which $6,654,982,000 shall become available on October 1, 2008, and shall remain available through September 30, 2009, for academic year 2008–2009: Provided, That $13,000,000 shall be for Recording for the Blind and Dyslexic, Inc., to support activities under section 674(c)(1)(D) of the IDEA: Provided further, That $1,500,000 shall be for the recipient of funds provided by Public Law 105–78 under section 687(b)(2)(G) of the IDEA (as in effect prior to the enactment of the Individuals with Disabilities Education Improvement Act of 2004) to provide information on diagnosis, intervention, and teaching strategies for children with disabilities: Provided further, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year 2007, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percentage increase in the funds appropriated under section 611(i) of the IDEA: Provided further, That nothing in section 674(e) of the IDEA shall be construed to establish a private right of action against the National Instructional Materials Access Center for failure to perform the duties of such center or otherwise authorize a private right of action related to the performance of such center: Provided further, That $8,000,000 shall be available to support the 2009 Special Olympics World Winter Games.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998 ("the AT Act"), and the Helen Keller National Center Act, $3,285,985,000, of which $1,000,000 shall be awarded to the American Academy of Orthotists and Prosthetists for activities that further the purposes of the grant received by the Academy for the period beginning October 1, 2003, including activities to meet the demand for orthotic and prosthetic provider services and improve patient care: Provided, That $3,242,000 of the funds for section 303 of the Rehabilitation Act of 1973 shall be available for the projects and in the amounts specified in the statement of the managers on the conference report accompanying this Act.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, $22,000,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986, $60,757,000, of which $1,705,000 shall be for construction and shall remain available until expended: Provided, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986, $115,400,000: Provided, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006, the Adult Education and Family Literacy Act, subpart 4 of part D of title V of the Elementary and Secondary Education Act of 1965 ("ESEA") and title VIII–D of the Higher Education Amendments of 1998, $2,013,329,000, of which $1,218,252,000 shall become available on July 1, 2008, and shall remain available through September 30, 2009, and of which $791,000,000 shall become available on October 1, 2008, and shall remain available through September 30, 2009: Provided, That of the amount provided for Adult Education State Grants, $69,759,000 shall be made available for integrated English literacy and civics education services to immigrants and other limited English proficient populations: Provided further, That of the amount reserved for integrated English literacy and civics education, notwithstanding section 211 of the Adult Education and Family Literacy Act, 65 percent shall be allocated to States based on a State's absolute need as determined by calculating each State's share of a 10-year average of the United States Citizenship and Immigration Services data for immigrants admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the average of the 3 most recent years for which United States Citizenship and Immigration Services data for immigrants admitted for legal permanent residence are available, except that no State shall be allocated an amount less than $60,000: Provided further, That of the amounts made available for the Adult Education and Family Literacy Act, $7,000,000 shall be for national leadership activities under section 243 and $6,638,000 shall be for *the National Institute for Literacy under section 242: Provided further, That $81,532,000 shall be available to support the activities authorized under subpart 4 of part D of title V of the ESEA, of which up to 5 percent shall become available October 1, 2007, and shall remain available through September 30, 2009, for evaluation, technical assistance, school networks, peer review of applications, and program outreach activities, and of which not less than 95 percent shall become available on July 1, 2008, and remain available through September 30, 2009, for grants to local educational agencies: Provided further, That funds made available to local educational agencies under this subpart shall be used only for activities related to establishing smaller learning communities within large high schools or small high schools that provide alternatives for students enrolled in large high schools.*

STUDENT FINANCIAL ASSISTANCE

(INCLUDING RESCISSION)

For carrying out subparts 1, 3, and 4 of part A, part C and part E of title IV of the Higher Education Act of 1965, $16,379,883,000, which shall remain available through September 30, 2009.

The maximum Pell Grant for which a student shall be eligible during award year 2008–2009 shall be $4,435.

Of the unobligated funds available under section 401A(e)(1)(C) of the Higher Education Act of 1965, $525,000,000 are rescinded.

For an additional amount to carry out subpart 1 of part A of title IV of the Higher Education Act of 1965, $525,000,000, which shall remain available through September 30, 2009.

STUDENT AID ADMINISTRATION

For Federal administrative expenses to carry out part D of title I, and subparts 1, 3, and 4 of part A, and parts B, C, D, and E of title IV of the Higher Education Act of 1965, $708,216,000, which shall remain available until expended.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, and VII of the Higher Education Act of 1965 ("HEA"), section 1543 of the Higher Education Amendments of 1992, the Mutual Educational and Cultural Exchange Act of 1961, title VIII of the Higher Education Amendments of 1998, part I of subtitle A of title VI of the America COMPETES Act, and section 117 of the Carl D. Perkins Career and Technical Education Act of 2006, $2,095,608,000: Provided, That $9,699,000, to remain available through September 30, 2009, shall be available to fund fellowships for academic year 2009–2010 under subpart 1 of part A of title VII of the HEA, under the terms and conditions of such subpart 1: Provided further, That $620,000 is for data collection and evaluation activities for programs under the HEA, including such activities needed to comply with the Government Performance and Results Act of 1993: Provided further, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: Provided further, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: Provided further, That the funds provided for title II of the HEA shall be allocated notwithstanding section 210 of such Act: Provided further, That $104,399,000 of the funds for part B of title VII of the Higher Education Act of 1965 shall be available for the projects and in the amounts specified in the statement of the managers on the conference report accompanying this Act.

HOWARD UNIVERSITY

For partial support of Howard University, $237,392,000, of which not less than $3,526,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act (Public Law 98–480) and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses to carry out activities related to existing facility loans pursuant to section 121 of the Higher Education Act of 1965, $481,000.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to part D of title III of the Higher Education Act of 1965, $188,000.

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by the Education Sciences Reform Act of 2002, the National Assessment of Educational Progress Authorization Act, section 208 of the Educational Technical Assistance Act of 2002, and section 664 of the Individuals with Disabilities Education Act, $561,315,000, of which $293,155,000 shall be available until September 30, 2009.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $420,698,000, of which $3,000,000, to remain available until expended, shall be for building alterations and related expenses for the move of Department staff to the Mary E. Switzer building in Washington, DC.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $93,771,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, $53,239,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated in this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall be available only to meet emergency needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 305. None of the funds made available in this Act may be used to promulgate, implement, or enforce any revision to the regulations in effect under section 496 of the Higher Education Act of 1965 on June 1, 2007, until legislation specifically requiring such revision is enacted.

SEC. 306. (a) MAINTENANCE OF INTEGRITY AND ETHICAL VALUES WITHIN DEPARTMENT OF EDUCATION.—Within 30 days after the enactment of this Act, the Secretary of Education shall implement procedures—

(1) to assess whether a covered individual or entity has a potential financial interest in, or bias towards, a product or service purchased with, or guaranteed or insured by, funds administered by the Department of Education or a contracted entity of the Department; and

(2) to disclose the existence of any such potential financial interest or bias.

(b) REVIEW BY INSPECTOR GENERAL.—

(1) Within 30 days after the implementation of the procedures described in subsection (a), the Inspector General of the Department of Education shall report to the Committees on Appropriations of the House of Representatives and the Senate on the adequacy of such procedures.

(2) Within 1 year, the Inspector General shall conduct at least 1 audit to ensure that such procedures are properly implemented and are adequate to uncover and disclose the existence of potential financial interests or bias described in subsection (a).

(3) The Inspector General shall report to such Committees any recommendations for modifications to such procedures that the Inspector General determines are necessary to uncover and disclose the existence of such potential financial interests or bias.

(c) DEFINITION.—For purposes of this section, the term "covered individual or entity" means—

(1) an officer or professional employee of the Department of Education;

(2) a contractor or subcontractor of the Department, or an individual hired by the contracted entity;

(3) a member of a peer review panel of the Department; or

(4) a consultant or advisor to the Department.

SEC. 307. (a) Notwithstanding section 8013(9)(B) of the Elementary and Secondary Education Act of 1965, North Chicago Community Unit School District 187, North Shore District 112, and Township High School District 113 in Lake County, Illinois, and Glenview Public School District 34 and Glenbrook High School District 225 in Cook County, Illinois, shall be considered local educational agencies as such term is used in and for purposes of title VIII of such Act.

(b) Notwithstanding any other provision of law, federally connected children (as determined

under section 8003(a) of the Elementary and Secondary Education Act of 1965) who are in attendance in the North Shore District 112, Township High School District 113, Glenview Public School District 34, and Glenbrook High School District 225 described in subsection (a), shall be considered to be in attendance in the North Chicago Community Unit School District 187 described in subsection (a) for purposes of computing the amount that the North Chicago Community Unit School District 187 is eligible to receive under subsection (b) or (d) of such section if—

(1) such school districts have entered into an agreement for such students to be so considered and for the equitable apportionment among all such school districts of any amount received by the North Chicago Community Unit School District 187 under such section; and

(2) any amount apportioned among all such school districts pursuant to paragraph (1) is used by such school districts only for the direct provision of educational services.

SEC. 308. Prior to January 1, 2008, the Secretary of Education may not terminate any voluntary flexible agreement under section 428A of the Higher Education Act of 1965 that existed on October 1, 2007. With respect to an entity with which the Secretary of Education had a voluntary flexible agreement under section 428A of the Higher Education Act of 1965 on October 1, 2007 that is not cost neutral, if the Secretary terminates such agreement on or after January 1, 2008, the Secretary of Education shall, not later than March 31, 2008, negotiate to enter, and enter, into a new voluntary flexible agreement with such entity so that the agreement is cost neutral, unless such entity does not want to enter into such agreement.

SEC. 309. Notwithstanding section 102(a)(4)(A) of the Higher Education Act of 1965, the Secretary of Education shall not take into account a bankruptcy petition filed in the United States Bankruptcy Court for the Northern District of New York on February 21, 2001, in determining whether a nonprofit educational institution that is a subsidiary of an entity that filed such petition meets the definition of an "institution of higher education" under section 102 of that Act.

This title may be cited as the "Department of Education Appropriations Act, 2008".

TITLE IV

RELATED AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For expenses necessary of the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92–28, $4,994,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Corporation for National and Community Service to carry out the Domestic Volunteer Service Act of 1973 ("1973 Act") and the National and Community Service Act of 1990 ("1990 Act"), $798,065,000, of which $313,054,000 is to carry out the 1973 Act and $485,011,000 is to carry out the 1990 Act: Provided, That up to 1 percent of program grant funds may be used to defray the costs of conducting grant application reviews, including the use of outside peer reviewers and electronic management of the grants cycle: Provided further, That none of the funds made available under this heading for activities authorized by section 122 and part E of title II of the 1973 Act shall be used to provide stipends or other monetary incentives to program participants or volunteer leaders whose incomes exceed the income guidelines in subsections 211(e) and 213(b) of the 1973 Act: Provided further, That notwithstanding subtitle H of title I of the 1990 Act, none of the funds provided for quality and innovation activities shall be used to support salaries and related expenses (including travel) attributable to Corporation for National and Community Service employees: Provided further, That of the amounts provided under this heading: (1) not less than $126,121,000, to remain available until expended, to be transferred to the National Service Trust for educational awards authorized under subtitle D of title I of the 1990 Act: Provided further, That in addition to these funds, the Corporation may transfer funds from the amount provided for AmeriCorps grants under the National Service Trust Program, to the National Service Trust authorized under subtitle D of title I of the 1990 Act, upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to the Congress; (2) not more than $55,000,000 of funding provided for grants under the National Service Trust program authorized under subtitle C of title I of the 1990 Act may be used to administer, reimburse, or support any national service program authorized under section 129(d)(2) of such Act; (3) $12,000,000 shall be to provide assistance to State commissions on national and community service, under section 126(a) of the 1990 Act and notwithstanding section 501(a)(4) of the 1990 Act; and (4) not less than $5,000,000 shall be for the acquisition, renovation, equipping and startup costs for a campus located in Vinton, Iowa and a campus in Vicksburg, Mississippi to carry out subtitle G of title I of the 1990 Act.

SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(4) of the National and Community Service Act of 1990 and under section 504(a) of the Domestic Volunteer Service Act of 1973, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $68,964,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $6,900,000.

ADMINISTRATIVE PROVISIONS

SEC. 401. Notwithstanding any other provision of law, the term "qualified student loan" with respect to national service education awards shall mean any loan determined by an institution of higher education to be necessary to cover a student's cost of attendance at such institution and made, insured, or guaranteed directly to a student by a State agency, in addition to other meanings under section 148(b)(7) of the National and Community Service Act.

SEC. 402. Notwithstanding any other provision of law, funds made available under section 129(d)(5)(B) of the National and Community Service Act of 1990 to assist entities in placing applicants who are individuals with disabilities may be provided to any entity that receives a grant under section 121 of the Act.

SEC. 403. The Inspector General of the Corporation for National and Community Service shall conduct random audits of the grantees that administer activities under the AmeriCorps programs and shall levy sanctions in accordance with standard Inspector General audit resolution procedures which include, but are not limited to, debarment of any grantee (or successor in interest or any entity with substantially the same person or persons in control) that has been determined to have committed any substantial violation of the requirements of the AmeriCorps programs, including any grantee that has been determined to have violated the prohibition of using Federal funds to lobby the Congress: Provided, That the Inspector General shall obtain reimbursements in the amount of any misused funds from any grantee that has been determined to have committed any substantial violation of the requirements of the AmeriCorps programs.

SEC. 404. The Corporation for National and Community Service shall make any significant changes to program requirements, service delivery or policy only through public notice and comment rulemaking. For fiscal year 2008, during any grant selection process, an officer or employee of the Corporation shall not knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of the Corporation that is authorized by the Corporation to receive such information.

SEC. 405. Professional Corps programs described in section 122(a)(8) of the National and Community Service Act of 1990 may apply to the Corporation for a waiver of application of section 140(c)(2).

SEC. 406. Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the services of organizations and individuals (other than participants) to assist the Corporation in carrying out the duties of the Corporation under the national service laws: Provided, That an individual who provides services under this section shall be subject to the same protections and limitations as volunteers under section 196(a) of the National and Community Service Act of 1990.

SEC. 407. Organizations operating projects under the AmeriCorps Education Awards Program shall do so without regard to the requirements of sections 121(d) and (e), 131(e), 132, and 140(a), (d), and (e) of the National and Community Service Act of 1990.

SEC. 408. AmeriCorps programs receiving grants under the National Service Trust program shall meet an overall minimum share requirement of 24 percent for the first three years that they receive AmeriCorps funding, and thereafter shall meet the overall minimum share requirement as provided in section 2521.60 of title 45, Code of Federal Regulations, without regard to the operating costs match requirement in section 121(e) or the member support Federal share limitations in section 140 of the National and Community Service Act of 1990, and subject to partial waiver consistent with section 2521.70 of title 45, Code of Federal Regulations.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2010, $420,000,000: Provided, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: Provided further, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to apply any political test or qualification in selecting, appointing, promoting, or taking any other personnel action with respect to officers, agents, and employees of the Corporation: Provided further, That for fiscal year 2008, in addition to the amounts provided above, $29,700,000 shall be for costs related to digital program production, development, and distribution, associated with the transition of public *broadcasting to digital broadcasting, to be awarded as determined by the Corporation in consultation with public radio and television licensees or permittees, or their designated representatives: Provided further, That for fiscal year 2008, in addition to the amounts provided above, $26,750,000 is available pursuant to section 396(k)(10) of the Communications Act of 1934 for replacement and upgrade of the public radio interconnection system: Provided further, That none of the funds made available to the Corporation for Public Broadcasting by this Act, the Continuing Appropriations Resolution, 2007 (Public Law 110–5), or the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006 (Public Law 109–149), shall be used to support the Television Future Fund or any similar purpose.*

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947, including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978; and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95–454, $44,450,000, including $650,000 to remain available through September 30, 2009, for activities authorized by the Labor-Management Cooperation Act of 1978: Provided, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: Provided further, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: Provided further, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission, $8,096,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION

For carrying out the Museum and Library Services Act of 1996 and the National Museum of African American History and Culture Act, $277,131,000: Provided, That funds may be made available for support through inter-agency agreement or grant to commemorative Federal commissions that support museum and library activities, in partnership with libraries and museums that are eligible for funding under programs carried out by the Institute of Museum and Library Services.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $10,748,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For close out activities of the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91–345, as amended), $400,000.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, $3,113,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, and other laws, $256,988,000: Provided, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935, and as amended by the Labor-Management Relations Act, 1947, and as defined in section 3(f) of the Act of June 25, 1938, and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, including emergency boards appointed by the President, $12,992,000, of which $750,000 shall be for arbitrator salaries and expenses pursuant to section 153(1).

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission, $10,696,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $79,000,000, which shall include amounts becoming available in fiscal year 2008 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, $150,000, to remain available through September 30, 2009, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $103,694,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, not more than $7,803,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: Provided, That none of the funds made available in any other paragraph of this Act may be transferred to the Office; used to carry out any such transfer; used to provide any office space, equipment, office supplies, communications facilities or services, maintenance services, or administrative services for the Office; used to pay any salary, benefit, or award for any personnel of the Office; used to pay any other operating expense of the Office; or used to reimburse the Office for any service provided, or expense incurred, by the Office: Provided further, That funds made available under the heading in this Act, or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts, may be used for any audit, investigation, or review of the Medicare Program.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as provided under sections 201(m), 217(g), 228(g), and 1131(b)(2) of the Social Security Act, $28,140,000.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $27,014,000,000, to remain available until expended: Provided, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2009, $14,800,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $15,000 for official reception and representation expenses, not more than $9,522,953,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: Provided, That not less than $2,000,000 shall be for the Social Security Advisory Board: Provided further, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2008 not needed for fiscal year 2008 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: Provided further, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to section 7131 of title 5, United States Code, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the

Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

From funds provided under the first paragraph, not less than $263,970,000 shall be available for conducting continuing disability reviews under titles II and XVI of the Social Security Act and for conducting redeterminations of eligibility under title XVI of the Social Security Act.

In addition to amounts made available above, and subject to the same terms and conditions, $213,000,000, for additional continuing disability reviews and redeterminations of eligibility.

In addition, $135,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended. To the extent that the amounts collected pursuant to such sections in fiscal year 2008 exceed $135,000,000, the amounts shall be available in fiscal year 2009 only to the extent provided in advance in appropriations Acts.

In addition, up to $1,000,000 to be derived from fees collected pursuant to section 303(c) of the Social Security Protection Act (Public Law 108–203), which shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $27,000,000, together with not to exceed $68,047,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the "Limitation on Administrative Expenses", Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: Provided, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House of Representatives and the Senate.

TITLE V

GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act. Such transferred balances shall be used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed $28,000 and $20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $5,000 from the funds available for "Federal Mediation and Conciliation Service, Salaries and expenses"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $5,000 from funds available for "National Mediation Board, Salaries and expenses".

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated in this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 506. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state—

(1) the percentage of the total costs of the program or project which will be financed with Federal money;

(2) the dollar amount of Federal funds for the project or program; and

(3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 507. (a) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for any abortion.

(b) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 508. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

(d)(1) None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

(2) In this subsection, the term "health care entity" includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

SEC. 509. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term "human embryo or embryos" includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 510. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established under section 202 of the Controlled Substances Act (21 U.S.C. 812) except for normal and recognized executive-congressional communications.

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 511. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act (42 U.S.C. 1320d–2(b)) providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

SEC. 512. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 513. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 514. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act, as amended by the Children's Internet Protection Act, unless such library has made the certifications required by paragraph (4) of such section.

SEC. 515. None of the funds made available by this Act to carry out part D of title II of the Elementary and Secondary Education Act of 1965 may be made available to any elementary or secondary school covered by paragraph (1) of section 2441(a) of such Act, as amended by the Children's Internet Protection Act and the No Child Left Behind Act, unless the local educational agency with responsibility for such covered school has made the certifications required by paragraph (2) of such section.

SEC. 516. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes or renames offices;

(6) reorganizes programs or activities; or

(7) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects (including construction projects), or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress;

unless the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier.

SEC. 517. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

(b) None of the funds made available in this Act may be used to disseminate scientific information that is deliberately false or misleading.

SEC. 518. Within 45 days of enactment of this Act, each department and related agency funded through this Act shall submit an operating plan that details at the program, project, and activity level any funding allocations for fiscal year 2008 that are different than those specified in this Act, the accompanying detailed table in the committee report, or the fiscal year 2008 budget request.

SEC. 519. None of the funds made available by this Act may be used to carry out the evaluation of the Upward Bound program described in the absolute priority for Upward Bound Program participant selection and evaluation published by the Department of Education in the Federal Register on September 22, 2006 (71 Fed. Reg. 55447 et seq.).

SEC. 520. None of the funds in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act.

SEC. 521. The Secretaries of Labor, Health and Human Services, and Education shall each prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the number and amount of contracts, grants, and cooperative agreements exceeding $100,000 in value and awarded by the Department on a non-competitive basis during each quarter of fiscal year 2008, but not to include grants awarded on a formula basis. Such report shall include the name of the contractor or grantee, the amount of funding, and the governmental purpose. Such report shall be transmitted to the Committees within 30 days after the end of the quarter for which the report is submitted.

SEC. 522. Not later than 30 days after the date of enactment of this Act, the Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites—

(1) a direct link to the Internet websites of their Offices of Inspectors General; and

(2) a mechanism on the Offices of Inspectors General website by which individuals may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.

SEC. 523. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

SEC. 524. Section 1848(l)(2)(A) of the Social Security Act, as amended by section 6 of the TMA, Abstinence Education, and QI Programs Extension Act of 2007 (Public Law 110–90), is amended by striking "$1,350,000,000" and inserting "$1,200,000,000, but in no case shall expenditures from the Fund in fiscal year 2008 exceed $650,000,000" in the first sentence.

SEC. 525. Iraqi and Afghan aliens granted special immigrant status under section 101(a)(27) of the Immigration and Nationality Act shall be eligible for resettlement assistance, entitlement programs, and other benefits available to refugees admitted under section 207 of such Act for a period not to exceed 6 months.

SEC. 526. None of the funds appropriated by this Act may be used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

SEC. 527. None of the funds appropriated in this Act shall be expended or obligated by the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process claims for credit for quarters of coverage based on work performed under a social security account number that was not the claimant's number which is an offense prohibited under section 208 of the Social Security Act.

This Division may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008".

DIVISION B—MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSION OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $3,950,383,000, to remain available until September 30, 2012: Provided, That of this amount, not to exceed $321,983,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Army" under Public Law 110–5, $8,690,000 are hereby rescinded.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

(INCLUDING RESCISSIONS OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $2,220,784,000, to remain available until September 30, 2012: Provided, That of this amount, not to exceed $113,017,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Navy and Marine Corps" under Public Law 108–132, $5,862,000; under Public Law 108–324, $2,069,000; and under Public Law 110–5, $2,626,000 are hereby rescinded.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSIONS OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,159,747,000, to remain available until September 30, 2012: Provided, That of this amount, not to exceed $43,721,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Air Force" under Public Law 108–324, $5,319,000; and under Public Law 110–5, $5,151,000 are hereby rescinded.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $1,609,596,000, to remain available until September 30, 2012: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed $155,569,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Defense-Wide" under Public Law 110–5, $10,192,000 are hereby rescinded.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $536,656,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $287,537,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $148,133,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $64,430,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

(INCLUDING RESCISSION OF FUNDS)

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $28,359,000, to remain available until September 30, 2012: Provided, That of the funds appropriated for "Military Construction, Air Force Reserve" under Public Law 109–114, $3,069,000 are hereby rescinded.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $201,400,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

(INCLUDING RESCISSION OF FUNDS)

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $424,400,000, to remain available until September 30, 2012: Provided, That of the funds appropriated for "Family Housing Construction, Army" under Public Law 110–5, $4,559,000 are hereby rescinded.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $731,920,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $293,129,000, to remain available until September 30, 2012.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $371,404,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION OF FUNDS)

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $327,747,000, to remain available until September 30, 2012: Provided, That of the funds appropriated for "Family Housing Construction, Air Force" under Public Law 108–132, $15,000,000 are hereby rescinded.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $688,335,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $48,848,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $500,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, $104,176,000, to remain available until September 30, 2012, which shall be only for the Assembled Chemical Weapons Alternatives program.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $295,689,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $8,040,401,000, to remain available until expended: Provided, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a construction project that exceeds or reduces the amount identified for that project in the most recently submitted budget request for this account by 20 percent or $2,000,000, whichever is less: Provided further, That the previous proviso shall not apply to projects costing less than $5,000,000, except for those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under 10 U.S.C. 2805.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

(INCLUDING TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

SEC. 118. (a) The Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committees on Appropriations of both Houses of Congress, by February 15 of each year, an annual report, in unclassified and, if necessary classified form, on actions taken by the Department of Defense and the Department of State during the previous fiscal year to encourage host countries to assume a greater share of the common defense burden of such countries and the United States.

(b) The report under subsection (a) shall include a description of—

(1) attempts to secure cash and in-kind contributions from host countries for military construction projects;

(2) attempts to achieve economic incentives offered by host countries to encourage private investment for the benefit of the United States Armed Forces;

(3) attempts to recover funds due to be paid to the United States by host countries for assets deeded or otherwise imparted to host countries upon the cessation of United States operations at military installations;

(4) the amount spent by host countries on defense, in dollars and in terms of the percent of gross domestic product (GDP) of the host country; and

(5) for host countries that are members of the North Atlantic Treaty Organization (NATO), the amount contributed to NATO by host countries, in dollars and in terms of the percent of the total NATO budget.

(c) In this section, the term "host country" means other member countries of NATO, Japan, South Korea, and United States allies bordering the Arabian Sea.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. Subject to 30 days prior notification to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 121. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(INCLUDING TRANSFER OF FUNDS)

SEC. 122. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 123. Notwithstanding this or any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 124. Whenever the Secretary of Defense or any other official of the Department of Defense is requested by the subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives or the subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate to respond to a question or inquiry submitted by the chairman or another member of that subcommittee pursuant to a subcommittee hearing or other activity, the Secretary (or other official) shall respond to the request, in writing, within 21 days of the *date on which the request is transmitted to the Secretary (or other official).*

SEC. 125. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 126. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: Provided, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 127. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 128. None of the funds in this title shall be used for any activity related to the construction of an Outlying Landing Field in Washington County, North Carolina.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $41,236,322,000, to remain available until expended: Provided, That not to exceed $28,583,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses" and "Medical administration" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical care collections fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61 of title 38, United States Code, $3,300,289,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapters 19 and 21, $41,250,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2008, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $154,562,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $71,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,287,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $311,000, which may be transferred to and merged with the appropriation for "General operating expenses".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $628,000.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by subchapter VI of chapter 20 of title 38, United States Code, not to exceed $750,000 of the amounts appropriated by this Act for "General operating expenses" and "Medical administration" may be expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; $29,104,220,000, plus reimbursements, of which not less than $2,900,000,000 shall be expended for specialty mental health care and not less than $130,000,000 shall be expended for the homeless grants and per diem program: Provided, That of the funds made available under this heading, not to exceed $1,350,000,000 shall be available until September 30, 2009: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: Provided further, That for the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, a minimum of $15,000,000, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

MEDICAL ADMINISTRATION

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.): $3,517,000,000, plus reimbursements, of which $250,000,000 shall be available until September 30, 2009.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and *domiciliary facilities and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, $4,100,000,000, plus reimbursements, of which $350,000,000 shall be available until September 30, 2009: Provided, That $325,000,000 for non-recurring maintenance provided under this heading shall be allocated in a manner not subject to the Veterans Equitable Resource Allocation.*

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $480,000,000, plus reimbursements, to remain available until September 30, 2009.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, $195,000,000, of which not to exceed $20,000,000 shall be available until September 30, 2009.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $1,605,000,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That the Veterans Benefits Administration shall be funded at not less than $1,327,001,000: Provided further, That of the funds made available under this heading, not to exceed $75,000,000 shall be available for obligation until September 30, 2009: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase (on a one-for-one replacement basis only) up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; including pay and associated cost for operations and maintenance associated staff; for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $1,966,465,000, to be available until September 30, 2009: Provided, That none of these funds may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget; (2) complies with the Department of Veterans Affairs enterprise architecture; (3) conforms with an established enterprise life cycle methodology; and (4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: Provided further, That within 30 days of enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming base letter which provides, by project, the costs included in this appropriation.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $80,500,000, of which $5,000,000 shall be available until September 30, 2009.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $1,069,100,000, to remain available until expended, of which $2,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds provided in this appropriation for fiscal year 2008, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2008; and (2) by the awarding of a construction contract by September 30, 2009: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: Provided further, That none of the funds appropriated in this or any other Act may be used to reduce the mission, services, or infrastructure, including land, of the 18 facilities on the Capital Asset Realignment for Enhanced Services (CARES) list requiring further study, as specified by the Secretary of Veterans Affairs, without prior approval of the Committees on Appropriations of both Houses of Congress.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $630,535,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds in this account shall be available for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $165,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to assist States in establishing, expanding, or improving State veterans cemeteries as authorized by section 2408 of title 38, United States Code, $39,500,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2008 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for fiscal year 2008, in this Act or any other Act, under the "Medical services", "Medical Administration", and "Medical facilities" accounts may be transferred among the accounts to the extent necessary to implement the restructuring of the Veterans Health Administration accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for *services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.*

SEC. 204. No appropriations in this title (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2007.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and pensions".

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2008, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the "General operating expenses" account for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2008 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2008 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not exceed $32,067,000 for the Office of Resolution Management and $3,148,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to "General operating expenses" for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, at the discretion of the Secretary of Veterans Affairs, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 214. Amounts made available under "Medical services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical services", to remain available until expended for the purposes of that account.

SEC. 216. Notwithstanding any other provision of law, the Secretary of Veterans Affairs shall allow veterans who are eligible under existing Department of Veterans Affairs medical care requirements and who reside in Alaska to obtain medical care services from medical facilities supported by the Indian Health Service or tribal organizations. The Secretary shall: (1) limit the application of this provision to rural Alaskan veterans in areas where an existing Department of Veterans Affairs facility or Veterans Affairs-contracted service is unavailable; (2) require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary; (3) require this provision to be consistent with Capital Asset Realignment for Enhanced Services activities; and (4) result in no additional cost to the Department of Veterans Affairs or the Indian Health Service.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, major projects" and "Construction, minor projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds available to the Department of Veterans Affairs, in this Act, or any other Act, may be used to replace the current system by which the Veterans Integrated Services Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 219. None of the funds made available in this Act may be used to implement any policy prohibiting the Directors of the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 220. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Amounts made available under the "Medical services", "Medical Administration", "Medical facilities", "General operating expenses", and "National Cemetery Administration" accounts for fiscal year 2008, may be transferred to or from the "Information technology systems" account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 222. Amounts made available for the "Information technology systems" account may be transferred between projects: Provided, That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Any balances in prior year accounts established for the payment of benefits under the Reinstated Entitlement Program for Survivors shall be transferred to and merged with amounts available under the "Compensation and pensions" account, and receipts that would otherwise be credited to the accounts established for the payment of benefits under the Reinstated Entitlement Program for Survivors program shall be credited to amounts available under the "Compensation and pensions" account.

SEC. 224. PROHIBITION ON DISPOSAL OF DEPARTMENT OF VETERANS AFFAIRS LANDS AND IMPROVEMENTS AT WEST LOS ANGELES MEDICAL CENTER, CALIFORNIA. (a) IN GENERAL.—The Secretary of Veterans Affairs may not declare as excess to the needs of the Department of Veterans Affairs, or otherwise take any action to exchange, trade, auction, transfer, or otherwise dispose of, or reduce the acreage of, Federal land and improvements at the Department of Veterans Affairs West Los Angeles Medical Center, California, encompassing approximately 388 acres on the north and south sides of Wilshire Boulevard and west of the 405 Freeway.

(b) SPECIAL PROVISION REGARDING LEASE WITH REPRESENTATIVE OF THE HOMELESS.—Notwithstanding any provision of this Act, section 7 of the Homeless Veterans Comprehensive Services Act of 1992 (Public Law 102–590) shall remain in effect.

(c) CONFORMING AMENDMENT.—Section 8162(c)(1) of title 38, United States Code, is amended—

(1) by inserting "or section 225(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008" after "section 421(b)(2) of the Veterans' Benefits and Services Act of 1988 (Public Law 100–322; 102 Stat. 553)"; and

(2) by striking "that section" and inserting "such sections".

(d) EFFECTIVE DATE.—This section, including the amendment made by this section, shall apply with respect to fiscal year 2008 and each fiscal year thereafter.

SEC. 225. The Department shall continue research into Gulf War Illness at levels not less than those made available in fiscal year 2007, within available funds contained in this Act.

SEC. 226. (a) Not later than 30 days after the date of the enactment of this Act, the Inspector General of the Department of Veterans Affairs shall establish and maintain on the homepage of the Internet website of the Office of Inspector General a mechanism by which individuals can anonymously report cases of waste, fraud, or abuse with respect to the Department of Veterans Affairs.

(b) Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish and maintain on the homepage of the Internet website of the Department of Veterans Affairs a direct link to the Internet website of the Office of Inspector General of the Department of Veterans Affairs.

SEC. 227. (a) Upon a determination by the Secretary of Veterans Affairs that such action is in the national interest, and will have a direct benefit for veterans through increased access to treatment, the Secretary of Veterans Affairs may transfer not more than $5,000,000 to the Secretary of Health and Human Services for the Graduate Psychology Education Program, which includes treatment of veterans, to support increased training of psychologists skilled in the treatment of post-traumatic stress disorder, traumatic brain injury, and related disorders.

(b) The Secretary of Health and Human Services may only use funds transferred under this section for the purposes described in subsection (a).

(c) The Secretary of Veterans Affairs shall notify Congress of any such transfer of funds under this section.

SEC. 228. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with—

(1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or

(2) section 8110(a)(5) of title 38, United States Code.

SEC. 229. The Secretary of Veterans Affairs may carry out a major medical facility lease in fiscal year 2008 in an amount not to exceed $12,000,000 to implement the recommendations outlined in the August, 2007 Study of South Texas Veterans' Inpatient and Specialty Outpatient Health Care Needs.

(INCLUDING RECISSION OF FUNDS)

SEC. 230. Of the amounts made available for "Veterans Health Administration, Medical Services" in Public Law 110–28, $66,000,000 are rescinded. For an additional amount for "Departmental Administration, Construction, Major Projects", $66,000,000, to be available until expended. Amounts in this section are designated as emergency requirements and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $44,600,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, $11,000,000, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, $22,717,000, of which $1,210,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000 for official reception and representation expenses, $31,230,000, to remain available until expended. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

Funds appropriated under this Act may be provided to Arlington County, Virginia, for the relocation of the federally-owned water main at Arlington National Cemetery making additional land available for ground burials.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $55,724,000.

GENERAL FUND PAYMENT, ARMED FORCES RETIREMENT HOME

For payment to the "Armed Forces Retirement Home", $800,000, to remain available until expended.

TITLE IV

GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. Such sums as may be necessary for fiscal year 2008 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 403. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 407. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 408. The Director of the Congressional Budget Office shall, not later than February 1, 2008, submit to the Committees on Appropriations of the House of Representatives and the Senate a report projecting annual appropriations necessary for the Department of Veterans Affairs to continue providing necessary health care to veterans for fiscal years 2009 through 2012.

SEC. 409. None of the funds appropriated or otherwise made available in this Act may be used for any action that is related to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

SEC. 410. (a) In this section:

(1) The term "City" means the City of Aurora, Colorado.

(2) The term "deed" means the quitclaim deed—

(A) conveyed by the Secretary to the City; and

(B) dated May 24, 1999.

(3) The term "non-Federal land" means—

(A) parcel I of the Fitzsimons Army Medical Center, Colorado; and

(B) the parcel of land described in the deed.

(4) The term "Secretary" means the Secretary of the Interior.

(b)(1) In accordance with paragraph (2), to allow the City to convey by donation to the United States the non-Federal land to be used by the Secretary of Veterans Affairs for the construction of a veterans medical facility.

(2) In carrying out paragraph (1), with respect to the non-Federal land, the Secretary shall forego exercising any rights provided by the—

(A) deed relating to a reversionary interest of the United States; and

(B) any other reversionary interest of the United States.

This Division may be cited as the "Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008".

And the Senate agreed to the same.

David R. Obey,
Nita M. Lowey,
Rosa L. DeLauro,
Jesse L. Jackson,
Patrick J. Kennedy,
Lucille Roybal-Allard,
Barbara Lee,
Tom Udall,
Michael M. Honda,
Betty McCollum,
Tim Ryan,
John P. Murtha,
Chet Edwards,
Managers on the Part of the House.

Tom Harkin,
Daniel K. Inouye,
Herb Kohl,
Patty Murray,
Mary Landrieu,
Richard J. Durbin,
Jack Reed,
Frank R. Lautenberg,
Robert C. Byrd,
Arlen Specter,
Thad Cochran,
Larry Craig,
Kay Bailey Hutchison,
(Only if the Milcon/VA conference report is separated from the LHHS conference report),
Ted Stevens,
(Only if the Milcon/VA conference report is separated from the LHHS conference report),
Richard Shelby,
Pete Domenici,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3043) making appropriations for the Department of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

This conference agreement includes the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008 as Division A; and the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008 as Division B.

DIVISION A—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS, 2008

In implementing this conference agreement, the Departments and agencies should be guided by the language and instructions set forth in House Report 110–231 and Senate Report 110–107 accompanying the bill, H.R. 3043.

In the cases where the language and instructions in either report specifically address the allocation of funds, each has been reviewed by the conferees and those that are jointly concurred in have been endorsed in this joint statement.

In the cases in which the House or the Senate reports direct the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

The conferees note that section 516 sets forth the reprogramming requirements and limitations for the Departments and agencies funded through this Act, including the requirement to make a written request to the Committees 15 days prior to reprogramming, or to the announcement of intent to reprogram, funds in excess of 10 percent, or $500,000, whichever is less, between programs, projects and activities.

Finally, the conferees request that statements on the effect of this appropriation Act on the Departments and agencies funded in this Division be submitted to the Committees within 45 days of enactment of this Act, pursuant to section 518. The conferees expect that these statements will provide sufficient detail to show the allocation of funds among programs, projects and activities, particularly in accounts where the final appropriation is different than that of the budget request. Furthermore, the conferees request the statements to also include the effect of the appropriation on any new activities or major initiatives discussed in the budget justifications accompanying the fiscal year 2008 budget.

REDUCING THE NEED FOR ABORTIONS

The conference agreement includes nearly $615 million over the fiscal year 2007 funding level for the initiative in the House bill to reduce the need for abortions in America through both prevention and support programs. Key increases are provided for Healthy Start, Family Planning, Abstinence Education, Child Care, and Community Services Block Grant to increase services to prevent unintended pregnancies, encourage women to carry their pregnancies to term, and provide support for new parents who have economic difficulties. New approaches include a young parents training initiative in the Department of Labor, first time motherhood grants under the Health Resources and Services Administration, and a teen pregnancy prevention demonstration within the Centers for Disease Control.

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008, put in place by this bill, incorporates the following agreements of the managers:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING RESCISSIONS)

The conference agreement includes $3,618,940,000 for Training and Employment Services, instead of $3,530,530,000 as proposed by the House and $3,587,138,000 as proposed by the Senate. Of the amount appropriated, $1,772,000,000 is an advance appropriation for fiscal year 2009 as proposed by the House and the Senate.

The conference agreement includes $1,471,903,000 for Dislocated Worker Assistance as proposed by the House and the Senate. The conferees override the formula that provides that 80 percent of the funds provided will be used for State formula grants and 20 percent in a National Reserve Account. For program year 2008 the conferees provide $1,189,811,000 for the State formula grants and $282,092,000 for the National Reserve Account.

The conference agreement provides that $6,300,000 in National Reserve Account funds shall be available upon enactment for the purposes of grants, to be awarded within 30 days of enactment, for the continuation of national or multi-state training and employment programs. These grants are to be awarded to the AFL–CIO Working for America Institute and AFL–CIO Appalachian Council, as proposed by the Senate, and the National Center on Education and the Economy, as proposed by the House.

The conference agreement provides that up to $125,000,000 within the National Reserve Account may be used to carry out the Community-Based Job Training Grant initiative as proposed by the House, instead of $150,000,000 as proposed by the Senate. The conference agreement continues bill language which provides that this amount is to be allocated from national emergency grant funds available under section 132(a)(2)(A) of the Workforce Investment Act of 1998, notwithstanding the limitation otherwise imposed under section 171(d), as provided by the Senate. The House contained no similar provision. The conference agreement includes a general provision requiring these grants to be awarded competitively.

The conferees are in agreement that no funds from the dislocated worker national reserve account or other pilot and demonstration resources be used for career advancement accounts or the predecessor proposal for personal reemployment accounts prior to a specific authorization of such activities, as proposed by the House. The Senate contained no similar provision.

For Native Americans, the conference agreement includes $55,039,000, instead of $56,381,000 as proposed by the House and $53,696,000 as proposed by the Senate.

For Migrant and Seasonal Farmworkers, the conference agreement includes a total of $82,740,000 instead of $83,740,000 as proposed by the House and $79,752,000 as proposed by the Senate. Within the total, $77,265,000 is for State service area grants. The amount provided also includes $4,975,000 for housing grants and $500,000 for other discretionary purposes, as described in the Senate report. The House bill included $5,000,000 for housing and the Senate bill provided $4,950,000 for housing and $500,000 for other discretionary purposes. The conference agreement includes bill language proposed by the House providing that no less than 70 percent of formula funds be used for employment and training services and bill language proposed by the Senate which prohibits the Department from restricting the provision of "related assistance" services by grantees. These provisions ensure that the program primarily addresses the employment and training needs of the target population while also allowing grantees to provide related services that are often critical to the stabilization and availability of the farm labor workforce.

For YouthBuild, the conference agreement includes $62,500,000, instead of $60,000,000 as proposed by the House and $65,000,000 as proposed by the Senate. This will provide sufficient funds for an additional competitive grant round in program year 2008.

For Pilots, Demonstrations and Research, the conference agreement includes $50,569,000 instead of $28,140,000 as proposed by the House and $30,650,000 as proposed by the Senate. Included in this amount is $5,000,000 for a new demonstration program of competitive grants to address the employment and training needs of young parents as proposed by the House and detailed in House Report 110–231. The House provided $10,000,000 for this purpose. The Senate had no similar provision.

For the remaining amount provided for Pilots, Demonstrations and Research, the conference agreement includes a modification of bill language as proposed by the Senate. The conference agreement includes the following projects in the following amounts:

Project	Total funding
Adelante Development Center, Albuquerque, NM for employment and training services	200,000
Agudath Israel of America Community Services, Inc., Brooklyn, NY for its Fresh Start job training and counseling program	450,000
Alu Like, Inc., Honolulu, HI, for training and education	100,000
Arc of Blackstone Valley, Pawtucket, RI for a workforce development initiative	325,000
Barnabus Uplift, Des Moines, IA, for job training and supportive services	425,000
Bellingham Technical College, Bellingham, WA for a Process Technology Workforce Development Project	215,000
Bismarck State College, Bismarck, ND for an instrumentation and control training program for the energy industry	1,000,000
Brockton Area Private Industry Council, Inc., Brockton, MA, for workforce development programs	170,000
Brookdale Community College, Lincroft, NJ for workforce training programs through its Center for Excellence in Technology, Telecommunications and Economic Development	250,000
Capital IDEA, Austin, TX for workforce development services for disadvantaged adults	250,000
Capps Workforce Training Center, Moorhead, MS, for Workforce Training	350,000
Catholic Charities, Chicago, IL, for vocational training and support programs at the Saint Leo Residence for Veterans	500,000
Center for Employment Training, San Jose, CA for its building trades program for out-of-school youth	350,000
Center for Working Families, Long Beach, CA for job training and placement in demand industries	140,000
Central Carolina Tech College, Sumter, SC for training in healthcare professions	400,000
Central Maine Community College, Auburn, ME for a training program in precision metalworking and machine tool technology	200,000
Chinese-American Planning Council, New York, NY for counseling, vocational training, job placement, and ESL services	200,000
City College of San Francisco, San Francisco, CA for a health care workforce training initiative through the Welcome Back Center	350,000
City of Alexandria, VA for an automotive industry workforce development and training initiative	350,000
City of Baltimore, MD for the Park Heights Partnership for Jobs	500,000
City of Milwaukee, WI for a project to train youth in construction trades	250,000
City of Palmdale, Palmdale, CA for a business resource network to enhance worker skills development	150,000
City of Suffolk, VA for training programs at the Suffolk Workforce Development Center	250,000
City of West Palm Beach, FL for training programs for at-risk youth	375,000
Clarian Health Partners, Indianapolis, IN for workforce development in the health care industry	245,000
College of Southern Maryland, La Plata, MD, for its Partnership for the Advancement of Construction and Transportation Training Project	300,000
Community Agricultural Vocational Institute, Yakima, WA, for training of agricultural workers	250,000
Community College of Allegheny College, Pittsburgh, PA, for job training programs	75,000
Community Learning Center, Fort Worth, TX for expansion of the Advanced Manufacturing Training Partnership Program	500,000
Community Solution for Clackamas County, Oregon City, Oregon, to expand the Working for Independence (WFI) program in Clackamas County	127,000
Community Transportation Association of America, Washington, DC, for the Joblinks program	400,000
Compton CareerLink, Compton, CA for job training and placement in demand industries	200,000
Cook Inlet Tribal Council, Inc., Anchorage, AK, for the Alaska's People program to provide job training and employment counseling	500,000
Crowder College, Neosho, MO, to expand technical education programs for workforce development	656,000
Des Moines Area Community College, Arkeny, IA for workforce recruitment and training to address area skill shortages	275,000
Des Moines Area Community College, Des Moines, IA. for Project Employment	250,000
East Los Angeles Community Union, Los Angeles, CA for a workforce training initiative	300,000
Easter Seals Arc of Northeast Indiana, Inc., Fort Wayne, IN for the Production and Worker Training Services program	100,000
Eastern Michigan University, Ypsilanti, MI, for re-training of displaced workers	340,000
Eastern Technology Council, Wayne, PA, for job training programs	75,000
Edgar Campbell Foundation, Philadelphia, PA for counseling, job placement and work readiness programs	400,000
Employment & Economic Development Department of San Joaquin County, Stockton, CA for a work experience program for at-risk youth	175,000
Essex County Community Organization, Lynn, MA for its E-Team Machinist Training Program	300,000
Fort Lewis College, Durango, CO, for the development of entrepreneurship programs to enhance regional development	127,000
Foundation for an Independent Tomorrow, Las Vegas, NV, for job training, vocational education, and related support	150,000
Foundation of the Delaware County Chamber, Media, PA for workforce development and job readiness services	192,000
Goodwill Industries of Southeastern Wisconsin, Inc., Milwaukee, WI, to provide training, employment and supportive services, including for individuals with disabilities	210,000
Goodwill of Southern Nevada, North Las Vegas, NV for workforce development programs	350,000
Greater Akron Chamber, Akron, OH for a summer apprenticeship program for youth	300,000
Groden Center, Providence, RI for job readiness training for adults with Asperger's Syndrome	150,000
Guam Community College, Mangilao, Guam for skilled craft training	400,000
Hamilton County Government, Chattanooga, TN for training activities related to manufacturing processes	850,000
Harrisburg Area Community College, Harrisburg, PA, for job training programs	75,000
Home of Life Community Development Corp., Chicago, IL for a financial services training and placement program	240,000
Homecare Workers Training Center, Los Angeles, CA for nurse assistant training	125,000
Idaho Women Work! at Eastern Idaho Technical College, Idaho Falls, ID, to continue and expand the Recruiting for the Information Technology Age (RITA) initiative in Idaho	100,000
International Fellowship of Chaplains, Inc., Saginaw, MI for the Road to Hope training program in Seneca County, OH	200,000
Iowa Policy Project for a study on temporary and contingent workers	350,000
Iowa Valley Community College, Marshalltown, IA for job training activities	250,000
Ivy Tech Community College of Indiana—Columbus Region, Indianapolis, IN for the Center for Cybersecurity for workforce development	150,000
Ivy Tech Community College of Indiana Lafayette, Indianapolis, IN for job training programs at the Center for Health Information Technology	140,000
Kansas City Kansas Community College, Kansas City, KS for workforce training and placement for the retail and hospitality industries	320,000
Kent State University/Trumbull County, Warren, OH for regional training through the Northeast Ohio Advanced Manufacturing Institute	250,000
Linking Employment, Abilities and Potential, Cleveland, Ohio, for training and skill development services for individuals with disabilities in coordination with the local workforce investment system	180,000
Louisiana Delta Community College, Monroe, LA for a job training initiative	250,000
Louisiana National Guard, Carville, LA for the Job Challenge Program	150,000
MAGLEV Inc., McKeesport, PA, for a training program in advanced precision fabrication	90,000
Manufacturing Association of Central New York, Syracuse, NY for a workforce training project	250,000
Massachusetts College of Pharmacy and Health Sciences, Manchester, NH for training of nurses, physician assistants, and pharmacists	319,500
Massachussets League of Community Health Centers, East Boston, MA, for a health-care workforce development program	170,000
Maui Community College Remote Rural Hawaii Job Training Project, HI, for the Remote Rural Hawaii Job Training project	2,400,000
Maui Community College Training and Educational Opportunities, HI, for training and education	1,000,000
Maui Economic Development Board, HI, for high tech training	475,000
Maui Economic Development Board, HI, for the rural computer utilization training program	300,000
McHenry County Community College, Woodstock, IL for employer-identified occupational training	400,000
Memphis, Tennessee, for a prisoner re-entry program	200,000
Minot State University, Minot, ND for the Job Corps Executive Management Program	750,000
Mission Language and Vocational School, San Francisco, CA for a training program in health-related occupations	250,000
Mississippi State University, Mississippi State, MS, for the Mississippi Integrated Workforce Performance System	400,000
Mississippi State University, Mississippi State, MS, for training development and delivery system at the Distributed Learning System for Workforce Training Program	200,000
Mississippi Technology Alliance, Ridgeland, MS, for the Center for Innovation and Entrepreneurial Services	150,000
Mississippi Valley State University, Itta Bena, MS, for training and development programs at the Automated Identification Technology (AIT)/Automatic Data Collection (ADC)	200,000
Moreno Valley, CA, to provide vocational training for young adults, as well as the development of an internship with local businesses to put the trainees' job skills to use upon graduation	125,000
National Council of La Raza in Washington, DC, to provide technical assistance on Hispanic workforce issues including capacity building, language barriers, and health care job training	400,000
Neighborhood First Program, Inc., Bristol, PA for services for at-risk youth	125,000
Neumann College, Aston, PA, for the Partnership Advancing Training for Careers in Health program	75,000
NewLife Academy of Information Technology, East Liverpool, OH for training for information technology careers	240,000
North Side Industrial Development Corporation, Pittsburgh, PA, for job training programs	75,000
North West Pasadena Development Corp., Pasadena, CA for job training for low-income individuals	125,000
Northcott Neighborhood House, Milwaukee, WI for construction industry training for youth	70,000
Northwest Washington Electrical Industry Joint Apprenticeship and Training Committee, Mount Vernon, WA, for expanded training capability, including the acquisition of training equipment, to meet the need for skilled electrical workers	150,000
Northwest Wisconsin Concentrated Employment Program, Inc., Ashland, WI, for workforce development training in Northwest Wisconsin	255,000
Oakland Community College, Bloomfield Hills, MI to lead a consortium on workforce development for emerging business sectors	600,000
Opportunity, Inc., Highland Park, IL for workforce development activities	350,000
Our Piece of the Pie, Hartford, CT for education and employment services for out-of-school youth	500,000
Pacific Mountain Workforce Consortium, Tumwater, WA, for training of qualified foresters and restoration professionals in Lewis County	140,000
Parish of Rapides Career Solutions Center, Alexandria, LA for a job training initiative	200,000
Pennsylvania Women Work!, Pittsburgh, PA, for job training programs	90,000
Philadelphia Shipyard Development Corporation, Philadelphia, PA for on-the-job training in shipbuilding technology	435,000
Philadelphia Veterans Multi-Service & Education Center, Philadelphia, PA, for veterans job training	75,000
Piedmont Virginia Community College, Charlottesville, VA for the Residential Construction Academy	100,000
Pittsburgh Airport Area Chamber of Commerce Enterprise Foundation, Pittsburgh, PA, for workforce development	75,000
Poder Learning Center, Chicago, IL for immigrant neighborhood education and job development services	200,000
Port Jobs, in partnership with South Seattle Community College, Seattle, WA, for training of entry-level airport workers	100,000
Portland Community College, Portland, OR, to support the Center for Business and Industry	85,000
Precision Manufacturing Institute, Meadville, PA for high-technology training programs	338,000
Project ARRIBA, El Paso, TX, for workforce development in the West Texas region	100,000
Project One Inc., Louisville, KY for summer job activities for disadvantaged youth	150,000
Project QUEST, Inc., San Antonio, TX for workforce development services to low-income residents	75,000

Project	Total funding
PRONTO of Long Island, Inc., Bayshore, NY for a vocational training initiative	100,000
Rhodes State College, Lima, Ohio, for equipment, curriculum development, training and internships for high-tech engineering technology programs	150,000
Rural Enterprises of Oklahoma, Inc., Durant, OK, for entrepreneurship training programs	100,000
Saint Leonard's Ministries, Chicago, IL, for job training and placement for ex-offenders	260,000
San Jose, CA, for job training for the homeless	330,000
Santa Ana, CA, for the Work Experience and Literacy Program	760,000
Santa Maria El Mirador, Santa Fe, NM, to provide an employment training program	700,000
Schoenbaum Family Enrichment Center, Charleston, WV, for its Enterprise Development Initiative	250,000
Schuylkill Intermediate Unit 29, MarLin, PA for a workforce training program	190,000
South Bay Workforce Investment Board, Hawthorne, CA for its Bridge-to-Work program	400,000
Southeast Missouri State University, Cape Girardeau, MO for equipment and training	450,000
Southern University at Shreveport, Shreveport, LA for healthcare worker training activities	100,000
Southside Virginia Community College, Alberta, VA for the Heavy Equipment Training Program	300,000
Southwest Washington Workforce Development Council, Vancouver, WA, to create and sustain a partnership between business, education and workforce leaders in Southwest Washington	150,000
Southwestern Oklahoma State University, Weatherford, OK for workforce development in the manufacturing sector	250,000
St. Louis Agency on Training and Employment, St. Louis, MO for a summer jobs program for youth	550,000
STRIVE/East Harlem Employment Service, Inc., NY, for the Core job training program	500,000
Towson University, Towson, MD for education and training services for careers in homeland security	275,000
Twin Cities Rise!, Minneapolis, MN, for job training initiatives	255,000
United Auto Workers Region 9, Local 624, New York, for incumbent worker training	300,000
United Mine Workers of America, Washington, PA for the UMWA Career Center's mine worker training and reemployment programs	750,000
University of Southern Mississippi, Hattiesburg, MS, for Workforce Training in Marine Composite	500,000
University of West Florida, Pensacola, FL to provide teacher training to veterans	284,500
Urban League of Lancaster County, Inc., Lancaster, PA, for job training programs	75,000
Vermont Department of Labor, Montpelier, VT, for job training of female inmates in Vermont as they prepare to reenter the workforce	600,000
Vermont Healthcare and Information Technology Education Center, Williston, VT, for advanced manufacturing training of displaced workers	200,000
Vermont Healthcare and Information Technology Education Center, Williston, VT, for health care training of displaced workers	615,000
Vermont Technical College and Vermont Workforce Development Council, Randolph Center, VT, to provide job training to displaced workers in Vermont	540,000
Veteran Community Initiatives, Inc., Johnstown, PA for employment services and support programs for veterans	500,000
Vincennes University, Vincennes, IN for heavy equipment operator training for the mining industry	375,000
Washington Workforce Association, Vancouver, WA, for job shadowing, internships, and scholarships to prepare students for high-demand occupations	400,000
Washington, Ozaukee, Waukesha Workforce Development Inc., Pewaukee, WI, for advanced manufacturing and technology training	380,000
Watts Labor Community Action Committee, Los Angeles, CA for job training and placement in demand industries	200,000
Wayne County, NY Planning Department, Lyons, NY for workforce development programs in Central New York	250,000
West Los Angeles College, Culver City, CA for a craft and technican training program	540,000
Wisconsin Community Action Program, Madison, WI, for job training assistance of low-income individuals	275,000
Wisconsin Regional Training Partnership, Milwaukee, WI, to assess, prepare, and place job-ready candidates in construction, manufacturing, and other skilled trades and industries	255,000
Women Work and Community, Augusta, ME for a women's workforce training and development program	500,000
Workforce Connections, Inc., La Crosse, WI, to develop and implement strategic workforce development activities in Western Wisconsin	125,000
Workforce Resource, Inc., Menomonee, WI, for employment assistance	210,000
Wrightco Technologies, Inc, Claysburg, PA, to provide job training, retraining and vocational educational programs	90,000

The conference agreement consolidates the Responsible Reintegration of Youthful Offenders and Prisoner Reentry programs into a program of Reintegration of Ex-Offenders, as proposed by the House. The conference agreement provides $78,694,000, instead of $68,746,000 as proposed by the House and a total of $68,642,000 as proposed by the Senate in two individual programs. Within this amount, the conference agreement provides that no less than $59,000,000 be used for programming for youth. The conference agreement also provides that a total of $50,000,000 be available from resources in both fiscal years 2007 and 2008 for a youth mentoring initiative. The $50,000,000 provided is for competitive grants to local educational agencies or community-based organizations to develop and implement mentoring strategies in schools identified as persistently dangerous. The conferees intend that $33,000,000 provided in this Act, along with $17,000,000 in funds made available under the fiscal year 2007 appropriation for youthful offenders, be available for this purpose and direct that the solicitation of grant agreements be issued on a timeline that provides for the incorporation of both the fiscal year 2007 and fiscal year 2008 contributions to the enhanced effort to assist persistently dangerous schools in mentoring efforts to prevent youth violence in high crime areas.

For the Denali Commission, the conference agreement provides $6,875,000 as proposed by the Senate for job training services. The House did not include funds for this activity.

The conference agreement does not include the $49,000,000 undistributed reduction in training and employment services as proposed by the House. The Senate bill had no similar provision.

The conference agreement includes a rescission of $245,000,000 in prior year Workforce Investment Act unexpended balances for the Youth, Adult and Dislocated Worker formula programs. The House bill contained a $335,000,000 rescission of prior year training and employment service balances, while the Senate bill had no similar provision. The conferees direct the Secretary to target the rescission within each funding stream so that the first funds subject to recapture are those program year 2005 and 2006 funds carried in to program year 2007 that are in excess of 30 percent of funds available in program year 2006 as of June 30, 2007. To arrive at the total amount within each funding stream, the balance of the rescission should be based on each State's remaining unexpended fiscal year 2005 and 2006 balances as of June 30, 2007, after adjusting those balances by any excess carryout identified in the first calculation. In addition, within each funding stream, the conferees direct that the Secretary ensure that the amounts rescinded within each State shall be from funds reserved for Statewide activities, and funds related to each local area, in proportion to the extent to which these balances, respectively, contributed to the amount to be rescinded in the State. Consistent with these specifications, the conferees direct the Secretary to carry out the rescission in a manner that will minimize burdens on States and local areas. To achieve that goal, the conferees further direct that it is intended that the requirements of sections 128, 133 and 134(a)(3)(B) of WIA relating to cost limits and to the applicable percentages of funds that may be used for Statewide activities, rapid response, and allocations to local areas, be applied by the Secretary only with respect to the initial allotments received by the State from fiscal year 2005 and 2006 funds and that those requirements are not intended to be applied based on the amounts remaining available to the States after this rescission has been carried out.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

The conference agreement includes $530,900,000 for Community Service Employment for Older Americans as proposed by the House, instead of $483,611,000 as proposed by the Senate. This amount covers the second increment of the Federal minimum wage increase, from $5.85 to $6.55 an hour, for program participants.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

The conference agreement includes $3,377,506,000 for State Unemployment Insurance and Employment Service Operations, instead of $3,382,614,000 as proposed by the House and $3,386,632,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes language not included in the House or Senate bills that allows the Secretary of Labor to make payments on behalf of the States for matching Unemployment Insurance (UI) claims information against the information in the National Directory of New Hires to prevent, detect, and collect improper UI payments. States are required to reimburse the Department of Health and Human Services (HHS) for the reasonable costs incurred in providing the information. Allowing the Secretary to aggregate such amounts and provide a payment to HHS covering the costs of all States will not affect the share of UI administrative funds available to each State, but will provide a more cost-effective means through which the required reimbursements are to be paid.

For Employment Service grants to States, the conference agreement includes $715,883,000 as proposed by the Senate, instead of $725,883,000 as proposed by the House. This includes $22,883,000 in general funds and $693,000,000 from the Unemployment Trust Fund. For Employment Service National Activities, the conference agreement includes $32,766,000 as proposed by the House instead of $34,000,000 as proposed by the Senate. This includes $12,740,000 for foreign labor certification programs.

For workforce information, national electronic tools and one-stop system building, the conference agreement provides $52,985,000 as proposed by the House, instead of $55,985,000 as proposed by the Senate. Within this amount, the conferees direct that workforce information grants to the States be funded at no less than $32,430,000 as proposed by the House.

For Work Incentive Grants, the conference report provides $14,649,000 instead of $9,757,000 as proposed by the House and $19,541,000 as proposed by the Senate. The conferees direct the Department to ensure that all States that wish to participate in this program receive funding for new or continuation grants to support their disability navigator programs.

PROGRAM ADMINISTRATION

The conference agreement includes $176,662,000 for Program Administration, instead of $170,500,000 as proposed by the House and $185,505,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees. Within the amount for employment security activities, the conference agreement includes not less than $43,500,000 to improve the timeliness and quality of processing applications under the foreign labor certification program.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $142,925,000 for the Employee Benefits Security Administration, as proposed by the House instead of $143,262,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees. The conferees request a briefing on the schedule for the completion of the EFAST2 system prior to the announcement of the availability of funds for its development and regular progress reports on this project. The conferees are also in agreement that EBSA should devote resources to the issuance of regulations on meaningful and uniform reporting of 401(k) fees and that a national education program on 401(k) investment options, fees and conflict of interest be created as described in House Report 110–231.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The conference agreement includes $411,151,000 for the administrative expenses of the Pension Benefit Guaranty Corporation, as proposed by both the House and the Senate. The conference agreement includes language in the House bill providing for workload driven increases in management fees based on increases in assets received by the Corporation as a result of new plan terminations, after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $437,508,000 for the Employment Standards Administration, salaries and expenses, instead of $436,508,000 as proposed by the House and $438,508,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

For the enforcement of wage and hour standards, the conference agreement provides $183,365,000, instead of $182,365,000 as proposed by the House and $184,365,000 as proposed by the Senate. The additional $1,000,000 is provided for accelerating start-up of a system to resolve claims of injury caused by asbestos exposure. If the authority for an asbestos claims program is not enacted by June 30, 2008, these additional funds may be used to support wage and hour enforcement in low wage industries.

The conference agreement includes a rescission of $102,000,000 in unobligated funds collected pursuant to section 286(v) of the Immigration and Nationality Act. The House and the Senate proposed a rescission of $70,000,000; however, information received from the Department of Labor indicates that receipts in this account allow a higher amount to be rescinded while still ensuring that the $5,500,000 the Department estimates it will use in fiscal year 2008 under current authority remains available.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

OCCUPATIONAL ILLNESS COMPENSATION FUND

(INCLUDING TRANSFER OF FUNDS)

Within the total provided, the conference agreement includes a proviso transferring $4,500,000 to the National Institute for Occupational Safety and Health for use by the Advisory Board on Radiation and Worker Health. While both the House and the Senate included this provision, the House report specified that the amount be in addition to $55,358,000 identified for transfer to the Department of Health and Human Services. The conferees clarify that the $4,500,000 for the Advisory Board on Radiation and Worker Health is a part of the total transfer amount. The Board is a key component of the administration of the program at NIOSH and the conferees expect that it will be funded at the level provided for in the conference agreement.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $500,568,000 for the Occupational Safety and Health Administration (OSHA), instead of $503,516,000 as proposed by the House and $498,445,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

For Federal Enforcement, the conference agreement includes $190,128,000 as proposed by the House, instead of $188,005,000 as proposed by the Senate, and for Federal Compliance Assistance, the conference agreement includes $72,659,000 as proposed by the Senate, instead of $75,566,000 as proposed by the House. The conferees believe that it is important to rebuild the Federal enforcement capacity of OSHA and that the agency should collect data needed to evaluate the effectiveness of voluntary compliance programs before additional investments are made to support this approach.

The conference agreement includes language proposed by the House requiring the Secretary of Labor to provide detailed reports on the development and issuance of certain occupational safety and health standards that have remained on the OSHA regulatory agenda without completion. The Senate had a similar provision in its report, but not in the bill.

The conferees are concerned that the Department has failed to make sufficient progress on its comprehensive plan to address ergonomic injuries and requests that a report be provided to the Committees on Appropriations of the House of Representatives and the Senate within 30 days of enactment of this Act detailing the specific steps it will take to complete the issuance of all 16 industry guidelines. In addition to a timetable for the completion of the industry guidelines, the report should contain OSHA's plans for increased enforcement on ergonomic and musculoskeletal injuries.

The conferees are also concerned by OSHA's lack of action to ensure that health care workers and emergency responders will be adequately protected in the event of an influenza pandemic. The conferees note that the Department believes that in order to issue an emergency standard to protect these workers, the United States needs to be in the midst of an influenza pandemic and urges reconsideration of the standard-setting actions that can be taken on an emergency or expedited basis. Within 30 days of enactment of this Act, the conferees request a report to the Committees on Appropriations of the House of Representatives and the Senate detailing the timeline for developing and issuing a standard.

The conferees are also concerned by the inadequate response to the serious health hazards posed by industrial exposure to the chemical diacetyl, a butter flavoring agent used in microwave popcorn and other foods. Despite documented cases of a debilitating and potentially fatal lung disease, OSHA has not moved swiftly enough to protect workers from this hazard. The conferees urge OSHA to reconsider its decision concerning an emergency standard, and direct that at a minimum a permanent standard should be developed on an expedited basis. Within 30 days of enactment of this Act, the conferees expect OSHA to provide a report to the Committees on Appropriations of the House of Representatives and the Senate detailing its anticipated timeline for issuing such a standard, as well as providing the details of a national emphasis program that will extend enforcement activities to all food manufacturing and flavoring plants where diacetyl is used.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $339,893,000 for the Mine Safety and Health Administration (MSHA), instead of $340,028,000 as proposed by the Senate or $313,478,000 as proposed by the House. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conferees are disturbed that MSHA has fallen significantly short of its obligation to complete 100 percent of regular inspections of coal mines, as required by law. In 2006, almost 5 of every 100 regular inspections nationally were not completed. In some districts, the rates were close to 15 or 20 of every 100 inspections that were not completed. The conferees find these results unacceptable.

The conference agreement provides MSHA with an increase of $37,024,000 over fiscal year 2007 resources to ensure that MSHA can carry out its legal obligations to regularly inspect our nation's coal mines. Together with increased funding for standards development, educational policy and development, and technical support, the conferees believe that the additional funds provided are sufficient to ensure that MSHA completes all of its inspection responsibilities, as well as complies with other statutory requirements of this Act and the MINER Act.

The conferees direct that, not later than 30 days after enactment of this Act, MSHA provide to the Committees on Appropriations of the House of Representatives and the Senate a detailed operating plan describing how these funds will be utilized and the specific outcomes that will be achieved. The conferees concur with Senate Report 110–107 regarding the priority use of these additional funds and expect MSHA to adhere to these when preparing the required operating plan.

Within the amount provided for MSHA Program Administration, the conference agreement includes $2,200,000 for a national project award to the United Mine Workers of America for classroom and simulated rescue training for mine rescue teams, and $1,215,000 for the Wheeling Jesuit University National Technology Transfer Center.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

The conference agreement includes $566,804,000 for the Bureau of Labor Statistics (BLS), instead of $576,118,000 as proposed by the House and $560,000,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes $185,796,000 for Prices and Cost of Living, instead of $192,599,000 as proposed by the House and $178,992,000 as proposed by the Senate. The conferees expect that the increase above fiscal year 2007 will be used for continuous updating of the housing and geographic area samples of the Consumer Price Index (CPI). The conference agreement does not include $450,000 as proposed by the House to begin the development of a methodology to determine cost of living by State. The Senate did not include a similar provision.

Included in the amount for Compensation and Working Conditions is $1,000,000 to conduct focused research studies on work-related injuries and illnesses as proposed by the Senate, instead of $1,225,000 as proposed by the House for this purpose.

The conferees are interested in ascertaining the impact of the North American Free Trade Agreement (NAFTA) on employment in the United States. When NAFTA was debated in the U.S. Congress, there were estimates that implementation of the agreement would result in the net creation of 200,000 new U.S. jobs, and that job losses in the United States as a consequence of NAFTA would be concentrated in low-skill sectors. The conferees direct the Department of Labcr, through BLS, to issue a report within 365 days of enactment of this Act, assessing the number of U.S. jobs, on an industry-by-industry basis, that were created as a consequence of NAFTA, and the number of U.S. jobs, on an industry-by-industry basis, that were lost as a consequence of NAFTA. The study should encompass the period from the date of implementation of NAFTA to December 31, 2007. Neither the House nor Senate report contained similar language.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

The conference agreement includes $27,712,000 for the Office of Disability Employment Policy (ODEP), as proposed by the House and the Senate. The conferees intend that at least 80 percent of these funds shall be used to design and implement research and technical assistance grants and contracts to develop policy that reduces barriers to employment for youth and adults with disabilities.

The conferees are concerned by the lack of available information regarding the extent to which effective disability employment policy developed by the ODEP has been implemented within the Department of Labor and by other Federal agencies whose programs provide services to all job seekers and workers, including those with disabilities. Therefore, the conferees direct the Secretary of Labor, working through the Assistant Secretary for Disability Employment Policy, to provide a report to the Committees on Appropriations of the House of Representatives and the Senate. This report shall be provided to the Committees and published on the Department's web site no later than June 30, 2008.

The conferees expect this report to identify and recommend policies the ODEP has developed during its history that have been or should be implemented within the Department of Labor or by other relevant Federal agencies. Further, the report should describe the cause-and-effect relationship that these policies have had on reducing barriers to employment for adults and youth with disabilities. The conferees also request that the report summarize how funds have been spent by ODEP since its inception. The conferees expect the report to show how ODEP has utilized its resources, including on staff expertise, grants, and contracts, to develop policy to reduce barriers to employment.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement includes $305,174,000 for Departmental Management, salaries and expenses, instead of $272,595,000 as proposed by the House and $313,218,000 as proposed by the Senate. The undistributed reductions in both the House and Senate bills are not included. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes $82,516,000 as proposed by the Senate for the International Bureau of Labor Affairs (ILAB), instead of $72,516,000 as proposed by the House. Within this amount, the conference agreement contains $5,000,000 as proposed in the House bill to implement model programs to address worker rights through technical assistance in countries with which the United States has trade preference programs and directs that this activity be carried out through a cooperative agreement with an international organization that has experience in working to assure adherence to a set of core labor standards through work with governments, employers and labor. The Senate had no similar provision. The conferees' recommendation for ILAB also includes $41,000,000 for the U.S. contribution to the International Program for the Elimination of Child Labor and $24,000,000 for bilateral assistance to improve access to basic education in international areas with a high rate of abusive and exploitative child labor. The Senate provided $42,610,000 and $26,770,000 respectively for these activities. The House had no similar provisions.

The conferees are deeply concerned about the recent discovery of abusive and exploitative child labor by a subcontractor based in India embroidering women's garments for a major U.S. apparel company. These children, some as young as ten, were forced from their parents, denied wages, forced to work long hours, and forced to live in squalor. Official Indian government estimates indicate that there are around 12 million children working in hazardous conditions. However, non-governmental organizations working on eradicating child labor believe that there are close to 60 million child laborers, including approximately 10 million child bonded laborers. While this major U.S. apparel company has 90 inspectors that travel around the world trying to ensure that their codes of conduct are not violated, it is a difficult and daunting task given the high prevalence of exploitative child labor and the non-existence of an industry wide monitoring system for the garment industry in India. Therefore, the conferees direct the Department to work with the International Labor Organization in an effort to implement standards similar to those used in the Cambodian and Bangladeshi garment industries to ensure that U.S. consumer products are not made by abusive child labor in violation of local and international standards.

The conference agreement provides $20,000,000 for information technology systems, instead of $18,000,000 as proposed by the House and $22,000,000 as proposed by the Senate. These funds support information technology, architecture, infrastructure, equipment and software utilized by multiple agencies within the Department. The conferees support the use of a portion of such funds for the acquisition of a Financial Management System for the Department of Labor. The President's request to Congress included $12,000,000 as a direct appropriation to the Working Capital Fund for this initiative.

The conference agreement includes $95,050,000 for the Office of the Solicitor, instead of $94,937,000 as proposed by the House and $95,162,000 as proposed by the Senate. The conferees intend that the increased funding level support no less than an increase of 19 FTEs over the fiscal year 2007 staffing level for enforcement support for the Mine Safety and Health Administration, as specified by the Senate report. The House had no similar language.

For the Women's Bureau, the conference agreement includes $10,300,000 as proposed by the Senate, instead of $10,500,000 as proposed by the House. The conferees encourage continued funding for national networks for women's employment that advance women in the workplace through education and advocacy.

OFFICE OF JOB CORPS

The conference agreement funds this program within the Office of the Secretary as proposed by the House and the Senate. This reflects the current organizational status of the program, and the funds for the administration of this program are included in this account instead of within program administration for the Employment and Training Administration, as indicated in the detailed table at the end of this joint statement.

The conference agreement includes $1,650,516,000 for the Office of Job Corps, instead of $1,649,476,000 as proposed by the House and $1,659,872,000 as provided by the Senate. Within the total, $1,507,684,000 is provided for continuing operations of the program, as proposed by the House, instead of $1,516,000,000 as proposed by the Senate. For renovation and construction of Job Corps centers, the conference agreement includes $113,960,000, instead of $112,920,000 as proposed by the House and $115,000,000 as proposed by the Senate. The conference agreement does not include the designation of funds for a competition to increase child care development centers on Job Corps campuses as proposed by the House, and instead designates the $13,960,000 above the request for renovation and construction for the continued development of new Job Corps centers that have been awarded and are not yet completed. The conferees request that the Department of Labor include an analysis of the future funding needs of all new centers in development and a progress report on the timeline for opening new centers in its fiscal year 2009 budget justification, as proposed by the Senate.

The conference agreement includes bill language proposed by the Senate requiring that none of the funds in the Act be used to reduce student training slots below 44,791 in program year 2008. This slot level and the funds provided will support the maintenance of student training services at existing Job Corps centers, as well as provide for new centers scheduled to open in program year 2008. The House bill contained a similar provision.

VETERANS EMPLOYMENT AND TRAINING

The conference agreement contains $228,198,000 for Veterans Employment and Training, as proposed by the House instead of $231,198,000 as proposed by the Senate. The conferees encourage the Department to direct additional funds to the Transition Assistance Program, which will ensure that the increasing demand for services is met. The conferees also expect the Department to increase enforcement activities to ensure that veterans' rights under the Uniformed Service Employment and Re-Employment Rights Act and Veterans Employment Opportunities Act are being protected.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $78,658,000 for the Office of Inspector General as proposed by the House instead of $79,658,000 as proposed by the Senate.

GENERAL PROVISIONS

JOB CORPS SALARIES

The conference agreement includes language that prohibits the use of funds for the Job Corps program to pay the salary of any individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level I, as proposed by the Senate. The House included a similar provision in the Job Corps account.

ONE PERCENT TRANSFER AUTHORITY

(TRANSFER OF FUNDS)

The conference agreement includes a provision limiting the authority to transfer funds between a program, project or activity and requiring a 15 day advance notification of any such request. Both the House and Senate bills contained similar provisions.

TRANSIT SUBSIDIES

The conference agreement includes a provision requiring the Secretary of Labor to issue a monthly transit subsidy at the full amount of $110 for eligible employees in the National Capital Region, as proposed by the House. The Senate bill contained no similar provision.

OPERATING PLAN

The conference agreement includes a provision prohibiting the obligation of funds for demonstration, pilot, multiservice, research and multistate projects under section 171 of the Workforce Investment Act prior to the submission of a report on the planned use of such funds, as proposed by the House. The Senate had a similar provision requiring an operating plan for the use of such funds. The conferees expect that the operating report on the use of such funds will be provided not later than July 1, 2008, and direct the Department to continue to submit quarterly reports to the House and Senate Appropriations Committees on the status of awards made for pilot, demonstration, multiservice, research, and multistate projects under section 171 of the Workforce Investment Act. These quarterly reports shall be submitted no later than 45 days after the end of each quarter and shall include a list of all awards made during the quarter, and for each award, the grantee or contractor, the amount of the award, the funding source for the award, whether the award was made competitively or by sole source and, if sole source, the justification, the purpose of the award and expected outcomes.

DENALI COMMISSION

The conference agreement includes a provision, as proposed by the Senate that authorizes such sums as may be necessary to the Denali Commission to conduct job training where Denali Commission projects will be constructed. The House bill contained no similar provision.

GRANTS USING H-1B VISA REVENUE

The conference agreement includes a provision proposed by the House that prohibits the use of the funds available to the Department under section 414(c) of the American Competitiveness and Workforce Improvement Act for other than training in the occupations and industries for which employers are using the visas to hire foreign workers that generate these funds. The conferees expect that these activities will include industry career ladder programs and understand that there are some related activities that enhance or facilitate training programs that are part of a coordinated industry approach. The conference agreement provides that this limitation shall not apply to multiyear grants that have already been awarded under competitive solicitations issued prior to April 15, 2007. The conferees understand one additional round of Workforce Innovation in Regional Economic Development (WIRED) grants that would qualify under this limitation was awarded in June 2007. The Senate bill contained no similar provision.

HEALTH COVERAGE TAX CREDIT GAP-FILLER GRANTS

The conference agreement does not include a provision included in the House bill authorizing up to $20,000,000 in revenue available to the Department under section 414 (c) of the American Competitiveness and Workforce Improvement Act to be used for "gap-filler" grants to trade-impacted workers awaiting certification for the Health Coverage Tax Credit. The Senate bill contained no similar provision. The conferees expect the Department of Labor to make grants available to States from the Dislocated Worker National Reserve for this purpose and to increase outreach to trade-impacted workers to inform them of their eligibility for the Health Coverage Tax Credit.

COMPETITIVE GRANTS

The conference report includes a provision prohibiting Community-Based Job Training grants and grants authorized under section 414(c) of the American Competitiveness and Workforce Improvement Act from being awarded on a non-competitive basis. Both the House and Senate bills included similar provisions.

ADMINISTRATIVE COST DEFINITION AND REDESIGNATION OF LOCAL AREAS

The conference agreement includes a provision requiring that the Secretary of Labor take no action to amend the definition established in 20 CFR 667.220 for functions and activities under title I of the Workforce Investment Act of 1998 or to modify the procedure for designation of local areas as specified in that Act until such time as legislation reauthorizing the Act is enacted, as proposed by the Senate. The House bill contained a similar provision.

PERSONAL PROTECTIVE EQUIPMENT

The conference agreement includes a provision as proposed by the House requiring the Secretary of Labor to promulgate a final regulation on personal protective equipment no later than November 30, 2007. The Occupational Safety and Health Administration (OSHA) made a commitment in Federal court to issue a final rule by this date. The Senate addressed this issue in report language.

MINE SAFETY REGULATIONS

The conference agreement includes language requiring specific dates by which the Secretary of Labor propose, and subsequently finalize, mine safety regulations regarding belt haulage entries and rescue chambers in coal mines, and makes additional requirements for review of mine ventilation plans. The Senate bill included a similar provision, while the House bill did not include such a provision.

SALARIES AND BONUSES

The conference agreement includes a provision proposed by the Senate that prohibits grantees from using funds appropriated for the Employment and Training Administration to pay the salary and bonuses of an individual at a rate in excess of Executive Level II. The House bill contained no similar provision.

MINE SAFETY FUNDING

The conference agreement does not include a general provision proposed by the Senate providing additional funding for necessary expenses for the Mine Safety and Health Administration (MSHA). Funding for MSHA activities are included under the heading for this agency. The House bill contained no similar provision.

NIOSH FIRE FIGHTER PROGRAM

The conference agreement does not include a general provision proposed by the Senate providing that $5,000,000 be available in Title I for the National Institute for Occupational Safety and Health (NIOSH) to carry out the Fire Fighter Fatality Investigation and Preventions Program. Funding for this activity is included within the funds made available to NIOSH in Title II. The House bill contained no similar provision.

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The conference agreement includes $7,260,468,000 for health resources and services, of which $7,235,468,000 is provided as budget authority and $25,000,000 is made available from the Public Health Service policy evaluation set-aside, instead of $7,086,709,000 as proposed by the House and $6,888,810,000 as proposed by the Senate. Funds for the individual HRSA programs are displayed in the table at the end of the statement of managers. Funding levels that were in disagreement but not displayed on the table are discussed in this statement.

The conference agreement includes bill language providing $317,684,000 for construction and renovation (including equipment) of health care and other facilities and other health-related activities. The Senate included bill language providing $191,235,000 for this purpose; the House bill did not include funding for projects in bill language. These funds are to be used for the following projects in the following amounts:

Project	Total funding
A.O. Fox Memorial Hospital, Oneonta, NY for facilities and equipment	250,000
Access Community Health Network, Chicago, IL for facilities and equipment for Chicago sites	225,000
Addison County Dental Care, Middlebury, VT, for equipment and facility upgrades	150,000

Project	Total funding
Adirondack Medical Center, Saranac Lake, NY for facilities and equipment	500,000
Adrian College, Adrian, MI for nurse training programs, including facilities and equipment	500,000
Adventist Glen Oaks Hospital, Glendale Heights, IL for facilities and equipment	200,000
Adventist Health, Roseville, CA for expansions to the clinical information system, including purchase of equipment	350,000
AIDS Resource Center Wisconsin, Milwaukee, WI, to provide health care and case management services	125,000
Alamo Community College System, San Antonio, TX for facilities and equipment	440,000
Alaska Addictions Rehabilitation Services, Inc., Wasilla, AK for facilities and equipment	150,000
Alaska Family Practice Residency Program, Anchorage, AK, to support its family practice residency programs	1,000,000
Alaska Native Medical Center, Anchorage, AK, for equipment	750,000
Alaska Psychiatric Institute, Juneau, AK, for the Telebehavioral Health Project in Alaska	400,000
Albany Medical Center, Albany, NY, for the establishment of the Patient Safety Center	500,000
Albuquerque Indian Health Center, New Mexico, for renovations and equipment	85,000
Alderson-Broaddus College, Philippi, WV for facilities and equipment for the nursing program	125,000
Alegent Health Care System, Omaha, NE, for a community-based Electronic Medical Records System	100,000
Alice Hyde Medical Center, Malone, NY for facilities and equipment	350,000
Alleghany Memorial Hospital, Sparta, NC for an electronic health records initiative, including equipment	150,000
Allegheny General Hospital, Pittsburgh, PA, for equipment	169,500
Allegheny Singer Research Institute, Pittsburgh, PA, for equipment	90,000
Alle-Kiski Medical Center, Natrona Heights, PA for facilities and equipment	375,000
Allen Memorial Hospital, Moab, Utah, for construction, renovation, and equipment	50,000
Alliance for NanoHealth, Houston, TX for facilities and equipment	650,000
AltaMed Health Services Corp., Los Angeles, CA for facilities and equipment	275,000
American Oncologic Hospital, Fox Chase Cancer Center, Philadelphia, PA for facilities and equipment	500,000
American Samoa, Pago Pago, AQ for facilities and equipment for the LBJ Medical Center	640,000
Amite County Medical Services, Liberty, MS for facilities and equipment	135,000
Anchorage Neighborhood Health Center, Anchorage, AK, for construction, renovation, and equipment	339,000
AnMed Health, Anderson, SC, for renovation and equipment	84,750
Arc of Northern Virginia, Falls Church, VA, for equipment and software to create a Resource Navigator System for individuals with developmental disabilities in the Commonwealth of Virginia	150,000
Armstrong County Memorial Hospital, Kittanning, PA, for equipment	90,000
Arnold Palmer Hospital, Orlando, FL for facilities and equipment	200,000
Ashland County Oral Health Services, Ashland, OH for facilities and equipment	100,000
Asian Americans for Community Involvement, San Jose, CA for facilities and equipment for a community health clinic	378,000
Association for Utah Community Health, Salt Lake City, UT for health information technology for community health centers represented by the Association throughout the State	796,650
Atchison Hospital Association, Atchison, KS, for renovation and equipment	300,000
Atlantic Health Systems, Florham Park, NJ for an electronic disease tracking system	500,000
Avis Goodwin Community Health Center, Dover, NH for facilities and equipment in Somerworth, NH	400,000
Avista Adventist Hospital, Louisville, CO for health information systems	320,000
Bad River Tribe of Lake Superior Chippewa, Odanah, WI for facilities and equipment for a health clinic	500,000
Ball Memorial Hospital, Muncie, IN, for facilities and equipment	100,000
Baltimore City Health Department, Baltimore, MD for facilities and equipment for mobile units	320,000
Baltimore Medical System, Baltimore, MD for facilities and equipment for a community health care facility	320,000
Baptist Health Medical Center—Heber Springs, Heber Springs, AR for facilities and equipment	75,000
Barnert Hospital, Paterson, NJ for facilities and equipment	320,000
Barnes-Kasson County Hospital, Susquehanna, PA for obstetrical care	150,000
Barnes-Kasson County Hospital, Susquehanna, PA, for renovation and equipment	90,000
Barre Family Health Center, Barre, MA for facilities and equipment	275,000
Bay Area Medical Clinic, Marinette, WI for facilities and equipment	200,000
BayCare Health System, Clearwater, FL for upgrades to medical information systems	350,000
Baylor College of Medicine, Houston, TX, for construction, renovation, and equipment at the Vannie E. Cook, Jr. Children's Cancer and Hematology Clinic	175,000
Baylor Research Institute, Dallas, TX for facilities and equipment	352,000
Bayonne Medical Center, Bayonne, NJ for health information technology	500,000
Baystate Health Systems, Springfield, MA for facilities and equipment	320,000
Bear River Health Department, Logan, Utah, for the Medical Reserve Corps Program	50,000
Beaumont Hospital, Royal Oak, MI for a Core Molecular Laboratory, including facilities and equipment	500,000
Beaver Valley Hospital, Beaver, Utah, for renovation and equipment	50,000
Beebe Medical Center, Lewes, DE, for construction, renovation and equipment	170,000
Belmont University, Nashville, TN for facilities and equipment for the Health Science Center	140,000
Beloit Area Community Health Center, Beloit, WI, for construction, renovation and equipment	425,000
Bemidji State University, Bemidji, MN for a nurse training program	250,000
Benedictine Hospital, Kingston, NY for health information systems	200,000
Benefis Healthcare Foundation, Great Falls, MT, for health information technology	320,000
Benefis Healthcare, Great Falls, MT for facilities and equipment	500,000
Berea Health Ministry Rural Health Clinic, Inc., Berea, KY for facilities and equipment for a rural diabetes clinic	50,000
Billings Clinic, Billings, MT, for a Rural Clinical Information System	280,000
Billings Clinic, Billings, MT, for construction, renovation and equipment of a cancer center	320,000
Billings Clinic, Billings, MT, for the Diabetes Center to prevent and treat diabetes	300,000
Bloomington Hospital Foundation, Bloomington, IN for health information systems	200,000
Bloomsburg Hospital, Bloomsburg, PA for facilities and equipment	343,000
Blount Memorial Hospital, Maryville, TN for purchase of equipment	150,000
Boone County Senior Citizen Service Corporation, Columbia, MO, for equipment and technology for the Alzheimer's Disease Demonstration Center on the Bluff's campus	847,000
Boone Hospital Center, Columbia, MO for facilities and equipment	200,000
Boriken Neighborhood Health Center, New York, NY for facilities and equipment	150,000
Boscobel Area Health Care, Boscobel, WI for facilities and equipment	405,000
Boston Health Care for the Homeless Program, Boston, MA, for the construction of a health care facility	145,000
Boston Medical Center, Boston, MA for facilities and equipment for the J. Joseph Moakley Medical Services Building	1,000,000
Boston University Medical School, Boston, MA for facilities and equipment for biomedical research related to amyloidosis	250,000
Boys Town National Research Hospital, Omaha, NE, for construction, renovation and equipment	720,000
Brackenridge Hospital, Austin, TX, for construction, renovation, and equipment	175,000
Bridge Community Health Clinic, Wausau, WI for facilities and equipment	500,000
Bridgeport Hospital, Bridgeport, CT for facilities and equipment	350,000
Brockton Hospital, Brockton, MA, for equipment	170,000
Brockton Neighborhood Health Center, Brockton, MA for facilities and equipment	320,000
Brookside Community Health Center, San Pablo, CA for facilities and equipment	350,000
Brunswick County, Bolivia, NC for facilities and equipment for a senior center	250,000
Bryan W. Whitfield Hospital, Demopolis, AL for facilities and equipment	140,000
Bureau County Health Clinic, Princeton, IL to expand rural health services, including purchase of equipment	150,000
Cactus Health Services, Inc., Sanderson, TX for primary health care services in rural communities in Terrell and Pecos Counties	175,000
California Hospital Medical Center, Los Angeles, CA for facilities and equipment	400,000
California State University, Bakersfield, CA for nurse training programs, including purchase of equipment	200,000
Camillus House, Inc., Miami, FL for facilities and equipment	200,000
Canonsburg General Hospital, Canonsburg, PA for purchase of equipment	350,000
Cape Cod Free Clinic and Community Health Center, Mashpee, MA for facilities and equipment	175,000
Capital Park Family Health Center, Columbus, OH for facilities and equipment	200,000
Cardinal Stritch University, Milwaukee, WI for a nursing training program	100,000
Carilion Health System, Roanoke, VA, for renovation and equipment	125,000
Caring Health Center, Inc., Springfield, MA, for equipment needed to expand urgent care and oral health programs	210,000
Carnegie Mellon University, Pittsburgh, PA, for equipment and renovation	127,125
Carolinas HealthCare System, Charlotte, NC for facilities and equipment	400,000
Carroll County Regional Medical Center, Carrollton, KY for facilities and equipment	300,000
Carroll County Youth Service Bureau, Westminster, MD for facilities and equipment for the Outpatient Mental Health Clinic	350,000
Case Western Reserve University, Cleveland, OH, for equipment	84,750
Center for Health Equity, Louisville, KY for facilities and equipment	250,000
Central Carolina Allied Health Center, Sumter, SC, for construction, renovation, and equipment	211,875
Central Wyoming College, Riverton, WY for facilities and equipment at the Virtual Medical Skills Center for Training Nurses in Rural Health Care	200,000
CentroMed, San Antonio, TX for facilities and equipment	400,000
Champlain Valley Physician's Hospital, Plattsburgh, NY for facilities and equipment	1,500,000
Charles A. Dean Memorial Hospital, Greenville, ME for facilities and equipment	250,000
Charles Drew Health Center, Inc., Omaha, NE, for construction, renovation and equipment	1,000,000
Chatham County Safety Net Collaborative, Savannah, GA for purchase of equipment	300,000
Cherry Street Health Services, Grand Rapids, MI for an electronic health records initiative, including equipment	200,000

Project	Total funding
Chester County Hospital, West Chester, PA, for construction	90,000
Children's Friend and Family Services, Salem, MA for facilities and equipment	250,000
Children's Hospital of KidsPeace, Orefield, PA, for construction and equipment	90,000
Children's Hospitals and Clinics of Minnesota, Minneapolis, MN, to provide pediatric palliative care education and consultation services to clinicians and providers	252,125
Children's Home of Pittsburgh, Pittsburgh, PA for facilities and equipment	320,000
Children's Hospital and Clinics of Minnesota, Minneapolis, MN for facilities and equipment	315,000
Children's Hospital and Health System, Milwaukee, WI for purchase of equipment	350,000
Children's Hospital at Albany Medical Center, Albany, NY for facilities and equipment	320,000
Children's Hospital Boston, Boston, MA, for the development of comprehensive pediatric electronic medical records system	185,000
Children's Hospital Medical Center of Akron, Akron, OH for facilities and equipment	375,000
Children's Hospital of Orange County, Mission Viejo, CA for purchase of equipment	150,000
Children's Hospital of Philadelphia, Philadelphia, PA, for equipment	127,125
Children's Hospital of Pittsburgh, Pittsburgh, PA, for construction	127,125
Children's Hospital of The King's Daughters (CHKD) Health Systems, Norfolk, VA, to purchase and equip a Mobile Intensive Care Transport Vehicle for the critically ill neonatal and pediatric populations	125,000
Children's Hospital of The King's Daughters, Norfolk, VA for pediatric facilities and equipment	550,000
Childrens Hospital of Wisconsin, Milwaukee, WI, for construction, renovation and equipment	170,000
Children's Hospital, Aurora, CO, for equipment	169,500
Children's Hospital, Denver, CO for facilities and equipment	320,000
Children's Institute, Pittsburgh, PA, for construction and program expansion	90,000
Children's Medical Center, Dallas, Dallas, TX, for construction, renovation, and equipment	175,000
Children's Medical Center, Dayton, OH for CARE House, including facilities and equipment	200,000
Children's Memorial Hospital, Chicago, IL for facilities and equipment	525,000
Children's National Medical Center, Washington, DC for facilities and equipment for emergency preparedness	500,000
Children's Specialized Hospital, Mountainside, NJ for facilities and equipment	500,800
Chippewa Valley Hospital, Durand, WI for facilities and equipment	295,000
Chiricahua Community Health Centers, Inc., Elfrida, AZ for facilities and equipment for the Bisbee/Naco Chiricahua community health center in Bisbee, AZ and the Douglas/El Frida Medical and Dental Border Healthcare Clinic in Douglas, AZ	400,000
CHOICE Regional Health Network, Olympia, WA, for construction, renovation and equipment	300,000
Christian Health Care Center of New Jersey, Wyckoff, NJ for facilities and equipment	200,000
Christian Sarkine Autism Treatment Center, Indianapolis, IN for facilities and equipment	200,000
Christiana Care Health System, Wilmington, DE, for construction, renovation and equipment	425,000
Christus Santa Rosa's Children's Hospital, San Antonio, TX for facilities and equipment	375,000
Cincinnati Children's Hospital Medical Center, Cincinnati, OH for purchase of equipment	500,000
Citrus County Board of County Commissioners, Inverness, FL for facilities and equipment	150,000
City of Austin, TX for facilities and equipment for the Travis County Hospital District	290,000
City of Chesapeake, VA for an infant mortality and chronic disease prevention program, including equipment	100,000
City of Oakland, CA for facilities and equipment for a new youth center to house health services programs	500,000
City of Stockton, CA for facilities and equipment for a health care facility	450,000
City of Stonewall, OK for facilities and equipment	360,000
Clarion Health Center, Clarion, PA for purchase of equipment	290,000
Clearfield Hospital, Clearfield, PA, for equipment	90,000
Cleveland Clinic Huron Hospital, East Cleveland, OH for facilities and equipment	300,000
Cobb County Government, Marietta, GA for a senior health center, including facilities and equipment	325,000
Coffeyville Regional Medical Center, Coffeyville, KS for facilities and equipment	350,000
Coles County Council on Aging, Mattoon, IL for facilities and equipment	200,000
College Misericordia, Dallas, PA for facilities and equipment for the NEPA Assistive Technology Research Institute	310,000
College of Saint Scholastica, Duluth, MN, to implement a rural health and technology demonstration project	254,250
Collier County, Naples, FL to develop a health care access network for the under- and uninsured, including information technology upgrades	342,000
Colorado State University, Fort Collins, CO for purchase of equipment	300,000
Columbia Memorial Hospital, Hudson, NY for health information systems	150,000
Columbus Children's Hospital, Columbus, OH for a telehealth project	100,000
Columbus Children's Hospital, Columbus, OH for purchase of equipment	300,000
Communi Care, Inc., Columbia, SC for health information systems, facilities, and equipment	285,000
Community Action Agency of Southern New Mexico, Las Cruces, NM, for the Access to Healthcare Initiative	297,000
Community College of Aurora, Aurora, CO for facilities and equipment	350,000
Community College of Rhode Island, Lincoln, RI, for equipment and laboratory facilities for health care education	210,000
Community Dental Services, Albuquerque, NM for facilities and equipment	500,000
Community Health Care, Tacoma, WA for facilities and equipment	425,000
Community Health Center of Southeast Kansas, Pittsburg, KS, for renovation and equipment	350,000
Community Health Center of the Black Hills, Rapid City, SD, for facilities and equipment	339,750
Community Health Centers in Iowa	1,750,000
Community Health Centers of Arkansas, North Little Rock, AR, for an infrastructure development program	600,000
Community Health Centers of the Rutland Region, Bomoseen, VT, for equipment	100,000
Community Health Works, Forsyth, GA for rural health care outreach	50,000
Community Home, Health & Hospice, Longview, WA, to implement a home health telemonitoring system	250,000
Community Hospital of Bremen, Bremen, IN for facilities and equipment	125,000
Community Hospital TeleHealth Consortium, Lake Charles, LA for a telehealth initiative	300,000
Community Medical Center, Missoula, MT, for construction, renovation and equipment	280,000
Community Medical Centers, Stockton, CA for facilities and equipment for Gleason House	225,000
Comprehensive Community Action Program (CCAP), Cranston, RI for facilities and equipment for dental care	190,000
Connecticut Hospice, Inc., Branford, CT for health information systems	300,000
Cook Children's Medical Center, Fort Worth, TX for facilities and equipment	775,000
Cooperative Education Service Agency 11 Rural Health Dental Clinic, Turtle Lake, WI for dental services	225,000
Cooperative Telehealth Network, Portneuf Medical Center, Pocatello, ID, to provide and improve distance healthcare access in southeast Idaho	350,000
Counseling Services of Addison County, Middlebury, VT, to implement an electronic medical record	200,000
County of Modoc Medical Center, Alturas, CA for purchase of equipment	150,000
County of Peoria, Peoria, IL, for facilities and equipment	250,000
County of San Diego, CA Public Health Services for the purchase of equipment	286,000
Crousee Hospital, Syracuse, NY for purchase of equipment and improvement of electronic medical information	300,000
Crowder College-Nevada Campus, Nevada, MO for facilities and equipment for the Moss Higher Education Center	200,000
Crozer-Chester Medical Center, Upland, PA for facilities and equipment	325,000
Crumley House Brain Injury Rehabilitation Center, Limestone, TN, for brain injury programs	100,000
Culpeper Regional Hospital, Culpeper, VA, for facility design, engineering and construction to expand the Emergency Department	200,000
Cumberland Medical Center, Crossville, TN for facilities and equipment	240,000
Dartmouth-Hitchcock Medical Center, Lebanon, NH for facilities and equipment	275,000
Defiance College, Defiance, Ohio, for training autism caregivers	175,000
Delaware Technical and Community College, Dover, DE for purchase of equipment	250,000
Delta Dental of Iowa, Ankeny, IA, for a dental loan repayment program	150,000
Delta Dental of South Dakota, Pierre, SD, to provide mobile dental health services	200,000
Denver Health and Hospital Authority, Denver, CO for facilities and equipment	450,000
Des Moines University and Broadlawns Medical Center, Des Moines, IA for a mobile clinic	200,000
Desert Hot Springs, Downey, CA, to construct a primary and urgent care medical clinic	80,000
Detroit Primary Care Access, Detroit, MI for health care information technology	375,000
Dixie County, Cross City, FL for facilities and equipment for the primary care facility	75,000
Dodge County Hospital, Eastman, GA for facilities and equipment	100,000
Drew County Memorial Hospital, Monticello, AR for facilities and equipment	440,000
DuBois Regional Medical Center, DuBois, PA for purchase of equipment and electronic medical records upgrades	217,750
East Carolina University, Greenville, NC for the Metabolic Institute, including facilities and equipment	350,000
East Orange General Hospital, East Orange, NJ, for facilities and equipment	635,000
East Tennessee Children's Hospital, Knoxville, TN for facilities and equipment	300,000
East Tennessee State University College of Pharmacy, Johnson City, TN for facilities and equipment	250,000
Easter Seals Iowa, for construction and enhancement of a health care center	300,000
Easter Seals Metropolitan Chicago, Chicago, IL, for their therapeutic School and Center for Autism Research	550,000
Easter Seals of Mahoning, Trumbull, and Columbiana Counties, Youngstown, OH for facilities and equipment	200,000
Eastern Oklahoma State College, Wilburton, OK, for health information systems and pharmacy technology programs	100,000
Eastern Shore Rural Health System Onley Community Health Center, Nassawadox, VA, for construction, renovation and equipment	120,000
Ed Roberts Campus in Berkeley, CA, for construction, renovations and equipment	250,000
Eddy County, NM, for a regional substance abuse rehabilitation center, including facilities and equipment	150,000
Edgemoor Hospital, Santee, CA for purchase of equipment	150,000
Eisenhower Medical Center, Rancho Mirage, CA for facilities and equipment	150,000

Project	Total funding
El Proyecto del Barrio, Arleta, CA for facilities and equipment at the Azusa Health Center, Azusa, CA	490,000
El Proyecto del Barrio, Winnetka, CA for health information systems	240,000
Elizabeth City State University, Elizabeth City, NC for facilities and equipment for a science education building	390,000
Elliot Health System, Manchester, NH, for a backup and support system for continuity of services	200,000
Emerson Hospital, Concord, MA for facilities and equipment	200,000
Englewood Hospital and Medical Center, Englewood, NJ for facilities and equipment	175,000
Ephrata Community Hospital, Ephrata, PA, for equipment	90,000
Excela Health, Mt. Pleasant, PA for facilities and equipment	350,000
Fairfield Medical Center, Lancaster, OH for facilities and equipment	397,000
Fairview Southdale Hospital, Edina, MN for purchase of equipment	150,000
Family and Children's Aid, Danbury, CT for facilities and equipment for the Harmony Center	275,000
Family Behavioral Resources, Greensburg, PA for community health outreach activities	150,000
Family Center of the Northern Neck, Inc., White Stone, VA for obstetric care services, including facilities and equipment	200,000
Family Health Center of Southern Oklahoma, Tishomingo, OK for facilities and equipment	190,000
Family Health Centers of San Diego, Inc., San Diego, CA, for construction, renovation and equipment	80,000
Family HealthCare Network, Visalia, CA for electronic medical records upgrades	200,000
Family Medicine Spokane, Spokane, WA for rural training assistance	150,000
Fenway Community Health Center, Boston, MA, for construction, renovation and equipment	210,000
Fish River Rural Health, Eagle Lake, ME, for construction, renovation, and equipment	100,000
Fletcher Allen Health Care, Burlington, VT, for construction, renovation and equipment	400,000
Florida Hospital College of Health Sciences, Orlando, FL for facilities and equipment	150,000
Florida Institute of Technology, Melbourne, FL for facilities and equipment for the Autism Research and Treatment Center	2,500,000
Florida Southern College, Lakeland, FL for purchase of equipment to support nursing programs	400,000
Floyd Valley Hospital, Le Mars, IA for facilities and equipment	100,000
Fort Wayne, IN, for training of emergency medical personnel, including equipment purchase	165,000
Fox Chase Cancer Center, Philadelphia, PA, for equipment	127,125
Franklin County Medical Center, Preston, ID, for construction, renovation, and equipment	250,000
Free Clinic of the Greater Menomonie Area, Inc, Menomonie, WI, for equipment	85,000
Free Clinics of Iowa in Des Moines, to support a network of free clinics	350,000
Freeman Health System, Joplin, MO for purchase of equipment	400,000
Fulton County Medical Center, McConnellsburg, PA for facilities and equipment	263,750
Gardner Family Health Network, Inc., San Jose, CA for facilities and equipment	300,000
Garfield Memorial Hospital, Panguitch, Utah, for construction, renovation, and equipment of the emergency room and adjacent clinic	84,750
Gaston College, Health Education Institute, Dallas, NC for nurse training programs, including facilities and equipment	150,000
Gateway to Care, Houston, TX for health information technology	225,000
Geisinger Health System, Danville, PA, for construction and equipment	169,500
Generations, Inc, Camden, NJ, for construction of a medical center	380,000
Georgia Southern University, Statesboro, GA, for rural health outreach and training	84,700
Gertrude A. Barber Center, Erie, PA for the Autism Early Identification Diagnostic and Treatment Center, including purchase of equipment	162,000
Glen Rose Medical Center, Glen Rose, TX for facilities and equipment	330,000
Glendale Adventist Medical Center, Glendale, CA for facilities and equipment	375,000
Glens Falls Hospital, Glens Falls, NY for facilities and equipment	400,000
Glory House, Sioux Falls, SD, to construct a methamphetamine treatment center	150,000
Good Samaritan Regional Medical Center, Pottsville, PA, for medical outreach	90,000
Good Shepherd Rehabilitation Hospital, Allentown, PA, for equipment	90,000
Grady Health Systems, Atlanta, GA for electronic medical records upgrades	334,700
Grandview Hospital, Dayton, OH for facilities and equipment	250,000
Greater Hudson Valley Family Health Center,Inc., Newburgh, NY for facilities and equipment	125,000
Greater New Bedford Community Health Center, New Bedford, MA for health information systems	350,000
Greene County, Waynesburg, PA, for a telemedicine initiative	90,000
Griffin Hospital, Derby, CT for facilities and equipment	400,000
Gritman Medical Center, Moscow, ID for facilities and equipment	500,000
Gundersen Lutheran Health System, West Union, IA for a mobile health unit	250,000
Gundersen Lutheran Hospital, La Crosse, WI, for a health information technology system	170,000
Gundersen Lutheran, Decorah, IA for a Remote Fetal Monitoring Program, including purchase of equipment	300,000
Halifax Regional Health System, South Boston, VA for an electronic health records initiative, including equipment	400,000
Hamilton Community Health Network, Flint, MI for health care information technology	320,000
Hamot Medical Center, Erie, PA, for construction and equipment	90,000
Hampton University, Hampton, VA for health professions training	400,000
Harris County Hospital District, Houston, TX for facilities and equipment	250,000
Harris County Hospital District, Houston, TX for facilities and equipment	500,000
Harris County Hospital District, Houston, TX for facilities and equipment for an outpatient physical and occupational therapy center	200,000
Harris County Hospital District, Houston, TX for facilities and equipment for the diabetes program	415,000
Harris Methodist Erath County Hospital, Stephenville, TX for facilities and equipment	140,000
Hatzoloh EMS, Inc., Monsey, NY for purchase of ambulances	200,000
Hawkeye Community College, Waterloo, IA for facilities and equipment for a health center	375,000
Hazleton General Hospital, Hazleton, PA, for equipment	90,000
Healing Tree Addiction Treatment Solutions, Inc., Sterling, CO for facilities and equipment	150,000
HEALS Dental Clinic, Huntsville, AL for facilities and equipment	75,000
HealthCare Connection, Cincinnati, OH for an electronic health records initiative, including equipment	250,000
HealthEast Care System, St. Paul, MN for health information systems	500,000
HealthHUB, South Royalton, VT, for equipment and facilities	100,000
Heartland Community Health Clinic, Peoria, IL for facilities and equipment	300,000
Heartland Partnership, Peoria, IL, for construction of a cancer research laboratory	400,000
Hektoen Institute for Medical Research Beloved Community Wellness Program, Chicago, IL for facilities and equipment	400,000
Helen DeVos Children's Hospital, Grand Rapids, MI for facilities and equipment	100,000
Helene Fuld College of Nursing, NY, for construction, renovation and equipment	100,000
Henry Ford Health System, Flint, MI, for training in advanced techniques	295,000
Henry Mayo Newhall Memorial Hospital, Valencia, CA for facilities and equipment	200,000
Heritage Valley Health System, Beaver, PA, for construction	90,000
Hidalgo Medical Services Inc., Lordsburg, NM, for construction, renovation, and equipment for a Community Health Center in Silver City, New Mexico	750,000
Highland Community Hospital, Picayune, MS for health information systems	440,000
Highlands County, Sebring, FL for facilities and equipment for the veterans service office	425,000
Hilo Medical Center, HI, for a medical robotics training lab	100,000
Holy Cross Hospital, Chicago, IL, for equipment	1,000,000
Holy Cross Hospital, Silver Spring, MD, for equipment	375,000
Holy Name Hospital, Teaneck, NJ for facilities and equipment	175,000
Holy Redeemer Health System, Huntingdon Valley, PA, for construction	90,000
Holy Rosary Healthcare, Miles City, MT, for a tele-radiology program	175,000
Holy Spirit Hospital, Camp Hill, PA, for equipment	90,000
Holyoke Hospital, Holyoke, MA, for equipment	185,000
Home Nursing Agency, Altoona, PA, for telehealth services, including purchase of equipment	100,000
Hood River County, Hood River, OR, for construction of an integrated health care facility	295,000
Hormel Foundation, Austin, MN for facilities and equipment for the cancer research center	425,000
Hospice Care Plus, Berea, KY, for construction, renovation, and equipment	127,125
Hospice of Northwest Ohio Toledo Center, Toledo, OH for health information systems	125,000
Hospice of the Western Reserve, Cleveland, OH for a pediatric care program	150,000
Hospital for Special Surgery, New York, NY, for expansion and modernization of its clinical facilities	500,000
Houston County Hospital District, Crockett, TX for facilities and equipment	200,000
Howard Community College, Columbia, MD for facilities and equipment for radiologic technology	300,000
Hudson Alpha Institute for Biotechnology, Huntsville, AL for facilities and equipment	325,000
Hudson Headwaters Health Network, Inc., Glens Falls, NY for health information systems	100,000
Humility of Mary Health Partners, Youngstown, OH for health information technology	200,000
Humphreys County Memorial Hospital, Belzoni, MS for facilities and equipment	175,000
Hunterdon Medical Center, Flemington, NJ for facilities and equipment	645,000
Hunter's Hope Foundation, Orchard Park, NY, including purchase of equipment	600,000
Huntridge Teen Center and Nevada Dental Association, Las Vegas, NV, to purchase equipment and coordinate care for the Huntridge Dental Clinic	275,000
Huntsville Hospital, Huntsville, AL for facilities and equipment	200,000
Hurley Medical Center, Flint, MI for health information systems	320,000
Idaho State University, Pocatello, ID for the Advanced Clinical Simulation Laboratory, including facilities and equipment	250,000

Project	Total funding
Illinois Masonic Medical Center, Chicago, IL for facilities and equipment	250,000
Illinois Primary Health Care Association, Springfield, IL for health information systems for clinic sites across the State	600,000
India Community Center, Milpitas, CA for facilities and equipment for the medical clinic	300,000
Indiana Regional Medical Center, Indiana, PA, for services expansion	90,000
Indiana University Bloomington, IN for facilities and equipment for the School of Nursing	75,000
Indiana University School of Medicine, Gary, IN for facilities and equipment for the Northwest Indiana Health Research Institute	525,000
Indiana University School of Medicine, Indianapolis, IN for facilities and equipment	150,000
Indiana University Southeast, New Albany, IN for facilities and equipment for the School of Nursing	75,000
Inland Behavioral Health Services, Inc., San Bernardino, CA for facilities and equipment	500,000
Inova Health System, Falls Church, VA, for construction, renovation, and equipment	100,000
Institute for Family Health, New Paltz, NY for health information systems across all eight academic health centers	100,000
Institute for Research and Rehabilitation, Houston, TX for purchase of equipment	200,000
INTEGRIS Health, Oklahoma City, OK for a telemedicine demonstration	200,000
INTEGRIS Health, Oklahoma City, OK, for statewide digital radiology equipment	100,000
Intermountain Healthcare, Salt Lake City, UT for an electronic health records initiative, including equipment	170,000
Iowa Caregivers Association, for training and support of certified nurse assistants	300,000
Jackson Medical Mall Foundation, Jackson, MS, for construction, renovation, and equipment	150,000
Jackson State University, Jackson, MS, for Southern Institute for Mental Health Research and Training	250,000
Jameson Hospital, New Castle, PA for facilities and equipment	304,000
Jasper Memorial Hospital, Monticello, GA for facilities and equipment	40,000
Jefferson County, AL for the Senior Citizens' Centers, including facilities and equipment	300,000
Jefferson Regional Medical Center Nursing School, Pine Bluff, AR for facilities and equipment	1,000,000
Jefferson Regional Medical Center, Pittsburgh, PA, for equipment	90,000
Jenkins County GA Hospital, Millen, GA for facilities and equipment	275,000
Jewish Renaissance Medical Center, Perth Amboy, NJ, for construction, renovation and equipment	190,000
John Wesley Community Health Institute, Bell Gardens, CA for facilities and equipment for the Bell Gardens Health Center	150,000
Johns Hopkins University, Baltimore, MD, to expand the Critical Event Preparedness and Response program	250,000
Johnson Memorial Hospital, Stafford Springs, CT for facilities and equipment	250,000
Johnston Memorial Hospital, Smithfield, NC for facilities and equipment	320,000
Kalamazoo Valley Community College, Kalamazoo, MI for purchase of equipment	350,000
Kane Community Hospital, Kane, PA, for equipment	90,000
Kansas State University, Manhattan, KS, for equipment for the Midwest Institute for Comparative Stem Cell Biology	500,000
Kennedy Krieger Institute, Baltimore, MD, for medical equipment	250,000
Kennedy Krieger Institute, Baltimore, MD for facilities and equipment for the International Center for Spinal Cord Injury facility	450,000
Kenosha Community Health Center, Kenosha, WI, for construction, renovation and equipment	170,000
Kent State University Stark Campus, North Canton, OH for facilities and equipment	500,000
Kent State University, Ashtabula, OH for facilities and equipment	400,000
Kilmichael Hospital, Kilmichael, MS for facilities and equipment	175,000
Kirkwood Community College, Cedar Rapids, IA for facilities, equipment and curriculum for an advanced medical simulation instruction center	225,000
Knox Community Hospital, Mount Vernon, OH for facilities and equipment	275,000
Kootenai Medical Center, Sandpoint, ID, to continue providing and improving distance healthcare access in north Idaho	250,000
La Clinica de la Raza, Oakland, CA for facilities and equipment for the San Antonio Neighborhood Health Center	300,000
La Rabida Children's Hospital, Chicago, IL for facilities and equipment	225,000
Lake Erie College of Osteopathic Medicine, Erie, PA for the Drug Information Center	500,000
Lakeland Community College, Kirtland, OH for a health information training program, including facilities and equipment	100,000
Lakeshore Foundation, Birmingham, AL, for construction, renovation, and equipment	508,500
Lamar University, Beaumont, TX for the Community and University Partnership Service, including facilities and equipment	150,000
Lamoille Community Health Services, Morrisville, VT, for rural outreach activities	75,000
Lanai Women's Center, Lanai City, HI for facilities and equipment	140,000
Lane County, Eugene, Oregon, for construction, renovation, and equipment of the Springfield Community Health Center	127,000
Laurens County Health Care System, Clinton, SC for an electronic health records initiative, including equipment	100,000
Lawrence Hospital Center, Bronxville, NY for facilities and equipment	225,000
Le Bonheur Children's Medical Center, Memphis, TN, for construction, renovation, and equipment	400,000
Le Mars Dialysis Center, LeMars, IA, for construction, renovation and equipment	200,000
League Against Cancer, Miami, FL for purchase of equipment	200,000
Legacy Health System, Portland, Oregon, for telemedicine equipment	84,700
Lehigh Valley Hospital and Health Network, Allentown, PA, for construction	90,000
Lewis and Clark Community College, Godfrey, IL, to purchase and equip a mobile health clinic to serve rural areas	295,000
Liberty County, FL, Bristol, FL for facilities and equipment for a medical facility	350,000
Liberty Regional Medical Center, Hinesville, GA for facilities and equipment	200,000
LifeBridge Health of Baltimore, MD, to implement the Computerized Physician Order Entry Initiative	425,000
Limestone Community Care, Inc. Medical Clinic, Elkmont, AL for facilities and equipment	75,000
Lincoln Community Health Center, Durham, NC for facilities and equipment	200,000
Lincoln Medical and Mental Health Center, Bronx, NY for facilities and equipment	225,000
Lodi Memorial Hospital, Lodi, CA for a telehealth project	175,000
Loretto, Syracuse, NY for facilities and equipment for elderly health care and skilled nursing programs	250,000
Los Angeles Orthopaedic Hospital, Los Angeles, CA for facilities and equipment in the Lowman Center	275,000
Lou Ruvo Alzheimer's Institute, Las Vegas, NV, for construction, renovation, and equipment	339,000
Louisville Metro Department of Public Works, Louisville, KY for facilities and equipment for a mobile health unit	250,000
Lourdes Medical Center of Burlington County, Willingboro, NJ for purchase of equipment	150,000
Lowell Community Health Center, Lowell, MA for facilities and equipment	240,000
Loyola University Health System, Maywood, IL for facilities and equipment	400,000
Lucile Packard Children's Hospital, Palo Alto, CA for facilities and equipment	320,000
Madison Center, South Bend, IN for facilities and equipment for a clinic for attention deficit hyperactivity disorder	150,000
Madison Community Health Center, Madison, WI, for equipment	275,000
Madison County Memorial Hospital, Rexburg, ID for facilities and equipment	250,000
Madison County, Virginia City, MT for facilities and equipment	300,000
Madison St. Joseph Health Center, Madisonville, TX for facilities and equipment	120,000
Magee Rehabilitation Hospital, Philadelphia, PA, for equipment	90,000
Magee-Women's Research Institute and Foundation, Pittsburgh, PA, for equipment	90,000
Maine Center for Marine Biotechnology, Gulf of Maine Research Institute, Portland, ME for facilities and equipment	140,000
Maine Coast Memorial Hospital, Ellsworth, ME, for construction, renovation, and equipment	147,500
Maine Primary Care Association, Augusta, ME for health information systems in community health centers across the State	190,000
Maliheh Free Clinic, Salt Lake City, Utah, for renovation and equipment	50,000
Manchester Memorial Hospital, Manchester, CT for facilities and equipment	300,000
Marana Health Center, Marana, AZ for facilities and equipment	125,000
Marcus Daly Memorial Hospital, Hamilton, MT, for construction, renovation and equipment	240,000
Marcus Institute, Atlanta, GA, for equipment	184,700
Marian Community Hospital, Carbondale, PA, for equipment	90,000
Marias Medical Center, Shelby, MT for purchase of equipment	200,000
Marquette General Hospital, Marquette, MI for facilities and equipment	450,000
Marquette University, Milwaukee, WI, for a dental health outreach program	210,000
Marshall University, WV, for the Bioengineering and Biomanufacturing Institute	1,575,000
Marshall University, WV, for the construction of a patient care and clinical training site in Southwestern West Virginia	2,925,000
Marshall University, WV, for the Virtual Colonoscopy Outreach Program	1,420,000
Marshalltown Medical and Surgical Center, Marshalltown, IA for high resolution medical imaging, including purchase of equipment	400,000
Mary Scott Nursing Center, Dayton, OH for facilities and equipment	500,000
Maryland Hospital Association, Elkridge, MD, for the Nursing Career Lattice Program	450,000
Maryland State Dental Association, Columbia, MD for facilities and equipment for mobile dental care units	150,000
Maryville University, St. Louis, MO for facilities and equipment at the Center for Science and Health Professions	200,000
Mason County Board of Health, Maysville, KY for facilities and equipment	400,000
Massachusetts College of Pharmacy and Health Sciences, Worcester, MA for health information technology systems	350,000
Maui Community Health Center, HI, for construction, renovation and equipment	800,000
Maui Economic Development Board, HI, for the Lanai Women's Initiative	100,000
Maury Regional Hospital, Columbia, TN for facilities and equipment	400,000
McKinley County, New Mexico, Gallup, NM, for construction, renovation, and equipment of the dialysis center	960,000
Meadville Medical Center, Meadville, PA, for construction and equipment	90,000
Medical Education Development Consortium, Scranton, PA, for construction	847,500
Meharry Medical College, Nashville, TN for facilities and equipment	500,000
Memorial Hermann Baptist Beaumont Hospital, Beaumont, TX for facilities and equipment	200,000

Project	Total funding
Memorial Hermann Healthcare System, Houston, TX for facilities and equipment	200,000
Memorial Hermann Southwest Hospital, Houston, TX for facilities and equipment	140,000
Memorial Hospital of Laramie County, Cheyenne, WY, for design of the Comprehensive Community Cancer Center	350,000
Memorial Hospital, York, PA, for information technology equipment	90,000
Memphis Bioworks Foundation, Memphis, TN, for construction, renovation, and equipment at the research park	400,000
Mendocino Coast District Hospital, Fort Bragg, CA for facilities and equipment	500,000
Menominee Indian Tribe of Wisconsin, Keshena, WI for facilities and equipment for the Family Wellness Center	400,000
Mercy College of Northwest Ohio, Toledo, OH for facilities and equipment for the continuing professional education division	200,000
Mercy Fitzgerald Hospital, Darby, PA, for equipment	90,000
Mercy Health Foundation, Durango, CO for facilities and equipment for a community health clinic	300,000
Mercy Health Partners, Scranton, PA, for equipment	90,000
Mercy Hospital Grayling, Grayling, MI for facilities and equipment	125,000
Mercy Hospital of Philadelphia, Philadelphia, PA, for equipment	90,000
Mercy Hospital, Baltimore, MD, for equipment	750,000
Mercy Hospital, Buffalo, NY for facilities and equipment	200,000
Mercy Medical Center, Redding, CA for facilities and equipment	200,000
Mercy Medical Center, Springfield, MA, for equipment	190,000
Mercy Medical Center-House of Mercy, Des Moines, IA for facilities and equipment related to substance abuse	500,000
Mercy Memorial Hospital, Monroe, MI for facilities and equipment	200,000
Mercy Ministries Health Center, Laredo, TX for a mobile health unit	200,000
Mercy Suburban Hospital, Norristown, PA for facilities and equipment	450,000
Methodist Hospital of Southern California, Arcadia, CA for facilities and equipment	700,000
Methodist Hospital, Houston, Texas, for renovation and equipment	424,000
Methodist Hospital, Houston, TX for purchase of equipment	375,000
Metro Health, Cleveland, OH, for The Northeast Ohio Senior Health and Wellness Center	84,750
Metropolitan Hospital, New York, NY for facilities and equipment	100,000
MetroWest Medical Center Framingham Union Hospital, Framingham, MA for facilities and equipment for interpreting services	100,000
Miami Beach Community Health Center, Miami Beach, FL for facilities and equipment	150,000
Mid Valley Hospital, Peckville, PA, for equipment, construction and renovation	90,000
Middle Tennessee State University, Murfreesboro, TN for facilities and equipment for the school of nursing	250,000
Middlesex Community College, Lowell, MA for facilities and equipment for the health education programs	200,000
Middletown Regional Hospital, Middletown, OH for facilities and equipment for the Greentree Science Academy in Franklin, OH	100,000
Mid-Ohio FoodBank, Columbus, OH for facilities and equipment	200,000
Miles Community College, Miles City, MT for the Pathways to Careers in Healthcare initiative	350,000
Minot State University, Minot, ND, to monitor and treat individuals with autism spectrum disorder in rural areas with limited access to health professionals	420,000
Mission Hospitals, Asheville, NC for facilities and equipment	200,000
Mississippi Primary Health Care Association, Jackson, MS,	400,000
Mississippi State University, Mississippi State, MS, for the Tissue Engineering Research Center	250,000
Missouri Delta Medical Center, Sikeston, MO for purchase of equipment	200,000
Monongahela Valley Hospital, Monongahela, PA, for equipment	90,000
Monroe Clinic, Monroe, WI for health care information technology	300,000
Monroe County Hospital, Forsyth, GA for facilities and equipment	45,000
Montefiore Medical Center, Bronx, NY for health information systems	140,000
Montgomery Area Nontraditional Equestrians, Pike Road, AL for construction of facilities to serve the disabled	100,000
Monticello, Utah, to provide preventive screening for Monticello Mill Legacy	84,750
Morehead State University, Morehead, KY to improve rural health	300,000
Morris Heights Health Center, Inc., Bronx, NY for facilities and equipment	125,000
Morton Hospital and Medical Center, Taunton, MA for facilities and equipment	350,000
Moses Taylor Hospital, Scranton, PA, for equipment	90,000
Mount Nittany Medical Center, State College, PA for facilities and equipment	251,750
Mount Sinai Medical Center, Miami Beach, FL, for construction, renovation and equipment	340,000
Mount Vernon Hospital, Mount Vernon, NY for facilities and equipment	300,000
Mount Wachusett Community College, Gardner, MA for facilities and equipment	525,000
Mountain State University, Beckley, WV, for the construction of the Allied Health Technology Tower	3,240,000
Muhlenberg Community Hospital, Greenville, KY for facilities and equipment	150,000
Myrna Brind Center of Integrative Medicine, Philadelphia, PA, to develop three models of integrative programs of clinical excellence	90,000
National Jewish Medical and Research Center, Denver, CO, for facilities and equipment	500,000
Naugatuck Valley Community College, Waterbury, CT for facilities and equipment for the nursing program	100,000
Nebraska Hospital Association Research and Education Foundation, Lincoln, NE for a telehealth demonstration, including purchase of equipment	475,000
Nevada Rural Hospital Partners, Reno, NV, to expand and enhance a rural telemedicine project	450,000
New Hampshire Community Health Centers, Concord, NH, for construction, renovation, and equipment	400,000
New Orleans Office of Homeland Security and Emergency Preparedness, New Orleans, LA, for equipment and supplies for a mobile medical hospital	1,000,000
New York College of Osteopathic Medicine, Old Westbury, NY for disease management and patient advocacy programs, including purchase of equipment	430,000
New York Presbyterian Hospital, New York, NY for facilities and equipment	500,000
New York-Presbyterian Hospital, NY, for cardiac care telemetry	600,000
Newark Beth Israel Medical Center, Newark, NJ for facilities and equipment	290,000
Newark-Wayne Community Hospital, Newark, NY for facilities improvements and digital health care equipment	750,000
Newport Hospital, Newport, RI for facilities and equipment	300,000
Newton Memorial Hospital, Newton, NJ for purchase of equipment	150,000
Niagara Falls Memorial Medical Center, Niagara Falls, NY for facilities and equipment	500,000
Noble Hospital, Westfield, MA, for construction, renovation and equipment	170,000
Norman Regional Health System, Norman, OK for telehealth and electronic medical records initiatives	640,000
North Country Children's Clinic, Inc., Watertown, NY, for construction and renovation	500,000
North Dakota State University, Fargo, ND, to expand a statewide telepharmacy project	850,000
North General Hospital, New York, NY, for construction, renovation and equipment	700,000
Northcentral Montana Healthcare Alliance, Great Falls, MT, for health information technology	175,000
NorthEast Ohio Neighborhood Health Services, Inc., Cleveland, OH for facilities and equipment	300,000
Northeast Wisconsin Technical College, Green Bay, WI for a mobile health clinic	175,000
Northeastern Pennsylvania Technology Institute, Scranton, PA, to connect the eighteen regional hospitals with state and federal medical experts during incident response and recovery	90,000
Northern Dutchess Hospital, Rhinebeck, NY for health information technology systems	200,000
Northern Larimer County Health District, Fort Collins, CO, for the Acute Mental Health and Detoxification Facility	85,000
Northern Maine Community College, Presque Isle, ME, for construction, renovation, and equipment	107,500
Northern Virginia Urban League, Alexandria, VA, for services and equipment to promote healthy pregnancy outcomes in the Northern Virginia region	150,000
Northern Westchester Hospital, Mount Kisco, NY for facilities and equipment	100,000
Northland Medical Center, Princeton, MN for purchase of equipment	350,000
Northwest Colorado Visiting Nurse Association, Inc., Steamboat Springs, CO, to construct and equip a community health clinic	125,000
Northwest Community Health Care, Pascoag, RI for facilities and equipment	450,000
Northwest Hospital and Medical Center, Seattle, WA, for a Community Health Education and Simulation Center	1,000,000
Northwest Hospital Intermediate Care Unit, Randallstown, MD for facilities and equipment	125,000
Northwest Hospital, Baltimore, MD, for equipment	375,000
Northwest Kidney Centers, Seattle, WA for facilities and equipment	290,000
Northwest Nazarene University, Nampa, ID for facilities and equipment	450,000
Northwest Research and Education Institute, Billings, MT, to create a continuing medical education program	280,000
Northwestern Memorial Hospital, Chicago, IL for facilities and equipment for Prentice Women's Hospital	375,000
NYU School of Medicine, NY, NY, for the Basic Research and Imaging Program	900,000
Oakland University School of Nursing, Rochester, MI for facilities and equipment	350,000
Oaklawn Adult Group Home, Goshen, IN for facilities and equipment	150,000
Oakwood Healthcare System Foundation, Dearborn, MI for facilities and equipment for the Western Wayne Family Health Center	200,000
Ocean Beach Hospital, Ilwaco, WA for a telepharmacy program	550,000
Oconee Memorial Hospital, Seneca, SC, to design, develop, and implement a community-wide health information exchange system	84,750
Ohio State University Comprehensive Cancer Center, Columbus, OH for James Cancer Survivorship Center for construction of facilities	234,750
Ohio University, Athens, Ohio, for the Appalachian Healthcare Screening Program	200,000
Ohio Valley General Hospital, McKees Rocks, PA, for equipment	90,000
Oklahoma Foundation for Kidney Disease, Oklahoma City, OK, for telehealth applications	85,750
Oklahoma Medical Research Foundation (OMRF), Oklahoma City, OK, for construction, renovation, and equipment of a Biotech Research Tower	100,000
Oklahoma State University, Center for Health Sciences, Tulsa, OK, for mobile health clinics	100,000
Oklahoma University College of Medicine—Tulsa, Tulsa, OK for facilities and equipment	150,000
Olympic Community Action Program, Port Angeles, WA for facilities and equipment for the OlyCAP Oral Health Center	50,000
Orange County Government, Orlando, FL, for health information technology equipment	169,500
Oregon Coast Community College, Newport, OR for facilities and equipment for health professions education	134,700

Project	Total funding
Osceola County Health Department, Poinciana, FL for facilities and equipment	200,000
Osceola Medical Center, Osceola, WI for facilities and equipment	150,000
Ottumwa Regional Health Center, Ottumwa, IA, for construction, renovation and equipment	400,000
Our Lady of Lourdes Medical Center, Camden, NJ, for facilities and equipment	600,000
Our Lady of Lourdes Memorial Hospital, Binghamton, NY for facilities and equipment	350,000
Owensboro Medical Center, Owensboro, KY, for construction, renovation, and equipment	127,125
Palisades Medical Center, North Bergen, NJ for facilities and equipment	275,000
Palmetto Health Foundation, Columbia, SC for facilities and equipment	1,000,000
Parkland Health Center, Farmington, MO for facilities and equipment	200,000
Passavant Area Hospital, Jacksonville, IL for facilities and equipment	250,000
Pattie A. Clay Regional Medical Center, Richmond, KY for facilities and equipment	250,000
Pee Dee Healthy Start, Florence, SC for programs to improve maternal and child health	88,000
Peninsula Hospital Center, New York, NY for health information systems	320,000
Penn State Milton S. Hershey Medical Center/College of Medicine, Hershey, PA, for construction	169,500
People, Inc., Williamsville, NY for electronic health records upgrades	400,000
Peralta Community College, Oakland, CA for facilities and equipment for the nursing program at Highland Hospital	300,000
Person Memorial Hospital, Roxboro, NC for facilities and equipment	340,000
Philadelphia College of Osteopathic Medicine, Philadelphia, PA, for equipment	90,000
Phoebe Putney Memorial Hospital, Albany, GA, to partner with Dougherty County School System to implement a pilot program to promote healthy lifestyles in school children	84,700
Phoenix Children's Hospital, Phoenix, AZ for health information systems	300,000
Piedmont Access to Health Services, Inc. (PATHS), Danville, VA, for construction, renovation and equipment	145,000
Pinnacle Health System, Harrisburg, PA, for construction	90,000
Pioneer Valley Life Sciences Institute, Springfield, MA, for the construction of biomedical research facilities	380,000
Placer County, Auburn, CA for construction of the Children's Health Center/Emergency Shelter	400,000
Pocono Medical Center, East Stroudsburg, PA, for construction	90,000
Pointe Coupee Better Access Community Health, New Roads, LA for facilities and equipment	350,000
Ponce Center of Autism, Municipality of Ponce, PR for facilities and equipment at the Autism Center	225,000
Powell County Medical Center, Deer Lodge, MT for facilities and equipment	100,000
Powell Valley Health Care, Powell, WY for electronic information technology	400,000
Prairie Star Health Center, Hutchinson, KS for facilities and equipment	200,000
Preston Memorial Hospital, Kingwood, WV for information technology equipment	300,000
Primary Care Association of HI, for construction, renovation, equipment, disability services and outreach at the State's health centers	1,000,000
Project Access Spokane, Spokane, WA for healthcare delivery to low income residents	200,000
ProMedica Continuing Care Service Corporation, Adrian, MI for a telemedicine initiative	163,000
Provena Saint Joseph Hospital, Elgin, IL for facilities and equipment	300,000
Providence Community Health Centers, Providence, RI, for construction	255,000
Providence Health System, Anchorage, AK to improve services in underserved regions	200,000
Providence Medical Center, Kansas City, KS, for telehealth upgrades	350,000
Providence Telehealth Network Rural Outreach Program, Spokane, WA, for equipment	250,000
Putnam Hospital Center, Carmel, NY for facilities and equipment	200,000
Quebrada Health Center, Municipality of Camuy, PR for purchase of equipment	125,000
Quincy Valley Medical Center, Quincy, WA for facilities and equipment	150,000
Rancho Santiago Community College District, Santa Ana, CA for facilities and equipment for a medical education complex in Garden Grove, CA	240,000
Rapid City Area School District 51/4, Rapid City, SD, for construction, renovation, and equipment for a school-based health clinic	84,750
Reading Hospital and Medical Center, West Reading, PA, for equipment	90,000
Reading Hospital School of Nursing, West Reading, PA for nurse training programs including facilities and equipment	200,000
Redevelopment Authority of the County of Washington, Washington, PA, for construction and renovation at Washington Hospital	90,000
Reformed Presbyterian Woman's Association, Pittsburgh, PA for facilities and equipment for a skilled nursing facility	320,000
Regional Children's Hospital, Johnson City, TN for facilities and equipment	100,000
Rhode Island Quality Institute, Providence, RI for health information technology in conjunction with Rhode Island mental health organizations	900,000
Rice University, Houston, TX, for equipment for the Collaborative Research Center	370,000
Rio Arriba County, Espanola, NM for facilities and equipment for the Health Commons	750,000
Riverside County Regional Medical Center, Moreno Valley, CA for facilities and equipment	600,000
Riverside County Regional Medical Center, Moreno Valley, CA for facilities and equipment	140,000
Riverside Health System, Newport News, VA for the Patient Navigator Program	150,000
Riverside Healthcare, Kankakee, IL, for a computerized physician order entry system	295,000
Rochester General Hospital, Rochester, NY, for heart failure equipment and training	250,000
Roosevelt Hospital, New York, NY for facilities and equipment	390,000
Roper/Saint Francis Healthcare, Charleston, SC, for the expansion initiative for construction, renovation, and equipment	169,500
Rosebud Inter-facility Transport, Rosebud, SD, for purchase of emergency vehicles and equipment	200,000
Rosebud Sioux Tribe, Rosebud, SD for facilities and equipment	800,000
Roswell Park Cancer Institute, Buffalo, NY for facilities and equipment	440,000
Rural Health Technology Consortium for facilities and equipment	200,000
Rural Wisconsin Health Cooperative, Sauk City, WI, for health information technology	190,000
Rush University Medical Center, Chicago, IL for facilities and equipment for the Center for Advanced Medical Response	225,000
Sac and Fox Tribe of the Mississippi in Iowa for a Tribal Health Care Clinic	625,000
Sacred Heart Hospital of Allentown, Allentown, PA, for equipment	90,000
Saginaw Valley State University, University Center, MI for purchase of equipment	350,000
Saint Agnes Hospital, Baltimore, MD, for equipment	750,000
Saint Alphonsus Regional Medical Center, Boise, ID, for rural emergency medical services training and equipment	250,000
Saint Anthony Hospital, Oklahoma City, OK, for construction, renovation, and equipment of a Level II Newborn Nursery	100,000
Saint Croix Regional Family Health Center, Princeston, ME, for construction, renovation, and equipment	137,500
Saint Francis Hospital, Grand Rapids, MI, for construction, renovation and equipment	255,000
Saint Francis University, Loretto, PA, for equipment	90,000
Saint Joseph's Hospital, Nashua, NH, for the Patient Focused Technology Initiative	589,000
Saint Joseph's Hospital, Phoenix, AZ, to purchase and equip a mobile prenatal clinic for the MoMobile program	423,750
Saint Louis Children's Hospital, St. Louis, MO, for construction, renovation, and equipment of the Neonatal Intensive Care Unit Expansion	847,000
Saint Luke's Episcopal Hospital, Houston, TX, for equipment for the Neuroscience Center	175,000
Saint Luke's Hospital, Allentown, PA, for construction and equipment	90,000
Saint Luke's Miners Memorial Hospital, Coaldale, PA, for equipment	90,000
Saint Mary Medical Center, Langhorne, PA, for health outreach programs	90,000
Saint Mary's Good Samaritan Hospital, Mount Vernon, IL, for equipment	450,000
Saint Mary's Health Care, Grand Rapids, MI for an electronic health records initiative, including equipment	150,000
Saint Mary's Hospital Incorporated, Waterbury, CT, for construction, renovation and equipment	550,000
Saint Mary's Medical Center, Lewiston, ME, for equipment	162,500
Saint Patrick Hospital and Health Sciences Center, Missoula, MT, to implement an electronic medical records system	320,000
Saint Peter's Hospital, Helena, MT, for construction, renovation and equipment	120,000
Saint Vincent Healthcare Foundation, Billings, MT, for a feasibility study on the establishment of the Montana Children's Hospital Network	600,000
Saint Vincent Regional Medical Center, Santa Fe, NM, for construction, renovation, and equipment	750,000
Sam Rogers Health Clinic, Kansas City, MO for facilities and equipment	320,000
San Antonio Hospital Foundation, Upland, CA for facilities and equipment	550,000
San Diego County, Santee, CA, to purchase equipment for Edgemoor Hospital renovation	420,000
San Francisco Medical Center Outpatient Improvement Programs, Inc., San Francisco, CA for facilities and equipment	450,000
San Luis Valley Regional Medical Center, Alamosa, CO, for health information technology	170,000
San Mateo County, Redwood City, CA for facilities and equipment for the San Mateo Medical Center Emergency Department	450,000
San Ysidro Health Center, San Ysidro, CA for facilities and equipment	100,000
Sandoval County, Bernalillo, NM for a telemedicine initiative, including purchase of equipment	200,000
Santa Rosa Memorial Hospital, Orange, CA for facilities and equipment	390,000
Schneck Medical Center, Seymour, IN for facilities and equipment	400,000
Scotland Memorial Hospital, Laurinburg, NC for facilities and equipment	300,000
Seattle Cancer Care Alliance, Seattle, WA for facilities and equipment	1,500,000
Sharon Regional Health System, Sharon, PA, for equipment	90,000
Sharp Rehabilitation Services, San Diego, CA for facilities and equipment	200,000
Shasta Community Health Center, Redding, CA for facilities and equipment	150,000
Shawano County Rural Health Initiative, Shawano, WI for rural health care	75,000
Shodair Children's Hospital, Helena, MT, for project Cancer Genetics	120,000
Sidney Health Center, Sidney, MT for purchase of equipment	300,000
Sierra Nevada Memorial Foundation, Grass Valley, CA for an electronic health records initiative	350,000
Sierra Vista Hospital, Truth or Consequences, NM, for construction, renovation, and equipment	750,000
Sistersville General Hospital, Sisterville, WV for facilities and equipment	250,000

Project	Total funding
Sixteenth Street Community Health Center, Milwaukee, WI, for renovations	275,000
Skagit Valley Hospital Cancer Care Center, Mount Vernon, WA for facilities and equipment	425,000
Soldiers & Sailors Memorial Hospital, Wellsboro, PA, for emergency department expansion	90,000
Soldiers and Sailors Memorial Hospital, Wellsboro, PA for purchase of equipment	200,000
Somerset Hospital, Somerset, PA, for equipment	90,000
Somerset Medical Center, Somerville, NJ for electronic health records upgrades	500,000
South Broward Hospital District, Hollywood, FL for facilities and equipment	275,000
South Carolina HIV/AIDS Council, Columbia, SC for health outreach	185,000
South Carolina Office of Rural Health, Lexington, SC, for an electronic medical records system	169,500
South Dakota State University, Brookings, SD, for construction of a pharmacy education space	300,000
South Dakota State University, Brookings, SD, to construct the Center for Accelerated Design, Screen, and Development of Biomaterials	350,000
South Nassau Communities Hospital, Oceanside, NY for facilities and equipment	320,000
South Shore Hospital, South Weymouth, MA for facilities and equipment	400,000
South Sound Health Communication Network, Tacoma, WA, for a community Health Record Bank	200,000
Southampton Hospital, Southampton, NY for facilities and equipment	500,000
Southcentral Foundation, Anchorage, AK, to purchase equipment for the Primary Care Center in Anchorage, Alaska	1,000,000
Southeast Alabama Medical Center, Dothan, AL for facilities and equipment for the Southeast Regional Cancer Screening Program	350,000
Southeast Community College, Cumberland, KY for facilities and equipment for an allied health training center	100,000
Southern Methodist University, Dallas, TX for purchase of equipment	325,000
Southern Vermont Recreation Center Foundation, Springfield, VT for facilities and equipment for a medical rehabilitation unit	125,000
Southwest Tennessee Community College, Memphis, TN for facilities and equipment	320,000
St James Hospital and Health Centers, Chicago Heights, IL for facilities and equipment for the Olympia Fields campus	225,000
St. Agnes Hospital, Fresno, CA for purchase of equipment	160,000
St. Ambrose University, Davenport, IA for facilities and equipment	550,000
St. Anthony Community Hospital, Warwick, NY for facilities and equipment	100,000
St. Anthony Hospital, Chicago, IL for facilities and equipment	440,000
St. Anthony Memorial Health Centers, Hammond, IN for facilities and equipment	275,000
St. Bernard Health Center, Inc., Chalmette, LA for facilities and equipment	1,350,000
St. Bernardine Medical Center, San Bernardino, CA for facilities and equipment	700,000
St. Camillus Health and Rehabilitation Center, Syracuse, NY for the brain injury program, including facilities and equipment	400,000
St. Catharine College, St. Catharine, KY for the allied health science program, including facilities and equipment	175,000
St. Charles Parish, LaPlace, LA for purchase of equipment	150,000
St. Clair Hospital, Pittsburgh, PA for facilities and equipment	500,000
St. Claire Regional Medical Center, Morehead, KY for facilities construction	200,000
St. Elizabeth Medical Center, Utica, NY for facilities and equipment	425,000
St. Francis Hospital, Escanaba, MI for facilities and equipment	125,000
St. Francis Medical Center, Trenton, NJ for facilities and equipment	250,000
St. James Parish Hospital, Lutcher, LA for facilities and equipment	440,000
St. John's North Shore Hospital, Harrison Township, MI for facilities and equipment	200,000
St. Joseph of the Pines, Southern Pines, NC for an electronic health records system	100,000
St. Joseph Regional Medical Center, South Bend, IN for health care information technology	300,000
St. Joseph's Hospital Mercy Care Services, Atlanta, GA for health information technology	400,000
St. Joseph's Hospital, Buckhannon, WV for facilities and equipment	100,000
St. Joseph's Hospital, Savannah GA for facilities and equipment	275,000
St. Joseph's Regional Medical Center, Paterson, NJ for health information technology	320,000
St. Joseph's/Candler Health System, Savannah, GA for purchase of equipment	250,000
St. Luke's Quakertown Hospital, Quakertown, PA for facilities and equipment	425,000
St. Luke's Regional Medical Center, Ltd. Boise, ID for purchase of squipment	500,000
St. Mary Medical Center Foundation, Langhorne, PA for facilities and equipment	100,000
St. Mary Medical Center, Apple Valley, CA for the electronic intensive care unit	500,000
St. Mary's Hospital Foundation, Grand Junction, CO for facilities and equipment for the Saccomanno Education Center	440,000
St. Mary's Hospital, Madison, WI for facilties and equipment	200,000
St. Mary's Medical Center, Huntington, WV for facilities and equipment for the Center for Education	450,000
St. Mary's Regional Medical Center, Reno, NV for facilities and equipment	400,000
St. Patrick Hospital and Health Sciences Center, Missoula, MT for an electronic medical records system	300,000
St. Peter's Hospital Foundation, Albany, NY for facilities and equipment for the St. Peter's Breast Center	320,000
St. Petersburg College, St. Petersburg, FL for facilities and equipment	500,000
St. Vincent Hospital, Billings, MT for facilities and equipment	400,000
St. Vincent's Charity Hospital, Cleveland, OH for facilities and equipment	450,000
St. Vincent's Medical Center, Bridgeport, CT for facilities and equipment	425,000
St. Xavier University, Chicago, IL for facilities and equipment	200,000
Stamford Hospital, Stamford, CT for facilities and equipment	375,000
Stark Prescription Assistance Network, Canton, OH for facilities and equipment	150,000
State Fair Community College, Sedalia, MO for facilities and equipment	350,000
Stewart-Marchman Center, Inc., Daytona Beach, FL for facilities and equipment	150,000
Stone Soup Group, Anchorage, AK, to continue and expand services to Alaskans with autism in Alaska	200,000
Stony Point Ambulance Corps, Stony Point, NY for facilities and equipment	400,000
Straub Hospital Burn Center, HI, for health professions training in burn treatment	100,000
Summers County Commission, Hinton, WV for facilities and equipment for the Appalachian Regional Healthcare Hospital	280,000
Susquehanna Health System, Williamsport, PA, for equipment	90,000
Swedish Covenant Hospital, Chicago, IL for facilities and equipment	250,000
Swedish Medical Center, Seattle, WA, for construction, renovation and equipment	200,000
Sylvan Grove Hospital, Jackson, GA for facilities and equipment	50,000
Tangipahoa Parish, Loranger, LA for facilities and equipment	100,000
Tarleton State University, Stephenville, TX for the Rural Nursing Education Program, including purchase of equipment	200,000
Tarrant County Infant Mortality Task Force, Ft. Worth, TX for education and outreach programs	100,000
Taylor Regional Hospital, Hawkinsville, GA for facilities and equipment	55,000
Temple Health and Bioscience Economic Development District, Temple, TX for facilities and equipment	350,000
Temple University Health System, Philadelphia, PA, for construction and renovation	169,500
Tennessee State University, Nashville, TN, for construction, renovation, and equipment of an animal research facility for biomedical research	200,000
Teton Valley Hospital and Surgicenter, Driggs, ID for purchase of equipment	250,000
Texas A&M University—Kingsville, Kingsville, TX for facilities and equipment for a research facility	240,000
Texas A&M University, College Station, TX, for equipment in the Michael E. DeBakey Institute	225,000
Texas Health Institute, Austin, TX, for equipment for an emergency communications demonstration project	200,000
Texas Institute for Genomic Medicine, College Station, TX for facilities and equipment	125,000
Texas Medical Center, Houston, TX, for the National Center for Human Performance	175,000
Texas Tech University Health Sciences Center, El Paso and Lubbock, TX for facilities and equipment for the West Texas Center for Influenza Research, Education and Treatment	550,000
Texas Tech University Health Sciences Center, Lubbock, TX for health professionals training, including facilities and equipment	100,000
The Idaho Caring Foundation, Inc., Boise, ID for oral health services for low-income children	300,000
The Ohio State University Medical Center, Columbus, OH for facilities and equipment	200,000
The Village Network Boys' Village Campus, Wooster, OH for facilities and equipment	500,000
Thomas Jefferson University Breast Cancer Center, Philadelphia, PA for facilities and equipment	469,500
Thomason General Hospital, El Paso, TX for facilities and equipment	400,000
Thundermist Health Center, Woonsocket, RI for health information technology	500,000
Tohono O'odham Nation, Sells, AZ for facilities and equipment for its diabetes and dialysis program	125,000
Toledo Children's Hospital, Toledo, OH for facilities and equipment for a palliative care program	100,000
Tomorrow's Child/Michigan SIDS, Lansing, MI for facilities and equipment	200,000
Toumey Health Care System, Sumter, SC, for equipment	84,750
Touro University, Henderson, NV, for construction and equipment for the Center for Autism Spectrum Disorders	600,000
Town of Argo, AL for facilities and equipment for the Senior Citizens' Center for Health and Wellness	100,000
Translational Genomics Research Institute, Phoenix, AZ for facilities and equipment	923,750
Transylvania Community Hospital, Inc., Brevard, NC for facilities and equipment	275,000
Trinitas Health Foundation, Elizabeth, NJ, for construction, equipment and renovation	150,000
Trinity County, Weaverville, CA, for renovation and equipment to Mountain Community Medical Services	80,000
Tulare District Hospital, Tulare, CA for an electronic medical record system	150,000
Tuomey Healthcare System, Sumter, SC for health information systems	250,000
Twin City Hospital, Dennison, OH for facilities and equipment	325,000
Tyrone Hospital, Tyrone, PA, for equipment	90,000
Union Hospital, Terre Haute, IN for health information technology	200,000
Uniontown Hospital, Uniontown, PA for facilities and equipment for the chest pain center	300,000

Project	Total funding
Unity Health Care, Washington, DC for health information systems	320,000
University Community Hospital/Pepin Heart Hospital, Tampa, FL for purchase of equipment	200,000
University Health System, San Antonio, TX for facilities and equipment	175,000
University of Alabama, Tuscaloosa, AL for a telehealth initiative	100,000
University of Alabama, Tuscaloosa, AL, for construction, renovation, and equipment	9,322,500
University of Alaska Statewide Office, Fairbanks, AK, for the Health Distance Education Program in Alaska	500,000
University of Alaska Statewide Office, Fairbanks, AK, to develop and implement a statewide health agenda in Alaska	750,000
University of Alaska/Anchorage, Anchorage, AK, for the Geriatric and Disabled Care Training Program in Anchorage, Alaska	250,000
University of Arizona Medical Center, Tucson, AZ for facilities and equipment	425,000
University of Arkansas for Medical Sciences, Little Rock, AR for facilities and equipment	620,000
University of Arkansas Medical School Cancer Research Center, Little Rock, AR for facilities and equipment	400,000
University of California, Davis Health System, Sacramento, CA for facilities and equipment for the Center for Education	595,000
University of Chicago Hospitals, Chicago, IL for facilities and equipment	225,000
University of Colorado, Denver, CO, for construction, renovation, and equipment	254,250
University of Delaware, Newark, DE, for the Delaware Biotechnology Institute	380,000
University of Georgia, Athens, GA, for construction, renovation, and equipment	84,700
University of Illinois College of Medicine, Peoria, IL for facilities and equipment	250,000
University of Iowa, Iowa City, IA for facilities and equipment for a public health research and education building	2,250,000
University of Iowa, Iowa City, IA for facilities and equipment for an advanced biomedical research institute	4,000,000
University of Kansas Research Center, Lawrence, KS for facilities and equipment	425,000
University of Kentucky Research Foundation, Lexington, KY, for equipment and renovation	1,500,000
University of Kentucky Research Foundation, Lexington, KY, for the Kentucky Oral Health Initiative	500,000
University of Louisville Research Foundation, Louisville, KY, to upgrade and expand cardiovascular facilities at the University of Louisville	8,424,375
University of Maryland School of Nursing, Baltimore, MD, for the Institute for Educators in Nursing and Health Professions	750,000
University of Massachusetts Memorial Medical Center, Worcester, MA for health information technology	900,000
University of Memphis, Memphis, TN for facilities and equipment for the community health building	320,000
University of Miami Miller School of Medicine, Miami, FL, for the Center for Patient Safety	425,000
University of Miami, Miami, FL for equipment at the Center for Research in Medical Education	150,000
University of Michigan Health System, Ann Arbor, MI for facilities and equipment for the C.S. Mott Children's and Women's Hospitals	450,000
University of Minnesota, Minneapolis, MN, for construction, renovation, and equipment	296,625
University of Mississippi Medical Center, Jackson, MS, for construction, renovation, and equipment at the Arthur C. Guyton Laboratory Building	3,000,000
University of Mississippi Medical Center, Jackson, MS, for equipment for the School of Dentistry	100,000
University of Mississippi School of Pharmacy, University, MS, for construction, renovation, and equipment	2,300,000
University of Mississippi, University, MS, for Phase II of the National Center for Natural Products Research	5,000,000
University of Mississippi, University, MS, for the Center for Thermal Pharmaceutical Processing	300,000
University of Nebraska Medical Center, Omaha, NE, for construction of a cancer floor	725,000
University of Nebraska Medical Center, Omaha, NE, for construction, renovation and equipment at the College of Nursing in Lincoln, Nebraska	100,000
University of Nebraska Medical Center, Omaha, NE, for the NEED-IT program for statewide lung cancer screenings	100,000
University of Nevada Health Sciences System, Las Vegas, NV, for construction and equipment	1,000,000
University of Nevada School of Medicine, Center for Molecular Medicine, Reno, NV, for the purchase of equipment and for construction	1,500,000
University of Nevada, Las Vegas, NV, for construction at the School of Public Health	700,000
University of New Mexico, Albquerque, NM, for construction, renovation, and equipment	3,750,000
University of North Alabama, Florence, AL for facilities and equipment for a science building	250,000
University of North Dakota School of Medicine and Health Services, Grand Forks, ND, for construction of a forensic facility	1,275,000
University of North Texas, Denton, TX for the center for Computational Epidemiology, including facilities and equipment	500,000
University of Northern Colorado, Greeley, CO to develop the National Center for Nursing Education, including facilities and equipment	450,000
University of Pennsylvania, Philadelphia, PA, for equipment	169,500
University of Pittsburgh Cancer Institute, Pittsburgh, PA, for equipment	169,500
University of Pittsburgh Medical Center, Pittsburgh, PA, for equipment	90,000
University of South Alabama, Mobile, AL, for renovation and equipment	508,500
University of South Dakota Sanford School of Medicine, Vermillion, SD, for medical equipment	2,000,000
University of South Dakota, Vermillion, SD, for biomedical laboratory facilities and equipment	100,000
University of South Florida for the Tampa, FL Cancer Clinical Trials Project	550,000
University of Tennessee Health Science Center, Memphis, TN, for equipment at the regional biocontainment laboratory	250,000
University of Tennessee of Chattanooga, Chattanooga, TN for a low birth weight study	400,000
University of Texas M.D. Anderson Cancer Center, Houston, TX, for equipment	385,000
University of Texas Medical Branch at Galveston, Galveston, TX, for equipment	200,000
University of Texas Southwestern Medical Center, Dallas, TX for facilities and equipment for the sickle cell program	500,000
University of Texas Southwestern Medical Center, Dallas, TX for purchase of equipment	200,000
University of Virginia Health System, Charlottesville, VA for a telehealth project for southwest VA	240,000
University of Wisconsin Superior, Superior, WI, for construction and equipment	170,000
University of Wisconsin-Oshkosh, Oshkosh, WI for facilities and equipment	200,000
Utah Navajo Health System, Inc., Montezuma Creek, UT for telehealth systems	140,000
Valley Baptist Health System, Harlingen, TX, for the Hispanic Stroke Care Center of Excellence for equipment	175,000
Valley Cooperative Health Care, Hudson, WI for health information systems	100,000
Vanguard University Nursing Center, Costa Mesa, CA for facilities and equipment	200,000
Vermont Information Technology Leaders, Inc, Montpelier, VT, for health information technology	500,000
Village of Kiryas Joel, NY, for equipment for a women's health center	150,000
Virginia Dental Health Foundation, Richmond, VA, for the Mission of Mercy project	100,000
Virginia Primary Care Association, Richmond, VA, for health information technology	140,000
Virtua Memorial Hospital Burlington County, Mount Holly, NJ for purchase of equipment	200,000
Visiting Nurse Association Healthcare Partners of Ohio, Cleveland, OH for telehealth	400,000
Wadsworth Rittman Hospital Foundation, Wadsworth, OH for facilities and equipment	400,000
Wake County, Raleigh, NC for facilities and equipment for Holly Hill Hospital	300,000
WakeMed Health & Hospitals, Raleigh, North Carolina, for the Emergency Operations and Regional Call Center	175,000
Washington State University, Seattle, WA, for construction and equipment at the College of Nursing	1,345,000
Washington County, GA Regional Medical Center, Sandersville, GA for facilities and equipment	250,000
Washington Hospital Center, Washington, DC for facilities and equipment	320,000
Washington Parish, Bogalusa, LA for health care centers, including facilities and equipment	100,000
Wayne Memorial Hospital, Honesdale, PA, for equipment	90,000
Wayne Memorial Hospital, Jesup, GA for facilities and equipment	550,000
Wayne Memorial Hospital, Jesup, GA, for construction, renovation, and equipment	84,700
Wentworth-Douglass Hospital, Dover, NH, for equipment	370,000
Wesley College, Dover, DE, for the expansion of the nursing program	170,000
West Jefferson Medical Center, Marrero, LA for facilities and equipment	440,000
West Shore Medical Center, Manistee, MI for facilities and equipment	150,000
West Side Community Health Services, St. Paul, MN for facilities and equipment	150,000
West Virginia University Hospital, Morgantown, WV for facilities and equipment	200,000
West Virginia University, for the construction and equipping of medical simulation research and training centers in Morgantown, Charleston and Martinsburg	2,835,000
West Virginia University, for the construction of a Multiple Sclerosis Center	3,645,000
Westerly Hospital, Westerly, RI, for construction, renovation and equipment	425,000
Western Kentucky University Research Foundation, Bowling Green, KY, for the Western Kentucky University Mobile Health Screening Unit	500,000
Western North Carolina Health System, Asheville, NC for health information technology	325,000
Western Pennsylvania Hospital, Pittsburgh, PA, for construction	90,000
Wetzel County Hospital, WV, for the expansion and remolding of the Emergency Department	900,000
Whidden Memorial Hospital, Everett, MA for facilities and equipment	375,000
White County Memorial Hospital, Monticello, IN for facilities and equipment	210,000
White Memorial Medical Center, Los Angeles, CA for facilities and equipment	400,000
White Plains Hospital Center, White Plains, NY for facilities and equipment	225,000
Whiteside County Department of Health, Rock Falls, IL for facilities and equipment	320,000
Whitman Walker Clinic of Northern Virginia, Arlington, VA, for construction, renovation and equipment	140,000
Whittemore Peterson Institute for Neuro-Immune Disease, Sparks, NV for facilities and equipment	200,000
Wills Eye Health System, Philadelphia, PA, for equipment	90,000
Wind River Community Health Center, Riverton, WY for facilities and equipment	250,000
Wing Memorial Hospital, Palmer, MA for facilities and equipment	320,000
Winneshiek Medical Center, Decorah, IA for purchase of medical equipment	280,000
Wistar Institute, Philadelphia, PA, for construction	90,000
Wolfson Children's Hospital, Jacksonville, FL for purchase of equipment	500,000
Woodhull Medical and Mental Health Center, Brooklyn, NY for equipment for a hospital-based radiologic technology school	330,000
Woodruff County Nursing Home, McCrory, AR for facilities and equipment	225,000

Project	Total funding
Wyoming County Community Hospital, Warsaw, NY for facilities and equipment	150,000
Wyoming Health Resources Network, Inc., Cheyenne, WY, to expand recruitment and retention of medical professionals in Wyoming	412,000
Wyoming Valley Health Care System-Hospital, Wilkes-Barre, PA, for equipment	90,000
YMCA of Central Stark County, Canton, OH for facilities and equipment	750,000
York Memorial Hospital, York, PA for facilities and equipment	92,000
Youth Crisis Center, Jacksonville, FL for facilities and equipment	300,000
Zucker Hillside Hospital, Glen Oaks, NY for facilities and equipment	490,000

The conference agreement does not include bill language proposed by the Senate earmarking $250,000 for the Center for Asbestos Related Disease (CARD) Clinic in Libby, Montana. The House bill did not contain similar language.

The conferees have included bill language proposed by the Senate identifying $40,000,000 for base grant adjustments for existing community health centers instead of $35,000,000 as proposed by the House.

The conference agreement includes bill language contained in the Senate bill permitting funding appropriated for the free clinics program to be used for relevant evaluations as well as for administrative expenses. The House bill included no similar provision.

The conference agreement includes bill language providing $12,000,000 for the National Cord Blood Inventory as proposed by the Senate. The House bill contained similar language appropriating $15,000,000 for the program.

The conference agreement includes bill language designating $44,055,000 for expenses associated with extending Federal Tort Claims Act protection to practitioners in community health centers as proposed by the Senate instead of $45,000,000 as proposed by the House.

The conference agreement includes bill language providing $1,868,809,000 for Parts A and B of the Ryan White HIV/AIDS Treatment Modernization Act, to be available through September 30, 2010, instead of $1,865,800,000 as proposed by the House and $1,829,511,000 as proposed by the Senate.

The conference agreement includes bill language similar to that proposed by the House limiting 2007 program year reductions in Ryan White Part A grants for metropolitan areas to 8.4 percent and for transitional areas to 13.4 percent. The Senate bill did not have a similar provision.

The conference agreement includes bill language designating $103,666,000 out of the funds provided for the maternal and child health block grant to be for special projects of regional and national significance (SPRANS). The Senate bill provided $95,936,920 for this purpose; the House provided $170,991,000.

The conference agreement designates in bill language $10,586,000 of funds provided for the block grant for Community Integrated Service Systems (CISS) activities as proposed by the Senate. The House did not designate funds for CISS grants in bill language.

The conference agreement includes bill language as proposed by the Senate providing $39,283,000 to the Denali Commission as a direct lump payment pursuant to P.L. 106–113. The House did not include funding for the Commission.

The conference agreement includes bill language providing $25,000,000 for the Delta Health Initiative and associated administrative expenses as proposed by the Senate. The House had no similar provision. The conference agreement includes bill language proposed by the Senate that identifies not less than $5,000,000 for general dentistry programs, not less than $5,000,000 for pediatric dentistry programs, and not less than $24,614,000 for family medicine programs.

The conference agreement does not include bill language proposed by the Senate that would modify the current rules for managing facility and equipment projects. The House bill did not include a similar provision.

The conferees support continued efforts to expand the community health centers program into areas of the country without access to a health center, but urge HRSA not to allocate new funding according to certain geographic areas, such as counties.

The conference agreement provides $14,200,000 for Native Hawaiian health care activities within the consolidated health centers program as proposed by the Senate. The House did not identify specific funding for Native Hawaiian activities.

The conference agreement provides $50,000,000 for competitive State health access grants, instead of $75,000,000 as proposed by the House, for the same purposes as indicated in the House report. The Senate had no similar provision.

The conferees restate the intention in the Senate report that National Health Service Corps recruitment funds should be used only to support multi-year, rather than single year, commitments.

The conference agreement provides $8,960,000 for allied health training programs, of which $5,000,000 is for grants to States authorized under section 340G of the Public Health Service Act to improve access to dental care, $1,980,000 is allocated to the chiropractic-medical school demonstration grants, and $1,980,000 is designated for the psychology training program. The Senate provided $7,960,000 for allied health programs and the House provided $3,960,000.

The conferees have included $6,700,000 for resources to help women preparing for childbirth and first-time parents. Within this amount, the conferees intend that $5,200,000 shall be for grants to States to increase public awareness of resources available to women preparing for childbirth and new parents through advertising campaigns and toll-free hotlines. The House provided $15,000,000 for this activity, which was not funded by the Senate. In addition, $1,500,000 shall be for grants to organizations to support and expand community-based doula activities, including technical assistance, as proposed by the Senate. The House had not funded this activity.

In addition, $5,000,000 of the SPRANS amount will be used to continue oral health demonstration programs and activities in the States, instead of $4,801,500 as proposed by the Senate. The House proposed $12,000,000 for oral health activities including these oral health demonstrations as well as State grants under section 340G of the Public Health Service Act. In addition to this SPRANS funding, the conferees have provided $5,000,000 for section 340G State grants within allied health.

The conference agreement also includes within the SPRANS set-aside $4,000,000 to continue epilepsy demonstrations instead of $5,800,000 as proposed by the House and $2,880,900 as proposed by the Senate.

The conference agreement includes $4,000,000 within SPRANS to continue the sickle cell newborn screening program and its locally based outreach and counseling efforts, as proposed by the House. The Senate proposed $3,841,200 for this program.

The conference agreement provides $3,000,000 within the SPRANS set-aside to continue newborn and child screening for heritable disorders instead of $3,800,000 as proposed by the House and $1,920,600 as proposed by the Senate.

The conference agreement provides $37,000,000 for a separate program for autism and other related developmental disorders, as proposed by the Senate. The House proposed $30,000,000 within the Maternal and Child Health block grant SPRANS set-aside for these activities. The conferees intend that no less than $6,000,000 be used to continue and expand the Leadership Education in Neurodevelopmental and Related Disabilities program. In addition, no less than $6,000,000 is provided for research on evidence-based practices for interventions for individuals with autism and other developmental disabilities, for development of guidelines for those interventions, and for information dissemination.

The conferees provide $1,000,000 for a fetal alcohol syndrome demonstration program instead of $990,000 as proposed by the Senate. The House did not include funding for this activity.

The conferees identify $3,200,000 within traumatic brain injury funding for protection and advocacy services, instead of $3,400,000 identified in the Senate report. The House report did not have similar language.

The conferees are pleased that HRSA intends to allocate the maximum authorized level for the minority AIDS initiative within the Ryan White HIV programs.

The conferees intend that at least fifty percent of the increase within the Ryan White children, youth, women, and families programs be used to increase average grant award size.

The conferees are aware that HRSA has issued proposed regulations revising the requirements for the 340B drug purchasing program. While there are important elements in the regulations that target abuses of the program, the conferees believe there are legitimate concerns regarding the implementation of the proposed rule's definition of patient eligibility. The questions of eligibility and the means by which eligibility is determined are important and should be carefully considered. Therefore, the conferees urge HRSA to move quickly to implement the portions of the regulation that enjoy wide support and consider re-opening the patient eligibility question for an additional public comment period. The House and Senate included similar report language.

The conference agreement includes $38,538,000 for rural flexibility grants as proposed by the Senate rather than $63,538,000 as proposed by the House, and provides $15,000,000 within the total for the small rural hospital improvement grant program as proposed by the Senate.

The conferees concur with guidance in the Senate report about the 2006 Delta health initiative satisfying the requirements of the authorization provided in section 219. The House report did not contain similar language.

The conference agreement includes $2,500,000 for rural and community access to emergency devices, of which $200,000 shall be used to establish an information clearinghouse that provides information to increase public access to defibrillation in schools, as proposed by the Senate. The House provided $2,000,000 for this program, while the Senate provided $3,000,000. The conferees intend that funding for emergency devices be divided equally between urban and rural communities, as proposed by the Senate.

The conferees note that many rural hospitals are working to implement systems to transmit medical information electronically to help deliver efficient and effective health care services to their patients. The conferees hope that HRSA will continue to examine ways to help such hospitals implement digital technologies, such as picture archiving communications systems and other digital technologies.

The conference agreement includes $143,596,000 for program management instead of $142,191,000 as provided by the House and $145,000,000 as provided by the Senate. The conferees expect HRSA to use no more than one percent of the funds allocated for projects for agency administrative expenses.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

The conference agreement provides $6,000,000 for administration for the Trust Fund instead of $3,528,000 as proposed by both the House and the Senate. These funds are necessary to support the adjudication of an expected high volume of claims.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

The conference agreement includes $6,288,289,000 for disease control, research, and training at the Centers for Disease Control and Prevention (CDC), instead of $6,138,253,000 as proposed by the House and $6,165,338,000 as proposed by the Senate. In addition, $327,022,000 is made available under section 241 of the Public Health Service (PHS) Act, instead of $319,579,000 as proposed by the House and $269,664,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes bill language designating $147,000,000 for equipment, construction, and renovation of facilities, instead of $10,500,000 as proposed by the House and $220,000,000 as proposed by the Senate. The conference agreement includes bill language to allow CDC to enter into a single contract or related contracts for the full scope of development and construction of facilities and that the solicitation and contract shall contain the clause "availability of funds" as proposed by the Senate. The House did not propose similar language. The level provided includes sufficient funds for the completion of building 24 and for other nationwide repairs and improvements.

The conference agreement includes bill language designating $52,500,000 to provide screening and treatment for first response emergency services personnel, residents, students, and others related to the September 11, 2001 terrorist attacks on the World Trade Center. The conferees intend that this program be administered by the National Institute of Occupational Safety and Health (NIOSH). The House had proposed $50,000,000 in CDC for first response emergency personnel only and the Senate had proposed $55,000,000 in the Public Health and Social Services Emergency Fund (PHSSEF) to be transferred to CDC for responders, residents, students and others.

The conference agreement includes bill language designating $116,550,000 for the National Center for Health Statistics surveys to be available through the evaluation set-aside authorized by section 241 of the PHS Act, instead of $120,000,000 as proposed by the House and $108,585,000 as proposed by the Senate. Also within the set-aside, the conference agreement includes $44,523,000 for Health Marketing instead of $39,173,000 as proposed by the House and $463,000 for health marketing evaluations as proposed by the Senate and $97,404,000 to carry out research activities within the National Occupational Research Agenda instead of $91,861,000 as proposed by the House and $92,071,000 as proposed by the Senate.

The conference agreement includes bill language that not to exceed $19,414,000 may be available for making grants for the WISEWOMAN program to not less than 15 States, tribes, or tribal organizations. The Senate proposed $19,035,000 in this same manner and the House proposed $12,500,000 to not more than 15 States, tribes, or tribal organizations.

The conference agreement includes bill language that out of the funds made available for domestic HIV/AIDS testing, up to $30,000,000 shall be for States eligible for the Early Diagnosis Grant Program, authorized by section 2625 of the Public Health Service Act, as of December 31, 2007. Funding for these grants shall be distributed by March 31, 2008 based on standard criteria relating to a State's epidemiological profile and shall not exceed $1,000,000 for any one State. Any amounts that have not been obligated by March 31, 2008 shall be used to make grants to States and local public health departments for other HIV prevention activities. The House proposed that no funds appropriated may be used to implement the Early Diagnosis Grant Program and the Senate proposed to allow up to $30,000,000 for the program if States are eligible.

The conference agreement includes bill language providing that employees of the CDC or the Public Health Service, detailed to States, municipalities, or other organizations under authority of section 214 of the PHS Act or in overseas assignments shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency as proposed by the Senate. The House included similar language but did not include employees in overseas assignments.

The conference agreement includes ongoing pandemic influenza and related activities in the CDC appropriation as proposed by the House. The Senate proposed to fund these activities in PHSSEF to be transferred to CDC.

The conferees note that in September 2007, CDC realigned its budget through a reprogramming and transfer of funds at the program, project, and activity level. The Secretary communicated his intent that the realignment of funds be permanent. Funding levels proposed in the House- and Senate-passed bills did not reflect these changes because the request for reprogramming came after initial House and Senate Committee action on the fiscal year 2008 appropriations bills. Funding levels provided in the conference agreement make the funding realignment permanent. The conferees expect CDC to adhere to enacted funding levels in fiscal year 2008 and to not tap or assess program activities for unrelated purposes.

INFECTIOUS DISEASES

The conference agreement includes $1,848,601,000 for Infectious Diseases, instead of $1,900,508,000 as proposed by the House and $1,762,083,000 as proposed by the Senate. In addition, $12,794,000 is available to carry out National Immunization Surveys to be derived from section 241 evaluation set-aside funds as proposed by both the House and Senate.

Immunization and respiratory diseases

Within the total for Infectious Diseases, the conference agreement includes a program level total of $612,654,000 for immunization and respiratory diseases instead of $636,159,000 as proposed by the House and $527,650,000 as proposed by the Senate.

Within the total for immunization and respiratory diseases, $493,682,000 is for the immunization program authorized by section 317 of the PHS Act, instead of $516,273,000 as proposed by the House and $457,523,000 as proposed by the Senate. In addition; $2,761,957,000 is included in the Centers for Medicare and Medicaid Services Grants to States for Medicaid account for the mandatory Vaccines for Children (VFC) program for vaccine purchases and distribution support for fiscal year 2008.

Within the total for immunization and respiratory diseases, $81,700,000 is for program operations, instead of $82,575,000 as proposed by the House and $62,816,000 as proposed by the Senate. Within this amount, the conference agreement includes $19,733,000 to provide funds to States to increase demand for influenza vaccine instead of $19,800,000 as proposed by the House and $20,000,000 as proposed by the Senate.

Within the total for immunization and respiratory diseases, $37,272,000 is for influenza activities, instead of $37,311,000 as proposed by the House and $7,311,000 as proposed by the Senate. Within this amount, the conference agreement includes $19,733,000 to develop a repository of pandemic virus reference strains instead of $19,800,000 as proposed by the House and $20,000,000 as proposed by the Senate and $14,849,000 to increase the stock of diagnostic reagents for influenza instead of $14,850,000 as proposed by the House and $15,000,000 as proposed by the Senate.

HIV/AIDS, Viral Hepatitis, STD, and TB Prevention

Within the total for Infectious Diseases, the conference agreement includes $1,024,070,000 for HIV/AIDS, Viral Hepatitis, STD, and TB prevention, instead of $1,042,303,000 as proposed by the House and $1,020,191,000 as proposed by the Senate.

Within the total for HIV/AIDS, Viral Hepatitis, STD, and TB prevention, the conference agreement includes $704,161,000 for domestic HIV/AIDS activities, instead of $715,463,000 as proposed by the House and $698,050,000 as proposed by the Senate. Within this total, $53,321,000 is for domestic HIV/AIDS testing, instead of $63,000,000 as provided by the House and $45,000,000 as provided by the Senate. Funds are provided for the Early Diagnosis Grant Program within the testing initiative.

Within the total for HIV/AIDS, Viral Hepatitis, STD, and TB prevention, the conference agreement includes $18,354,000 for programs addressing viral hepatitis, instead of $18,615,000 as proposed by the House and $17,615,000 as proposed by the Senate.

Within the total for HIV/AIDS, Viral Hepatitis, STD, and TB prevention, the conference agreement includes $146,518,000 for the tuberculosis program, instead of $150,688,000 as proposed by the House and $146,989,000 as proposed by the Senate.

Zoonotic, Vector-borne, and Enteric Diseases

Within the total for Infectious Diseases, the conference agreement includes $69,188,000 for zoonotic, vector-borne, and enteric diseases, instead of $70,342,000 as proposed by the House and $70,070,000 as proposed by the Senate.

Preparedness, Detection, and Control of Infectious Diseases

Within the total for Infectious Diseases, the conference agreement includes $155,483,000 for preparedness, detection, and control of infectious diseases, instead of $164,498,000 as proposed by the House and $156,966,000 as proposed by the Senate.

Within the total for preparedness, detection, and control of infectious diseases, the conference agreement includes $17,220,000 for programs to address antimicrobial resistance, instead of $19,228,000 as proposed by the House and $17,480,000 as proposed by the Senate.

Within the total for preparedness, detection, and control of infectious diseases, the conference agreement includes $135,490,000 for programs to address all other emerging infectious diseases, instead of $142,455,000 as proposed by the House and $136,671,000 as proposed by the Senate. The conference agreement provides sufficient resources to continue the Prevention Epicenter Program and to support the special pathogens lab as proposed by the Senate. The House did not propose similar language.

HEALTH PROMOTION

The conference agreement includes $992,214,000 for Health Promotion, instead of $1,002,212,000 as proposed by the House and $982,876,000 as proposed by the Senate.

Chronic Disease Prevention, Health Promotion, and Genomics

Within the total for Health Promotion, the conference agreement includes $861,123,000 for chronic disease prevention, health promotion, and genomics instead of $869,479,000 as proposed by the House and $854,180,000 as proposed by the Senate.

Within the total for chronic disease prevention, health promotion, and genomics, the conference agreement includes $50,993,000 for heart disease and stroke, instead of $48,744,000 as proposed by the House and $51,744,000 as proposed by the Senate. Within this amount, the conferees have provided $1,500,000 to continue and expand activities in the Mississippi Delta related to the burden of chronic diseases instead of $2,000,000 as proposed by the Senate. The House did not propose funding for this program. The additional funds will enable an expansion of these activities throughout the Mississippi Delta region.

Within the total for chronic disease prevention, health promotion, and genomics, the conference agreement includes $65,975,000 for diabetes programs, instead of $69,157,000 as proposed by the House and $64,870,000 as proposed by the Senate.

Within the total for chronic disease prevention, health promotion, and genomics, the conference agreement includes $323,051,000 for cancer prevention and control, instead of $326,100,000 as proposed by the House and $325,949,000 as proposed by the Senate.

Within the amount provided for cancer prevention and control, the conference agreement includes the following amounts:

$207,551,000 to expand breast and cervical cancer activities, instead of $210,000,000 as proposed by the House and $211,604,000 as proposed by the Senate;

$21,197,000 for comprehensive cancer, instead of $16,867,000 as proposed by the House and $26,017,000 as proposed by the Senate;

$6,750,000 to carry out activities authorized by Johanna's Law, instead of $9,000,000 as proposed by the House—the Senate did not propose funding for this activity;

$5,500,000 for activities related to ovarian cancer, instead of $6,505,000 as proposed by the House and $4,500,000 as proposed by the Senate; and,

$843,000 for activities related to cancer survivorship, instead of $881,000 as proposed by the House and $981,000 as proposed by the Senate.

Within the total for chronic disease prevention, health promotion, and genomics, the conference agreement includes $24,543,000 for arthritis and other chronic diseases, instead of $22,797,000 as proposed by the House and $23,033,000 as proposed by the Senate. Within this amount, $8,107,000 is available for epilepsy activities instead of $8,402,000 as proposed by the House and $8,138,000 as proposed by the Senate. Also within this amount, $3,167,000 is available to continue and expand the National Lupus Patient Registry to operate seven sites, including a coordinating site. The House proposed $930,000 for lupus-related activities and the Senate proposed $1,430,000. The conferees are concerned by the lack of reliable epidemiological data on the incidence and prevalence of all forms of lupus among various ethnic and racial groups. These sites should have an expertise in lupus epidemiology and represent the geographic regions of the United States that have a sufficient number of individuals of racial and ethnic groups that are disproportionately affected by lupus, principally African Americans, Hispanics/Latinos, Asian Americans, and Native Americans.

Within the total for chronic disease prevention, health promotion, and genomics, the conference agreement includes $104,016,000 to expand tobacco-related activities, instead of $104,347,000 as proposed by the House and $106,347,000 as proposed by the Senate. The conferees concur with Senate report language intending that the increase for the Office of Smoking and Health be used to support a stepped up effort by the Environmental Health Laboratory to analyze tobacco products and cigarette smoke. The House report did not include similar language.

Within the total for chronic disease prevention, health promotion, and genomics, the conference agreement includes $42,941,000 for nutrition, physical activity, and obesity programs, instead of $42,250,000 as proposed by the House and $44,351,000 as proposed by the Senate. Sufficient funds are included for CDC to conduct a study of the impact of school nutrition and physical activity programs on academic outcomes as proposed by the Senate. The House did not propose similar language.

Within the total for nutrition, physical activity, and obesity programs, $2,351,000 is for the fruit and vegetable program, formerly known as the 5-A-Day program, instead of $2,300,000 as proposed by the House and $2,400,000 as proposed by the Senate. Also within the total, $1,000,000 is for the National Academy of Sciences' Institute of Medicine to examine and make recommendations regarding various means that could be employed to reduce dietary sodium intake to levels recommended by the Dietary Guidelines for Americans as proposed by the Senate. The House did not propose similar language.

Within the total for chronic disease prevention, health promotion, and genomics, the conference agreement includes $28,120,000 for health promotion programs, instead of $27,544,000 as proposed by the House and $28,095,000 as proposed by the Senate.

Within the amount provided for health promotion, the conference agreement includes the following amounts:

$1,000,000, within community health promotion, is for activities related to sleep disorders including CDC's participation in the national sleep awareness roundtable as proposed by the House—the Senate did not propose similar language;

$1,750,000 for mind-body research, instead of $1,776,000 as proposed by the Senate—the House did not propose funding for this activity;

$3,403,000 for glaucoma programs, instead of $3,454,000 as proposed by the House and $3,579,000 as proposed by the Senate;

$2,681,000 for visual screening education, instead of $3,466,000 as proposed by the House and $2,591,000 as proposed by the Senate;

$1,604,000 for Alzheimer's disease activities, instead of $1,628,000 as proposed by the House and $1,778,000 as proposed by the Senate;

$679,000 for inflammatory bowel disease activities, instead of $690,000 as proposed by the House and $790,000 as proposed by the Senate;

$720,000 for interstitial cystitis, instead of $680,000 as proposed by the House and $780,000 as proposed by the Senate;

$1,750,000 for chronic kidney disease, instead of $1,776,000 as proposed by the House and $1,951,000 as proposed by the Senate.

Within the total for chronic disease prevention, health promotion, and genomics, the conference agreement includes $55,289,000 for school health programs, instead of $56,449,000 as proposed by the House and $55,949,000 as proposed by the Senate. Within this amount, $500,000 is to develop a policy to manage the risk of food allergies and anaphylaxis in schools and to provide parents with enhanced information on these conditions via the Internet as proposed by the House. The Senate did not propose similar language.

Within the total for chronic disease prevention, health promotion, and genomics, the conference agreement includes $45,331,000 for safe motherhood/infant health programs, instead of $48,530,000 as proposed by the House and $44,168,000 as proposed by the Senate. Within this amount, $236,000 is for Sudden Infant Death Syndrome prevention activities, instead of $211,000 as proposed by the House and $261,000 as proposed by the Senate.

Within the total for chronic disease prevention, health promotion, and genomics, the conference agreement includes $5,000,000 for demonstration grants for teen pregnancy prevention, instead of $10,000,000 as proposed by the House. The Senate did not include funding for this program.

Within the total for chronic disease prevention, health promotion, and genomics, the conference agreement includes $12,956,000 for oral health programs, instead of $13,140,000 as proposed by the House and $11,640,000 as proposed by the Senate.

Within the total for chronic disease prevention, health promotion, and genomics, the conference agreement includes $29,649,000 for prevention centers, instead of $29,556,000 as proposed by the House and $30,086,000 as proposed by the Senate.

Within the total for chronic disease prevention, health promotion, and genomics, the conference agreement includes $35,346,000 for the racial and ethnic approaches to community health (REACH) program, instead of $37,553,000 as proposed by the House and $34,139,000 as proposed by the Senate.

Within the total for chronic disease prevention, health promotion, and genomics, the conference agreement includes $12,308,000 for genomics, instead of $6,926,000 as proposed by the House and $7,423,000 as proposed by the Senate. Within this amount, $2,965,000 is for Primary Immune Deficiency Syndrome instead of $2,513,000 as proposed by the House and $3,010,000 as proposed by the Senate.

Birth Defects, Developmental Disabilities, Disability and Health

Within the amount available for Health Promotion, the conference agreement includes $131,091,000 for birth defects, developmental disabilities, disability and health instead of $132,733,000 as proposed by the House and $128,696,000 as proposed by the Senate.

Within the total for birth defects, developmental disabilities, disability and health, the conference agreement includes $38,305,000 for birth defects and developmental disabilities, instead of $38,750,000 as proposed by the House and $38,723,000 as proposed by the Senate.

Within the amount provided for birth defects and developmental disabilities, the conference agreement includes the following amounts:

$1,578,000 for craniofacial malformation, instead of $1,397,000 as proposed by the House and $1,600,000 as proposed by the Senate;

$2,318,000 for the folic acid program, instead of $2,496,000 as proposed by House and $2,269,000 as proposed by the Senate; and,

$250,000 for the development and distribution of awareness materials on alveolar capillary dysplasia (ACD) to neonatologists and intensive care pediatricians to assist in the proper diagnosis of ACD—neither the House nor the Senate proposed funding for these activities.

The conferees are aware of a congenital malformation of the lungs affecting infants, known as alveolar capillary dysplasia (ACD), in which the normal diffusion process of oxygen from the air sacs to the blood in the lungs fails to develop properly. Life expectancy for infants with ACD is extremely short, and anecdotal evidence indicates that ACD is often misdiagnosed. Proper recognition and diagnosis of the disease are essential first steps to obtaining accurate prevalence data for ACD.

Within the total for birth defects, developmental disabilities, disability and health, the conference agreement includes $72,545,000 for human development and disability, instead of $72,987,000 as proposed by the House and $69,793,000 as proposed by the Senate.

Within the amount provided for human development and disability, the conference agreement includes the following amounts:

$1,924,000 for Tourette syndrome activities, instead of $1,954,000 as proposed by the House and $1,951,000 as proposed by the Senate;

$10,305,000 for early hearing detection and intervention activities, instead of $10,500,000 as proposed by the House and $6,512,000 as proposed by the Senate;

$6,658,000 for muscular dystrophy programs, instead of $7,054,000 as proposed by the House and $6,512,000 as proposed by the Senate;

$6,079,000 for a paralysis resource center, instead of $5,919,000 as proposed by the House and $6,419,000 as proposed by the Senate;

$1,823,000 for attention deficit/hyperactivity disorder programs, instead of $1,882,000 as proposed by the House and $1,811,000 as proposed by the Senate;

$1,860,000 for Fragile X activities, instead of $960,000 as proposed by the House and $1,873,000 as proposed by the Senate; and,

$5,434,000 for spina bifida programs, instead of $5,535,000 as proposed by the House and $5,532,000 as proposed by the Senate.

Within the total for birth defects, developmental disabilities, disability and health, the conference agreement includes $20,241,000 for blood disorders, instead of $20,996,000 as proposed by the House and $20,180,000 as proposed by the Senate. Within this amount, $17,466,000 is for the hemophilia program instead of $18,187,000 as proposed by the House and $17,321,000 as proposed by the Senate and $1,918,000 is for Cooley's anemia programs instead of $1,938,000 as proposed by the House and $1,988,000 as proposed by the Senate.

HEALTH INFORMATION AND SERVICE

The conference agreement includes $117,168,000 for Health Information and Service, instead of $70,104,000 as proposed by the House and $98,854,000 as proposed by the Senate. In addition, $185,824,000, to be derived from section 241 evaluation set-aside funds, is included for the National Center for Health Statistics, the National Electronic Disease Surveillance System, and for Health Marketing.

Within the program level total for health information and service, the conference agreement includes $116,550,000 for health statistics, instead of $120,000,000 as proposed by the House and $117,021,000 as proposed by the Senate. Included within this amount is an additional $200,000, as proposed by the House, to make necessary improvements to the National Survey of Family Growth. The Senate did not propose similar language.

Within the program level total for health information and service, the conference agreement includes $95,720,000 for public health informatics, instead of $94,855,000 as proposed by the House and $72,641,000 as proposed by the Senate. Included within this amount, $14,550,000 is to develop a vaccine registry to monitor vaccine use and distribution instead of $14,645,000 as proposed by the House and $15,000,000 as proposed by the Senate and $9,867,000 is for real-time assessment and evaluation of influenza interventions instead of $9,900,000 as proposed by the House and $10,000,000 as proposed by the Senate. Also within the total for public health informatics is $325,000, as proposed by the House, to continue to fund the establishment of a nationwide database of contact information for practicing physicians that can be used by Federal agencies and State and local health departments in the event of a public health emergency. The Senate did not propose similar language.

Within the program level total for health information and service, the conference agreement includes $90,722,000 for health marketing, instead of $39,173,000 as proposed by the House and $42,991,000 as proposed by the Senate.

ENVIRONMENTAL HEALTH AND INJURY PREVENTION

The conference agreement includes $306,856,000 for Environmental Health and Injury Prevention activities, instead of $305,151,000 as proposed by the House and $300,507,000 as proposed by the Senate.

Environmental Health

Within the total for Environmental Health and Injury Prevention, the conference agreement includes $163,345,000 for environmental health instead of $165,005,000 as proposed by the House and $152,804,000 as proposed by the Senate.

Within the total for environmental health, the conference agreement includes $39,888,000 for the environmental health laboratory instead of $40,473,000 as proposed by the House and $27,982,000 as proposed by the Senate. Included within the total, $7,000,000 is for the newborn screening quality assurance program as proposed by the House. The Senate did not propose similar language. Also within the total, $1,000,000 is included over the fiscal year 2007 level for newborn screening for severe combined immunodeficiency disease as proposed by the Senate. The House did not propose similar language.

Within the funds provided for the Environmental Health Laboratory, the conferees encourage CDC to provide funding for States with existing biomonitoring programs to expand laboratory capacity; conduct subpopulation studies; conduct representative analyses of routinely collected blood, cord blood and other biospecimens; develop protocols for conducting biomonitoring of sensitive subpopulations such as children; and support biomonitoring field operations such as participant enrollment, sample collection, data analysis, report generation and results communications. The conferees encourage the CDC to begin developing new methods for identifying chemical sources and routes of exposure using model exposure questionnaires and collection of relevant household and other environmental samples.

Within the total for environmental health, the conference agreement includes $56,913,000 for general environmental health activities instead of $56,731,000 as proposed by the House and $57,021,000 as proposed by the Senate.

Within the amount provided for general environmental health activities, the conference agreement includes the following amounts:

$297,000 for arctic health activities, instead of $302,000 as proposed by the Senate—the House did not propose funding for this program;

$99,000 for research into the health effects of volcanic emissions, instead of $100,000 as proposed by the Senate—the House did not propose funding for this program;

$24,877,000 for the environmental and health outcome tracking network, instead of $26,533,000 as proposed by the House and $24,121,000 as proposed by the Senate;

$2,871,000 to continue and to expand a national amyotrophic lateral sclerosis (ALS) registry to include other neurodegenerative disorders, instead of $887,000 as proposed by the House and $2,887,000 as proposed by the Senate; and,

$4,075,000 for landmine survivor programs, instead of $4,152,000 as proposed by the House and $4,452,000 as proposed by the Senate.

Within the funds provided for the environmental and health outcome tracking network, the conferees encourage CDC to make funding available to State environmental health tracking programs to develop replicable models for disease, hazard and exposure data sharing at the local, State and national levels that incorporate data confidentiality protections. The conferees further direct CDC to include non-governmental organizations representing health-affected constituencies, environmental health and environmental justice in their advisory groups.

Injury Prevention and Control

Within the funds provided for Environmental Health and Injury Prevention, the conference agreement includes $143,511,000 for injury prevention and control, instead of $140,146,000 as proposed by the House and $147,703,000 as proposed by the Senate. Within this amount, sufficient funds are provided to support an additional injury control research center that will conduct research on injury and injury prevention related to children and adolescents, as proposed by the House. The Senate did not propose similar language.

Within the total for injury prevention and control the conference agreement includes the following amounts:

$28,841,000 for youth violence prevention, instead of $24,061,000 as proposed by the

House and $26,043,000 as proposed by the Senate;

$43,731,000 for rape prevention, instead of $43,457,000 as proposed by the House and $45,392,000 as proposed by the Senate;

$5,960,000 is for the traumatic brain injury program, instead of $5,816,000 as proposed by the House and $6,287,000 as proposed by the Senate.

OCCUPATIONAL SAFETY AND HEALTH

The conference agreement includes $237,388,000 for occupational safety and health, instead of $219,076,000 as proposed by the House and $181,326,000 as proposed by the Senate. In addition, $97,404,000 is available to carry out occupational safety and health research activities within the National Occupational Research Agenda (NORA) to be derived from section 241 evaluation set-aside funds instead of $91,861,000 as proposed by the House and $92,071,000 as proposed by the Senate.

The total provided includes sufficient funding to maintain staffing levels at the Morgantown facility and to increase research funding at that facility as proposed by the Senate. Funding is also included to continue the farm health and safety initiative as proposed by the Senate. The House did not propose either of these programs.

Within the program level total for occupational safety and health, the conference agreement includes the following amounts:

$13,190,000 for personal protective technology development instead of $12,732,000 as proposed by the House and $13,648,000 as proposed by the Senate;

$113,243,000 for the National Occupational Research Agenda instead of $112,834,000 as proposed by the House and $104,186,000 as proposed by the Senate;

$52,500,000 for screening and treatment for first response emergency services personnel, residents, students, and others related to the September 11, 2001 terrorist attacks on the World Trade Center instead of $50,000,000 as proposed by the House and $55,000,000 as proposed by the Senate;

$50,000,000 for mining research instead of $25,200,000 as proposed by the House and $49,200,000 as proposed by the Senate;

$502,000 for the Miner's Choice Health Screening program instead of $352,000 as proposed by the House and $652,000 as proposed by the Senate; and,

$1,057,000 for the National Mesothelioma Registry and Tissue Bank instead of $1,007,000 as proposed by the House and $1,107,000 as proposed by the Senate.

For the mining research program, the conferees expect that additional funding will ensure that the mine safety research agenda in areas such as dust monitoring, roof control, and disaster prevention are not abandoned. The conferees concur with language included in the Senate report directing that required progress reports on grant-making and research findings be expanded to research goals such as dust monitoring, roof control, and disaster prevention. The House did not propose such language.

The conference agreement has included sufficient funds for NIOSH to conduct, in collaboration with the University of Utah and West Virginia University, a study of the recovery of coal pillars through retreat room and pillar mining practices in underground coal mines at depths greater than 1500 feet. The study should examine the safety implications of retreat room and pillar mining practices, with emphasis on the impact of full or partial pillar extraction mining. The study should include, but not be limited to, analyses of (1) the conditions under which retreat mining is used, including conditions relating to seam thickness; depth of cover; strength of the mine roof, pillars, and floor; and the susceptibility of the mine to seismic activity; and (2) the procedures used to ensure miner safety during retreat mining. The conferees direct that not later than two years after beginning the study, NIOSH submit a report containing the results of the study to the Committees on Appropriations of the House of Representatives and the Senate. The report shall include recommendations to enhance the safety of miners working in underground coal mines where retreat mining in room and pillar operations is utilized. Among other things, the recommendations should identify means of adapting any practical technology to the mining environment to improve miner protections during mining at depths greater than 1500 feet, and research needed to develop improved technology to improve miner protections during mining at such depths.

GLOBAL HEALTH

The conference agreement provides $377,352,000 for Global Health activities, instead of $381,337,000 as proposed by the House and $334,038,000 as proposed by the Senate. Included within this total, $121,541,000 is for the global AIDS program instead of $122,769,000 as proposed by both the House and Senate.

Within the total for global health, the conference agreement includes the following amounts for pandemic influenza activities:

$17,740,000 for rapid outbreak response for high priority countries instead of $17,820,000 as proposed by the House and $18,000,000 as proposed by the Senate;

$3,960,000 for human-animal interface studies as proposed by the House instead of $4,000,000 as proposed by the Senate; and,

$47,339,000 for international surveillance, diagnosis, and epidemic investigations instead of $47,520,000 as proposed by the House and $48,000,000 as proposed by the Senate.

TERRORISM PREPAREDNESS AND RESPONSE

The conference agreement includes $1,549,143,000 for activities related to terrorism preparedness and response, instead of $1,598,751,000 as proposed by the House and $1,632,448,000 as proposed by the Senate. Within the total for terrorism preparedness and response, the conference agreement includes $785,233,000 for Upgrading State and Local Capacity instead of $789,948,000 as proposed by the House and $823,238,000 as proposed by the Senate. This funding level includes the following amounts:

$738,848,000 for the bioterrorism cooperative agreement instead of $734,536,000 as proposed by the House and $760,470,000 as proposed by the Senate;

$29,063,000 for the Centers for Public Health Preparedness instead of $30,740,000 as proposed by both the House and Senate;

$5,355,000 for Advanced Practice Centers as proposed by both the House and Senate; and,

$11,967,000 for all other State and local capacity instead of $19,317,000 as proposed by the House and $26,673,000 as proposed by the Senate.

Funding is provided for the Centers for Public Health Preparedness at accredited schools of public health to ensure continuity of planned education and training commitments to State, local, and tribal health departments during the fifth and final year of the existing cooperative agreements. The conferees encourage CDC to manage this program and work with appropriate public health organizations to begin implementation of the provisions of the Pandemic and All-Hazards Preparedness Act during fiscal year 2008.

Within the total for terrorism preparedness and response, the conference agreement concurs with the House proposal and does not include funding for botulinum toxin research. The Senate proposed $3,000,000 for this activity.

Within the total for terrorism preparedness and response, the conference agreement includes $64,194,000 for Biosurveillance initiatives instead of $81,153,000 as proposed by the House and $78,560,000 as proposed by the Senate. This funding level includes the following amounts:

$35,000,000 for BioSense instead of $50,000,000 as proposed by the House and $57,340,000 as proposed by the Senate;

$20,012,000 for quarantine stations instead of $21,028,000 as proposed by the House and $11,095,000 as proposed by the Senate.

PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT

The conference agreement includes $104,000,000 for the Preventive Health and Health Services Block Grant instead of $109,000,000 as proposed by the House and $99,000,000 as proposed by the Senate.

PUBLIC HEALTH IMPROVEMENT AND LEADERSHIP

The Conference agreement includes $230,239,000 for Public Health Improvement and Leadership instead of $199,237,000 as proposed by the House and $209,509,000 as proposed by the Senate.

Within the total for Public Health Improvement and Leadership, the conference agreement includes $161,402,000 for leadership and management instead of $162,214,000 as proposed by the House and $162,879,000 as proposed by the Senate and $34,872,000 for public health workforce development instead of $19,743,000 as proposed by the House and $21,743,000 as proposed by the Senate. The public health workforce development funding includes $1,000,000 for the Applied Epidemiology Fellowship Training program. The Senate proposed $2,000,000 for this program and the House did not propose funding for this program.

Also within the total for Public Health Improvement and Leadership, the conference agreement includes $6,000,000 for a Director's Discretionary Fund, as proposed by the House, to support activities deemed by the Director as having high scientific and programmatic priority and to respond to emergency public health requirements. The Senate proposed $7,851,000 for this fund. The conferees do not concur with language in the Senate report regarding the Director's authority to reallocate management savings to the Director's Discretionary Fund.

The Conference agreement includes the following projects in the following amounts:

Project	Total funding
A Voice for All, Wilmington, DE, for speech and language evaluations for persons with disabilities	325,000
Adler Aphasia Center, Maywood, NJ for a program to improve communication and other life skills for people with aphasia	125,000
Advocate Good Shepard Hospital, Barrington, IL for the expansion of an ongoing pilot project to address the growing problem of childhood obesity among elementary schools in Lake County, IL	30,000
Alameda County Public Health Department, Office of AIDS Administration, Oakland, CA for an HIV/AIDS prevention and testing initiative	300,000

Project	Total funding
Alaska Department of Health and Social Services, Juneau, AK, for an Obesity Prevention and Control project in Alaska	500,000
Alaska Department of Health and Social Services, Juneau, AK, for continuation and expansion of a program to detect and control tuberculosis in Alaska	500,000
Alaska Multiple Sclerosis Center, Anchorage, AK, for multiple sclerosis related activities	150,000
Albert Einstein Healthcare Network, Philadelphia, PA, for college student screening programs	169,500
American Optometric Association, Alexandria, VA, for the InfantSee program	450,000
Baylor College of Medicine, Houston, TX for epidemiological research and educational outreach related to childhood cancer in cooperation with the Vannie E. Cook Jr. Cancer Foundation in McAllen, TX	320,000
Bayside Community Center, San Diego, CA for its STEPS health education and outreach program for senior citizens	175,000
Berean Community & Family Life Center, Brooklyn, NY for obesity prevention programs and community health and wellness education	275,000
Bienestar Human Services, Inc., Los Angeles, CA to expand a mobile HIV rapid testing program in East Los Angeles	125,000
Boys and Girls Club of Delaware County, Jay, OK for equipment and operating expenses for programs to improve diet, physical activity, and emotional health	450,000
Brown County Oral Health Partnership, Green Bay, WI, to expand an oral health program	255,000
California State University-Fullerton, Fullerton, CA for programs aimed at preventing obesity and promoting health in children	400,000
Camden County, Camden, NJ, to purchase, equip and staff a mobile health van	340,000
Cascade AIDS, Portland, Oregon, to conduct HIV/AIDS awareness and prevention programs	170,000
Center for Asbestos Related Disease Clinic, Libby, MT to create an epidemiological data repository on tremolite asbestos	250,000
Center for International Rehabilitation, Chicago, IL, for the Disability Rights Monitor	200,000
Charles R. Drew Wellness Center, Columbia, SC for an obesity focused wellness program	235,000
Charter County of Wayne, Michigan, Detroit, MI for Infant Mortality Prevention services	200,000
Chez Panisse Foundation, Berkeley, CA for the school lunch initiative to integrate lessons about wellness, sustainability and nutrition into the academic curriculum	250,000
Children's Hunger Alliance, Columbus, OH for programs to prevent childhood obesity	200,000
Colorado School of Mines, Golden, CO, for the development and deployment of Mine safety and Rescue through Sensing Networks and Robotics Technology (Mine-SENTRY)	169,500
Columbus Children's Research Institute, Columbus, OH for the Center for Injury Research and Policy	200,000
Community Health Centers in Hawaii for Childhood Rural Asthma Project, for childhood rural asthma project	125,000
County of Marin, San Rafael, CA for research and analysis related to breast cancer incidence and mortality in the county and breast cancer screening	300,000
CREATE Foundation, Tupelo, MS for childhood obesity prevention programs	450,000
DuPage County, Wheaton, IL for a county-wide physical fitness assessment pilot project	150,000
East Carolina University, Brody School of Medicine, Greenville, NC for a project to study the problem of racial disparities in cardiovascular diseases	250,000
El Puente, Brooklyn, NY for an obesity, diabetes, STD, and HIV/AIDS prevention program for adolescents and their families as well as control and management of asthma and other environmentally connected diseases	220,000
ExemplaSaint Joseph Hospital Foundation, Denver, CO, for the mobile mammography program	85,000
Fletcher Allen Health Care, Burlington, VT, to develop chronic disease registries	170,000
Food Allergy and Anaphylaxis Network, Fairfax, VA, for the Iowa Food Allergy Education program	120,000
Friends of the Congressional Glaucoma Caucus Foundation, Lake Success, NY to provide glaucoma screenings and follow-up in the Phoenix, AZ area	75,000
Friends of the Congressional Glaucoma Caucus Foundation, Lake Success, NY to provide glaucoma screenings and follow-up in the Virgin Islands	325,000
Georgia Chapter of the American Lung Association, Smyrna, GA to study the relationship between residential floor coverings and distributive patterns of airborne particulates	350,000
Georgia Rural Water Association, Barnesville, GA, for the National Fluoridation Training Institute	84,700
Haitian American Association Against Cancer, Inc., Miami, FL for cancer education, outreach, screening and related programs	240,000
Health Care Network, Inc, Racine, WI, to coordinate dental services for low-income patients	85,000
Healthy Eating Lifestyle Principles, Monterey, CA for a program to improve nutrition by promoting the accessibility and consumption of fresh fruits and vegetables in schools	175,000
Healthy Futures, Columbia, SC, to educate the community to recognize the health concerns, specifically obesity, of youth in the minority community	211,100
Healthy Northeast Pennsylvania Initiative, Clarks Summit, PA, for health education	90,000
Henderson, NV, for a diabetes screening, education and counseling program for seniors	200,000
Home Instruction Program for Preschool Youngsters—Florida, Coral Gables, FL to create a preventative health care model	175,000
Ingalls Development Foundation, Harvey, IL for a comprehensive cancer prevention and early detection program, focusing on minority populations	225,000
Institute of Medical Humanism, Inc, Bennington, VT, for an end-of-life care initiative	150,000
International Rett Syndrome Association, Clinton, MD for education and awareness programs regarding Rett syndrome	150,000
Iowa Chronic Care Consortium, Des Moines, Iowa, for a preventative health demonstration program	150,000
Iowa Department of Public Health to continue the Harkin Wellness Grant program	1,500,000
Iowa Games, Ames, IA, to continue the Lighten Up Iowa program	100,000
Iowa Health Foundation, for wellness activities for dementia patients	100,000
Iowa State University, Ames, IA, for the Iowa Initiative for Healthier Schools and Student Wellness	400,000
Kennedy Health System, Voorhees, NJ, for the Women and Children's Health Pavilion's Advanced Cancer Prevention and Treatment Initiative	380,000
Kids Kicking Cancer, Inc., Lansing, MI, for cancer treatment support activities	195,000
Kips Bay Boys and Girls Club, Bronx, NY for a nutrition and anti-obesity demonstration program for 6- to 12-year-old children	325,000
Long Island University, Brooklyn, NY for asthma education, counseling, and prevention programs	365,000
Louisville Department of Public Health and Wellness, Louisville, KY for improving and providing preventative healthcare to men to address disease and obesity prevention, oral health, and stress management	100,000
Lower Bucks Hospital, Bristol, PA, for autism therapy evaluation	90,000
Mary Bird Perkins Cancer Center, Baton Rouge, LA, for additional C.A.R.E Network screenings and program development	100,000
Michigan Health and Hospital Association, Kalamazoo, MI, to improve quality of care and patient safety in hospital surgery settings	425,000
Middle Tennessee State University, Murfreesboro, TN for research and education regarding ways of increasing physical activity and fitness among children and adolescents	350,000
Myositis Association, Washington, DC to develop a national patient registry for individuals afflicted with myositis	175,000
Natividad Medical Center, Salinas, CA for a diabetes care management program	125,000
Nazareth Hospital, Philadelphia, PA, for health outreach	90,000
Nevada Cancer Institute, Las Vegas, NV for a comprehensive program to reduce cancer incidence and mortality rates and address cancer health disparities	300,000
North Shore Health Project, Gloucester, MA for outreach and education on hepatitis C	150,000
Northeast Regional Cancer Institute, Scranton, PA, for cancer screening evaluation	90,000
Nueva Esperanza, Philadelphia, PA, for HIV/AIDS programs	90,000
Pennsylvania Breast Cancer Coalition, Ephrata, PA, for education, awareness and publication production	90,000
Pittsburgh Regional Health Initiative, Pittsburgh, PA, for an infection control training program	90,000
Plymouth State University, Plymouth, NH for the Partners Enabling Active Rural Living Institute to develop an evidence-based model for promoting and enabling appropriate daily physical activity in rural communities	150,000
Potter County Human Services, Roulette, PA, for health promotion programs	90,000
Providence Cancer Center, Portland, OR for the rural and underserved cancer outreach project	115,000
Providence Multiple Sclerosis Center, Portland, Oregon, to develop a registry for multiple sclerosis	84,700
Pulmonary Hypertension Association, Silver Spring, MD for public education and outreach	200,000
Saint Michael's Medical Center, Newark, NJ, for heart disease screening	150,000
San Antonio Metropolitan Health District, San Antonio, TX for further studies and public health outreach regarding environmental health concerns at and near the former Kelly Air Force Base	440,000
SHAREing and CAREing, Astoria, NY to provide culturally sensitive breast health education, referrals for screenings/diagnostic and support services for medically underserved and uninsured minority women	125,000
Silent Spring Institute, Newton, MA for studies of the impact of environmental pollutants on breast cancer and women's health	125,000
Sister to Sister—Everyone Has a Heart Foundation to increase women's awareness of heart disease, Washington, D.C.	250,000
South Dakota State University, Brookings, SD, for interdisciplinary research on obesity prevention and treatment	125,000
Southeastern Center for Emerging Biologic Threats, Emory University, Atlanta, GA for programs related to bioterrorism and emerging biological threats	400,000
Spinal Muscular Atrophy Foundation, New York, NY, for outreach, patient education and registries	500,000
St. Elizabeth's Medical Center, Wabasha, MN to support a disease prevention pilot program to reduce the incidence of heart disease	100,000
St. Francis Medical Center Foundation, Lynwood, CA for health education and outreach	140,000
St. John's Regional Medical Center, Oxnard, CA for diabetes prevention and management programs	400,000
St. John's Well Child and Family Center, Los Angeles, CA for a patient education program to address obesity, diabetes, and hypertension	125,000
Supporting Autism Families Everywhere, Wilkes-Barre, PA, for Autism programs and education	90,000
Texas Tech University Health Sciences Center at El Paso, El Paso, TX, for the Center for Research and Re-Emerging Infectious Diseases	375,000
United Mine Workers of America, Fairfax, VA, for a fuel-cell coalmine vehicle demonstration project	90,000
University of Arizona College of Medicine, Tucson, AZ for diabetes educational outreach programs	270,000
University of Findlay Center for Public Health Preparedness, Findlay, OH for training programs on school safety and workplace violence avoidance	275,000
University of Kansas, Lawrence, KS, for the biodiversity research center	1,171,000
University of Montana Rehabilitation, Research, and Training Center, Missoula, MT, to develop program Living Well and Working Well with a Disability: Improving Health, Promoting Employment, and Reducing Medical Costs	120,000
University of Montana, Missoula, MT, for Methamphetamine Detection and Health Effects Research	180,000
University of North Carolina at Chapel Hill with East Carolina University, Chapel Hill, North Carolina, for the Program in Racial Disparities in Cardiovascular Disease	585,000
University of North Texas Health Science Center, Fort Worth, TX for the Center for Minority Health, Education, Research and Outreach	400,000
University of Pittsburgh Medical Center, Pittsburgh, PA, for health outreach	169,500
University of South Florida, Tampa, FL to create, implement, and evaluate programs to assist school-aged children in becoming physically active and healthy	550,000
University of Texas Pan American, Edinburg, TX for the South Texas Border Health Disparities Center's program on preventing obesity in minority populations	320,000
University of Texas, Brownsville, TX for studies regarding the health of the Hispanic population in the Rio Grande Valley	400,000
University of Wisconsin Milwaukee, Milwaukee, WI, for evidence based adolescent pregnancy prevention programs	200,000
Virgin Islands Perinatal Inc., Christiansted, VI for implementation of chronic disease management and prevention modalities to minimize adverse outcomes related to diabetes and hypertension	315,000
Voorhees College, Denmark, SC for a demonstration program on reversing diabetes in minority communities	135,000
Wayne County Department of Public Health, Detroit, MI for a lead poisoning assessment, prevention, and intervention program	300,000
WellSpan Health, York, PA, for health outreach	90,000
WestCare Foundation, Las Vegas, NV, for the Batterers Intervention Program in Needles, CA and surrounding communities	500,000
Yale New Haven Hospital, New Haven, CT to develop a comprehensive ovarian cancer prevention and early detection program	300,000
YBH Project, Inc., Albany, GA for nutrition, fitness, and education programs for middle school students and their families	100,000
Youth and Family Services, Rapid City, SD, for the Health Connections Program	150,000

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

The conference agreement includes $4,925,740,000 for the National Cancer Institute instead of $4,880,382,000 as proposed by the House and $4,910,160,000 as proposed by the Senate.

The conferees urge NCI to fund a study of the Trinity nuclear test that estimates the number of fatal and non-fatal radiogenic illnesses compared to a baseline of what would be expected to occur naturally in the surrounding community.

NATIONAL HEART, LUNG AND BLOOD INSTITUTE

The conference agreement includes $3,001,691,000 for the National Heart, Lung and Blood Institute instead of $2,965,775,000 as proposed by the House and $2,992,197,000 as proposed by the Senate.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

The conference agreement includes $399,867,000 for the National Institute of Dental and Craniofacial Research instead of $395,753,000 as proposed by the House and $398,602,000 as proposed by the Senate.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

The conference agreement includes $1,753,037,000 for the National Institute of Diabetes and Digestive and Kidney Diseases, NIDDK, instead of $1,731,893,000 as proposed by the House and $1,747,784,000 as proposed by the Senate. An amount of $150,000,000 is also available to the Institute through a permanent appropriation for juvenile diabetes.

The conferees encourage NIDDK to conduct hemodialysis clinical trials on a regular basis that produce the optimum benefit for patients.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

The conference agreement includes $1,578,210,000 for the National Institute of Neurological Disorders and Stroke instead of $1,569,106,000 as proposed by the House and $1,573,268,000 as proposed by the Senate.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

The conference agreement includes $4,682,585,000 for the National Institute of Allergy and Infectious Diseases instead of $4,631,844,000 as proposed by the House and $4,668,472,000 as proposed by the Senate.

The conference agreement includes bill language permitting the transfer of $300,000,000 to International Assistance Programs, Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis as proposed by the Senate. The House bill proposed a transfer of $299,825,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

The conference agreement includes $1,984,879,000 for the National Institute of General Medical Sciences instead of $1,966,019,000 as proposed by the House and $1,978,601,000 as proposed by the Senate.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

The conference agreement includes $1,286,379,000 for the National Institute of Child Health and Human Development instead of $1,273,863,000 as proposed by the House and $1,282,231,000 as proposed by the Senate.

NATIONAL EYE INSTITUTE

The conference agreement includes $684,126,000 for the National Eye Institute instead of $677,039,000 as proposed by the House and $681,962,000 as proposed by the Senate.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

The conference agreement includes $658,258,000 for the National Institute of Environmental Health Sciences instead of $652,303,000 as proposed by the House and $656,176,000 as proposed by the Senate.

NATIONAL INSTITUTE ON AGING

The conference agreement includes $1,076,389,000 for the National Institute on Aging instead of $1,062,833,000 as proposed by the House and $1,073,048,000 as proposed by the Senate.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

The conference agreement includes $521,459,000 for the National Institute of Arthritis and Musculoskeletal and Skin Diseases instead of $516,044,000 as proposed by the House and $519,810,000 as proposed by the Senate.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

The conference agreement includes $403,958,000 for the National Institute on Deafness and Other Communication Disorders instead of $400,305,000 as proposed by the House and $402,680,000 as proposed by the Senate.

NATIONAL INSTITUTE OF NURSING RESEARCH

The conference agreement includes $140,900,000 for the National Institute of Nursing Research instead of $139,527,000 as proposed by the House and $140,456,000 as proposed by the Senate.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

The conference agreement includes $447,245,000 for the National Institute on Alcohol Abuse and Alcoholism instead of $442,870,000 as proposed by the House and $445,702,000 as proposed by the Senate.

NATIONAL INSTITUTE ON DRUG ABUSE

The conference agreement includes $1,025,839,000 for the National Institute on Drug Abuse instead of $1,015,559,000 as proposed by the House and $1,022,594,000 as proposed by the Senate.

NATIONAL INSTITUTE OF MENTAL HEALTH

The conference agreement includes $1,440,557,000 for the National Institute of Mental Health instead of $1,425,531,000 as proposed by the House and $1,436,001,000 as proposed by the Senate.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

The conference agreement includes $498,748,000 for the National Human Genome Research Institute instead of $493,996,000 as proposed by the House and $497,031,000 as proposed by the Senate.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

The conference agreement includes $305,884,000 for the National Institute of Biomedical Imaging and Bioengineering instead of $303,318,000 as proposed by the House and $304,319,000 as proposed by the Senate.

NATIONAL CENTER FOR RESEARCH RESOURCES

The conference agreement includes $1,182,015,000 for the National Center for Research Resources instead of $1,171,095,000 as proposed by the House and $1,177,997,000 as proposed by the Senate.

The conference agreement does not include language proposed by the Senate regarding the prohibition of funds to pay indirect expenses for general research support grants. This provision is no longer necessary. The House bill did not contain a similar provision.

The agreement provides the Administration request for clinical and translational science awards, with funding split between the Common Fund and NCRR in the same proportions as the Senate-passed bill. The conferees remain supportive of this program as it matures, but are concerned about the abrupt changes in program funding policies implemented in 2007.

The conference agreement provides $224,607,000 for the Institutional Development Award (IDeA) program, rather than $223,607,000 as proposed by the Senate. The House had not identified specific funding for this program.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

The conference agreement includes $124,647,000 for the National Center for Complementary and Alternative Medicine instead of $123,380,000 as proposed by the House and $124,213,000 as proposed by the Senate.

NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES

The conference agreement includes $204,542,000 for the National Center on Minority Health and Health Disparities instead of $202,691,000 as proposed by the House and $203,895,000 as proposed by the Senate.

JOHN E. FOGARTY INTERNATIONAL CENTER

The conference agreement includes $68,216,000 for the John E. Fogarty International Center instead of $67,599,000 as proposed by the House and $68,000,000 as proposed by the Senate.

NATIONAL LIBRARY OF MEDICINE

The conference agreement provides $329,039,000 for the National Library of Medicine instead of $325,484,000 as proposed by the House and $327,817,000 as proposed by the Senate. In addition, $8,200,000 is provided from section 241 authority as proposed by both the House and Senate.

OFFICE OF THE DIRECTOR

The conference agreement includes $1,145,790,000 for the Office of the Director as proposed by the Senate instead of $1,114,422,000 as proposed by the House. The bill identifies $531,300,000 for the Common Fund as proposed by the Senate instead of $495,153,000 as proposed by the House. This Common Fund amount represents 1.77 percent of total funding for NIH, meeting the statutory requirement that the Common Fund percentage of the total NIH appropriation at least equal the share of total NIH funding the Common Fund represented during the prior year. In fiscal year 2007, the Common Fund represented 1.67 percent of total NIH funding.

The conference agreement also provides $25,000,000 in bill language for the flexible research authority authorized in section 215 of this Act as proposed by the Senate instead of $14,000,000 as proposed by the House.

The conference agreement does not include language proposed by the House regarding the amount identified for the Common Fund being in addition to funds allocated by the institutes for activities that are related to Fund activities. The Senate bill did not have similar language.

The conference agreement provides funding for a 2.5 percent increase in the average cost of new grants and for committed levels for existing grants. The Senate report indicated that sufficient funds were included to pay full committed levels on existing grants and to provide a 3 percent increase in the average cost of new grants. The House report provided sufficient funding for a 2 percent increase in the average cost of new grants, but did not include an assumption about commitment levels for existing grants.

The conference agreement includes sufficient funds to provide an average 2.2 percent increase in research training stipends. The House bill assumed a two percent average increase for stipends; the Senate did not identify a specific level.

The conference agreement provides the same funding as the fiscal year 2007 level for the following programs: Director's Pioneer awards, Pathways to Independence awards, New Innovator awards, and Bridge awards. The House provided similar amounts for these programs. The Senate provided similar amounts for all the programs except Pathways to Independence, for which the Senate did not identify a funding level.

The conference agreement includes $96,130,000 for research on chemical, radiological and nuclear countermeasures as proposed by the Senate instead of $95,310,000 as proposed by the House.

The conference agreement provides up to $10,000,000 for the Director's Discretionary Fund as proposed by the House. The Senate did not specifically identify funding for the Discretionary Fund.

As required in the House report, the conferees require NIH to notify the House and Senate Appropriations Committees each time the Director uses the one percent transfer authority provided in the NIH reauthorization.

BUILDINGS AND FACILITIES

The conference agreement includes $130,000,000 for Buildings and Facilities instead of $121,081,000 as proposed by the House and the Senate.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

The conference agreement includes $3,415,511,000 for substance abuse and mental health services, of which $3,290,848,000 is provided through budget authority and $124,663,000 is provided through the evaluation set-aside. The House proposed $3,393,841,000 for the Substance Abuse and Mental Health Services Administration (SAMHSA), of which $120,913,000 was from the evaluation set-aside and the Senate proposed $3,404,798,000, of which $126,663,000 was from the evaluation set-aside. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes bill language, as proposed by the Senate, that permits a State to receive more than one grant or cooperative agreement for youth suicide early intervention and prevention strategies.

Within the total provided, the conference agreement includes $123,023,000 for activities throughout SAMHSA that are targeted to address the growing HIV/AIDS epidemic and its disparate impact on communities of color, including African Americans, Latinos, Native Americans, Asian Americans, Native Hawaiians, and Pacific Islanders. The House proposed $128,514,000 for these activities. The Senate did not include similar language.

Within the total provided, the conference agreement includes $56,735,000 for activities throughout SAMHSA to address the needs of the homeless. The House proposed $57,123,000 for these activities. The Senate did not include similar language.

Within the total provided, the conference agreement includes $3,520,000 for treatment programs for mental illness and substance abuse for tribes and tribal organizations instead of $4,070,000 as proposed by the House. The Senate did not propose similar language.

Center for Mental Health Services

The conference agreement includes a program level total of $428,256,000 for the mental health block grant, as proposed by the Senate, instead of $441,256,000 as proposed by the House. Within this total, $21,413,000 is provided through the evaluation set-aside as proposed by both the House and Senate.

The conference agreement includes $304,668,000 for programs of regional and national significance instead of $277,030,000 as proposed by the House and $298,217,000 as proposed by the Senate.

Within the total provided for mental health programs of regional and national significance, the conference agreement includes $94,656,000 to continue and expand violence prevention programs in schools, including the Safe Schools/Healthy Students interdepartmental program, instead of $96,156,000 as proposed by the House and $93,156,000 as proposed by the Senate. Included within this amount, the conference agreement provides $1,500,000 for a jointly funded initiative administered by the Department of Education and SAMHSA to support competitive grants to institutions of higher education to develop and implement emergency management plans for preventing campus violence. The House proposed $3,000,000 for this initiative. The Senate did not propose similar language.

Within the total for mental health programs of regional and national significance, the conference agreement includes $33,680,000 for the National Child Traumatic Stress Initiative instead of $32,360,000 as proposed by the House and $35,000,000 as proposed by the Senate. In funding new grants, the conferees direct SAMHSA to give high priority to centers providing services in areas impacted by Hurricanes Katrina and Rita and who have previous experience in providing such services.

Within the total for mental health programs of regional and national significance, the conference agreement includes $7,500,000 for a wellness initiative, instead of $15,000,000 as proposed by the Senate, to assist local communities in the coordination and improvement of the integration of behavioral/mental and physical health services. In carrying out this wellness initiative, the conferees expect SAMHSA to collaborate with HRSA and CDC. The conferees intend that funding provided will allow local communities to undertake a range of prevention and health promotion activities and expect that grantees must be able to evaluate the success of the program based on their ability to provide evidence-based services. The House did not propose funding for this initiative.

For programs addressing youth suicide prevention and early intervention programs within the mental health programs of regional and national significance, the conference agreement includes:

$30,000,000 for grants to States and tribes as proposed by the Senate—the House did not include similar language;

$5,000,000 for campus-based programs as proposed by the Senate—the House did not include similar language; and,

$5,000,000 for the Suicide Prevention Resource Center as proposed by the Senate—the House did not include similar language.

The conferees expect the Center for Mental Health Services to support multi-year grants to five consumer and consumer-supported national technical assistance centers as proposed by the Senate. The House did not propose similar language. The conference agreement also provides funding at last year's level for the consumer-run statewide networking grants.

The conference agreement includes the following projects in the following amounts:

Project	Total Funding
Access Community Health Center, Bloomingdale, IL for mental health services	250,000
Access Community Health Network, Chicago, IL, for behavioral health integration programs	400,000
Advocate Health Care, Oak Brook, IL for specialized and comprehensive psychotherapy and support to abused and neglected children and their families	325,000
Alfred University, Alfred, NY for graduate school psychologist training program	100,000
American Red Cross, Lower Bucks County Chapter, Levittown, PA to provide mental health counseling and case management services, along with related services	100,000
Children's Health Fund, New York, NY, to provide mental health services to children and families in Louisiana	400,000
City and County of San Francisco Department of Public Health, San Francisco, CA for mental health and substance abuse services for homeless persons in supportive housing	1,500,000
City of Los Angeles, CA for supportive housing services	300,000
Community Counseling Center, Portland, ME, for the expansion of the Greater Portland Trauma Assistance Network	100,000
Community Rehabilitation Center, Inc., Jacksonville, FL for substance abuse and mental health programs	320,000
Corporate Alliance for Drug Education, Philadelphia, PA, for mental health programs	90,000
Essex County, Newark, NJ, for a mental health initiative	635,000
Family Services of Greater Waterbury, Waterbury, CT for the outpatient counseling/psychiatric program	125,000
Family Support Systems Unlimited, Inc., Bronx, NY for mental health services	175,000
Fulton County Department of Mental Health, Atlanta, GA for a jail diversion program	125,000
Heartland Health Outreach, Inc., Chicago, IL for mental health services to refugee children	150,000
Helen Wheeler Center for Community Mental Health, Kankakee, IL for mental health services	200,000
Holy Spirit Hospital, Camp Hill, PA for the Teenline suicide prevention program	100,000
Indiana Wesleyan University, Marion, IN for the Institute of Training in Addiction Studies	150,000
Jewish Association for Residential Care, Farmington Hills, MI for the Lifelines project	300,000
Kids Hope United, Waukegan, IL for the multi-systemic therapy program for youth	270,000
New Image Homeless Shelter, Los Angeles, CA for mental health case management	75,000
New Mexico Human Services Department, Behavioral Health Collaborative, Santa Fe, NM, to transform the behavioral health services system	210,000
Oregon Partnership, Portland, Oregon, for mental health services and programs	84,000
Pacific Clinics, Arcadia, CA for mental health and suicide prevention programs for Latina youth	400,000
Prime Time House, Inc., Torrington, CT for mental health services	125,000
Rosebud Sioux Tribe, Rosebud, SD, for youth residential and outpatient therapy at Piya Mani Otipi	150,000
Ruth Rales Jewish Family Service, Boca Raton, FL to provide preventive youth mental health services and clinical outreach to at risk students	190,000
Sacramento Housing and Redevelopment Agency, Sacramento, CA, for services to the chronically homeless	100,000
Samaritans of Rhode Island, Providence, RI, to enhance the Suicide Crisis Hotline	210,000
Spurwink Services, New Gloucester, ME, to improve early detection, training, timely access and evaluating best practice models for child mental health services	100,000

Project	Total Funding
United Way of Anchorage, Anchorage, AK, for the 211 project to provide a statewide health and human services management system for Alaska	600,000
Ventura County Probation Office, Ventura, CA for treatment and related services for juvenile offenders with mental health and chemical dependency problems	240,000
Ventura County Sheriff's Department, Thousand Oaks, CA for training programs related to the mentally ill	200,000
Wisconsin Department of Agriculture, Transportation and Consumer Protection, Madison, WI, to provide mental health services for farmers and their families throughout Wisconsin	85,000
Youthville, Wichita, KS for an adoption and trauma resource center	450,000

Center for Substance Abuse Treatment

The conference agreement includes a program level total of $1,776,091,000 for the substance abuse prevention and treatment block grant instead of $1,793,591,000 as proposed by the House and $1,758,591,000 as proposed by the Senate. Within this total, $79,200,000 is provided through the evaluation set-aside as proposed by both the House and Senate.

The conference agreement includes $417,263,000 for substance abuse treatment programs of regional and national significance, which includes $4,300,000 from the evaluation set-aside, instead of $402,402,000 as proposed by the House and $426,568,000 as proposed by the Senate. Both the House and Senate bills included the evaluation set-aside at $4,300,000.

Within funds provided for substance abuse treatment programs of regional and national significance, the conference agreement includes $98,000,000 for the access to recovery program as proposed by the House instead of last year's level of $98,208,000 as proposed by the Senate.

Within the funds provided for substance abuse treatment programs of regional and national significance, the conference agreement includes $40,819,000 for criminal justice activities instead of $37,823,000 as proposed by both the House and Senate. Within this amount, the conference agreement provides $30,817,000 for treatment drug court grants instead of $23,826,000 as proposed by the House and $31,817,000 as proposed by the Senate.

Within funds provided for substance abuse treatment programs of regional and national significance, the conference agreement includes $9,992,000 for the Addiction Technology Transfer Centers instead of $10,742,000 as proposed by the House and $9,242,000 as proposed by the Senate.

Within funds provided for substance abuse treatment programs of regional and national significance, the conference agreement provides $12,000,000 for residential treatment programs for pregnant and postpartum women and their children instead of $20,000,000 as proposed by the Senate. The House did not include similar language.

Within funds provided for substance abuse treatment programs of regional and national significance, the conference agreement includes $29,624,000 for the screening, brief intervention, referral and treatment program. This includes $2,000,000 provided through the evaluation set-aside and is the same funding level as fiscal year 2007, as proposed by the Senate. The House did not include similar language.

The conference agreement includes the following projects in the following amounts:

Project	Total funding
Akeela, Inc., Anchorage, AK, for the Re-Entry Program in Anchorage, Alaska	200,000
Anchorage Dept. of Health and Social Services, Anchorage, AK, for the Pathways to Sobriety Project in Anchorage, Alaska	400,000
Asian American Recovery Services, Inc., San Francisco, CA, for substance abuse treatment programs	170,000
City of Las Vegas, NV for the EVOLVE program	400,000
City of Oxford, Oxford, MS for a substance abuse treatment program	350,000
Fulton County, Atlanta, GA for Project Excell, an intensive outpatient treatment program serving homeless males with co-occurring substance abuse and mental health disorders	100,000
Gavin Foundation, South Boston, MA for substance abuse treatment services at its Cushing House facility for adolescents	350,000
Glide Foundation, San Francisco, CA for substance abuse services	250,000
Heartland Family Services, Inc., Omaha, NE, for the Sarpy County Methamphetamine Treatment Program for women and children	100,000
Maine Lighthouse Corp., Bar Harbor, ME, for the Therapeutic Community for the Substance Abuse Treatment project	100,000
Maniilaq, Inc., Kotzebue, AK, for the Mavsigviq Family Recovery Program in Northwest Arctic Borough Alaska	500,000
Marin Services for Women, Inc., Greenbrae, CA, for substance abuse treatment for low-income women and their children	170,000
Martin Addiction Recovery Center, Martin, SD, to enhance and expand substance abuse intervention and treatment services	200,000
Metro Homeless Youth Services of Los Angeles, Los Angeles, CA to expand services for homeless youth with substance abuse problems	300,000
Minnesota Indian Women's Resource Center, Minneapolis, MN for a dual diagnosis outpatient treatment program	100,000
Nassau University Medical Center, East Meadow, NY for substance abuse treatment services	300,000
Nicasa in Round Lake, IL, Round Lake, IL, for evening outpatient substance abuse treatment program for women	325,000
Sandhills Teen Challenge, Carthage, NC for substance abuse treatment services	100,000
Sheriffs Youth Program of Minnesota, Inver Grove Heights, MN for chemical dependency treatment services	125,000
Talbert House, Cincinnati, OH for a substance abuse treatment program	300,000
Trumbull County Lifelines, Warren, OH for behavioral health services	200,000
Union Station Foundation, Pasadena, CA for services to homeless families	150,000
United Way of Treasure Valley, Boise, ID for a substance abuse treatment program	400,000
Wayne County Academy, Alpha, KY for a substance abuse counseling program	200,000
WestCare Kentucky, Ashcamp, KY for a substance abuse treatment and voucher program	700,000

Center for Substance Abuse Prevention

The conference agreement includes $197,675,000 for substance abuse prevention programs of regional and national significance instead of $194,502,000 as proposed by the House and $197,108,000 as proposed by the Senate.

Within the funds provided for substance abuse prevention programs of regional and national significance, the conference agreement includes $5,500,000 to carry out programs authorized by the Sober Truth on Preventing (STOP) Underage Drinking Act, of which:

$1,000,000 is for the Advertising Council's underage drinking campaign as proposed by both the House and Senate;

$4,000,000 is for community-based coalition enhancement grants instead of $5,000,000 as proposed by the House and $3,000,000 as proposed by the Senate; and,

$500,000 is for the Intergovernmental Coordinating Committee on the Prevention of Underage Drinking instead of $1,000,000 as proposed by the House—the Senate did not propose similar language.

The conference agreement includes the following projects in the following amounts:

Project	Total funding
Cheyenne River Sioux Tribe, Eagle Butte, SD, for a methamphetamine prevention program	400,000
Clinton County Office of District Attorney, Lock Haven, PA, for substance abuse prevention programs	90,000
Community Foundation for Greater New Haven, New Haven, CT to support innovative multi-disciplinary intervention programs serving children and families exposed to violence and trauma	500,000
Community Health Center on the Big Island of Hawaii	100,000
Fighting Back Partnership, Vallejo, CA for an intervention program targeting elementary and high school students who are at risk for substance abuse and misuse	250,000
Institute for Research, Education and Training in Addictions (IRETA), Pittsburgh, PA, for substance abuse prevention programs	90,000
Institute for the Advanced Study of Black Families, Oakland, CA for integrated HIV/AIDS and substance abuse prevention with African American women and teenagers	150,000
Iowa Office of Drug Control Policy, Des Moines, IA, to educate parents about drug use by teenagers	100,000
Municipality of Anchorage, Anchorage, AK, for methamphetamine education project in Alaska	400,000
Operation SafeHouse, Riverside, CA for a substance abuse prevention program	100,000
Seton Hill University, Greensburg, PA, for substance abuse prevention programs	90,000
Shiloh Economic Development Center, Bryan, TX for a substance abuse prevention program	150,000
South Boston Community Health Center, South Boston, MA for substance abuse prevention services	150,000
Standing Rock Sioux Tribe, Fort Yates, ND, for a methamphetamine prevention program	400,000
Tanana Chiefs Conference, Fairbanks, AK, for the Ch'eghutsen Children's Mental Health Program in Interior Alaska	500,000
The Partnership for a Drug-Free America, New York, NY for educational awareness programs on prescription and over-the-counter drug abuse	250,000
YMCA of the East Bay, Richmond, CA for substance abuse prevention activities	100,000

Program Management

The conference agreement includes a program level total of $96,719,000 for program management, of which $19,750,000 is provided through the evaluation set-aside. The House proposed $92,721,000 for program management, of which $16,000,000 was proposed through the evaluation set-aside and the Senate proposed $96,719,000, of which $21,750,000 was proposed through the evaluation set-aside.

Within the evaluation set-aside for program management, the conference agreement includes an additional $2,000,000 for the

National Survey on Drug Use and Health, rather than an additional $4,000,000 as proposed by the Senate. The House did not propose similar language.

Also within the evaluation set-aside for program management, the conference agreement includes $1,500,000, as proposed by the Senate, to include mental health questions in CDC's National Health Interview Survey (NHIS) and to carry out studies necessary to ensure the validity and reliability of the NHIS data.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

The conference agreement includes a program level of $334,564,000 for the Agency for Healthcare Research and Quality (AHRQ) instead of $329,564,000 as proposed by the House and Senate. The agreement makes these funds fully available through the policy evaluation set-aside. The House proposed providing $282,500,000 of the total for AHRQ through budget authority and $47,064,000 through the evaluation set-aside. The Senate proposed providing $329,564,000 entirely through budget authority. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

Within the funds provided, the conference agreement includes $30,000,000 for the comparative effectiveness health care research program as proposed by both the House and Senate. Also within the funds provided, $5,000,000 is for activities to reduce infections for methicillin-resistant staphylococcus aureus and related infections as proposed by the Senate. The House did not include similar language.

The conferees encourage AHRQ to look favorably on proposals that would proactively detect medical errors and preemptively control injury via compact medical devices that acquire, analyze and filter data from multiple, disparate, wireless and wired sources.

The conferees encourage AHRQ to investigate the feasibility of an open-source, no-cost license computer model capable of predicting the effects of health care policy alternatives for the purpose of improving health care quality and cost-effectiveness. The model should be developed with a consortium of university partners and be capable of predicting costs and health impacts.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

The conference agreement provides $141,628,056,000 for grants to States for Medicaid as proposed by the Senate instead of $141,630,056,000 as proposed by the House. Within this total, $2,761,957,000 is provided for the Vaccine for Children program as proposed by the Senate instead of $2,763,957,000 as proposed by the House.

PROGRAM MANAGEMENT

The conference agreement includes $3,276,502,000 for program management instead of $3,230,163,000 as proposed by the House and $3,248,088,000 as proposed by the Senate. An additional appropriation of $720,000,000 has been provided for the Medicare Integrity Program through the Health Insurance Portability and Accountability Act of 1996. Funds for individual CMS activities are displayed in the table at the end of the statement of managers. Funding levels that were in disagreement but not displayed on the table are discussed in this statement.

The conference agreement includes bill language providing $193,000,000, available through fiscal year 2009, for Medicare contracting reform activities. The House bill provided $163,800,000 for this activity; the Senate bill provided $253,775,000.

The conference agreement does not include language proposed by the Senate providing the Secretary of HHS the authority to charge fees associated with the cost of conducting survey and certification revisits of health care facilities that receive Medicare reimbursement. The House bill contained no similar provision.

The conference agreement includes bill language similar to that proposed by the Senate including $5,140,000 for the following projects in the following amounts:

Project	Total funding
Access Health, Inc., Muskegon, MI for a small business health coverage program	200,000
Bedford Ride, Bedford, VA for a program to assist seniors	70,000
Bi-State Primary Care Association, Concord, NH to treat uninsured patients	325,000
City and County of San Francisco Department of Public Health, San Francisco, CA for enhancements to the HIV/AIDS service delivery system in San Francisco	1,300,000
City of Detroit, MI for the Detroit Primary Care Access Project	350,000
City of Waterbury, CT for a health access program	200,000
Gadsden County, FL, Quincy, FL for a prescription assistance medical services program	100,000
Jefferson Area Board for Aging, Charlottesville, VA to address nursing assistant shortages in long-term care settings	100,000
Medicare Chronic Care Practice Research Network, Sioux Falls, SD, to evolve and continue the Medicare Coordinated Care Demonstration project	675,000
Mosaic, Des Moines, IA, for the Iowa Community Integration Project	300,000
Orange County's Primary Care Access Network, Orlando, FL for a health care access network	320,000
Piedmont Hospital, Atlanta, GA for a project regarding the transition of older patients from hospital to home	200,000
Thurston-Mason County Medical Society, Olympia, WA for Project Access for the uninsured	200,000
University of Mississippi, University, MS, for the Medication Use and Outcomes Research Group	300,000
University of North Carolina School of Pharmacy, Chapel Hill, NC, to study the impact of a primary care practice model utilizing clinical pharmacist practitioners to improve the care of Medicare-eligible populations in NC	100,000
Valley Hospice, Inc., Steubenville, OH to develop best practices for hospices across the State	400,000

The conference agreement includes $36,990,000 for research, demonstration, and evaluation instead of $23,070,000 as proposed by the House and $35,325,000 as proposed by the Senate. Within this total, the conference agreement includes $10,000,000 for Real Choice Systems Change Grants to States, as proposed by the Senate. The House bill did not include funding for this purpose.

The conference agreement provides $45,000,000 for the State Health Insurance Program as proposed by the House instead of $35,000,000 as proposed by the Senate. The conference agreement provides funds to support the National Center on Senior Benefits Outreach and Enrollment within the Administration on Aging rather than in the Centers for Medicare and Medicaid Services as proposed by the Senate. The House did not provide funding for this activity within CMS.

The conferees request the Government Accountability Office to submit a report to Congress by November 30, 2008 (1) assessing State efforts to reexamine health care delivery and expand access and (2) providing recommendations regarding the potential role of Congress in supporting State-based efforts. The Senate proposed a similar report in section 228 of H.R. 3043, as passed by the Senate. The House had no similar provision.

The conferees direct the Secretary of HHS to submit a report to the Appropriations Committees of the House of Representatives and the Senate no later than 30 days after enactment of this Act on workers' compensation set-asides under the Medicare secondary payer set-aside provisions under title XVIII of the Social Security Act. The Senate proposed a similar report in section 240 of H.R. 3043, as passed by the Senate. The House had no similar provision.

The conferees believe that the Secretary of HHS should maintain "deemed status" coverage under the Medicare program for clinical trials that are Federally funded or reviewed, as provided for by the Executive Memorandum of June 2000. The Senate expressed a similar view in section 241 of H.R. 3043, as passed by the Senate. The House had no similar provision.

The conferees direct CMS to include in the next publication of "Medicare & You" information regarding: (1) the importance of writing and updating advance directives and living wills; and (2) access to laboratory findings and medical records and encouraging patients to be more proactive in asking for copies of these important pieces of health information.

HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

The conference agreement provides $383,000,000, to be available until expended, from the Medicare trust funds for health care fraud and abuse control, as proposed by the Senate. The House proposed the same level of funding but with one-year availability. Within this total, the conference agreement provides a different allocation of funding between activities than that provided by the House or the Senate. The agreement provides $284,620,000 for CMS program integrity activities, including activities authorized under the Medicare Integrity Program and $35,000,000 for Medicaid anti-fraud activities. The House and Senate had provided $288,480,000 for the Medicare Integrity Program. The HHS Office of the Secretary is provided $25,000,000 in the conference agreement rather than $21,140,000 as proposed by the House and Senate. Funding for Medicaid program integrity activities was not included in either the House or Senate bill.

ADMINISTRATION FOR CHILDREN AND FAMILIES

LOW-INCOME HOME ENERGY ASSISTANCE

The conference agreement includes $2,411,585,000 for low-income home energy assistance instead of $2,662,000,000 as proposed by the House and $2,161,170,000 as proposed by the Senate. Of the amount provided, $1,980,000,000 is provided for formula grants to States as proposed by both the House and Senate, and $431,585,000 is provided for the contingency fund instead of $682,000,000 as proposed by the House and $181,170,000 as proposed by the Senate.

REFUGEE AND ENTRANT ASSISTANCE

The conference agreement includes $652,394,000 for the refugee and entrant assistance programs instead of $650,630,000 as proposed by the House and $654,166,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

Within the total for refugee and entrant assistance, the conference agreement includes $9,814,000, as proposed by the House, for victims of trafficking instead of $9,823,000 as proposed by the Senate. The conferees concur with both the House and Senate and do not include bill language that would expand the program to include domestic victims of trafficking.

Within the total for refugee and entrant assistance, the conference agreement includes $154,005,000 for social services as proposed by both the House and Senate. Included within this amount, $19,000,000 is for support to communities with large concentrations of Cuban and Haitian entrants as proposed by the House. The Senate did not include similar language.

Within the total for refugee and entrant assistance, the conference agreement includes $131,399,000 for the unaccompanied minors program instead of $129,635,000 as proposed by the House and $133,162,000 as proposed by the Senate. As proposed by both the House and Senate, the conference agreement does not include funds for expanded background checks. After addressing increased shelter and medical costs, the conferees direct ORR to use the increase provided for the unaccompanied minors program to expand the pro bono legal services initiative, as proposed by both the House and Senate.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

The conference agreement includes $2,094,581,000 for the Child Care and Development Block Grant, instead of $2,137,081,000 as proposed by the House bill and $2,062,081,000 as proposed by the Senate bill. The bill designates $982,080 for the Child Care Aware toll-free hotline; this provision was included in the House bill. The Senate bill included funds for this purpose but did not name the entity.

The conference agreement also includes bill language specifying $5,000,000 for the Small Business Child Care program. The Senate bill provided these funds in a general provision. The House bill did not include a similar provision.

SOCIAL SERVICES BLOCK GRANT

The conference agreement includes bill language allowing States to transfer up to 10 percent of Temporary Assistance to Needy Families (TANF) funds to the Social Services Block Grant. This provision was not included in either the House or the Senate bill.

CHILDREN AND FAMILIES SERVICES PROGRAMS

The conference agreement includes $9,231,195,000 for Children and Families Services Programs, of which $10,500,000 is provided through the evaluation set-aside. The House bill proposed $9,157,440,000 for these programs and the Senate proposed $9,223,832,000. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

Head Start

The conference agreement includes $7,042,196,000 for Head Start, instead of $6,963,571,000 as proposed by the House and $7,088,571,000 as proposed by the Senate. The agreement includes $1,388,800,000 in advance funding.

Consolidated Runaway and Homeless Youth Program

The conference agreement includes $100,337,000 for the Consolidated Runaway and Homeless Youth Program, instead of $97,837,000 as proposed by the House and $102,837,000 as proposed by the Senate.

Prevention Grants to Reduce Abuse of Runaway Youth

The conference agreement includes $17,527,000 for prevention grants to reduce abuse of runaway youth, instead of $15,027,000 as proposed by the House and $20,027,000 as proposed by the Senate.

Child Abuse State Grants and Discretionary Activities

The conference agreement includes $65,033,000 for Child Abuse State Grants and child abuse discretionary programs, instead of $63,840,000 as proposed by the House and $64,745,000 as proposed by the Senate.

Included in this amount is $27,007,000 for State grants, as proposed by both the House and the Senate. Within the amount provided for State grants, the conferees include $10,000,000 for a home visitation initiative to support competitive grants to States to encourage investment of existing funding streams into evidence-based home visitation models. The conferees expect that the Administration for Children and Families will ensure that States use the funds to support models that have been shown, in well-designed randomized controlled trials, to produce sizeable, sustained effects on important child outcomes such as abuse and neglect. The conferees also recommend that the funds support activities to assist a range of home visitation programs to replicate the techniques that have met these high evidentiary standards. In carrying out this new initiative, the conferees instruct the Department to adhere closely to evidence-based models of home visitation and not to incorporate any additional initiatives that have not met these high evidentiary standards or might otherwise dilute the emphasis on home visitation.

For child abuse discretionary activities, the conference agreement provides $38,026,000, instead of $36,833,000 as proposed by the House and $37,738,000 as proposed by the Senate. Within the funds provided for child abuse discretionary activities, the conference agreement includes the following projects in the following amounts:

Project	Total funding
Boys and Girls Town of Missouri, St. James, MO, to expand services to abused and neglected children	423,000
Catholic Community Services of Juneau, Juneau, AK, to continue operations at its Family Resource Center for child abuse prevention and treatment in Juneau, Alaska	400,000
Children Uniting Nations, Los Angeles, CA for a foster child mentoring program in Los Angeles	300,000
Darkness to Light, Charleston, SC, to expand and disseminate the Stewards of Children program in consultation with the CARE House of Dayton, OH	300,000
Jefferson County, Golden, CO for child abuse prevention and treatment programs	100,000
New York Center for Children, New York, NY for comprehensive support and services to abused children and their families	175,000
Shelter for Abused Women, Winchester, VA to enhance community efforts to address domestic violence	100,000
Young Women's Christian Association (YWCA), Williamsport, PA, for abused and neglected children's CASA programs	90,000

Adoption Incentives

The conference report includes $4,400,000 for the Adoption Incentive Program, rather than $9,500,000 as proposed by both the House and the Senate. The decrease reflects available carry-over from the previous fiscal year, due to the fact that bonus amounts earned by the States have fallen significantly, causing the Department to revise its estimate of funds needed to pay incentives earned by the States in fiscal year 2007.

Adoption Awareness

The conference agreement includes $13,674,000 for the Adoption Awareness Program, instead of $14,674,000 as proposed by the House and $12,674,000 as proposed by the Senate. Within this amount, the conferees expect that the increase of $1,000,000 will be used for infant adoption awareness, bringing the total available for this activity to $10,728,000. The remaining $2,946,000 is recommended for the special needs adoption campaign.

Compassion Capital Fund

The conference agreement includes $53,625,000 for the Compassion Capital Fund as proposed by the Senate, instead of $64,350,000 as proposed by the House.

Social Services and Income Maintenance Research

The conference agreement includes $21,898,000 for social services and income maintenance research, of which $6,000,000 is provided through the evaluation set-aside. The House proposed $14,635,000 for this program, of which $6,000,000 was funded through the evaluation set-aside and the Senate proposed $11,825,000, of which $6,000,000 was from the evaluation set-aside.

Within the funds provided for social services research, the conference agreement includes the following projects in the following amounts:

Project	Total funding
A+ For Abstinence, Waynesboro, PA, for abstinence education and related services	25,425
Abyssinian Development Corporation, New York, NY, to support and expand youth and family displacement prevention programs	150,000
Alaska Children's Services, Anchorage, AK, for its program to serve low income youth in Anchorage, Alaska	250,000
Alaska Statewide Independent Living Council, Inc., Anchorage, AK, to continue and expand the Personal Care Attendant Program and to expand outreach efforts to the disabled living in rural Alaska	200,000
Anna Maria College, Paxton, MA, for program development at the Molly Bish Center for the Protection of Children and the Elderly	85,000
Arrowhead Economic Opportunity Agency, Virginia, MN for the Family-to-Family community based mentoring program to assist low-income families	300,000
Augusta Levy Learning Center, Wheeling, WV for services to children with Autism	100,000
Beth El House, Alexandria, VA for social services and transitional housing for formerly homeless women and their children	75,000
Boston Medical Center, Boston, MA	175,000
Catholic Family Center, Rochester, NY, for the Kinship Caregiver Resource Network	250,000
Catholic Social Services, Wilkes-Barre, PA, for abstinence education and related services	39,000
Child Care Resource and Referral Network, Tacoma, WA, for a child care quality initiative	900,000

Project	Total funding
Children's Home Society of Idaho, Boise, ID, for the Bridge Project to place Idaho children-in-care in foster care	225,000
Children's Home Society of South Dakota, Sioux Falls, SD for services related to domestic violence, child abuse, and neglect	300,000
Christian Outreach of Lutherans, Waukegan, IL for Latino leadership development in underserved areas	125,000
City of Chester, Bureau of Health, Chester, PA, for abstinence education and related services	30,000
City of Detroit, MI for an Individual Development Account initiative	400,000
City of Fort Worth, TX for programming at neighborhood-based early childhood resource centers	200,000
City of San Jose, CA for its Services for New Americans program, including assistance with job seeking skills, citizenship, family safety and resettlement	200,000
Cliff Hagan Boys and Girls Club—Mike Horn Unit, Owensboro, KY for purchase of equipment	175,000
Communities In Schools, Bell-Coryell Counties, Inc., Killeen, TX for youth counseling services	260,000
Community Partnership for Children, Inc., Silver City, NM, for a child care quality initiative	170,000
Community Services for Children, Inc., Allentown, PA, for early childhood development services	90,000
Connecticut Council of Family Service Agencies, Wethersfield, CT, for the Empowering People for Success initiative	340,000
Covenant House Florida, Ft. Lauderdale, FL for a program for pregnant and parenting teens and young adults	200,000
Crisis Nursery of the Ozarks, Springfield, MO for a child abuse prevention program	245,350
Crozer Chester Medical Center, Upland, PA, for abstinence education and related services	30,000
Eisner Pediatric and Family Medical Center, Los Angeles, CA for the Parent-Child Home Program	125,000
Every Citizen Has Opportunities, Inc., Leesburg, VA for services to disabled individuals	250,000
Family Center of Washington County, Montpelier, VT for childcare and related services	500,000
Family Service & Childrens Aid Society, Oil City, PA, for abstinence education and related services	26,000
Fathers and Families Center, Indianapolis, IN	80,000
First 5 Alameda County, San Leandro, CA for development and support of postsecondary early childhood education and training programs, which may include student scholarships	275,000
Friends Association for Care and Protection of Children, West Chester, PA, for programs to provide safe, secure housing for children through an emergency shelter for families, transitional housing, specialized foster care and adoption programs	90,000
Friendship Circle of the South Bay, Redondo Beach, CA for services for children with developmental disabilities	465,000
Greater New Britain Teen Pregnancy Prevention, Inc., New Britain, CT for the Pathways/Senderos Center for education and outreach	125,000
Guidance Center, Ridgeway, PA, for abstinence education and related services	26,000
Hamilton-Madison House, New York, NY for services and equipment for a social services program	100,000
Healthy Learners Dillon, Columbia, SC for social services for economically disadvantaged children	200,000
Heart Beat, Millerstown, PA, for abstinence education and related services	39,000
Helping Children Worldwide, Herndon, VA to assist students and families	250,000
Hennepin County Human Services and Public Health Department, Minneapolis, MN for the Family Healing and Restoration Network Project	425,000
Hillside Family of Agencies, Rochester, NY for the Hillside Children's Center for adoption services	100,000
Hope Village for Children, Meridian, MS for a program to assist foster children	215,000
Horizons for Homeless Children, Boston, MA for Playspace Programs for homeless children in the 7th Congressional District	75,000
Horizons for Homeless Children, Boston, MA to continue and expand the Playspace program	160,000
Keystone Central School District, Mill Hall, PA, for abstinence education and related services	33,900
Keystone Economic Development Corporation, Johnstown, PA, for abstinence education and related services	33,900
Kingsborough Community College, Brooklyn, NY for the New American's Center	190,000
L.I.F.T. Women's Resource Center, Detroit, MI for services to improve self-sufficiency and life skills of women transitioning from substance abuse, domestic violence, or homelessness	100,000
LaSalle University, Philadelphia, PA, for abstinence education and related services	47,000
Lawrence County Social Services, New Castle, PA for early childhood, parental training, and life skills programs	125,000
Lutheran Social Services, Duluth, MN for services to runaway, homeless, and other at-risk youth and their families	400,000
Marcus Institute, Atlanta, GA for services for children and adolescents with developmental disabilities and severe and challenging behaviors	400,000
Mary's Family, Orlean, VA to develop a respite program for Winchester-area special needs families	100,000
Mecklenburg County, Charlotte, NC, for a program to combat domestic violence	200,000
Mercy Hospital of Pittsburgh, Pittsburgh, PA, for abstinence education and related services	47,000
Missouri Bootheel Regional Consortium, Portageville, MO for the Fatherhood First program	350,000
Monterey County Probation Department, Salinas, CA for the Silver Star gang prevention and intervention program	450,000
My Choice, Inc., Athens, PA, for abstinence education and related services	22,000
Nashua Adult Learning Center, Nashua, NH for a Family Resource Center	100,000
National Energy Assistance Directors' Association, Washington, DC for research and information dissemination related to the Low-Income Home Energy Assistance Program	200,000
Neighborhood United Against Drugs, Philadelphia, PA, for abstinence education and related services	39,000
Network for Instructional TV, Inc., Reston, VA for a training program for child care providers	50,000
New Brighton School District, New Brighton, PA, for abstinence education and related services	30,000
Northeast Guidance Center, Detroit, MI, Detroit, MI, for the Family Life Center project	210,000
Northwest Family Services, Alva, OK, to establish behavioral health services and family counseling programs	85,625
Nueva Esperanza, Philadelphia, PA, for abstinence education and related services	30,000
Nurses for Newborns Foundation, St. Louis, MO for nurse home visiting program	475,000
Organization of the NorthEast, Chicago, IL for development of a local homeless services continuum	80,000
Our Piece of the Pie, Hartford, CT, for social outreach services to grandparents raising teenagers	210,000
Partners for Healthier Tomorrows, Ephrata, PA, for abstinence education and related services	22,000
Pediatric Interim Care Center, Kent, WA for the Drug-Exposed Infants Outreach and Education program	150,000
Pennsylvania Coalition Against Domestic Violence, Harrisburg, PA, for domestic violence programs	90,000
Positively Kids, Las Vegas, NV, to create a program to provide home, respite, and medical day care for severely-disabled children	100,000
Progressive Believers Ministry, Wynmoor, PA, for abstinence education and related services	26,000
Public Health Department, Solano County, Fairfield, CA for a program to support pregnant women and new mothers	100,000
Real Commitment, Gettysburg, PA, for abstinence education and related services	47,000
School District of Philadelphia, Philadelphia, PA, for abstinence education and related services	39,000
Sephardic Bikur Holim of Monmouth County, Deal, NJ for social services programs	140,000
Services, Immigrant Rights and Education Network, San Jose, CA for assistance to immigrants seeking citizenship	100,000
Shepherd's Maternity House, Inc., East Stroudsburg, PA, for abstinence education and related services	26,000
Southern Illinois University, Carbondale, IL for the Center for Autism Spectrum Disorders	240,000
Stephen F. Austin State University, Nacogdoches, TX for coordination of family and child services	300,000
Susan Wesley Family Learning Center, East Prairie, MO for programs to assist at-risk youth and their families	100,000
TLC for Children and Families, Inc., Olathe, KS for a transitional living program for at-risk and homeless youth	320,000
Tuscarora Intermediate Unit, McVeytown, PA, for abstinence education and related services	39,000
United Way Southeastern Michigan, Detroit, MI for the Communities of Early Learning initiative	300,000
University of Central Missouri, Warrensburg, MO for the treatment of autism spectrum disorders	300,000
Urban Family Council, Philadelphia, PA, for abstinence education and related services	67,800
Visitation Home, Inc., Yardville, NJ for programs to assist developmentally disabled residents	100,000
Washington Hospital Teen Outreach, Washington, PA, for abstinence education and related services	39,000
Women's Care Center of Erie County, Inc., Erie, PA, for abstinence education and related services	39,000
York County Human Life Services, York, PA, for abstinence education and related services	39,000
YWCA of Greater Los Angeles, Los Angeles, CA for a project providing coordinated assistance to victims of sexual assault and domestic violence	100,000

Developmental Disabilities

Within developmental disabilities programs, the conference agreement includes $77,271,000 for State Councils on Developmental Disabilities, as proposed by the Senate instead of $76,771,000 as proposed by the House. For protection and advocacy services, the conferees include $41,718,000, instead of $38,718,000 as proposed by the House and $42,718,000 as proposed by the Senate.

The conference agreement includes $18,820,000 for voting access for individuals with disabilities, instead of $36,720,000 as proposed by the House and $16,720,000 as proposed by the Senate. Within the funds provided, $12,920,000 is for payments to States to promote access for voters with disabilities and $5,900,000 is for State protection and advocacy systems. The House proposed $25,890,000 and $10,830,000 respectively for these two activities, while the Senate proposed $11,390,000 and $5,330,000.

For developmental disabilities projects of national significance, the conference agreement includes $14,414,000, instead of $11,414,000 as proposed by the House and $15,414,000 as proposed by the Senate. Within this amount, $2,000,000 is provided for a National Clearinghouse and Technical Assistance Center, as proposed by the Senate. The House did not include similar language.

For University Centers for Excellence, the conference agreement includes $37,613,000, instead of $33,213,000 as proposed by the House and $38,713,000 as proposed by the Senate.

Native Americans

The conference agreement includes $48,332,000 for Native American programs, instead of $47,332,000 as proposed by the House and $49,332,000 as proposed by the Senate. Within this total, $4,000,000 is included for Native language immersion and other revitalization programs, instead of $3,000,000 as proposed by the House and $5,000,000 as proposed by the Senate.

Community Services

The conference agreement includes $665,425,000 for the Community Services Block Grant (CSBG), instead of $660,425,000 as proposed by the House and $670,425,000 as proposed by the Senate. The conference agreement makes a technical correction in bill language, as proposed by the House, to reflect a total for the programs authorized under the CSBG Act. Additional programs in this account are funded under other authorities.

For community economic development, the conference agreement includes $32,700,000 as proposed by the House, instead of $27,022,000 as proposed by the Senate.

Domestic Violence Hotline

The conference agreement includes $3,085,000 for the National Domestic Violence Hotline, instead of $2,970,000 as proposed by the House and $3,200,000 as proposed by the Senate.

Battered Women's Shelters

The conference agreement includes $130,866,000 for battered women's shelters and family violence prevention services, instead of $134,731,000 as proposed by the House and $127,000,000 as proposed by the Senate.

Abstinence Education

The conference agreement includes $141,164,000 for community-based abstinence education as proposed by the House, instead of $84,916,000 as proposed by the Senate. Within this amount, $4,500,000 is provided through the evaluation set-aside.

The Conference report includes a provision, proposed by the House regarding the definition of abstinence education contained in section 510(b)(2) of the Social Security Act. Also included is language, proposed by the House, precluding grantees who receive funding under this section from discussing with adolescents any other education regarding sexual conduct in the same setting as abstinence education. The Senate contained no similar provisions.

The conferees direct the Secretary of Health and Human Services to require that each applicant for financial assistance under the abstinence education program certify that all materials proposed in the application and funded during the project period of the grant are medically accurate, and direct that a panel of medical experts shall review such grant applications and assess whether the materials proposed are medically accurate, as proposed by the House. Bill language concerning scientific accuracy, as proposed by the Senate, is not included.

The conference agreement also provides that up to $10,000,000 may be used to carry out a national abstinence education campaign as proposed by the House. The Senate contained no similar provision.

Program Direction

The conference agreement includes $191,025,000 for program direction, instead of $187,776,000 as proposed by the House and $197,225,000 as proposed by the Senate. This amount does not include the additional request for $6,200,000 for improper payments activities as proposed by the Senate.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

The conference agreement includes $5,067,000,000 for Payments to States for Foster Care and Adoption Assistance, the same level as the Senate bill instead of $5,082,000,000 as proposed by the House bill.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

The conference agreement includes $1,446,651,000 for aging services programs instead of $1,417,189,000 as proposed by the House and $1,451,585,000 as proposed by the Senate. The conference agreement includes bill language designating $5,500,000 for medication management, screening, and education to prevent incorrect medication and adverse drug reactions as proposed by the Senate. The House did not propose similar language. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

Within the total, the conference agreement includes $357,595,000 for supportive services and centers, as proposed by the House, instead of $355,595,000 as proposed by the Senate.

Within the total, the conference agreement includes $21,000,000 for activities for the protection of vulnerable older Americans instead of $20,156,000 as proposed by the House and $21,156,000 as proposed by the Senate. Included within this total, $15,854,000 is for the ombudsman services program instead of $16,010,000 as proposed by the Senate and $5,146,000 is for the prevention of elder abuse program as proposed by the Senate. The House did not propose specific funding amounts for these programs.

Within the total, the conference agreement includes $158,167,000 for the family caregivers program instead of $156,167,000 as proposed by the House and $159,167,000 as proposed by the Senate.

Within the total, the conference agreement includes $771,481,000 for nutrition programs instead of $758,599,000 as proposed by the House and $775,570,000 as proposed by the Senate. Within the funding level for nutrition services, the conference agreement includes the following amounts:

$418,019,000 for congregate meals instead of $411,692,000 as proposed by the House and $419,519,000 as proposed by the Senate;

$197,305,000 for home delivered meals instead of $194,337,000 as proposed by the House and $198,805,000 as proposed by the Senate; and,

$156,157,000 for the nutrition services incentives program instead of $152,570,000 as proposed by the House and $157,246,000 as proposed by the Senate.

Within the total, the conference agreement includes $27,376,000 for grants for Native Americans instead of $26,918,000 as proposed by the House and $27,834,000 as proposed by the Senate.

Within the total, the conference agreement includes $15,094,000 for program innovations instead of $10,240,000 as proposed by the House and $11,420,000 as proposed by the Senate. Funding is provided at no less than the fiscal year 2007 levels for national programs scheduled to be refunded in fiscal year 2008. Also within the funding for program innovations, the conference agreement includes $1,000,000 to continue the Alzheimer's disease 24-hour call center as proposed by the Senate. The House did not include similar language.

The conferees encourage the Administration on Aging to allocate funding for a national program of statewide Senior Legal Hotlines (also called Senior Legal Helplines) at a minimum at their current levels and ideally to provide an increase in the number of States in which these services are available for seniors. Statewide Senior Legal Hotlines/Helplines provide free, legal advice, information, referrals and a variety of additional services to older Americans over 60, enabling more seniors to maintain healthy, independent lives, free from the threats of poverty, exploitation or abuse.

The Conference agreement includes the following projects in the following amounts:

Project	Total funding
Allied Jewish Federation of Colorado, Denver, CO for a naturally occurring retirement communities demonstration project	300,000
Amalgamated Warbasse Houses, Inc., Brooklyn, NY for a demonstration project focusing on supportive service programs in naturally occurring retirement communities	250,000
California Senior Legal Hotline, Sacramento, CA for a demonstration project to increase services to non-English-speaking seniors	80,000
Coalition of Wisconsin Aging Groups, Madison, WI, to conduct outreach and education for law enforcement and financial industry on financial elder abuse	170,000
Disability Rights Wisconsin, Madison, WI, for nursing home support services	155,000
Durham-Chapel Hill Jewish Federation, Durham, NC for a demonstration program to improve assistance to family caregivers	130,000
Good Samaritan Village of Hastings, Sioux Falls, SD, for the continuation of the Sensor Technology Project for Senior Independent Living and Home Health	100,000
Howard Brown Health Center, Chicago, IL for the Chicago Elder Project	400,000
Jewish Community Services of South Florida, North Miami, FL for a naturally occurring retirement communities demonstration project	125,000
Jewish Family & Child Services, Portland, Oregon, for seniors programs and services at a Naturally Occurring Retirement Community	84,700
Jewish Family and Children's Service of Greater Philadelphia, Philadelphia, PA, for Naturally Occurring Retirement Communities demonstration project	90,000
Jewish Family and Children's Service of Minneapolis, Minnetonka, MN for a naturally occurring retirement community demonstration project	200,000
Jewish Family Service of New Mexico, Albuquerque, NM for a naturally occurring retirement community demonstration project	300,000
Jewish Family Service, Los Angeles, CA for a naturally occurring retirement communities demonstration project in Park La Brea and the San Fernando Valley	350,000
Jewish Family Services of Delaware, Inc., Wilmington, DE for a naturally occurring retirement community demonstration project	300,000
Jewish Federation of Central New Jersey, Scotch Plains, NJ for the naturally occurring retirement community demonstration project	300,000
Jewish Federation of Greater Atlanta, Atlanta, GA, for a Naturally Occurring Retirement Community	84,300
Jewish Federation of Greater Indianapolis, Indianapolis, IN for a Naturally Occurring Retirement Community	630,000
Jewish Federation of Greater Monmouth County, NJ for a naturally occurring retirement communities demonstration project	300,000
Jewish Federation of Greater New Haven, Woodbridge, CT to develop, test, evaluate, and disseminate an innovative community-based approach to caregiver support services	150,000
Jewish Federation of Las Vegas, NV for the Las Vegas Senior Lifeline Program	600,000
Jewish Federation of Middlesex County, South River, NJ for a naturally occurring retirement communities demonstration project	250,000
Jewish Social Service Agency, Fairfax, VA for a naturally occurring retirement community demonstration project	150,000
Nevada Rural Counties RSVP, Carson City, NV, to provide home services to seniors in rural areas	100,000
Shenandoah Area Agency on Aging, Front Royal, VA for a model group respite center for persons with Alzheimer's disease and dementia	150,000
UJA Federation of Northern NJ, River Edge, NJ, for a Naturally Occurring Retirement Community	170,000
United Jewish Communities of MetroWest, NJ, Parsippany, NJ for the Lifelong Involvement for Vital Elders Aging in Place initiative	500,000
United Jewish Federation of Greater Pittsburgh, Pittsburgh, PA, for Naturally Occurring Retirement Communities demonstration project	90,000
University of Florida, Gainesville, FL for a technology demonstration project to assist seniors	100,000

Within the total, the conference agreement includes $37,901,000 for aging network support activities instead of $29,633,000 as proposed by the House and $42,651,000 as proposed by the Senate. Within the funding level for aging network support activities, the conference agreement includes the following amounts:

$1,676,000, as proposed by the Senate, for the pension counseling and information program in order to expand the number of regional counseling projects from five to six—the House did not specify a funding level for this program;

$22,250,000 for the choices for independence initiative instead of $16,500,000 as proposed by the House and $28,000,000 as proposed by the Senate; and,

$2,000,000 for the establishment of a National Center on Senior Benefits Outreach and Enrollment instead of $1,000,000 as proposed by the Senate—the House did not include funding for this program.

Within the total, the conference agreement includes $18,541,000 for program administration instead of $18,385,000 as proposed by the House and $18,696,000 as proposed by the Senate.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $392,921,000 for General Departmental Management instead of $348,075,000 as proposed by the House and $404,237,000 as proposed by the Senate, including $5,851,000 from Medicare trust funds, which was provided by both the House and Senate. In addition, $46,756,000 in program evaluation funding is provided, which was proposed by both the House and Senate.

The conference agreement does not provide funds, as proposed by the House, to establish a new discretionary fund for the Secretary. The Senate provided $4,000,000 for this purpose.

The conference agreement includes $5,500,000 for a Health Diplomacy Initiative including bill language specifying that these funds may be used to carry out health diplomacy activities such as health training, services, education, and program evaluation, provided directly, through grants, or through contracts. The Senate bill designated $9,500,000 for thisinitiative, while the House bill did not include a similar provision.

The conference agreement includes $500,000 for a feasibility study for a National Registry of Substantiated Cases of Child Abuse or Neglect, as described in section 633(g) of the Adam Walsh Child Protection Act. The agreement does not include bill language designating this amount for this purpose as proposed by the Senate. The House did not include a similar provision.

The conference agreement does not include bill language designating $2,000,000 for dental workforce programs within this account as proposed by the Senate. The House did not include a similar provision. The conferees have instead provided funding for these activities within the Allied Health and Other Disciplines program within the Health Resources and Services Administration.

The conference agreement provides $1,000,000 for the Interagency Autism Coordinating Committee (IACC) as proposed by the Senate. The House recommended funds for the IACC but did not specify an amount. The agreement includes bill language not included in either House or Senate bills specifying that these funds shall be transferred to the National Institute of Mental Health.

The Conference agreement includes $22,627,000 for the transformation of the Commissioned Corps instead of $19,157,000 proposed by the House and $30,000,000 proposed by the Senate.

The conferees concur that not more than the fiscal year 2007 funding level shall be available for the Office of Legislative Affairs.

The conferees concur that the conference agreement includes sufficient funds to continue support of the national and multiple area poverty centers at no less than the fiscal year 2007 level.

Within the funds provided for General Departmental Management, the conference agreement includes the following projects in the following amounts:

Project	Total funding
Alma Family Services, Monterey Park, CA to increase access to culturally competent health information to minority populations, which may include the purchase of a fully equipped mobile computer lab/resource unit	75,000
Bronx-Lebanon Hospital, New York, NY for demonstration project to increase access to health care for low-income minority men in South and Central Bronx	400,000
Community Health Partnership, Santa Clara, CA for its Healthy Women, Healthy Choices project to provide comprehensive health education to underserved women	200,000
Community Transportation Association of America, Washington, DC, for technical assistance to human services transportation providers on ADA requirements	850,000
Hunterdon Medical Center, Flemington, NJ for its Latino Healthcare Initiative	90,000
Louisiana State University Health Sciences Center, Shreveport, LA for a health literacy program	250,000
Marymount University, Arlington, VA for a project to provide health screenings, referrals and health education at a nurse managed health center for minority populations	70,000
Nassau University Medical Centers, East Meadow, NY for a minority health institute	320,000
National Hispanic Medical Association, Washington, DC for a Hispanic health portal to provide online health education materials	500,000
Palmer College on Chiropractic, Consortial Center for Chiropractic Research in Davenport, Iowa, and the Policy Institute for Integrative Medicine in Philadelphia, PA for a best practices initiative on lower back pain	325,000
Prince George's County, Upper Marlboro, MD for a media campaign for pregnant women about health insurance for prenatal care	140,000
St. Luke's Community Free Clinic, Front Royal, VA for activities focused on adult hypertension and dental care	350,000
Thurston-Mason County Medical Society, Olympia, WA for a demonstration project to increase care for non-English-speaking patients	90,000

The conference agreement includes $2,000,000 for the Lifespan Respite Care Act instead of $10,000,000 as proposed by the House. The Senate did not provide funds for this purpose.

The conference agreement includes $49,620,000 for the Office of Minority Health instead of $49,284,000 as proposed by the House and $49,475,000 as proposed by the Senate. The conferees include additional resources over the request to expand the number of participating institutions in the New Minority Males Consortium, Inc., as well as to enhance the resources received by each of the institutions to increase their activities and to conduct the national comparative study of the incidence of certain health conditions and diseases among minority males.

The conferees are encouraged by the progress that the Office of Minority Health made in fiscal year 2007 on the multi-year effort to address health disparities issues in the gulf coast region, and looks forward to further progress in this area in fiscal year 2008.

Within the funds provided for the Office of Minority Health, the conference agreement includes the following project in the following amount:

Project	Total Funding
Saint Francis Hospital, Wilmington, DE, to expand prenatal, maternity, pediatric, and other primary care services to indigent populations	500,000

The conference agreement includes $31,585,000 for the Office of Women's Health (OWH) instead of $28,800,000 proposed by the House and $30,369,000 as proposed by the Senate. The conferees have provided sufficient funds for OWH to work with the advocacy community to develop and implement a sustained lupus awareness and education campaign aimed at reaching health care professionals and the general public with an emphasis on reaching women at greatest risk for developing lupus. The agreement also includes $1,000,000 for the Institute of Medicine to conduct a comprehensive review of the status of women's health research, summarize what has been learned about how diseases specifically affect women, and report to the Congress on suggestions for the direction of future research.

With regard to Minority HIV/AIDS, the conferees expect that activities that are targeted to address the growing HIV/AIDS epidemic and its disproportionate impact upon communities of color, including African Americans, Latinos, Native Americans, Asian Americans, Native Hawaiians, and Pacific Islanders, will be supported at no less than last year's funding level.

The conference agreement includes $4,000,000 for the Embryo Adoption Awareness Campaign as proposed by the Senate instead of $1,980,000 as proposed by the House. The agreement includes bill language as proposed by the Senate permitting these funds to be used to provide, to individuals adopting embryos, through grants or other mechanisms, medical and administrative services deemed necessary for such adoptions consistent with 42 CFR 59.5(a)(4).

The conference agreement includes bill language proposed by the Senate to direct that specific information requests from the chairmen and ranking members of the Subcommittees on Labor, Health and Human Services, and Education, and Related Agencies, on scientific research or any other matter, be transmitted to the Committees on Appropriations in a prompt, professional manner and within the time frame specified in the request. In addition, the agreement includes a modification to the language proposed by the Senate to include scientific information provided in congressional testimony requested by the Committees on Appropriations and prepared by government researchers and scientists be transmitted to the Committees on Appropriations, uncensored and without delay. The House did not include a similar provision.

OFFICE OF MEDICARE HEARINGS AND APPEALS

The conference agreement includes $67,500,000 for this activity instead of $65,000,000 as proposed by the House and $70,000,000 as proposed by the Senate.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

The conference agreement includes $66,151,000 for this activity, of which

$27,651,000 is provided in budget authority and $38,500,000 is made available through the Public Health Service program evaluation tap. The House provided a combined total of $61,302,000 for this activity; the Senate provided a combined total of $71,000,000. The conferees encourage the Department to develop an interoperability standard, tool set, and validation protocol that facilitates seamless medical device information sharing and device connectivity.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $45,187,000 for the Office of Inspector General instead of $44,687,000 as proposed by the House and $45,687,000 as proposed by the Senate.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $1,505,509,000 for the Public Health and Social Services Emergency Fund (PHSSEF) instead of $1,705,382,000 as proposed by the House and $1,729,556,000 as proposed by the Senate.

The conference agreement includes bill language designating $741,586,000 to support activities related to countering potential biological, disease, nuclear, radiological and chemical threats to civilian populations and for other public health emergencies instead of $757,291,000 as proposed by the House and $786,556,000 as proposed by the Senate.

The conferees concur with the House and provide funding for World Trade Center treatment and monitoring within the CDC appropriation and not the PHSSEF account as proposed by the Senate. The conferees direct the Secretary of Health and Human Services to provide a comprehensive Federal plan, as proposed by the House, for monitoring, screening, analysis, and medical treatment for all individuals who were exposed to the toxins at the World Trade Center site. The conference agreement expands the World Trade Center monitoring and treatment program administered by NIOSH to residents, students, and others, therefore the plan also should address how HHS intends to implement this expansion.

The conferees concur with the House and do not include funding for Security Coordination and Improvement or Healthcare Provider Credentialing within the programs funded through PHSSEF administered by the Office of the Secretary. The Senate proposed $3,300,000 for Healthcare Provider Credentialing.

Office of the Assistant Secretary for Preparedness and Response

The conference agreement includes $720,806,000 for the Office of the Assistant Secretary for Preparedness and Response (ASPR) instead of $738,909,000 as proposed by the House. The Senate did not propose a funding level for ASPR in total, but did propose funding for specific activities within the office. The conference agreement includes bill language designating $22,363,000 for BioShield management as proposed by the House instead of $22,338,000 as proposed by the Senate.

Within the total for ASPR, the conference agreement includes $50,000,000 for the National Disaster Medical System instead of $53,000,000 as proposed by both the House and Senate.

Within the total for ASPR, the conference agreement includes $444,241,000 for the hospital preparedness cooperative agreement grants program instead of $450,991,000 as proposed by the House and $438,843,000 as proposed by the Senate. The conferees concur with the House and do not include funds for a surge capacity demonstration program. The Senate proposed $25,000,000 for this demonstration program. Additionally, the conference agreement does not include funding for a partnership grant program.

Within the total for ASPR, the conference agreement includes $149,250,000 for advanced research and development instead of $139,500,000 as proposed by the House and $189,000,000 as proposed by the Senate.

Cyber-Security

Within the PHSSEF total, the conference agreement includes $9,064,000 for an information technology cyber-security program administered by the Office of the Chief Information Officer as proposed by the House instead of $9,482,000 as proposed by the Senate.

Medical Reserve Corps

Within the PHSSEF total, the conference agreement includes $11,716,000 for the medical reserve corps administered by the Office of Public Health and Science instead of $9,318,000 as proposed by the House and $14,113,000 as proposed by the Senate.

Office of the Secretary—Pandemic Influenza Preparedness

The conference agreement includes bill language designating $763,923,000 to prepare for and respond to an influenza pandemic instead of $948,091,000 as proposed by the House and $888,000,000 as proposed by the Senate. Of this amount, the conference agreement provides $685,832,000 to be available until expended instead of $870,000,000 as proposed by the House and $652,000,000 as proposed by the Senate. The conference agreement includes bill language as proposed by the House, that funds appropriated for pandemic influenza may be transferred to other appropriations accounts of the Department of Health and Human Services. The Senate proposed similar language.

Within the total for pandemic influenza preparedness, the conference agreement includes $78,091,000, as proposed by the House, for ongoing activities instead of $78,000,000 as proposed by the Senate.

The conferees continue to support the Department's pandemic influenza preparedness activities and note that approximately $1,800,000,000 remains available to be obligated from funds provided in prior appropriations for pandemic influenza preparedness. The conferees understand that HHS plans to use a portion of the prior appropriations to purchase additional doses of antivirals for the Federal stockpile rather than waiting for the fiscal year 2008 appropriation, which included as part of that request, $248,000,000 for antiviral purchases. Due to the large unobligated balance for vaccine development and other activities and the plans to use prior year funds instead of fiscal year 2008 funds for antiviral purchase, the conferees are providing less funding than was requested by the Administration.

The conferees concur with the House and provide the ongoing pandemic preparedness activities of the CDC within the CDC appropriation. The Senate proposed to fund CDC pandemic flu activities in PHSSEF to be transferred to CDC within 30 days of enactment of this Act.

COVERED COUNTERMEASURE PROCESS FUND

The conferees concur with the Senate and do not provide an appropriation for the Covered Countermeasure Process Fund. The House proposed $5,000,000 for this program.

GENERAL PROVISIONS

ONE PERCENT TRANSFER AUTHORITY

(TRANSFER OF FUNDS)

The conference agreement includes a general provision similar to that proposed by the Senate providing the Secretary of HHS with the authority to transfer up to 1 percent of discretionary funds between a program, project, or activity, but no such program, project or activity shall be increased by more than 3 percent by any such transfer. This transfer is available only to meet emergency needs. The Committees are to be notified 15 days in advance of any transfer. The House bill included a similar provision, but allowed the authority to transfer between appropriations for unanticipated needs.

COUNCIL ON GRADUATE MEDICAL EDUCATION

The conference agreement includes a general provision proposed by the Senate allowing for the continued operation of the Council on Graduate Medical Education. The House bill contained no similar provision.

DELTA HEALTH ALLIANCE AUTHORIZATION

The conference agreement includes a general provision proposed by the Senate creating the authority for HHS to award a grant to the Delta Health Alliance for research, educational programs, services, job training, and construction of health facilities. The House bill contained no similar provision.

THIMEROSAL IN INFLUENZA VACCINES

The conference agreement includes a requirement that, for the 2010-2011 influenza season, the Secretary of Health and Human Services (HHS) shall not make available any funds for the administration of any influenza vaccine containing thimerosal as a preservative for children under three years of age. The conferees are concerned that, in several surveys, parents have noted fear of vaccines containing thimerosal as a reason for not vaccinating their children against influenza. Although there is no peer-reviewed scientific evidence linking thimerosal in vaccines to neurodevelopmental disorders, the conferees are nonetheless troubled by low influenza vaccination coverage rates in this population. To improve public confidence in the safety of vaccines, the conference agreement also includes language requiring the Secretary to submit to Congress a plan to work proactively with influenza vaccine manufacturers to facilitate approval of additional vaccines for children under three years of age, to increase Federal purchases of thimerosal-free influenza vaccine, and to take any additional actions to increase the supply of thimerosal-free influenza vaccine.

By enacting this language the conferees do not intend to supersede the judgments of expert scientists and physicians. Additionally, the conferees concur with CDC and its Advisory Committee on Immunization Practices that any person for whom the influenza vaccine is recommended receive any influenza immunization that is FDA-approved for use in that individual. By undertaking the current legislative action, the conferees do not intend to imply that vaccines containing thimerosal present more risk and thereby discourage citizens from availing themselves of such vaccines. Moreover, the conferees have granted the Secretary of HHS the authority to put aside the prohibition if the Secretary finds that thimerosal-free influenza vaccine supply is not sufficient to meet demand or a public health emergency occurs.

The House bill proposed prohibiting the use of funds provided in this Act to administer to children under three years of age an influenza vaccine containing thimerosal during the 2008-2009 influenza season. The Senate did not have a similar provision.

NIH RESEARCH TRAINING TRANSFER

(TRANSFER OF FUNDS)

The conference agreement includes a general provision proposed by the Senate restoring the authority to transfer one percent of the amounts made available for National Research Service Awards to the Health Resources and Services Administration and the Agency for Healthcare Research and Quality. The House bill contained no similar provision.

CDC OMBUDSMAN PROGRAM AND FITNESS EQUIPMENT

The conference agreement includes a general provision proposed by the Senate prohibiting funding for the CDC Ombudsman Program and certain equipment for the CDC fitness center. The House proposed a similar provision in title V of the bill.

NONRECURRING EXPENSES FUND

The conference agreement includes a general provision not in either the House or Senate bill establishing an HHS Nonrecurring Expenses Fund. The Fund is to be created from unobligated balances of expired discretionary funds appropriated for this or any succeeding fiscal year. The Fund may be used for capital acquisition purposes, including facilities and information technology infrastructure. Amounts may only be obligated 15 days after notification of the Appropriations Committees of the House of Representatives and the Senate.

FEDERAL OCCUPATIONAL HEALTH

The conference agreement does not include a general provision proposed by the Senate allowing the Division of Federal Occupational Health to use personal services contracting. The House bill contained no similar provision. This authority has previously been provided on a permanent basis.

USE OF CDC AIRCRAFT

The conference agreement does not include a general provision proposed by the Senate allowing the Secretary of HHS and HHS employees accompanying the Secretary to use the CDC aircraft. The House bill contained no similar provision.

CURRENT FEDERAL LAW ON ABORTION FUNDING

The conference agreement does not include a general provision proposed by the Senate stating that nothing in the Act shall be construed to affect or otherwise modify provisions of current Federal law with respect to the funding of abortion. The House bill did not contain this restatement of current law.

EMERGENCY DEFIBRILLATORS

The conference agreement does not include a general provision proposed by the Senate setting aside $200,000 for a clearinghouse for schools regarding emergency defibrillators. Instead, this issue is addressed in HRSA report language. The House bill contained no similar provision.

TELEHEALTH PROGRAMS

The conference agreement does not include a general provision proposed by the Senate providing funding for telehealth programs, financed by an administrative reduction. The agreement provides funding for telehealth activities in the HRSA account. The House bill contained no similar provision.

GAO REPORT ON STATE HEALTH CARE ACCESS EFFORTS

The conference agreement does not include a general provision proposed by the Senate requiring the Comptroller General to provide a report to Congress on State health care reform efforts. Instead, the CMS report language contains a similar directive. The House bill contained no similar provision.

CDC STROKE AND HEART DISEASE

The conference agreement does not include a general provision proposed by the Senate that would provide funding for CDC stroke and heart disease programs, financed by an administrative reduction. Funding for these programs is addressed in the CDC portion of the bill. The House contained no similar provision.

ADMINISTRATIVE REDUCTION

The conference agreement does not include a general provision proposed by the Senate that would reduce administrative funding throughout the bill. The House contained no similar provision.

PATIENT NAVIGATOR OUTREACH

The conference agreement does not include a general provision proposed by the Senate that would provide funding for patient navigator outreach activities, financed by an administrative reduction. Funding for this program is addressed in the HRSA portion of the bill. The House contained no similar provision.

TRAUMA CARE

The conference agreement does not include a general provision proposed by the Senate that would provide funding for trauma care programs, financed by an administrative reduction. Funding for trauma care is addressed in the HRSA portion of the bill. The House contained no similar provision.

ALLIED HEALTH TRAINING PROGRAMS

The conference agreement does not include a general provision proposed by the Senate that would provide funding for allied health training programs, financed by an administrative cut. Funding for allied health is addressed in the HRSA portion of the bill. The House contained no similar provision.

HEMODIALYSIS CLINICAL TRIALS

The conference agreement does not include a general provision proposed by the Senate that would express the sense of the Senate regarding hemodialysis clinical trials supported by the National Institute of Diabetes and Digestive and Kidney Diseases. This issue is addressed in NIDDK report language. The House contained no similar provision.

SMALL BUSINESS CHILD CARE GRANT PROGRAM

The conference agreement does not include a general provision proposed by the Senate that would fund a small business child care grant program, financed by an administrative reduction. Funding for this program is addressed in the ACF portion of the bill. The House contained no similar provision.

RYAN WHITE FUNDING FORMULAS

The conference agreement does not include a general provision proposed by the Senate that would prohibit Ryan White HIV/AIDS funds provided in the Act from being used to modify the formulas under title XXVI of the Public Health Service Act. The House contained no similar provision.

ADMINISTRATION ON AGING PROGRAMS

The conference agreement does not include a general provision proposed by the Senate that would provide funding for aging programs, financed by an administrative reduction. Funding for this program is addressed in the AoA portion of the bill. The House contained no similar provision.

VIOLENT DEATH REPORTING SYSTEM

The conference agreement does not include a general provision proposed by the Senate that would provide funding for the National Violent Death Reporting System, financed by an administrative reduction. Funding for this program is addressed in the CDC portion of the bill. The House contained no similar provision.

WORKERS' COMPENSATION SET-ASIDES

The conference agreement does not include a general provision proposed by the Senate that would require HHS to report on workers' compensation set-asides under the Medicare Secondary Payer program. This issue is addressed in CMS report language. The House contained no similar provision.

DEEMED STATUS ON CLINICAL TRIALS

The conference agreement does not include a general provision proposed by the Senate that would express the sense of the Senate that HHS should maintain "deemed status" coverage under the Medicare program for Federally funded clinical trials. This issue is addressed in CMS report language. The House contained no similar provision.

NIOSH COAL PILLARS STUDY

The conference agreement does not include a general provision proposed by the Senate that would increase CDC funding, financed by an administrative reduction, and require NIOSH to conduct a study of the recovery of coal pillars and pillar mining practices. This issue is addressed in CDC report language. The House contained no similar provision.

DRUG REIMPORTATION

The conference agreement does not include a general provision proposed by the Senate that prohibits funds appropriated in this Act from being used to prevent an individual not in the business of importing prescription drugs from importing a prescription drug from Canada that complies with certain requirements of Federal law and is not a controlled substance or a biological product. The House contained no similar provision.

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

The conference agreement includes $15,930,691,000 for the Education for the Disadvantaged account instead of $15,969,818,000 as proposed by the House and $15,867,778,000 as proposed by the Senate. The agreement provides $7,794,473,000 in fiscal year 2008 and $8,136,218,000 in fiscal year 2009 funding for this account.

For the Title 1 program, the conference agreement provides $6,808,971,000 for Basic Grants as proposed by the House instead of $6,808,407,000 as proposed by the Senate; $3,068,680,000 for Targeted Grants instead of $3,094,562,000 as proposed by the House and $2,868,231,000 as proposed by the Senate; and $3,068,680,000 for Education Finance Incentive Grants instead of $3,094,260,000 as proposed by the House and $2,868,231,000 as proposed by the Senate.

The conference agreement includes $62,636,000 for the Even Start program instead of $99,000,000 as proposed by the House. The Senate bill did not include funding for this program.

The conference agreement includes $400,000,000 for the Reading First program instead of $353,500,000 as proposed by the House and $800,000,000 as proposed by the Senate.

The conference agreement includes $114,550,000 for the Early Reading First program as proposed by the House instead of $117,666,000 as proposed by the Senate. The conferees expect that the Department will strengthen professional development partnerships for early childhood educators through grants awarded under Early Reading First.

The conference agreement includes $36,000,000 for the Striving Readers program as proposed by the Senate instead of $31,870,000 as proposed by the House.

The conference agreement also includes $21,243,000 for the Literacy Through School Libraries program instead of $19,486,000 as proposed by the House and $23,000,000 as proposed by the Senate.

The conference agreement includes $390,212,000 for the State Agency Migrant program instead of $393,900,000 as proposed by the House and $386,524,000 as proposed by the Senate.

IMPACT AID

The conference agreement includes $1,262,778,000 for the Impact Aid account instead of $1,278,453,000 as proposed by the House and $1,248,453,000 as proposed by the Senate. The agreement includes $1,126,192,000 for Basic Support Payments instead of $1,140,517,000 as proposed by the House and $1,111,867,000 as proposed by the Senate, and $64,350,000 for Payments for Federal Property as proposed by the Senate instead of $65,700,000 as proposed by the House. In addition, the agreement includes bill language to provide two-year funding for Impact Aid construction grants on a competitive basis as proposed by the Senate. The House had proposed one-year funding for these grants on a formula basis.

SCHOOL IMPROVEMENT PROGRAMS

The conference agreement includes $5,411,758,000 for the School Improvement Programs account instead of $5,693,668,000 as proposed by the House and $5,198,525,000 as proposed by the Senate. The agreement provides $3,976,758,000 in fiscal year 2008 and $1,435,000,000 in fiscal year 2009 funding for this account.

The conference agreement includes $3,037,439,000 for the Teacher Quality State Grants program instead of $3,187,439,000 as proposed by the House and $2,887,439,000 as proposed by the Senate.

The conference agreement does not provide funding for the Early Childhood Educator Professional Development program as proposed by the House instead of $14,550,000 as proposed by the Senate.

The conference agreement includes $183,080,000 for the Mathematics and Science Partnerships (MSP) program instead of $197,826,000 as proposed by the House and $184,000,000 as proposed by the Senate.

The agreement also includes $1,081,166,000 for 21st Century Community Learning Center grants instead of $1,106,166,000 as proposed by the House and $1,000,000,000 as proposed by the Senate. The conferees intend that the Department of Education encourage States to use 40 percent of their additional allocations over fiscal year 2007, as practicable, to provide supervised and supportive after-school activities to middle and high school students.

The conference agreement does not provide funding for State Grants for Innovative Education as proposed by the Senate instead of $99,000,000 as proposed by the House.

For the Foreign Language Assistance program, the agreement provides $26,780,000 as proposed by both the House and Senate. The agreement also includes a set-aside of $3,000,000 in bill language for 5-year grants to local educational agencies to work in partnership with one or more institutions of higher education to establish or expand articulated programs of study in languages critical to United States national security as proposed by the House. The Senate did not propose this set aside. The conferees intend that funding available under this program promote the goal of well-articulated, long-sequence language programs that lead to demonstrable results for all students, and encourage school districts applying for these funds to reach out to institutions and centers funded under the Department's International Education programs under Title VI of the Higher Education Act. The conferees direct the Department not to make grants to school districts that are replacing current traditional language programs with critical needs language instruction.

The conference agreement includes $416,000,000 for State Assessments as proposed by the Senate instead of $411,630,000 as proposed by the House. Within the amount provided, the conferees recommend $16,000,000 for enhanced assessment instruments to improve the implementation of the No Child Left Behind Act. The conferees urge the Department to continue to place a high priority on grant applications that aim to improve the quality of State assessments for students with disabilities and students with limited English proficiency, and to ensure the most accurate means of measuring their performance on those assessments.

The conference agreement includes $34,204,000 for the Education of Native Hawaiians program instead of $34,500,000 as proposed by the Senate and $33,907,000 as proposed by the House. The agreement includes bill language that allows funds under this program to be used for construction, renovation and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school run by the Department of Education of the State of Hawaii that serves a predominantly Native Hawaiian student body as proposed by the Senate. The conference agreement also includes bill language, as proposed by the Senate, which designates, within the amount provided for the Education of Native Hawaiians program, not less than $1,250,000 to the Hawaii Department of Education for school construction/renovation activities, and $1,250,000 for the University of Hawaii's Center of Excellence in Native Hawaiian Law. The House bill did not include a similar provision.

The conference agreement includes $34,204,000 for the Alaska Native Educational Equity program instead of $34,500,000 as proposed by the Senate and $33,907,000 as proposed by the House. The conference agreement includes bill language which allows funds available through this program to be used for construction, as proposed by the Senate. The House bill did not include a similar provision.

The conferees expect that rural education funding will be equally divided between the Small, Rural Schools Achievement Program, which provides funds to school districts that serve a small number of students, and the Rural and Low-Income Schools Program, which provides funds to school districts that serve concentrations of poor students, regardless of the number of students served.

INDIAN EDUCATION

The conference agreement includes $124,000,000 for Indian Education as proposed by the House instead of $118,690,000 as proposed by the Senate. Within this amount, the agreement provides $100,057,000 for grants to local educational agencies, $19,884,000 for special programs for Indian children, and $4,059,000 for national activities as proposed by the House. The Senate bill included $95,331,000, $19,399,000 and $3,960,000, respectively, for these activities.

INNOVATION AND IMPROVEMENT

The conference agreement includes $1,010,084,000 for programs in the Innovation and Improvement account, instead of $992,354,000 as proposed by the House and $962,889,000 as proposed by the Senate.

The conference agreement includes $24,000,000 for the National Writing Project, a national writing instructional program authorized under the Elementary and Secondary Education Act, as proposed by the Senate instead of $23,533,000 as proposed by the House.

The conference agreement includes $120,000,000 for the Teaching of Traditional American History program as proposed by the Senate instead of $119,790,000 as proposed by the House. The conferees recommend that the Department provide initial three-year grants, with two additional years if a grantee is performing effectively.

The conference agreement includes $9,821,000 for the Advanced Credentialing program as proposed by the Senate instead of $10,695,000 as proposed by the House. The conference agreement provides these funds for a continuing award authorized under section 2151(c)(3)(c) of the Elementary and Secondary Education Act.

The conference agreement includes $214,783,000 for the Charter Schools program as proposed by the Senate instead of $251,394,000 as proposed by the House. The conference agreement modifies bill language proposed by the House and the Senate to permit the Secretary to use funds in excess of $190,000,000 to carry out the State Facilities Incentive and Credit Enhancement for Charter Facilities programs.

Fund for the Improvement of Education (FIE)

The conference agreement includes $262,917,000 for the Fund for the Improvement of Education instead of $205,402,000 as proposed by the House and $218,699,000 as proposed by the Senate.

The conference agreement includes funding for the following activities authorized under section 5411 of the Elementary and Secondary Education Act:

Evaluation and data quality initiative	$2,000,000
National Institute of Building Sciences for the National Clearinghouse for Educational Facilities	700,000
Peer review	6,000
Reach Out and Read	4,000,000
Teach for America	12,000,000
Full Service Community Schools Demonstration	5,000,000

The conferees direct that funds for the Full Service Community Schools Demonstration be used as specified in House Report 110-231.

Within the total amount provided for FIE, the conference agreement also includes funding for separately authorized programs under title V, part D of the Elementary and Secondary Education Act in the following amounts:

Reading is Fundamental	$25,543,000
Ready to Teach	10,890,000
Education through Cultural and Historical Organizations	9,000,000
Arts in Education	38,041,000
Parental Information and Resource Centers	39,600,000
Excellence in Economic Education	1,473,000
Mental Health Integration Grants	5,000,000
Women's Educational Equity	2,900,000
Presidential and Congressional American History and Civics Academies	1,980,000
Foundations for Learning Grants	1,491,000

For Arts in Education, the conferees modify the distribution of funds proposed by the

Senate as follows: $8,365,000 is for Very Special Arts, $6,293,000 for the John F. Kennedy Center for the Performing Arts, $14,134,000 for model arts programs, $8,755,000 for model professional development programs for music, drama, dance and visual arts educators, and $494,000 for evaluation activities. The House did not specify a detailed allocation of funds within this program. Within the Institute of Education Sciences, the conference agreement provides $2,200,000 for a survey of arts in education, to be administered by the National Center for Education Statistics, but with Institute of Education Sciences and the Office of Innovation and Improvement jointly determining the scope of work of the project.

The conference agreement includes the following projects in the following amounts:

Project	Total funding
ABC Unified School District, Cerritos, CA for an after-school program at Melbourne Elementary School	200,000
Academy for Urban School Leadership, Chicago, IL for Chicago Academy and Chicago Academy High School, which may include support for resident teachers	200,000
Action for Bridgeport Community Development, Inc., Bridgeport, CT for teacher training programs	500,000
African-American Male Achievers Network, Inc., Inglewood, CA for its Project STEP program for at-risk youth	40,000
Akron Public Schools, OH for a Math, Science, and Technology Community Learning Center, which may include equipment	250,000
Alamance-Burlington School District, Burlington, NC for the Professional Development Academy	150,000
Alaska Department of Education and Early Development, Juneau, AK, for Big Brothers/Big Sisters statewide, in partnership with Alaska Dept. of Education, Boys and Girls Club, and Cook Inlet Tribal Council for a comprehensive mentoring program in Alaska	300,000
Alaska Sealife Center, Seward, AK, for a marine ecosystems education program	250,000
All Kinds of Minds, Chapel Hill, NC for teacher training programs	150,000
Allied Services Foundation, Clarks Summit, PA, for dyslexia education programs at the Allied Services dePaul School	75,000
American Ballet Theatre, New York, NY for educational activities	150,000
American Foundation for Negro Affairs National Education and Research Fund, Philadelphia, PA, to raise the achievement level of minority students and increase minority access to higher education	90,000
Amistad America, New Haven, CT for the Atlantic Freedom Tour of the Armistad educational programs	250,000
An Achievable Dream, Inc., Newport News, VA for education and support services for at-risk children, which may include teacher stipend scholarships	240,000
Anchorage's Promise, Anchorage, AK, to implement America's Promise child mentoring and support program in Anchorage	100,000
Angelo State University, San Angelo, TX for a teacher training initiative	200,000
Apache County Schools, St. Johns, AZ for a teacher training initiative	150,000
Arab City Schools, Arab, AL for technology upgrades	200,000
ASPIRA Inc. of New Jersey, Newark, NJ, to provide academic assistance and leadership development	85,000
AVANCE, Inc, El Paso, TX for parenting education programs	125,000
AVANCE, Inc., Del Rio, TX for a family literacy program	100,000
AVANCE, Inc., San Antonio, Texas, for training and curriculum development for a parent-child educational program	212,000
AVANCE, Inc., Waco, TX for parenting education programs	125,000
Barat Education Foundation, Lake Forest, IL for the American Citizen Initiative pilot program	400,000
Barnstable, MA, for the development of programs and procurement of educational equipment at a youth and community center	210,000
Bay Haven Charter Academy Middle School, Lynn Haven, FL for its physical education program, which may include equipment	150,000
Baylor University, Waco, TX for its Language and Literacy Center	100,000
Beaver County, Beaver County, PA, to implement educational programming for K-12 students, including safe and appropriate use of the Internet	75,000
Berkeley Unified School District, Berkeley, CA, for a nutrition education program	90,000
Berks County Intermediate Unit, Reading, PA, for music education programs	90,000
Best Buddies International, Miami, FL for mentoring programs for persons with intellectual disabilities	661,000
Best Buddies Maryland, Baltimore, MD for mentoring programs for persons with intellectual disabilities	300,000
Best Buddies Rhode Island, Providence, RI for mentoring programs for persons with intellectual disabilities	150,000
Best Buddies, Miami, FL, to develop a Nevada site for Best Buddies	170,000
Big Brothers and Big Sisters of Southeastern Pennsylvania, Philadelphia, PA, for recruitment, placement, and oversight of school-based mentoring programs	508,500
Big Top Chautauqua, WI for educational activities	250,000
Boise State University, Boise, ID for the Idaho SySTEMic Solution program	200,000
Bowie State University, Bowie, MD for establishment of a Principal's Institute	200,000
Boys & Girls Club of Greater Milwaukee, Milwaukee, WI, to expand an early literacy program for children in Milwaukee	255,000
Boys & Girls Club of Hawaii, Honolulu, HI for a multi-media center, which may include equipment	425,000
Boys & Girls Town of Missouri, Columbia, MO for technology upgrades	150,000
Boys and Girls Club of San Bernardino, CA for an after-school program in the Delman Heights community, which may include equipment	140,000
Bradford Area School District, Bradford, PA for the purchase of equipment	150,000
Brigham City, Brigham City, Utah, for acquisition of equipment for a distance learning program	50,000
Brookdale Community College, Lincroft, NJ for a Student Success Center in Asbury Park, NJ which may include equipment	250,000
Brooklyn Public Library, Brooklyn, NY, for the Learning Centers	500,000
Bushnell Center for the Performing Arts, Hartford, CT for arts education programs	100,000
California State University Northridge, CA for development of an assessment and accountability system for teacher education	400,000
California State University, San Bernardino, CA for a leadership training program for urban youth	500,000
Canton Symphony Orchestra Association, Canton, OH for the Northeast Ohio Arts Education Collaborative, including teacher training and curriculum development	100,000
Carnegie Hall, New York, NY for its National Music Education Program	400,000
Cedar Rapids Symphony Orchestra, Cedar Rapids, IA, to support the Residency program	400,000
Center for Advancing Partnerships in Education, Allentown, PA, to develop a foreign language distance learning program and for teacher training	75,000
Central County Occupational Center, San Jose, CA for a first responder career and technical training program for high school students	100,000
Central Pennsylvania Institute of Science and Technology, State College, PA for curriculum and equipment at its vocational training program	600,000
Centro de Salud Familiar Le Fe, El Paso, TX for an elementary charter school, which may include equipment	225,000
Charlotte County School District, Port Charlotte, FL for an instructional system for English language learners, which may include equipment and software	250,000
Charter School Development Foundation, Las Vegas, NV for the Andre Agassi College Preparatory Academy	500,000
Chesapeake Bay Foundation, Annapolis, MD, to provide teacher training, student education and field experiences in the Chesapeake Bay	425,000
Chester County Intermediate Unit, Dowingtown, PA, for a vocational technical education program	75,000
Child and Family Network Centers, Virginia, Alexandria, VA, for education services for at-risk youth	150,000
ChildSight New Mexico, Gallup, NM, for a vision screening and eye glass program for children	50,000
City of Fairfield, CA for after-school programs	425,000
City of Gadsden, AL for technology upgrades in city schools	300,000
City of Hayward, Hayward, CA for after-school programs	275,000
City of Indianapolis, Indianapolis, IN for the Indianapolis Center for Education Entrepreneurship to recruit leaders to implement educational reform	400,000
City of Newark, Newark, CA for after-school programs	25,000
City of Pawtucket School Department, Pawtucket, RI for the Jacqueline Walsh School of the Performing and Visual Arts, which may include equipment	300,000
City of Pembroke Pines, FL for the autism program at the Pembroke Pines--Florida State University Charter School	225,000
City of San Jose, CA for development of a Smart Start early childhood development training and certification program at National Hispanic University	290,000
City of San Jose, CA for early childhood education programs, including parental involvement	200,000
City of Springfield, MO for the Ready to Learn Program	600,000
City of Whittier, Whittier, CA for after-school programs, which may include equipment	250,000
City School District of New Rochelle, New Rochelle, NY for after-school learning centers	225,000
City Year New Hampshire, Stratham, NH, for expansion of an afterschool program for the Young Heroes Program	150,000
Clark County School District, Las Vegas, NV for the Education Executive Leadership Program	400,000
Clark County School District, Las Vegas, NV for the Newcomer Academy	250,000
Clay County School system, WV, for the continuation and expansion of Skills West Virginia programs in counties around West Virginia	180,000
Clovis Unified School District, Clovis, CA for curriculum development	190,000
College Summit, Inc., Washington, DC for an initiative to increase college enrollment of low-income youth in South Carolina	135,000
Communities In Schools—Northeast Texas, Mount Pleasant, TX for dropout prevention programs	200,000
Communities in Schools of Cochran and Bleckley County, Cochran, GA for after-school programs	40,000
Communities in Schools of Coweta, Inc., Newnan, GA for education technology upgrades	100,000
Communities in Schools of Fitzgerald-Ben Hill County, Fitzgerald, GA for after-school programs	50,000
Communities in Schools of Georgia, Atlanta, GA, for mentoring programs	84,700
Communities In Schools of Tacoma, Tacoma, WA for after-school programs	50,000
Communities in Schools, Austin, TX for mentoring, dropout prevention and college preparatory programs	200,000
Communities in Schools, San Fernando Valley, Inc., North Hills, CA to implement full service community schools	340,000
Community Development Commission of the County of Los Angeles, Monterey Park, CA for the South Whitter community education and computer center	150,000
Community Empowerment Association, Inc., Pittsburgh, PA, for a truancy reduction initiative	75,000
Community Service Society, New York, NY for a program that utilizes seniors as literacy mentors and in-class assistants to elementary students	340,000
Congreso de Latinos Unidos, Inc., Philadelphia, PA, for a career education and preparation initiative for at-risk youth	90,000
Connecticut Technical High School System, Middletown, CT for equipment for the Manufacturing Technologies Department of Platt Technical High School in Milford, CT	250,000
Contra Costa College, San Pablo, CA for its Bridges to the Future Program	100,000
Cooperative Educational Service Agency No. 11 for after-school programs	450,000
Cooperative Educational Service Agency No. 12, Ashland, WI for after-school programs	650,000
Cooperative Educational Service Agency No. 5, Portage, WI for after-school programs	400,000
Cooperative Educational Service Agency No. 9, Tomahawk, WI for after-school programs	400,000
Council Bluffs Early Learning Resource Center, Council Bluffs, IA, for the FAMILY program	450,000

Project	Total funding
County of San Diego, San Pasqual Academy, Escondido, CA for purchase of equipment	200,000
Creative Visions in Des Moines, IA, for outreach to at-risk youth	100,000
Cristo Rey High School, Chicago, IL, to improve technologies for the school's library and technology center	400,000
Cumberland, RI, for afterschool programs and activities	425,000
Cuyahoga County Board of County Commissioners, Cleveland, OH for an early childhood initiative	450,000
Delaware Department of Education, Dover, DE for the Starting Stronger Early Learning Initiative	400,000
Delaware Department of Education, Dover, DE, for the Vision Network of Schools and Districts	210,000
Delta Arts Alliance, Cleveland, MS, for in-school and after school arts education programs	100,000
Des Moines Community School District and Urban Dreams, Des Moines, IA, to continue a demonstration on full service community schools	300,000
Des Moines Community School District to expand pre-kindergarten programs	600,000
Detroit Area Pre-College Engineering Program, Detroit, MI, for student tracking and curriculum development	170,000
Detroit Youth Foundation, Detroit, MI for comprehensive educational and enrichment activities for middle and high school youth	75,000
DNA EpiCenter, Inc., New London, CT for a learning center for students and teachers	75,000
Duval County Public Schools, Jacksonville, FL for purchase of equipment	250,000
Early Childhood and Family Learning Center Foundation, New Orleans, LA, to establish a comprehensive early childhood center	500,000
East Palo Alto, East Palo Alto, CA, to provide afterschool learning and enrichment activities for the students of East Palo Alto	80,000
East Saint Louis High School, East Saint Louis, IL, to upgrade the school's technology and sciences programs	550,000
ECHO Center, Burlington, VT, to enhance educational opportunities for students regarding the Lake Champlain Quadracentennial	100,000
Edgar School District, Edgar, WI for equipment and techonology for a new computer technology center	100,000
Edison and Ford Winter Estates Education Foundation for educational programming	150,000
Educating Young Minds, Los Angeles, CA, for educational programs	85,000
Education Partnership, Providence, RI for school leadership professional development	200,000
Education Service Center, Region 12, Hillsboro, TX for a GEAR UP college preparedness program	100,000
Eisenhower Foundation to replicate the Delaney Street project in Iowa	575,000
Ennis Independent School District, Ennis, TX for English as a second language instruction, including purchase of equipment	200,000
Envision Schools, San Francisco, CA for the Metropolitan Arts and Technology High School, which may include equipment	250,000
Erskine College, Due West, SC for an elementary and secondary school arts initiative	250,000
Esmeralda County School District, Goldfield, NV, to continue accelerated reading and math programs for K-8 students in Esmeralda County	200,000
Everybody Wins, Washington, DC, for childhood literacy programs	500,000
Exploratorium, San Francisco, CA for its Bay Area Science Teacher Recruitment, Retention, and Improvement Initiative	300,000
Fairbanks North Star Borough School District, Fairbanks, AK, to expand the PLATO learning program to Fairbanks North Star Borough	250,000
Fairfax County Public Schools, Fairfax, VA for language programs in Franklin Sherman Elementary School and Chesterbrook Elementary School in McLean, Virginia	300,000
Fairfax County Public Schools, Falls Church, VA for emergency medical services curriculum development	200,000
Fairhope Center for the Arts, Bay Minette, AL for arts education programs, including purchase of equipment	205,000
Families In Schools, Los Angeles, CA for its Read with Me/Lea Conmigo family literacy program	175,000
Fayetteville Technical Community College, Fayettevile, NC for teacher training and professional development programs	250,000
First Book, Washington, DC, for the expansion of programs in West Virginia	225,000
FirstBook, Washington, DC, for the Maine literacy initiative for Low Income Children	100,000
Florence Prever Rosten Foundation, Darby, MT, to develop MAPS: Media Arts in the Public Schools program	80,000
Forward in the Fifth, Somerset, KY for a civic literacy program	250,000
Friends of the Children National, Portland, OR for mentoring programs	320,000
Galena City School District, Galena, AK, for a boarding school for low performing Native students from remote villages across Western Alaska	500,000
George B. Thomas, Sr. Learning Academy, Inc., Bethesda, MD for tutoring services for at-risk students	250,000
George S. Eccles Ice Center, North Logan, Utah, to expand the science, physical education, and creative movement program	50,000
Girl Scouts of the USA, New York, NY for the Fair Play initiative to engage girls in science, technology, engineering and math	250,000
Graham County Schools, Safford, AZ for a teacher training initiative	150,000
Guam Public School System, Hagatna, GU for development and implementation of Chamorro language instructional programs	240,000
Hackett-Bower Clinic at Magnolia Speech School, Jackson, MS, for acquisition of equipment and programs	300,000
Hamilton Wings, Elgin, IL for arts education programs	150,000
Harford County Board of Education, Bel Air, MD, to support a science and math program at Aberdeen High School	300,000
Harris County Department of Education, Houston, TX for an after-school safety program, which may include the purchase of software	250,000
Harrisburg (PA) Area School District, Harrisburg, PA, to support the district's pre-kindergarten program	425,000
Harvey Public School District 152, Harvey, IL for an early literacy program, which may include equipment	200,000
Hawaii Department of Education, Honolulu, HI for educational activities	500,000
Hawk Mountain Sanctuary Association, Kempton, PA for curriculum development	150,000
Hays Community Economic Development Corporation, Hays, MT, to develop a Native American culturally competent curriculum	160,000
Helen Keller International, New York, NY for the ChildSight Vision Screening Program and to provide eyeglasses to children whose educational performance may be hindered because of poor vision	1,250,000
High Plains Regional Education Cooperative, Raton, NM for its Cooperative Broadband Education project, which may include equipment	500,000
Hillside Family of Agencies, Rochester, NY for the Work-Scholarship Connection Youth Employment Training Academy	250,000
Hoke County Schools, Raeford, NC for instructional technology	100,000
Homer-Center School District, Homer City, PA, for science curriculum development and acquisition of technology	90,000
Houston Independent School District, Houston, TX for a teacher incentive program	673,000
Houston Zoo, Houston, TX, for educational programming	100,000
I KNOW I CAN, Columbus, OH for college preparatory programs	100,000
In Tune Foundation Group, Washington, DC for educational activities	450,000
Independent School District 181, Brainerd, MN for its Teacher Support System	150,000
Institute for Student Achievement, Lake Success, NY for school reform activities at Wyandanch High School	250,000
Institute for Student Achievement, Lake Success, NY to implement small learning communities at one or more high schools in the Bronx	50,000
Institute for Student Achievement, Lake Success, NY, for the ISA High School Improvement Program	250,000
Internet Keep Safe Coalition, Salt Lake City, Utah, to provide educational materials to K–12 students regarding Internet safety	381,300
Iowa Association of School Boards, Des Moines, IA, for the Lighthouse for School Reform project	400,000
Iowa City Community School District, Iowa City, IA for an early literacy program	600,000
Iowa Department of Education to continue the Harkin grant program	5,000,000
Iowa School Boards Foundation, Des Moines, IA, for continuation and expansion of the Skills Iowa program	2,500,000
Iowa State Education Association, Des Moines, IA, for an initiative to educate students on the role of international trade in the U.S. economy	63,500
Ivy Tech Community College of Indiana—Southeast, Madison, IN for an early college and middle college program	100,000
Jacob Burns Film Center, Pleasantville, NY for education programs	225,000
Jazz at Lincoln Center, New York, NY for music education programs	400,000
Jefferson County Public Schools, Golden, CO for technological instruction, testing, and support, which may include equipment	325,000
Jeremiah Cromwell Disabilities Center, Portland, ME, for awareness training for students	100,000
Jersey Shore Area School District, Jersey Shore, PA for equipment to create a digital classroom	150,000
JFYNetWorks, Boston, MA for academic support for Adequate Yearly Progress initiative, including educational software, professional development instruction, and technical assistance	250,000
JFYNetWorks, Boston, MA for implementation of its computer-based JFYNet: Academic Support for Adequate Yearly Progress initiative in Malden, Revere, and Framingham, MA, which may include the purchase of software	250,000
Johns Hopkins University's Center for Talented Youth, Baltimore, MD, to conduct a longitudinal study on outcomes of Center for Talented Youth summer programs	135,000
Joplin School District, Joplin, MO for the Smart Board initiative, including purchase of equipment	100,000
Jumpstart for Young Children, Boston, MA, to recruit and train college students to serve as mentors for at-risk preschool children in Rhode Island	125,000
Jumpstart for Young Children, Inc., Boston, MA for an early literacy program for at-risk children in Boston, MA	350,000
Jumpstart for Young Children, San Francisco, CA for an early childhood enhancement project to provide student mentors to preschool children	250,000
Jumpstart for Young Children, Seattle, WA, to expand Jumpstart's One Child at a Time mentoring project in Washington	240,000
Kanawha County School System, WV, for the continuation of Following the Leaders programs	730,000
Kansas Learning Center for Health, Halstead, KS, to support health education, including curriculum development	100,000
Kauai Economic Development Board, HI, for math and science education	300,000
Kelberman Center, Utica, NY to expand programs for pre-school and school age children with autism spectrum disorder	75,000
KIPP Foundation, San Francisco, CA, for student programs and extended learning time at KIPP Gaston College Preparatory and KIPP Pride High School in Gaston, NC	100,000
KIPP Foundation, San Francisco, CA for a subgrant to the KIPP Delta College Preparatory School in Helena, AR	150,000
KIPP Foundation, San Francisco, CA for curriculum development and the recruitment and professional development of school leaders, teachers, and administrators	100,000
KIPP Foundation, San Francisco, CA for KIPP Reach College Preparatory School in Oklahoma City, OK	250,000
KIPP Foundation, San Francisco, CA, to support student programs and extended learning time through a subgrant to KIPP Ujima Village Academy in Baltimore, MD	255,000
KIPP Foundation, San Francisco, CA, for student programs and extended learning time in Nashville and Memphis, Tennessee	100,000
Klingberg Family Centers, Inc., New Britain, CT, for equipment associated with the Special Education Enhancement Initiative	340,000
La Causa Charter School, Milwaukee, WI, to implement a science and robotics lab	85,000
La Crosse School District, La Crosse, WI for a 21st Century Community Learning Center at Logan Middle School, including parental involvement	70,000
Lafayette Parish School Board, Lafayette, LA, for acquisition of equipment technology upgrades	66,000
Lander County School District, Battle Mountain, NV, to continue a math and science remediation program for high school students	350,000
Learning Point Associates/North Central Regional Education Laboratory, Naperville, IL to help schools implement No Child Left Behind	300,000
Lee Pesky Learning Center, Boise, ID to provide educational materials for the Literacy Matters! Program	300,000
Lemay Child & Family Center, St. Louis, MO for early childhood education and family literacy programs	100,000
Loess Hills Area Education Agency in Iowa for a demonstration in early childhood education	700,000
Loras College, Dubuque, IA, for a literacy program with the Dubuque elementary schools	450,000

Project	Total funding
Los Angeles Conservation Corps, Los Angeles, CA for a hands-on, science-based program for public school students	75,000
Los Angeles, CA, for the LA's BEST afterschool enrichment program	205,000
Louisiana Arts and Sciences Museum, Baton Rouge, LA for curriculum development and purchase of equipment	200,000
Louisiana State University in Shreveport, LA, to provide professional development for teachers and faculty in Title I schools with low performance scores	220,000
Louisiana Tech University, Ruston, LA for IDEA Place and the SciTech Classroom, including purchase of equipment and curriculum development	350,000
Lower East Side Conservancy, New York, NY for education programs and outreach	225,000
Lower Pioneer Valley Educational Collaborative, West Springfield, MA, for educational equipment and program development	170,000
Lyndon Baines Johnson Foundation, Austin, Texas for the Presidential timeline project	750,000
Lynwood, CA, to expand the afterschool Homework Assistance Program at the Lynwood Public Library	80,000
Madison County Schools, Richmond, KY for a computer lab, which may include equipment	75,000
Maine Alliance for Arts Education, Augusta, ME, for the Complete Education for Rural Students project	100,000
Marketplace of Ideas/Marketplace for Kids, Inc., Mandan, ND, for a statewide program focused on entrepreneurship education	425,000
Massachusetts 2020 Foundation, Boston, MA, for continued development of an expanded instruction demonstration program	185,000
Maui Economic Development Board, HI, for the girls into science program	250,000
McKelvey Foundation, New Wilmington, PA, for entrepreneurial college scholarships for rural, low-income Pennsylvania and West Virginia high school graduates	175,000
Mentoring Partnership of Southwestern Pennsylvania, Pittsburgh, PA, for recruitment, placement, and oversight of school-based mentoring programs	423,750
Mercy Vocational High School, Philadelphia, PA, for vocational education programs	90,000
Mesa Unified School District, Mesa, AZ for after-school educational and enrichment activities for at-risk youth	150,000
Metropolitan Wilmington Urban League, Wilmington, DE, to continue a program aimed at closing the achievement gap among low-income and minority students	425,000
Military Heritage Center Foundation, Carlisle, PA for the Voices of the Past Speak to the Future program, including purchase of equipment	132,000
Miller County Development Authority, Colquit, GA for a video/television production training program for high school drop-outs and at-risk youth in Miller County	100,000
Milton S. Eisenhower Foundation, Washington, DC for a full service school demonstration project in the Canton City, OH public school district	150,000
Milwaukee Public Schools, Milwaukee, WI for after-school or summer community learning centers	1,100,000
Minnesota Humanities Commission, St. Paul, MN to implement curricula and classroom resources on Native Americans	500,000
Mississippi University for Women, Columbus, MS for strengthening partnerships between K–12 parents and their children's teachers, principals, superintendents and other school officials	300,000
Mississippi University for Women, Columbus, MS, for environmental education programs for the Science on the Tennessee-Tombigbee Waterway program	200,000
Missouri State University, Springfield, MO for a college preparatory pilot program	100,000
Monroe County School District, Key West, FL for technology upgrades	200,000
Montgomery County Public Schools, Rockville, MD to recruit and certify postdoctoral scientists, mathematicians, or engineers from the National Institutes of Health to become teachers	300,000
Mote Marine Laboratory, Sarasota, FL for marine science curriculum development	200,000
Mount Hood Community College, Gresham, OR for early childhood education and training activities, which may include equipment	320,000
National American Indian, Alaskan and Hawaiian Educational Development Center, Sheridan, WY, to train teachers serving Native American students in an early literacy learning and math framework	838,250
National Center for Electronically Mediated Learning, Inc., Milford, CT for the P.E.B.B.L.E.S. Project, which may include equipment and technology	150,000
National Council on Crime and Delinquency, Oakland, CA for a school-based model on violence prevention	200,000
National Cued Speech Association, Bethesda, MD for parent, teacher, and transliterator training and certification in cued speech for preschool and school-aged children	175,000
National Flight Academy, Naval Air Station Pensacola, FL for technology upgrades	150,000
National Teacher's Hall of Fame, Emporia, KS for teacher professional development and retention programs	150,000
Neighborhood Youth Association, Venice, CA for academic support to ensure college readiness	100,000
New Mexico Military Institute, Roswell, NM, for a character development leadership camp at the New Mexico Military Institute	50,000
New Mexico Public Education Department, Santa Fe, NM for summer reading and math institutes throughout the State	500,000
New Mexico State University, Las Cruces, NM, for the Southern New Mexico Science, Engineering, Mathematics and Aerospace Academy	200,000
New Mexico State University, Las Cruces, NM, to continue a program to transition high school students into technical careers	340,000
New School University, New York, NY, for the Institute for Urban Education	950,000
New York Hall of Science, Queens, NY, for science exhibits and educational programming	600,000
Newton Public Schools, Newton, KS for an educational technology initiative, including purchase of equipment	100,000
North Carolina Agricultural and Technical University, Greensboro, NC for a project to reduce suspension rates of students in the Guilford County School System	400,000
North Carolina Central University, Durham, NC for academic enrichment activities, including parental involvement	170,000
North Carolina Symphony, Raleigh, NC for musical and artistic residency activities for elementary and secondary students	175,000
North Carolina Technology Association Education Foundation, Raleigh, NC for school technology demonstration projects, including subgrants	100,000
North Country Education Services Agency, Gorham, NH, for the North Country Gear Up College Prep Initiative, including online curriculum development	140,000
North Philadelphia Youth Association, Philadelphia, PA for education and enrichment services for youth	50,000
North Slope Borough, Anchorage, AK, for an early education program	300,000
Northeast Louisiana Family Literacy Interagency Consortium to provide children's literacy services	200,000
Northern Tier Industry & Education Consortium, Dimock, PA for the activities of its Advisory and Assessment Committees	50,000
Northwest Center, Seattle, WA, to provide and expand academic and vocational resources to developmentally delayed or disabled persons in King County	200,000
Norwich Public School System, Norwich, CT for English language instruction	275,000
Oakland School of the Arts, Oakland, CA, for educational equipment	420,000
Oakland Unified School District, Oakland, CA for a technology integration project to implement a new data system, which may include equipment	200,000
Oelwein Community School District, Oelwein, IA, for technology and program needs for a math and science academy	106,000
Ogden City Schools, Ogden, Utah, to enhance the aerospace, math, and science curriculum	50,000
Omaha, Nebraska, for expansion of the Omaha's after school initative	100,000
O'Neill Sea Odyssey, Santa Cruz, CA for science education programs for elementary school children	100,000
OneWorld Now!, Seattle, WA for after-school programs and student scholarships	250,000
Ossining Union Free School District, Ossining, NY for after-school, literacy, or school reform initiatives	225,000
Ouachita Parish School Board, Monroe, LA, for acquisition of equipment technology upgrades	106,000
Pacific Islands Center for Educational Development in American Samoa, for a mentoring program aimed at college prep	500,000
Parent Institute for Quality Education, San Diego, CA for a parent training program	450,000
Parents as Teachers National Center, St. Louis, MO, for expanded outreach to support school readiness in the Gateway Parents as Teachers program in the City of St. Louis	190,000
PE4life Foundation, Kansas City, MO. for expansion and assessment of PE4life programs across Iowa	400,000
PE4life, Kansas City, MO for physical education programs in the Titusville, Pennsylvania School District, including purchase of equipment	200,000
PE4life, Kansas City, MO to establish a P.E. program in Mississippi, including purchase of equipment	350,000
People for People, Philadelphia, PA for after-school programs	75,000
Peru State College, Peru, NE for the Adopt a High School initiative	200,000
Philadelphia Academies, Inc., Philadelphia, PA for a longitudinal study on the impact of the organization's career-based education model	100,000
Philadelphia Martin Luther King, Jr. Association for Nonviolence Inc., Philadelphia, PA, for its College for Teens program	90,000
Pinal County Education Service Agency, Florence, AZ for a teacher training initiative	100,000
Polk County Public Schools, Bartow, FL for purchase of assistive technologies	100,000
Polynesian Voyaging Society, Honolulu, HI, for cultural education programs	150,000
Port Chester--Rye Union Free School District, Port Chester, NY for academic enrichment, professional development, family engagement, or other activities to implement full service community schools	225,000
Project GRAD USA, Philadelphia, PA for college readiness programs	100,000
Project HOME, Philadelphia, PA, for an after school program	90,000
Provo City, Provo, Utah, to expand education programs at the Arts Center	50,000
Purdue University Calumet, Hammond, IN for equipment and start-up expenses for a magnet school	250,000
Queens Theatre in the Park, Flushing, NY for a project to provide youth with career planning and development in the performing arts industry	150,000
Rapides Parish School Board, Alexandria, LA, for acquisition of equipment technology upgrades	67,000
Renwick Public Schools, Andale, KS for an educational technology initiative, including purchase of equipment	200,000
Rio Rancho Public Schools, Rio Rancho, NM for distance learning, which may include equipment	500,000
Riverside Community College, Riverside, CA for the Fast-Track to the Associate Degree Nursing Program	350,000
Riverside County Office of Education, Riverside, CA for the High School Science Initiative	350,000
Robert H. Clampitt Foundation, Inc., New York, NY, to train elementary and secondary students in journalism	150,000
Rockdale County Public Schools, Conyers, GA for a credit recovery program, which may include the purchase of software	440,000
Rose-Hulman Institute of Technology, Terre Haute, IN for a K--12 STEM Immersion Initiative	200,000
Saint Joseph's University, Philadelphia, PA, to develop a Public Education Partnership to provide professional development to area principals and teachers	90,000
Saint Louis SCORES, St. Louis, MO, to expand after school programs	84,000
Salesian Boys and Girls Club of Los Angeles, CA for education and support services for middle and high school students	100,000
San Bernardino Boys and Girls Club, San Bernardino, CA, to expand programs that are available in education, health and the arts	235,000
San Bernardino City Unified School District, San Bernardino, CA for the English Learners program	250,000
San Bernardino County Superintendent of Schools, San Bernardino, CA to expand the Science, Technology, Engineering, and Mathematics initiative	300,000
San Joaquin County, Stockton, CA for its San Joaquin A Plus tutoring program	375,000
San Juan School District, Blanding, Utah, to provide intervention advocacy and case management for at-risk students	50,000
San Mateo County, Redwood City, CA for its Preschool for All program	320,000
Save the Children, Westport, CT, to implement supplemental literacy programs for children in grades K–8 in rural Nevada schools	240,000
School at Jacob's Pillow, Beckett, MA, for the development of youth cultural and educational programs	150,000
School Board of Broward County, Fort Lauderdale, FL for teacher support and development	450,000
Schultz Center for Teaching and Leadership, Jacksonville, FL for purchase of equipment	300,000
Selden/Centereach Youth Association, Selden, NY for after-school programs	140,000
Sevier School District, Richfield, Utah, for teacher training and professional development to increase student achievement in mathematics	50,000
Shiloh Economic and Entrepreneurial Lifelong Development Corporation, Plainfield, NJ, for academic enrichment programs	190,000
Silver Crescent Foundation, Charleston, SC for a middle and high school academic engineering and technology program	200,000
Skills Alaska, Anchorage, AK, for statewide teacher training and mentoring program, Anchorage	1,000,000

Project	Total funding
Sociedad Latina, Roxbury, MA for its Mission Community Enrichment Program	100,000
South Dakota Symphony, Sioux Falls, SD, for educational outreach to Native Americans	100,000
SouthCoastConnected, New Bedford, MA, for implementation of the Drop the Drop-Out Rate Initiative	150,000
Southeast Island School District, Thorne Bay, AK, to develop interactive video conferencing to provide special education services to 9 isolated school sites in Southeast Alaska	100,000
SouthEastern Pennsylvania Consortium for Higher Education, Glenside, PA, for the Institute of Mathematics and Science to provide professional development to K–12 teachers	126,675
Southwestern University, Georgetown, TX for a college preparatory initiative	275,000
Springboard for Improving Schools, San Francisco, CA for a professional development center to serve Central Valley, CA teachers and administrators	250,000
Springfield Public School District No. 19, Springfield, OR for an Academy of Arts and Academics	100,000
St. Mary's County Public Schools, Leonardtown, MD for a mathematics, science, and technology academy	500,000
State of Nevada Department of Education for technology upgrades in the Elko, Nye, Douglas, Lyon and Churchill school districts, including subgrants	400,000
Summit Educational Resources, Getzville, NY for service coordination and support for children with developmental disabilities	200,000
Susannah Wesley Community Center, Honolulu, HI for computers and technology to serve at-risk high school students, and other students in an after-school program	120,000
Tampa Metropolitan YMCA, Tampa, FL for after-school programs	125,000
Technical Research and Development Authority, Titusville, FL, to provide professional workshops for teachers in STEM-related fields	210,000
Texas Southern University, Houston, TX for the TSU Lab School, which may include equipment and technology	440,000
Tomas Rivera Policy Institute, Los Angeles, CA for a longitudinal study on high school graduation rates	100,000
Town of Cumberland, Cumberland, RI for the Mayor's Office of Children and Learning for evidence-based innovative K–12 education programs	150,000
Towson University, Towson, MD for an education partnership with the City of Baltimore, Baltimore City Public School System and the Cherry Hill community	325,000
Tracy Joint Unified School District, Tracy, CA for English language learner initiatives	125,000
Tri-County Educational Service, Wooster, OH for the Olweus Bullying Prevention program	150,000
Trumbull County Educational Service Center, Niles, OH for school robotics programs, which may include subgrants	185,000
Tulane University, New Orleans, LA, to provide teacher education and leadership preparation to support the rebuilding of New Orleans schools	1,200,000
Tulsa Public Schools, Tulsa, OK for innovative programming for students at risk of dropping out, including curriculum development	200,000
Union County Public Schools, Monroe, NC for equipment and technology needs for the information technology academy	100,000
Union County, Elizabeth, NJ, for training programs at the Union County Academy for Allied Health Sciences	255,000
Union Free School District of the Tarrytowns, Sleepy Hollow, NY for family literacy activities and professional development to support literacy instruction	225,000
United Inner City Services, Kansas City, MO, to enhance and expand early learning programs	635,000
United Way of Southeastern Pennsylvania, Philadelphia, PA, for recruitment, placement, and oversight of school-based mentoring programs	339,000
University of Akron, Akron, OH to link regional school districts with industry to promote STEM academic and career pathways	150,000
University of Alabama, Tuscaloosa, AL to implement a manufacturing engineering curriculum for high schools students	500,000
University of Alaska/Southeast, Juneau, AK, for the Alaska Distance Education Technology Consortium for distance learning	255,000
University of Maine, Orono, ME, to maintain healthy interscholastic youth sports programs	147,500
University of North Alabama, Florence, AL, for research to develop a model center for teacher preparation	127,125
University of North Carolina at Greensboro, Greensboro, NC, for a teletherapy program to address the shortage of speech language pathologists	70,000
University of Northern Iowa to continue the 2+2 teacher education demonstration program	450,000
University of Southern Mississippi, Hattiesburg, MS, for gifted education programs at the Frances A. Karnes Center for Gifted Studies program	400,000
University of Southern Mississippi, Hattiesburg, MS, for literacy enhancement	400,000
University of Vermont, Burlington, VT, to establish the Educational Excellence program	3,000,000
UrbanFUTURE, St. Louis, MO, to expand literacy, mentoring, and after-school services	254,000
USD 259, Wichita Public Schools, Wichita, KS for technology upgrades	300,000
Utah State Office of Education, Salt Lake City, Utah, for a mentoring program	423,700
Valle Lindo School District, South El Monte, CA for technology upgrades	75,000
Venango Technology Center, Oil City, PA for the purchase of equipment	200,000
Virginia Aquarium and Marine Science Center (VAMSC), Virginia Beach, VA, to expand education outreach programs	50,000
Vision Therapy Project, Casper, WY for a teacher training initiative	350,000
Visually Impaired Preschool Services, Louisville, KY for programs to address school readiness needs of visually impaired children	100,000
Waldo County Preschool & Family Services, Belfast, ME, for the Maine early language and literacy initiative	100,000
Washington College, Chestertown, MD for K–12 science, technology, engineering and mathematics outreach programs	350,000
Washington State University, Tacoma, WA for education and enrichment services for youth at its Center for Community Education, Enrichment and Urban Studies	250,000
Washoe County School District, Reno, NV, for equipment for a parental notification system	350,000
Washoe County School District, Reno, NV, to expand the Classroom on Wheels Program for low-income students	400,000
WE CARE San Jacinto Valley, Inc., San Jacinto, CA for the after school tutoring program	100,000
West Contra Costa Unified School District, Richmond, CA for high school architecture, construction, and engineering curricula	100,000
West River Foundation, Rapid City, SD, for K–12 administrator development	100,000
West Valley City, West Valley City, Utah, to expand the after school learning program	50,000
White-Williams Scholars, Philadelphia, PA for a college preparation initiative, which may include student scholarships	75,000
Widener University, Chester, PA for school-readiness programs	210,000
Wildlife Information Center, Inc., Slatington, PA for an environmental education initiative	350,000
Williamsburg County First Steps, Kingstree, SC for a school-readiness program	87,000
YMCA of Greater Saint Louis, St. Louis, MO, to expand after school programming at the Monsanto Family YMCA	211,000
Yonkers Public Schools, Yonkers, NY for after-school and summer academic enrichment, literacy, and professional development services, and for parental involvement activities	250,000
Youngstown City School District, OH for a Pathways to Building Trades Program in the Youngstown and Warren, OH school districts	225,000
Youngstown State University, Youngstown, OH for a pilot K–12 attention enhancement for learning project	100,000
Youth Advocate Programs, Inc., Harrisburg, PA, for alternative school services	90,000
YWCA of Gary, Gary, IN for after-school and summer programs, which may include equipment	200,000

Other programs

The conference agreement includes $24,755,000 for the Ready to Learn program instead of $24,255,000 as proposed by the House and $25,255,000 as proposed by the Senate. The conferees expect the increase over fiscal year 2007 to be used for Ready to Learn outreach programs at the Corporation for Public Broadcasting.

The conference agreement includes $1,977,000 for Close Up/Congressional Fellowships instead of $1,454,000 as proposed by the House and $2,500,000 as proposed by the Senate.

The conference agreement includes $46,000,000 for Advanced Placement programs instead of $50,000,000 as proposed by the House and $42,000,000 as proposed by the Senate. The conferees intend that funds be used first for the Advanced Placement Test Fee Program, estimated to require $10,000,000 in fiscal year 2008. The remaining funds shall be used for continuing and new awards under the Advanced Placement Incentive Program Grants. The conferees encourage the Department to incorporate a priority for projects focused on the sciences, mathematics, and foreign languages in the fiscal year 2008 competition for new awards under the Advanced Placement Incentive Program.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

The conference agreement includes $708,835,000 for programs in the Safe Schools and Citizenship Education account instead of $760,575,000 as proposed by the House and $697,112,000 as proposed by the Senate.

The conference agreement includes $300,000,000 for Safe and Drug-Free Schools State Grants as proposed by the Senate, instead of $346,500,000 as proposed by the House.

The conference agreement includes $140,112,000 for National Programs instead of $141,112,000 as proposed by the House and $139,112,000 as proposed by the Senate. The conference agreement includes funding for the following activities:

School Emergency Preparedness Initiative	$32,374,000
Safe Schools/Healthy Students	79,200,000
Drug Testing Initiative	10,828,000
Postsecondary Ed Drug and Violence Prevention (including $850,000 for the recognition program)	6,083,000
Violence prevention impact evaluation	1,146,000
National Institute of Building Sciences for the National Clearinghouse for Educational Facilities	300,000
Project SERV	1,500,000
Other activities	8,681,000

The conferees continue to be concerned about the increasing problems of alcohol and drug abuse on college campuses. The conferees direct the Department to use $850,000 within the amount provided for Safe and Drug-Free Schools and Communities National Programs to identify, and provide recognition of, promising and model alcohol and drug abuse education programs in higher education.

The conferees intend that funding recommended for school emergency preparedness activities be used for new grant awards to higher education institutions, in addition to school districts currently eligible, to develop and implement emergency management plans for preventing campus violence (including assessing and addressing the mental health needs of students) and for responding to threats and incidents of violence or natural disaster in a manner that ensures the safety of the campus community. The conferees intend that these funds be used to help institutions of higher education plan and prepare for the entire constellation of threats (terrorist attacks, natural disasters, shootings, and gang-related activity).

The conference agreement also modifies bill language proposed by the House to permit Project SERV funds appropriated in fiscal year 2008 and in previous fiscal years to be used to provide services to school districts and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis. The Senate bill did not include bill language allowing Project SERV funds to be awarded to institutions of higher education.

In addition, the recommended funding for the Office of Safe and Drug Free Schools will permit the Department to expand its examination of a variety of other school safety initiatives. The conferees request the Department to update the 2002 Department of Education and U.S. Secret Service guidance titled "Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates" to reflect the recommendations contained in the report titled "Report to the President on Issues Raised by the Virginia Tech Tragedy." The conferees also request that, within a year of the enactment of this Act, the Department shall disseminate the updated guidance to institutions of higher education and to State departments of education for distribution to all local education agencies.

The conference agreement includes $33,000,000 for Grants to Reduce Alcohol Abuse as proposed by the Senate instead of $32,409,000 as proposed by the House.

The conference agreement includes $49,407,000 for Mentoring Programs instead of $48,814,000 as proposed by the House and $50,000,000 as proposed by the Senate.

The conference agreement includes $24,248,000 for Character Education as proposed by the House instead of $25,000,000 as proposed by the Senate.

The conference agreement includes $50,750,000 for the Elementary and Secondary School Counseling program instead of $61,500,000 as proposed by the House and $40,000,000 as proposed by the Senate.

The conference agreement includes $78,000,000 for the Carol M. White Physical Education program instead of $72,674,000 as proposed by the House and $80,000,000 as proposed by the Senate. The conferees affirm the original intent of the Physical Education program with respect to the use of funds for the purchase of equipment.

The conference agreement includes $33,318,000 for the Civic Education program authorized under the Education for Democracy Act as proposed by the House instead of $30,000,000 as proposed by the Senate. The conference agreement includes $21,246,000 for the We the People programs, including $3,025,000 to continue the comprehensive program to improve public knowledge, understanding, and support of American democratic institutions, which is a cooperative project among the Center for Civic Education, the Center on Congress at Indiana University, and the Trust for Representative Democracy at the National Conference of State Legislatures. The conference agreement also includes $12,072,000 for the Cooperative Education Exchange program.

ENGLISH LANGUAGE ACQUISITION

The conference agreement includes $722,717,000 for the English Language Acquisition account instead of $774,614,000 as proposed by the House and $670,819,000 as proposed by the Senate.

SPECIAL EDUCATION

The conference agreement includes $12,357,999,000 for the Special Education account instead of $12,362,831,000 as proposed by the House and $12,330,374,000 as proposed by the Senate. The agreement provides $5,703,017,000 in fiscal year 2008 and $6,654,982,000 in fiscal year 2009 funding for this account. Funds for the individual Special Education line items are displayed in the table at the end of the statement of managers. Funding levels that were in disagreement but not displayed on the table are discussed in this statement.

The conference agreement provides $23,000,000 for State personnel development, with funds available on a current funded basis. The House did not provide funding for the program. The Senate provided $46,000,000 for the program with funds available on a forward funded basis.

The agreement includes $40,000,000 for technology and media services as proposed by the Senate instead of $36,928,000 as proposed by the House. Within this amount, $1,500,000 is available for Public Telecommunications Information and Training Dissemination as proposed by the Senate. The House did not include funding for this activity. Also within this amount, the conference agreement includes $13,000,000 for the production and circulation of recorded textbooks and acceleration of digital technology as proposed by the Senate. The House provided $11,880,000 for activities authorized by section 674(c)(1)(D) of the Individuals with Disabilities Education Act.

The conference agreement includes language proposed by the Senate intended to improve the operation and performance of the National Instructional Materials Access Center. The House bill did not contain similar language.

The conference agreement provides $13,000,000 for education activities authorized by the Special Olympics Sport and Empowerment Act, of which $8,000,000 is designated in bill language for the 2009 Special Olympics World Winter Games.

REHABILITATION SERVICES AND DISABILITY RESEARCH

The conference agreement includes $3,285,985,000 for Rehabilitation Services and Disability Research instead of $3,279,743,000 as proposed by the House and $3,286,942,000 as proposed by the Senate. Funds for the individual Rehabilitation Services line items are displayed in the table at the end of the statement of managers. Funding levels that were in disagreement but not displayed on the table are discussed in this statement.

The conference agreement includes bill language providing $1,000,000 to improve the quality of applied orthotic and prosthetic research and to help meet the demand for provider services as proposed by the Senate. The House bill did not include a similar provision.

The conference agreement includes bill language providing $3,242,000 within demonstration and training programs for the following projects in the following amounts:

Project	Total funding
Advocating Change Together, Inc., St. Paul, MN for a disability rights training initiative	100,000
Alaska Center for the Blind and Visually Impaired, Anchorage, AK, for a partnership with the Lions Club to expand low vision services to Alaskans	250,000
City of North Miami Beach, FL, North Miami Beach, FL for fitness and other programs for the disabled	340,000
Darden Rehabilitation Foundation, Gadsden, AL, for programs serving individuals with disabilities who seek to enter the work force	127,125
Deaf Blind Service Center, Seattle, WA, to support the National Support Service Provider Pilot Project	350,000
Enable America, Inc., Tampa, Florida, for civic/citizenship demonstration project for disabled adults	500,000
Jewish Vocational and Career Counseling Service, San Francisco, CA for a Transition Services Project to provide vocational training and job placement for youth and adults with disabilities	250,000
Kenai Peninsula Independent Living Center, Homer, AK, for the Total Recreation and Independent Living Services (TRAILS) project	200,000
National Ability Center, Park City, Utah, to provide transportation for individuals with cognitive and physical disabilities to participate independently in therapeutic recreational programs	211,375
Rainbow Center for Communicative Disorders, Blue Springs, MO, to expand programs available to individuals with severe disabilities	254,000
Southeast Alaska Independent Living, Inc, Juneau, AK, to continue a joint recreation and employment project with the Tlingit-Haida Tribe	200,000
Special Olympics of Iowa, Des Moines, IA, for technology upgrades	100,000
University of Northern Colorado National Center for Low-Incidence Disabilities, Greeley, CO, for support to local schools, educational professionals, families of infants, children, and youth with low-incidence disabilities	169,500
Vocational Guidance Services, Cleveland, OH for equipment and technology in order to increase employment for persons with disabilities	190,000

The conference agreement includes $31,226,000 for assistive technology instead of $30,452,000 as proposed by the House and $32,000,000 as proposed by the Senate. Within this amount, the conferees intend that $25,717,000 shall be for the State grant program, $4,456,000 shall be for protection and advocacy, and $1,053,000 for national activities.

The conference agreement specifies $8,400,000 within the National Institute on Disability and Rehabilitation Research to carry out the traumatic brain injury model systems of care program and to fund two additional centers that submitted applications for the last grant competition.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

The conference agreement includes $22,000,000 for the American Printing House for the Blind as proposed by the Senate instead of $17,573,000 as proposed by the House.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

The conference agreement includes $60,757,000 for the National Technical Institute for the Deaf as proposed by the House instead of $59,000,000 as proposed by the Senate.

GALLAUDET UNIVERSITY

The conference agreement includes $115,400,000 for Gallaudet University instead of $109,952,000 as proposed by the House and $111,000,000 as proposed by the Senate. No funds are provided for evaluation purposes. The Senate had provided $600,000 for this purpose, while the House provided no evaluation funding.

CAREER, TECHNICAL, AND ADULT EDUCATION

The conference agreement includes $2,013,329,000 for Career, Technical, and Adult Education instead of $2,046,220,000 as proposed by the House and $1,894,788,000 as proposed by the Senate. The agreement provides $1,222,329,000 in fiscal year 2008 and $791,000,000 in fiscal year 2009 funding for this account. Funds for the individual Career, Technical, and Adult Education line items are displayed in the table at the end of the statement of managers. Funding levels that were in disagreement but not displayed on the table are discussed in this statement.

The conference agreement does not include a bill language proviso specifying $8,000,000 for tribally controlled postsecondary vocational and technical institutions as proposed by the House. The agreement provides these funds in the Higher Education account as proposed by the Senate.

The conference agreement specifies in bill language that $69,759,000 is provided for integrated English literacy and civics education services to immigrants rather than $71,622,000 as specified by the House and $67,896,000 as specified by the Senate.

The conference agreement includes bill language identifying $81,532,000 for the Smaller Learning Communities program instead of $93,531,000 as proposed by the House. The Senate did not provide funding for the program. The conferees agree that these funds shall be used only for activities related to establishing smaller learning communities within large high schools or small high schools that provide alternatives for students enrolled in large high schools. The conferees direct that the Education Department consult with the House and Senate Committees on Appropriations prior to the release of program guidance for the fiscal year 2008 Smaller Learning Communities grant competitions. The conferees direct that the Department submit an operating plan outlining its planned use of the 5 percent set-aside for national activities.

The conference agreement includes report language identifying $22,770,000 for State Grants for Incarcerated Youth Offenders as proposed by the House in report language and the Senate in bill language. An authorization citation for the program is included in the bill language for the account as proposed by the Senate. The House did not include a bill language citation.

The conferees encourage the Department to support initiatives that foster applied research, program improvement and evaluation, technology transfer and research-based institutional practices to improve adult and adolescent basic education and literacy instruction.

STUDENT FINANCIAL ASSISTANCE

(INCLUDING RESCISSION)

The conference agreement includes $16,379,883,000 for Student Financial Assistance instead of $17,464,883,000 as proposed by the House and $16,368,883,000 as proposed by the Senate.

The conference agreement provides a total of $15,023,000,000 for Pell Grants instead of $15,583,000,000 as proposed by the House and $14,487,000,000 as proposed by the Senate. This amount includes $525,000,000 that is offset by a corresponding rescission from unobligated balances under the mandatory Academic Competitiveness and SMART grants program. These balances are not needed to pay Academic Competitiveness and SMART grant awards in the 2008–2009 award year.

The conference agreement supports a $4,435 maximum Pell Grant for the 2008–2009 award year instead of $4,700 as proposed by the House and $4,310 as proposed by the Senate. Under the College Cost Reduction Act, Public Law 110–84, an additional $2,000,000,000 in mandatory funds is available for the Pell Grant program in fiscal year 2008. These mandatory funds, together with the discretionary funds provided in this conference report, will support a total maximum Pell grant of $4,925 in the 2008–2009 award year, a $615 increase over the 2007–2008 award year.

HIGHER EDUCATION

Aid for Institutional Development

The conference agreement includes $97,207,000 for Hispanic Serving Institutions instead of $99,500,000 as proposed by the House and $94,914,000 as proposed by the Senate.

The conference agreement includes $243,798,000 for Historically Black Colleges and Universities instead of $349,500,000 as proposed by the House and $238,095,000 as proposed by the Senate.

The conference agreement includes $57,915,000 for Historically Black Colleges and Universities Graduate Institutions as proposed by the Senate instead of $82,915,000 as proposed by the House.

The conference agreement also includes $12,143,000 for Alaska and Native Hawaiian Institutions instead of $11,785,000 as proposed by the House and $12,500,000 as proposed by the Senate.

The conference agreement includes $110,700,000 for Title VI International Education and Foreign Languages Studies programs instead of $115,651,000 as proposed by the House and $105,751,000 as proposed by the Senate. For Title VI domestic programs, the conference agreement provides $95,390,000 instead of $100,341,000 as proposed by the House and $91,541,000 as proposed by the Senate. For overseas programs authorized under the Fulbright-Hays Act, the conference agreement provides $13,610,000 as proposed by the House instead of $12,610,000 as proposed by the Senate. For the Institute for International Public Policy, the conference agreement provides $1,700,000 as proposed by the House instead of $1,600,000 as proposed by the Senate. The conferees concur in the direction in House Report 110–231 regarding the Title VI program.

Fund for the Improvement of Postsecondary Education

The conference agreement includes $126,256,000 for the Fund for the Improvement of Postsecondary Education instead of $63,264,000 as proposed by the House and $81,844,000 as proposed by the Senate.

The conference agreement includes the following projects in the following amounts:

Project	Total funding
AIB College of Business, Des Moines, IA, to recruit and train captioners and court reporters and to provide scholarships	400,000
Aims Community College, Greeley, CO, for equipment for career training in the health professions	45,000
Alabama Institute of the Deaf and Blind, Talladega, AL for the interpreter training program	200,000
Albany State University, Albany, GA, in partnership with Darton College, for an initiative to increase the success of minority males and nontraditional students in postsecondary education	250,000
Albertson College of Idaho, Caldwell, ID, for acquisition of equipment, technology and library upgrade	300,000
Albright College, Reading, PA, for laboratory equipment acquisition	90,000
Alpena Community College, Alpena, MI, for curriculum development for the Rural Communications Initiative	255,000
Alvernia College, Reading, PA, for scholarships and nursing education programs	90,000
American Speech-Language-Hearing Foundation, Rockville, MD for its New Century Scholars Program	275,000
Anne Arundel Community College, Arnold, MD for a health care training initiative, which may include equipment and technology	125,000
Armstrong Atlantic State University, Savannah, GA for development of the Bachelor of Arts degree in Cyber Security and Investigation Technology	284,700
Asauntuck Community College, Enfield, CT for manufacturing technology training programs, which may include equipment and technology	250,000
Assumption College, Worcester, MA for program development including equipment	125,000
Azusa Pacific University, San Bernardino, CA for nursing programs	400,000
Bellevue Community College, Bellevue, WA for development of computer security curriculum	330,000
Beloit College, Beloit, WI for equipment and technology	200,000
Bemidji State University, Bemidji, MN for equipment for an engineering technology center	350,000
Benjamin Franklin Institute of Technology, Boston, MA, for educational equipment and curriculum development to support medical technology professional training programs	210,000
Bennett College for Women, Greensboro, NC for equipment, technology, and professional development	540,000
Bluegrass Community and Technical College, Winchester, KY for equipment and technology	350,000
Briar Cliff University, Sioux City, IA for equipment	192,000
Bristol Community College, Fall River, MA, to expand adult literacy and career development academic programs	170,000
Broward Community College, Broward County, FL for an education and training program in emergency preparedness and response	300,000
Bucknell University, Lewisburg, PA for environmental studies programs and community outreach, which may include equipment	200,000
Bucknell University, Lewisburg, PA, for laboratory equipment acquisition	90,000
Buena Vista University, Storm Lake, IA for curriculum development	250,000
Butler Community College, Andover, KS for a closed captioning training program, including curriculum development	350,000
Caldwell Community College and Technical Institute, Hudson, NC for curriculum development	100,000
California Baptist University, Riverside, CA for purchase of equipment	350,000
California Community Colleges, Sacramento, CA, for Math and Science Teacher Initiative	170,000
California Polytechnic State University, San Luis Obispo, CA for purchase of equipment	150,000
California State University—Channel Islands, Camarillo, CA for purchase of equipment	150,000
California State University—Fullerton, Fullerton, CA for technology upgrades at the Ruby Gerontology Center	350,000
California University of Pennsylvania, California, PA, for curriculum development and teacher training to enhance math and science instruction	90,000
Campbell University, Buies Creek, NC for its Advancement for Underrepresented Minority Pharmacists and Pharmaceutical Scientists Program	320,000
Cardinal Stritch University, Milwaukee, WI, to establish a bachelors of science nurse degree program	275,000
Carroll College, Helena, MT, for curriculum development in Civil Engineering	200,000
Cedar Crest College, Allentown, PA, for nursing education programs	90,000
Central Arizona College, Coolidge, AZ for nursing programs, including curriculum development	300,000
Central Florida Community College, Ocala, FL for curriculum development	100,000
Central Maine Community College, Auburn, ME, for nursing education expansion and outreach	107,500
Central Methodist University, Fayette, MO for a science, technology, engineering and math teacher training program	350,000
Central Piedmont Community College, Charlotte, NC, for curriculum development at the Center for Integrated Emergency Response Training	200,000
Central Washington University, Ellensburg, WA for curriculum development	200,000
Chemeketa Community College, Salem, OR for equipment and technology for health sciences education and training programs	565,000
City College of New York, NY for the Charles B. Rangel Center for Public Service to prepare individuals for careers in public service, which may include establishing an endowment, library and archives for such center	2,000,000
Clark State Community College, Springfield, OH for curriculum development and purchase of equipment	300,000

Project	Total funding
Clayton College and State University, Morrow, GA for development of a Master of Arts in Archive degree program, which may include student scholarships and community outreach	325,000
Clinton School of Public Service at the University of Arkansas, Little Rock, AR, for curriculum development	1,000,000
Clover Park Technical College, Lakewood, WA for an institute for environmental sustainability in the workforce	150,000
College of Lake County, Grayslake, IL for curriculum development	350,000
College of Southern Idaho, Twin Falls, ID for the Pro-Tech program	250,000
College of Southern Maryland, LaPlata, MD for nursing education programs	100,000
College of the Canyons, Santa Clarita, CA for creation of the medical lab technician degree program, including curriculum development and purchase of equipment	100,[illegible]
College Success Foundation, Issaquah, WA for the Leadership 1000 Scholarship Program	500,000
Community College of Allegheny County, Pittsburgh, PA for a technical education initiative	400,000
Community College of Beaver County, Monaca, PA for equipment and technology	100,000
Community College of Southern Nevada, Las Vegas, NV, to purchase equipment and other support for Internet-based course offerings	750,000
Connecticut State University, Hartford, CT, for nursing education programs	340,000
Consensus Organizing Center, San Diego, CA, for its Step Up college preparation initiative	100,000
Coppin State University, Baltimore, MD for its nursing education program, which may include equipment and technology	225,000
Dartmouth College, Hanover, NH, for a new interdisciplinary initiative on engineering and medicine	300,000
Darton College, Albany, GA for a biotechnology education and training collaboration with Albany State University and Albany Technical College	300,000
Deaf West Theatre, North Hollywood, CA, for cultural experiences for the deaf	250,000
Dean College, Franklin, MA, to develop programs and procure equipment for the Learning Center	200,000
Delaware County Community College, Media, PA for equipment and instrumentation for science, engineering, and technology laboratories	17[illegible],000
Des Moines Area Community College, Des Moines, IA for the Jasper County Career Academy, which may include equipment	100,000
DeSales University, Center Valley, PA for the Digital Campus Initiative, including purchase of equipment	500,000
Dillard University, New Orleans, LA for recruitment and training of nursing assistants	750,000
Duquesne University of the Holy Spirit, Pittsburgh, PA, for equipment and technology acquisition for a supercomputing facility	90,000
East Stroudsburg University, East Stroudsburg, PA, for forensic science education programs	90,000
Eastern Illinois University, Charleston, IL for nursing programs	150,000
Eastern Iowa Community College, Davenport, IA, for the creation of a center on sustainable energy, including equipment	300,000
Eastern New Mexico University, Portales, NM, for technological equipment upgrades	1,000,000
Eastern Shore Community College Industrial Maintenance Program, Melfa, VA for curriculum development	250,000
Eckerd College, St. Petersburg, FL for purchase of equipment	200,000
Edinboro University of Pennsylvania, Edinboro, PA, to support a computer forensics training program at its Western Pennsylvania High Tech Crime Training Center	90,000
Edison College, Charlotte County Campus, Punta Gorda, FL for a nursing education program	75,000
El Camino College, Torrance, CA for nursing, engineering and nontraditional education and training programs	200,000
Elmira College, Elmira, NY for technology upgrades	200,000
Emerson College, Boston, MA, for educational equipment and program development	340,000
Emmanuel College, Boston, MA, for the procurement of educational equipment and program development	285,000
Flathead Valley Community College, Kalispell, MT, for program development at the Center for Community Entrepreneurship Education	280,000
Florida Campus Compact, Tallahassee, FL for a project to enhance service learning on college campuses throughout Florida	250,000
Florida Gulf Coast University, Ft. Myers, FL for the Coastal Watershed Institute	200,000
Focus: HOPE, Detroit, MI for an experiential learning laboratory and related equipment and technology to support undergraduate education and training	600,000
Franklin Pierce College, Rindge, NH, for a nursing education program, which may include equipment	150,000
Franklin Pierce College, Rindge, NH, for technology-based educational programs and services	350,000
Frontier Community College, Fairfield, IL for purchase of equipment	150,000
Ft. Valley State University, Ft. Valley, GA for a teacher preparation program, which may include equipment and technology	175,000
Gadsden State Community College, Gadsden, AL for technology upgrades	350,000
Gateway Community and Technical College, Ft. Mitchell, KY for the Center for Advanced Manufacturing Competitiveness, including purchase of equipment	300,000
Gateway Community College, New Haven, CT, for radiography and radiation therapy training programs, which may include equipment	100,000
George Meany Center for Labor Studies—the National Labor College for curriculum development	750,000
George Washington University, Washington, DC, for health professions training for students from the District of Columbia	316,700
Georgia State University, Atlanta, GA, for science education partnership programs between colleges, universities, schools and life science community educational organizations	84,700
Gila County Community College, Globe, AZ, for the registered nursing program, including purchase of equipment	200,000
Golden Apple Foundation, Chicago, IL, for a math and science teacher training initiative	350,000
Grace College, Winona Lake, IN for technology upgrades	200,000
Greenfield Community College, Greenfield, MA for education and training programs in the arts, which may include equipment and student scholarships	175,000
Harcum College, Bryn Mawr, PA for purchase of equipment	300,000
Harrisburg Area Community College, Harrisburg, PA for curriculum development	150,000
Harrisburg University of Science and Technology, Harrisburg, PA for instructional programs, which may include equipment and technology	300,000
Henry Kuualoha Giugni Archives at the University of Hawaii at Manoa, to establish an archival facility of historical Native Hawaiian records and stories	200,000
Herkimer County Community College, Herkimer, NY for equipment and technology for science laboratories	100,000
Hermiston, Hermiston, OR to support programs and systems for Latino education	254,900
Hiwassee College, Madisonville, TN for a dental hygiene program, including curriculum development	400,000
Holy Family University, Philadelphia, PA for nurse education programs	200,000
Holyoke Community College, Holyoke, MA, for educational equipment and information technology	170,000
Houston Community College, Houston, TX, for the Accelerated Nursing Proficiency Center	150,000
Hudson Valley Community College, Troy, NY, to expand the nursing program	500,000
Huntington Junior College, WV for an initiative to recruit and train students in closed captioning	1,080,000
Huston-Tillotson University, Austin, TX for a math and science education initiative, which may include equipment	250,000
Indiana University of Pennsylvania, Indiana, PA, for equipment acquisition and curriculum development for a mine safety course	90,000
Institute for Advanced Learning and Research, Danville, VA for professional development for teachers in the field of nanotechnology	200,000
Iowa Lakes Community College, Estherville, IA, for equipment to support the Sustainable Energy Education program	250,000
Ivy Tech Community College, Evansville, IN for equipment and technology	75,000
Jackson State University, Jackson, MS for establishment of an osteopathic medical school	500,000
James Rumsey Technical Institute, Martinsburg, WV for the Automotive Technology Program, including purchase of equipment	100,000
Kansas City Kansas Community College, Kansas City, KS, to provide workforce development training to improve economic conditions and to reduce prisoner recidivism	500,000
Kent State University, New Philadelphia, OH for equipment and technology for its Tuscarawas County campus	150,000
Keystone College, LaPlume, PA, for classroom and laboratory equipment upgrades and acquisition	90,000
King's College, Wilkes-Barre, PA to provide educational opportunities for students through civic engagement and service learning	343,000
La Sierra University, Riverside, CA	210,000
Lackawanna College, Scranton, PA for equipment, furnishings and operating expenses for an extension center in Susquehanna County	175,000
Lackawanna College, Scranton, PA, for laboratory equipment and technology upgrades and acquisition	90,000
Lake City Community College, Lake City, FL for a math skills initiative	100,000
Latino Institute, Inc., Newark, NJ for its Latino Scholars Program	140,000
Lesley University, Cambridge, MA, for educational and research equipment to support new science instruction laboratories	210,000
Lewis and Clark Community College, Godfrey, IL, for its National Great Rivers Research and Education Center	400,000
Lewis-Clark State College, Lewiston, ID, to continue and expand the American Indian Students in Leadership of Education (AISLE) program	192,500
Lincoln College, Lincoln, IL for training, material acquisition and purchase of equipment	100,000
Lincoln Memorial University College of Osteopathic Medicine, Harrogate, TN for curriculum development	500,000
Lincoln University, Lincoln University, PA, for campus-wide technology upgrades and wiring	90,000
Linn-Benton Community College, Albany, OR for science and health equipment and technology	540,000
Lock Haven University, Lock Haven, PA, to provide professional development partnerships and related services	90,000
Lorain County Community College, Elyria, OH for its library and community resource center, which may include equipment and technology	350,000
Los Angeles Valley College, Valley Glen, CA for its Solving the Math Achievement Gap program	200,000
Lyon College, Batesville, AR, to purchase and install equipment	75,000
MacMurray College, Jacksonville, IL for technology upgrades	350,000
Madonna University, Livonia, MI for curriculum development for a disaster relief and recovery program	270,000
Maricopa County Community College, Tempe, AZ for the Bilingual Nursing Program at Gateway Community College in Phoenix, AZ	350,000
Maryland Association of Community Colleges, Annapolis, MD, to expand and improve nursing programs at Maryland's community colleges	2,340,000
Marymount Manhattan College, New York, NY for a minority teacher preparation initiative	350,000
McNeese State University, Lake Charles, LA for the Louisiana Academy for Innovative Teaching and Learning	150,000
Mesa Community College, Mesa, AZ for an online registered nurse recertification program	125,000
Mesa Community College, Mesa, AZ for the Enfermeras En Escalera program to address a shortage of nurses	175,000
Messiah College, Grantham, PA, for wireless technology acquisition and technology infrastructure improvements	90,000
Metro State College, Denver, CO, for training and equipment acquisition	127,125
Metropolitan State University, St. Paul, MN for nursing education programs	500,000
MidAmerica Nazarene University, Olathe, KS, for equipment acquisition to expand distance education for teachers in western Kansas	300,000
Middle Tennessee State University, Murfreesboro, TN, for the comprehensive math and science teacher training program	500,000
Midland College, Midland, TX for purchase of equipment at the Advanced Technology Center	150,000
Midwestern University Chicago College of Pharmacy, Downers Grove, IL for the Advanced Career Explorers Program	100,000
Minnesota State Colleges and Universities, Office of the Chancellor, St. Paul, MN for a statewide veterans re-entry education program	1,148,500
Mira Costa Community College District, Oceanside, CA for a nursing education program, including purchase of equipment	350,000
Mississippi Gulf Coast Community College, Gautier, MS for equipment and furnishings for a marine technology center and estuarine education center	200,000

Project	Total funding
Mississippi State University, Mississippi State, MS, for a leadership training program at the Appalachian Leadership Honors Program	100,000
Mississippi State University, Mississippi State, MS, for acquisition of equiment and curriculum development at the Wise Center-Broadcast Facility Conversion to Digital	1,000,000
Missouri State University, Springfield, MO, for program development and expansion, equipment and technology for the Distance Learning Project on the West Plains Campus	847,000
Missouri State University—West Plains, West Plains, MO for technology upgrades and programming at the Academic Support Center	200,000
Monroe Community College, Rochester, NY for a special needs preparedness training program	450,000
Montana Committee for the Humanities, Missoula, MT, to continue civic educational programs	80,000
Montana State University—Billings, Billings, MT, for the Montana Energy Workforce Training Center	130,000
Montana State University—Billings, Billings, MT, to develop job-training programs	160,000
Montana State University—Billings, Billings, MT, to expand professional development education programs for the health care industry	160,000
Montgomery County Community College, Blue Bell, PA for curricula, equipment and technology, faculty, and outreach for its advanced technologies initiative	440,000
Moravian College, Bethlehem, PA, for equipment and technology acquisition and curriculum development for a science initiative	90,000
Morehouse College, Atlanta, GA, to establish a research initiative to improve college graduation of minority students	84,700
Mott Community College—Center for Advanced Manufacturing (CAM), Flint, MI, for a clearinghouse and pilot program for new technology	425,000
Mount Ida College, Newton, MA, for a veterinary technology program, which may include equipment	150,000
Muhlenberg College, Allentown, PA, for education and outreach services to support undergraduate students with disabilities	90,000
Murray State University, Hopkinsville, KY for purchase of equipment at the Veterinary Center	200,000
Nevada State College, Henderson, NV for the accelerated nursing program	450,000
Nevada State College, Henderson, NV, for math and science teacher initiatives	325,000
New College of Florida, Sarasota, FL for equipment at the Jane Bancroft Cook Library	250,000
New College of Florida, Sarasota, FL for the Public Archaeology Laboratory, including purchase of equipment	225,000
New College of Florida, Sarasota, FL for the Strategic Languages Resource Center, including purchase of equipment	300,000
New Hampshire Community Technical College System, Concord, NH, to expand and modernize engineering technology programs	254,100
New Hampshire Community Technical College System, Concord, NH, to standardize technology and learning across seven community colleges	150,000
New Hampshire Community Technical College—Manchester, Manchester, NH for equipment for nursing and allied health education and training programs	150,000
Niagara County Community College, Sanborn, NY for equipment	350,000
North Arkansas College, Harrison, AR for technology upgrades	215,000
North Carolina Center for Engineering Technologies, Hickory, NC for purchase of equipment at the Center for Engineering Technologies	150,000
North Dakota State College of Science, Wahpeton, ND for a Center for Nanoscience Technology Training	1,000,000
Northeast Community College, Norfolk, NE, for nurse training, including the purchase of equipment	170,000
Northern Essex Community College, Lawrence, MA, for equpment for allied health program	205,000
Northern Illinois University, DeKalb, IL for its College of Engineering and Engineering Technology	250,000
Northern Kentucky University Research Foundation, Highland Heights, KY for the METS Center, including purchase of equipment	200,000
Northern Kentucky University, Highland Heights, KY, for the Infrastructure Management Institute	500,000
Northern Kentucky University, Highland Heights, KY, for the nursing education program	127,125
Northern Rockies Educational Services, Twin Bridges, MT, to develop Taking Technology to the Classroom program	80,000
Northwest Shoals Community College, Phil Campbell, AL for technology upgrades	350,000
Northwestern State University of Louisiana, Natchitoches, LA, for a nursing education program	200,000
Norwich University, Northfield, VT for equipment and technology for a nursing program	350,000
Oakland Community College, Bloomfield Hills, MI for international education programs	340,000
Oklahoma Panhandle State University, Goodwell, OK for purchase of equipment	100,000
Onondaga Community College, Syracuse, NY for purchase of equipment	250,000
Oregon Health and Science University, Portland, OR for academic programs in the OGI School of Science and Engineering	400,000
Oregon Institute of Technology, Klamath Falls, OR for development of associate's and bachelor's degree programs in the health professions	350,000
Owens Community College, Toledo, OH for a first responder training initiative, including curriculum development	150,000
Palm Beach Community College, Lake Worth, FL for equipment and technology	325,000
Paula and Anthony Rich Center for the Study and Treatment of Autism, Youngstown, OH for distance learning technology and programs	440,000
Pennsylvania Highlands Community College, Johnstown, PA, for laboratory equipment and technology upgrades and acquisition	90,000
Philadelphia School District, Philadelphia, PA for the CORE Philly Scholarship Program	575,000
Philadelphia University, Philadelphia, PA, for the Scientific Reasoning/Inquiry Based Education (SCRIBE) initiative	90,000
Pierce College, Tacoma, WA for the Center of Excellence for Homeland Security, including curriculum development and training	186,000
Pittsburg State University, Pittsburg, KS for equipment for its Kansas Technology Center	275,000
Plymouth State University, Plymouth, NH, for a collaborative research institute for sustainable rural economics	200,000
Polk Community College, Winter Haven, FL for advanced manufacturing training programs	300,000
Portland State University, Portland, OR for equipment and technology for its science research and teaching center	400,000
Prince George's Community College, Largo, MD for equipment and technology to upgrade a management information system	350,000
Purchase College, State of University of New York, Purchase, NY, for science and math education programs, including teacher preparation programs	200,000
Radford University, Radford, VA for a study of the feasibility of establishing a graduate school in the medical sciences	400,000
Redlands Community College, El Reno, OK, for nursing programs	100,000
Rhode Island College, Providence, RI for development of a Portuguese and Lusophone Studies Program	100,000
Richard Stockton College of New Jersey, Pomona, NJ for curriculum development	350,000
Richland Community College, Decatur, IL for development of an alternative fuels education and training program	320,000
Richmond Community College, Hamlet, NC for equipment and programs at the Industrial Training Center	200,000
Robert Morris University, Moon Township, PA, for health care professional education programs in the use of electronic health records	90,000
Rochester Area Colleges, Rochester, NY, for Excellence in Math and Science	1,000,000
Rockford College, Rockford, IL for technology upgrades and other equipment	200,000
Round Rock Higher Education Center, Round Rock, TX for nursing programs, including purchase of equipment	450,000
Rust College, Holly Springs, MS, for acquisition of equipment for the Science and Mathematics Annex	500,000
Rutgers University School of Law—Camden, NJ for student scholarships and loan repayment, internships and public interest programming	640,000
Ryan Foundation, Wayne, PA, for civic education programs	90,000
Saint Anselm College, Manchester, NH, for a civic education program	200,000
Salt Lake Community College, Salt Lake City, Utah, to train health care professionals	423,700
Salve Regina University, Newport, RI, for historic preservation education programs including equipment	850,000
San Jacinto College, Pasadena, TX for a health care education and training initiative, which may include equipment and technology	250,000
Santa Clara University, Santa Clara, CA for equipment, technology, and training for its library and information commons initiative	500,000
Security on Campus, Inc., King of Prussia, PA, for campus safety peer education programs	30,150
Seminole State College, Seminole, OK, for the Medical Laboratory Technology Program, including technology acquisition	100,000
Seton Hall University, South Orange, NJ for equipment and technology for its science and technology center	525,000
Shippensburg University, Shippensburg, PA, for technology upgrades and acquisition	90,000
Siena Heights University, Adrian, MI for nursing programs	200,000
Silver Lake College, Manitowoc, WI for nursing programs, including curriculum development	185,000
Simpson College, Indianola, IA for purchase of equipment	300,000
South Carolina Technical College System, Columbia, SC, to fund apprenticeship pilot programs in economically distresses areas	169,500
South Dakota State University, Brookings, SD, for the Thomas Daschle Center for Public Service & Representative Democracy	1,000,000
Southeastern Pennsylvania Consortium for Higher Education, Glenside, PA, for equipment	425,000
Southern Utah University, Cedar City, Utah, to enchance academic skills and training of science teachers in southern Utah through mobile classrooms	50,000
Southwestern Indian Polytechnic Institute, Albuquerque, NM, to expand a renewable energy training program	340,000
Sparks College, Shelbyville, IL for a closed captioner training program	200,000
Spelman College, Atlanta, GA, for programs to recruit and increase graduation rates for African-American females pursuing sciences, mathematics, or dual-engineering degrees	84,700
Springfield Public Schools Academy of Arts and Academics, Springfield, OR, for classroom equipment and technology	84,700
St. Bonaventure University, St. Bonaventure, NY for equipment at the science facility	350,000
St. Bonaventure University, St. Bonaventure, NY for technology upgrades	300,000
St. Clair County Community College, Port Huron, MI for purchase of equipment	150,000
St. Francis College, Brooklyn, NY for equipment and technology to support its science, technology, engineering and math initiative	770,000
St. Petersburg College, St. Petersburg, FL for a distance learning program, including technology upgrades and purchase of equipment	300,000
State University of New York at New Paltz, NY, for curriculum development in economic development and governance	300,000
State University of New York at Potsdam, Potsdam, NY for teacher training initiatives	100,000
Stonehill College, Easton, MA, to procure equipment and develop programs for the Center for Non-Profit Management	170,000
Susquehanna University, Selinsgrove, PA, for laboratory equipment and technology acquisition	90,000
Sweetwater Education Foundation, Chula Vista, CA, for its Compact for Success program, which may include student scholarships	300,000
Texas Chiropractic College, Pasadena, TX for health professions training	100,000
Texas State Technical College, Waco, TX, for equipment for education and training programs	150,000
Texas Tech University, Lubbock, TX for the Center for the Study of Addiction and Recovery	150,000
Texas Woman's University, Denton, TX, for the Institute of Health Sciences Dallas Center, for acquisition of technology	175,000
Thiel College, Greenville, PA, for technology infrastructure upgrades and acquisition	90,000
Tohono O'odham Community College, Sells, AZ for computer, science and mathematics equipment, technology and instructional materials	125,000
Tougaloo College, Tougaloo, MS, for an international study abroad program	200,000
Tri-County Community College, Murphy, NC for equipment and technology	50,000
Trident Technical College, Charleston, SC for nursing curriculum development	200,000
Trinity University, San Antonio, TX for purchase of equipment	150,000
Turtle Mountain Community College, Belcourt, ND, to develop a vocational and technical training curriculum	640,000

Project	Total funding
Univ. of Utah Health Sciences Center, Salt Lake City, UT for the Health Sciences LEAP Program to expand the pipeline of underrepresented students in health professions	84,750
University of Alaska, Anchorage, Anchorage, AK, for the 49th State Scholars program	350,000
University of Alaska, Anchorage, Anchorage, AK, for the Alaska Native Students Science and Engineering program	1,000,000
University of Arizona, Tucson, AZ for development of a pilot project to provide instructional and support services to ensure the academic success of disabled veterans	350,000
University of Arizona, Tucson, AZ, for the Integrative Medicine in Residency program	200,000
University of Arkansas for Medical Sciences, Little Rock, AR, for equipment and curriculum development for genetic counseling and other health care programs	400,000
University of California at Berkeley, Berkeley, CA for the Matsui Center for Politics and Public Service, which may include establishing an endowment, and for cataloguing the papers of Congressman Robert Matsui	1,000,000
University of Central Arkansas, Conway, AR, for a technology training and instruction initiative, which may include equipment	625,000
University of Central Florida, Orlando, FL for the Lou Frey Institute of Politics	250,000
University of Dubuque in Dubuque, Iowa for the establishment of a nursing education program	450,000
University of Florida, Gainesville, FL for purchase of equipment at the College of Education	200,000
University of Hawaii at Hilo for an Applied Rural Science program and a Clinical Pharmacy Training Program, for clinical pharmacy training program	800,000
University of Hawaii School of Law, for a health policy center and cultural education programs	200,000
University of Idaho, Moscow, ID, for the Gateway to Math Program, for continued outreach to pre-college math students	125,000
University of Louisiana at Monroe, Monroe, LA for technology upgrades at the College of Pharmacy	400,000
University of Michigan Depression Center, Ann Arbor, MI for the Postsecondary Education Campus Support project	400,000
University of Mississippi, Oxford, MS, for program development, start-up costs and curriculum	2,542,500
University of Montevallo, Montevallo, AL for the Teacher Leadership Initiative for School Improvement	200,000
University of New Hampshire, Manchester Campus, Manchester, NH, to expand business and high technology academic programs	339,000
University of New Mexico, Albuquerque, NM for the American Indian Language Policy Research and Teacher Training Center	300,000
University of North Carolina at Wilmington, Wilmington, NC for development of an assistive technology center, which may include equipment	390,000
University of North Carolina at Wilmington, Wilmington, North Carolina, for nursing programs including military veterans, clinical research and distance learning	211,250
University of North Florida, Jacksonville, FL for the Virtual School Readiness Incubator	250,000
University of Northern Iowa, Cedar Falls, IA, for the development of math and science programs	169,500
University of Scranton, Scranton, PA, for equipment acquisition to support nursing and allied health education programs	90,000
University of Southern Mississippi, Hattiesburg, MS, for curriculum development and acquisition of equipment	847,500
University of Tennessee, Knoxville, TN, for the Baker Center for Public Policy	5,000,000
University of Texas at Tyler, Tyler, TX for a science, technology, engineering and mathematics program, including teacher training	150,000
University of Texas Medical Branch at Galveston, Galveston, TX for nursing programs	150,000
University of Texas Medical Branch at Galveston, Galveston, TX for the Centralized Clinical Placement system, including purchase of equipment	100,000
University of Tulsa, Tulsa, OK, for acquisition of equipment at the Center for Information Security	100,000
University of Vermont of Burlington, Burlington, VT, to establish advanced practice graduate nursing program in psychiatric-mental health nursing	200,000
University of Vermont of Burlington, VT, Burlington, VT, to establish a child psychiatry fellowship program	200,000
University of Virginia Center for Politics, Charlottesville, VA for the Youth Leadership Initiative	430,000
University of Washington at Bothell, WA for an initiative to train nursing faculty in partnership with a consortium of colleges	300,000
University of Wisconsin Eau Claire, Eau Claire, WI, to provide educational programs in nanotechnology	160,000
University of Wisconsin Platteville, Platteville, WI, to establish an English as a Second Language teacher certification program	125,000
University of Wisconsin Whitewater, Whitewater, WI, to establish a certification program for science teachers	125,000
University of Wisconsin-Marshfield, Marshfield, WI for equipment and technology for science laboratories	200,000
Urban College of Boston, Boston, MA, to support higher education programs serving low-income and minority students	635,000
Utah Valley State College, Orem, UT for a civic education program, including purchase of equipment	200,000
Utah Valley State College, Orem, Utah, to expand nursing education, including technology acquisition and curriculum development	50,000
Vanguard University Nursing Center, Costa Mesa, CA for teacher and nurse training programs	150,000
Vermont Technical College, Randolph Center, VT, for equipment for Fire Science Program	425,000
Villa Julie College, Stevenson, MD, to expand the Nursing Distance Learning Program	500,000
Virginia Polytechnic Institute and State University, Blacksburg, VA, for equipment	400,000
Waldorf College, Forest City, IA for purchase of equipment	120,000
Washburn University, Topeka, KS, for equipment acquisition to train students in science and health-related fields	242,500
Washington & Jefferson College, Washington, PA, for foreign language programs	90,000
Washington State University, Pullman, WA, for mentoring programs women in science programs	350,000
Weber State University, Ogden, UT for the TAPT program to recruit additional teachers	150,000
Weber State University, Ogden, Utah, for stipends and tuition asssistance for faculty to pursue advanced nursing degree	423,700
Weber State University, Ogden, Utah, to provide mentoring for minority disadvantaged students	50,000
West Central Technical College, Waco, GA for purchase of equipment	150,000
West Chester University, West Chester, PA for nursing program development	250,000
West Chester University, West Chester, PA, for technology infrastructure upgrades and acquisition	90,000
Western Iowa Tech Community College, Sioux City, IA, for equipment	100,000
Western Kentucky University Research Foundation, Bowling Green, KY, for equipment acquisition for the science, technology and engineering facility	1,500,000
Western Oregon University, Monmouth, OR, for equipping a nursing simulation laboratory	210,000
Wheaton College, Norton, MA, to procure educational equipment and information technology to support science center expansion	170,000
Wheelock College, Boston, MA, for educational equipment and curriculum development for the K-9 science teachers program	210,000
William Paterson University, Wayne, NJ, for curriculum development and other activities to establish the Center for the Study of Critical Languages	210,000
Wisconsin Association of Independent Colleges and Universities, Madison, WI for continued implementation of the WAICU Collaboration Project	345,000
Wittenberg University, Springfield OH for a teacher training initiative	400,000
York College of Pennsylvania, York, PA, for laboratory equipment and technology upgrades and acquisition	90,000
York College, City University of New York, Jamaica, NY for activities to prepare students for careers in aviation management	320,000
York College, York, NE, for training of clinical social workers in central and western Nebraska, including curriculum development	100,000

Other programs

The conferees provide $8,000,000 for the Tribally Controlled Vocational Institutions as proposed by the Senate. The House also had proposed $8,000,000 for this program, but under the "Career, Technical, and Adult Education" account.

The conference agreement includes $858,178,000 for TRIO as proposed by the Senate instead of $868,178,000 as proposed by the House. Within this amount, the conferees intend that $10,000,000 be used for a TRIO college completion initiative, providing supplemental awards under the Student Support Services program to provide grant aid to students participating in the program who are at-risk of dropping out of college due to financial need. The conferees intend that Student Support Services projects receiving supplemental awards shall provide matching funds equal to 33 percent of the total award; thus, leveraging an additional $3,300,000 in need-based student aid. The conferees are concerned about the reduced level of participation of Hispanic students in the TRIO Talent Search program, and encourage the Secretary of Education to enhance program outreach efforts to Hispanics with the goal of increasing the participation rates of Hispanic students in Talent Search.

The conference agreement includes $318,423,000 for the GEAR UP program instead of $323,423,000 as proposed by the House and $313,423,000 as proposed by the Senate. The conferees intend that $4,950,000 of the increase over fiscal year 2007 be used for State grants, of which 50 percent must be used to provide student scholarships, and $10,050,000 of the increase be used for partnership grants.

The conference agreement includes $41,000,000 for Byrd Honors Scholarships as proposed by the Senate instead of $40,590,000 as proposed by the House.

The conference agreement includes $34,261,000 for the Teacher Quality Enhancement Grants program instead of $40,000,000 as proposed by the House and $28,521,000 as proposed by the Senate. The conferees intend that the increase over the amount needed for continuing awards in fiscal year 2008 be used solely for partnership grants to institutions of higher education, schools of arts and sciences, and high-need school districts that are focused on teacher pre-service preparation.

The conference agreement includes $3,000,000 for programs for baccalaureate degrees in science, technology, engineering, mathematics, or critical foreign languages with concurrent teacher certification, and $2,000,000 for programs for master's degrees in science, technology, engineering, mathematics, or critical foreign language education authorized in Public Law 110-69, the America COMPETES Act. The Senate bill proposed $6,000,000 and $4,000,000 for these programs, respectively, and the House bill did not include these provisions.

The conference agreement includes $16,810,000 for the Child Care Access Means Parents in School program instead of $17,810,000 as proposed by the House and $15,810,000 as proposed by the Senate.

The conference agreement does not include funding for the Advancing America through Foreign Language Partnerships program as proposed by the House. The Senate proposed $12,000,000 for this initiative. Funding for similar activities is included in the conference agreement for the Foreign Language Assistance program and the Title VI International Education and Foreign Languages Studies program.

For Government Performance and Results Act and higher education program evaluation, the conferees recommend $620,000 as proposed by the House instead of $970,000 as proposed by the Senate.

The conference agreement includes $2,000,000 for the Underground Railroad program as proposed by the Senate. The House did not provide funds for this program. The conference agreement also provides $970,000 for the B.J. Stupak Olympic Scholarship program and $2,946,000 for the Thurgood Marshall Scholarship program as proposed by the House. The Senate did not propose funding for these programs.

HOWARD UNIVERSITY

The conference agreement includes $237,392,000 for Howard University as proposed by the House and Senate. Within this amount, the conference agreement includes $29,461,000 for Howard University hospital as proposed by the Senate. The House did not designate a specific amount for the hospital.

INSTITUTE OF EDUCATION SCIENCES

The conference agreement includes $561,315,000 for the Institute of Education Sciences (IES) instead of $535,103,000 as proposed by the House and $589,826,000 as proposed by the Senate. The agreement provides $293,155,000 of total funding to be available through fiscal year 2009. Funds for the individual IES line items are displayed in the table at the end of the statement of managers. Funding levels that were in disagreement but not displayed on the table are discussed in this statement.

The Conference agreement provides $2,200,000 for the Fast Response Survey System to collect data for the report of Arts Education in Public Elementary and Secondary Schools during the 2008-2009 school year, as described in Senate Report 110–107. The survey is to be administered by the National Center for Education Statistics, but with IES and the Office of Innovation and Improvement jointly determining the scope of work of the project.The House proposed this funding level within IES. The Senate proposed $500,000 within the Fund for the Improvement of Education for the survey and additional funding within IES.

The conference agreement does not include funding for a pilot study to develop a student unit record data system as requested by the Administration as proposed by the House. The Senate did not include similar language.

The conference agreement includes funding above the fiscal year 2007 level to support 12th grade State reading and math assessments, as well as scheduled assessments in other subjects approved by the National Assessment Governing Board. The Senate included similar language. The House did not include funds for this purpose.

The conference agreement includes $2,000,000 to support the expansion of the number of urban districts that can participate in the trial urban district assessment. The House provided $3,000,000 for this purpose. The Senate did not include funds for this purpose. The conferees expect the National Assessment Governing Board to use its existing criteria in determining the districts to be added to the assessment.

The conferees request that the National Assessment Governing Board make particular certifications regarding the National Assessment of Educational Progress 2009 science test, as described in section 310 of H.R. 3043, as passed by the Senate. The House bill did not include a similar provision.

The conferees request the Government Accountability Office to conduct a study on strategies used to prepare students to meet State academic standards, as described in section 313 of H.R. 3043, as passed by the Senate. The House bill did not include a similar provision.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINSTRATION

The conference agreement includes $420,698,000 for Departmental program administration instead of $219,487,000 as proposed by the House and $420,631,000 as proposed by the Senate.

The conferees require the Secretary of Education to assess the impact on education felt by students in States with a high proportion of Federal lands compared to students in non-public land States and to submit a report no later than one year after enactment of this Act. The Senate had a similar requirement in bill language. The House did not have similar language.

OFFICE OF THE INSPECTOR GENERAL

The agreement includes $53,239,000 for the Office of the Inspector General as proposed by the House instead of $54,239,000 as proposed by the Senate.

GENERAL PROVISIONS

ONE PERCENT TRANSFER AUTHORITY

(TRANSFER OF FUNDS)

The conference agreement includes a general provision similar to that proposed by the Senate providing the Secretary of the Education Department with the authority to transfer up to 1 percent of discretionary funds between appropriations but no appropriation shall be increased by more than 3 percent by any such transfer. This transfer is available only to meet emergency needs. The Committees are to be notified 15 days in advance of any transfer. The House bill included a similar provision, but allowed transfers for unanticipated needs and allowed an appropriation to be increased up to an additional 2 percent subject to approval of the House and Senate Appropriations Committees.

INTEGRITY VALUES IN DEPARTMENT OF EDUCATION

The conference agreement includes a general provision proposed by the House requiring the Secretary of Education to establish procedures to assess whether covered individuals or entities have potential financial interest in or bias toward a product or service purchased with or guaranteed or insured by the Department of Education or one of its contracted entities. The conferees direct the Secretary to disclose any such potential financial interest. The conferees also direct the Department of Education Inspector General to report on the adequacy of the procedures established by the Department and to conduct an audit to ensure that the procedures are being correctly implemented. The Senate did not have a similar provision.

IMPACT AID

The conference agreement includes a general provision proposed by the Senate expanding eligibility for impact aid to several school districts in Illinois. The House did not have a similar provision.

VOLUNTARY FLEXIBLE AGREEMENT

The conference agreement includes a general provision proposed by the Senate that requires the Secretary of Education to renegotiate the existing "voluntary flexible agreements" under the Higher Education Act, which allow student loan guaranty agencies to be compensated by the Federal government for preventing student loan defaults, rather than collecting on defaulted loans. The provision requires the Secretary to negotiate new, cost-neutral agreements by March 31, 2008 with any guaranty agency that had a voluntary flexible agreement that was determined not to be cost-neutral in October 2007, unless such guaranty agency does not wish to enter into such agreement. The House did not include a similar provision.

DEFENITION OF A HIGHER EDUCATION INSTITUTION

The conference agreement includes a general provision not in either the House or Senate bill permitting continued student financial aid eligibility to an institution of higher education affiliated with an entity that filed a bankruptcy petition in 2001.

UNDERGROUND RAILROAD

The conference agreement does not include a general provision proposed by the Senate providing funding for the Underground Railroad Educational and Cultural Program, to be funded through an administrative reduction. The House did not have a similar provision. Funding for this activity is included in the Higher Education account.

UPWARD BOUND EVALUATION

The conference agreement does not include a provision in Title III regarding a prohibition of funds to implement an evaluation of the Upward Bound program until after the authorizing committees have reviewed the regulation as proposed by the Senate. A similar provision was included in the House bill, and is included in Title V of this conference agreement.

ANNUAL REPORT CARD

The conference agreement does not include a provision included in the Senate bill requiring the Secretary of Education to submit to the appropriate committees of Congress and post on the internet an annual report card pertaining to Department personnel and programs. The House bill did not contain a similar provision.

SCIENCE ASSESSMENT

The conference agreement does not include a general provision proposed by the Senate expressing the sense of the Senate regarding science teaching and the National Assessment of Educational Progress 2009 science test. The House did not have a similar provision. Language relating to this provision is included in the IES account.

STEM PROGRAMS

The conference agreement does not include a general provision proposed by the Senate that provides funding for programs that assist teachers acquiring degrees in science, technology, engineering, math (STEM) or critical foreign languages. The Senate proposed an administrative reduction to support these program increases. The House did not include a similar provision. Funding for these programs is included in the Higher Education account.

THREAT ASSESSMENTS

The conference agreement does not include a general provision proposed by the Senate that requires the Secretary of Education to update the 2002 guidance on threat assessment in schools to reflect the recommendations of the report to the President regarding the legal sharing of personal information under various statutes. The House did not include a similar provision. This requirement is included in the Safe Schools and Citizenship Education section of the statement of managers.

GAO REPORT ON ACHIEVEMENT STANDARDS

The conference agreement does not include a general provision proposed by the Senate requiring the Government Accountability Office to submit a report to Congress on student preparation techniques to meet State academic achievement standards. The House did not include a similar provision. This requirement is included in the IES section of the statement of managers.

TITLE IV—RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $798,065,000 for the operating expenses of the programs administered by the Corporation for National and Community Service (CNCS) instead of $768,905,000 as proposed by the House and $804,489,000 as proposed by the Senate. The conference agreement includes bill language specifying funding amounts for domestic volunteer service programs and national and community service programs as proposed by the House. The Senate did not specify funding levels in the bill. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

As proposed by the House, the conference agreement includes bill language allowing one percent of grant funds also to be used for electronic management of the grants cycle. The Senate did not propose similar bill language.

DOMESTIC VOLUNTEER SERVICE PROGRAMS

The conference agreement includes $313,054,000 for the Domestic Volunteer Service Programs as proposed by both the House and Senate.

The conference agreement includes bill language that none of the funds provided for program operating expenses may be used to provide stipends or monetary incentives to program participants or volunteer leaders who exceed the income guidelines in the Domestic Volunteer Service Act. Both the House and Senate bills proposed similar language.

The conference agreement does not include bill language proposed by the Senate that all prior year unobligated balances from the "Domestic Volunteer Service Programs, Operating Expenses'' account shall be transferred to and merged with this appropriation. The House bill did not propose similar language.

NATIONAL AND COMMUNITY SERVICE PROGRAMS

The conference agreement includes $485,011,000 for the National Community Service Programs, instead of $455,851,000 as proposed by the House and $491,435,000 as proposed by the Senate.

National Service Trust

Within the total for National and Community Service programs, the conference agreement includes bill language designating that not less than $126,121,000, to remain available until expended, shall be transferred to the National Service Trust for educational awards instead of $122,521,000 as proposed by the House and not less than $117,720,000 as proposed by the Senate.

Within the total for National and Community Service programs, the conference agreement includes bill language, as proposed by the House, designating that not more than $55,000,000 of grants under the National Service Trust may be used to administer, reimburse, or support national service programs instead of $65,000,000 as proposed by the Senate.

AmeriCorps Grants

Within the total for National and Community Service programs, the conference agreement includes $261,371,000 for AmeriCorps Grants instead of $255,625,000 as proposed by the House and $275,775,000 as proposed by the Senate.

The conference agreement includes bill language, similar to Senate report language, allowing the transfer of any deobligated funds from closed out AmeriCorps grants to the National Service Trust. The House did not propose similar language.

The conference agreement does not include bill language proposed by the Senate setting aside funding for grants under the National Service Trust program for activities under the AmeriCorps Education Awards Program. The House bill did not propose similar language.

The conference agreement does not include bill language proposed by the Senate that up to $4,000,000 shall be to support national service scholarships for high school students performing community service. The House did not propose similar language.

The conference agreement does not include bill language proposed by the Senate that of the amount provided for educational awards, $7,000,000 shall be held in reserve as defined by the Strengthen AmeriCorps Program Act. The House did not propose similar language.

Innovation, Assistance, and Other Activities

Within the total for National and Community Service programs, the conference agreement includes $19,229,000 for Innovation, Assistance, and Other Activities instead of $13,000,000 as proposed by the House and $10,550,000 as proposed by the Senate. Within this amount, the conference agreement includes the following: $500,000 for Martin Luther King grants; $5,000,000 for Disability grants; $850,000 for the Service-Learning Clearinghouse and Exchange; and $4,879,000 for National Service Outreach and Innovation activities.

Also within the total for Innovation, Assistance, and Other Activities, the conference agreement includes $8,000,000 for merit-based competitive grants for supporting and expanding volunteerism and expects that previous partnership grantees, such as the Points of Light Foundation and America's Promise, will be eligible to compete for these grants. The conferees recommend that consideration be given to national programs that build alignment among youth-serving organizations and other sectors to promote coordination of services for disadvantaged youth to achieve better outcomes.

The conference agreement does not include bill language proposed by the Senate setting aside not more than $10,466,000 for quality and innovation activities. The House did not propose similar language.

National Civilian Community Corps

Within the total for National and Community Service programs, the conference agreement includes $24,205,000 for the National Civilian Community Corps (NCCC) instead of $11,620,000 as proposed by the House and $31,789,000 as proposed by the Senate. The conference agreement does not include language proposed by the Senate designating funding for the Civilian Community Corps in the bill. The House did not propose similar language.

The conference agreement includes bill language, as proposed by the Senate, that of the amount provided for the Civilian Community Corps, no less than $5,000,000 shall be for the acquisition, renovation, equipping, and startup costs for campuses—one located in Vinton, Iowa and the other in Vicksburg, Mississippi. As proposed by the Senate, these center sites should be restored based on CNCS'' 2005 geographic assessment and its more specific site evaluation in October 2006. The conferees expect, as proposed by the Senate, that an NCCC class will be operating out of each facility by the end of fiscal year 2008. The House did not propose similar language.

Learn and Serve America

Within the total for National and Community Service programs, the conference agreement includes $38,125,000 for Learn and Serve America instead of $37,125,000 as proposed by the House and $39,125,000 as proposed by the Senate.

The conference agreement does not include bill language proposed by the House designating funding for service-learning programs to remain available until September 30, 2009. The Senate bill did not include similar language.

State Commission Administrative Grants

Within the total for National and Community Service programs, the conference agreement includes $12,000,000, as proposed by the House, for State Commission Administrative Grants instead of $12,516,000 as proposed by the Senate.

SALARIES AND EXPENSES

The conference agreement includes $68,964,000 for the Corporation for National and Community Service salaries and expenses, as proposed by the House, instead of $69,520,000 as proposed by the Senate.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $6,900,000 for the Office of Inspector General (OIG) as proposed by the Senate instead of $5,512,000 as proposed by the House. The conferees concur with language proposed by the Senate directing the OIG to continue reviewing the management of the National Service Trust and to continue reviewing the annual Trust reports and to notify the Committees on Appropriations of the House of Representatives and the Senate on the accuracy of the reports.

ADMINISTRATIVE PROVISIONS

CHANGES THROUGH RULEMAKING

The conference agreement includes language that CNCS shall make any changes to program requirements, service delivery, or policy only through public notice and comment rulemaking to include service delivery changes in the administration and/or governance of national service programs. Both the House and Senate proposed similar language.

PROFESSIONAL CORPS

The conference agreement includes language proposed by the House allowing professional corps programs to apply for a certain waiver to allow applicants to apply through State formula. The Senate did not propose similar language.

DONATED SERVICES

The conference agreement includes language proposed by the House to allow CNCS to solicit and accept compensated and commercial services of organizations and individuals (other than participants) to assist in carrying out the duties of CNCS under the national service laws and that such an individual shall be subject to the same protections and limitations as volunteers. The Senate did not propose similar language.

COMBINED MATCHING OF GRANTS

The conference agreement includes language proposed by the House specifying that AmeriCorps programs receiving grants under the National Service Trust program shall meet an overall minimum share requirement of 24 percent for the first three years that they receive funding and thereafter shall meet certain requirements as provided in the Code of Federal Regulations, without regard to the operating costs match requirement. The Senate did not propose similar language.

TRANSFER AUTHORITY

The conference agreement does not include language proposed by the Senate to permit CNCS to transfer not to exceed one percent of any discretionary funds between activities identified under this heading in the statement accompanying this Act. The House did not propose similar language.

CORPORATE FOR PUBLIC BROADCASTING

The conference agreement includes bill language as proposed by the House that prohibits funds made available to the Corporation for Public Broadcasting by this Act to be used to apply any political test or qualification in selecting, appointing, promoting, or taking any other personnel action with respect to officers, agents, and employees of the Corporation. The Senate bill did not include a similar provision.

The conference agreement also prohibits the use of fiscal years 2008, 2009, and 2010 funds available to CPB for the Television Future Fund as proposed by the House. The Senate bill included a similar provision.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

Within the total provided for the Federal Mediation and Conciliation Service, the conference agreement includes $650,000 for the Federal Mediation and Conciliation Service's Labor-Management Grants Program as proposed by the House, instead of $400,000 as proposed by the Senate.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION

The conference agreement provides $277,131,000 for the Institute of Museum and Library Services instead of $264,812,000 as proposed by the House and $265,680,000 as proposed by the Senate. The conferees concur with language included in the House report that gives the Institute of Museum and Library Services the authority and resources to carry out the mission of the National Commission on Libraries and Information Science. The Senate report did not include similar language. The conference agreement also includes language allowing funds to be made available for grants to commemorative Federal commissions that support museum and library activities.

Within the total for the Institute, the conference agreement includes the following activities in the following amounts:

Program	FY 2008
Museums for America	$17,547,000
Museum Assessment	442,000
Museum Conservation Projects	2,772,000
Museum Conservation Assessment	807,000
Museum Natl. Leadership Proj.	7,920,000
Native American Museum Services	1,000,000
21st Century Museum Professionals	982,000
Museum Grants, African American History and Culture	842,000
Library Serv. State Grants	171,500,000
Native American Library Services	3,817,000
Library Natl. Leadership Grants	12,375,000
Laura Bush 21st Century Librarian Program	23,760,000
Policy, Research, and Statistics	2,000,000
Administration	12,236,000

Within the amounts provided for the Institute of Museum and Library Services, the conference agreement includes the following projects in the following amounts:

Project	Total funding
Aerospace Museum of California Foundation, McClellan, CA for exhibits	350,000
Alabama School of Math and Science, Mobile, AL for purchase of library materials	145,000
Alaska Native Heritage Center, Anchorage, AK, for a partnership with Koahnic Broadcasting for a Native Values project	250,000
America's Black Holocaust Museum, Milwaukee, WI for exhibits and education programs, which may include acquisition of interactive media center kiosks	75,000
American Airpower Museum, Farmingdale, NY for exhibits and education programs	300,000
American Jazz Museum, Kansas City, MO for exhibits and education programs, and an archival project	320,000
American West Heritage Center, Wellsville UT for the Lifelong Learning Initiative	200,000
Anne Arundel County Trust for Preservation, Inc., Annapolis, MD for exhibits and preservation	50,000
Archives Partnership Trust, New York, NY, to digitize fragile artifacts	85,000
Armory Center for the Arts, Pasadena, CA for educational programming	75,000
Bandera County, Bandera, TX for library enhancements	200,000
Bellevue Arts Museum, Bellevue, WA	500,000
Bibliographical Society of America, New York, NY, for the First Ladies Museum in Canton, OH for the First White House Library Catalogue	130,000
Bishop Museum in Honolulu, HI, to enhance library services	100,000
Bishop Museum, Honolulu, HI, to provide Filipino cultural education	250,000
Boston Children's Museum, Boston, MA, for the development of exhibitions	170,000
Boyle County Public Library, Danville, KY for educational materials and equipment	200,000
Burpee Museum for educational programming and exhibits	150,000
Charlotte County, FL, Port Charlotte, FL for archiving and equipment	300,000
Children's Museum of Indianapolis, Indianapolis, IN for exhibits and equipment	245,000
Children's Museum of Los Angeles, Van Nuys, CA for exhibits and education programs	300,000
Cincinnati Museum Center, Cincinnati, OH for a digital records initiative	250,000
City of Chino Hills, Chino Hills, CA for library facility improvements	200,000
College Park Aviation Museum, College Park, MD for exhibits and educational programs	150,000
Connecticut Historical Society Museum, Hartford, CT for educational programs and interactive school programs at the Old State House	100,000
Contra Costa County, Martinez, CA for library services and its Technology for Teens in Transition volunteer mentor program at the Juvenile Hall Library	125,000
Corporation for Jefferson's Poplar Forest, Forest, VA for expansion of exhibits and outreach	200,000
County of San Bernardino, San Bernardino, CA for exhibits and programming	250,000
Dallas, Texas, Dallas, TX, for the Women's Museum to expand outreach and programming efforts	200,000
Des Moines Art Center, IA, for exhibits	300,000
Discovery Center of Idaho, Boise, ID for a science center	250,000
Everson Museum of Art of Syracuse, Syracuse, NY for expansion of the Visual Thinking Strategies and Arts Education program	250,000
Fairfield County Public Library, Winnsboro, SC, for acquisition of equipment to upgrade the library facilities	84,750
Figge Foundation, Davenport, Iowa, for exhibits, education programs, community outreach, and/or operations	300,000
Florida Holocaust Museum, St. Petersburg, FL for exhibits and programming	300,000
Florida Memorial University, Miami Gardens, FL, for upgrades to the Nathan W Collier Library	170,000
Florida Southern College, Lakeland, FL to digitize holdings and create an online exhibit	250,000
Free Library of Philadelphia Foundation, Philadelphia, PA, for technology upgrades and acquisition	90,000
George and Eleanor McGovern Library, Dakota Wesleyan University, Mitchell, SD for cataloging, preparing, and archiving documents and artifacts relating to the public service of Senator Francis Case and Senator George McGovern	350,000
George C. Marshall Foundation, Lexington, VA for research activities	150,000
George Washington University, Washington, DC for the Eleanor Roosevelt Papers Project	380,000
Great Basin College, Elko, NV, to develop exhibits and conduct outreach to education programs	350,000
Heard Museum, Phoenix, AZ for web-based exhibits and educational programming	100,000
Heckscher Museum of Art, Huntington, NY for digitalization of collections and related activities	100,000
Historic Hudson Valley, Tarrytown, NY for education programs	50,000
Historic Hudson Valley, Tarrytown, NY, for education programs at Philipsburg Manor	225,000
History Museum of East Ottertail County, Perham, MN for exhibits and equipment	150,000
Holbrook Public Library, Holbrook, MA, for the development of exhibits	125,000
Impression 5 Science Center, Lansing, MI for exhibits	150,000
Iola Public Library, Iola, Kansas for educational programs, outreach, and materials	50,000
Iowa Radio Reading Information Service (IRRIS), to expand services	200,000
Italian-American Cultural Center of Iowa in Des Moines, IA for exhibits, multi-media collections, display	150,000
James A. Michener Art Museum, Doylestown, PA for equipment, salaries and supplies	100,000
James K. Polk Association, Columbia, TN, for exhibit preparation at Polk Presidential Hall	250,000
Jefferson Barracks Heritage Foundation Museum, St. Louis, MO for exhibits	150,000
Kansas Regional Prisons Museum, Lansing, KS for educational and outreach programs	100,000
Kellogg Hubbard Library, Montpelier, VT, for education and outreach	400,000
Los Angeles Craft and Folk Art Museum, Los Angeles, CA, for education and outreach	85,000
Massie Heritage Center, Savannah, GA for exhibit upgrades and purchase of equipment	250,000
Metropolitan Library System, Chicago, IL for educational programming and materials	240,000
Mid-America Arts Alliance, Kansas City, MO, for the HELP program	100,000
Monterey Bay Aquarium, Monterey, CA for educational programming and outreach	75,000
Morris Museum, Morristown, NJ for development of the Interactive Educational Workshop Center Exhibit	250,000
Museum of Afro-American History, Boston, MA, for the development of youth educational programs	210,000
Museum of Aviation Foundation, Warner Robins, GA for education programs	350,000
Museum of Science and Technology, Syracuse, NY for museum exhibits and operations	250,000
Museum of Utah Art & History, Salt Lake City, Utah, to improve technology and exhibit preparation	211,900
Newport News, Virginia, Newport News, VA, to enhance library services	150,000
Oklahoma City National Memorial Foundation, Oklahoma City, OK, for educational programs and services	100,000
Onondaga County Public Library, Syracuse, NY for technology upgrades	250,000
Orem, Utah, for technological upgrades, equipment and resource sharing for the Orem public library	254,350
Overton County Library, Livingston, TN for collections, technology, and education programs	250,000

Project	Total funding
Pennsylvania State Police Historical, Educational and Memorial Museum, Hershey, PA for exhibits and educational materials	150,000
Pico Rivera Library, Pico Rivera, CA for books and materials, equipment, and furnishings	240,000
Portfolio Gallery and Education Center, St. Louis, MO for educational programming	90,000
Putnam Museum of History and Natural Science, Davenport, IA, for exhibits and community outreach	300,000
Ralph Mark Gilbert Civil Rights Museum, Savannah, GA for exhibits, education programs, and equipment	50,000
Rust College, Holly Springs, MS to purchase equipment and digitize holdings	300,000
Samuel Dorsky Museum of Art, State University of New York at New Paltz, NY for exhibits and programs	150,000
San Gabriel Library, San Gabriel, CA for equipment, furnishings, and materials	200,000
Shedd Aquarium, Chicago, IL for exhibits and community outreach	150,000
South Carolina Aquarium, Charleston, SC for exhibits and curriculum	150,000
South Florida Science Museum, West Palm Beach, FL for educational and outreach programs	325,000
Southwest Museum of the American Indian, Los Angeles, CA, for the Native American Learning Lab	420,000
Texas Historical Commission, Austin, TX, for educational programming, outreach, and exhibit development	200,000
Texas Tech University, Lubbock, TX to digitize library holdings	450,000
Tubman African American Museum, Macon, GA for exhibits and education programs	70,000
Twin Cities Public Television, St. Paul, MN for the Minnesota Digital Public Media Archive	500,000
University of Puget Sound, Tacoma, WA for the James R. Slater Museum of Natural History for collections, education programs, and outreach	250,000
University of Vermont of Burlington, VT, Burlington, VT, for a digitization project	400,000
Yolo County Library, Woodland, CA for an after-school assistance and literacy program	140,000
Young At Art Children's Museum, Davie, FL for the Global Village Project	175,000

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

The conference agreement includes $400,000 for the National Commission on Libraries and Information Science as proposed by the Senate. The House did not include funds for this activity. The conferees instruct that these funds be used for the close out activities of the Commission.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

The conference agreement includes $256,988,000 for the National Labor Relations Board as proposed by the Senate instead of $257,488,000 as proposed by the House. The conferees concur with language in the House report designating $525,000 for training activities and $225,000 for field-headquarters details for National Labor Relations Board employees. The Senate report did not contain similar language.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

Within the total for the National Mediation Board, the conference agreement includes language designating $750,000 for arbitrator salaries. The conferees intend these resources to be an increase over the President's request. The House and Senate reports included similar language.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENT ACCOUNT

The conference agreement includes language in the House bill providing that 2 percent of the amount available for payment of vested dual benefits will be available for the dual benefits contingency reserve. The Senate bill contained a similar provision that specifically designated the amount available.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

The conference agreement includes $7,803,000 for the Office of Inspector General instead of $7,606,000 included in the House bill and $8,000,000 included in the Senate bill. The conferees concur with language in the Senate bill that prohibits the transfer of funds to the Office of the Inspector General. The House bill did not include similar language. The agreement also includes a provision that allows the Office of Inspector General to conduct audits, investigations, and reviews of the Medicare programs. The House bill did not include similar language.

SOCIAL SECURITY ADMINISTRATION

SUPPLEMENTAL SECURITY INCOME PROGRAM

The conference agreement includes $27,014,000,000 for the Supplemental Security Income Program instead of $26,948,525,000 as proposed by the House and $27,005,500,000 as proposed by the Senate. The conference agreement also includes an advance appropriation of $14,800,000,000, as proposed by both the House and the Senate, for the first quarter of fiscal year 2009, to ensure uninterrupted benefit payments. Within the total, $3,086,000,000 is included for the administrative costs of the program instead of $3,020,525,000 as proposed by the House and $3,076,500,000 as proposed by the Senate.

Also within the total, the conference agreement includes $27,000,000, as proposed by the House, for research and demonstration activities instead of $28,000,000 as proposed by the Senate. The conference agreement provides funds to support the National Center on Senior Benefits Outreach and Enrollment within the Administration on Aging rather than in the Social Security Administration (SSA) as proposed by the Senate. The House did not provide funding for this activity within SSA.

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement includes $9,871,953,000 for the limitation on administrative expenses, as proposed by the Senate, instead of $9,696,953,000 as proposed by the House. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conferees request that the Government Accountability Office (GAO) evaluate the Social Security Administration's plan to reduce the hearing backlog for disability claims at the Social Security Administration, as described in the report submitted by the Commissioner on September 13, 2007, pursuant to Senate Report 110–107. The conferees request that GAO also recommend any legislative changes based on its evaluation of the plan. The House did not propose similar language.

The conferees also request that GAO assess existing authorities to hire, manage, and ensure accountability of administrative law judges in the proper administration of their duties and make recommendations for legislative changes that will support those findings. The Senate bill proposed similar language. The House did not propose similar language in either the bill or report.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The Conference agreement includes $95,047,000 for the Office of Inspector General, as proposed by the House, instead of $96,047,000 as proposed by the Senate. Within this total, the conference agreement includes $27,000,000, as proposed by the House, from Federal funds instead of $28,000,000 as proposed by the Senate.

TITLE V—GENERAL PROVISIONS

NORMAL AND RECOGNIZED EXECUTIVE-CONGRESSIONAL COMMUNICATIONS

The conference agreement includes a general provision as proposed by the House prohibiting the use of funds in the Act to promote the legalization of a drug or substance on the controlled substance list except for normal and recognized executive-congressional communications. The Senate bill included a similar prohibition, but deleted the exception for normal and recognized executive-congressional communications.

AGENCY OPERATING PLANS

The conference agreement includes a general provision proposed by the House that requires each department and related agency funded through this Act to submit a fiscal year 2008 operating plan within 45 days of enactment of this Act. The Senate bill did not include a similar provision.

UPWARD BOUND EVALUATION

The conference agreement includes a general provision proposed by the House that prohibits the use of funds to carry out the evaluation of the Upward Bound program described in the absolute priority for Upward Bound Program participant selection and evaluation published by the Department of Education in the Federal Register on September 22, 2006. The Senate bill contained a similar provision.

EMPLOYMENT OF UNAUTHORIZED WORKERS

The Conference agreement includes a provision proposed by the House that prohibits the use of funds in this Act to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act. The Senate bill did not contain a similar provision.

NONCOMPETITIVE CONTRACTS AND GRANTS

The conference agreement includes a provision proposed by the Senate that requires the Secretaries of Labor, Health and Human Services, and Education to submit a quarterly report to the Committees on Appropriations of the House of Representatives and the Senate containing certain information on noncompetitive contracts, grants and cooperative agreements exceeding $100,000 in value. The House bill did not include a similar provision.

INSPECTOR GENERAL WEBSITES

The conference agreement includes a general provision proposed by the Senate that requires departments, agencies, and commissions funded in the Act to maintain a direct link on their websites to the websites of their Inspector General. The House bill did not include a similar provision.

CONTRACTOR AND GRANTEE FEDERAL TAX LIABILITY CERTIFICATIONS

The conference agreement includes a general provision proposed by the Senate that prohibits the use of funds in this Act for a contract or grant exceeding $5,000,000 unless the prospective contractor or grantee makes certain certifications regarding Federal tax liability.

PHYSICIAN QUALITY INCENTIVE PAYMENTS

The conference agreement modifies a general provision proposed by the Senate to amend the Social Security Act by reducing the amount available for the physician quality incentive payments by $150,000,000. The Senate provision also increased funding for the Social Security Administration by $150,000,000. The conference agreement allocates these funds under the Social Security Administration account. The House bill did not include this provision.

IRAQI AND AFGHAN SPECIAL IMMIGRANTS

The conference agreement includes a general provision proposed by the Senate that authorizes resettlement assistance, entitlement programs, and other benefits for a period of up to six months to Iraqi and Afghan aliens granted special immigration status. The House bill did not include a similar provision.

FRAUDULENT SOCIAL SECURITY NUMBERS

The conference agreement includes a general provision proposed by the Senate that prohibits funds in this Act to process claims for credit for quarters of coverage based on work performed under a Social Security number that was not the claimant's number. The House bill did not include a similar provision.

PROHIBITION OF PRIVATE ENTITY TO DISBURSE RAILROAD RETIREMENT BENEFITS

The conference agreement does not include a general provision proposed by the Senate that prohibits the Railroad Retirement Board from using funds in this Act to utilize a nongovernmental financial institution to disburse railroad retirement benefits. The enactment of Public Law 109-305 makes this provision unnecessary. The House bill did not include a similar provision.

AGENCY BUDGET JUSTIFICATIONS

The conference agreement does not include a general provision proposed by the House that requires the Departments of Labor and Health and Human Services to provide Congressional budget justifications in the format used by the Department of Education. The Senate bill did not include a similar provision.

EMPLOYMENT VERIFICATION PILOT PROGRAM

The conference agreement does not include a general provision that prohibits the use of funds to enter into a contract with an entity that does not participate in the basic pilot program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The Senate bill did not contain a similar provision.

DEPUTY COMMISSIONER OF THE SOCIAL SECURITY ADMINISTRATION

The conference agreement does not include a general provision proposed by the House that prohibits the use of funds in this Act to pay the basic pay of the Deputy Commissioner of the Social Security Administration if such individual has not been confirmed by a vote of the Senate. The Senate bill did not contain a similar provision.

HUMAN PAPILLOMAVIRUS VACCINE

The conference agreement does not include a general provision proposed by the House that prohibits the use of funds in this Act to implement any requirement that individuals receive vaccination for human papillomavirus (HPV) as a condition of school admittance or matriculation. The Senate bill did not contain a similar provision.

SCHOOL IMPROVEMENT PROGRAMS

The conference agreement does not include a general provision proposed by the House that reduces funds for the Department of Labor management expenses and increases funds for Department of Education school improvement programs. The Senate bill did not contain a similar provision.

ORGAN TRANSPLANT REGULATION

The conference agreement does not include a general provision proposed by the House that prohibits the use of funds by the Centers for Medicare & Medicaid Services to implement certain portions of the final rule published on March 30, 2007 pertaining to organ transplant centers. The Senate bill did not contain a similar provision.

DEPARTMENT OF EDUCATION OFFICE OF CIVIL RIGHTS

The conference agreement does not include a general provision proposed by the House that increases and decreases funds for the Department of Education Office of Civil Rights. The conference agreement reflects funding for this office under the appropriate account. The Senate bill did not include a similar provision.

EDUCATION FOR THE DISADVANTAGED

The conference agreement does not include a general provision proposed by the House that increases and decreases funds for the Department of Education, Education for the Disadvantaged account. The conference agreement provides funding for these programs under the appropriate account. The Senate bill did not include a similar provision.

CENTERS FOR DISEASE CONTROL

The conference agreement does not include a general provision proposed by the House that prohibits the use of funds in this Act for the Entertainment Education Program, the Ombudsman Program of the Centers for Disease Control (CDC), and for certain equipment for its fitness center. A similar prohibition of funds proposed by the Senate for the CDC Ombudsman Program and for certain equipment for CDC's fitness center is included under the Title II General Provisions.

USE OF ENERGY STAR LIGHT BULBS

The conference agreement does not include a provision proposed by the House to prohibit the use of funds in this Act to purchase light bulbs without an "ENERGY STAR" designation. The Senate bill did not contain a similar provision.

ATTENDANCE AT INTERNATIONAL CONFERENCES

The conference agreement does not include a general provision proposed by the House that prohibits the use of funds in this Act for the attendance of more than 50 employees from a Federal agency at any international conference. The Senate bill did not include a similar provision.

DEPARTMENT OF LABOR TRAINING AND EMPLOYMENT SERVICES AND THE NATIONAL INSTITUTES OF HEALTH

The conference agreement does not include a general provision proposed by the House that reduces amounts otherwise provided in this Act for the Department of Labor for training and employment services and increases amounts for certain institutes of the National Institutes of Health (NIH). The conference agreement provides funds for the NIH under the appropriate accounts. The Senate bill did not include a similar provision.

SUNDANCE FILM FESTIVAL

The conference agreement does not include a general provision proposed by the House that prohibits the use of funds by the Public Broadcasting Service to sponsor events at the Filmmaker Lodge at the Sundance Film Festival. The Senate bill did not include a similar provision.

HOSPITAL INPATIENT PROSPECTIVE PAYMENT REGULATION

The conference agreement does not include a general provision proposed by the House that prohibits the use of funds in the Act to implement certain provisions in a proposed regulation published on May 3, 2007 pertaining to a hospital inpatient prospective payment system based on the use of a Medicare severity diagnosis related group, or to implement a prospective behavioral offset in response to implementation of such a payment system. The Senate bill did not include a similar provision.

CONGRESSIONAL PROJECTS

The conference agreement does not include a general provision proposed by the Senate that prohibits the use of funds in the Act for Congressionally directed projects, unless the specific project has been disclosed in accordance with the rules of the Senate or House of Representatives. The conferees concur that such projects are already subjected to the rules of each body. The House bill did not include a similar provision.

BETHEL PERFORMING ARTS CENTER

The conference agreement does not include a general provision proposed by the Senate that prohibits the use of funds by the Institute for Museum and Library Services (IMLS) for the Bethel Performing Arts Center and make certain other funding adjustments within the IMLS and Health Resources and Services Administration accounts. The House bill did not include a similar provision.

GAO REPORT ON SOCIAL SECURITY ADMINISTRATION DISABILITY CLAIMS BACKLOG

The conference agreement does not include a provision proposed by the Senate that requires the Government Accountability Office to submit a report to Congress evaluating the Social Security Administration's plan to reduce its hearing backlog for disability claims and to improve the disability process. This reporting requirement is included under the Social Security Administration account. The House bill did not include a similar provision.

GAO REPORT ON ADMINISTRATIVE LAW JUDGES

The conference agreement does not include a provision proposed by the Senate that requires the Government Accountability Office to submit a report to Congress making recommendations on ways to improve the hiring and managing of administrative law judges. This reporting requirement is included under the Social Security Administration account. The House bill did not include a similar provision.

SOCIAL SECURITY OFFICE CLOSURE IN BRISTOL, CT

The conference agreement does not include a provision proposed by the Senate that prohibits funds in this or any other Act to close the Bristol, CT Social Security Administration field office before the date on which the Commissioner of the Social Security Administration submits a detailed report outlining and justifying the process for selecting field offices to be closed. The House bill did not include a similar provision.

ILLEGAL DRUG INJECTION FACILITIES

The conference agreement deletes without prejudice a general provision proposed by the Senate that prohibits funds in the Act from being allocated, directed, or otherwise made available to cities that provide safe haven to illegal drug users through the use of illegal drug injection facilities. The House bill did not include a similar provision.

SUPPLEMENTAL H-1B VISA FEES

The conference agreement does not include a general provision proposed by the Senate to amend the Immigration and Nationality Act to require a supplemental H-1B visa fee, authorize a scholarship program at the National Science Foundation (NSF), and dedicate funds collected from such fees to the new NSF scholarship program and the Jacob K. Javits Gifted and Talented Students Education Act of 2001. The House bill did not contain a similar provision.

RECAPTURE OF UNUSED IMMIGRANT VISAS

The conference agreement does not include a general provision proposed by the Senate to amend the American Competitiveness in the Twenty-first Century Act of 2000 to recapture prior year unused employment-based immigrant visas for nurses and require the Secretary of Homeland Security to establish a process for reviewing and acting on petitions for these visas. The House bill did not contain a similar provision.

NURSES AND OTHER HEALTH CARE PROFESSIONALS

The conference agreement does not include a general provision proposed by the Senate to amend the American Competitiveness in the Twenty-first Century Act of 2000 to establish a fee for recaptured nurse visas, amend the Public Health Service Act to authorize a program of capitation grants to schools of nursing using such fees, and amend the Immigration and Nationality Act to provide for the temporary absence of aliens providing health care in developing countries. The House bill did not contain a similar provision.

PREMIUM AIRLINE TRAVEL

The conference agreement does not include a general provision proposed by the Senate that prohibits funds in this Act for the purchase of first class or premium airline travel that would not be consistent with sections 301-10.123 and 301-10.124 of title 41 of the Code of Federal Regulations. The House did not contain a similar provision.

COMPLIANCE WITH RULE XXI, CL. 9 (HOUSE) AND WITH RULE XLIV (SENATE)

The following list is submitted in compliance with clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate, which require publication of a list of congressionally directed spending items (Senate), congressional earmarks (House), limited tax benefits, and limited tariff benefits included in the conference report, or in the joint statement of managers accompanying the conference report, including the name of each Senator, House Member, Delegate, or Resident Commissioner who submitted a request to the Committee of jurisdiction for each item so identified. Congressionally directed spending items (as defined in the Senate rule) and congressional earmarks (as defined in the House rule) in this division of the conference report or joint statement of managers are listed below. Neither the conference report nor the statement of managers contains any limited tax benefits or limited tariff benefits as defined in the applicable House and Senate rules.

The following list is also submitted in compliance with House Resolution 491, which requires a listing of congressional earmarks in the conference report or joint statement of managers that were not committed to the committee of conference by either House, not in a report on a bill committed to conference, and not in a Senate committee report on a companion measure. Such earmarks are marked with an "X" in the list below.

LABOR / HHS / EDUCATION

Account	Project	Amount (in dollars)	Member
AOA	Allied Jewish Federation of Colorado, Denver, CO for a naturally occurring retirement communities demonstration project	300,000	DeGette, Diana; Salazar
AOA	Amalgamated Warbasse Houses, Inc., Brooklyn, NY for a demonstration project focusing on supportive service programs in naturally occurring retirement communities	250,000	Nadler, Jerrold
AOA	California Senior Legal Hotline, Sacramento, CA for a demonstration project to increase services to non-English-speaking seniors	80,000	Matsui, Doris
AOA	Coalition of Wisconsin Aging Groups, Madison, WI, to conduct outreach and education for law enforcement and financial industry on financial elder abuse	170,000	Kohl
AOA	Disability Rights Wisconsin, Madison, WI, for nursing home support services	155,000	Kohl
AOA	Durham-Chapel Hill Jewish Federation, Durham, NC for a demonstration program to improve assistance to family caregivers	130,000	Price (NC), David
AOA	Good Samaritan Village of Hastings, Sioux Falls, SD, for the continuation of the Sensor Technology Project for Senior Independent Living and Home Health	100,000	Hagel
AOA	Howard Brown Health Center, Chicago, IL for the Chicago Elder Project	400,000	Schakowsky, Janice
AOA	Jewish Community Services of South Florida, North Miami, FL for a naturally occurring retirement communities demonstration project	125,000	Wasserman Schultz, Debbie; Nelson, Bill
AOA	Jewish Family & Child Services, Portland, Oregon, for seniors programs and services at a Naturally Occurring Retirement Community	84,700	Smith; Wu, David
AOA	Jewish Family and Children's Service of Greater Philadelphia, Philadelphia, PA, for Naturally Occurring Retirement Communities demonstration project	90,000	Specter; Schwartz, Allyson
AOA	Jewish Family and Children's Service of Minneapolis, Minnetonka, MN for a naturally occurring retirement community demonstration project	200,000	Ramstad, Jim; Ellison, Keith; Klobuchar
AOA	Jewish Family Service of New Mexico, Albuquerque, NM for a naturally occurring retirement community demonstration project	300,000	Domenici, Bingaman; Wilson (NM), Heather
AOA	Jewish Family Service, Los Angeles, CA for a naturally occurring retirement communities demonstration project in Park La Brea and the San Fernando Valley	350,000	Waxman, Henry; Boxer
AOA	Jewish Family Services of Delaware, Inc., Wilmington, DE for a naturally occurring retirement community demonstration project	300,000	Castle, Michael; Biden, Carper
AOA	Jewish Federation of Central New Jersey, Scotch Plains, NJ for the naturally occurring retirement community demonstration project	300,000	Ferguson, Mike; Sires, Albio; Lautenberg, Menendez
AOA	Jewish Federation of Greater Atlanta, Atlanta, GA, for a Naturally Occurring Retirement Community	84,300	Chambliss; Lewis (GA), John
AOA	Jewish Federation of Greater Indianapolis, Indianapolis, IN for a Naturally Occurring Retirement Community	630,000	Bayh, Lugar; Carson, Julia
AOA	Jewish Federation of Greater Monmouth County, NJ for a naturally occurring retirement communities demonstration project	300,000	Holt, Rush; Lautenberg, Menendez
AOA	Jewish Federation of Greater New Haven, Woodbridge, CT to develop, test, evaluate, and disseminate an innovative community-based approach to caregiver support services	150,000	DeLauro, Rosa; Lieberman
AOA	Jewish Federation of Las Vegas, NV for the Las Vegas Senior Lifeline Program	600,000	Reid
AOA	Jewish Federation of Middlesex County, South River, NJ for a naturally occurring retirement communities demonstration project	250,000	Pallone, Frank
AOA	Jewish Social Service Agency, Fairfax, VA for a naturally occurring retirement community demonstration project	150,000	Davis, Tom
AOA	Nevada Rural Counties RSVP, Carson City, NV, to provide home services to seniors in rural areas	100,000	Reid

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
AOA	Shenandoah Area Agency on Aging, Front Royal, VA for a model group respite center for persons with Alzheimer's disease and dementia	150,000	Wolf, Frank
AOA	UJA Federation of Northern NJ, River Edge, NJ, for a Naturally Occurring Retirement Community	170,000	Lautenberg, Menendez; Garrett (NJ), Scott
AOA	United Jewish Communities of MetroWest, NJ, Parsippany, NJ for the Lifelong Involvement for Vital Elders Aging in Place initiative	500,000	Frelinghuysen, Rodney; Lautenberg, Menendez
AOA	United Jewish Federation of Greater Pittsburgh, Pittsburgh, PA, for Naturally Occurring Retirement Communities demonstration project	90,000	Specter
AOA	University of Florida, Gainesville, FL for a technology demonstration project to assist seniors	100,000	Stearns, Cliff
CDC	A Voice for All, Wilmington, DE, for speech and language evaluations for persons with disabilities	325,000	Harkin
CDC	Adler Aphasia Center, Maywood, NJ for a program to improve communication and other life skills for people with aphasia	125,000	Rothman, Steven
CDC	Advocate Good Shepard Hospital, Barrington, IL for the expansion of an ongoing pilot project to address the growing problem of childhood obesity among elementary schools in Lake County, IL	30,000	Bean, Melissa
CDC	Alameda County Public Health Department, Office of AIDS Administration, Oakland, CA for an HIV/AIDS prevention and testing initiative	300,000	Lee, Barbara
CDC	Alaska Department of Health and Social Services, Juneau, AK, for an Obesity Prevention and Control project in Alaska	500,000	Stevens
CDC	Alaska Department of Health and Social Services, Juneau, AK, for continuation and expansion of a program to detect and control tuberculosis in Alaska	500,000	Stevens
CDC	Alaska Multiple Sclerosis Center, Anchorage, AK, for multiple sclerosis related activities	150,000	Stevens
CDC	Albert Einstein Healthcare Network, Philadelphia, PA, for college student screening programs	169,500	Specter, Casey, Jr.
CDC	American Optometric Association, Alexandria, VA, for the InfantSee program	450,000	Byrd; Sessions, Pete
CDC	Baylor College of Medicine, Houston, TX for epidemiological research and educational outreach related to childhood cancer in cooperation with the Vannie E. Cook Jr. Cancer Foundation in McAllen, TX	320,000	Hinojosa, Rubén; Hutchison
CDC	Bayside Community Center, San Diego, CA for its STEPS health education and outreach program for senior citizens	175,000	Davis (CA), Susan
CDC	Berean Community & Family Life Center, Brooklyn, NY for obesity prevention programs and community health and wellness education	275,000	Towns, Edolphus
CDC	Bienestar Human Services, Inc., Los Angeles, CA to expand a mobile HIV rapid testing program in East Los Angeles	125,000	Roybal-Allard, Lucille; Boxer
CDC	Boys and Girls Club of Delaware County, Jay, OK for equipment and operating expenses for programs to improve diet, physical activity, and emotional health	450,000	Boren, Dan
CDC	Brown County Oral Health Partnership, Green Bay, WI, to expand an oral health program	255,000	Kohl
CDC	California State University-Fullerton, Fullerton, CA for programs aimed at preventing obesity and promoting health in children	400,000	Sanchez, Loretta; Boxer
CDC	Camden County, Camden, NJ, to purchase, equip and staff a mobile health van	340,000	Lautenberg, Menendez
CDC	Cascade AIDS, Portland, Oregon, to conduct HIV/AIDS awareness and prevention programs	170,000	Smith
CDC	Center for Asbestos Related Disease Clinic, Libby, MT to create an epidemiological data repository on tremolite asbestos	260,000	Baucus
CDC	Center for International Rehabilitation, Chicago, IL, for the Disability Rights Monitor	200,000	Harkin
CDC	Charles R. Drew Wellness Center, Columbia, SC for an obesity focused wellness program	235,000	Clyburn, James
CDC	Charter County of Wayne, Michigan, Detroit, MI for Infant Mortality Prevention services	200,000	McCotter, Thaddeus
CDC	Chez Panisse Foundation, Berkeley, CA for the school lunch initiative to integrate lessons about wellness, sustainability and nutrition into the academic curriculum	250,000	Lee, Barbara; Boxer
CDC	Children's Hunger Alliance, Columbus, OH for programs to prevent childhood obesity	200,000	Pryce (OH), Deborah; Voinovich
CDC	Colorado School of Mines, Golden, CO, for the development and deployment of Mine safety and Rescue through Sensing Networks and Robotics Technology (Mine-SENTRY)	169,500	Allard, Salazar
CDC	Columbus Children's Research Institute, Columbus, OH for the Center for Injury Research and Policy	200,000	Tiberi, Patrick
CDC	Community Health Centers in Hawaii for Childhood Rural Asthma Project, for childhood rural asthma project	125,000	Inouye
CDC	County of Marin, San Rafael, CA for research and analysis related to breast cancer incidence and mortality in the county and breast cancer screening	300,000	Woolsey, Lynn; Boxer
CDC	CREATE Foundation, Tupelo, MS for childhood obesity prevention programs	450,000	Wicker, Roger
CDC	DuPage County, Wheaton, IL for a county-wide physical fitness assessment pilot project	150,000	Biggert, Judy
CDC	East Carolina University, Brody School of Medicine, Greenville, NC for a project to study the problem of racial disparities in cardiovascular diseases	250,000	Butterfield, G. K.; Dole, Burr
CDC	El Puente, Brooklyn, NY for an obesity, diabetes, STD, and HIV/AIDS prevention program for adolescents and their families as well as control and management of asthma and other environmentally connected diseases	220,000	Velázquez, Nydia
CDC	ExemplaSaint Joseph Hospital Foundation, Denver, CO, for the mobile mammography program	85,000	Salazar
CDC	Fletcher Allen Health Care, Burlington, VT, to develop chronic disease registries	170,000	Leahy
CDC	Food Allergy and Anaphylaxis Network, Fairfax, VA, for the Iowa Food Allergy Education program	120,000	Harkin
CDC	Friends of the Congressional Glaucoma Caucus Foundation, Lake Success, NY to provide glaucoma screenings and follow-up in the Phoenix, AZ area	75,000	Pastor, Ed
CDC	Friends of the Congressional Glaucoma Caucus Foundation, Lake Success, NY to provide glaucoma screenings and follow-up in the Virgin Islands	325,000	Christensen, Donna

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
CDC	Georgia Chapter of the American Lung Association, Smyrna, GA to study the relationship between residential floor coverings and distributive patterns of airborne particulates	350,000	Deal (GA), Nathan
CDC	Georgia Rural Water Association, Barnesville, GA, for the National Fluoridation Training Institute	84,700	Chambliss
CDC	Haitian American Association Against Cancer, Inc., Miami, FL for cancer education, outreach, screening and related programs	240,000	Meek (FL), Kendrick
CDC	Health Care Network, Inc. Racine, WI, to coordinate dental services for low-income patients	85,000	Kohl
CDC	Healthy Eating Lifestyle Principles, Monterey, CA for a program to improve nutrition by promoting the accessibility and consumption of fresh fruits and vegetables in schools	175,000	Farr, Sam
CDC	Healthy Futures, Columbia, SC, to educate the community to recognize the health concerns, specifically obesity, of youth in the minority community	211,100	Graham
CDC	Healthy Northeast Pennsylvania Initiative, Clarks Summit, PA, for health education	90,000	Specter; Kanjorski, Paul
CDC	Henderson, NV, for a diabetes screening, education and counseling program for seniors	200,000	Reid; Porter, Jon
CDC	Home Instruction Program for Preschool Youngsters—Florida, Coral Gables, FL to create a preventative health care model	175,000	Wasserman Schultz, Debbie
CDC	Ingalls Development Foundation, Harvey, IL for a comprehensive cancer prevention and early detection program, focusing on minority populations	225,000	Jackson (IL), Jesse
CDC	Institute of Medical Humanism, Inc, Bennington, VT, for an end-of-life care initiative	150,000	Leahy
CDC	International Rett Syndrome Association, Clinton, MD for education and awareness programs regarding Rett syndrome	150,000	Hoyer, Steny
CDC	Iowa Chronic Care Consortium, Des Moines, Iowa, for a preventative health demonstration program	150,000	Harkin, Grassley; Boswell, Leonard; Latham, Tom
CDC	Iowa Department of Public Health to continue the Harkin Wellness Grant program	1,500,000	Harkin
CDC	Iowa Games, Ames, IA, to continue the Lighten Up Iowa program	100,000	Harkin
CDC	Iowa Health Foundation, for wellness activities for dementia patients	100,000	Harkin
CDC	Iowa State University, Ames, IA, for the Iowa Initiative for Healthier Schools and Student Wellness	400,000	Harkin, Grassley
CDC	Kennedy Health System, Voorhees, NJ, for the Women and Children's Health Pavilion's Advanced Cancer Prevention and Treatment Initiative	380,000	Lautenberg, Menendez
CDC	Kids Kicking Cancer, Inc., Lansing, MI, for cancer treatment support activities	595,000	Levin, Stabenow
CDC	Kips Bay Boys and Girls Club, Bronx, NY for a nutrition and anti-obesity demonstration program for 6- to 12-year-old children	325,000	Crowley, Joseph
CDC	Long Island University, Brooklyn, NY for asthma education, counseling, and prevention programs	365,000	Towns, Edolphus; Clinton, Schumer
CDC	Louisville Department of Public Health and Wellness, Louisville, KY for improving and providing preventative healthcare to men to address disease and obesity prevention, oral health, and stress management	100,000	Yarmuth, John
CDC	Lower Bucks Hospital, Bristol, PA, for autism therapy evaluation	90,000	Specter
CDC	Mary Bird Perkins Cancer Center, Baton Rouge, LA, for additional C.A.R.E. Network screenings and program development	100,000	Vitter; Jindal, Bobby
CDC	Michigan Health and Hospital Association, Kalamazoo, MI, to improve quality of care and patient safety in hospital surgery settings	425,000	Levin, Stabenow
CDC	Middle Tennessee State University, Murfreesboro, TN for research and education regarding ways of increasing physical activity and fitness among children and adolescents	350,000	Gordon, Bart
CDC	Myositis Association, Washington, DC to develop a national patient registry for individuals afflicted with myositis	175,000	Israel, Steve
CDC	Natividad Medical Center, Salinas, CA for a diabetes care management program	125,000	Farr, Sam
CDC	Nazareth Hospital, Philadelphia, PA, for health outreach	90,000	Specter
CDC	Nevada Cancer Institute, Las Vegas, NV for a comprehensive program to reduce cancer incidence and mortality rates and address cancer health disparities	300,000	Berkley, Shelley; Porter, Jon
CDC	North Shore Health Project, Gloucester, MA for outreach and education on hepatitis C	150,000	Tierney, John
CDC	Northeast Regional Cancer Institute, Scranton, PA, for cancer screening evaluation	90,000	Specter, Casey, Jr.; Carney, Christopher; Kanjorski, Paul
CDC	Nueva Esperanza, Philadelphia, PA, for HIV/AIDS programs	90,000	Specter
CDC	Pennsylvania Breast Cancer Coalition, Ephrata, PA, for education, awareness and publication production	90,000	Specter, Casey
CDC	Pittsburgh Regional Health Initiative, Pittsburgh, PA, for an infection control training program	90,000	Specter; Murphy, Tim
CDC	Plymouth State University, Plymouth, NH for the Partners Enabling Active Rural Living Institute to develop an evidence-based model for promoting and enabling appropriate daily physical activity in rural communities	150,000	Hodes, Paul
CDC	Potter County Human Services, Roulette, PA, for health promotion programs	90,000	Specter
CDC	Providence Cancer Center, Portland, OR for the rural and underserved cancer outreach project	115,000	Wu, David; Blumenauer, Earl; Hooley, Darlene; Walden (OR), Greg; Wyden, Smith
CDC	Providence Multiple Sclerosis Center, Portland, Oregon, to develop a registry for multiple sclerosis	84,700	Smith, Wyden; Wu, David; Walden, Greg
CDC	Pulmonary Hypertension Association, Silver Spring, MD for public education and outreach	200,000	Brady (TX), Kevin; Lantos, Tom
CDC	Saint Michael's Medical Center, Newark, NJ, for heart disease screening	150,000	Menendez, Lautenberg
CDC	San Antonio Metropolitan Health District, San Antonio, TX for further studies and public health outreach regarding environmental health concerns at and near the former Kelly Air Force Base	440,000	Gonzalez, Charles
CDC	SHAREing and CAREing, Astoria, NY to provide culturally sensitive breast health education, referrals for screenings/diagnostic and support services for medically underserved and uninsured minority women	125,000	Crowley, Joseph

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
CDC	Silent Spring Institute, Newton, MA for studies of the impact of environmental pollutants on breast cancer and women's health	125,000	Delahunt, William; Kennedy, Kerry
CDC	Sister to Sister—Everyone Has a Heart Foundation to increase women's awareness of heart disease, Washington, D.C.	250,000	Cardin
CDC	South Dakota State University, Brookings, SD, for interdisciplinary research on obesity prevention and treatment	125,000	Johnson, Thune
CDC	Southeastern Center for Emerging Biologic Threats, Emory University, Atlanta, GA for programs related to bioterrorism and emerging biological threats	400,000	Chambliss, Isakson; Price (GA), Tom; Lewis (GA), John
CDC	Spinal Muscular Atrophy Foundation, New York, NY, for outreach, patient education and registries	500,000	Harkin, Specter, Schumer, Clinton
CDC	St. Elizabeth's Medical Center, Wabasha, MN to support a disease prevention pilot program to reduce the incidence of heart disease	100,000	Walz (MN), Timothy; Klobuchar, Coleman
CDC	St. Francis Medical Center Foundation, Lynwood, CA for health education and outreach	140,000	Sánchez T., Linda
CDC	St. John's Regional Medical Center, Oxnard, CA for diabetes prevention and management programs	400,000	Capps, Lois
CDC	St. John's Well Child and Family Center, Los Angeles, CA for a patient education program to address obesity, diabetes, and hypertension	125,000	Becerra, Xavier
CDC	Supporting Autism Families Everywhere, Wilkes-Barre, PA, for Autism programs and education	90,000	Specter
CDC	Texas Tech University Health Sciences Center at El Paso, El Paso, TX, for the Center for Research and Re-Emerging Infectious Diseases	375,000	Hutchison
CDC	United Mine Workers of America, Fairfax, VA, for a fuel-cell coalmine vehicle demonstration project	90,000	Specter
CDC	University of Arizona College of Medicine, Tucson, AZ for diabetes educational outreach programs	270,000	Grijalva, Raúl; Giffords, Gabrielle
CDC	University of Findlay Center for Public Health Preparedness, Findlay, OH for training programs on school safety and workplace violence avoidance	275,000	Jordan, Jim; Brown, Voinovich
CDC	University of Kansas, Lawrence, KS, for the biodiversity research center	1,171,000	Roberts
CDC	University of Montana Rehabilitation, Research, and Training Center, Missoula, MT, to develop program Living Well and Working Well with a Disability: Improving Health, Promoting Employment, and Reducing Medical Costs	120,000	Baucus
CDC	University of Montana, Missoula, MT, for Methamphetamine Detection and Health Effects Research	180,000	Tester
CDC	University of North Carolina at Chapel Hill with East Carolina University, Chapel Hill, North Carolina, for the Program in Racial Disparities in Cardiovascular Disease	585,000	Dole; Watt, Melvin
CDC	University of North Texas Health Science Center, Fort Worth, TX for the Center for Minority Health, Education, Research and Outreach	400,000	Granger, Kay
CDC	University of Pittsburgh Medical Center, Pittsburgh, PA, for health outreach	169,500	Specter
CDC	University of South Florida, Tampa, FL to create, implement, and evaluate programs to assist school-aged children in becoming physically active and healthy	550,000	Castor, Kathy
CDC	University of Texas Pan American, Edinburg, TX for the South Texas Border Health Disparities Center's program on preventing obesity in minority populations	320,000	Hinojosa, Rubén
CDC	University of Texas, Brownsville, TX for studies regarding the health of the Hispanic population in the Rio Grande Valley	400,000	Ortiz, Solomon
CDC	University of Wisconsin Milwaukee, Milwaukee, WI, for evidence based adolescent pregnancy prevention programs	200,000	Kohl
CDC	Virgin Islands Perinatal Inc., Christiansted, VI for implementation of chronic disease management and prevention modalities to minimize adverse outcomes related to diabetes and hypertension	315,000	Christensen, Donna
CDC	Voorhees College, Denmark, SC for a demonstration program on reversing diabetes in minority communities	135,000	Clyburn, James
CDC	Wayne County Department of Public Health, Detroit, MI for a lead poisoning assessment, prevention, and intervention program	300,000	Conyers, John; Levin, Stabenow
CDC	WellSpan Health, York, PA, for health outreach	90,000	Specter, Casey, Jr.; Platts, Todd
CDC	WestCare Foundation, Las Vegas, NV, for the Batterers Intervention Program in Needles, CA and surrounding communities	500,000	Lewis (CA), Jerry
CDC	Yale New Haven Hospital, New Haven, CT to develop a comprehensive ovarian cancer prevention and early detection program	300,000	DeLauro, Rosa
CDC	YBH Project, Inc., Albany, GA for nutrition, fitness, and education programs for middle school students and their families	100,000	Bishop (GA), Sanford
CDC	Youth and Family Services, Rapid City, SD, for the Health Connections Program	150,000	Johnson, Thune; Herseth Sandlin, Stephanie
Child Abuse	Boys and Girls Town of Missouri, St. James, MO, to expand services to abused and neglected children	423,000	Bond
Child Abuse	Catholic Community Services of Juneau, Juneau, AK, to continue operations at its Family Resource Center for child abuse prevention and treatment in Juneau, Alaska	400,000	Stevens
Child Abuse	Children Uniting Nations, Los Angeles, CA for a foster child mentoring program in Los Angeles	300,000	Feinstein; Cardoza, Dennis
Child Abuse	Darkness to Light, Charleston, SC, to expand and disseminate the Stewards of Children program in consultation with the CARE House of Dayton, OH	300,000	Brown
Child Abuse	Jefferson County, Golden, CO for child abuse prevention and treatment programs	100,000	Udall (CO), Mark; Perlmutter, Ed; Salazar
Child Abuse	New York Center for Children, New York, NY for comprehensive support and services to abused children and their families	175,000	Maloney (NY), Carolyn
Child Abuse	Shelter for Abused Women, Winchester, VA to enhance community efforts to address domestic violence	100,000	Wolf, Frank
Child Abuse	Young Women's Christian Association (YWCA), Williamsport, PA, for abused and neglected children's CASA programs	90,000	Specter
CMHS	Access Community Health Center, Bloomingdale, IL for mental health services	250,000	Roskam, Peter

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
CMHS	Access Community Health Network, Chicago, IL, for behavioral health integration programs	400,000	Durbin
CMHS	Advocate Health Care, Oak Brook, IL for specialized and comprehensive psychotherapy and support to abused and neglected children and their families	325,000	Lipinski, Daniel
CMHS	Alfred University, Alfred, NY for graduate school psychologist training program	100,000	Kuhl (NY), John; Clinton, Schumer
CMHS	American Red Cross, Lower Bucks County Chapter, Levittown, PA to provide mental health counseling and case management services, along with related services	100,000	Murphy, Patrick
CMHS	Children's Health Fund, New York, NY, to provide mental health services to children and families in Louisiana	400,000	Landrieu
CMHS	City and County of San Francisco Department of Public Health, San Francisco, CA for mental health and substance abuse services for homeless persons in supportive housing	1,500,000	Pelosi, Nancy; Feinstein, Boxer
CMHS	City of Los Angeles, CA for supportive housing services	300,000	Waxman, Henry
CMHS	Community Counseling Center, Portland, ME, for the expansion of the Greater Portland Trauma Assistance Network	100,000	Collins, Snowe
CMHS	Community Rehabilitation Center, Inc., Jacksonville, FL for substance abuse and mental health programs	320,000	Brown, Corrine
CMHS	Corporate Alliance for Drug Education, Philadelphia, PA, for mental health programs	90,000	Specter
CMHS	Essex County, Newark, NJ, for a mental health initiative	635,000	Lautenberg, Menendez; Sires, Albio
CMHS	Family Services of Greater Waterbury, Waterbury, CT for the outpatient counseling/psychiatric program	125,000	Murphy (CT), Christopher
CMHS	Family Support Systems Unlimited, Inc., Bronx, NY for mental health services	175,000	Serrano, Jose
CMHS	Fulton County Department of Mental Health, Atlanta, GA for a jail diversion program	125,000	Scott (GA), David
CMHS	Heartland Health Outreach, Inc., Chicago, IL for mental health services to refugee children	150,000	Schakowsky, Janice
CMHS	Helen Wheeler Center for Community Mental Health, Kankakee, IL for mental health services	200,000	Weller, Jerry
CMHS	Holy Spirit Hospital, Camp Hill, PA for the Teenline suicide prevention program	100,000	Platts, Todd
CMHS	Indiana Wesleyan University, Marion, IN for the Institute of Training in Addiction Studies	150,000	Souder, Mark; Bayh, Lugar
CMHS	Jewish Association for Residential Care, Farmington Hills, MI for the Lifelines project	300,000	Knollenberg, Joe; Levin, Stabenow
CMHS	Kids Hope United, Waukegan, IL for the multi-systemic therapy program for youth	270,000	Bean, Melissa
CMHS	New Image Homeless Shelter, Los Angeles, CA for mental health case management	75,000	Becerra, Xavier
CMHS	New Mexico Human Services Department, Behavioral Health Collaborative, Santa Fe, NM, to transform the behavioral health services system	210,000	Bingaman, Domenici
CMHS	Oregon Partnership, Portland, Oregon, for mental health services and programs	84,000	Smith
CMHS	Pacific Clinics, Arcadia, CA for mental health and suicide prevention programs for Latina youth	400,000	Napolitano, Grace
CMHS	Prime Time House, Inc., Torrington, CT for mental health services	125,000	Murphy (CT), Christopher
CMHS	Rosebud Sioux Tribe, Rosebud, SD, for youth residential and outpatient therapy at Piya Mani Otipi	150,000	Johnson
CMHS	Ruth Rales Jewish Family Service, Boca Raton, FL to provide preventive youth mental health services and clinical outreach to at risk students	190,000	Wexler, Robert
CMHS	Sacramento Housing and Redevelopment Agency, Sacramento, CA, for services to the chronically homeless	100,000	Boxer; Matsui, Doris
CMHS	Samaritans of Rhode Island, Providence, RI, to enhance the Suicide Crisis Hotline	210,000	Reed, Whitehouse
CMHS	Spurwink Services, New Gloucester, ME, to improve early detection, training, timely access and evaluating best practice models for child mental health services	100,000	Collins, Snowe; Allen, Thomas
CMHS	United Way of Anchorage, Anchorage, AK, for the 211 project to provide a statewide health and human services management system for Alaska	600,000	Stevens
CMHS	Ventura County Probation Office, Ventura, CA for treatment and related services for juvenile offenders with mental health and chemical dependency problems	240,000	Capps, Lois
CMHS	Ventura County Sheriff's Department, Thousand Oaks, CA for training programs related to the mentally ill	200,000	Gallegly, Elton
CMHS	Wisconsin Department of Agriculture, Transportation and Consumer Protection, Madison, WI, to provide mental health services for farmers and their families throughout Wisconsin	85,000	Kohl
CMHS	Youthville, Wichita, KS for an adoption and trauma resource center	450,000	Tiahrt, Todd
CMS	Access Health, Inc., Muskegon, MI, for a small business health coverage program	200,000	Hoekstra, Peter; Levin, Stabenow
CMS	Bedford Ride, Bedford, VA for a program to assist seniors	70,000	Goode, Virgil
CMS	Bi-State Primary Care Association, Concord, NH to treat uninsured patients	325,000	Hodes, Paul; Sanders, Gregg
CMS	City and County of San Francisco Department of Public Health, San Francisco, CA for enhancements to the HIV/AIDS service delivery system in San Francisco	1,300,000	Pelosi, Nancy; Feinstein
CMS	City of Detroit, MI for the Detroit Primary Care Access Project	350,000	Kilpatrick, Carolyn
CMS	City of Waterbury, CT for a health access program	200,000	Murphy (CT), Christopher; Lieberman
CMS	Gadsden County, FL, Quincy, FL for a prescription assistance medical services program	100,000	Boyd (FL), Allen
CMS	Jefferson Area Board for Aging, Charlottesville, VA to address nursing assistant shortages in long-term care settings	100,000	Goode, Virgil
CMS	Medicare Chronic Care Practice Research Network, Sioux Falls, SD, to evolve and continue the Medicare Coordinated Care Demonstration project	675,000	Johnson
CMS	Mosaic, Des Moines, IA, for the Iowa Community Integration Project	300,000	Harkin
CMS	Orange County's Primary Care Access Network, Orlando, FL for a health care access network	320,000	Brown, Corrine; Nelson, Bill

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
CMS	Piedmont Hospital, Atlanta, GA for a project regarding the transition of older patients from hospital to home	200,000	Lewis (GA), John
CMS	Thurston-Mason County Medical Society, Olympia, WA for Project Access for the uninsured	200,000	Smith (WA), Adam
CMS	University of Mississippi, University, MS, for the Medication Use and Outcomes Research Group	300,000	Cochran
CMS	University of North Carolina School of Pharmacy, Chapel Hill, NC, to study the impact of a primary care practice model utilizing clinical pharmacist practitioners to improve the care of Medicare-eligible populations in NC	100,000	Burr
CMS	Valley Hospice, Inc., Steubenville, OH to develop best practices for hospices across the State	400,000	Wilson (OH), Charles
CSAP	Cheyenne River Sioux Tribe, Eagle Butte, SD, for a methamphetamine prevention program	400,000	Johnson
CSAP	Clinton County Office of District Attorney, Lock Haven, PA, for substance abuse prevention programs	90,000	Specter
CSAP	Community Foundation for Greater New Haven, New Haven, CT to support innovative multi-disciplinary intervention programs serving children and families exposed to violence and trauma	500,000	DeLauro, Rosa
CSAP	Community Health Center on the Big Island of Hawaii	100,000	Inouye
CSAP	Fighting Back Partnership, Vallejo, CA for an intervention program targeting elementary and high school students who are at risk for substance abuse and misuse	250,000	Miller, George
CSAP	Institute for Research, Education and Training in Addictions (IRETA), Pittsburgh, PA, for substance abuse prevention programs	90,000	Specter
CSAP	Institute for the Advanced Study of Black Families, Oakland, CA for integrated HIV/AIDS and substance abuse prevention with African American women and teenagers	150,000	Lee, Barbara
CSAP	Iowa Office of Drug Control Policy, Des Moines, IA, to educate parents about drug use by teenagers	100,000	Harkin
CSAP	Municipality of Anchorage, Anchorage, AK, for methamphetamine education project in Alaska	400,000	Stevens, Murkowski; Young (AK), Don
CSAP	Operation SafeHouse, Riverside, CA for a substance abuse prevention program	100,000	Calvert, Ken
CSAP	Seton Hill University, Greensburg, PA, for substance abuse prevention programs	90,000	Specter
CSAP	Shiloh Economic Development Center, Bryan, TX for a substance abuse prevention program	150,000	Edwards, Chet
CSAP	South Boston Community Health Center, South Boston, MA for substance abuse prevention services	150,000	Lynch, Stephen
CSAP	Standing Rock Sioux Tribe, Fort Yates, ND, for a methamphetamine prevention program	400,000	Johnson
CSAP	Tanana Chiefs Conference, Fairbanks, AK, for the Ch'eghutsen Children's Mental Health Program in Interior Alaska	500,000	Stevens
CSAP	The Partnership for a Drug-Free America, New York, NY for educational awareness programs on prescription and over-the-counter drug abuse	250,000	Walsh (NY), James; Souder, Mark
CSAP	YMCA of the East Bay, Richmond, CA for substance abuse prevention activities	100,000	Miller, George
CSAT	Akeela, Inc., Anchorage, AK, for the Re-Entry Program in Anchorage, Alaska	200,000	Stevens; Young (AK), Don
CSAT	Anchorage Dept. of Health and Social Services, Anchorage, AK, for the Pathways to Sobriety Project in Anchorage, Alaska	400,000	Stevens
CSAT	Asian American Recovery Services, Inc., San Francisco, CA, for substance abuse treatment programs	170,000	Feinstein
CSAT	City of Las Vegas, NV for the EVOLVE program	400,000	Berkley, Shelley
CSAT	City of Oxford, Oxford, MS for a substance abuse treatment program	350,000	Wicker, Roger
CSAT	Fulton County, Atlanta, GA for Project Excell, an intensive outpatient treatment program serving homeless males with co-occurring substance abuse and mental health disorders	100,000	Lewis (GA), John
CSAT	Gavin Foundation, South Boston, MA for substance abuse treatment services at its Cushing House facility for adolescents	350,000	Lynch, Stephen
CSAT	Glide Foundation, San Francisco, CA for substance abuse services	250,000	Pelosi, Nancy
CSAT	Heartland Family Services, Inc., Omaha, NE, for the Sarpy County Methamphetamine Treatment Program for women and children	100,000	Hagel, Ben Nelson
CSAT	Maine Lighthouse Corp., Bar Harbor, ME, for the Therapeutic Community for the Substance Abuse Treatment project	100,000	Collins, Snowe
CSAT	Maniilaq, Inc., Kotzebue, AK, for the Mavsigviq Family Recovery Program in Northwest Arctic Borough Alaska	500,000	Stevens
CSAT	Marin Services for Women, Inc., Greenbrae, CA, for substance abuse treatment for low-income women and their children	170,000	Feinstein
CSAT	Martin Addiction Recovery Center, Martin, SD, to enhance and expand substance abuse intervention and treatment services	200,000	Johnson
CSAT	Metro Homeless Youth Services of Los Angeles, Los Angeles, CA to expand services for homeless youth with substance abuse problems	300,000	Feinstein; Watson, Diane
CSAT	Minnesota Indian Women's Resource Center, Minneapolis, MN for a dual diagnosis outpatient treatment program	100,000	Ellison, Keith; Klobuchar, Coleman
CSAT	Nassau University Medical Center, East Meadow, NY for substance abuse treatment services	300,000	King (NY), Peter; McCarthy, Carolyn; Clinton, Schumer
CSAT	Nicasa in Round Lake, IL, Round Lake, IL, for evening outpatient substance abuse treatment program for women	325,000	Durbin
CSAT	Sandhills Teen Challenge, Carthage, NC for substance abuse treatment services	100,000	Coble, Howard
CSAT	Sheriffs Youth Program of Minnesota, Inver Grove Heights, MN for chemical dependency treatment services	125,000	Walz (MN), Timothy; Coleman
CSAT	Talbert House, Cincinnati, OH for a substance abuse treatment program	300,000	Schmidt, Jean
CSAT	Trumbull County Lifelines, Warren, OH for behavioral health services	200,000	Ryan (OH), Tim
CSAT	Union Station Foundation, Pasadena, CA for services to homeless families	150,000	Schiff, Adam

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
CSAT	United Way of Treasure Valley, Boise, ID for a substance abuse treatment program	400,000	Sali, Bill; Simpson, Michael, Crapo
CSAT	Wayne County Academy, Alpha, KY for a substance abuse counseling program	200,000	Rogers (KY), Harold
CSAT	WestCare Kentucky, Ashcamp, KY for a substance abuse treatment and voucher program	700,000	Rogers (KY), Harold
ETA	Adelante Development Center, Albuquerque, NM for employment and training services	200,000	Pearce, Stevan; Domenici
ETA	Agudath Israel of America Community Services, Inc., Brooklyn, NY for its Fresh Start job training and counseling program	450,000	Weiner, Anthony
ETA	Alu Like, Inc., Honolulu, HI, for training and education	100,000	Inouye
ETA	Arc of Blackstone Valley, Pawtucket, RI for a workforce development initiative	325,000	Reed; Kennedy, Patrick
ETA	Barnabus Uplift, Des Moines, IA, for job training and supportive services	425,000	Harkin
ETA	Bellingham Technical College, Bellingham, WA for a Process Technology Workforce Development Project	215,000	Larsen (WA), Rick
ETA	Bismarck State College, Bismarck, ND for an instrumentation and control training program for the energy industry	1,000,000	Dorgan, Conrad; Pomeroy, Earl
ETA	Brockton Area Private Industry Council, Inc., Brockton, MA, for workforce development programs	170,000	Kennedy, Kerry; Lynch, Stephen
ETA	Brookdale Community College, Lincroft, NJ for workforce training programs through its Center for Excellence in Technology, Telecommunications and Economic Development	250,000	Holt, Rush
ETA	Capital IDEA, Austin, TX for workforce development services for disadvantaged adults	250,000	Doggett, Lloyd
ETA	Capps Workforce Training Center, Moorhead, MS, for Workforce Training	350,000	Cochran
ETA	Catholic Charities, Chicago, IL, for vocational training and support programs at the Saint Leo Residence for Veterans	500,000	Durbin; Lipinski, Daniel
ETA	Center for Employment Training, San Jose, CA for its building trades program for out-of-school youth	350,000	Lofgren, Zoe
X ETA	Center for Working Families, Long Beach, CA for job training and placement in demand industries	140,000	Richardson, Laura
ETA	Central Carolina Tech College, Sumter, SC for training in healthcare professions	400,000	Spratt, John
ETA	Central Maine Community College, Auburn, ME for a training program in precision metalworking and machine tool technology	200,000	Michaud, Michael; Collins, Snowe
ETA	Chinese-American Planning Council, New York, NY for counseling, vocational training, job placement, and ESL services	200,000	Velázquez, Nydia
ETA	City College of San Francisco, San Francisco, CA for a health care workforce training initiative through the Welcome Back Center	350,000	Lantos, Tom
ETA	City of Alexandria, VA for an automotive industry workforce development and training initiative	350,000	Moran (VA), James
ETA	City of Baltimore, MD for the Park Heights Partnership for Jobs	500,000	Cardin; Cummings, Elijah; Sarbanes, John
ETA	City of Milwaukee, WI for a project to train youth in construction trades	250,000	Moore (WI), Gwen
ETA	City of Palmdale, Palmdale, CA for a business resource network to enhance worker skills development	150,000	McKeon, Howard
ETA	City of Suffolk, VA for training programs at the Suffolk Workforce Development Center	250,000	Forbes, J.; Webb, Warner
ETA	City of West Palm Beach, FL for training programs for at-risk youth	375,000	Hastings (FL), Alcee
ETA	Clarian Health Partners, Indianapolis, IN for workforce development in the health care industry	245,000	Carson, Julia
ETA	College of Southern Maryland, La Plata, MD, for its Partnership for the Advancement of Construction and Transportation Training Project	300,000	Hoyer, Steny; Mikulski, Cardin
ETA	Community Agricultural Vocational Institute, Yakima, WA, for training of agricultural workers	250,000	Murray
ETA	Community College of Allegheny College, Pittsburgh, PA, for job training programs	75,000	Specter, Casey, Jr.; Peterson (PA), John
ETA	Community Learning Center, Fort Worth, TX for expansion of the Advanced Manufacturing Training Partnership Program	500,000	Granger, Kay
ETA	Community Solution for Clackamas County, Oregon City, Oregon, to expand the Working for Independence (WFI) program in Clackamas County	127,000	Smith; Blumenauer, Earl, Hooley, Darlene
ETA	Community Transportation Association of America, Washington, DC, for the Joblinks program	400,000	Harkin
X ETA	Compton CareerLink, Compton, CA for job training and placement in demand industries	200,000	Richardson, Laura
ETA	Cook Inlet Tribal Council, Inc., Anchorage, AK, for the Alaska's People program to provide job training and employment counseling	500,000	Stevens
ETA	Crowder College, Neosho, MO, to expand technical education programs for workforce development	656,000	Bond
ETA	Des Moines Area Community College, Arkeny, IA for workforce recruitment and training to address area skill shortages	275,000	Boswell, Leonard; Grassley
ETA	Des Moines Area Community College, Des Moines, IA, for Project Employment	250,000	Harkin, Grassley; Boswell, Leonard
ETA	East Los Angeles Community Union, Los Angeles, CA for a workforce training initiative	300,000	Roybal-Allard, Lucille
ETA	Easter Seals Arc of Northeast Indiana, Inc., Fort Wayne, IN for the Production and Worker Training Services program	100,000	Souder, Mark
ETA	Eastern Michigan University, Ypsilanti, MI, for re-training of displaced workers	340,000	Stabenow, Levin; Dingell, John
ETA	Eastern Technology Council, Wayne, PA, for job training programs	75,000	Specter, Casey
ETA	Edgar Campbell Foundation, Philadelphia, PA for counseling, job placement and work readiness programs	400,000	Brady (PA), Robert
ETA	Employment & Economic Development Department of San Joaquin County, Stockton, CA for a work experience program for at-risk youth	175,000	McNerney, Jerry
ETA	Essex County Community Organization, Lynn, MA for its E-Team Machinist Training Program	300,000	Tierney, John

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
ETA	Fort Lewis College, Durango, CO, for the development of entrepreneurship programs to enhance regional development	127,000	Allard, Salazar
ETA	Foundation for an Independent Tomorrow, Las Vegas, NV, for job training, vocational education, and related support	150,000	Reid
ETA	Foundation of the Delaware County Chamber, Media, PA for workforce development and job readiness services	192,000	Sestak, Joe; Specter
ETA	Goodwill Industries of Southeastern Wisconsin, Inc., Milwaukee, WI, to provide training, employment and supportive services, including for individuals with disabilities	210,000	Kohl
ETA	Goodwill of Southern Nevada, North Las Vegas, NV for workforce development programs	350,000	Porter, Jon
ETA	Greater Akron Chamber, Akron, OH for a summer apprenticeship program for youth	300,000	Ryan (OH), Tim
ETA	Groden Center, Providence, RI for job readiness training for adults with Asperger's Syndrome	150,000	Kennedy, Patrick; Reed, Whitehouse
ETA	Guam Community College, Mangilao, Guam for skilled craft training	400,000	Bordallo, Madeleine
ETA	Hamilton County Government, Chattanooga, TN for training activities related to manufacturing processes	850,000	Wamp, Zach; Alexander
ETA	Harrisburg Area Community College, Harrisburg, PA, for job training programs	75,000	Specter
ETA	Home of Life Community Development Corp., Chicago, IL for a financial services training and placement program	240,000	Davis (IL), Danny
ETA	Homecare Workers Training Center, Los Angeles, CA for nurse assistant training	125,000	Becerra, Xavier
ETA	Idaho Women Work! at Eastern Idaho Technical College, Idaho Falls, ID, to continue and expand the Recruiting for the Information Technology Age (RITA) initiative in Idaho	100,000	Craig
ETA	International Fellowship of Chaplains, Inc., Saginaw, MI for the Road to Hope training program in Seneca County, OH	200,000	Gillmor, Paul; Levin
ETA	Iowa Policy Project for a study on temporary and contingent workers	350,000	Harkin
ETA	Iowa Valley Community College, Marshalltown, IA for job training activities	250,000	Harkin; Latham, Tom
ETA	Ivy Tech Community College of Indiana - Columbus Region, Indianapolis, IN for the Center for Cybersecurity for workforce development	150,000	Pence, Mike; Bayh, Luger
ETA	Ivy Tech Community College of Indiana Lafayette, Indianapolis, IN for job training programs at the Center for Health Information Technology	140,000	Buyer, Steve; Bayh, Lugar
ETA	Kansas City Kansas Community College, Kansas City, KS for workforce training and placement for the retail and hospitality industries	320,000	Moore (KS), Dennis; Brownback
ETA	Kent State University/Trumbull County, Warren, OH for regional training through the Northeast Ohio Advanced Manufacturing Institute	250,000	Ryan (OH), Tim
ETA	Linking Employment, Abilities and Potential, Cleveland, Ohio, for training and skill development services for individuals with disabilities in coordination with the local workforce investment system	180,000	Brown
ETA	Louisiana Delta Community College, Monroe, LA for a job training initiative	250,000	Alexander, Rodney
ETA	Louisiana National Guard, Carville, LA for the Job Challenge Program	150,000	Baker, Richard
ETA	MAGLEV Inc., McKeesport, PA, for a training program in advanced precision fabrication	90,000	Specter
ETA	Manufacturing Association of Central New York, Syracuse, NY for a workforce training project	250,000	Walsh (NY), James
ETA	Massachusetts College of Pharmacy and Health Sciences, Manchester, NH for training of nurses, physician assistants, and pharmacists	319,500	Sununu; Shea-Porter, Carol
ETA	Massachussets League of Community Health Centers, East Boston, MA, for a health-care workforce development program	170,000	Kennedy, Kerry
ETA	Maui Community College Remote Rural Hawaii Job Training Project, HI, for the Remote Rural Hawaii Job Training project	2,400,000	Inouye
ETA	Maui Community College Training and Educational Opportunities, HI, for training and education	1,000,000	Inouye
ETA	Maui Economic Development Board, HI, for high tech training	475,000	Inouye
ETA	Maui Economic Development Board, HI, for the rural computer utilization training program	300,000	Inouye
ETA	McHenry County Community College, Woodstock, IL for employer-identified occupational training	400,000	Bean, Melissa
ETA	Memphis, Tennessee, for a prisoner re-entry program	200,000	Alexander; Cohen, Steve
ETA	Minot State University, Minot, ND for the Job Corps Executive Management Program	750,000	Dorgan, Conrad; Pomeroy, Earl
ETA	Mission Language and Vocational School, San Francisco, CA for a training program in health-related occupations	250,000	Pelosi, Nancy
ETA	Mississippi State University, Mississippi State, MS, for the Mississippi Integrated Workforce Performance System	400,000	Cochran; Pickering, Charles
ETA	Mississippi State University, Mississippi State, MS, for training development and delivery system at the Distributed Learning System for Workforce Training Program	200,000	Cochran
ETA	Mississippi Technology Alliance, Ridgeland, MS, for the Center for Innovation and Entrepreneurial Services	150,000	Cochran
ETA	Mississippi Valley State University, Itta Bena, MS, for training and development programs at the Automated Identification Technology (AIT)/Automatic Data Collection (ADC)	200,000	Cochran
ETA	Moreno Valley, CA, to provide vocational training for young adults, as well as the development of an internship with local businesses to put the trainees' job skills to use upon graduation	125,000	Boxer
ETA	National Council of La Raza in Washington, DC, to provide technical assistance on Hispanic workforce issues including capacity building, language barriers, and health care job training	400,000	Harkin
ETA	Neighborhood First Program, Inc., Bristol, PA for services for at-risk youth	125,000	Murphy, Patrick
ETA	Neumann College, Aston, PA, for the Partnership Advancing Training for Careers in Health program	75,000	Specter

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
ETA	NewLife Academy of Information Technology, East Liverpool, OH for training for information technology careers	240,000	Wilson (OH), Charles
ETA	North Side Industrial Development Corporation, Pittsburgh, PA, for job training programs	75,000	Specter
ETA	North West Pasadena Development Corp., Pasedena, CA for job training for low-income individuals	125,000	Schiff, Adam
ETA	Northcott Neighborhood House, Milwaukee, WI for construction industry training for youth	70,000	Moore (WI), Gwen
ETA	Northwest Washington Electrical Industry Joint Apprenticeship and Training Committee, Mount Vernon, WA, for expanded training capability, including the acquistion of training equipment, to meet the need for skilled electrical workers	150,000	Murray
ETA	Northwest Wisconsin Concentrated Employment Program, Inc., Ashland, WI, for workforce development training in Northwest Wisconsin	255,000	Kohl
ETA	Oakland Community College, Bloomfield Hills, MI to lead a consortium on workforce development for emerging business sectors	800,000	Knollenberg, Joe; McCotter, Thaddeus; Levin, Sander; Levin
ETA	Opportunity, Inc., Highland Park, IL for workforce development activities	350,000	Kirk, Mark
ETA	Our Piece of the Pie, Hartford, CT for education and employment services for out-of-school youth	500,000	Larson (CT), John; Dodd, Lieberman
ETA	Pacific Mountain Workforce Consortium, Tumwater, WA, for training of qualified foresters and restoration professionals in Lewis County	140,000	Murray
ETA	Parish of Rapides Career Solutions Center, Alexandria, LA for a job training initiative	200,000	Alexander, Rodney; Landrieu, Vitter
ETA	Pennsylvania Women Work!, Pittsburgh, PA, for job training programs	90,000	Specter
ETA	Philadelphia Shipyard Development Corporation, Philadelphia, PA for on-the-job training in shipbuilding technology	435,000	Murtha, John; Specter
ETA	Philadelphia Veterans Multi-Service & Education Center, Philadelphia, PA, for veterans job training	75,000	Specter, Casey, Jr.
ETA	Piedmont Virginia Community College, Charlottesville, VA for the Residential Construction Academy	100,000	Goode, Virgil
ETA	Pittsburgh Airport Area Chamber of Commerce Enterprise Foundation, Pittsburgh, PA, for workforce development	75,000	Specter
ETA	Poder Learning Center, Chicago, IL for immigrant neighborhood education and job development services	200,000	Gutierrez, Luis; Obama
ETA	Port Jobs, in partnership with South Seattle Community College, Seattle, WA, for training of entry-level airport workers	100,000	Murray
ETA	Portland Community College, Portland, OR, to support the Center for Business and Industry	85,000	Wyden, Smith
ETA	Precision Manufacturing Institute, Meadville, PA for high-technology training programs	338,000	English (PA), Phil
ETA	Project ARRIBA, El Paso, TX, for workforce development in the West Texas region	100,000	Hutchison; Reyes, Silvestre
ETA	Project One Inc., Louisville, KY for summer job activities for disadvantaged youth	150,000	Yarmuth, John
ETA	Project QUEST, Inc., San Antonio, TX for workforce development services to low-income residents	75,000	Rodriguez, Ciro
ETA	PRONTO of Long Island, Inc., Bayshore, NY for a vocational training initiative	100,000	Israel, Steve; Clinton, Schumer
ETA	Rhodes State College, Lima, Ohio, for equipment, curriculum development, training and internships for high-tech engineering technology programs	150,000	Brown
ETA	Rural Enterprises of Oklahoma, Inc., Durant, OK, for entrepreneurship training programs	100,000	Inhofe; Fallin, Mary
ETA	Saint Leonard's Ministries, Chicago, IL, for job training and placement for ex-offenders	260,000	Durbin
ETA	San Jose, CA, for job training for the homeless	330,000	Feinstein
ETA	Santa Ana, CA, for the Work Experience and Literacy Program	760,000	Feinstein, Boxer; Sanchez, Loretta
ETA	Santa Maria El Mirador, Santa Fe, NM, to provide an employment training program	700,000	Domenici
ETA	Schoenbaum Family Enrichment Center, Charleston, WV for its Enterprise Development Initiate	250,000	Capito, Shelley
ETA	Schuylkill Intermediate Unit 29, MarLin, PA for a workforce training program	190,000	Holden, Tim
ETA	South Bay Workforce Investment Board, Hawthorne, CA for its Bridge-to-Work program	400,000	Waters, Maxine
ETA	Southeast Missouri State University, Cape Girardeau, MO for equipment and training	450,000	Emerson, Jo Ann
ETA	Southern University at Shreveport, Shreveport, LA for healthcare worker training activities	100,000	McCrery, Jim
ETA	Southside Virginia Community College, Alberta, VA for the Heavy Equipment Training Program	300,000	Goode, Virgil
ETA	Southwest Washington Workforce Development Council, Vancouver, WA, to create and sustain a partnership between business, education and workforce leaders in Southwest Washington	150,000	Murray
ETA	Southwestern Oklahoma State University, Weatherford, OK for workforce development in the manufacturing sector	250,000	Lucas, Frank
ETA	St. Louis Agency on Training and Employment, St. Louis, MO for a summer jobs program for youth	550,000	Clay, Wm.
ETA	STRIVE/East Harlem Employment Service, Inc., NY, for the Core job training program	500,000	Schumer, Clinton
ETA	Towson University, Towson, MD for education and training services for careers in homeland security	275,000	Ruppersberger, C. A.
ETA	Twin Cities Rise!, Minneapolis, MN, for job training initiatives	255,000	Klobuchar
ETA	United Auto Workers Region 9, Local 624, New York, for incumbent worker training	300,000	Schumer, Clinton
ETA	United Mine Workers of America, Washington, PA for the UMWA Career Center's mine worker training and re-employment programs	750,000	Murtha, John
ETA	University of Southern Mississippi, Hattiesburg, MS, for Workforce Training in Marine Composite	500,000	Cochran
ETA	University of West Florida, Pensacola, FL to provide teacher training to veterans	284,500	Miller (FL), Jeff; Martinez
ETA	Urban League of Lancaster County, Inc., Lancaster, PA, for job training programs	75,000	Specter

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
ETA	Vermont Department of Labor, Montpelier, VT, for job training of female inmates in Vermont as they prepare to reenter the workforce	600,000	Leahy
ETA	Vermont Healthcare and Information Technology Education Center, Williston, VT, for advanced manufacturing training of displaced workers	200,000	Leahy
ETA	Vermont Healthcare and Information Technology Education Center, Williston, VT, for health care training of displaced workers	615,000	Leahy
ETA	Vermont Technical College and Vermont Workforce Development Council, Randolph Center, VT, to provide job training to displaced workers in Vermont	540,000	Leahy
ETA	Veteran Community Initiatives, Inc., Johnstown, PA for employment services and support programs for veterans	500,000	Murtha, John
ETA	Vincennes University, Vincennes, IN for heavy equipment operator training for the mining industry	375,000	Ellsworth, Brad; Lugar
ETA	Washington Workforce Association, Vancouver, WA, for job shadowing, internships, and scholarships to prepare students for high-demand occupations	400,000	Murray
ETA	Washington, Ozaukee, Waukesha Workforce Development Inc., Pewaukee, WI, for advanced manufacturing and technology training	380,000	Kohl
X ETA	Watts Labor Community Action Committee, Los Angeles, CA for job training and placement in demand industries	200,000	Richardson, Laura
ETA	Wayne County, NY Planning Department, Lyons, NY for workforce development programs in Central New York	250,000	Walsh (NY), James
ETA	West Los Angeles College, Culver City, CA for a craft and technican training program	540,000	Watson, Diane
ETA	Wisconsin Community Action Program, Madison, WI, for job training assistance of low-income individuals	275,000	Kohl
ETA	Wisconsin Regional Training Partnership, Milwaukee, WI, to assess, prepare, and place job-ready candidates in construction, manufacturing, and other skilled trades and industries	255,000	Kohl
ETA	Women Work and Community, Augusta, ME for a women's workforce training and development program	500,000	Allen, Thomas; Collins, Snowe
ETA	Workforce Connections, Inc., La Crosse, WI, to develop and implement strategic workforce development activities in Western Wisconsin	125,000	Kohl
ETA	Workforce Resource, Inc., Menomonee, WI, for employment assistance	210,000	Kohl; Obey, David
ETA	Wrightco Technologies, Inc, Claysburg, PA, to provide job training, retraining and vocational educational programs	90,000	Specter
FIE	ABC Unified School District, Cerritos, CA for an after-school program at Melbourne Elementary School	200,000	Sánchez T., Linda
FIE	Academy for Urban School Leadership, Chicago, IL for Chicago Academy and Chicago Academy High School, which may include support for resident teachers	200,000	Emanuel, Rahm
FIE	Action for Bridgeport Community Development, Inc., Bridgeport, CT for teacher training programs	500,000	Lieberman, Dodd; Shays, Christopher
FIE	African-American Male Achievers Network, Inc., Inglewood, CA for its Project STEP program for at-risk youth	40,000	Waters, Maxine
FIE	Akron Public Schools, OH for a Math, Science, and Technology Community Learning Center, which may include equipment	250,000	Sutton, Betty; Voinovich
FIE	Alamance-Burlington School District, Burlington, NC for the Professional Development Academy	150,000	Coble, Howard
FIE	Alaska Department of Education and Early Development, Juneau, AK, for Big Brothers/Big Sisters statewide, in partnership with Alaska Dept. of Education, Boys and Girls Club, and Cook Inlet Tribal Council for a comprehensive mentoring program in Alaska	300,000	Stevens
FIE	Alaska Sealife Center, Seward, AK, for a marine ecosystems education program	250,000	Stevens
FIE	All Kinds of Minds, Chapel Hill, NC for teacher training programs	150,000	Hall (TX), Ralph
FIE	Allied Services Foundation, Clarks Summit, PA, for dyslexia education programs at the Allied Services dePaul School	75,000	Specter, Casey, Jr.; Kanjorski, Paul
FIE	American Ballet Theatre, New York, NY for educational activities	150,000	Maloney (NY), Carolyn; Schumer
FIE	American Foundation for Negro Affairs National Education and Research Fund, Philadelphia, PA, to raise the achievement level of minority students and increase minority access to higher education	90,000	Specter
FIE	Amistad America, New Haven, CT for the Atlantic Freedom Tour of the Armistad educational programs	250,000	Courtney, Joe; DeLauro, Rosa, Shays, Christopher; Larson, John; Murphy, Chris; Dodd
FIE	An Achievable Dream, Inc., Newport News, VA for education and support services for at-risk children, which may include teacher stipend scholarships	240,000	Scott (VA), Robert; Davis, Jo Ann
FIE	Anchorage's Promise, Anchorage, AK, to implement America's Promise child mentoring and support program in Anchorage	100,000	Stevens
FIE	Angelo State University, San Angelo, TX for a teacher training initiative	200,000	Conaway, K.
FIE	Apache County Schools, St. Johns, AZ for a teacher training initiative	150,000	Renzi, Rick
FIE	Arab City Schools, Arab, AL for technology upgrades	200,000	Aderholt, Robert; Shelby
FIE	ASPIRA Inc. of New Jersey, Newark, NJ, to provide academic assistance and leadership development	85,000	Lautenberg, Menendez
FIE	AVANCE, Inc, El Paso, TX for parenting education programs	125,000	Reyes, Silvestre
FIE	AVANCE, Inc., Del Rio, TX for a family literacy program	100,000	Rodriguez, Ciro
FIE	AVANCE, Inc., San Antonio, Texas, for training and curriculum development for a parent-child educational program	212,000	Cornyn; Gonzalez, Charles
FIE	AVANCE, Inc., Waco, TX for parenting education programs	125,000	Edwards, Chet
FIE	Barat Education Foundation, Lake Forest, IL for the American Citizen Initiative pilot program	400,000	Kirk, Mark
FIE	Barnstable, MA, for the development of programs and procurement of educational equipment at a youth and community center	210,000	Kennedy, Kerry

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIE	Bay Haven Charter Academy Middle School, Lynn Haven, FL for its physical education program, which may include equipment	150,000	Boyd (FL), Allen
FIE	Baylor University, Waco, TX for its Language and Literacy Center	100,000	Edwards, Chet
FIE	Beaver County, Beaver County, PA, to implement educational programming for K-12 students, including safe and appropriate use of the Internet	75,000	Specter
FIE	Berkeley Unified School District, Berkeley, CA, for a nutrition education program	90,000	Boxer
FIE	Berks County Intermediate Unit, Reading, PA, for music education programs	90,000	Specter
FIE	Best Buddies International, Miami, FL for mentoring programs for persons with intellectual disabilities	661,000	Kennedy, Patrick; Ramstad, Jim; Harkin
FIE	Best Buddies Maryland, Baltimore, MD for mentoring programs for persons with intellectual disabilities	300,000	Hoyer, Steny
FIE	Best Buddies Rhode Island, Providence, RI for mentoring programs for persons with intellectual disabilities	150,000	Kennedy, Patrick
FIE	Best Buddies, Miami, FL, to develop a Nevada site for Best Buddies	170,000	Reid
FIE	Big Brothers and Big Sisters of Southeastern Pennsylvania, Philadelphia, PA, for recruitment, placement, and oversight of school-based mentoring programs	508,500	Specter
FIE	Big Top Chautauqua, WI for educational activities	250,000	Obey, David
FIE	Boise State University, Boise, ID for the Idaho SySTEMic Solution program	200,000	Simpson, Michael; Crapo
FIE	Bowie State University, Bowie, MD for establishment of a Principal's Institute	200,000	Hoyer, Steny; Mikulski, Cardin
FIE	Boys & Girls Club of Greater Milwaukee, Milwaukee, WI, to expand an early literacy program for children in Milwaukee	255,000	Kohl
FIE	Boys & Girls Club of Hawaii, Honolulu, HI for a multi-media center, which may include equipment	425,000	Abercrombie, Neil
FIE	Boys & Girls Town of Missouri, Columbia, MO for technology upgrades	150,000	Hulshof, Kenny
FIE	Boys and Girls Club of San Bernardino, CA for an after-school program in the Delman Heights community, which may include equipment	140,000	Baca, Joe; Boxer
FIE	Bradford Area School District, Bradford, PA for the purchase of equipment	150,000	Peterson (PA), John
FIE	Brigham City, Brigham City, Utah, for acquisition of equipment for a distance learning program	50,000	Hatch; Bishop (UT), Rob
FIE	Brookdale Community College, Lincroft, NJ for a Student Success Center in Asbury Park, NJ which may include equipment	250,000	Pallone, Frank; Lautenberg, Menendez
FIE	Brooklyn Public Library, Brooklyn, NY, for the Learning Centers	500,000	Clinton, Schumer; Clarke, Yvette; Towns, Edolphus
FIE	Bushnell Center for the Performing Arts, Hartford, CT for arts education programs	100,000	Larson (CT), John; Dodd
FIE	California State University Northridge, CA for development of an assessment and accountability system for teacher education	400,000	Sherman, Brad
FIE	California State University, San Bernardino, CA for a leadership training program for urban youth	[illegible],000	Baca, Joe
FIE	Canton Symphony Orchestra Association, Canton, OH for the Northeast Ohio Arts Education Collaborative, including teacher training and curriculum development	100,000	Regula, Ralph
FIE	Carnegie Hall, New York, NY for its National Music Education Program	400,000	Clinton, Schumer; Maloney (NY), Carolyn; Hatch
FIE	Cedar Rapids Symphony Orchestra, Cedar Rapids, IA, to support the Residency program	400,000	Harkin
FIE	Center for Advancing Partnerships in Education, Allentown, PA, to develop a foreign language distance learning program and for teacher training	75,000	Specter, Casey, Jr.
FIE	Central County Occupational Center, San Jose, CA for a first responder career and technical training program for high school students	100,000	Honda, Michael
FIE	Central Pennsylvania Institute of Science and Technology, State College, PA for curriculum and equipment at its vocational training program	600,000	Peterson (PA), John
FIE	Centro de Salud Familiar Le Fe, El Paso, TX for an elementary charter school, which may include equipment	225,000	Reyes, Silvestre
FIE	Charlotte County School District, Port Charlotte, FL for an instructional system for English language learners, which may include equipment and software	250,000	Mahoney (FL), Tim
FIE	Charter School Development Foundation, Las Vegas, NV for the Andre Agassi College Preparatory Academy	500,000	Reid; Berkley, Shelley
FIE	Chesapeake Bay Foundation, Annapolis, MD, to provide teacher training, student education and field experiences in the Chesapeake Bay	425,000	Cardin
FIE	Chester County Intermediate Unit, Dowingtown, PA, for a vocational technical education program	75,000	Specter
FIE	Child and Family Network Centers, Virginia, Alexandria, VA, for education services for at-risk youth	150,000	Warner, Webb
FIE	ChildSight New Mexico, Gallup, NM, for a vision screening and eye glass program for children	50,000	Domenici
FIE	City of Fairfield, CA for after-school programs	425,000	Tauscher, Ellen; Boxer
FIE	City of Gadsden, AL for technology upgrades in city schools	300,000	Aderholt, Robert; Shelby
FIE	City of Hayward, Hayward, CA for after-school programs	275,000	Stark, Fortney
FIE	City of Indianapolis, Indianapolis, IN for the Indianapolis Center for Education Entrepreneurship to recruit leaders to implement educational reform	400,000	Bayh, Lugar; Carson, Julia
FIE	City of Newark, Newark, CA for after-school programs	25,000	Stark, Fortney
FIE	City of Pawtucket School Department, Pawtucket, RI for the Jacqueline Walsh School of the Performing and Visual Arts, which may include equipment	300,000	Kennedy, Patrick; Reed, Whitehouse
FIE	City of Pembroke Pines, FL for the autism program at the Pembroke Pines—Florida State University Charter School	225,000	Wasserman Schultz, Debbie
FIE	City of San Jose, CA for development of a Smart Start early childhood development training and certification program at National Hispanic University	290,000	Lofgren, Zoe

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIE	City of San Jose, CA for early childhood education programs, including parental involvement	200,000	Feinstein; Honda, Michael
FIE	City of Springfield, MO for the Ready to Learn Program	600,000	Blunt, Roy; Bond
FIE	City of Whittier, Whittier, CA for after-school programs, which may include equipment	250,000	Sanchez T., Linda
FIE	City School District of New Rochelle, New Rochelle, NY for after-school learning centers	225,000	Lowey, Nita
FIE	City Year New Hampshire, Stratham, NH, for expansion of an afterschool program for the Young Heroes Program	150,000	Gregg
FIE	Clark County School District, Las Vegas, NV for the Education Executive Leadership Program	400,000	Porter, Jon; Reid
FIE	Clark County School District, Las Vegas, NV for the Newcomer Academy	250,000	Reid; Porter, Jon
FIE	Clay County School system, WV, for the continuation and expansion of Skills West Virginia programs in counties around West Virginia	180,000	Byrd
FIE	Clovis Unified School District, Clovis, CA for curriculum development	190,000	Radanovich, George; Nunes, Devin
FIE	College Summit, Inc., Washington, DC for an initiative to increase college enrollment of low-income youth in South Carolina	135,000	Clyburn, James
FIE	Communities In Schools—Northeast Texas, Mount Pleasant, TX for dropout prevention programs	200,000	Hall (TX), Ralph
FIE	Communities in Schools of Cochran and Bleckley County, Cochran, GA for after-school programs	40,000	Marshall, Jim
FIE	Communities in Schools of Coweta, Inc., Newnan, GA for education technology upgrades	100,000	Westmoreland, Lynn
FIE	Communities in Schools of Fitzgerald-Ben Hill County, Fitzgerald, GA for after-school programs	50,000	Marshall, Jim
FIE	Communities in Schools of Georgia, Atlanta, GA, for mentoring programs	84,700	Chambliss
FIE	Communities In Schools of Tacoma, Tacoma, WA for after-school programs	50,000	Smith (WA), Adam
FIE	Communities in Schools, Austin, TX for mentoring, dropout prevention and college preparatory programs	200,000	McCaul (TX), Michael
FIE	Communities in Schools, San Fernando Valley, Inc., North Hills, CA to implement full service community schools	340,000	Berman, Howard
FIE	Community Development Commission of the County of Los Angeles, Monterey Park, CA for the South Whitter community education and computer center	150,000	Sanchez T., Linda
FIE	Community Empowerment Association, Inc., Pittsburgh, PA, for a truancy reduction initiative	75,000	Specter
FIE	Community Service Society, New York, NY for a program that utilizes seniors as literacy mentors and in-class assistants to elementary students	340,000	Clarke, Yvette
FIE	Congreso de Latinos Unidos, Inc., Philadelphia, PA, for a career education and preparation initiative for at-risk youth	90,000	Specter, Casey
FIE	Connecticut Technical High School System, Middletown, CT for equipment for the Manufacturing Technologies Department of Platt Technical High School in Milford, CT	250,000	DeLauro, Rosa
FIE	Contra Costa College, San Pablo, CA for its Bridges to the Future Program	100,000	Miller, George
FIE	Cooperative Educational Service Agency No. 11 for after-school programs	450,000	Obey, David
FIE	Cooperative Educational Service Agency No. 12, Ashland, WI for after-school programs	650,000	Obey, David
FIE	Cooperative Educational Service Agency No. 5, Portage, WI for after-school programs	400,000	Obey, David
FIE	Cooperative Educational Service Agency No. 9, Tomahawk, WI for after-school programs	400,000	Obey, David
FIE	Council Bluffs Early Learning Resource Center, Council Bluffs, IA, for the FAMILY program	450,000	Harkin
FIE	County of San Diego, San Pasqual Academy, Escondido, CA for purchase of equipment	200,000	Hunter, Duncan
FIE	Creative Visions in Des Moines, IA, for outreach to at-risk youth	100,000	Harkin
FIE	Cristo Rey High School, Chicago, IL, to improve technologies for the school's library and technology center	400,000	Durbin
FIE	Cumberland, RI, for afterschool programs and activities	425,000	Reed; Kennedy, Patrick
FIE	Cuyahoga County Board of County Commissioners, Cleveland, OH for an early childhood initiative	450,000	Kucinich, Dennis; Brown, Voinovich
FIE	Delaware Department of Education, Dover, DE for the Starting Stronger Early Learning Initiative	400,000	Castle, Michael; Biden, Carper
FIE	Delaware Department of Education, Dover, DE, for the Vision Network of Schools and Districts	210,000	Carper, Biden; Castle, Michael
FIE	Delta Arts Alliance, Cleveland, MS, for in-school and after school arts education programs	100,000	Cochran
FIE	Des Moines Community School District and Urban Dreams, Des Moines, IA, to continue a demonstration on full service community schools	300,000	Harkin
FIE	Des Moines Community School District to expand pre-kindergarten programs	600,000	Harkin
FIE	Detroit Area Pre-College Engineering Program, Detroit, MI, for student tracking and curriculum development	170,000	Levin, Stabenow
FIE	Detroit Youth Foundation, Detroit, MI for comprehensive educational and enrichment activities for middle and high school youth	75,000	Kilpatrick, Carolyn; Levin
FIE	DNA EpiCenter, Inc., New London, CT for a learning center for students and teachers	75,000	Courtney, Joe
FIE	Duval County Public Schools, Jacksonville, FL for purchase of equipment	250,000	Crenshaw, Ander
FIE	Early Childhood and Family Learning Center Foundation, New Orleans, LA, to establish a comprehensive early childhood center	500,000	Landrieu
FIE	East Palo Alto, East Palo Alto, CA, to provide afterschool learning and enrichment activities for the students of East Palo Alto	80,000	Boxer; Eshoo, Anna
FIE	East Saint Louis High School, East Saint Louis, IL, to upgrade the school's technology and sciences programs	550,000	Durbin

LABOR/HHS/EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIE	ECHO Center, Burlington, VT, to enhance educational opportunities for students regarding the Lake Champlain Quadracentennial	100,000	Leahy
FIE	Edgar School District, Edgar, WI for equipment and techonology for a new computer technology center	100,000	Obey, David
FIE	Edison and Ford Winter Estates Education Foundation for educational programming	150,000	Mack, Connie
FIE	Educating Young Minds, Los Angeles, CA, for educational programs	85,000	Feinstein
FIE	Education Partnership, Providence, RI for school leadership professional development	200,000	Kennedy, Patrick
FIE	Education Service Center, Region 12, Hillsboro, TX for a GEAR UP college preparedness program	100,000	Edwards, Chet
FIE	Eisenhower Foundation to replicate the Delaney Street project in Iowa	575,000	Harkin
FIE	Ennis Independent School District, Ennis, TX for English as a second language instruction, including purchase of equipment	200,000	Barton (TX), Joe
FIE	Envision Schools, San Francisco, CA for the Metropolitan Arts and Technology High School, which may include equipment	250,000	Pelosi, Nancy
FIE	Erskine College, Due West, SC for an elementary and secondary school arts initiative	250,000	Barrett (SC), J.
FIE	Esmeralda County School District, Goldfield, NV, to continue accelerated reading and math programs for K–8 students in Esmeralda County	200,000	Reid
FIE	Everybody Wins, Washington, DC, for childhood literacy programs	500,000	Harkin
FIE	Exploratorium, San Francisco, CA for its Bay Area Science Teacher Recruitment, Retention, and Improvement Initiative	300,000	Pelosi, Nancy
FIE	Fairbanks North Star Borough School District, Fairbanks, AK, to expand the PLATO learning program to Fairbanks North Star Borough	250,000	Stevens
FIE	Fairfax County Public Schools, Fairfax, VA for language programs in Franklin Sherman Elementary School and Chesterbrook Elementary School in McLean, Virginia	300,000	Wolf, Frank
FIE	Fairfax County Public Schools, Falls Church, VA for emergency medical services curriculum development	200,000	Davis, Tom
FIE	Fairhope Center for the Arts, Bay Minette, AL for arts education programs, including purchase of equipment	205,000	Bonner, Jo; Shelby
FIE	Families In Schools, Los Angeles, CA for its Read with Me/Lea Conmigo family literacy program	175,000	Becerra, Xavier
FIE	Fayetteville Technical Community College, Fayettevile, NC for teacher training and professional development programs	250,000	Hayes, Robin
FIE	First Book, Washington, DC, for the expansion of programs in West Virginia	225,000	Byrd
FIE	FirstBook, Washington, DC, for the Maine literacy initiative for Low Income Children	100,000	Collins, Snowe
FIE	Florence Prever Rosten Foundation, Darby, MT, to develop MAPS: Media Arts in the Public Schools program	80,000	Baucus
FIE	Forward in the Fifth, Somerset, KY for a civic literacy program	250,000	Rogers (KY), Harold
FIE	Friends of the Children National, Portland, OR for mentoring programs	320,000	Blumenauer, Earl; Wyden
FIE	Galena City School District, Galena, AK, for a boarding school for low performing Native students from remote villages across Western Alaska	500,000	Stevens
FIE	George B. Thomas, Sr. Learning Academy, Inc., Bethesda, MD for tutoring services for at-risk students	250,000	Van Hollen, Chris
FIE	George S. Eccles Ice Center, North Logan, Utah, to expand the science, physical education, and creative movement program	50,000	Hatch
FIE	Girl Scouts of the USA, New York, NY for the Fair Play initiative to engage girls in science, technology, engineering and math	250,000	Walsh (NY), James
FIE	Graham County Schools, Safford, AZ for a teacher training initiative	150,000	Renzi, Rick
FIE	Guam Public School System, Hagatna, GU for development and implementation of Chamorro language instructional programs	240,000	Bordallo, Madeleine
FIE	Hackett-Bower Clinic at Magnolia Speech School, Jackson, MS, for acquisition of equipment and programs	300,000	Cochran
FIE	Hamilton Wings, Elgin, IL for arts education programs	150,000	Hastert, J.
FIE	Harford County Board of Education, Bel Air, MD, to support a science and math program at Aberdeen High School	300,000	Mikulski
FIE	Harris County Department of Education, Houston, TX for an after-school safety program, which may include the purchase of software	250,000	Lampson, Nick
FIE	Harrisburg (PA) Area School District, Harrisburg, PA, to support the district's pre-kindergarten program	425,000	Casey, Jr.
FIE	Harvey Public School District 152, Harvey, IL for an early literacy program, which may include equipment	200,000	Jackson (IL), Jesse
FIE	Hawaii Department of Education, Honolulu, HI for educational activities	500,000	Hirono, Mazie
FIE	Hawk Mountain Sanctuary Association, Kempton, PA for curriculum development	150,000	Dent, Charles
FIE	Hays Community Economic Development Corporation, Hays, MT, to develop a Native American culturally competent curriculum	160,000	Baucus, Tester
FIE	Helen Keller International, New York, NY for the ChildSight Vision Screening Program and to provide eyeglasses to children whose educational performance may be hindered because of poor vision	1,250,000	DeLauro, Rosa; Clinton, Schumer
FIE	High Plains Regional Education Cooperative, Raton, NM for its Cooperative Broadband Education project, which may include equipment	500,000	Udall (NM), Tom
FIE	Hillside Family of Agencies, Rochester, NY for the Work-Scholarship Connection Youth Employment Training Academy	250,000	Slaughter, Louise; Clinton, Schumer
FIE	Hoke County Schools, Raeford, NC for instructional technology	100,000	Hayes, Robin
FIE	Homer-Center School District, Homer City, PA, for science curriculum development and acquisition of technology	90,000	Specter

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIE	Houston Independent School District, Houston, TX for a teacher incentive program	673,000	Cornyn; Lampson, Nick; Green, Al
FIE	Houston Zoo, Houston, TX, for educational programming	100,000	Hutchison
FIE	I KNOW I CAN, Columbus, OH for college preparatory programs	100,000	Pryce (OH), Deborah
FIE	In Tune Foundation Group, Washington, DC for educational activities	450,000	Hoyer, Steny
FIE	Independent School District 181, Brainerd, MN for its Teacher Support System	150,000	Oberstar, James
FIE	Institute for Student Achievement, Lake Success, NY for school reform activities at Wyandanch High School	250,000	Israel, Steve
FIE	Institute for Student Achievement, Lake Success, NY to implement small learning communities at one or more high schools in the Bronx	50,000	Serrano, Jose
FIE	Institute for Student Achievement, Lake Success, NY, for the ISA High School Improvement Program	250,000	Schumer, Clinton; Israel, Steve
FIE	Internet Keep Safe Coalition, Salt Lake City, Utah, to provide educational materials to K–12 students regarding internet safety	381,300	Bennett
FIE	Iowa Association of School Boards, Des Moines, IA, for the Lighthouse for School Reform project	400,000	Harkin
FIE	Iowa City Community School District, Iowa City, IA for an early literacy program	600,000	Harkin; Loebsack, David; Grassley
FIE	Iowa Department of Education to continue the Harkin grant program	5,000,000	Harkin
FIE	Iowa School Boards Foundation, Des Moines, IA, for continuation and expansion of the Skills Iowa program	2,500,000	Harkin
FIE	Iowa State Education Association, Des Moines, IA, for an initiative to educate students on the role of international trade in the U.S. economy	63,500	Grassley
FIE	Ivy Tech Community College of Indiana—Southeast, Madison, IN for an early college and middle college program	100,000	Hill, Baron; Bayh, Lugar
FIE	Jacob Burns Film Center, Pleasantville, NY for education programs	225,000	Lowey, Nita
FIE	Jazz at Lincoln Center, New York, NY for music education programs	400,000	Clinton, Schumer; Nadler, Jerrold
FIE	Jefferson County Public Schools, Golden, CO for technological instruction, testing, and support, which may include equipment	325,000	Perlmutter, Ed
FIE	Jeremiah Cromwell Disabilities Center, Portland, ME, for awareness training for students	100,000	Collins, Snowe
FIE	Jersey Shore Area School District, Jersey Shore, PA for equipment to create a digital classroom	150,000	Peterson (PA), John
FIE	JFYNetWorks, Boston, MA for academic support for Adequate Yearly Progress initiative, including educational software, professional development instruction, and technical assistance	250,000	Capuano, Michael
FIE	JFYNetWorks, Boston, MA for implementation of its computer-based JFYNet: Academic Support for Adequate Yearly Progress initiative in Malden, Revere, and Framingham, MA, which may include the purchase of software	250,000	Markey, Edward
FIE	Johns Hopkins University's Center for Talented Youth, Baltimore, MD, to conduct a longitudinal study on outcomes of Center for Talented Youth summer programs	135,000	Mikulski
FIE	Joplin School District, Joplin, MO for the Smart Board initiative, including purchase of equipment	100,000	Blunt, Roy
FIE	Jumpstart for Young Children, Boston, MA, to recruit and train college students to serve as mentors for at-risk preschool children in Rhode Island	125,000	Reed
FIE	Jumpstart for Young Children, Inc., Boston, MA for an early literacy program for at-risk children in Boston, MA	350,000	Capuano, Michael
FIE	Jumpstart for Young Children, San Francisco, CA for an early childhood enhancement project to provide student mentors to preschool children	250,000	Pelosi, Nancy
FIE	Jumpstart for Young Children, Seattle, WA, to expand Jumpstart's One Child at a Time mentoring project in Washington	240,000	Murray
FIE	Kanawha County School System, WV, for the continuation of Following the Leaders programs	730,000	Byrd
FIE	Kansas Learning Center for Health, Halstead, KS, to support health education, including curriculum development	100,000	Roberts
FIE	Kauai Economic Development Board, HI, for math and science education	300,000	Inouye
FIE	Kelberman Center, Utica, NY to expand programs for pre-school and school age children with autism spectrum disorder	75,000	Arcuri, Michael
FIE	KIPP Foundation, San Francisco, CA, for student programs and extended learning time at KIPP Gaston College Preparatory and KIPP Pride High School in Gaston, NC	100,000	Burr, Dole
FIE	KIPP Foundation, San Francisco, CA for a subgrant to the KIPP Delta College Preparatory School in Helena, AR	150,000	Berry, Marion; Lincoln, Pryor
FIE	KIPP Foundation, San Francisco, CA for curriculum development and the recruitment and professional development of school leaders, teachers, and administrators	100,000	Pelosi, Nancy
FIE	KIPP Foundation, San Francisco, CA for KIPP Reach College Preparatory School in Oklahoma City, OK	250,000	Fallin, Mary; Inhofe
FIE	KIPP Foundation, San Francisco, CA, to support student programs and extended learning time through a subgrant to KIPP Ujima Village Academy in Baltimore, MD	255,000	Cardin
FIE	KIPP Foundation, San Francisco, CA, for student programs and extended learning time in Nashville and Memphis, Tennessee	100,000	Alexander
FIE	Klingberg Family Centers, Inc., New Britain, CT, for equipment associated with the Special Education Enhancement initiative	340,000	Dodd, Lieberman; Murphy (CT), Christopher
FIE	La Causa Charter School, Milwaukee, WI, to implement a science and robotics lab	85,000	Kohl
FIE	La Crosse School District, La Crosse, WI for a 21st Century Community Learning Center at Logan Middle School, including parental involvement	70,000	Kind, Ron
FIE	Lafayette Parish School Board, Lafayette, LA, for acquisition of equipment technology upgrades	66,000	Vitter

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIE	Lander County School District, Battle Mountain, NV, to continue a math and science remediation program for high school students	350,000	Reid
FIE	Learning Point Associates/North Central Regional Education Laboratory, Naperville, IL to help schools implement No Child Left Behind	300,000	Kirk, Mark
FIE	Lee Pesky Learning Center, Boise, ID to provide educational materials for the Literacy Matters! Program	300,000	Simpson, Michael; Crapo
FIE	Lemay Child & Family Center, St. Louis, MO for early childhood education and family literacy programs	100,000	Carnahan, Russ
FIE	Loess Hills Area Education Agency in Iowa for a demonstration in early childhood education	700,000	Harkin
FIE	Loras College, Dubuque, IA, for a literacy program with the Dubuque elementary schools	450,000	Harkin, Grassley; Braley (IA), Bruce
FIE	Los Angeles Conservation Corps, Los Angeles, CA for a hands-on, science-based program for public school students	75,000	Harman, Jane
FIE	Los Angeles, CA, for the LA's BEST afterschool enrichment program	205,000	Feinstein
FIE	Louisiana Arts and Sciences Museum, Baton Rouge, LA for curriculum development and purchase of equipment	200,000	Baker, Richard
FIE	Louisiana State University in Shreveport, LA, to provide professional development for teachers and faculty in Title I schools with low performance scores	220,000	Landrieu, Vitter
FIE	Louisiana Tech University, Ruston, LA for IDEA Place and the SciTech Classroom, including purchase of equipment and curriculum development	350,000	Alexander, Rodney; Landrieu, Vitter
FIE	Lower East Side Conservancy, New York, NY for education programs and outreach	225,000	Maloney (NY), Carolyn
FIE	Lower Pioneer Valley Educational Collaborative, West Springfield, MA, for educational equipment and program development	170,000	Kennedy, Kerry; Neal (MA), Richard
FIE	Lyndon Baines Johnson Foundation, Austin, Texas for the Presidential timeline project	750,000	Harkin
FIE	Lynwood, CA, to expand the afterschool Homework Assistance Program at the Lynwood Public Library	80,000	Boxer
FIE	Madison County Schools, Richmond, KY for a computer lab, which may include equipment	75,000	Chandler, Ben
FIE	Maine Alliance for Arts Education, Augusta, ME, for the Complete Education for Rural Students project	100,000	Collins, Snowe
FIE	Marketplace of Ideas/Marketplace for Kids, Inc., Mandan, ND, for a statewide program focused on entrepreneurship education	425,000	Dorgan, Conrad
FIE	Massachusetts 2020 Foundation, Boston, MA, for continued development of an expanded instruction demonstration program	185,000	Kennedy, Kerry
FIE	Maui Economic Development Board, HI, for the girls into science program	250,000	Inouye
FIE	McKelvey Foundation, New Wilmington, PA, for entrepreneurial college scholarships for rural, low-income Pennsylvania and West Virginia high school graduates	175,000	Specter, Casey, Byrd
FIE	Mentoring Partnership of Southwestern Pennsylvania, Pittsburgh, PA, for recruitment, placement, and oversight of school-based mentoring programs	423,750	Specter
FIE	Mercy Vocational High School, Philadelphia, PA, for vocational education programs	90,000	Specter
FIE	Mesa Unified School District, Mesa, AZ for after-school educational and enrichment activities for at-risk youth	150,000	Mitchell, Harry
FIE	Metropolitan Wilmington Urban League, Wilmington, DE, to continue a program aimed at closing the achievement gap among low-income and minority students	425,000	Biden, Carper
FIE	Military Heritage Center Foundation, Carlisle, PA for the Voices of the Past Speak to the Future program, including purchase of equipment	132,000	Platts, Todd; Shuster, Bill; Specter
FIE	Miller County Development Authority, Colquit, GA for a video/television production training program for high school drop-outs and at-risk youth in Miller County	100,000	Bishop (GA), Sanford
FIE	Milton S. Eisenhower Foundation, Washington, DC for a full service school demonstration project in the Canton City, OH public school district	150,000	Regula, Ralph
FIE	Milwaukee Public Schools, Milwaukee, WI for after-school or summer community learning centers	1,100,000	Kohl; Moore (WI), Gwen
FIE	Minnesota Humanities Commission, St. Paul, MN to implement curricula and classroom resources on Native Americans	500,000	McCollum (MN), Betty; Klobuchar
FIE	Mississippi University for Women, Columbus, MS for strengthening partnerships between K-12 parents and their children's teachers, principals, superintendents and other school officials	300,000	Wicker, Roger
FIE	Mississippi University for Women, Columbus, MS, for environmental education programs for the Science on the Tennessee-Tombigbee Waterway program	200,000	Cochran
FIE	Missouri State University, Springfield, MO for a college preparatory pilot program	100,000	Blunt, Roy
FIE	Monroe County School District, Key West, FL for technology upgrades	200,000	Ros-Lehtinen, Ileana
FIE	Montgomery County Public Schools, Rockville, MD to recruit and certify postdoctoral scientists, mathematicians, or engineers from the National Institutes of Health to become teachers	300,000	Van Hollen, Chris; Mikulski, Cardin
FIE	Mote Marine Laboratory, Sarasota, FL for marine science curriculum development	200,000	Buchanan, Vern; Ros-Lehtinen, Ileana
FIE	Mount Hood Community College, Gresham, OR for early childhood education and training activities, which may include equipment	320,000	Blumenauer, Earl
FIE	National American Indian, Alaskan and Hawaiian Educational Development Center, Sheridan, WY, to train teachers serving Native American students in an early literacy learning and math framework	838,250	Enzi
FIE	National Center for Electronically Mediated Learning, Inc., Milford, CT for the P.E.B.B.L.E.S. Project, which may include equipment and technology	150,000	DeLauro, Rosa
FIE	National Council on Crime and Delinquency, Oakland, CA for a school-based model on violence prevention	200,000	Lee, Barbara
FIE	National Cued Speech Association, Bethesda, MD for parent, teacher, and transliterator training and certification in cued speech for preschool and school-aged children	175,000	Van Hollen, Chris; Landrieu

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIE	National Flight Academy, Naval Air Station Pensacola, FL for technology upgrades	150,000	Miller (FL), Jeff
FIE	National Teacher's Hall of Fame, Emporia, KS for teacher professional development and retention programs	150,000	Moran (KS), Jerry
FIE	Neighborhood Youth Association, Venice, CA for academic support to ensure college readiness	100,000	Harman, Jane
FIE	New Mexico Military Institute, Roswell, NM, for a character development leadership camp at the New Mexico Military Institute	50,000	Domenici
FIE	New Mexico Public Education Department, Santa Fe, NM for summer reading and math institutes throughout the State	500,000	Udall (NM), Tom; Wilson (NM), Heather; Domenici
FIE	New Mexico State University, Las Cruces, NM, for the Southern New Mexico Science, Engineering, Mathematics and Aerospace Academy	200,000	Domenici
FIE	New Mexico State University, Las Cruces, NM, to continue a program to transition high school students into technical careers	340,000	Bingaman, Domenici; Pearce, Stevan
FIE	New School University, New York, NY, for the Institute for Urban Education	950,000	Clinton, Schumer
FIE	New York Hall of Science, Queens, NY, for science exhibits and educational programming	600,000	Clinton, Schumer; Ackerman, Gary
FIE	Newton Public Schools, Newton, KS for an educational technology initiative, including purchase of equipment	100,000	Tiahrt, Todd
FIE	North Carolina Agricultural and Technical University, Greensboro, NC for a project to reduce suspension rates of students in the Guilford County School System	400,000	Miller (NC), Brad; Watt, Melvin; Dole, Burr
FIE	North Carolina Central University, Durham, NC for academic enrichment activities, including parental involvement	170,000	Price (NC), David; Burr
FIE	North Carolina Symphony, Raleigh, NC for musical and artistic residency activities for elementary and secondary students	175,000	Price (NC), David
FIE	North Carolina Technology Association Education Foundation, Raleigh, NC for school technology demonstration projects, including subgrants	100,000	Foxx, Virginia; Dole, Burr
FIE	North Country Education Services Agency, Gorham, NH, for the North Country Gear Up College Prep Initiative, including online curriculum development	140,000	Gregg
FIE	North Philadelphia Youth Association, Philadelphia, PA for education and enrichment services for youth	50,000	Brady (PA), Robert
FIE	North Slope Borough, Anchorage, AK, for an early education program	300,000	Stevens
FIE	Northeast Louisiana Family Literacy Interagency Consortium to provide children's literacy services	200,000	Alexander, Rodney
FIE	Northern Tier Industry & Education Consortium, Dimock, PA for the activities of its Advisory and Assessment Committees	50,000	Carney, Christopher
FIE	Northwest Center, Seattle, WA, to provide and expand academic and vocational resources to developmentally delayed or disabled persons in King County	200,000	Murray, Cantwell; Smith (WA), Adam
FIE	Norwich Public School System, Norwich, CT for English language instruction	275,000	Courtney, Joe
FIE	Oakland School of the Arts, Oakland, CA, for educational equipment	420,000	Feinstein
FIE	Oakland Unified School District, Oakland, CA for a technology integration project to implement a new data system, which may include equipment	200,000	Lee, Barbara
FIE	Oelwein Community School District, Oelwein, IA, for technology and program needs for a math and science academy	106,000	Grassley
FIE	Ogden City Schools, Ogden, Utah, to enhance the aerospace, math, and science curriculum	50,000	Hatch; Bishop (UT), Rob
FIE	Omaha, Nebraska, for expansion of the Omaha's after school initative	100,000	Hagel
FIE	O'Neill Sea Odyssey, Santa Cruz, CA for science education programs for elementary school children	100,000	Farr, Sam
FIE	OneWorld Now!, Seattle, WA for after-school programs and student scholarships	250,000	McDermott, Jim
FIE	Ossining Union Free School District, Ossining, NY for after-school, literacy, or school reform initiatives	225,000	Lowey, Nita
FIE	Ouachita Parish School Board, Monroe, LA, for acquisition of equipment technology upgrades	106,000	Vitter
FIE	Pacific Islands Center for Educational Development in American Samoa, for a mentoring program aimed at college prep	500,000	Inouye
FIE	Parent Institute for Quality Education, San Diego, CA for a parent training program	450,000	Filner, Bob
FIE	Parents as Teachers National Center, St. Louis, MO, for expanded outreach to support school readiness in the Gateway Parents as Teachers program in the City of St. Louis	190,000	Bond
FIE	PE4life Foundation, Kansas City, MO, for expansion and assessment of PE4life programs across Iowa	400,000	Harkin
FIE	PE4life, Kansas City, MO for physical education programs in the Titusville, Pennsylvania School District, including purchase of equipment	200,000	Peterson (PA), John
FIE	PE4life, Kansas City, MO to establish a P.E. program in Mississippi, including purchase of equipment	350,000	Wicker, Roger
FIE	People for People, Philadelphia, PA for after-school programs	75,000	Fattah, Chaka
FIE	Peru State College, Peru, NE for the Adopt a High School initiative	200,000	Fortenberry, Jeff; Hagel, Nelson, Ben
FIE	Philadelphia Academies, Inc., Philadelphia, PA for a longitudinal study on the impact of the organization's career-based education model	100,000	Fattah, Chaka
FIE	Philadelphia Martin Luther King, Jr. Association for Nonviolence Inc., Philadelphia, PA, for its College for Teens program	90,000	Specter
FIE	Pinal County Education Service Agency, Florence, AZ for a teacher training initiative	100,000	Renzi, Rick
FIE	Polk County Public Schools, Bartow, FL for purchase of assistive technologies	100,000	Putnam, Adam
FIE	Polynesian Voyaging Society, Honolulu, HI, for cultural education programs	150,000	Inouye

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIE	Port Chester—Rye Union Free School District, Port Chester, NY for academic enrichment, professional development, family engagement, or other activities to implement full service community schools	225,000	Lowey, Nita
FIE	Project GRAD USA, Philadelphia, PA for college readiness programs	100,000	Fattah, Chaka
FIE	Project HOME, Philadelphia, PA, for an after school program	90,000	Specter
FIE	Provo City, Provo, Utah, to expand education programs at the Arts Center	50,000	Hatch
FIE	Purdue University Calumet, Hammond, IN for equipment and start-up expenses for a magnet school	250,000	Visclosky, Peter
FIE	Queens Theatre in the Park, Flushing, NY for a project to provide youth with career planning and development in the performing arts industry	150,000	Ackerman, Gary
FIE	Rapides Parish School Board, Alexandria, LA, for acquisition of equipment technology upgrades	67,000	Vitter
FIE	Renwick Public Schools, Andale, KS for an educational technology initiative, including purchase of equipment	200,000	Tiahrt, Todd
FIE	Rio Rancho Public Schools, Rio Ranch, NM for distance learning, which may include equipment	500,000	Udall (NM), Tom; Wilson (NM), Heather; Domenici, Bingaman
FIE	Riverside Community College, Riverside, CA for the Fast-Track to the Associate Degree Nursing Program	350,000	Calvert, Ken; Boxer
FIE	Riverside County Office of Education, Riverside, CA for the High School Science Initiative	350,000	Calvert, Ken
FIE	Robert H. Clampitt Foundation, Inc., New York, NY, to train elementary and secondary students in journalism	150,000	Landrieu
FIE	Rockdale County Public Schools, Conyers, GA for a credit recovery program, which may include the purchase of software	440,000	Johnson (GA), Henry
FIE	Rose-Hulman Institute of Technology, Terre Haute, IN for a K-12 STEM Immersion Initiative	200,000	Ellsworth, Brad; Lugar
FIE	Saint Joseph's University, Philadelphia, PA, to develop a Public Education Partnership to provide professional development to area principals and teachers	90,000	Specter, Casey, Jr.
FIE	Saint Louis SCORES, St. Louis, MO, to expand after school programs	84,000	[redacted]
FIE	Salesian Boys and Girls Club of Los Angeles, CA for education and support services for middle and high school students	100,000	Roybal-Allard, Lucille
FIE	San Bernardino Boys and Girls Club, San Bernardino, CA, to expand programs that are available in education, health and the arts	235,000	Boxer
FIE	San Bernardino City Unified School District, San Bernardino, CA for the English Learners program	250,000	Lewis (CA), Jerry; Baca, Joe
FIE	San Bernardino County Superintendent of Schools, San Bernardino, CA to expand the Science, Technology, Engineering, and Mathematics initiative	300,000	Lewis (CA), Jerry
FIE	San Joaquin County, Stockton, CA for its San Joaquin A Plus tutoring program	375,000	McNerney, Jerry
FIE	San Juan School District, Blanding, Utah, to provide intervention advocacy and case management for at-risk students	50,000	Hatch
FIE	San Mateo County, Redwood City, CA for its Preschool for All program	320,000	Eshoo, Anna
FIE	Save the Children, Westport, CT, to implement supplemental literacy programs for children in grades K-8 in rural Nevada schools	240,000	Reid
FIE	School of Jacob's Pillow, Beckett, MA, for the development of youth cultural and educational programs	150,000	Kennedy, Kerry
FIE	School Board of Broward County, Fort Lauderdale, FL for teacher support and development	450,000	Wexler, Robert
FIE	Schultz Center for Teaching and Leadership, Jacksonville, FL for purchase of equipment	300,000	Crenshaw, Ander
FIE	Selden/Centereach Youth Association, Selden, NY for after-school programs	140,000	Bishop (NY), Timothy; Schumer
FIE	Sevier School District, Richfield, Utah, for teacher training and professional development to increase student achievement in mathematics	50,000	Hatch
FIE	Shiloh Economic and Entrepreneurial Lifelong Development Corporation, Plainfield, NJ, for academic enrichment programs	190,000	Menendez, Lautenberg
FIE	Silver Crescent Foundation, Charleston, SC for a middle and high school academic engineering and technology program	200,000	Wilson (SC), Joe
FIE	Skills Alaska, Anchorage, AK, for statewide teacher training and mentoring program, Anchorage	1,000,000	Stevens
FIE	Sociedad Latina, Roxbury, MA for its Mission Community Enrichment Program	100,000	Capuano, Michael
FIE	South Dakota Symphony, Sioux Falls, SD, for educational outreach to Native Americans	100,000	Johnson
FIE	SouthCoastConnected, New Bedford, MA, for implementation of the Drop the Drop-Out Rate Initiative	150,000	Kennedy, Kerry
FIE	Southeast Island School District, Thorne Bay, AK, to develop interactive video conferencing to provide special education services to 9 isolated school sites in Southeast Alaska	100,000	Stevens
FIE	SouthEastern Pennsylvania Consortium for Higher Education, Glenside, PA, for the Institute of Mathematics and Science to provide professional development to K-12 teachers	126,675	Specter, Casey, Jr.; Murphy, Patrick; Schwartz, Allyson; Gerlach, Jim
FIE	Southwestern University, Georgetown, TX for a Center for Hispanic Studies college preparatory initiative	275,000	Hutchison; Carter, John
FIE	Springboard for Improving Schools, San Francisco, CA for a professional development center to serve Central Valley, CA teachers and administrators	250,000	Costa, Jim
FIE	Springfield Public School District No. 19, Springfield, OR for an Academy of Arts and Academics	100,000	DeFazio, Peter; Wyden
FIE	St. Mary's County Public Schools, Leonardtown, MD for a mathematics, science, and technology academy	500,000	Hoyer, Steny
FIE	State of Nevada Department of Education for technology upgrades in the Elko, Nye, Douglas, Lyon and Churchill school districts, including subgrants	400,000	Heller, Dean
FIE	Summit Educational Resources, Getzville, NY for service coordination and support for children with developmental disabilities	200,000	Reynolds, Thomas
FIE	Susannah Wesley Community Center, Honolulu, HI for computers and technology to serve at-risk high school students, and other students in an after-school program	120,000	Abercrombie, Neil

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIE	Tampa Metropolitan YMCA, Tampa, FL for after-school programs	125,000	Castor, Kathy
FIE	Technical Research and Development Authority, Titusville, FL, to provide professional workshops for teachers in STEM-related fields	210,000	Bill Nelson
FIE	Texas Southern University, Houston, TX for the TSU Lab School, which may include equipment and technology	440,000	Jackson-Lee (TX), Sheila
FIE	Tomas Rivera Policy Institute, Los Angeles, CA for a longitudinal study on high school graduation rates	100,000	Roybal-Allard, Lucille
FIE	Town of Cumberland, Cumberland, RI for the Mayor's Office of Children and Learning for evidence-based innovative K-12 education programs	150,000	Kennedy, Patrick
FIE	Towson University, Towson, MD for an education partnership with the City of Baltimore, Baltimore City Public School System and the Cherry Hill community	325,000	Ruppersberger, C. A.; Mikulski, Cardin
FIE	Tracy Joint Unified School District, Tracy, CA for English language learner initiatives	125,000	McNerney, Jerry
FIE	Tri-County Educational Service, Wooster, OH for the Olweus Bullying Prevention program	150,000	Regula, Ralph
FIE	Trumbull County Educational Service Center, Niles, OH for school robotics programs, which may include subgrants	185,000	Ryan (OH), Tim
FIE	Tulane University, New Orleans, LA, to provide teacher education and leadership preparation to support the rebuilding of New Orleans schools	1,200,000	Landrieu; Melancon, Charlie
FIE	Tulsa Public Schools, Tulsa, OK for innovative programming for students at risk of dropping out, including curriculum development	200,000	Sullivan, John; Inhofe
FIE	Union County Public Schools, Monroe, NC for equipment and technology needs for the information technology academy	100,000	Hayes, Robin
FIE	Union County, Elizabeth, NJ, for training programs at the Union County Academy for Allied Health Sciences	255,000	Lautenberg, Menendez
FIE	Union Free School District of the Tarrytowns, Sleepy Hollow, NY for family literacy activities and professional development to support literacy instruction	225,000	Lowey, Nita
FIE	United Inner City Services, Kansas City, MO, to enhance and expand early learning programs	635,000	Bond; Cleaver, Emanuel
FIE	United Way of Southeastern Pennsylvania, Philadelphia, PA, for recruitment, placement, and oversight of school-based mentoring programs	339,000	Specter
FIE	University of Akron, Akron, OH to link regional school districts with industry to promote STEM academic and career pathways	150,000	Ryan (OH), Tim; Sutton, Betty
FIE	University of Alabama, Tuscaloosa, AL to implement a manufacturing engineering curriculum for high schools students	500,000	Davis (AL), Artur; Shelby
FIE	University of Alaska/Southeast, Juneau, AK, for the Alaska Distance Education Technology Consortium for distance learning	255,000	Stevens
FIE	University of Maine, Orono, ME, to maintain healthy interscholastic youth sports programs	147,500	Collins, Snowe
FIE	University of North Alabama, Florence, AL, for research to develop a model center for teacher preparation	127,125	Sessions
FIE	University of North Carolina at Greensboro, Greensboro, NC, for a teletherapy program to address the shortage of speech language pathologists	70,000	Burr, Dole; Watt, Melvin
FIE	University of Northern Iowa to continue the 2+2 teacher education demonstration program	450,000	Harkin, Grassley
FIE	University of Southern Mississippi, Hattiesburg, MS, for gifted education programs at the Frances A. Karnes Center for Gifted Studies program	400,000	Cochran
FIE	University of Southern Mississippi, Hattiesburg, MS, for literacy enhancement	400,000	Cochran
FIE	University of Vermont, Burlington, VT, to establish the Educational Excellence program	3,000,000	Leahy, Byrd, Harkin, Inouye
FIE	UrbanFUTURE, St. Louis, MO, to expand literacy, mentoring, and after-school services	254,000	Bond
FIE	USD 259, Wichita Public Schools, Wichita, KS for technology upgrades	300,000	Tiahrt, Todd
FIE	Utah State Office of Education, Salt Lake City, Utah, for a mentoring program	423,700	Bennett
FIE	Valle Lindo School District, South El Monte, CA for technology upgrades	75,000	Solis, Hilda
FIE	Venango Technology Center, Oil City, PA for the purchase of equipment	200,000	Peterson (PA), John
FIE	Virginia Aquarium and Marine Science Center (VAMSC), Virginia Beach, VA, to expand education outreach programs	50,000	Warner, Webb
FIE	Vision Therapy Project, Casper, WY for a teacher training initiative	350,000	Cubin, Barbara
FIE	Visually Impaired Preschool Services, Louisville, KY for programs to address school readiness needs of visually impaired children	100,000	Yarmuth, John
FIE	Waldo County Preschool & Family Services, Belfast, ME, for the Maine early language and literacy initiative	100,000	Collins, Snowe
FIE	Washington College, Chestertown, MD for K-12 science, technology, engineering and mathematics outreach programs	350,000	Gilchrest, Wayne; Mikulski, Cardin
FIE	Washington State University, Tacoma, WA for education and enrichment services for youth at its Center for Community Education, Enrichment and Urban Studies	250,000	Dicks, Norman; Cantwell, Murray
FIE	Washoe County School District, Reno, NV, for equipment for a parental notification system	350,000	Reid
FIE	Washoe County School District, Reno, NV, to expand the Classroom on Wheels Program for low-income students	400,000	Reid
FIE	WE CARE San Jacinto Valley, Inc., San Jacinto, CA for the after school tutoring program	100,000	Lewis (CA), Jerry
FIE	West Contra Costa Unified School District, Richmond, CA for high school architecture, construction, and engineering curricula	100,000	Miller, George
FIE	West River Foundation, Rapid City, SD, for K-12 administrator development	100,000	Johnson; Herseth Sandlin, Stephanie
FIE	West Valley City, West Valley City, Utah, to expand the after school learning program	50,000	Hatch; Cannon, Chris

LABOR/HHS/EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIE	White-Williams Scholars, Philadelphia, PA for a college preparation initiative, which may include student scholarships	75,000	Fattah, Chaka
FIE	Widener University, Chester, PA for school-readiness programs	210,000	Sestak, Joe; Specter
FIE	Wildlife Information Center, Inc., Slatington, PA for an environmental education initiative	350,000	Dent, Charles
FIE	Williamsburg County First Steps, Kingstree, SC for a school-readiness program	87,000	Clyburn, James
FIE	YMCA of Greater Saint Louis, St. Louis, MO, to expand after school programming at the Monsanto Family YMCA	211,000	Bond
FIE	Yonkers Public Schools, Yonkers, NY for after-school and summer academic enrichment, literacy, and professional development services, and for parental involvement activities	250,000	Lowey, Nita
FIE	Youngstown City School District, OH for a Pathways to Building Trades Program in the Youngstown and Warren, OH school districts	225,000	Ryan (OH), Tim
FIE	Youngstown State University, Youngstown, OH for a pilot K-12 attention enhancement for learning project	100,000	Ryan (OH), Tim
FIE	Youth Advocate Programs, Inc., Harrisburg, PA, for alternative school services	90,000	Specter
FIE	YWCA of Gary, Gary, IN for after-school and summer programs, which may include equipment	200,000	Visclosky, Peter
FIPSE	AIB College of Business, Des Moines, IA, to recruit and train captioners and court reporters and to provide scholarships	400,000	Harkin, Grassley
FIPSE	Aims Community College, Greeley, CO, for equipment for career training in the health professions	45,000	Salazar; Udall (CO), Mark; Musgrave, Marilyn
FIPSE	Alabama Institute of the Deaf and Blind, Talladega, AL for the interpreter training program	200,000	Rogers (AL), Mike; Shelby
FIPSE	Albany State University, Albany, GA, in partnership with Darton College, for an initiative to increase the success of minority males and nontraditional students in postsecondary education	250,000	Bishop (GA), Sanford
FIPSE	Albertson College of Idaho, Caldwell, ID, for acquisition of equipment, technology and library upgrade	300,000	Craig, Crapo
FIPSE	Albright College, Reading, PA, for laboratory equipment acquisition	90,000	Specter
FIPSE	Alpena Community College, Alpena, MI, for curriculum development for the Rural Communications Initiative	255,000	Levin , Stabenow
FIPSE	Alvernia College, Reading, PA, for scholarships and nursing education programs	90,000	Specter; Gerlach, Jim
FIPSE	American Speech-Language-Hearing Foundation, Rockville, MD for its New Century Scholars Program	275,000	Van Hollen, Chris; Cardin
FIPSE	Anne Arundel Community College, Arnold, MD for a health care training initiative, which may include equipment and technology	125,000	Ruppersberger, C. A.; Cardin
FIPSE	Armstrong Atlantic State University, Savannah, GA for development of the Bachelor of Arts degree in Cyber Security and Investigation Technology	284,700	Kingston, Jack; Chambliss, Isakson
FIPSE	Asnuntuck Community College, Enfield, CT for manufacturing technology training programs, which may include equipment and technology	250,000	Courtney, Joe; Lieberman
FIPSE	Assumption College, Worcester, MA for program development including equipment	125,000	Kennedy, Kerry; McGovern, James
FIPSE	Azusa Pacific University, San Bernardino, CA for nursing programs	400,000	Lewis (CA), Jerry
FIPSE	Bellevue Community College, Bellevue, WA for development of computer security curriculum	330,000	Reichert, David; Cantwell
FIPSE	Beloit College, Beloit, WI for equipment and technology	200,000	Baldwin, Tammy
FIPSE	Bemidji State University, Bemidji, MN for equipment for an engineering technology center	350,000	Peterson (MN), Collin; Klobuchar, Coleman
FIPSE	Benjamin Franklin Institute of Technology, Boston, MA, for educational equipment and curriculum development to support medical technology professional training programs	210,000	Kennedy, Kerry; Lynch, Stephen
FIPSE	Bennett College for Women, Greensboro, NC for equipment, technology, and professional development	540,000	Watt, Melvin; Dole, Burr
FIPSE	Bluegrass Community and Technical College, Winchester, KY for equipment and technology	350,000	Chandler, Ben
FIPSE	Briar Cliff University, Sioux City, IA for equipment	192,000	Harkin, Grassley; King (IA), Steve
FIPSE	Bristol Community College, Fall River, MA, to expand adult literacy and career development academic programs	170,000	Kennedy, Kerry
FIPSE	Broward Community College, Broward County, FL for an education and training program in emergency preparedness and response	300,000	Hastings (FL), Alcee
FIPSE	Bucknell University, Lewisburg, PA for environmental studies programs and community outreach, which may include equipment	200,000	Carney, Christopher
FIPSE	Bucknell University, Lewisburg, PA, for laboratory equipment acquisition	90,000	Specter
FIPSE	Buena Vista University, Storm Lake, IA for curriculum development	250,000	King (IA), Steve; Grassley
FIPSE	Butler Community College, Andover, KS for a closed captioning training program, including curriculum development	350,000	Tiahrt, Todd; Roberts
FIPSE	Caldwell Community College and Technical Institute, Hudson, NC for curriculum development	100,000	McHenry, Patrick; Burr
FIPSE	California Baptist University, Riverside, CA for purchase of equipment	350,000	Calvert, Ken
FIPSE	California Community Colleges, Sacramento, CA, for Math and Science Teacher Initiative	170,000	Feinstein
FIPSE	California Polytechnic State University, San Luis Obispo, CA for purchase of equipment	150,000	McCarthy (CA), Kevin
FIPSE	California State University - Channel Islands, Camarillo, CA for purchase of equipment	150,000	Gallegly, Elton
FIPSE	California State University - Fullerton, Fullerton, CA for technology upgrades at the Ruby Gerontology Center	350,000	Royce, Edward
FIPSE	California University of Pennsylvania, California, PA, for curriculum development and teacher training to enhance math and science instruction	90,000	Specter, Casey, Jr.
FIPSE	Campbell University, Buies Creek, NC for its Advancement for Underrepresented Minority Pharmacists and Pharmaceutical Scientists Program	320,000	Etheridge, Bob

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIPSE	Cardinal Stritch University, Milwaukee, WI, to establish a bachelors of science nurse degree program	275,000	Kohl
FIPSE	Carroll College, Helena, MT, for curriculum development in Civil Engineering	200,000	Baucus, Tester
FIPSE	Cedar Crest College, Allentown, PA, for nursing education programs	90,000	Specter
FIPSE	Central Arizona College, Coolidge, AZ for nursing programs, including curriculum development	300,000	Renzi, Rick
FIPSE	Central Florida Community College, Ocala, FL for curriculum development	100,000	Stearns, Cliff
FIPSE	Central Maine Community College, Auburn, ME, for nursing education expansion and outreach	107,500	Collins, Snowe
FIPSE	Central Methodist University, Fayette, MO for a science, technology, engineering and math teacher training program	350,000	Graves, Sam
FIPSE	Central Piedmont Community College, Charlotte, NC, for curriculum development at the Center for Integrated Emergency Response Training	200,000	Hayes, Robin
FIPSE	Central Washington University, Ellensburg, WA for curriculum development	200,000	Hastings (WA), Doc; Cantwell
FIPSE	Chemeketa Community College, Salem, OR for equipment and technology for health sciences education and training programs	565,000	Hooley, Darlene; Wyden
FIPSE	City College of New York, NY for the Charles B. Rangel Center for Public Service to prepare individuals for careers in public service, which may include establishing an endowment, library and archives for such center	2,000,000	Rangel, Charles
FIPSE	Clark State Community College, Springfield, OH for curriculum development and purchase of equipment	300,000	Hobson, David
FIPSE	Clayton College and State University, Morrow, GA for development of a Master of Arts in Archive degree program, which may include student scholarships and community outreach	325,000	Scott (GA), David
FIPSE	Clinton School of Public Service at the University of Arkansas, Little Rock, AR, for curriculum development	1,000,000	Lincoln, Pryor
FIPSE	Clover Park Technical College, Lakewood, WA for an institute for environmental sustainability in the workforce	150,000	Smith (WA), Adam
FIPSE	College of Lake County, Grayslake, IL for curriculum development	350,000	Kirk, Mark
FIPSE	College of Southern Idaho, Twin Falls, ID for the Pro-Tech program	250,000	Simpson, Michael; Crapo
FIPSE	College of Southern Maryland, LaPlata, MD for nursing education programs	100,000	Hoyer, Steny
FIPSE	College of the Canyons, Santa Clarita, CA for creation of the medical lab technician degree program, including curriculum development and purchase of equipment	100,000	McKeon, Howard
FIPSE	College Success Foundation, Issaquah, WA for the Leadership 1000 Scholarship Program	500,000	Cantwell; Inslee, Jay; Dicks, Norman; Reichert, David
FIPSE	Community College of Allegheny County, Pittsburgh, PA for a technical education initiative	400,000	Peterson (PA), John
FIPSE	Community College of Beaver County, Monaca, PA for equipment and technology	100,000	Altmire, Jason; Casey
FIPSE	Community College of Southern Nevada, Las Vegas, NV, to purchase equipment and other support for Internet-based course offerings	750,000	Reid; Berkley, Shelley
FIPSE	Connecticut State University, Hartford, CT, for nursing education programs	340,000	Dodd, Lieberman; DeLauro, Rosa
FIPSE	Consensus Organizing Center, San Diego, CA, for its Step Up college preparation initiative	100,000	Davis (CA), Susan
FIPSE	Coppin State University, Baltimore, MD for its nursing education program, which may include equipment and technology	225,000	Cummings, Elijah; Ruppersberger, C. A.; Mikulski, Cardin
FIPSE	Dartmouth College, Hanover, NH, for a new interdisciplinary initiative on engineering and medicine	300,000	Gregg
FIPSE	Darton College, Albany, GA for a biotechnology education and training collaboration with Albany State University and Albany Technical College	300,000	Bishop (GA), Sanford
FIPSE	Deaf West Theatre, North Hollywood, CA, for cultural experiences for the deaf	250,000	Boxer
FIPSE	Dean College, Franklin, MA, to develop programs and procure equipment for the Learning Center	200,000	Kennedy, Kerry
FIPSE	Delaware County Community College, Media, PA for equipment and instrumentation for science, engineering, and technology laboratories	175,000	Sestak, Joe; Specter
FIPSE	Des Moines Area Community College, Des Moines, IA for the Jasper County Career Academy, which may include equipment	100,000	Boswell, Leonard
FIPSE	DeSales University, Center Valley, PA for the Digital Campus Initiative, including purchase of equipment	500,000	Dent, Charles
FIPSE	Dillard University, New Orleans, LA for recruitment and training of nursing assistants	750,000	Landrieu, Vitter; Jefferson, William
FIPSE	Duquesne University of the Holy Spirit, Pittsburgh, PA, for equipment and technology acquisition for a supercomputing facility	90,000	Specter
FIPSE	East Stroudsburg University, East Stroudsburg, PA, for forensic science education programs	90,000	Specter; Kanjorski, Paul
FIPSE	Eastern Illinois University, Charleston, IL for nursing programs	150,000	Johnson (IL), Timothy
FIPSE	Eastern Iowa Community College, Davenport, IA, for the creation of a center on sustainable energy, including equipment	300,000	Harkin, Grassley
FIPSE	Eastern New Mexico University, Portales, NM, for technological equipment upgrades	1,000,000	Domenici
FIPSE	Eastern Shore Community College Industrial Maintenance Program, Melfa, VA for curriculum development	250,000	Drake, Thelma
FIPSE	Eckerd College, St. Petersburg, FL for purchase of equipment	200,000	Young (FL), C.W.
FIPSE	Edinboro University of Pennsylvania, Edinboro, PA, to support a computer forensics training program at its Western Pennsylvania High Tech Crime Training Center	90,000	Specter
FIPSE	Edison College, Charlotte County Campus, Punta Gorda, FL for a nursing education program	75,000	Mahoney (FL), Tim
FIPSE	El Camino College, Torrance, CA for nursing, engineering and nontraditional education and training programs	200,000	Waters, Maxine; Harman, Jane
FIPSE	Elmira College, Elmira, NY for technology upgrades	200,000	Kuhl (NY), John

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIPSE	Emerson College, Boston, MA, for educational equipment and program development	340,000	Kennedy, Kerry
FIPSE	Emmanuel College, Boston, MA, for the procurement of educational equipment and program development	255,000	Kennedy, Kerry
FIPSE	Flathead Valley Community College, Kalispell, MT, for program development at the Center for Community Entrepreneurship Education	280,000	Baucus, Tester
FIPSE	Florida Campus Compact, Tallahassee, FL for a project to enhance service learning on college campuses throughout Florida	250,000	Boyd (FL), Allen; Nelson, Bill
FIPSE	Florida Gulf Coast University, Ft. Myers, FL for the Coastal Watershed Institute	200,000	Mack, Connie
FIPSE	Focus: HOPE, Detroit, MI for an experiential learning laboratory and related equipment and technology to support undergraduate education and training	600,000	Levin, Stabenow; Conyers, John; Levin, Sander; Kilpatrick, Carolyn
FIPSE	Franklin Pierce College, Rindge, NH for a nursing education program, which may include equipment	150,000	Shea-Porter, Carol; Hodes, Paul
FIPSE	Franklin Pierce College, Rindge, NH, for technology-based educational programs and services	350,000	Gregg
FIPSE	Frontier Community College, Fairfield, IL for purchase of equipment	150,000	Shimkus, John
FIPSE	Ft. Valley State University, Ft. Valley, GA for a teacher preparation program, which may include equipment and technology	175,000	Bishop (GA), Sanford
FIPSE	Gadsden State Community College, Gadsden, AL for technology upgrades	350,000	Aderholt, Robert; Rogers, Mike
FIPSE	Gateway Community and Technical College, Ft. Mitchell, KY for the Center for Advanced Manufacturing Competitiveness, including purchase of equipment	300,000	Davis (KY), Geoff
FIPSE	Gateway Community College, New Haven, CT, for radiography and radiation therapy training programs, which may include equipment	100,000	DeLauro, Rosa
FIPSE	George Meany Center for Labor Studies- the National Labor College for curriculum development	750,000	Harkin
X FIPSE	George Washington University, Washington, DC, for health professions training for students from the District of Columbia	316,700	Hatch; Norton, Eleanor
FIPSE	Georgia State University, Atlanta, GA, for science education partnership programs between colleges, universities, schools and life science community educational organizations	84,700	Chambliss
FIPSE	Gila County Community College, Globe, AZ for the registered nursing program, including purchase of equipment	200,000	Renzi, Rick
FIPSE	Golden Apple Foundation, Chicago, IL, for a math and science teacher training initiative	350,000	Durbin
FIPSE	Grace College, Winona Lake, IN for technology upgrades	200,000	Souder, Mark
FIPSE	Greenfield Community College, Greenfield, MA for education and training programs in the arts, which may include equipment and student scholarships	175,000	Olver, John
FIPSE	Harcum College, Bryn Mawr, PA for purchase of equipment	300,000	Gerlach, Jim
FIPSE	Harrisburg Area Community College, Harrisburg, PA for curriculum development	150,000	Platts, Todd
FIPSE	Harrisburg University of Science and Technology, Harrisburg, PA for instructional programs, which may include equipment and technology	300,000	Holden, Tim
FIPSE	Henry Kuualoha Giugni Archives at the University of Hawaii at Manoa, to establish an archival facility of historical Native Hawaiian records and stories	200,000	Inouye
FIPSE	Herkimer County Community College, Herkimer, NY for equipment and technology for science laboratories	100,000	Arcuri, Michael
FIPSE	Hermiston, Hermiston, OR, to support programs and systems for Latino education	254,900	Smith
FIPSE	Hiwassee College, Madisonville, TN for a dental hygiene program, including curriculum development	400,000	Duncan, John
FIPSE	Holy Family University, Philadelphia, PA for nurse education programs	200,000	Schwartz, Allyson
FIPSE	Holyoke Community College, Holyoke, MA, for educational equipment and information technology	170,000	Kennedy, Kerry
FIPSE	Houston Community College, Houston, TX, for the Accelerated Nursing Proficiency Center	150,000	Hutchison
FIPSE	Hudson Valley Community College, Troy, NY, to expand the nursing program	500,000	Clinton, Schumer; McNulty, Michael; Gillibrand, Kirsten
FIPSE	Huntington Junior College, WV for an initiative to recruit and train students in closed captioning	1,080,000	Byrd; Rahall, Nick
FIPSE	Huston-Tillotson University, Austin, TX for a math and science education initiative, which may include equipment	250,000	McCaul (TX), Michael; Doggett, Lloyd; Cornyn
FIPSE	Indiana University of Pennsylvania, Indiana, PA, for equipment acquisition and curriculum development for a mine safety course	90,000	Specter, Casey, Jr.; Shuster, Bill
FIPSE	Institute for Advanced Learning and Research, Danville, VA for professional development for teachers in the field of nanotechnology	200,000	Goode, Virgil; Webb, Warner
FIPSE	Iowa Lakes Community College, Estherville, IA, for equipment to support the Sustainable Energy Education program	250,000	Harkin, Grassley; Latham, Tom
FIPSE	Ivy Tech Community College, Evansville, IN for equipment and technology	75,000	Ellsworth, Brad; Lugar
FIPSE	Jackson State University, Jackson, MS for establishment of an osteopathic medical school	500,000	Thompson (MS), Bennie
FIPSE	James Rumsey Technical Institute, Martinsburg, WV for the Automotive Technology Program, including purchase of equipment	100,000	Capito, Shelley
FIPSE	Kansas City Kansas Community College, Kansas City, KS, to provide workforce development training to improve economic conditions and to reduce prisoner recidivism	500,000	Brownback
FIPSE	Kent State University, New Philadelphia, OH for equipment and technology for its Tuscarawas County campus	150,000	Space, Zachary
FIPSE	Keystone College, LaPlume, PA, for classroom and laboratory equipment upgrades and acquisition	90,000	Specter
FIPSE	King's College, Wilkes-Barre, PA to provide educational opportunities for students through civic engagement and service learning	343,000	Kanjorski, Paul; Specter, Casey

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIPSE	La Sierra University, Riverside, CA	210,000	Calvert, Ken
FIPSE	Lackawanna College, Scranton, PA for equipment, furnishings and operating expenses for an extension center in Susquehanna County	175,000	Carney, Christopher
FIPSE	Lackawanna College, Scranton, PA, for laboratory equipment and technology upgrades and acquisition	90,000	Specter
FIPSE	Lake City Community College, Lake City, FL for a math skills initiative	100,000	Crenshaw, Ander
FIPSE	Latino Institute, Inc., Newark, NJ for its Latino Scholars Program	140,000	Sires, Albio
FIPSE	Lesley University, Cambridge, MA, for educational and research equipment to support new science instruction laboratories	210,000	Kennedy, Kerry
FIPSE	Lewis and Clark Community College, Godfrey, IL, for its National Great Rivers Research and Education Center	400,000	Costello, Jerry
FIPSE	Lewis-Clark State College, Lewiston, ID, to continue and expand the American Indian Students in Leadership of Education (AISLE) program	192,500	Craig, Crapo
FIPSE	Lincoln College, Lincoln, IL for training, material acquisition and purchase of equipment	100,000	LaHood, Ray
FIPSE	Lincoln Memorial University College of Osteopathic Medicine, Harrogate, TN for curriculum development	500,000	Wamp, Zach
FIPSE	Lincoln University, Lincoln University, PA, for campus-wide technology upgrades and wiring	90,000	Specter
FIPSE	Linn-Benton Community College, Albany, OR for science and health equipment and technology	540,000	DeFazio, Peter; Hooley, Darlene; Wyden
FIPSE	Lock Haven University, Lock Haven, PA, to provide professional development partnerships and related services	90,000	Specter
FIPSE	Lorain County Community College, Elyria, OH for its library and community resource center, which may include equipment and technology	350,000	Kaptur, Marcy; Sutton, Betty
FIPSE	Los Angeles Valley College, Valley Glen, CA for its Solving the Math Achievement Gap program	200,000	Waxman, Henry
FIPSE	Lyon College, Batesville, AR, to purchase and install equipment	75,000	Berry, Marion; Lincoln, Pryor
FIPSE	MacMurray College, Jacksonville, IL for technology upgrades	350,000	LaHood, Ray
FIPSE	Madonna University, Livonia, MI for curriculum development for a disaster relief and recovery program	270,000	McCotter, Thaddeus; Levin
FIPSE	Maricopa County Community College, Tempe, AZ for the Bilingual Nursing Program at Gateway Community College in Phoenix, AZ	350,000	Pastor, Ed
FIPSE	Maryland Association of Community Colleges, Annapolis, MD, to expand and improve nursing programs at Maryland's community colleges	2,340,000	Mikulski
FIPSE	Marymount Manhattan College, New York, NY for a minority teacher preparation initiative	350,000	Maloney (NY), Carolyn; Schumer
FIPSE	McNeese State University, Lake Charles, LA for the Louisiana Academy for Innovative Teaching and Learning	150,000	Boustany, Charles; Landrieu, Vitter
FIPSE	Mesa Community College, Mesa, AZ for an online registered nurse recertification program	125,000	Mitchell, Harry
FIPSE	Mesa Community College, Mesa, AZ for the Enfermeras En Escalera program to address a shortage of nurses	175,000	Mitchell, Harry
FIPSE	Messiah College, Grantham, PA, for wireless technology acquisition and technology infrastructure improvements	90,000	Specter, Casey, Jr.
FIPSE	Metro State College, Denver, CO, for training and equipment acquisition	127,125	Allard
FIPSE	Metropolitan State University, St. Paul, MN for nursing education programs	500,000	McCollum (MN), Betty; Klobuchar, Coleman
FIPSE	MidAmerica Nazarene University, Olathe, KS, for equipment acquisition to expand distance education for teachers in western Kansas	300,000	Brownback; Moore (KS), Dennis
FIPSE	Middle Tennessee State University, Murfreesboro, TN, for the comprehensive math and science teacher training program	500,000	Alexander; Gordon, Bart
FIPSE	Midland College, Midland, TX for purchase of equipment at the Advanced Technology Center	150,000	Conaway, K.
FIPSE	Midwestern University Chicago College of Pharmacy, Downers Grove, IL for the Advanced Career Explorers Program	100,000	Roskam, Peter
FIPSE	Minnesota State Colleges and Universities, Office of the Chancellor, St. Paul, MN for a statewide veterans re-entry education program	1,148,500	Klobuchar, Coleman; Walz (MN), Timothy; Peterson (MN), Collin
FIPSE	Mira Costa Community College District, Oceanside, CA for a nursing education program, including purchase of equipment	350,000	Issa, Darrell
FIPSE	Mississippi Gulf Coast Community College, Gautier, MS for equipment and furnishings for a marine technology center and estuarine education center	200,000	Taylor, Gene; Lott
FIPSE	Mississippi State University, Mississippi State, MS, for a leadership training program at the Appalachian Leadership Honors Program	100,000	Cochran; Pickering, Charles
FIPSE	Mississippi State University, Mississippi State, MS, for acquisition of equiment and curriculum development at the Wise Center-Broadcast Facility Conversion to Digital	1,000,000	Cochran
FIPSE	Missouri State University, Springfield, MO, for program development and expansion, equipment and technology for the Distance Learning Project on the West Plains Campus	847,000	Bond
FIPSE	Missouri State University-West Plains, West Plains, MO for technology upgrades and programming at the Academic Support Center	200,000	Emerson, Jo Ann
FIPSE	Monroe Community College, Rochester, NY for a special needs preparedness training program	450,000	Kuhl (NY), John; Clinton, Schumer
FIPSE	Montana Committee for the Humanities, Missoula, MT, to continue civic educational programs	80,000	Baucus
FIPSE	Montana State University - Billings, Billings, MT, for the Montana Energy Workforce Training Center	130,000	Tester
FIPSE	Montana State University-Billings, Billings, MT, to develop job-training programs	160,000	Baucus
FIPSE	Montana State University-Billings, Billings, MT, to expand professional development education programs for the health care industry	160,000	Baucus, Tester

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIPSE	Montgomery County Community College, Blue Bell, PA for curricula, equipment and technology, faculty, and outreach for its advanced technologies initiative	440,000	Schwartz, Allyson
FIPSE	Moravian College, Bethlehem, PA, for equipment and technology acquisition and curriculum development for a science initiative	90,000	Specter
FIPSE	Morehouse College, Atlanta, GA, to establish a research initiative to improve college graduation of minority students	84,700	Chambliss, Isakson
FIPSE	Mott Community College - Center for Advanced Manufacturing (CAM), Flint, MI, for a clearinghouse and pilot program for new technology	425,000	Levin , Stabenow
FIPSE	Mount Ida College, Newton, MA, for a veterinary technology program, which may include equipment	150,000	Frank (MA), Barney; Kennedy, Kerry
FIPSE	Muhlenberg College, Allentown, PA, for education and outreach services to support undergraduate students with disabilities	90,000	Specter, Casey, Jr.; Dent, Charles
FIPSE	Murray State University, Hopkinsville, KY for purchase of equipment at the Veterinary Center	200,000	Whitfield, Ed
FIPSE	Nevada State College, Henderson, NV for the accelerated nursing program	450,000	Porter, Jon
FIPSE	Nevada State College, Henderson, NV, for math and science teacher initiatives	325,000	Reid
FIPSE	New College of Florida, Sarasota, FL for equipment at the Jane Bancroft Cook Library	250,000	Buchanan, Vern
FIPSE	New College of Florida, Sarasota, FL for the Public Archaeology Laboratory, including purchase of equipment	225,000	Buchanan, Vern; Nelson, Bill
FIPSE	New College of Florida, Sarasota, FL for the Strategic Languages Resource Center, including purchase of equipment	300,000	Buchanan, Vern
FIPSE	New Hampshire Community Technical College System, Concord, NH, to expand and modernize engineering technology programs	254,100	Sununu, Gregg
FIPSE	New Hampshire Community Technical College System, Concord, NH, to standardize technology and learning across seven community colleges	150,000	Gregg
FIPSE	New Hampshire Community Technical College-Manchester, Manchester, NH for equipment for nursing and allied health education and training programs	150,000	Shea-Porter, Carol
FIPSE	Niagara County Community College, Sanborn, NY for equipment	350,000	Reynolds, Thomas; Clinton, Schumer
FIPSE	North Arkansas College, Harrison, AR for technology upgrades	215,000	Boozman, John; Lincoln, Pryor
FIPSE	North Carolina Center for Engineering Technologies, Hickory, NC for purchase of equipment at the Center for Engineering Technologies	150,000	McHenry, Patrick
FIPSE	North Dakota State College of Science, Wahpeton, ND for a Center for Nanoscience Technology Training	1,000,000	Dorgan, Conrad; Pomeroy, Earl
FIPSE	Northeast Community College, Norfolk, NE, for nurse training, including the purchase of equipment	170,000	Hagel, Ben Nelson
FIPSE	Northern Essex Community College, Lawrence, MA, for equpment for allied health program	205,000	Kennedy, Kerry; Meehan, Martin
FIPSE	Northern Illinois University, DeKalb, IL for its College of Engineering and Engineering Technology	250,000	Lipinski, Daniel
FIPSE	Northern Kentucky University Research Foundation, Highland Heights, KY for the METS Center, including purchase of equipment	200,000	Davis (KY), Geoff
FIPSE	Northern Kentucky University, Highland Heights, KY, for the Infrastructure Management Institute	500,000	McConnell
FIPSE	Northern Kentucky University, Highland Heights, KY, for the nursing education program	127,125	Bunning
FIPSE	Northern Rockies Educational Services, Twin Bridges, MT, to develop Taking Technology to the Classroom program	80,000	Baucus
FIPSE	Northwest Shoals Community College, Phil Campbell, AL for technology upgrades	350,000	Aderholt, Robert; Shelby
FIPSE	Northwestern State University of Louisiana, Natchitoches, LA, for a nursing education program	200,000	Landrieu, Vitter; McCrery, Jim
FIPSE	Norwich University, Northfield, VT for equipment and technology for a nursing program	350,000	Welch (VT), Peter
FIPSE	Oakland Community College, Bloomfield Hills, MI for international education programs	340,000	Levin, Sander; Levin
FIPSE	Oklahoma Panhandle State University, Goodwell, OK for purchase of equipment	100,000	Lucas, Frank
FIPSE	Onondaga Community College, Syracuse, NY for purchase of equipment	250,000	Walsh (NY), James; Clinton, Schumer
FIPSE	Oregon Health and Science University, Portland, OR for academic programs in the OGI School of Science and Engineering	400,000	Wu, David; Wyden
FIPSE	Oregon Institute of Technology, Klamath Falls, OR for development of associate's and bachelor's degree programs in the health professions	350,000	Walden (OR), Greg; Smith
FIPSE	Owens Community College, Toledo, OH for a first responder training initiative, including curriculum development	150,000	Gillmor, Paul
FIPSE	Palm Beach Community College, Lake Worth, FL for equipment and technology	325,000	Klein (FL), Ron; Hastings (FL), Alcee; Wexler, Robert
FIPSE	Paula and Anthony Rich Center for the Study and Treatment of Autism, Youngstown, OH for distance learning technology and programs	440,000	Ryan (OH), Tim
FIPSE	Pennsylvania Highlands Community College, Johnstown, PA, for laboratory equipment and technology upgrades and acquisition	90,000	Specter
FIPSE	Philadelphia School District, Philadelphia, PA for the CORE Philly Scholarship Program	575,000	Fattah, Chaka
FIPSE	Philadelphia University, Philadelphia, PA, for the Scientific Reasoning / Inquiry Based Education (SCRIBE) initiative	90,000	Specter
FIPSE	Pierce College, Tacoma, WA for the Center of Excellence for Homeland Security, including curriculum development and training	186,000	Reichert, David; Dicks, Norm; Cantwell
FIPSE	Pittsburg State University, Pittsburg, KS for equipment for its Kansas Technology Center	275,000	Boyda (KS), Nancy
FIPSE	Plymouth State University, Plymouth, NH, for a collaborative research institute for sustainable rural economics	200,000	Gregg; Hodes, Paul

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIPSE	Polk Community College, Winter Haven, FL for advanced manufacturing training programs	300,000	Putnam, Adam
FIPSE	Portland State University, Portland, OR for equipment and technology for its science research and teaching center	400,000	Wyden, Smith; Wu, David; Walden (OR), Greg
FIPSE	Prince George's Community College, Largo, MD for equipment and technology to upgrade a management information system	350,000	Wynn, Albert
FIPSE	Purchase College, State of University of New York, Purchase, NY, for science and math education programs, including teacher preparation programs	200,000	Lowey, Nita; Schumer
FIPSE	Radford University, Radford, VA for a study of the feasibility of establishing a graduate school in the medical sciences	400,000	Boucher, Rick
FIPSE	Redlands Community College, El Reno, OK, for nursing programs	100,000	Inhofe; Lucas, Frank
FIPSE	Rhode Island College, Providence, RI for development of a Portuguese and Lusophone Studies Program	100,000	Kennedy, Patrick; Reed, Whitehouse
FIPSE	Richard Stockton College of New Jersey, Pomona, NJ for curriculum development	350,000	LoBiondo, Frank
FIPSE	Richland Community College, Decatur, IL for development of an alternative fuels education and training program	320,000	Hare, Phil; Johnson (IL), Timothy
FIPSE	Richmond Community College, Hamlet, NC for equipment and programs at the Industrial Training Center	200,000	Hayes, Robin
FIPSE	Robert Morris University, Moon Township, PA, for health care professional education programs in the use of electronic health records	90,000	Specter; Murphy, Tim
FIPSE	Rochester Area Colleges, Rochester, NY, for Excellence in Math and Science	1,000,000	Schumer, Clinton
FIPSE	Rockford College, Rockford, IL for technology upgrades and other equipment	200,000	Manzullo, Donald
FIPSE	Round Rock Higher Education Center, Round Rock, TX for nursing programs, including purchase of equipment	450,000	Carter, John
FIPSE	Rust College, Holly Springs, MS, for acquisition of equipment for the Science and Mathematics Annex	500,000	Cochran
FIPSE	Rutgers University School of Law - Camden, NJ for student scholarships and loan repayment, internships and public interest programming	640,000	Andrews, Robert; Lautenberg
FIPSE	Ryan Foundation, Wayne, PA, for civic education programs	90,000	Specter
FIPSE	Saint Anselm College, Manchester, NH, for a civic education program	200,000	Gregg
FIPSE	Salt Lake Community College, Salt Lake City, Utah, to train health care professionals	423,700	Bennett
FIPSE	Salve Regina University, Newport, RI, for historic preservation education programs including equipment	850,000	Reed, Whitehouse
FIPSE	San Jacinto College, Pasadena, TX for a health care education and training initiative, which may include equipment and technology	250,000	Lampson, Nick
FIPSE	Santa Clara University, Santa Clara, CA for equipment, technology, and training for its library and information commons initiative	500,000	Honda, Michael; Eshoo, Anna
FIPSE	Security on Campus, Inc., King of Prussia, PA, for campus safety peer education programs	30,150	Specter
FIPSE	Seminole State College, Seminole, OK, for the Medical Laboratory Technology Program, including technology acquisition	100,000	Inhofe; Fallin, Mary
FIPSE	Seton Hall University, South Orange, NJ for equipment and technology for its science and technology center	525,000	Payne, Donald; Rothman, Steven; Lautenberg, Menendez
FIPSE	Shippensburg University, Shippensburg, PA, for technology upgrades and acquisition	90,000	Specter, Casey, Jr.; Platts, Todd
FIPSE	Siena Heights University, Adrian, MI for nursing programs	200,000	Walberg, Timothy; Levin
FIPSE	Silver Lake College, Manitowoc, WI for nursing programs, including curriculum development	185,000	Petri, Thomas
FIPSE	Simpson College, Indianola, IA for purchase of equipment	300,000	Latham, Tom; Grassley
FIPSE	South Carolina Technical College System, Columbia, SC, to fund apprenticeship pilot programs in economically distressed areas	169,500	Graham
X FIPSE	South Dakota State University, Brookings, SD, for the Thomas Daschle Center for Public Service & Representative Democracy	1,000,000	Byrd, Reid, Johnson, Harkin
FIPSE	Southeastern Pennsylvania Consortium for Higher Education, Glenside, PA, for equipment	425,000	Casey, Jr.
FIPSE	Southern Utah University, Cedar City, Utah, to enhance academic skills and training of science teachers in southern Utah through mobile classrooms	50,000	Hatch
FIPSE	Southwestern Indian Polytechnic Institute, Albuquerque, NM, to expand a renewable energy training program	340,000	Bingaman
FIPSE	Sparks College, Shelbyville, IL for a closed captioner training program	200,000	Shimkus, John; Obama
FIPSE	Spelman College, Atlanta, GA, for programs to recruit and increase graduation rates for African-American females pursuing sciences, mathematics, or dual-engineering degrees	84,700	Chambliss
FIPSE	Springfield Public Schools Academy of Arts and Academics, Springfield, OR, for classroom equipment and technology	84,700	Smith, Wyden
FIPSE	St. Bonaventure University, St. Bonaventure, NY for equipment at the science facility	350,000	Kuhl (NY), John; Walsh, James T.
FIPSE	St. Bonaventure University, St. Bonaventure, NY for technology upgrades	300,000	Kuhl (NY), John; Schumer
FIPSE	St. Clair County Community College, Port Huron, MI for purchase of equipment	150,000	Miller (MI), Candice; Levin
FIPSE	St. Francis College, Brooklyn, NY for equipment and technology to support its science, technology, engineering and math initiative	770,000	Clarke, Yvette; Towns, Edolphus; King (NY), Peter; Clinton, Schumer
FIPSE	St. Petersburg College, St. Petersburg, FL for a distance learning program, including technology upgrades and purchase of equipment	300,000	Young (FL), C.W.
FIPSE	State University of New York at New Paltz, NY, for curriculum development in economic development and governance	300,000	Schumer, Clinton
FIPSE	State University of New York at Potsdam, Potsdam, NY for teacher training initiatives	100,000	McHugh, John; Clinton, Schumer

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIPSE	Stonehill College, Easton, MA, to procure equipment and develop programs for the Center for Non-Profit Management	170,000	Kennedy, Kerry
FIPSE	Susquehanna University, Selinsgrove, PA, for laboratory equipment and technology acquisition	90,000	Specter, Casey
FIPSE	Sweetwater Education Foundation, Chula Vista, CA, for its Compact for Success program, which may include student scholarships	300,000	Filner, Bob; Feinstein
FIPSE	Texas Chiropractic College, Pasadena, TX for health professions training	100,000	Lampson, Nick
FIPSE	Texas State Technical College, Waco, TX, for equipment for education and training programs	150,000	Edwards, Chet
FIPSE	Texas Tech University, Lubbock, TX for the Center for the Study of Addiction and Recovery	150,000	Neugebauer, Randy
FIPSE	Texas Woman's University, Denton, TX, for the Institute of Health Sciences Dallas Center, for acquisition of technology	175,000	Hutchison
FIPSE	Thiel College, Greenville, PA, for technology infrastructure upgrades and acquisition	90,000	Specter
FIPSE	Tohono O'odham Community College, Sells, AZ for computer, science and mathematics equipment, technology and instructional materials	125,000	Grijalva, Raul
FIPSE	Tougaloo College, Tougaloo, MS, for an international study abroad program	200,000	Cochran
FIPSE	Tri-County Community College, Murphy, NC for equipment and technology	50,000	Shuler, Heath; Burr
FIPSE	Trident Technical College, Charleston, SC for nursing curriculum development	200,000	Brown (SC), Henry
FIPSE	Trinity University, San Antonio, TX for purchase of equipment	150,000	Smith (TX), Lamar
FIPSE	Turtle Mountain Community College, Belcourt, ND, to develop a vocational and technical training curriculum	640,000	Dorgan, Conrad; Pomeroy, Earl
X FIPSE	Univ. of Utah Health Sciences Center, Salt Lake City, UT for the Health Sciences LEAP Program to expand the pipeline of underrepresented students in health professions	84,750	Hatch
FIPSE	University of Alaska, Anchorage, Anchorage, AK, for the 49th State Scholars program	350,000	Stevens
FIPSE	University of Alaska, Anchorage, Anchorage, AK, for the Alaska Native Students Science and Engineering program	1,000,000	Stevens
FIPSE	University of Arizona, Tucson, AZ for development of a pilot project to provide instructional and support services to ensure the academic success of disabled veterans	350,000	Grijalva, Raul
FIPSE	University of Arizona, Tucson, AZ, for the Integrative Medicine in Residency program	200,000	Harkin
FIPSE	University of Arkansas for Medical Sciences, Little Rock, AR, for equipment and curriculum development for genetic counseling and other health care programs	400,000	Lincoln, Pryor
FIPSE	University of California at Berkeley, Berkeley, CA for the Matsui Center for Politics and Public Service, which may include establishing an endowment, and for cataloguing the papers of Congressman Robert Matsui	1,000,000	Lee, Barbara
FIPSE	University of Central Arkansas, Conway, AR, for a technology training and instruction initiative, which may include equipment	625,000	Lincoln, Pryor; Snyder, Vic
FIPSE	University of Central Florida, Orlando, FL for the Lou Frey Institute of Politics	250,000	Keller, Ric
FIPSE	University of Dubuque in Dubuque, Iowa for the establishment of a nursing education program	450,000	Harkin
FIPSE	University of Florida, Gainesville, FL for purchase of equipment at the College of Education	200,000	Mica, John
FIPSE	University of Hawaii at Hilo for an Applied Rural Science program and a Clinical Pharmacy Training Program, for clinical pharmacy training program	800,000	Inouye
FIPSE	University of Hawaii School of Law, for a health policy center and cultural education programs	200,000	Inouye
FIPSE	University of Idaho, Moscow, ID, for the Gateway to Math Program, for continued outreach to pre-college math students	125,000	Craig, Crapo
FIPSE	University of Louisiana at Monroe, Monroe, LA for technology upgrades at the College of Pharmacy	400,000	Alexander, Rodney; Landrieu, Vitter
FIPSE	University of Michigan Depression Center, Ann Arbor, MI for the Postsecondary Education Campus Support project	400,000	Knollenberg, Joe; Levin
FIPSE	University of Mississippi, Oxford, MS, for program development, start-up costs and curriculum	2,542,500	Lott
FIPSE	University of Montevallo, Montevallo, AL for the Teacher Leadership Initiative for School Improvement	200,000	Aderholt, Robert; Shelby
FIPSE	University of New Hampshire, Manchester Campus, Manchester, NH, to expand business and high technology academic programs	339,000	Sununu
FIPSE	University of New Mexico, Albuquerque, NM for the American Indian Language Policy Research and Teacher Training Center	300,000	Wilson (NM), Heather; Domenici
FIPSE	University of North Carolina at Wilmington, Wilmington, NC for development of an assistive technology center, which may include equipment	390,000	McIntyre, Mike; Dole
FIPSE	University of North Carolina at Wilmington, Wilmington, North Carolina, for nursing programs including military veterans, clinical research and distance learning	211,250	Dole
FIPSE	University of North Florida, Jacksonville, FL for the Virtual School Readiness Incubator	250,000	Crenshaw, Ander
FIPSE	University of Northern Iowa, Cedar Falls, IA, for the development of math and science programs	169,500	Grassley
FIPSE	University of Scranton, Scranton, PA, for equipment acquisition to support nursing and allied health education programs	90,000	Specter, Casey, Jr.; Kanjorski, Paul
FIPSE	University of Southern Mississippi, Hattiesburg, MS, for curriculum development and acquisition of equipment	847,500	Lott
FIPSE	University of Tennessee, Knoxville, TN, for the Baker Center for Public Policy	5,000,000	Byrd, Cochran, Harkin
FIPSE	University of Texas at Tyler, Tyler, TX for a science, technology, engineering and mathematics program, including teacher training	150,000	Gohmert, Louie; Cornyn
FIPSE	University of Texas Medical Branch at Galveston, Galveston, TX for nursing programs	150,000	Paul, Ron

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
FIPSE	University of Texas Medical Branch at Galveston, Galveston, TX for the Centralized Clinical Placement system, including purchase of equipment	100,000	Paul, Ron
FIPSE	University of Tulsa, Tulsa, OK, for acquisition of equipment at the Center for Information Security	100,000	Inhofe; Sullivan, John
FIPSE	University of Vermont of Burlington, Burlington, VT, to establish advanced practice graduate nursing program in psychiatric-mental health nursing	200,000	Leahy
FIPSE	University of Vermont of Burlington, VT, Burlington, VT, to establish a child psychiatry fellowship program	200,000	Leahy
FIPSE	University of Virginia Center for Politics, Charlottesville, VA for the Youth Leadership Initiative	430,000	Goode, Virgil; Forbes J.; Webb, Warner
FIPSE	University of Washington at Bothell, WA for an initiative to train nursing faculty in partnership with a consortium of colleges	300,000	Cantwell; Inslee, Jay; Reichert, David
FIPSE	University of Wisconsin Eau Claire, Eau Claire, WI, to provide educational programs in nanotechnology	160,000	Kohl
FIPSE	University of Wisconsin Platteville, Platteville, WI, to establish an English as a Second Language teacher certification program	125,000	Kohl; Kind, Ron
FIPSE	University of Wisconsin Whitewater, Whitewater, WI, to establish a certification program for science teachers	125,000	Kohl
FIPSE	University of Wisconsin-Marshfield, Marshfield, WI for equipment and technology for science laboratories	200,000	Obey, David
FIPSE	Urban College of Boston, Boston, MA, to support higher education programs serving low-income and minority students	635,000	Kennedy, Kerry
FIPSE	Utah Valley State College, Orem, UT for a civic education program, including purchase of equipment	200,000	Cannon, Chris; Hatch
FIPSE	Utah Valley State College, Orem, Utah, to expand nursing education, including technology acquisition and curriculum development	50,000	Hatch
FIPSE	Vanguard University Nursing Center, Costa Mesa, CA for teacher and nurse training programs	150,000	Rohrabacher, Dana
FIPSE	Vermont Technical College, Randolph Center, VT, for equipment for Fire Science Program	425,000	Sanders
FIPSE	Villa Julie College, Stevenson, MD, to expand the Nursing Distance Learning Program	500,000	Mikulski; Sarbanes, John
FIPSE	Virginia Polytechnic Institute and State University, Blacksburg, VA, for equipment	400,000	Warner, Webb
FIPSE	Waldorf College, Forest City, IA for purchase of equipment	120,000	Latham, Tom; Grassley
FIPSE	Washburn University, Topeka, KS, for equipment acquisition to train students in science and health-related fields	242,500	Brownback
FIPSE	Washington & Jefferson College, Washington, PA, for foreign language programs	90,000	Specter
FIPSE	Washington State University, Pullman, WA, for mentoring programs women in science programs	350,000	Murray, Cantwell
FIPSE	Weber State University, Ogden, UT for the TAPT program to recruit additional teachers	150,000	Bishop (UT), Rob; Hatch
FIPSE	Weber State University, Ogden, Utah, for stipends and tuition asssistance for faculty to pursue advanced nursing degree	423,700	Bennett
FIPSE	Weber State University, Ogden, Utah, to provide mentoring for minority disadvantaged students	50,000	Hatch
FIPSE	West Central Technical College, Waco, GA for purchase of equipment	150,000	Westmoreland, Lynn
FIPSE	West Chester University, West Chester, PA for nursing program development	250,000	Gerlach, Jim
FIPSE	West Chester University, West Chester, PA, for technology infrastructure upgrades and acquisition	90,000	Specter, Casey, Jr.
FIPSE	Western Iowa Tech Community College, Sioux City, IA, for equipment	100,000	Harkin, Grassley; King (IA), Steve
FIPSE	Western Kentucky University Research Foundation, Bowling Green, KY, for equipment acquisition for the science, technology and engineering facility	1,500,000	McConnell
FIPSE	Western Oregon University, Monmouth, OR, for equipping a nursing simulation laboratory	210,000	Wyden, Smith; Hooley, Darlene
FIPSE	Wheaton College, Norton, MA, to procure educational equipment and information technology to support science center expansion	170,000	Kennedy, Kerry
FIPSE	Wheelock College, Boston, MA, for educational equipment and curriculum development for the K-9 science teachers program	210,000	Kennedy, Kerry
FIPSE	William Paterson University, Wayne, NJ, for curriculum development and other activities to establish the Center for the Study of Critical Languages	210,000	Lautenberg
FIPSE	Wisconsin Association of Independent Colleges and Universities, Madison, WI for continued implementation of the WAICU Collaboration Project	345,000	Obey, David; Kohl
FIPSE	Wittenberg University, Springfield OH for a teacher training initiative	400,000	Hobson, David
FIPSE	York College of Pennsylvania, York, PA, for laboratory equipment and technology upgrades and acquisition	90,000	Specter, Casey
FIPSE	York College, City University of New York, Jamaica, NY for activities to prepare students for careers in aviation management	320,000	Meeks (NY), Gregory; Schumer
FIPSE	York College, York, NE, for training of clinical social workers in central and western Nebraska, including curriculum development	100,000	Hagel, Ben Nelson
HHS OS	Alma Family Services, Monterey Park, CA to increase access to culturally competent health information to minority populations, which may include the purchase of a fully equipped mobile computer lab/resource unit	75,000	Solis, Hilda
HHS OS	Bronx-Lebanon Hospital, New York, NY for demonstration project to increase access to health care for low-income minority men in South and Central Bronx	400,000	Serrano, Jose
HHS OS	Community Health Partnership, Santa Clara, CA for its Healthy Women, Healthy Choices project to provide comprehensive health education to underserved women	200,000	Honda, Michael
HHS OS	Community Transportation Association of America, Washington, DC, for technical assistance to human services transportation providers on ADA requirements	850,000	Harkin
HHS OS	Hunterdon Medical Center, Flemington, NJ for its Latino Healthcare Initiative	90,000	Holt, Rush; Lautenberg, Menendez

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HHS OS	Louisiana State University Health Sciences Center, Shreveport, LA for a health literacy program	250,000	McCrery, Jim; Landrieu
HHS OS	Marymount University, Arlington, VA for a project to provide health screenings, referrals and health education at a nurse managed health center for minority populations	70,000	Moran (VA), James
HHS OS	Nassau University Medical Centers, East Meadow, NY for a minority health institute	320,000	McCarthy (NY), Carolyn; Clinton, Schumer
HHS OS	National Hispanic Medical Association, Washington, DC for a Hispanic health portal to provide online health education materials	500,000	Roybal-Allard, Lucille; Gutierrez, Luis; Grijalva, Raúl; Velázquez, Nydia; Becerra, Xavier; Napolitano, Grace; Reyes, Silvestre; Sires, Albio; Baca, Joe; Solis, Hilda
HHS OS	Palmer College on Chiropractice, Consortial Center for Chiropractic Research in Davenport, Iowa, and the Policy Institute for Integrative Medicine in Philadelphia, PA for a best practices initiative on lower back pain	325,000	Harkin
HHS OS	Prince George's County, Upper Marlboro, MD for a media campaign for pregnant women about health insurance for prenatal care	140,000	Wynn, Albert; Mikulski, Cardin
HHS OS	St. Luke's Community Free Clinic, Front Royal, VA for activities focused on adult hypertension and dental care	350,000	Wolf, Frank
HHS OS	Thurston-Mason County Medical Society, Olympia, WA for a demonstration project to increase care for non-English-speaking patients	90,000	Baird, Brian; Cantwell
HHS OS/OMH	Saint Francis Hospital, Wilmington, DE, to expand prenatal, maternity, pediatric, and other primary care services to indigent populations	590,000	Biden, Carper
HRSA	A.O. Fox Memorial Hospital, Oneonta, NY for facilities and equipment	250,000	Arcuri, Michael; Clinton, Schumer
HRSA	Access Community Health Network, Chicago, IL for facilities and equipment for Chicago sites	225,000	Jackson (IL), Jesse; Rush, Bobby; Durbin
HRSA	Addison County Dental Care, Middlebury, VT, for equipment and facility upgrades	150,000	Sanders
HRSA	Adirondack Medical Center, Saranac Lake, NY for facilities and equipment	500,000	McHugh, John; Gillibrand, Kirsten; Clinton, Schumer
HRSA	Adrian College, Adrian, MI for nurse training programs, including facilities and equipment	500,000	Walberg, Timothy; Levin, Stabenow
HRSA	Adventist Glen Oaks Hospital, Glendale Heights, IL for facilities and equipment	200,000	Roskam, Peter
HRSA	Adventist Health, Roseville, CA for expansions to the clinical information system, including purchase of equipment	350,000	Doolittle, John
HRSA	AIDS Resource Center Wisconsin, Milwaukee, WI, to provide health care and case management services	125,000	Kohl; Moore (WI), Gwen
HRSA	Alamo Community College System, San Antonio, TX for facilities and equipment	440,000	Cuellar, Henry
HRSA	Alaska Addictions Rehabilitation Services, Inc., Wasilla, AK for facilities and equipment	150,000	Young (AK), Don
HRSA	Alaska Family Practice Residency Program, Anchorage, AK, to support its family practice residency programs	1,000,000	Stevens
HRSA	Alaska Native Medical Center, Anchorage, AK, for equipment	750,000	Stevens, Murkowski
HRSA	Alaska Psychiatric Institute, Juneau, AK, for the Telebehavioral Health Project in Alaska	400,000	Stevens
HRSA	Albany Medical Center, Albany, NY, for the establishment of the Patient Safety Center	500,000	Clinton, Schumer
HRSA	Albuquerque Indian Health Center, New Mexico, for renovations and equipment	85,000	Bingaman
HRSA	Alderson-Broaddus College, Philippi, WV for facilities and equipment for the nursing program	125,000	Mollohan, Alan
HRSA	Alegent Health Care System, Omaha, NE, for a community-based Electronic Medical Records System	100,000	Hagel, Ben Nelson
HRSA	Alice Hyde Medical Center, Malone, NY for facilities and equipment	350,000	McHugh, John; Clinton, Schumer
HRSA	Alleghany Memorial Hospital, Sparta, NC for an electronic health records initiative, including equipment	150,000	Foxx, Virginia
HRSA	Allegheny General Hospital, Pittsburgh, PA, for equipment	169,500	Specter
HRSA	Allegheny Singer Research Institute, Pittsburgh, PA, for equipment	90,000	Specter
HRSA	Alle-Kiski Medical Center, Natrona Heights, PA for facilities and equipment	375,000	Altmire, Jason
HRSA	Allen Memorial Hospital, Moab, Utah, for construction, renovation, and equipment	50,000	Hatch
HRSA	Alliance for NanoHealth, Houston, TX for facilities and equipment	650,000	Culberson, John
HRSA	AltaMed Health Services Corp., Los Angeles, CA for facilities and equipment	275,000	Roybal-Allard, Lucille; Boxer
HRSA	American Oncologic Hospital, Fox Chase Cancer Center, Philadelphia, PA for facilities and equipment	500,000	Hoyer, Steny
HRSA	American Samoa, Pago Pago, AQ for facilities and equipment for the LBJ Medical Center	640,000	Faleomavaega, Eni
HRSA	Amite County Medical Services, Liberty, MS for facilities and equipment	135,000	Pickering, Charles
HRSA	Anchorage Neighborhood Health Center, Anchorage, AK, for construction, renovation, and equipment	339,000	Murkowski
HRSA	AnMed Health, Anderson, SC, for renovation and equipment	84,750	Graham
HRSA	Arc of Northern Virginia, Falls Church, VA, for equipment and software to create a Resource Navigator System for individuals with developmental disabilities in the Commonwealth of Virginia	150,000	Warner, Webb; Moran (VA), James
HRSA	Armstrong County Memorial Hospital, Kittanning, PA, for equipment	90,000	Specter, Casey, Jr.
HRSA	Arnold Palmer Hospital, Orlando, FL for facilities and equipment	200,000	Keller, Ric
HRSA	Ashland County Oral Health Services, Ashland, OH for facilities and equipment	100,000	Regula, Ralph
HRSA	Asian Americans for Community Involvement, San Jose, CA for facilities and equipment for a community health clinic	378,000	Honda, Michael; Lofgren, Zoe
HRSA	Association for Utah Community Health, Salt Lake City, UT for health information technology for community health centers represented by the Association throughout the State	796,650	Matheson, Jim; Bennett, Hatch
HRSA	Atchison Hospital Association, Atchison, KS, for renovation and equipment	300,000	Brownback
HRSA	Atlantic Health Systems, Florham Park, NJ for an electronic disease tracking system	500,000	Frelinghuysen, Rodney; Lautenberg, Menendez

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Avis Goodwin Community Health Center, Dover, NH for facilities and equipment in Somerworth, NH	400,000	Shea-Porter, Carol
HRSA	Avista Adventist Hospital, Louisville, CO for health information systems	320,000	Udall (CO), Mark; Salazar, Allard
HRSA	Bad River Tribe of Lake Superior Chippewa, Odanah, WI for facilities and equipment for a health clinic	500,000	Obey, David
HRSA	Ball Memorial Hospital, Muncie, IN, for facilities and equipment	100,000	Pence, Mike; Bayh
HRSA	Baltimore City Health Department, Baltimore, MD for facilities and equipment for mobile units	320,000	Sarbanes, John
HRSA	Baltimore Medical System, Baltimore, MD for facilities and equipment for a community health care facility	320,000	Sarbanes, John; Cardin, Mikulski
HRSA	Baptist Health Medical Center - Heber Springs, Heber Springs, AR for facilities and equipment	75,000	Berry, Marion
HRSA	Barnert Hospital, Paterson, NJ for facilities and equipment	320,000	Pascrell, Bill; Lautenberg
HRSA	Barnes-Kasson County Hospital, Susquehanna, PA for obstetrical care	150,000	Carney, Christopher
HRSA	Barnes-Kasson County Hospital, Susquehanna, PA, for renovation and equipment	90,000	Specter, Casey, Jr.
HRSA	Barre Family Health Center, Barre, MA for facilities and equipment	275,000	Olver, John
HRSA	Bay Area Medical Clinic, Marinette, WI for facilities and equipment	200,000	Kagen, Steve
HRSA	BayCare Health System, Clearwater, FL for upgrades to medical information systems	350,000	Young (FL), C.W.
HRSA	Baylor College of Medicine, Houston, TX, for construction, renovation, and equipment at the Vannie E. Cook, Jr. Children's Cancer and Hematology Clinic	175,000	Hutchison
HRSA	Baylor Research Institute, Dallas, TX for facilities and equipment	352,000	Cornyn; Johnson, E. B., Eddie
HRSA	Bayonne Medical Center, Bayonne, NJ for health information technology	500,000	Sires, Albio
HRSA	Baystate Health Systems, Springfield, MA for facilities and equipment	320,000	Neal (MA), Richard
HRSA	Bear River Health Department, Logan, Utah, for the Medical Reserve Corps Program	50,000	Hatch
HRSA	Beaumont Hospital, Royal Oak, MI for a Core Molecular Laboratory, including facilities and equipment	500,000	Knollenberg, Joe; Levin, Stabenow
HRSA	Beaver Valley Hospital, Beaver, Utah, for renovation and equipment	50,000	Hatch
HRSA	Beebe Medical Center, Lewes, DE, for construction, renovation and equipment	170,000	Biden, Carper
HRSA	Belmont University, Nashville, TN for facilities and equipment for the Health Science Center	140,000	Cooper, Jim
HRSA	Beloit Area Community Health Center, Beloit, WI, for construction, renovation and equipment	425,000	Kohl
HRSA	Bemidji State University, Bemidji, MN for a nurse training program	250,000	Peterson (MN), Collins; Klobuchar
HRSA	Benedictine Hospital, Kingston, NY for health information systems	200,000	Hinchey, Maurice; Schumer
HRSA	Benefis Healthcare Foundation, Great Falls, MT, for health information technology	320,000	Baucus
HRSA	Benefis Healthcare, Great Falls, MT for facilities and equipment	500,000	Rehberg, Dennis
HRSA	Berea Health Ministry Rural Health Clinic, Inc., Berea, KY for facilities and equipment for a rural diabetes clinic	50,000	Chandler, Ben
HRSA	Billings Clinic, Billings, MT, for a Rural Clinical Information System	280,000	Baucus
HRSA	Billings Clinic, Billings, MT, for construction, renovation and equipment of a cancer center	320,000	Baucus, Tester
HRSA	Billings Clinic, Billings, MT, for the Diabetes Center to prevent and treat diabetes	300,000	Tester, Baucus
HRSA	Bloomington Hospital Foundation, Bloomington, IN for health information systems	200,000	Hill, Baron
HRSA	Bloomsburg Hospital, Bloomsburg, PA for facilities and equipment	343,000	Kanjorski, Paul; Specter, Casey
HRSA	Blount Memorial Hospital, Maryville, TN for purchase of equipment	150,000	Duncan, John
HRSA	Boone County Senior Citizen Service Corporation, Columbia, MO, for equipment and technology for the Alzheimer's Disease Demonstration Center on the Bluff's campus	847,000	Bond
HRSA	Boone Hospital Center, Columbia, MO for facilities and equipment	200,000	Hulshof, Kenny; Skelton, Ike
HRSA	Boriken Neighborhood Health Center, New York, NY for facilities and equipment	150,000	Rangel, Charles
HRSA	Boscobel Area Health Care, Boscobel, WI for facilities and equipment	405,000	Kind, Ron
HRSA	Boston Health Care for the Homeless Program, Boston, MA, for the construction of a health care facility	145,000	Kennedy, Kerry
HRSA	Boston Medical Center, Boston, MA for facilities and equipment for the J. Joseph Moakley Medical Services Building	1,000,000	Markey, Edward; Kennedy, Kerry
HRSA	Boston University Medical School, Boston, MA for facilities and equipment for biomedical research related to amyloidosis	250,000	Capuano, Michael
HRSA	Boys Town National Research Hospital, Omaha, NE, for construction, renovation and equipment	710,000	Ben Nelson
HRSA	Brackenridge Hospital, Austin, TX, for construction, renovation, and equipment	175,000	Hutchison; Smith (TX), Lamar
HRSA	Bridge Community Health Clinic, Wausau, WI for facilities and equipment	500,000	Obey, David
HRSA	Bridgeport Hospital, Bridgeport, CT for facilities and equipment	350,000	Shays, Christopher; Dodd, Lieberman
HRSA	Brockton Hospital, Brockton, MA, for equipment	170,000	Kennedy, Kerry
HRSA	Brockton Neighborhood Health Center, Brockton, MA for facilities and equipment	320,000	Kennedy, Kerry; Lynch, Stephen
HRSA	Brookside Community Health Center, San Pablo, CA for facilities and equipment	350,000	Miller, George
HRSA	Brunswick County, Bolivia, NC for facilities and equipment for a senior center	250,000	McIntyre, Mike; Dole, Burr
HRSA	Bryan W. Whitfield Hospital, Demopolis, AL for facilities and equipment	140,000	Davis (AL), Artur; Shelby
HRSA	Bureau County Health Clinic, Princeton, IL to expand rural health services, including purchase of equipment	150,000	Weller, Jerry

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Cactus Health Services, Inc., Sanderson, TX for primary health care services in rural communities in Terrell and Pecos Counties	175,000	Rodriguez, Ciro
HRSA	California Hospital Medical Center, Los Angeles, CA for facilities and equipment	400,000	Roybal-Allard, Lucille
HRSA	California State University, Bakersfield, CA for nurse training programs, including purchase of equipment	200,000	McCarthy (CA), Kevin
HRSA	Camillus House, Inc., Miami, FL for facilities and equipment	200,000	Nelson, Bill, Martinez; Meek (FL), Kendrick
HRSA	Canonsburg General Hospital, Canonsburg, PA for purchase of equipment	350,000	Murphy, Tim
HRSA	Cape Cod Free Clinic and Community Health Center, Mashpee, MA for facilities and equipment	175,000	Delahunt, William; Kennedy, Kerry
HRSA	Capital Park Family Health Center, Columbus, OH for facilities and equipment	200,000	Hobson, David
HRSA	Cardinal Stritch University, Milwaukee, WI for a nursing training program	100,000	Moore (WI), Gwen
HRSA	Carilion Health System, Roanoke, VA, for renovation and equipment	125,000	Warner, Webb
HRSA	Caring Health Center, Inc., Springfield, MA, for equipment needed to expand urgent care and oral health programs	210,000	Kennedy, Kerry
HRSA	Carnegie Mellon University, Pittsburgh, PA, for equipment and renovation	127,125	Specter, Casey, Jr.
HRSA	Carolinas HealthCare System, Charlotte, NC for facilities and equipment	400,000	Dole, Burr; Hayes, Robin
HRSA	Carroll County Regional Medical Center, Carrollton, KY for facilities and equipment	300,000	Davis (KY), Geoff
HRSA	Carroll County Youth Service Bureau, Westminster, MD for facilities and equipment for the Outpatient Mental Health Clinic	350,000	Bartlett (MD), Roscoe; Cardin, Mikulski
HRSA	Case Western Reserve University, Cleveland, OH, for equipment	84,750	Voinovich; Jones (OH), Stephanie
HRSA	Center for Health Equity, Louisville, KY for facilities and equipment	250,000	Yarmuth, John
HRSA	Central Carolina Allied Health Center, Sumter, SC, for construction, renovation, and equipment	211,875	Graham; Spratt, John
HRSA	Central Wyoming College, Riverton, WY for facilities and equipment at the Virtual Medical Skills Center for Training Nurses in Rural Health Care	200,000	Cubin, Barbara
HRSA	CentroMed, San Antonio, TX for facilities and equipment	400,000	Rodriguez, Ciro
HRSA	Champlain Valley Physician's Hospital, Plattsburgh, NY for facilities and equipment	1,500,000	Schumer, Clinton; McHugh, John
HRSA	Charles A. Dean Memorial Hospital, Greenville, ME for facilities and equipment	250,000	Michaud, Michael
HRSA	Charles Drew Health Center, Inc., Omaha, NE, for construction, renovation and equipment	1,000,000	Ben Nelson
HRSA	Chatham County Safety Net Collaborative, Savannah, GA for purchase of equipment	300,000	Kingston, Jack
HRSA	Cherry Street Health Services, Grand Rapids, MI for an electronic health records initiative, including equipment	200,000	Ehlers, Vernon; Levin
HRSA	Chester County Hospital, West Chester, PA, for construction	90,000	Specter; Gerlach, Jim
HRSA	Children's Friend and Family Services, Salem, MA for facilities and equipment	250,000	Tierney, John
HRSA	Children's Hospital of KidsPeace, Orefield, PA, for construction and equipment	90,000	Specter, Casey, Jr.
HRSA	Children's Hospitals and Clinics of Minnesota, Minneapolis, MN, to provide pediatric palliative care education and consultation services to clinicians and providers	252,125	Coleman, Klobuchar
HRSA	Children's Home of Pittsburgh, Pittsburgh, PA for facilities and equipment	320,000	Doyle, Michael
HRSA	Children's Hospital and Clinics of Minnesota, Minneapolis, MN for facilities and equipment	315,000	Bachmann, Michele; Ellison, Keith; Walz (MN), Timothy; Klobuchar
HRSA	Children's Hospital and Health System, Milwaukee, WI for purchase of equipment	350,000	Sensenbrenner, F.
HRSA	Children's Hospital at Albany Medical Center, Albany, NY for facilities and equipment	320,000	McNulty, Michael
HRSA	Children's Hospital Boston, Boston, MA, for the development of comprehensive pediatric electronic medical records system	185,000	Kennedy, Kerry
HRSA	Children's Hospital Medical Center of Akron, Akron, OH for facilities and equipment	375,000	Sutton, Betty
HRSA	Children's Hospital of Orange County, Mission Viejo, CA for purchase of equipment	150,000	Miller, Gary
HRSA	Children's Hospital of Philadelphia, Philadelphia, PA, for equipment	127,125	Specter
HRSA	Children's Hospital of Pittsburgh, Pittsburgh, PA, for construction	127,125	Specter, Casey, Jr.; Doyle, Michael
HRSA	Children's Hospital of The King's Daughters (CHKD) Health Systems, Norfolk, VA, to purchase and equip a Mobile Intensive Care Transport Vehicle for the critically ill neonatal and pediatric populations	125,000	Webb, Warner
HRSA	Children's Hospital of The King's Daughters, Norfolk, VA for pediatric facilities and equipment	550,000	Drake, Thelma; Warner
HRSA	Childrens Hospital of Wisconsin, Milwaukee, WI, for construction, renovation and equipment	170,000	Kohl
HRSA	Children's Hospital, Aurora, CO, for equipment	169,500	Allard, Salazar
HRSA	Children's Hospital, Denver, CO for facilities and equipment	320,000	Udall (CO), Mark; Salazar
HRSA	Children's Institute, Pittsburgh, PA, for construction and program expansion	90,000	Specter, Casey
HRSA	Children's Medical Center, Dallas, Dallas, TX, for construction, renovation, and equipment	175,000	Hutchison, Cornyn; Edwards, Chet
HRSA	Children's Medical Center, Dayton, OH for CARE House, including facilities and equipment	200,000	Hobson, David; Turner, Michael
HRSA	Children's Memorial Hospital, Chicago, IL for facilities and equipment	525,000	Emanuel, Rahm; Jackson (IL), Jesse; Bean, Melissa; Rush, Bobby; Kirk, Mark; Obama
HRSA	Children's National Medical Center, Washington, DC for facilities and equipment for emergency preparedness	500,000	Hoyer, Steny
HRSA	Children's Specialized Hospital, Mountainside, NJ for facilities and equipment	500,000	Ferguson, Mike; Lautenberg, Menendez

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Chippewa Valley Hospital, Durand, WI for facilities and equipment	295,000	Kohl; Kind, Ron
HRSA	Chiricahua Community Health Centers, Inc., Elfrida, AZ for facilities and equipment for the Bisbee/Naco Chiricahua community health center in Bisbee, AZ and the Douglas/El Frida Medical and Dental Border Healthcare Clinic in Douglas, AZ	400,000	Giffords, Gabrielle
HRSA	CHOICE Regional Health Network, Olympia, WA, for construction, renovation and equipment	300,000	Murray
HRSA	Christian Health Care Center of New Jersey, Wyckoff, NJ for facilities and equipment	200,000	Garrett (NJ), Scott; Rothman, Steven; Lautenberg, Menendez
HRSA	Christian Sarkine Autism Treatment Center, Indianapolis, IN for facilities and equipment	200,000	Burton (IN), Dan
HRSA	Christiana Care Health System, Wilmington, DE, for construction, renovation and equipment	425,000	Biden, Carper
HRSA	Christus Santa Rosa's Children's Hospital, San Antonio, TX for facilities and equipment	375,000	Gonzalez, Charles; Hutchison, Cornyn
HRSA	Cincinnati Children's Hospital Medical Center, Cincinnati, OH for purchase of equipment	500,000	Chabot, Steve; Voinovich
HRSA	Citrus County Board of County Commissioners, Inverness, FL for facilities and equipment	150,000	Brown-Waite, Ginny
HRSA	City of Austin, TX for facilities and equipment for the Travis County Hospital District	290,000	Doggett, Lloyd
HRSA	City of Chesapeake, VA for an infant mortality and chronic disease prevention program, including equipment	100,000	Forbes, J.
HRSA	City of Oakland, CA for facilities and equipment for a new youth center to house health services programs	500,000	Lee, Barbara
HRSA	City of Stockton, CA for facilities and equipment for a health care facility	450,000	Cardoza, Dennis
HRSA	City of Stonewall, OK for facilities and equipment	360,000	Cole (OK), Tom
HRSA	Clarion Health Center, Clarion, PA for purchase of equipment	290,000	Peterson (PA), John; Specter
HRSA	Clearfield Hospital, Clearfield, PA, for equipment	90,000	Specter
HRSA	Cleveland Clinic Huron Hospital, East Cleveland, OH for facilities and equipment	300,000	Jones (OH), Stephanie
HRSA	Cobb County Government, Marietta, GA for a senior health center, including facilities and equipment	325,000	Gingrey, Phil; Isakson, Chambliss
HRSA	Coffeyville Regional Medical Center, Coffeyville, KS for facilities and equipment	350,000	Tiahrt, Todd; Roberts
HRSA	Coles County Council on Aging, Mattoon, IL for facilities and equipment	200,000	Johnson (IL), Timothy
HRSA	College Misericordia, Dallas, PA for facilities and equipment for the NEPA Assistive Technology Research Institute	310,000	Carney, Christopher; Specter, Casey
HRSA	College of Saint Scholastica, Duluth, MN, to implement a rural health and technology demonstration project	254,250	Coleman, Klobuchar; Oberstar, James
HRSA	Collier County, Naples, FL to develop a health care access network for the under- and uninsured, including information technology upgrades	342,000	Diaz-Balart, M., Mario
HRSA	Colorado State University, Fort Collins, CO for purchase of equipment	300,000	Musgrave, Marilyn; Salazar, Allard
HRSA	Columbia Memorial Hospital, Hudson, NY for health information systems	150,000	Gillibrand, Kirsten
HRSA	Columbus Children's Hospital, Columbus, OH for a telehealth project	100,000	Space, Zachary
HRSA	Columbus Children's Hospital, Columbus, OH for purchase of equipment	300,000	Pryce (OH), Deborah
HRSA	Communi Care, Inc., Columbia, SC for health information systems, facilities, and equipment	285,000	Wilson (SC), Joe; Clyburn, James
HRSA	Community Action Agency of Southern New Mexico, Las Cruces, NM, for the Access to Healthcare Initiative	297,000	Bingaman, Domenici
HRSA	Community College of Aurora, Aurora, CO for facilities and equipment	350,000	Perlmutter, Ed
HRSA	Community College of Rhode Island, Lincoln, RI, for equipment and laboratory facilities for health care education	210,000	Reed
HRSA	Community Dental Services, Albuquerque, NM for facilities and equipment	500,000	Wilson (NM), Heather
HRSA	Community Health Care, Tacoma, WA for facilities and equipment	425,000	Dicks, Norman
HRSA	Community Health Center of Southeast Kansas, Pittsburg, KS, for renovation and equipment	350,000	Brownback
HRSA	Community Health Center of the Black Hills, Rapid City, SD, for facilities and equipment	339,750	Johnson, Thune; Herseth Sandlin, Stephanie
HRSA	Community Health Centers in Iowa	1,750,000	Harkin
HRSA	Community Health Centers of Arkansas, North Little Rock, AR, for an infrastructure development program	600,000	Lincoln, Pryor
HRSA	Community Health Centers of the Rutland Region, Bomoseen, VT, for equipment	100,000	Sanders
HRSA	Community Health Works, Forsyth, GA for rural health care outreach	50,000	Marshall, Jim
HRSA	Community Home, Health & Hospice, Longview, WA, to implement a home health telemonitoring system	250,000	Murray, Cantwell; Baird, Brian
HRSA	Community Hospital of Bremen, Bremen, IN for facilities and equipment	125,000	Donnelly, Joe
HRSA	Community Hospital TeleHealth Consortium, Lake Charles, LA for a telehealth initiative	300,000	Landrieu, Vitter; Boustany, Charles
HRSA	Community Medical Center, Missoula, MT, for construction, renovation and equipment	280,000	Baucus, Tester
HRSA	Community Medical Centers, Stockton, CA for facilities and equipment for Gleason House	225,000	Cardoza, Dennis
HRSA	Comprehensive Community Action Program (CCAP), Cranston, RI for facilities and equipment for dental care	190,000	Langevin, James
HRSA	Connecticut Hospice, Inc., Branford, CT for health information systems	300,000	DeLauro, Rosa
HRSA	Cook Children's Medical Center, Fort Worth, TX for facilities and equipment	775,000	Granger, Kay; Hutchison; Edwards, Chet; Cornyn
HRSA	Cooperative Education Service Agency 11 Rural Health Dental Clinic, Turtle Lake, WI for dental services	225,000	Obey, David
HRSA	Cooperative Telehealth Network, Portneuf Medical Center, Pocatello, ID, to provide and improve distance healthcare access in southeast Idaho	350,000	Craig, Crapo
HRSA	Counseling Services of Addison County, Middlebury, VT, to implement an electronic medical record	200,000	Leahy
HRSA	County of Modoc Medical Center, Alturas, CA for purchase of equipment	150,000	Doolittle, John

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	County of Peoria, Peoria, IL, for facilities and equipment	250,000	LaHood, Ray
HRSA	County of San Diego, CA Public Health Services for the purchase of equipment	286,000	Bilbray, Brian
HRSA	Crouse Hospital, Syracuse, NY for purchase of equipment and improvement of electronic medical information	300,000	Walsh (NY), James
HRSA	Crowder College-Nevada Campus, Nevada, MO for facilities and equipment for the Moss Higher Education Center	200,000	Skelton, Ike
HRSA	Crozer-Chester Medical Center, Upland, PA for facilities and equipment	325,000	Sestak, Joe
HRSA	Crumley House Brain Injury Rehabilitation Center, Limestone, TN, for brain injury programs	100,000	Alexander; Davis, David
HRSA	Culpeper Regional Hospital, Culpeper, VA, for facility design, engineering and construction to expand the Emergency Department	200,000	Warner, Webb
HRSA	Cumberland Medical Center, Crossville, TN for facilities and equipment	240,000	Davis, Lincoln
HRSA	Dartmouth-Hitchcock Medical Center, Lebanon, NH for facilities and equipment	275,000	Hodes, Paul
HRSA	Defiance College, Defiance, Ohio, for training autism caregivers	175,000	Brown; Gillmor, Paul
HRSA	Delaware Technical and Community College, Dover, DE for purchase of equipment	250,000	Castle, Michael
HRSA	Delta Dental of Iowa, Ankeny, IA, for a dental loan repayment program	150,000	Harkin, Grassley; Boswell, Leonard; Loebsack, David
HRSA	Delta Dental of South Dakota, Pierre, SD, to provide mobile dental health services	200,000	Johnson
HRSA	Denver Health and Hospital Authority, Denver, CO for facilities and equipment	450,000	DeGette, Diana; Salazar, Allard
HRSA	Des Moines University and Broadlawns Medical Center, Des Moines, IA for a mobile clinic	200,000	Boswell, Leonard; Grassley
HRSA	Desert Hot Springs, Downey, CA, to construct a primary and urgent care medical clinic	80,000	Boxer
HRSA	Detroit Primary Care Access, Detroit, MI for health care information technology	375,000	Conyers, John; Levin, Stabenow
HRSA	Dixie County, Cross City, FL for facilities and equipment for the primary care facility	75,000	Boyd (FL), Allen
HRSA	Dodge County Hospital, Eastman, GA for facilities and equipment	100,000	Marshall, Jim
HRSA	Drew County Memorial Hospital, Monticello, AR for facilities and equipment	440,000	Ross, Mike; Lincoln, Pryor
HRSA	DuBois Regional Medical Center, DuBois, PA for purchase of equipment and electronic medical records upgrades	217,750	Peterson (PA), John; Specter, Casey
HRSA	East Carolina University, Greenville, NC for the Metabolic Institute, including facilities and equipment	350,000	Jones (NC), Walter; Burr, Dole
HRSA	East Orange General Hospital, East Orange, NJ, for facilities and equipment	635,000	Lautenberg, Menendez; Payne, Donald
HRSA	East Tennessee Children's Hospital, Knoxville, TN for facilities and equipment	300,000	Duncan, John
HRSA	East Tennessee State University College of Pharmacy, Johnson City, TN for facilities and equipment	250,000	Davis, David
HRSA	Easter Seals Iowa, for construction and enhancement of a health care center	300,000	Harkin
HRSA	Easter Seals Metropolitan Chicago, Chicago, IL, for their therapeutic School and Center for Autism Research	550,000	Obama, Durbin; Davis (IL), Danny
HRSA	Easter Seals of Mahoning, Trumbull, and Columbiana Counties, Youngstown, OH for facilities and equipment	200,000	Ryan (OH), Tim
HRSA	Eastern Oklahoma State College, Wilburton, OK, for health information systems and pharmacy technology programs	100,000	Inhofe
HRSA	Eastern Shore Rural Health System Onley Community Health Center, Nassawadox, VA, for construction, renovation and equipment	120,000	Webb, Warner
HRSA	Ed Roberts Campus in Berkeley, CA, for construction, renovations and equipment	250,000	Boxer
HRSA	Eddy County, NM, for a regional substance abuse rehabilitation center, including facilities and equipment	150,000	Pearce, Stevan; Domenici
HRSA	Edgemoor Hospital, Santee, CA for purchase of equipment	150,000	Hunter, Duncan; Feinstein
HRSA	Eisenhower Medical Center, Rancho Mirage, CA for facilities and equipment	150,000	Bono, Mary
HRSA	El Proyecto del Barrio, Arleta, CA for facilities and equipment at the Azusa Health Center, Azusa, CA	490,000	Solis, Hilda
HRSA	El Proyecto del Barrio, Winnetka, CA for health information systems	240,000	Sherman, Brad
HRSA	Elizabeth City State University, Elizabeth City, NC for facilities and equipment for a science education building	390,000	Butterfield, G. K.; Dole
HRSA	Elliot Health System, Manchester, NH, for a backup and support system for continuity of services	200,000	Gregg; Shea-Porter, Carol
HRSA	Emerson Hospital, Concord, MA for facilities and equipment	200,000	Meehan, Martin
HRSA	Englewood Hospital and Medical Center, Englewood, NJ for facilities and equipment	175,000	Rothman, Steven; Garrett (NJ), Scott; Lautenberg, Menendez
HRSA	Ephrata Community Hospital, Ephrata, PA, for equipment	90,000	Specter
HRSA	Excela Health, Mt. Pleasant, PA for facilities and equipment	350,000	Murtha, John
HRSA	Fairfield Medical Center, Lancaster, OH for facilities and equipment	397,000	Hobson, David
HRSA	Fairview Southdale Hospital, Edina, MN for purchase of equipment	150,000	Ramstad, Jim
HRSA	Family and Children's Aid, Danbury, CT for facilities and equipment for the Harmony Center	275,000	Murphy (CT), Christopher
HRSA	Family Behavioral Resources, Greensburg, PA for community health outreach activities	150,000	Murphy, Tim
HRSA	Family Center of the Northern Neck, Inc., White Stone, VA for obstetric care services, including facilities and equipment	200,000	Davis, Jo Ann
HRSA	Family Health Center of Southern Oklahoma, Tishomingo, OK for facilities and equipment	190,000	Boren, Dan
HRSA	Family Health Centers of San Diego, Inc., San Diego, CA, for construction, renovation and equipment	80,000	Boxer; Davis (CA), Susan
HRSA	Family HealthCare Network, Visalia, CA for electronic medical records upgrades	200,000	Nunes, Devin

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Family Medicine Spokane, Spokane, WA for rural training assistance	150,000	McMorris Rodgers, Cathy
HRSA	Fenway Community Health Center, Boston, MA, for construction, renovation and equipment	210,000	Kennedy, Kerry
HRSA	Fish River Rural Health, Eagle Lake, ME, for construction, renovation, and equipment	100,000	Collins, Snowe; Michaud, Michael
HRSA	Fletcher Allen Health Care, Burlington, VT, for construction, renovation and equipment	400,000	Leahy
HRSA	Florida Hospital College of Health Sciences, Orlando, FL for facilities and equipment	150,000	Keller, Ric
HRSA	Florida Institute of Technology, Melbourne, FL for facilities and equipment for the Autism Research and Treatment Center	2,500,000	Weldon (FL), Dave
HRSA	Florida Southern College, Lakeland, FL for purchase of equipment to support nursing programs	400,000	Putnam, Adam
HRSA	Floyd Valley Hospital, Le Mars, IA for facilities and equipment	100,000	King (IA), Steve; Grassley
HRSA	Fort Wayne, IN, for training of emergency medical personnel, including equipment purchase	165,000	Bayh
HRSA	Fox Chase Cancer Center, Philadelphia, PA, for equipment	127,125	Specter
HRSA	Franklin County Medical Center, Preston, ID, for construction, renovation, and equipment	250,000	Craig
HRSA	Free Clinic of the Greater Menomonie Area, Inc, Menomonie, WI, for equipment	85,000	Kohl
HRSA	Free Clinics of Iowa in Des Moines, to support a network of free clinics	350,000	Harkin
HRSA	Freeman Health System, Joplin, MO for purchase of equipment	400,000	Blunt, Roy
HRSA	Fulton County Medical Center, McConnellsburg, PA for facilities and equipment	263,750	Shuster, Bill; Specter
HRSA	Gardner Family Health Network, Inc., San Jose, CA for facilities and equipment	300,000	Honda, Michael
HRSA	Garfield Memorial Hospital, Panguitch, Utah, for construction, renovation, and equipment of the emergency room and adjacent clinic	84,750	Hatch
HRSA	Gaston College, Health Education Institute, Dallas, NC for nurse training programs, including facilities and equipment	150,000	Myrick, Sue; Burr
HRSA	Gateway to Care, Houston, TX for health information technology	225,000	Green, Gene
HRSA	Geisinger Health System, Danville, PA, for construction and equipment	169,500	Specter; Carney, Christopher
HRSA	Generations, Inc, Camden, NJ, for construction of a medical center	380,000	Lautenberg, Menendez; Andrews, Robert
HRSA	Georgia Southern University, Statesboro, GA, for rural health outreach and training	84,700	Chambliss; Barrow, John
HRSA	Gertrude A. Barber Center, Erie, PA for the Autism Early Identification Diagnostic and Treatment Center, including purchase of equipment	162,000	English (PA), Phil
HRSA	Glen Rose Medical Center, Glen Rose, TX for facilities and equipment	330,000	Edwards, Chet
HRSA	Glendale Adventist Medical Center, Glendale, CA for facilities and equipment	375,000	Schiff, Adam
HRSA	Glens Falls Hospital, Glens Falls, NY for facilities and equipment	400,000	Gillibrand, Kirsten
HRSA	Glory House, Sioux Falls, SD, to construct a methamphetamine treatment center	150,000	Johnson
HRSA	Good Samaritan Regional Medical Center, Pottsville, PA, for medical outreach	90,000	Specter
HRSA	Good Shepherd Rehabilitation Hospital, Allentown, PA, for equipment	90,000	Specter
HRSA	Grady Health Systems, Atlanta, GA for electronic medical records upgrades	334,700	Isakson; Chambliss, Price (GA), Tom; Westmoreland, Lynn; Johnson, H.; Scott, Robert
HRSA	Grandview Hospital, Dayton, OH for facilities and equipment	250,000	Turner, Michael
HRSA	Greater Hudson Valley Family Health Center,Inc., Newburgh, NY for facilities and equipment	125,000	Hinchey, Maurice
HRSA	Greater New Bedford Community Health Center, New Bedford, MA for health information systems	350,000	Frank (MA), Barney
HRSA	Greene County, Waynesburg, PA, for a telemedicine initiative	90,000	Specter
HRSA	Griffin Hospital, Derby, CT for facilities and equipment	400,000	DeLauro, Rosa
HRSA	Gritman Medical Center, Moscow, ID for facilities and equipment	500,000	Craig, Crapo; Sali, Bill
HRSA	Gundersen Lutheran Health System, West Union, IA for a mobile health unit	250,000	Braley (IA), Bruce
HRSA	Gundersen Lutheran Hospital, La Crosse, WI, for a health information technology system	170,000	Kohl
HRSA	Gunderson Lutheran, Decorah, IA for a Remote Fetal Monitoring Program, including purchase of equipment	300,000	Latham, Tom; Grassley
HRSA	Halifax Regional Health System, South Boston, VA for an electronic health records initiative, including equipment	400,000	Goode, Virgil; Warner, Webb
HRSA	Hamilton Community Health Network, Flint, MI for health care information technology	320,000	Kildee, Dale; Levin, Stabenow
HRSA	Hamot Medical Center, Erie, PA, for construction and equipment	90,000	Specter
HRSA	Hampton University, Hampton, VA for health professions training	400,000	Scott (VA), Robert
HRSA	Harris County Hospital District, Houston, TX for facilities and equipment	250,000	Culberson, John
HRSA	Harris County Hospital District, Houston, TX for facilities and equipment	500,000	Green, Al
HRSA	Harris County Hospital District, Houston, TX for facilities and equipment for an outpatient physical and occupational therapy center	200,000	Jackson-Lee (TX), Sheila
HRSA	Harris County Hospital District, Houston, TX for facilities and equipment for the diabetes program	415,000	Green, Gene; Cornyn
HRSA	Harris Methodist Erath County Hospital, Stephenville, TX for facilities and equipment	140,000	Carter, John
HRSA	Hatzoloh EMS, Inc., Monsey, NY for purchase of ambulances	200,000	Engel, Eliot
HRSA	Hawkeye Community College, Waterloo, IA for facilities and equipment for a health center	375,000	Braley (IA), Bruce; Grassley

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Hazleton General Hospital, Hazleton, PA, for equipment	90,000	Specter, Casey, Jr.
HRSA	Healing Tree Addiction Treatment Solutions, Inc., Sterling, CO for facilities and equipment	150,000	Musgrave, Marilyn
HRSA	HEALS Dental Clinic, Huntsville, AL for facilities and equipment	75,000	Cramer, Robert; Shelby
HRSA	HealthCare Connection, Cincinnati, OH for an electronic health records initiative, including equipment	250,000	Chabot, Steve
HRSA	HealthEast Care System, St. Paul, MN for health information systems	500,000	McCollum (MN), Betty; Bachmann, Michele; Klobuchar, Coleman
HRSA	HealthHUB, South Royalton, VT, for equipment and facilities	100,000	Sanders
HRSA	Heartland Community Health Clinic, Peoria, IL for facilities and equipment	300,000	LaHood, Ray
HRSA	Heartland Partnership, Peoria, IL, for construction of a cancer research laboratory	400,000	Durbin
HRSA	Hektoen Institute for Medical Research Beloved Community Wellness Program, Chicago, IL for facilities and equipment	400,000	Rush, Bobby
HRSA	Helen DeVos Children's Hospital, Grand Rapids, MI for facilities and equipment	100,000	Ehlers, Vernon; Levin
HRSA	Helene Fuld College of Nursing, NY, for construction, renovation and equipment	100,000	Schumer, Clinton; Rangel, Charles
HRSA	Henry Ford Health System, Flint, MI, for training in advanced techniques	295,000	Levin, Stabenow
HRSA	Henry Mayo Newhall Memorial Hospital, Valencia, CA for facilities and equipment	200,000	McKeon, Howard
HRSA	Heritage Valley Health System, Beaver, PA, for construction	90,000	Specter, Casey, Jr.; Altmire, Jason
HRSA	Hidalgo Medical Services Inc., Lordsburg, NM, for construction, renovation, and equipment for a Community Health Center in Silver City, New Mexico	750,000	Domenici, Bingaman
HRSA	Highland Community Hospital, Picayune, MS for health information systems	440,000	Taylor, Gene
HRSA	Highlands County, Sebring, FL for facilities and equipment for the veterans service office	425,000	Mahoney (FL), Tim
HRSA	Hilo Medical Center, HI, for a medical robotics training lab	100,000	Inouye
HRSA	Holy Cross Hospital, Chicago, IL, for equipment	1,000,000	Durbin
HRSA	Holy Cross Hospital, Silver Spring, MD, for equipment	375,000	Mikulski, Cardin; Van Hollen, Chris
HRSA	Holy Name Hospital, Teaneck, NJ for facilities and equipment	175,000	Rothman, Steven; Lautenberg, Menendez
HRSA	Holy Redeemer Health System, Huntingdon Valley, PA, for construction	90,000	Specter, Casey, Jr.
HRSA	Holy Rosary Healthcare, Miles City, MT, for a tele-radiology program	175,000	Tester
HRSA	Holy Spirit Hospital, Camp Hill, PA, for equipment	90,000	Specter
HRSA	Holyoke Hospital, Holyoke, MA, for equipment	185,000	Kennedy, Kerry
HRSA	Home Nursing Agency, Altoona, PA, for telehealth services, including purchase of equipment	100,000	Shuster, Bill
HRSA	Hood River County, Hood River, OR, for construction of an integrated health care facility	295,000	Wyden, Smith; Walden (OR), Greg
HRSA	Hormel Foundation, Austin, MN for facilities and equipment for the cancer research center	425,000	Walz (MN), Timothy
HRSA	Hospice Care Plus, Berea, KY, for construction, renovation, and equipment	127,125	Bunning
HRSA	Hospice of Northwest Ohio Toledo Center, Toledo, OH for health information systems	125,000	Kaptur, Marcy
HRSA	Hospice of the Western Reserve, Cleveland, OH for a pediatric care program	150,000	LaTourette, Steven; Voinovich
HRSA	Hospital for Special Surgery, New York, NY, for expansion and modernization of its clinical facilities	500,000	Clinton, Schumer
HRSA	Houston County Hospital District, Crockett, TX for facilities and equipment	200,000	Barton (TX), Joe
HRSA	Howard Community College, Columbia, MD for facilities and equipment for radiologic technology	300,000	Cummings, Elijah
HRSA	Hudson Alpha Institute for Biotechnology, Huntsville, AL for facilities and equipment	325,000	Cramer, Robert; Shelby
HRSA	Hudson Headwaters Health Network, Inc., Glens Falls, NY for health information systems	100,000	Gillibrand, Kirsten; Clinton, Schumer
HRSA	Humility of Mary Health Partners, Youngstown, OH for health information technology	200,000	Ryan (OH), Tim; Voinovich
HRSA	Humphreys County Memorial Hospital, Belzoni, MS for facilities and equipment	175,000	Thompson (MS), Bennie
HRSA	Hunterdon Medical Center, Flemington, NJ for facilities and equipment	645,000	Ferguson, Mike
HRSA	Hunter's Hope Foundation, Orchard Park, NY, including purchase of equipment	600,000	Clinton, Schumer; Reynolds, Thomas
HRSA	Huntridge Teen Center and Nevada Dental Association, Las Vegas, NV, to purchase equipment and coordinate care for the Huntridge Dental Clinic	275,000	Reid
HRSA	Huntsville Hospital, Huntsville, AL for facilities and equipment	200,000	Cramer, Robert
HRSA	Hurley Medical Center, Flint, MI for health information systems	320,000	Kildee, Dale; Levin
HRSA	Idaho State University, Pocatello, ID for the Advanced Clinical Simulation Laboratory, including facilities and equipment	250,000	Simpson, Michael; Crapo
HRSA	Illinois Masonic Medical Center, Chicago, IL for facilities and equipment	250,000	Emanuel, Rahm
HRSA	Illinois Primary Health Care Association, Springfield, IL for health information systems for clinic sites across the State	600,000	Durbin, Obama; Jackson (IL), Jesse; LaHood, Ray
HRSA	India Community Center, Milpitas, CA for facilities and equipment for the medical clinic	300,000	Honda, Michael
HRSA	Indiana Regional Medical Center, Indiana, PA, for services expansion	90,000	Specter; Murtha, John
HRSA	Indiana University Bloomington, IN for facilities and equipment for the School of Nursing	75,000	Hill, Baron; Bayh, Luger
HRSA	Indiana University School of Medicine, Gary, IN for facilities and equipment for the Northwest Indiana Health Research Institute	525,000	Visclosky, Peter
HRSA	Indiana University School of Medicine, Indianapolis, IN for facilities and equipment	150,000	Burton (IN), Dan

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Indiana University Southeast, New Albany, IN for facilities and equipment for the School of Nursing	75,000	Hill, Baron
HRSA	Inland Behavioral Health Services, Inc., San Bernardino, CA for facilities and equipment	500,000	Lewis (CA), Jerry
HRSA	Inova Health System, Falls Church, VA, for construction, renovation, and equipment	100,000	Warner, Webb; Davis, Tom
HRSA	Institute for Family Health, New Paltz, NY for health information systems across all eight academic health centers	100,000	Hinchey, Maurice
HRSA	Institute for Research and Rehabilitation, Houston, TX for purchase of equipment	200,000	Culberson, John
HRSA	INTEGRIS Health, Oklahoma City, OK for a telemedicine demonstration	200,000	Fallin, Mary; Cole, Tom; Lucas, Frank
HRSA	INTEGRIS Health, Oklahoma City, OK, for statewide digital radiology equipment	100,000	Inhofe
HRSA	Intermountain Healthcare, Salt Lake City, UT for an electronic health records initiative, including equipment	170,000	Cannon, Chris; Bishop, Rob; Bennett
HRSA	Iowa Caregivers Association, for training and support of certified nurse assistants	300,000	Harkin
HRSA	Jackson Medical Mall Foundation, Jackson, MS, for construction, renovation, and equipment	150,000	Cochran
HRSA	Jackson State University, Jackson, MS, for Southern Institute for Mental Health Research and Training	250,000	Cochran
HRSA	Jameson Hospital, New Castle, PA for facilities and equipment	304,000	Altmire, Jason; Specter, Casey
HRSA	Jasper Memorial Hospital, Monticello, GA for facilities and equipment	40,000	Marshall, Jim
HRSA	Jefferson County, AL for the Senior Citizens' Centers, including facilities and equipment	300,000	Bachus, Spencer
HRSA	Jefferson Regional Medical Center Nursing School, Pine Bluff, AR for facilities and equipment	1,000,000	Lincoln, Pryor; Ross, Mike
HRSA	Jefferson Regional Medical Center, Pittsburgh, PA, for equipment	90,000	Specter, Casey, Jr.; Murphy, Tim
HRSA	Jenkins County GA Hospital, Millen, GA for facilities and equipment	275,000	Barrow, John
HRSA	Jewish Renaissance Medical Center, Perth Amboy, NJ, for construction, renovation and equipment	190,000	Menendez, Lautenberg; Sires, Albio
HRSA	John Wesley Community Health Institute, Bell Gardens, CA for facilities and equipment for the Bell Gardens Health Center	150,000	Roybal-Allard, Lucille
HRSA	Johns Hopkins University, Baltimore, MD, to expand the Critical Event Preparedness and Response program	250,000	Mikulski
HRSA	Johnson Memorial Hospital, Stafford Springs, CT for facilities and equipment	250,000	Courtney, Joe
HRSA	Johnston Memorial Hospital, Smithfield, NC for facilities and equipment	320,000	Etheridge, Bob; Burr
HRSA	Kalamazoo Valley Community College, Kalamazoo, MI for purchase of equipment	350,000	Upton, Fred; Levin, Stabenow
HRSA	Kane Community Hospital, Kane, PA, for equipment	90,000	Specter
HRSA	Kansas State University, Manhattan, KS, for equipment for the Midwest Institute for Comparative Stem Cell Biology	500,000	Brownback; Boyda (KS), Nancy
HRSA	Kennedy Krieger Institute, Baltimore, MD, for medical equipment	250,000	Mikulski, Cardin
HRSA	Kennedy Krieger Institute, Baltimore, MD for facilities and equipment for the International Center for Spinal Cord Injury facility	450,000	Hoyer, Steny; Cummings, Elijah
HRSA	Kenosha Community Health Center, Kenosha, WI, for construction, renovation and equipment	170,000	Kohl
HRSA	Kent State University Stark Campus, North Canton, OH for facilities and equipment	500,000	Regula, Ralph
HRSA	Kent State University, Ashtabula, OH for facilities and equipment	400,000	LaTourette, Steven
HRSA	Kilmichael Hospital, Kilmichael, MS for facilities and equipment	175,000	Thompson (MS), Bennie
HRSA	Kirkwood Community College, Cedar Rapids, IA for facilities, equipment and curriculum for an advanced medical simulation instruction center	225,000	Loebsack, David; Grassley
HRSA	Knox Community Hospital, Mount Vernon, OH for facilities and equipment	275,000	Space, Zachary; Voinovich
HRSA	Kootenai Medical Center, Sandpoint, ID, to continue providing and improving distance healthcare access in north Idaho	250,000	Craig
HRSA	La Clinica de la Raza, Oakland, CA for facilities and equipment for the San Antonio Neighborhood Health Center	300,000	Lee, Barbara
HRSA	La Rabida Children's Hospital, Chicago, IL for facilities and equipment	225,000	Jackson (IL), Jesse
HRSA	Lake Erie College of Osteopathic Medicine, Erie, PA for the Drug Information Center	500,000	English (PA), Phil
HRSA	Lakeland Community College, Kirtland, OH for a health information training program, including facilities and equipment	100,000	LaTourette, Steven
HRSA	Lakeshore Foundation, Birmingham, AL, for construction, renovation, and equipment	508,500	Sessions
HRSA	Lamar University, Beaumont, TX for the Community and University Partnership Service, including facilities and equipment	150,000	Poe, Ted
HRSA	Lamoille Community Health Services, Morrisville, VT, for rural outreach activities	75,000	Sanders
HRSA	Lanai Women's Center, Lanai City, HI for facilities and equipment	140,000	Hirono, Mazie
HRSA	Lane County, Eugene, Oregon, for construction, renovation, and equipment of the Springfield Community Health Center	127,000	Smith, Wyden; DeFazio, Peter
HRSA	Laurens County Health Care System, Clinton, SC for an electronic health records initiative, including equipment	100,000	Barrett (SC), J.
HRSA	Lawrence Hospital Center, Bronxville, NY for facilities and equipment	225,000	Lowey, Nita
HRSA	Le Bonheur Children's Medical Center, Memphis, TN, for construction, renovation, and equipment	400,000	Alexander; Cohen, Steve
HRSA	Le Mars Dialysis Center, Le Mars, IA, for construction, renovation and equipment	200,000	Harkin
HRSA	League Against Cancer, Miami, FL for purchase of equipment	200,000	Diaz-Balart, L., Lincoln

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Legacy Health System, Portland, Oregon, for telemedicine equipment	84,700	Smith; Blumenauer, Earl; Walden (OR), Greg
HRSA	Lehigh Valley Hospital and Health Network, Allentown, PA, for construction	90,000	Specter, Casey, Jr.
HRSA	Lewis and Clark Community College, Godfrey, IL, to purchase and equip a mobile health clinic to serve rural areas	295,000	Obama
HRSA	Liberty County, FL, Bristol; FL for facilities and equipment for a medical facility	350,000	Boyd (FL), Allen
HRSA	Liberty Regional Medical Center, Hinesville, GA for facilities and equipment	200,000	Kingston, Jack
HRSA	LifeBridge Health of Baltimore, MD, to implement the Computerized Physician Order Entry Initiative	425,000	Cardin, Mikulski; Sarbanes, John; Cummings, Elijah
HRSA	Limestone Community Care, Inc. Medical Clinic, Elkmont, AL for facilities and equipment	75,000	Cramer, Robert; Shelby
HRSA	Lincoln Community Health Center, Durham, NC for facilities and equipment	200,000	Price (NC), David
HRSA	Lincoln Medical and Mental Health Center, Bronx, NY for facilities and equipment	225,000	Serrano, Jose
HRSA	Lodi Memorial Hospital, Lodi, CA for a telehealth project	175,000	McNerney, Jerry
HRSA	Loretto, Syracuse, NY for facilities and equipment for elderly health care and skilled nursing programs	250,000	Walsh (NY), James
HRSA	Los Angeles Orthopaedic Hospital, Los Angeles, CA for facilities and equipment in the Lowman Center	275,000	Roybal-Allard, Lucille
HRSA	Lou Ruvo Alzheimer's Institute, Las Vegas, NV, for construction, renovation, and equipment	339,000	Ensign
HRSA	Louisville Metro Department of Public Works, Louisville, KY for facilities and equipment for a mobile health unit	250,000	Yarmuth, John
HRSA	Lourdes Medical Center of Burlington County, Willingboro, NJ for purchase of equipment	150,000	Saxton, Jim; Lautenberg, Menendez
X HRSA	Lowell Community Health Center, Lowell, MA for facilities and equipment	240,000	Tsongas, Niki
HRSA	Loyola University Health System, Maywood, IL for facilities and equipment	400,000	Davis (IL), Danny
HRSA	Lucile Packard Children's Hospital, Palo Alto, CA for facilities and equipment	320,000	Eshoo, Anna
HRSA	Madison Center, South Bend, IN for facilities and equipment for a clinic for attention deficit hyperactivity disorder	150,000	Donnelly, Joe; Bayh
HRSA	Madison Community Health Center, Madison, WI, for equipment	275,000	Kohl
HRSA	Madison County Memorial Hospital, Rexburg, ID for facilities and equipment	250,000	Simpson, Michael
HRSA	Madison County, Virginia City, MT for facilities and equipment	300,000	Rehberg, Dennis; Baucus
HRSA	Madison St. Joseph Health Center, Madisonville, TX for facilities and equipment	120,000	Edwards, Chet
HRSA	Magee Rehabilitation Hospital, Philadelphia, PA, for equipment	90,000	Specter
HRSA	Magee-Women's Research Institute and Foundation, Pittsburgh, PA, for equipment	90,000	Specter
HRSA	Maine Center for Marine Biotechnology, Gulf of Maine Research Institute, Portland, ME for facilities and equipment	140,000	Allen, Thomas; Collins, Snowe
HRSA	Maine Coast Memorial Hospital, Ellsworth, ME, for construction, renovation, and equipment	147,500	Collins, Snowe; Michaud, Michael
HRSA	Maine Primary Care Association, Augusta, ME for health information systems in community health centers across the State	190,000	Michaud, Michael
HRSA	Maliheh Free Clinic, Salt Lake City, Utah, for renovation and equipment	50,000	Hatch
HRSA	Manchester Memorial Hospital, Manchester, CT for facilities and equipment	300,000	Larson (CT), John; Lieberman
HRSA	Marana Health Center, Marana, AZ for facilities and equipment	125,000	Giffords, Gabrielle
HRSA	Marcus Daly Memorial Hospital, Hamilton, MT, for construction, renovation and equipment	240,000	Baucus
HRSA	Marcus Institute, Atlanta, GA, for equipment	184,700	Isakson, Chambliss
HRSA	Marian Community Hospital, Carbondale, PA, for equipment	90,000	Specter
HRSA	Marias Medical Center, Shelby, MT for purchase of equipment	200,000	Baucus, Rehberg, Dennis
HRSA	Marquette General Hospital, Marquette, MI for facilities and equipment	450,000	Stupak, Bart; Levin, Stabenow
HRSA	Marquette University, Milwaukee, WI, for a dental health outreach program	210,000	Kohl
HRSA	Marshall University, WV, for the Bioengineering and Biomanufacturing Institute	1,575,000	Byrd
HRSA	Marshall University, WV, for the construction of a patient care and clinical training site in Southwestern West Virginia	2,925,000	Byrd
HRSA	Marshall University, WV, for the Virtual Colonoscopy Outreach Program	1,420,000	Byrd
HRSA	Marshalltown Medical and Surgical Center, Marshalltown, IA for high resolution medical imaging, including purchase of equipment	400,000	Latham, Tom; Grassley
HRSA	Mary Scott Nursing Center, Dayton, OH for facilities and equipment	500,000	Turner, Michael; Voinovich
HRSA	Maryland Hospital Association, Elkridge, MD, for the Nursing Career Lattice Program	450,000	Mikulski
HRSA	Maryland State Dental Association, Columbia, MD for facilities and equipment for mobile dental care units	150,000	Wynn, Albert
HRSA	Maryville University, St. Louis, MO for facilities and equipment at the Center for Science and Health Professions	200,000	Akin, W.
HRSA	Mason County Board of Health, Maysville, KY for facilities and equipment	400,000	Davis (KY), Geoff
HRSA	Massachusetts College of Pharmacy and Health Sciences, Worcester, MA for health information technology systems	350,000	McGovern, James
HRSA	Maui Community Health Center, HI, for construction, renovation and equipment	800,000	Inouye
HRSA	Maui Economic Development Board, HI, for the Lanai Women's Initiative	100,000	Inouye

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Maury Regional Hospital, Columbia, TN for facilities and equipment	400,000	Davis, Lincoln
HRSA	McKinley County, New Mexico, Gallup, NM, for construction, renovation, and equipment of the dialysis center	960,000	Domenici, Bingaman; Udall (NM), Tom
HRSA	Meadville Medical Center, Meadville, PA, for construction and equipment	90,000	Specter, Casey
HRSA	Medical Education Development Consortium, Scranton, PA, for construction	847,500	Specter, Casey, Jr.; Kanjorski, Paul
HRSA	Meharry Medical College, Nashville, TN for facilities and equipment	500,000	Cooper, Jim
HRSA	Memorial Hermann Baptist Beaumont Hospital, Beaumont, TX for facilities and equipment	200,000	Poe, Ted
HRSA	Memorial Hermann Healthcare System, Houston, TX for facilities and equipment	200,000	Culberson, John
HRSA	Memorial Hermann Southwest Hospital, Houston, TX for facilities and equipment	140,000	Green, Al
HRSA	Memorial Hospital of Laramie County, Cheyenne, WY, for design of the Comprehensive Community Cancer Center	360,000	Enzi
HRSA	Memorial Hospital, York, PA, for information technology equipment	90,000	Specter
HRSA	Memphis Bioworks Foundation, Memphis, TN, for construction, renovation, and equipment at the research park	400,000	Alexander
HRSA	Mendocino Coast District Hospital, Fort Bragg, CA for facilities and equipment	500,000	Thompson (CA), Mike
HRSA	Menominee Indian Tribe of Wisconsin, Keshena, WI for facilities and equipment for the Family Wellness Center	400,000	Kagen, Steve
HRSA	Mercy College of Northwest Ohio, Toledo, OH for facilities and equipment for the continuing professional education division	200,000	Kaptur, Marcy
HRSA	Mercy Fitzgerald Hospital, Darby, PA, for equipment	90,000	Specter
HRSA	Mercy Health Foundation, Durango, CO for facilities and equipment for a community health clinic	300,000	Salazar, John; Salazar, Allard
HRSA	Mercy Health Partners, Scranton, PA, for equipment	90,000	Specter, Casey, Jr.
HRSA	Mercy Hospital Grayling, Grayling, MI for facilities and equipment	125,000	Stupak, Bart; Levin, Stabenow
HRSA	Mercy Hospital of Philadelphia, Philadelphia, PA, for equipment	90,000	Specter
HRSA	Mercy Hospital, Baltimore, MD, for equipment	750,000	Mikulski
HRSA	Mercy Hospital, Buffalo, NY for facilities and equipment	200,000	Higgins, Brian; Clinton, Schumer
HRSA	Mercy Medical Center, Redding, CA for facilities and equipment	200,000	Herger, Wally
HRSA	Mercy Medical Center, Springfield, MA, for equipment	190,000	Kennedy, Kerry; Neal (MA), Richard
HRSA	Mercy Medical Center-House of Mercy, Des Moines, IA for facilities and equipment related to substance abuse	500,000	Harkin; Boswell, Leonard; Grassley
HRSA	Mercy Memorial Hospital, Monroe, MI for facilities and equipment	200,000	Dingell, John
HRSA	Mercy Ministries Health Center, Laredo, TX for a mobile health unit	200,000	Cuellar, Henry
HRSA	Mercy Suburban Hospital, Norristown, PA for facilities and equipment	450,000	Gerlach, Jim
HRSA	Methodist Hospital of Southern California, Arcadia, CA for facilities and equipment	700,000	Dreier, David
HRSA	Methodist Hospital, Houston, Texas, for renovation and equipment	424,000	Cornyn, Hutchison
HRSA	Methodist Hospital, Houston, TX for purchase of equipment	375,000	Culberson, John; Hutchison, Cornyn; Green, Al
HRSA	Metro Health, Cleveland, OH, for The Northeast Ohio Senior Health and Wellness Center	84,750	Voinovich
HRSA	Metropolitan Hospital, New York, NY for facilities and equipment	100,000	Rangel, Charles
HRSA	MetroWest Medical Center Framingham Union Hospital, Framingham, MA for facilities and equipment for interpreting services	100,000	Markey, Edward
HRSA	Miami Beach Community Health Center, Miami Beach, FL for facilities and equipment	150,000	Ros-Lehtinen, Ileana
HRSA	Mid Valley Hospital, Peckville, PA, for equipment, construction and renovation	90,000	Specter; Carney, Christopher
HRSA	Middle Tennessee State University, Murfreesboro, TN for facilities and equipment for the school of nursing	250,000	Gordon, Bart; Alexander
HRSA	Middlesex Community College, Lowell, MA for facilities and equipment for the health education programs	200,000	Meehan, Martin; Kennedy, Kerry
HRSA	Middletown Regional Hospital, Middletown, OH for facilities and equipment for the Greentree Science Academy in Franklin, OH	100,000	Turner, Michael; Voinovich
HRSA	Mid-Ohio FoodBank, Columbus, OH for facilities and equipment	200,000	Pryce (OH), Deborah
HRSA	Miles Community College, Miles City, MT for the Pathways to Careers in Healthcare initiative	350,000	Baucus, Tester; Rehberg, Dennis
HRSA	Minot State University, Minot, ND, to monitor and treat individuals with autism spectrum disorder in rural areas with limited access to health professionals	420,000	Dorgan, Conrad
HRSA	Mission Hospitals, Asheville, NC for facilities and equipment	200,000	Shuler, Heath; Dole, Burr
HRSA	Mississippi Primary Health Care Association, Jackson, MS	400,000	Cochran
HRSA	Mississippi State University, Mississippi State, MS, for the Tissue Engineering Research Center	250,000	Cochran
HRSA	Missouri Delta Medical Center, Sikeston, MO for purchase of equipment	200,000	Emerson, Jo Ann
HRSA	Monongahela Valley Hospital, Monongahela, PA, for equipment	90,000	Specter, Casey, Jr.; Murtha, John
HRSA	Monroe Clinic, Monroe, WI for health care information technology	300,000	Baldwin, Tammy
HRSA	Monroe County Hospital, Forsyth, GA for facilities and equipment	45,000	Marshall, Jim
HRSA	Montefiore Medical Center, Bronx, NY for health information systems	140,000	Engel, Eliot; Clinton, Schumer

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Montgomery Area Nontraditional Equestrians, Pike Road, AL for construction of facilities to serve the disabled	100,000	Rogers (AL), Mike; Shelby
HRSA	Monticello, Utah, to provide preventive screening for Monticello Mill Legacy	84,750	Hatch
HRSA	Morehead State University, Morehead, KY to improve rural health	300,000	Rogers (KY), Harold
HRSA	Morris Heights Health Center, Inc., Bronx, NY for facilities and equipment	125,000	Serrano, Jose; Clinton, Schumer
HRSA	Morton Hospital and Medical Center, Taunton, MA for facilities and equipment	350,000	Frank (MA), Barney
HRSA	Moses Taylor Hospital, Scranton, PA, for equipment	90,000	Specter, Casey, Jr.; Kanjorski, Paul
HRSA	Mount Nittany Medical Center, State College, PA for facilities and equipment	251,750	Peterson (PA), John; Specter, Casey
HRSA	Mount Sinai Medical Center, Miami Beach, FL, for construction, renovation and equipment	340,000	Bill Nelson, Martinez; Wasserman Schultz, Debbie
HRSA	Mount Vernon Hospital, Mount Vernon, NY for facilities and equipment	300,000	Engel, Eliot
HRSA	Mount Wachusett Community College, Gardner, MA for facilities and equipment	525,000	Olver, John
HRSA	Mountain State University, Beckley, WV, for the construction of the Allied Health Technology Tower	3,240,000	Byrd
HRSA	Muhlenberg Community Hospital, Greenville, KY for facilities and equipment	150,000	Whitfield, Ed
HRSA	Myrna Brind Center of Integrative Medicine, Philadelphia, PA, to develop three models of integrative programs of clinical excellence	90,000	Specter, Casey, Jr.
X HRSA	National Jewish Medical and Research Center, Denver, CO, for facilities and equipment	500,000	Salazar, Allard
HRSA	Naugatuck Valley Community College, Waterbury, CT for facilities and equipment for the nursing program	100,000	DeLauro, Rosa
HRSA	Nebraska Hospital Association Research and Education Foundation, Lincoln, NE for a telehealth demonstration, including purchase of equipment	475,000	Hagel, Nelson, Ben; Fortenberry, Jeff
HRSA	Nevada Rural Hospital Partners, Reno, NV, to expand and enhance a rural telemedicine project	450,000	Reid
HRSA	New Hampshire Community Health Centers, Concord, NH, for construction, renovation, and equipment	400,000	Gregg; Hodes, Paul
HRSA	New Orleans Office of Homeland Security and Emergency Preparedness, New Orleans, LA, for equipment and supplies for a mobile medical hospital	1,000,000	Landrieu
HRSA	New York College of Osteopathic Medicine, Old Westbury, NY for disease management and patient advocacy programs, including purchase of equipment	430,000	King (NY), Peter; Clinton, Schumer
HRSA	New York Presbyterian Hospital, New York, NY for facilities and equipment	500,000	Rangel, Charles; Schumer
HRSA	New York-Presbyterian Hospital, NY, for cardiac care telemetry	600,000	Clinton, Schumer
HRSA	Newark Beth Israel Medical Center, Newark, NJ for facilities and equipment	290,000	Payne, Donald; Lautenberg, Menendez
HRSA	Newark-Wayne Community Hospital, Newark, NY for facilities improvements and digital health care equipment	750,000	Walsh (NY), James
HRSA	Newport Hospital, Newport, RI for facilities and equipment	300,000	Kennedy, Patrick
HRSA	Newton Memorial Hospital, Newton, NJ for purchase of equipment	150,000	Garrett (NJ), Scott; Lautenberg, Menendez
HRSA	Niagara Falls Memorial Medical Center, Niagara Falls, NY for facilities and equipment	500,000	Slaughter, Louise; Clinton, Schumer
HRSA	Noble Hospital, Westfield, MA, for construction, renovation and equipment	170,000	Kennedy, Kerry
HRSA	Norman Regional Health System, Norman, OK for telehealth and electronic medical records initiatives	640,000	Cole (OK), Tom; Inhofe
HRSA	North Country Children's Clinic, Inc., Watertown, NY, for construction and renovation	500,000	Clinton, Schumer
HRSA	North Dakota State University, Fargo, ND, to expand a statewide telepharmacy project	850,000	Dorgan, Conrad; Pomeroy, Earl
HRSA	North General Hospital, New York, NY, for construction, renovation and equipment	700,000	Clinton, Schumer; Rangel, Charles
HRSA	Northcentral Montana Healthcare Alliance, Great Falls, MT, for health information technology	175,000	Tester
HRSA	NorthEast Ohio Neighborhood Health Services, Inc., Cleveland, OH for facilities and equipment	300,000	Jones (OH), Stephanie
HRSA	Northeast Wisconsin Technical College, Green Bay, WI for a mobile health clinic	175,000	Kagen, Steve
HRSA	Northeastern Pennsylvania Technology Institute, Scranton, PA, to connect the eighteen regional hospitals with state and federal medical experts during incident response and recovery	90,000	Specter, Casey, Jr.
HRSA	Northern Dutchess Hospital, Rhinebeck, NY for health information technology systems	200,000	Gillibrand, Kirsten
HRSA	Northern Larimer County Health District, Fort Collins, CO, for the Acute Mental Health and Detoxification Facility	85,000	Salazar
HRSA	Northern Maine Community College, Presque Isle, ME, for construction, renovation, and equipment	107,500	Collins, Snowe; Michaud, Michael
HRSA	Northern Virginia Urban League, Alexandria, VA, for services and equipment to promote healthy pregnancy outcomes in the Northern Virginia region	150,000	Warner, Webb; Moran (VA), James
HRSA	Northern Westchester Hospital, Mount Kisco, NY for facilities and equipment	100,000	Hall (NY), John
HRSA	Northland Medical Center, Princeton, MN for purchase of equipment	350,000	Bachmann, Michele
HRSA	Northwest Colorado Visiting Nurse Association, Inc., Steamboat Springs, CO, to construct and equip a community health clinic	125,000	Salazar; Salazar, John
HRSA	Northwest Community Health Care, Pascoag, RI for facilities and equipment	450,000	Langevin, James; Reed, Whitehouse
HRSA	Northwest Hospital and Medical Center, Seattle, WA, for a Community Health Education and Simulation Center	1,000,000	Murray, Cantwell; Inslee, Jay
HRSA	Northwest Hospital Intermediate Care Unit, Randallstown, MD for facilities and equipment	125,000	Ruppersberger, C. A.; Mikulski
HRSA	Northwest Hospital, Baltimore, MD, for equipment	375,000	Mikulski
HRSA	Northwest Kidney Centers, Seattle, WA for facilities and equipment	290,000	McDermott, Jim; Smith (WA), Adam; Reichert, David; Cantwell

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Northwest Nazarene University, Nampa, ID for facilities and equipment	450,000	Craig, Crapo; Sali, Bill
HRSA	Northwest Research and Education Institute, Billings, MT, to create a continuing medical education program	280,000	Baucus
HRSA	Northwestern Memorial Hospital, Chicago, IL for facilities and equipment for Prentice Women's Hospital	375,000	Jackson (IL), Jesse; Kirk, Mark; Durbin
HRSA	NYU School of Medicine, NY, NY, for the Basic Research and Imaging Program	900,000	Clinton, Schumer
HRSA	Oakland University School of Nursing, Rochester, MI for facilities and equipment	350,000	Knollenberg, Joe; Levin, Stabenow
HRSA	Oaklawn Adult Group Home, Goshen, IN for facilities and equipment	150,000	Souder, Mark
HRSA	Oakwood Healthcare System Foundation, Dearborn, MI for facilities and equipment for the Western Wayne Family Health Center	200,000	Dingell, John; Levin, Stabenow
HRSA	Ocean Beach Hospital, Ilwaco, WA for a telepharmacy program	550,000	Baird, Brian
HRSA	Oconee Memorial Hospital, Seneca, SC, to design, develop, and implement a community-wide health information exchange system	84,750	Graham
HRSA	Ohio State University Comprehensive Cancer Center, Columbus, OH for James Cancer Survivorship Center for construction of facilities	234,750	Tiberi, Patrick; Voinovich
HRSA	Ohio University, Athens, Ohio, for the Appalachian Healthcare Screening Program	200,000	Brown; Space, Zachary
HRSA	Ohio Valley General Hospital, McKees Rocks, PA, for equipment	90,000	Specter, Casey, Jr.
HRSA	Oklahoma Foundation for Kidney Disease, Oklahoma City, OK, for telehealth applications	85,750	Inhofe
HRSA	Oklahoma Medical Research Foundation (OMRF), Oklahoma City, OK, for construction, renovation, and equipment of a Biotech Research Tower	100,000	Inhofe; Fallin, Mary
HRSA	Oklahoma State University, Center for Health Sciences, Tulsa, OK, for mobile health clinics	100,000	Inhofe; Sullivan, John
HRSA	Oklahoma University College of Medicine -Tulsa, Tulsa, OK for facilities and equipment	150,000	Sullivan, John; Inhofe
HRSA	Olympic Community Action Program, Port Angeles, WA for facilities and equipment for the OlyCAP Oral Health Center	50,000	Dicks, Norman
HRSA	Orange County Government, Orlando, FL, for health information technology equipment	169,500	Martinez, Bill Nelson
HRSA	Oregon Coast Community College, Newport, OR for facilities and equipment for health professions education	134,700	Smith, Wyden; Hooley, Darlene
HRSA	Osceola County Health Department, Poinciana, FL for facilities and equipment	200,000	Putnam, Adam
HRSA	Osceola Medical Center, Osceola, WI for facilities and equipment	150,000	Obey, David
HRSA	Ottumwa Regional Health Center, Ottumwa, IA, for construction, renovation and equipment	400,000	Harkin, Grassley; Loebsack, David
HRSA	Our Lady of Lourdes Medical Center, Camden, NJ, for facilities and equipment	600,000	Lautenberg, Menendez
HRSA	Our Lady of Lourdes Memorial Hospital, Binghamton, NY for facilities and equipment	350,000	Hinchey, Maurice
HRSA	Owensboro Medical Center, Owensboro, KY, for construction, renovation, and equipment	127,125	Bunning
HRSA	Palisades Medical Center, North Bergen, NJ for facilities and equipment	275,000	Rothman, Steven; Lautenberg, Menendez
HRSA	Palmetto Health Foundation, Columbia, SC for facilities and equipment	1,000,000	Clyburn, James
HRSA	Parkland Health Center, Farmington, MO for facilities and equipment	200,000	Emerson, Jo Ann
HRSA	Passavant Area Hospital, Jacksonville, IL for facilities and equipment	250,000	LaHood, Ray
HRSA	Pattie A. Clay Regional Medical Center, Richmond, KY for facilities and equipment	250,000	Chandler, Ben
HRSA	Pee Dee Healthy Start, Florence, SC for programs to improve maternal and child health	88,000	Clyburn, James
HRSA	Peninsula Hospital Center, New York, NY for health information systems	320,000	Meeks (NY), Gregory; Schumer
HRSA	Penn State Milton S. Hershey Medical Center/College of Medicine, Hershey, PA, for construction	169,500	Specter, Casey, Jr.
HRSA	People, Inc., Williamsville, NY for electronic health records upgrades	400,000	Reynolds, Thomas; Schumer
HRSA	Peralta Community College, Oakland, CA for facilities and equipment for the nursing program at Highland Hospital	300,000	Lee, Barbara
HRSA	Person Memorial Hospital, Roxboro, NC for facilities and equipment	340,000	Miller (NC), Brad
HRSA	Philadelphia College of Osteopathic Medicine, Philadelphia, PA, for equipment	90,000	Specter
HRSA	Phoebe Putney Memorial Hospital, Albany, GA, to partner with Dougherty County School System to implement a pilot program to promote healthy lifestyles in school children	84,700	Chambliss
HRSA	Phoenix Children's Hospital, Phoenix, AZ for health information systems	300,000	Pastor, Ed
HRSA	Piedmont Access to Health Services, Inc. (PATHS), Danville, VA, for construction, renovation and equipment	145,000	Webb, Warner
HRSA	Pinnacle Health System, Harrisburg, PA, for construction	90,000	Specter, Casey, Jr.
HRSA	Pioneer Valley Life Sciences Institute, Springfield, MA, for the construction of biomedical research facilities	380,000	Kennedy, Kerry
HRSA	Placer County, Auburn, CA for construction of the Children's Health Center/Emergency Shelter	400,000	Doolittle, John
HRSA	Pocono Medical Center, East Stroudsburg, PA, for construction	90,000	Specter, Casey, Jr.
HRSA	Pointe Coupee Better Access Community Health, New Roads, LA for facilities and equipment	350,000	Landrieu, Vitter; Alexander, Rodney
HRSA	Ponce Center of Autism, Municipality of Ponce, PR for facilities and equipment at the Autism Center	225,000	Fortuno, Luis
HRSA	Powell County Medical Center, Deer Lodge, MT for facilities and equipment	100,000	Baucus; Rehberg, Dennis
HRSA	Powell Valley Health Care, Powell, WY for electronic information technology	400,000	Cubin, Barbara; Enzi
HRSA	Prairie Star Health Center, Hutchinson, KS for facilities and equipment	200,000	Moran (KS), Jerry
HRSA	Preston Memorial Hospital, Kingwood, WV for information technology equipment	300,000	Mollohan, Alan

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Primary Care Association of HI, for construction, renovation, equipment, disability services and outreach at the State's health centers	1,000,000	Inouye, Akaka
HRSA	Project Access Spokane, Spokane, WA for healthcare delivery to low income residents	200,000	McMorris Rodgers, Cathy
HRSA	ProMedica Continuing Care Service Corporation, Adrian, MI for a telemedicine initiative	163,000	Walberg, Timothy; Levin, Stabenow
HRSA	Provena Saint Joseph Hospital, Elgin, IL for facilities and equipment	300,000	Hastert, J.
HRSA	Providence Community Health Centers, Providence, RI, for construction	255,000	Reed, Whitehouse
HRSA	Providence Health System, Anchorage, AK to improve services in underserved regions	200,000	Young (AK), Don; Stevens
HRSA	Providence Medical Center, Kansas City, KS, for telehealth upgrades	350,000	Brownback
HRSA	Providence Telehealth Network Rural Outreach Program, Spokane, WA, for equipment	250,000	Murray
HRSA	Putnam Hospital Center, Carmel, NY for facilities and equipment	200,000	Hall (NY), John; Clinton, Schumer
HRSA	Quebrada Health Center, Municipality of Camuy, PR for purchase of equipment	125,000	Fortuno, Luis
HRSA	Quincy Valley Medical Center, Quincy, WA for facilities and equipment	150,000	Hastings (WA), Doc
HRSA	Rancho Santiago Community College District, Santa Ana, CA for facilities and equipment for a medical education complex in Garden Grove, CA	240,000	Sanchez, Loretta
HRSA	Rapid City Area School District 51/4, Rapid City, SD, for construction, renovation, and equipment for a school-based health clinic	84,750	Thune
HRSA	Reading Hospital and Medical Center, West Reading, PA, for equipment	90,000	Specter, Casey, Jr.
HRSA	Reading Hospital School of Nursing, West Reading, PA for nurse training programs including facilities and equipment	200,000	Gerlach, Jim
HRSA	Redevelopment Authority of the County of Washington, Washington, PA, for construction and renovation at Washington Hospital	90,000	Specter
HRSA	Reformed Presbyterian Woman's Association, Pittsburgh, PA for facilities and equipment for a skilled nursing facility	320,000	Doyle, Michael
HRSA	Regional Children's Hospital, Johnson City, TN for facilities and equipment	100,000	Davis, David
HRSA	Rhode Island Quality Institute, Providence, RI for health information technology in conjunction with Rhode Island mental health organizations	500,000	Whitehouse, Reed; Kennedy, Patrick
HRSA	Rice University, Houston, TX, for equipment for the Collaborative Research Center	375,000	Hutchison; Culberson, John
HRSA	Rio Arriba County, Espanola, NM for facilities and equipment for the Health Commons	750,000	Udall (NM), Tom; Bingaman
HRSA	Riverside County Regional Medical Center, Moreno Valley, CA for facilities and equipment	600,000	Feinstein; Bono, Mary, Calvert, Ken
HRSA	Riverside County Regional Medical Center, Moreno Valley, CA for facilities and equipment	140,000	Calvert, Ken; Bono, Mary
HRSA	Riverside Health System, Newport News, VA for the Patient Navigator Program	150,000	Davis, Jo Ann; Scott, Robert
HRSA	Riverside Healthcare, Kankakee, IL, for a computerized physician order entry system	295,000	Obama
HRSA	Rochester General Hospital, Rochester, NY, for heart failure equipment and training	250,000	Clinton, Schumer
HRSA	Roosevelt Hospital, New York, NY for facilities and equipment	390,000	Nadler, Jerrold; Schumer
HRSA	Roper/Saint Francis Healthcare, Charleston, SC, for the expansion initiative for construction, renovation, and equipment	169,500	Graham; Brown (SC), Henry
HRSA	Rosebud Inter-facility Transport, Rosebud, SD, for purchase of emergency vehicles and equipment	200,000	Johnson
HRSA	Rosebud Sioux Tribe, Rosebud, SD for facilities and equipment	800,000	Johnson; Herseth Sandlin, Stephanie
HRSA	Roswell Park Cancer Institute, Buffalo, NY for facilities and equipment	440,000	Higgins, Brian; Clinton, Schumer
HRSA	Rural Health Technology Consortium for facilities and equipment	200,000	Rehberg, Dennis
HRSA	Rural Wisconsin Health Cooperative, Sauk City, WI, for health information technology	190,000	Kohl
HRSA	Rush University Medical Center, Chicago, IL for facilities and equipment for the Center for Advanced Medical Response	225,000	Jackson (IL), Jesse
HRSA	Sac and Fox Tribe of the Mississippi in Iowa for a Tribal Health Care Clinic	625,000	Harkin
HRSA	Sacred Heart Hospital of Allentown, Allentown, PA, for equipment	90,000	Specter
HRSA	Saginaw Valley State University, University Center, MI for purchase of equipment	350,000	Camp (MI), Dave; Levin, Stabenow
HRSA	Saint Agnes Hospital, Baltimore, MD, for equipment	750,000	Mikulski, Cardin; Cummings, Elijah
HRSA	Saint Alphonsus Regional Medical Center, Boise, ID, for rural emergency medical services training and equipment	250,000	Craig
HRSA	Saint Anthony Hospital, Oklahoma City, OK, for construction, renovation, and equipment of a Level II Newborn Nursery	100,000	Inhofe; Fallin, Mary
HRSA	Saint Croix Regional Family Health Center, Princeton, ME, for construction, renovation, and equipment	137,500	Collins, Snowe
HRSA	Saint Francis Hospital, Grand Rapids, MI, for construction, renovation and equipment	255,000	Levin, Stabenow
HRSA	Saint Francis University, Loretto, PA, for equipment	90,000	Specter
HRSA	Saint Joseph's Hospital, Nashua, NH, for the Patient Focused Technology Initiative	589,000	Sununu, Gregg; Hodes, Paul
HRSA	Saint Joseph's Hospital, Phoenix, AZ, to purchase and equip a mobile prenatal clinic for the MoMobile program	423,750	Kyl; Pastor, Ed
HRSA	Saint Louis Children's Hospital, St. Louis, MO, for construction, renovation, and equipment of the Neonatal Intensive Care Unit Expansion	847,000	Bond
HRSA	Saint Luke's Episcopal Hospital, Houston, TX, for equipment for the Neuroscience Center	175,000	Hutchison; Green, Al; Lampson, Nick; Green, Gene

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Saint Luke's Hospital, Allentown, PA, for construction and equipment	90,000	Specter
HRSA	Saint Luke's Miners Memorial Hospital, Coaldale, PA, for equipment	90,000	Specter
HRSA	Saint Mary Medical Center, Langhorne, PA, for health outreach programs	90,000	Specter
HRSA	Saint Mary's Good Samaritan Hospital, Mount Vernon, IL, for equipment	450,000	Durbin; Shimkus, John
HRSA	Saint Mary's Health Care, Grand Rapids, MI for an electronic health records initiative, including equipment	150,000	Ehlers, Vernon
HRSA	Saint Mary's Hospital Incorporated, Waterbury, CT, for construction, renovation and equipment	550,000	Lieberman, Dodd; Murphy (CT), Christopher
HRSA	Saint Mary's Medical Center, Lewiston, ME, for equipment	162,500	Collins, Snowe; Allen, Thomas
HRSA	Saint Patrick Hospital and Health Sciences Center, Missoula, MT, to implement an electronic medical records system	320,000	Baucus, Tester; Rehberg, Dennis
HRSA	Saint Peter's Hospital, Helena, MT, for construction, renovation and equipment	120,000	Baucus
HRSA	Saint Vincent Healthcare Foundation, Billings, MT, for a feasibility study on the establishment of the Montana Children's Hospital Network	600,000	Baucus, Tester
HRSA	Saint Vincent Regional Medical Center, Santa Fe, NM, for construction, renovation, and equipment	750,000	Domenici, Bingaman; Udall (NM), Tom
HRSA	Sam Rogers Health Clinic, Kansas City, MO for facilities and equipment	320,000	Cleaver, Emanuel
HRSA	San Antonio Hospital Foundation, Upland, CA for facilities and equipment	550,000	Dreier, David
HRSA	San Diego County, Santee, CA, to purchase equipment for Edgemoor Hospital renovation	420,000	Feinstein
HRSA	San Francisco Medical Center Outpatient Improvement Programs, Inc., San Francisco, CA for facilities and equipment	450,000	Pelosi, Nancy
HRSA	San Luis Valley Regional Medical Center, Alamosa, CO, for health information technology	170,000	Salazar
HRSA	San Mateo County, Redwood City, CA for facilities and equipment for the San Mateo Medical Center Emergency Department	450,000	Lantos, Tom
HRSA	San Ysidro Health Center, San Ysidro, CA for facilities and equipment	100,000	Filner, Bob
HRSA	Sandoval County, Bernalillo, NM for a telemedicine initiative, including purchase of equipment	200,000	Wilson (NM), Heather; Udall, Tom; Bingaman, Domenici
HRSA	Santa Rosa Memorial Hospital, Orange, CA for facilities and equipment	390,000	Woolsey, Lynn
HRSA	Schneck Medical Center, Seymour, IN for facilities and equipment	400,000	Hill, Baron; Bayh, Lugar
HRSA	Scotland Memorial Hospital, Laurinburg, NC for facilities and equipment	300,000	Hayes, Robin
HRSA	Seattle Cancer Care Alliance, Seattle, WA for facilities and equipment	1,500,000	Murray; McDermott, Jim; Cantwell; Inslee, Jay; Smith (WA), Adam; Dicks, Norman; Larsen (WA), Rick; Reichert, David
HRSA	Sharon Regional Health System, Sharon, PA, for equipment	90,000	Specter
HRSA	Sharp Rehabilitation Services, San Diego, CA for facilities and equipment	200,000	Davis (CA), Susan
HRSA	Shasta Community Health Center, Redding, CA for facilities and equipment	150,000	Herger, Wally
HRSA	Shawano County Rural Health Initiative, Shawano, WI for rural health care	75,000	Kagen, Steve
HRSA	Shodair Children's Hospital, Helena, MT, for project Cancer Genetics	120,000	Baucus
HRSA	Sidney Health Center, Sidney, MT for purchase of equipment	300,000	Rehberg, Dennis
HRSA	Sierra Nevada Memorial Foundation, Grass Valley, CA for an electronic health records initiative	350,000	Doolittle, John
HRSA	Sierra Vista Hospital, Truth or Consequences, NM, for construction, renovation, and equipment	750,000	Domenici, Bingaman
HRSA	Sistersville General Hospital, Sisterville, WV for facilities and equipment	250,000	Mollohan, Alan
HRSA	Sixteenth Street Community Health Center, Milwaukee, WI, for renovations	275,000	Kohl
HRSA	Skagit Valley Hospital Cancer Care Center, Mount Vernon, WA for facilities and equipment	425,000	Larsen (WA), Rick; Cantwell
HRSA	Soldiers & Sailors Memorial Hospital, Wellsboro, PA, for emergency department expansion	90,000	Specter
HRSA	Soldiers and Sailors Memorial Hospital, Wellsboro, PA for purchase of equipment	200,000	Peterson (PA), John
HRSA	Somerset Hospital, Somerset, PA, for equipment	90,000	Specter, Casey, Jr.; Shuster, Bill
HRSA	Somerset Medical Center, Somerville, NJ for electronic health records upgrades	500,000	Frelinghuysen, Rodney; Lautenberg, Menendez
HRSA	South Broward Hospital District, Hollywood, FL for facilities and equipment	275,000	Wasserman Schultz, Debbie
HRSA	South Carolina HIV/AIDS Council, Columbia, SC for health outreach	185,000	Clyburn, James
HRSA	South Carolina Office of Rural Health, Lexington, SC, for an electronic medical records system	169,500	Graham
HRSA	South Dakota State University, Brookings, SD, for construction of a pharmacy education space	300,000	Johnson
HRSA	South Dakota State University, Brookings, SD, to construct the Center for Accelerated Design, Screen, and Development of Biomaterials	350,000	Johnson
HRSA	South Nassau Communities Hospital, Oceanside, NY for facilities and equipment	320,000	McCarthy (NY), Carolyn
HRSA	South Shore Hospital, South Weymouth, MA for facilities and equipment	400,000	Delahunt, William; Kennedy, Kerry
HRSA	South Sound Health Communication Network, Tacoma, WA, for a community Health Record Bank	200,000	Cantwell
HRSA	Southampton Hospital, Southampton, NY for facilities and equipment	500,000	Bishop (NY), Timothy; Clinton, Schumer
HRSA	Southcentral Foundation, Anchorage, AK, to purchase equipment for the Primary Care Center in Anchorage, Alaska	1,000,000	Stevens
HRSA	Southeast Alabama Medical Center, Dothan, AL for facilities and equipment for the Southeast Regional Cancer Screening Program	350,000	Everett, Terry; Shelby

LABOR/HHS/EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Southeast Community College, Cumberland, KY for facilities and equipment for an allied health training center	100,000	Rogers (KY), Harold
HRSA	Southern Methodist University, Dallas, TX for purchase of equipment	325,000	Hutchison; Sessions, Pete
HRSA	Southern Vermont Recreation Center Foundation, Springfield, VT for facilities and equipment for a medical rehabilitation unit	125,000	Welch (VT), Peter
HRSA	Southwest Tennessee Community College, Memphis, TN for facilities and equipment	320,000	Cohen, Steve
HRSA	St James Hospital and Health Centers, Chicago Heights, IL for facilities and equipment for the Olympia Fields campus	225,000	Jackson (IL), Jesse
HRSA	St. Agnes Hospital. Fresno, CA for purchase of equipment	160,000	Radanovich, George
HRSA	St. Ambrose University, Davenport, IA for facilities and equipment	550,000	Harkin, Grassley; Braley (IA), Bruce
HRSA	St. Anthony Community Hospital, Warwick, NY for facilities and equipment	100,000	Hall (NY), John
HRSA	St. Anthony Hospital, Chicago, IL for facilities and equipment	440,000	Gutierrez, Luis
HRSA	St. Anthony Memorial Health Centers, Hammond, IN for facilities and equipment	275,000	Donnelly, Joe; Luger
HRSA	St. Bernard Health Center, Inc., Chalmette, LA for facilities and equipment	1,350,000	Landrieu, Vitter; Melancon, Charlie
HRSA	St. Bernardine Medical Center, San Bernardino, CA for facilities and equipment	700,000	Lewis (CA), Jerry
HRSA	St. Camillus Health and Rehabilitation Center, Syracuse, NY for the brain injury program, including facilities and equipment	400,000	Walsh (NY), James; Clinton, Schumer
HRSA	St. Catharine College, St. Catharine, KY for the allied health science program, including facilities and equipment	175,000	Lewis (KY), Ron
HRSA	St. Charles Parish, LaPlace, LA for purchase of equipment	150,000	Jindal, Bobby
HRSA	St. Clair Hospital, Pittsburgh, PA for facilities and equipment	500,000	Murphy, Tim
HRSA	St. Claire Regional Medical Center, Morehead, KY for facilities construction	200,000	Rogers (KY), Harold
HRSA	St. Elizabeth Medical Center, Utica, NY for facilities and equipment	425,000	Arcuri, Michael; Schumer
HRSA	St. Francis Hospital, Escanaba, MI for facilities and equipment	125,000	Stupak, Bart; Levin, Stabenow
HRSA	St. Francis Medical Center, Trenton, NJ for facilities and equipment	250,000	Smith (NJ), Christopher; Lautenberg, Menendez
HRSA	St. James Parish Hospital, Lutcher, LA for facilities and equipment	440,000	Melancon, Charlie
HRSA	St. John's North Shore Hospital, Harrison Township, MI for facilities and equipment	200,000	Miller (MI), Candice; Levin
HRSA	St. Joseph of the Pines, Southern Pines, NC for an electronic health records system	100,000	Coble, Howard; Dole, Burr
HRSA	St. Joseph Regional Medical Center, South Bend, IN for health care information technology	300,000	Donnelly, Joe; Lugar
HRSA	St. Joseph's Hospital Mercy Care Services, Atlanta, GA for health information technology	400,000	Lewis (GA), John; Isakson
HRSA	St. Joseph's Hospital, Buckhannon, WV for facilities and equipment	100,000	Capito, Shelley
HRSA	St. Joseph's Hospital, Savannah, GA for facilities and equipment	275,000	Barrow, John; Isakson
HRSA	St. Joseph's Regional Medical Center, Paterson, NJ for health information technology	320,000	Pascrell, Bill; Lautenberg, Menendez
HRSA	St. Joseph's/Candler Health System, Savannah, GA for purchase of equipment	250,000	Kingston, Jack
HRSA	St. Luke's Quakertown Hospital, Quakertown, PA for facilities and equipment	425,000	Murphy, Patrick
HRSA	St. Luke's Regional Medical Center, Ltd. Boise, ID for purchase of equipment	500,000	Simpson, Michael; Craig, Crapo
HRSA	St. Mary Medical Center Foundation, Langhorne, PA for facilities and equipment	100,000	Murphy, Patrick
HRSA	St. Mary Medical Center, Apple Valley, CA for the electronic intensive care unit	500,000	Lewis (CA), Jerry
HRSA	St. Mary's Hospital Foundation, Grand Junction, CO for facilities and equipment for the Saccomanno Education Center	440,000	Salazar, John
HRSA	St. Mary's Hospital, Madison, WI for facilties and equipment	200,000	Baldwin, Tammy
HRSA	St. Mary's Medical Center, Huntington, WV for facilities and equipment for the Center for Education	450,000	Rahall, Nick
HRSA	St. Mary's Regional Medical Center, Reno, NV for facilities and equipment	400,000	Heller, Dean
HRSA	St. Patrick Hospital and Health Sciences Center, Missoula, MT for an electronic medical records system	300,000	Rehberg, Dennis; Baucus, Tester
HRSA	St. Peter's Hospital Foundation, Albany, NY for facilities and equipment for the St. Peter's Breast Center	320,000	McNulty, Michael; Clinton, Schumer
HRSA	St. Petersburg College, St. Petersburg, FL for facilities and equipment	500,000	Young (FL), C.W.
HRSA	St. Vincent Hospital, Billings, MT for facilities and equipment	400,000	Rehberg, Dennis; Baucus, Tester
HRSA	St. Vincent's Charity Hospital, Cleveland, OH for facilities and equipment	450,000	Jones (OH), Stephanie; Regula, Ralph, Voinovich
HRSA	St. Vincent's Medical Center, Bridgeport, CT for facilities and equipment	425,000	Shays, Christopher; Dodd
HRSA	St. Xavier University, Chicago, IL for facilities and equipment	200,000	Biggert, Judy; Obama
HRSA	Stamford Hospital, Stamford, CT for facilities and equipment	375,000	Shays, Christopher; Dodd
HRSA	Stark Prescription Assistance Network, Canton, OH for facilities and equipment	150,000	Regula, Ralph
HRSA	State Fair Community College, Sedalia, MO for facilities and equipment	350,000	Skelton, Ike
HRSA	Stewart-Marchman Center, Inc., Daytona Beach, FL for facilities and equipment	150,000	Mica, John
HRSA	Stone Soup Group, Anchorage, AK, to continue and expand services to Alaskans with autism in Alaska	200,000	Stevens
HRSA	Stony Point Ambulance Corps, Stony Point, NY for facilities and equipment	400,000	Hall (NY), John
HRSA	Straub Hospital Burn Center, HI, for health professions training in burn treatment	100,000	Inouye

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Summers County Commission, Hinton, WV for facilities and equipment for the Appalachian Regional Healthcare Hospital	280,000	Rahall, Nick
HRSA	Susquehanna Health System, Williamsport, PA, for equipment	90,000	Specter, Casey, Jr.; Carney, Christopher
HRSA	Swedish Covenant Hospital, Chicago, IL for facilities and equipment	250,000	Emanuel, Rahm
HRSA	Swedish Medical Center, Seattle, WA, for construction, renovation and equipment	200,000	Cantwell
HRSA	Sylvan Grove Hospital, Jackson, GA for facilities and equipment	50,000	Marshall, Jim
HRSA	Tangipahoa Parish, Loranger, LA for facilities and equipment	100,000	Jindal, Bobby
HRSA	Tarleton State University, Stephenville, TX for the Rural Nursing Education Program, including purchase of equipment	200,000	Carter, John
HRSA	Tarrant County Infant Mortality Task Force, Ft. Worth, TX for education and outreach programs	100,000	Burgess, Michael
HRSA	Taylor Regional Hospital, Hawkinsville, GA for facilities and equipment	55,000	Marshall, Jim
HRSA	Temple Health and Bioscience Economic Development District, Temple, TX for facilities and equipment	350,000	Carter, John
HRSA	Temple University Health System, Philadelphia, PA, for construction and renovation	169,500	Specter, Casey
HRSA	Tennessee State University, Nashville, TN, for construction, renovation, and equipment of an animal research facility for biomedical research	200,000	Alexander; Cooper, Jim
HRSA	Teton Valley Hospital and Surgicenter, Driggs, ID for purchase of equipment	250,000	Simpson, Michael; Crapo
HRSA	Texas A&M University—Kingsville, Kingsville, TX for facilities and equipment for a research facility	240,000	Ortiz, Solomon
HRSA	Texas A&M University, College Station, TX, for equipment in the Michael E. DeBakey Institute	225,000	Hutchison; Edwards, Chet
HRSA	Texas Health Institute, Austin, TX, for equipment for an emergency communications demonstration project	200,000	Hutchison
HRSA	Texas Institute for Genomic Medicine, College Station, TX for facilities and equipment	125,000	Brady (TX), Kevin
HRSA	Texas Medical Center, Houston, TX, for the National Center for Human Performance	175,000	Hutchison
HRSA	Texas Tech University Health Sciences Center, El Paso and Lubbock, TX for facilities and equipment for the West Texas Center for Influenza Research, Education and Treatment	550,000	Thornberry, Mac; Reyes, Silvestre; Conaway, K.
HRSA	Texas Tech University Health Sciences Center, Lubbock, TX for health professionals training, including facilities and equipment	100,000	Neugebauer, Randy
HRSA	The Idaho Caring Foundation, Inc., Boise, ID for oral health services for low-income children	300,000	Simpson, Michael
HRSA	The Ohio State University Medical Center, Columbus, OH for facilities and equipment	200,000	Pryce (OH), Deborah; Voinovich
HRSA	The Village Network Boys' Village Campus, Wooster, OH for facilities and equipment	500,000	Regula, Ralph
HRSA	Thomas Jefferson University Breast Cancer Center, Philadelphia, PA for facilities and equipment	469,500	Brady (PA), Robert; Specter, Casey
HRSA	Thomason General Hospital, El Paso, TX for facilities and equipment	400,000	Reyes, Silvestre
HRSA	Thundermist Health Center, Woonsocket, RI for health information technology	500,000	Kennedy, Patrick
HRSA	Tohono O'odham Nation, Sells, AZ for facilities and equipment for its diabetes and dialysis program	125,000	Grijalva, Raul
HRSA	Toledo Children's Hospital, Toledo, OH for facilities and equipment for a palliative care program	100,000	Kaptur, Marcy
HRSA	Tomorrow's Child/Michigan SIDS, Lansing, MI for facilities and equipment	200,000	Rogers (MI), Mike; Levin, Stabenow
HRSA	Toumey Health Care System, Sumter, SC, for equipment	84,750	Graham
HRSA	Touro University, Henderson, NV, for construction and equipment for the Center for Autism Spectrum Disorders	600,000	Reid
HRSA	Town of Argo, AL for facilities and equipment for the Senior Citizens' Center for Health and Wellness	100,000	Bachus, Spencer; Shelby
HRSA	Translational Genomics Research Institute, Phoenix, AZ for facilities and equipment	923,750	Mitchell, Harry; Pastor, Ed; Kyl
HRSA	Transylvania Community Hospital, Inc., Brevard, NC for facilities and equipment	275,000	Shuler, Heath; Dole, Burr
HRSA	Trinitas Health Foundation, Elizabeth, NJ, for construction, equipment and renovation	150,000	Menendez, Lautenberg; Sires, Albio
HRSA	Trinity County, Weaverville, CA, for renovation and equipment to Mountain Community Medical Services	80,000	Boxer; Herger, Wally
HRSA	Tulare District Hospital, Tulare, CA for an electronic medical record system	150,000	Nunes, Devin
HRSA	Tuomey Healthcare System, Sumter, SC for health information systems	250,000	Spratt, John; Graham
HRSA	Twin City Hospital, Dennison, OH for facilities and equipment	325,000	Space, Zachary
HRSA	Tyrone Hospital, Tyrone, PA, for equipment	90,000	Specter
HRSA	Union Hospital, Terre Haute, IN for health information technology	200,000	Ellsworth, Brad; Luger
HRSA	Uniontown Hospital, Uniontown, PA for facilities and equipment for the chest pain center	300,000	Murtha, John
HRSA	Unity Health Care, Washington, DC for health information systems	320,000	Norton, Eleanor
HRSA	University Community Hospital/Pepin Heart Hospital, Tampa, FL for purchase of equipment	200,000	Bilirakis, Gus
HRSA	University Health System, San Antonio, TX for facilities and equipment	175,000	Rodriguez, Ciro
HRSA	University of Alabama, Tuscaloosa, AL for a telehealth initiative	100,000	Aderholt, Robert; Shelby
HRSA	University of Alabama, Tuscaloosa, AL, for construction, renovation, and equipment	9,322,500	Shelby; Bonner, Jo
HRSA	University of Alaska Statewide Office, Fairbanks, AK, for the Health Distance Education Program in Alaska	500,000	Stevens
HRSA	University of Alaska Statewide Office, Fairbanks, AK, to develop and implement a statewide health agenda in Alaska	750,000	Stevens
HRSA	University of Alaska/Anchorage, Anchorage, AK, for the Geriatric and Disabled Care Training Program in Anchorage, Alaska	250,000	Stevens

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	University of Arizona Medical Center, Tucson, AZ for facilities and equipment	425,000	Giffords, Gabrielle; Grijalva, Raul
HRSA	University of Arkansas for Medical Sciences, Little Rock, AR for facilities and equipment	620,000	Snyder, Vic; Boozman, John; Berry, Marion
HRSA	University of Arkansas Medical School Cancer Research Center, Little Rock, AR for facilities and equipment	400,000	Berry, Marion; Lincoln, Pryor
HRSA	University of California, Davis Health System, Sacramento, CA for facilities and equipment for the Center for Education	595,000	Matsui, Doris
HRSA	University of Chicago Hospitals, Chicago, IL for facilities and equipment	225,000	Jackson (IL), Jesse
HRSA	University of Colorado, Denver, CO, for construction, renovation, and equipment	254,250	Allard, Salazar
HRSA	University of Delaware, Newark, DE, for the Delaware Biotechnology Institute	380,000	Biden, Carper
HRSA	University of Georgia, Athens, GA, for construction, renovation, and equipment	84,700	Chambliss
HRSA	University of Illinois College of Medicine, Peoria, IL for facilities and equipment	250,000	LaHood, Ray
HRSA	University of Iowa, Iowa City, IA for facilities and equipment for a public health research and education building	2,250,000	Harkin; Loebsack, David; Grassley
HRSA	University of Iowa, Iowa City, IA for facilities and equipment for an advanced biomedical research institute	4,000,000	Harkin; Loebsack, David; Grassley
HRSA	University of Kansas Research Center, Lawrence, KS for facilities and equipment	425,000	Boyda (KS), Nancy
HRSA	University of Kentucky Research Foundation, Lexington, KY, for equipment and renovation	1,500,000	McConnell; Rogers (KY), Harold
HRSA	University of Kentucky Research Foundation, Lexington, KY, for the Kentucky Oral Health Initiative	500,000	McConnell
HRSA	University of Louisville Research Foundation, Louisville, KY, to upgrade and expand cardiovascular facilities at the University of Louisville	8,424,375	McConnell
HRSA	University of Maryland School of Nursing, Baltimore, MD, for the Institute for Educators in Nursing and Health Professions	750,000	Mikulski, Cardin; Cummings, Elijah
HRSA	University of Massachusetts Memorial Medical Center, Worcester, MA for health information technology	900,000	Kennedy, Kerry
HRSA	University of Memphis, Memphis, TN for facilities and equipment for the community health building	320,000	Cohen, Steve
HRSA	University of Miami Miller School of Medicine, Miami, FL, for the Center for Patient Safety	425,000	Bill Nelson
HRSA	University of Miami, Miami, FL for equipment at the Center for Research in Medical Education	150,000	Diaz-Balart, Lincoln
HRSA	University of Michigan Health System, Ann Arbor, MI for facilities and equipment for the C.S. Mott Children's and Women's Hospitals	450,000	Dingell, John
HRSA	University of Minnesota, Minneapolis, MN, for construction, renovation, and equipment	296,625	Coleman, Klobuchar; McCollum (MN), Betty
HRSA	University of Mississippi Medical Center, Jackson, MS, for construction, renovation, and equipment at the Arthur C. Guyton Laboratory Building	3,000,000	Cochran
HRSA	University of Mississippi Medical Center, Jackson, MS, for equipment for the School of Dentistry	100,000	Cochran
HRSA	University of Mississippi School of Pharmacy, University, MS, for construction, renovation, and equipment	2,300,000	Cochran
HRSA	University of Mississippi, University, MS, for Phase II of the National Center for Natural Products Research	5,000,000	Cochran
HRSA	University of Mississippi, University, MS, for the Center for Thermal Pharmaceutical Processing	300,000	Cochran
HRSA	University of Nebraska Medical Center, Omaha, NE, for construction of a cancer floor	725,000	Ben Nelson
HRSA	University of Nebraska Medical Center, Omaha, NE, for construction, renovation and equipment at the College of Nursing in Lincoln, Nebraska	100,000	Hagel, Ben Nelson
HRSA	University of Nebraska Medical Center, Omaha, NE, for the NEED-IT program for statewide lung cancer screenings	100,000	Hagel, Ben Nelson
HRSA	University of Nevada Health Sciences System, Las Vegas, NV, for construction and equipment	1,000,000	Reid
HRSA	University of Nevada School of Medicine, Center for Molecular Medicine, Reno, NV, for the purchase of equipment and for construction	1,500,000	Reid
HRSA	University of Nevada, Las Vegas, NV, for construction at the School of Public Health	700,000	Reid
HRSA	University of New Mexico, Albuquerque, NM, for construction, renovation, and equipment	3,750,000	Domenici
HRSA	University of North Alabama, Florence, AL for facilities and equipment for a science building	250,000	Cramer, Robert; Shelby
HRSA	University of North Dakota School of Medicine and Health Services, Grand Forks, ND, for construction of a forensic facility	1,275,000	Dorgan, Conrad
HRSA	University of North Texas, Denton, TX for the Center for Computational Epidemiology, including facilities and equipment	500,000	Hutchison; Marchant, Kenny
HRSA	University of Northern Colorado, Greeley, CO to develop the National Center for Nursing Education, including facilities and equipment	450,000	Musgrave, Marilyn; Salazar, Allard
HRSA	University of Pennsylvania, Philadelphia, PA, for equipment	169,500	Specter, Casey
HRSA	University of Pittsburgh Cancer Institute, Pittsburgh, PA, for equipment	169,500	Specter
HRSA	University of Pittsburgh Medical Center, Pittsburgh, PA, for equipment	90,000	Specter, Casey, Jr.
HRSA	University of South Alabama, Mobile, AL, for renovation and equipment	508,500	Sessions; Davis (AL), Artur
HRSA	University of South Dakota Sanford School of Medicine, Vermillion, SD, for medical equipment	2,000,000	Johnson
HRSA	University of South Dakota, Vermillion, SD, for biomedical laboratory facilities and equipment	100,000	Johnson
HRSA	University of South Florida for the Tampa, FL Cancer Clinical Trials Project	550,000	Young (FL), C.W.; Bilirakis, Gus
HRSA	University of Tennessee Health Science Center, Memphis, TN, for equipment at the regional biocontainment laboratory	250,000	Alexander; Cohen, Steve
HRSA	University of Tennessee of Chattanooga, Chattanooga, TN for a low birth weight study	400,000	Wamp, Zach

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	University of Texas M.D. Anderson Cancer Center, Houston, TX, for equipment	385,000	Hutchison; Lampson, Nick; Green, Gene
HRSA	University of Texas Medical Branch at Galveston, Galveston, TX, for equipment	200,000	Hutchison; Green, Gene
HRSA	University of Texas Southwestern Medical Center, Dallas, TX for facilities and equipment for the sickle cell program	500,000	Johnson, E. B., Eddie
HRSA	University of Texas Southwestern Medical Center, Dallas, TX for purchase of equipment	200,000	Sessions, Pete
HRSA	University of Virginia Health System, Charlottesville, VA for a telehealth project for southwest VA	240,000	Boucher, Rick
HRSA	University of Wisconsin Superior, Superior, WI, for construction and equipment	170,000	Kohl
HRSA	University of Wisconsin-Oshkosh, Oshkosh, WI for facilities and equipment	200,000	Petri, Thomas; Kohl
HRSA	Utah Navajo Health System, Inc., Montezuma Creek, UT for telehealth systems	140,000	Matheson, Jim
HRSA	Valley Baptist Health System, Harlingen, TX, for the Hispanic Stroke Care Center of Excellence for equipment	175,000	Hutchison; Ortiz, Solomon; Hinojosa, Ruben
HRSA	Valley Cooperative Health Care, Hudson, WI for health information systems	100,000	Kind, Ron
HRSA	Vanguard University Nursing Center, Costa Mesa, CA for facilities and equipment	200,000	Rohrabacher, Dana
HRSA	Vermont Information Technology Leaders, Inc, Montpelier, VT, for health information technology	500,000	Leahy
HRSA	Village of Kiryas Joel, NY, for equipment for a women's health center	150,000	Clinton, Schumer
HRSA	Virginia Dental Health Foundation, Richmond, VA, for the Mission of Mercy project	100,000	Warner, Webb
HRSA	Virginia Primary Care Association, Richmond, VA, for health information technology	140,000	Webb, Warner
HRSA	Virtua Memorial Hospital Burlington County, Mount Holly, NJ for purchase of equipment	200,000	Saxton, Jim; Lautenberg, Menendez
HRSA	Visiting Nurse Association Healthcare Partners of Ohio, Cleveland, OH for telehealth	400,000	Hobson, David; Kaptur, Marcy; LaTourette, Steven; Regula, Ralph
HRSA	Wadsworth Rittman Hospital Foundation, Wadsworth, OH for facilities and equipment	400,000	Regula, Ralph
HRSA	Wake County, Raleigh, NC for facilities and equipment for Holly Hill Hospital	300,000	Price (NC), David; Dole, Burr
HRSA	WakeMed Health & Hospitals, Raleigh, North Carolina, for the Emergency Operations and Regional Call Center	175,000	Dole; Miller (NC), Brad
HRSA	Washington State University, Seattle, WA, for construction and equipment at the College of Nursing	1,345,000	Murray, Cantwell
HRSA	Washington County, GA Regional Medical Center, Sandersville, GA for facilities and equipment	250,000	Barrow, John
HRSA	Washington Hospital Center, Washington, DC for facilities and equipment	320,000	Norton, Eleanor
HRSA	Washington Parish, Bogalusa, LA for health care centers, including facilities and equipment	100,000	Jindal, Bobby
HRSA	Wayne Memorial Hospital, Honesdale, PA, for equipment	90,000	Specter
HRSA	Wayne Memorial Hospital, Jesup, GA for facilities and equipment	550,000	Kingston, Jack; Chambliss
HRSA	Wayne Memorial Hospital, Jesup, GA, for construction, renovation, and equipment	84,700	Chambliss, Isakson
HRSA	Wentworth-Douglass Hospital, Dover, NH, for equipment	370,000	Gregg, Sununu; Shea-Porter, Carol
HRSA	Wesley College, Dover, DE, for the expansion of the nursing program	170,000	Carper, Biden; Castle, Michael
HRSA	West Jefferson Medical Center, Marrero, LA for facilities and equipment	440,000	Jefferson, William; Jindal, Bobby; Vitter
HRSA	West Shore Medical Center, Manistee, MI for facilities and equipment	150,000	Hoekstra, Peter; Levin, Stabenow
HRSA	West Side Community Health Services, St. Paul, MN for facilities and equipment	150,000	McCollum (MN), Betty
HRSA	West Virginia University Hospital, Morgantown, WV for facilities and equipment	200,000	Mollohan, Alan
HRSA	West Virginia University, for the construction and equipping of medical simulation research and training centers in Morgantown, Charleston and Martinsburg	2,835,000	Byrd; Mollohan, Alan
HRSA	West Virginia University, for the construction of a Multiple Sclerosis Center	3,645,000	Byrd
HRSA	Westerly Hospital, Westerly, RI, for construction, renovation and equipment	425,000	Reed; Langevin, James
HRSA	Western Kentucky University Research Foundation, Bowling Green, KY, for the Western Kentucky University Mobile Health Screening Unit	500,000	McConnell
HRSA	Western North Carolina Health System, Asheville, NC for health information technology	325,000	Shuler, Heath; Dole
HRSA	Western Pennsylvania Hospital, Pittsburgh, PA, for construction	90,000	Specter
HRSA	Wetzel County Hospital, WV, for the expansion and remolding of the Emergency Department	900,000	Byrd
HRSA	Whidden Memorial Hospital, Everett, MA for facilities and equipment	375,000	Markey, Edward
HRSA	White County Memorial Hospital, Monticello, IN for facilities and equipment	210,000	Buyer, Steve
HRSA	White Memorial Medical Center, Los Angeles, CA for facilities and equipment	400,000	Roybal-Allard, Lucille
HRSA	White Plains Hospital Center, White Plains, NY for facilities and equipment	225,000	Lowey, Nita
HRSA	Whiteside County Department of Health, Rock Falls, IL for facilities and equipment	320,000	Hare, Phil
HRSA	Whitman Walker Clinic of Northern Virginia, Arlington, VA, for construction, renovation and equipment	140,000	Webb, Warner
HRSA	Whittemore Peterson Institute for Neuro-Immune Disease, Sparks, NV for facilities and equipment	200,000	Heller, Dean; Berkley, Shelley; Sestak, Joe; Ensign
HRSA	Wills Eye Health System, Philadelphia, PA, for equipment	90,000	Specter
HRSA	Wind River Community Health Center, Riverton, WY for facilities and equipment	250,000	Cubin, Barbara; Enzi
HRSA	Wing Memorial Hospital, Palmer, MA for facilities and equipment	320,000	Neal (MA), Richard
HRSA	Winneshiek Medical Center, Decorah, IA for purchase of medical equipment	280,000	Latham, Tom
HRSA	Wistar Institute, Philadelphia, PA, for construction	90,000	Specter

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
HRSA	Wolfson Children's Hospital, Jacksonville, FL for purchase of equipment	500,000	Nelson, Bill; Crenshaw, Ander
HRSA	Woodhull Medical and Mental Health Center, Brooklyn, NY for equipment for a hospital-based radiologic technology school	330,000	Velazquez, Nydia
HRSA	Woodruff County Nursing Home, McCrory, AR for facilities and equipment	225,000	Berry, Marion
HRSA	Wyoming County Community Hospital, Warsaw, NY for facilities and equipment	150,000	Reynolds, Thomas
HRSA	Wyoming Health Resources Network, Inc., Cheyenne, WY, to expand recruitment and retention of medical professionals in Wyoming	412,000	Enzi
HRSA	Wyoming Valley Health Care System-Hospital, Wilkes-Barre, PA, for equipment	90,000	Specter, Casey, Jr.
HRSA	YMCA of Central Stark County, Canton, OH for facilities and equipment	750,000	Regula, Ralph
HRSA	York Memorial Hospital, York, PA for facilities and equipment	92,000	Platts, Todd
HRSA	Youth Crisis Center, Jacksonville, FL for facilities and equipment	300,000	Crenshaw, Ander; Martinez, Nelson, Bill; Brown, Corrine
HRSA	Zucker Hillside Hospital, Glen Oaks, NY for facilities and equipment	490,000	Ackerman, Gary
IMLS	Aerospace Museum of California Foundation, McClellan, CA for exhibits	350,000	Lungren E., Daniel
IMLS	Alabama School of Math and Science, Mobile, AL for purchase of library materials	145,000	Bonner, Jo; Shelby
IMLS	Alaska Native Heritage Center, Anchorage, AK, for a partnership with Koahnic Broadcasting for a Native Values project	250,000	Stevens
IMLS	America's Black Holocaust Museum, Milwaukee, WI for exhibits and education programs, which may include acquisition of interactivemedia center kiosks	75,000	Moore (WI), Gwen
IMLS	American Airpower Museum, Farmingdale, NY for exhibits and education programs	300,000	Israel, Steve; Schumer
IMLS	American Jazz Museum, Kansas City, MO for exhibits and education programs, and an archival project	320,000	Cleaver, Emanuel
IMLS	American West Heritage Center, Wellsville UT for the Lifelong Learning Initiative	200,000	Bishop (UT), Rob; Bennett
IMLS	Anne Arundel County Trust for Preservation, Inc., Annapolis, MD for exhibits and preservation	50,000	Hoyer, Steny
IMLS	Archives Partnership Trust, New York, NY, to digitize fragile artifacts	85,000	Reid
IMLS	Armory Center for the Arts, Pasadena, CA for educational programming	75,000	Schiff, Adam
IMLS	Bandera County, Bandera, TX for library enhancements	200,000	Smith (TX), Lamar
IMLS	Bellevue Arts Museum, Bellevue, WA	500,000	Reichert, David; Cantwell
IMLS	Bibliographical Society of America, New York, NY, for the First Ladies Museum in Canton, OH for the First White House Library Catalogue	130,000	Voinovich; Regula, Ralph
IMLS	Bishop Museum in Honolulu, HI, to enhance library services	100,000	Inouye
IMLS	Bishop Museum, Honolulu, HI, to provide Filipino cultural education	250,000	Inouye
IMLS	Boston Children's Museum, Boston, MA, for the development of exhibitions	170,000	Kennedy, Kerry
IMLS	Boyle County Public Library, Danville, KY for educational materials and equipment	200,000	Chandler, Ben
IMLS	Burpee Museum for educational programming and exhibits	150,000	Manzullo, Donald
IMLS	Charlotte County, FL, Port Charlotte, FL for archiving and equipment	300,000	Buchanan, Vern; Mahoney (FL), Tim
IMLS	Children's Museum of Indianapolis, Indianapolis, IN for exhibits and equipment	245,000	Carson, Julia; Bayh, Luger
IMLS	Children's Museum of Los Angeles, Van Nuys, CA for exhibits and education programs	300,000	Berman, Howard
IMLS	Cincinnati Museum Center, Cincinnati, OH for a digital records initiative	250,000	Chabot, Steve; Voinovich
IMLS	City of Chino Hills, Chino Hills, CA for library facility improvements	200,000	Miller, Gary
IMLS	College Park Aviation Museum, College Park, MD for exhibits and educational programs	150,000	Hoyer, Steny
IMLS	Connecticut Historical Society Museum, Hartford, CT for educational programs and interactive school programs at the Old State House	100,000	Larson (CT), John; Lieberman
IMLS	Contra Costa County, Martinez, CA for library services and its Technology for Teens in Transition volunteer mentor program at the Juvenile Hall Library	125,000	Tauscher, Ellen; Boxer
IMLS	Corporation for Jefferson's Poplar Forest, Forest, VA for expansion of exhibits and outreach	200,000	Goodlatte, Bob
IMLS	County of San Bernardino, San Bernardino, CA for exhibits and programming	250,000	Lewis (CA), Jerry
IMLS	Dallas, Texas, Dallas, TX, for the Women's Museum to expand outreach and programming efforts	200,000	Hutchison
IMLS	Des Moines Art Center, IA, for exhibits	300,000	Harkin
IMLS	Discovery Center of Idaho, Boise, ID for a science center	250,000	Simpson, Michael; Crapo
IMLS	Everson Museum of Art of Syracuse, Syracuse, NY for expansion of the Visual Thinking Strategies and Arts Education program	250,000	Walsh (NY), James
IMLS	Fairfield County Public Library, Winnsboro, SC, for acquisition of equipment to upgrade the library facilities	84,750	Graham; Spratt, John
IMLS	Figge Foundation, Davenport, Iowa, for exhibits, education programs, community outreach, and/or operations	300,000	Harkin
IMLS	Florida Holocaust Museum, St. Petersburg, FL for exhibits and programming	300,000	Young (FL), C.W.; Wexler, Robert; Nelson, Bill
IMLS	Florida Memorial University, Miami Gardens, FL, for upgrades to the Nathan W Collier Library	170,000	Bill Nelson
IMLS	Florida Southern College, Lakeland, FL to digitize holdings and create an online exhibit	250,000	Putnam, Adam
IMLS	Free Library of Philadelphia Foundation, Philadelphia, PA, for technology upgrades and acquisition	90,000	Specter

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
IMLS	George and Eleanor McGovern Library, Dakota Wesleyan University, Mitchell, SD for cataloging, preparing, and archiving documents and artifacts relating to the public service of Senator Francis Case and Senator George McGovern	350,000	Johnson, Thune; Herseth Sandlin, Stephanie
IMLS	George C. Marshall Foundation, Lexington, VA for research activities	150,000	Goodlatte, Bob
IMLS	George Washington University, Washington, DC for the Eleanor Roosevelt Papers Project	380,000	Moran (VA), James
IMLS	Great Basin College, Elko, NV, to develop exhibits and conduct outreach to education programs	350,000	Reid
IMLS	Heard Museum, Phoenix, AZ for web-based exhibits and educational programming	100,000	Pastor, Ed
IMLS	Heckscher Museum of Art, Huntington, NY for digitalization of collections and related activities	100,000	Israel, Steve; Schumer
IMLS	Historic Hudson Valley, Tarrytown, NY for education programs	50,000	Hall (NY), John
IMLS	Historic Hudson Valley, Tarrytown, NY, for education programs at Philipsburg Manor	225,000	Lowey, Nita
IMLS	History Museum of East Ottertail County, Perham, MN for exhibits and equipment	150,000	Peterson (MN), Collin
IMLS	Holbrook Public Library, Holbrook, MA, for the development of exhibits	125,000	Kennedy, Kerry
IMLS	Impression 5 Science Center, Lansing, MI for exhibits	150,000	Rogers (MI), Mike; Levin
IMLS	Iola Public Library, Iola, Kansas for educational programs, outreach, and materials	50,000	Boyda (KS), Nancy
IMLS	Iowa Radio Reading Information Service (IRRIS), to expand services	200,000	Harkin
IMLS	Italian-American Cultural Center of Iowa in Des Moines, IA for exhibits, multi-media collections, display	150,000	Harkin
IMLS	James A. Michener Art Museum, Doylestown, PA for equipment, salaries and supplies	100,000	Murphy, Patrick
IMLS	James K. Polk Association, Columbia, TN, for exhibit preparation at Polk Presidential Hall	250,000	Alexander
IMLS	Jefferson Barracks Heritage Foundation Museum, St. Louis, MO for exhibits	150,000	Carnahan, Russ
IMLS	Kansas Regional Prisons Museum, Lansing, KS for educational and outreach programs	100,000	Boyda (KS), Nancy
IMLS	Kellogg Hubbard Library, Montpelier, VT, for education and outreach	400,000	Leahy
IMLS	Los Angeles Craft and Folk Art Museum, Los Angeles, CA, for education and outreach	85,000	Feinstein, Boxer; Watson, Diane
IMLS	Massie Heritage Center, Savannah, GA for exhibit upgrades and purchase of equipment	250,000	Kingston, Jack; Barrow, John
IMLS	Metropolitan Library System, Chicago, IL for educational programming and materials	240,000	Rush, Bobby
IMLS	Mid-America Arts Alliance, Kansas City, MO, for the HELP program	100,000	Ben Nelson
IMLS	Monterey Bay Aquarium, Monterey, CA for educational programming and outreach	75,000	Farr, Sam
IMLS	Morris Museum, Morristown, NJ for development of the Interactive Educational Workshop Center Exhibit	250,000	Frelinghuysen, Rodney; Lautenberg, Menendez
IMLS	Museum of Afro-American History, Boston, MA, for the development of youth educational programs	210,000	Kennedy, Kerry
IMLS	Museum of Aviation Foundation, Warner Robins, GA for education programs	350,000	Marshall, Jim; Chambliss
IMLS	Museum of Science and Technology, Syracuse, NY for museum exhibits and operations	250,000	Walsh (NY), James
IMLS	Museum of Utah Art & History, Salt Lake City, Utah, to improve technology and exhibit preparation	211,900	Bennett
IMLS	Newport News, Virginia, Newport News, VA, to enhance library services	150,000	Warner, Webb; Davis, Jo Ann
IMLS	Oklahoma City National Memorial Foundation, Oklahoma City, OK, for educational programs and services	100,000	Inhofe
IMLS	Onondaga County Public Library, Syracuse, NY for technology upgrades	250,000	Walsh (NY), James
IMLS	Orem, Utah, for technological upgrades, equipment and resource sharing for the Orem public library	254,350	Bennett, Hatch; Cannon, Chris
IMLS	Overton County Library, Livingston, TN for collections, technology, and education programs	250,000	Gordon, Bart
IMLS	Pennsylvania State Police Historical, Educational and Memorial Museum, Hershey, PA for exhibits and educational materials	150,000	Holden, Tim
IMLS	Pico Rivera Library, Pico Rivera, CA for books and materials, equipment, and furnishings	240,000	Napolitano, Grace
IMLS	Portfolio Gallery and Education Center, St. Louis, MO for educational programming	90,000	Clay, Wm.
IMLS	Putnam Museum of History and Natural Science, Davenport, IA, for exhibits and community outreach	300,000	Harkin, Grassley
IMLS	Ralph Mark Gilbert Civil Rights Museum, Savannah, GA for exhibits, education programs, and equipment	50,000	Barrow, John
IMLS	Rust College, Holly Springs, MS to purchase equipment and digitize holdings	300,000	Wicker, Roger
IMLS	Samuel Dorsky Museum of Art, State University of New York at New Paltz, NY for exhibits and programs	150,000	Hinchey, Maurice; Schumer
IMLS	San Gabriel Library, San Gabriel, CA for equipment, furnishings, and materials	200,000	Schiff, Adam
IMLS	Shedd Aquarium, Chicago, IL for exhibits and community outreach	150,000	Bean, Melissa; Emanuel, Rahm
IMLS	South Carolina Aquarium, Charleston, SC for exhibits and curriculum	150,000	Brown (SC), Henry
IMLS	South Florida Science Museum, West Palm Beach, FL for educational and outreach programs	325,000	Klein (FL), Ron
IMLS	Southwest Museum of the American Indian, Los Angeles, CA, for the Native American Learning Lab	420,000	Feinstein, Boxer
IMLS	Texas Historical Commission, Austin, TX, for educational programming, outreach, and exhibit development	200,000	Hutchison
IMLS	Texas Tech University, Lubbock, TX to digitize library holdings	450,000	Johnson, Sam; Neugebauer, Randy
IMLS	Tubman African American Museum, Macon, GA for exhibits and education programs	70,000	Marshall, Jim
IMLS	Twin Cities Public Television, St. Paul, MN for the Minnesota Digital Public Media Archive	500,000	McCollum (MN), Betty
IMLS	University of Puget Sound, Tacoma, WA for the James R. Slater Museum of Natural History for collections, education programs, and outreach	250,000	Dicks, Norman
IMLS	University of Vermont of Burlington, VT, Burlington, VT, for a digitization project	400,000	Leahy

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
IMLS	Yolo County Library, Woodland, CA for an after-school assistance and literacy program	140,000	Thompson (CA), Mike; Boxer
IMLS	Young At Art Children's Museum, Davie, FL for the Global Village Project	175,000	Wasserman Schultz, Debbie
MSHA	Wheeling Jesuit University, for the National Technology Transfer Center for a coal slurry impoundment pilot project	1,215,000	Byrd
Rehab	Advocating Change Together, Inc., St. Paul, MN for a disability rights training initiative	100,000	McCollum (MN), Betty; Klobuchar
Rehab	Alaska Center for the Blind and Visually Impaired, Anchorage, AK, for a partnership with the Lions Club to expand low vision services to Alaskans	250,000	Stevens
Rehab	City of North Miami Beach, FL, North Miami Beach, FL for fitness and other programs for the disabled	340,000	Meek (FL), Kendrick
Rehab	Darden Rehabilitation Foundation, Gadsden, AL, for programs serving individuals with disabilities who seek to enter the work force	127,125	Sessions
Rehab	Deaf Blind Service Center, Seattle, WA, to support the National Support Service Provider Pilot Project	350,000	Murray
Rehab	Enable America, Inc., Tampa, Florida, for civic/citizenship demonstration project for disabled adults	500,000	Harkin; Young (FL), C.W.
Rehab	Jewish Vocational and Career Counseling Service, San Francisco, CA for a Transition Services Project to provide vocational training and job placement for youth and adults with disabilities	250,000	Pelosi, Nancy
Rehab	Kenai Peninsula Independent Living Center, Homer, AK, for the Total Recreation and Independent Living Services (TRAILS) project	200,000	Stevens
Rehab	National Ability Center, Park City, Utah, to provide transportation for individuals with cognitive and physical disabilities to participate independently in therapeutic recreational programs	211,375	Bennett
Rehab	Rainbow Center for Communicative Disorders, Blue Springs, MO, to expand programs available to individuals with severe disabilities	254,000	Bond
Rehab	Southeast Alaska Independent Living, Inc, Juneau, AK, to continue a joint recreation and employment project with the Tlingit-Haida Tribe	200,000	Stevens
Rehab	Special Olympics of Iowa, Des Moines, IA, for technology upgrades	100,000	Harkin; Latham, Tom
Rehab	University of Northern Colorado National Center for Low-Incidence Disabilities, Greeley, CO, for support to local schools, educational professionals, families of infants, children, and youth with low-incidence disabilities	169,500	Allard
Rehab	Vocational Guidance Services, Cleveland, OH for equipment and technology in order to increase employment for persons with disabilities	190,000	Kucinich, Dennis; Brown, Voinovich
Social Services	A+ For Abstinence, Waynesboro, PA, for abstinence education and related services	25,425	Specter
Social Services	Abyssinian Development Corporation, New York, NY, to support and expand youth and family displacement prevention programs	150,000	Clinton, Schumer
Social Services	Alaska Children's Services, Anchorage, AK, for its program to serve low income youth in Anchorage, Alaska	250,000	Stevens
Social Services	Alaska Statewide Independent Living Council, Inc., Anchorage, AK, to continue and expand the Personal Care Attendant Program and to expand outreach efforts to the disabled living in rural Alaska	200,000	Stevens, Murkowski; Young (AK), Don
Social Services	Anna Maria College, Paxton, MA, for program development at the Molly Bish Center for the Protection of Children and the Elderly	85,000	Kennedy, Kerry; McGovern, James
Social Services	Arrowhead Economic Opportunity Agency, Virginia, MN for the Family-to-Family community based mentoring program to assist low-income families	300,000	Oberstar, James; Klobuchar, Coleman
Social Services	Augusta Levy Learning Center, Wheeling, WV for services to children with Autism	100,000	Mollohan, Alan
Social Services	Beth El House, Alexandria, VA for social services and transitional housing for formerly homeless women and their children	75,000	Moran (VA), James
Social Services	Boston Medical Center, Boston, MA	175,000	Kennedy, Kerry
Social Services	Catholic Family Center, Rochester, NY, for the Kinship Caregiver Resource Network	250,000	Clinton, Schumer
Social Services	Catholic Social Services, Wilkes-Barre, PA, for abstinence education and related services	39,000	Specter
Social Services	Child Care Resource and Referral Network, Tacoma, WA, for a child care quality initiative	900,000	Murray
Social Services	Children's Home Society of Idaho, Boise, ID, for the Bridge Project to place Idaho children-in-care in foster care	225,000	Craig
Social Services	Children's Home Society of South Dakota, Sioux Falls, SD for services related to domestic violence, child abuse, and neglect	300,000	Herseth Sandlin, Stephanie
Social Services	Christian Outreach of Lutherans, Waukegan, IL for Latino leadership development in underserved areas	125,000	Kirk, Mark
Social Services	City of Chester, Bureau of Health, Chester, PA, for abstinence education and related services	30,000	Specter
Social Services	City of Detroit, MI for an Individual Development Account initiative	400,000	Kilpatrick, Carolyn; Levin, Stabenow
Social Services	City of Fort Worth, TX for programming at neighborhood-based early childhood resource centers	200,000	Burgess, Michael
Social Services	City of San Jose, CA for its Services for New Americans program, including assistance with job seeking skills, citizenship, family safety and resettlement	200,000	Honda, Michael
Social Services	Cliff Hagan Boys and Girls Club—Mike Horn Unit, Owensboro, KY for purchase of equipment	175,000	Lewis (KY), Ron
Social Services	Communities In Schools, Bell-Coryell Counties, Inc., Killeen, TX for youth counseling services	260,000	Carter, John
Social Services	Community Partnership for Children, Inc., Silver City, NM, for a child care quality initiative	170,000	Bingaman
Social Services	Community Services for Children, Inc., Allentown, PA, for early childhood development services	90,000	Specter
Social Services	Connecticut Council of Family Service Agencies, Wethersfield, CT, for the Empowering People for Success initiative	340,000	Dodd, Lieberman; DeLauro, Rosa
Social Services	Covenant House Florida, Ft. Lauderdale, FL for a program for pregnant and parenting teens and young adults	200,000	Klein (FL), Ron
Social Services	Crisis Nursery of the Ozarks, Springfield, MO for a child abuse prevention program	245,350	Blunt, Roy; Bond

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
Social Services	Crozer Chester Medical Center, Upland, PA, for abstinence education and related services	30,000	Specter
Social Services	Eisner Pediatric and Family Medical Center, Los Angeles, CA for the Parent-Child Home Program	125,000	Roybal-Allard, Lucille
Social Services	Every Citizen Has Opportunities, Inc., Leesburg, VA for services to disabled individuals	250,000	Wolf, Frank
Social Services	Family Center of Washington County, Montpelier, VT for childcare and related services	500,000	Leahy; Welch (VT), Peter
Social Services	Family Service & Childrens Aid Society, Oil City, PA, for abstinence education and related services	26,000	Specter
Social Services	Fathers and Families Center, Indianapolis, IN	80,000	Bayh
Social Services	First 5 Alameda County, San Leandro, CA for development and support of postsecondary early childhood education and training programs, which may include student scholarships	275,000	Stark, Fortney
Social Services	Friends Association for Care and Protection of Children, West Chester, PA, for programs to provide safe, secure housing for children through an emergency shelter for families, transitional housing, specialized foster care and adoption programs	90,000	Specter
Social Services	Friendship Circle of the South Bay, Redondo Beach, CA for services for children with developmental disabilities	465,000	Harman, Jane
Social Services	Greater New Britain Teen Pregnancy Prevention, Inc., New Britain, CT for the Pathways/Senderos Center for education and outreach	125,000	Murphy (CT), Christopher
Social Services	Guidance Center, Ridgeway, PA, for abstinence education and related services	26,000	Specter
Social Services	Hamilton-Madison House, New York, NY for services and equipment for a social services program	100,000	Velázquez, Nydia
Social Services	Healthy Learners Dillon, Columbia, SC for social services for economically disadvantaged children	200,000	Spratt, John
Social Services	Heart Beat, Millerstown, PA, for abstinence education and related services	39,000	Specter
Social Services	Helping Children Worldwide, Herndon, VA to assist students and families	250,000	Wolf, Frank
Social Services	Hennepin County Human Services and Public Health Department, Minneapolis, MN for the Family Healing and Restoration Network Project	425,000	Ellison, Keith; Klobuchar
Social Services	Hillside Family of Agencies, Rochester, NY for the Hillside Children's Center for adoption services	100,000	Slaughter, Louise; Clinton, Schumer
Social Services	Hope Village for Children, Meridian, MS for a program to assist foster children	215,000	Pickering, Charles
Social Services	Horizons for Homeless Children, Boston, MA for Playspace Programs for homeless children in the 7th Congressional District	75,000	Markey, Edward
Social Services	Horizons for Homeless Children, Boston, MA to continue and expand the Playspace program	160,000	Kennedy, Kerry
Social Services	Keystone Central School District, Mill Hall, PA, for abstinence education and related services	33,900	Specter
Social Services	Keystone Economic Development Corporation, Johnstown, PA, for abstinence education and related services	33,900	Specter
Social Services	Kingsborough Community College, Brooklyn, NY for the New American's Center	190,000	Weiner, Anthony; Clinton, Schumer
Social Services	L.I.F.T. Women's Resource Center, Detroit, MI for services to improve self-sufficiency and life skills of women transitioning from substance abuse, domestic violence, or homelessness	100,000	Kilpatrick, Carolyn; Levin, Stabenow
Social Services	LaSalle University, Philadelphia, PA, for abstinence education and related services	47,000	Specter
Social Services	Lawrence County Social Services, New Castle, PA for early childhood, parental training, and life skills programs	125,000	Altmire, Jason
Social Services	Lutheran Social Services, Duluth, MN for services to runaway, homeless, and other at-risk youth and their families	400,000	Oberstar, James; Klobuchar, Coleman
Social Services	Marcus Institute, Atlanta, GA for services for children and adolescents with developmental disabilities and severe and challenging behaviors	400,000	Linder, John; Johnson (GA), Henry; Chambliss, Isakson
Social Services	Mary's Family, Orlean, VA to develop a respite program for Winchester-area special needs families	100,000	Wolf, Frank
Social Services	Mecklenburg County, Charlotte, NC, for a program to combat domestic violence	200,000	Hayes, Robin; Myrick, Sue; Burr
Social Services	Mercy Hospital of Pittsburgh, Pittsburgh, PA, for abstinence education and related services	47,000	Specter
Social Services	Missouri Bootheel Regional Consortium, Portageville, MO for the Fatherhood First program	350,000	Emerson, Jo Ann
Social Services	Monterey County Probation Department, Salinas, CA for the Silver Star gang prevention and intervention program	450,000	Farr, Sam; Boxer
Social Services	My Choice, Inc., Athens, PA, for abstinence education and related services	22,000	Specter
Social Services	Nashua Adult Learning Center, Nashua, NH for a Family Resource Center	100,000	Hodes, Paul
Social Services	National Energy Assistance Directors' Association, Washington, DC for research and information dissemination related to the Low-Income Home Energy Assistance Program	200,000	DeLauro, Rosa
Social Services	Neighborhood United Against Drugs, Philadelphia, PA, for abstinence education and related services	39,000	Specter
Social Services	Network for Instructional TV, Inc., Reston, VA for a training program for child care providers	50,000	Moran (VA), James
Social Services	New Brighton School District, New Brighton, PA, for abstinence education and related services	30,000	Specter
Social Services	Northeast Guidance Center, Detroit, MI, Detroit, MI, for the Family Life Center project	210,000	Levin , Stabenow
Social Services	Northwest Family Services, Alva, OK, to establish behavioral health services and family counseling programs	85,625	Inhofe; Lucas, Frank
Social Services	Nueva Esperanza, Philadelphia, PA, for abstinence education and related services	30,000	Specter
Social Services	Nurses for Newborns Foundation, St. Louis, MO for nurse home visiting program	475,000	Carnahan, Russ; Akin, W.
Social Services	Organization of the NorthEast, Chicago, IL for development of a local homeless services continuum	80,000	Schakowsky, Janice
Social Services	Our Piece of the Pie, Hartford, CT, for social outreach services to grandparents raising teenagers	210,000	Dodd, Lieberman
Social Services	Partners for Healthier Tomorrows, Ephrata, PA, for abstinence education and related services	22,000	Specter
Social Services	Pediatric Interim Care Center, Kent, WA for the Drug-Exposed Infants Outreach and Education program	150,000	Reichert, David

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
Social Services	Pennsylvania Coalition Against Domestic Violence, Harrisburg, PA, for domestic violence programs	90,000	Specter
Social Services	Positively Kids, Las Vegas, NV, to create a program to provide home, respite, and medical day care for severely-disabled children	100,000	Reid
Social Services	Progressive Believers Ministry, Wynmoor, PA, for abstinence education and related services	26,000	Specter
Social Services	Public Health Department, Solano County, Fairfield, CA for a program to support pregnant women and new mothers	100,000	Miller, George
Social Services	Real Commitment, Gettysburg, PA, for abstinence education and related services	47,000	Specter
Social Services	School District of Philadelphia, Philadelphia, PA, for abstinence education and related services	39,000	Specter
Social Services	Sephardic Bikur Holim of Monmouth County, Deal, NJ for social services programs	140,000	Pallone, Frank
Social Services	Services, Immigrant Rights and Education Network, San Jose, CA for assistance to immigrants seeking citizenship	100,000	Honda, Michael
Social Services	Shepherd's Maternity House, Inc., East Stroudsburg, PA, for abstinence education and related services	26,000	Specter
Social Services	Southern Illinois University, Carbondale, IL for the Center for Autism Spectrum Disorders	240,000	Costello, Jerry
Social Services	Stephen F. Austin State University, Nacogdoches, TX for coordination of family and child services	300,000	Gohmert, Louie; Hutchison
Social Services	Susan Wesley Family Learning Center, East Prairie, MO for programs to assist at-risk youth and their families	100,000	Emerson, Jo Ann
Social Services	TLC for Children and Families, Inc., Olathe, KS for a transitional living program for at-risk and homeless youth	320,000	Moore (KS), Dennis
Social Services	Tuscarora Intermediate Unit, McVeytown, PA, for abstinence education and related services	39,000	Specter
Social Services	United Way Southeastern Michigan, Detroit, MI for the Communities of Early Learning initiative	300,000	Levin, Sander; Levin, Stabenow
Social Services	University of Central Missouri, Warrensburg, MO for the treatment of autism spectrum disorders	300,000	Skelton, Ike
Social Services	Urban Family Council, Philadelphia, PA, for abstinence education and related services	67,800	Specter
Social Services	Visitation Home, Inc., Yardville, NJ for programs to assist developmentally disabled residents	100,000	Smith (NJ), Christopher
Social Services	Washington Hospital Teen Outreach, Washington, PA, for abstinence education and related services	39,000	Specter
Social Services	Women's Care Center of Erie County, Inc., Erie, PA, for abstinence education and related services	39,000	Specter
Social Services	York County Human Life Services, York, PA, for abstinence education and related services	39,000	Specter
X Social Services	YWCA of Greater Los Angeles, Los Angeles, CA for a project providing coordinated assistance to victims of sexual assault and domestic violence	100,000	Richardson, Laura
	NATIONAL PROGRAMS AND ACTIVITIES		
Corporation for National and Community Service	National Civilian Community Corps for the acquistion and startup of two residential campuses in Vicksburg, MS and Vinton, IA authorized under the National and Community Service Act	5,000,000	Cochran, Harkin
DOL Departmental Management	International Program for the Elimination of Child Labor for the U.S. contribution to a multinational effort to combat child labor, consistent with Executive Order 12216 and the Trafficking Victims Protection Reauthorization Act of 2005	41,000,000	Harkin; Miller, George
ETA	Denali Commission for job training activities under the Denali Commission Act of 1998	6,875,000	Stevens
ETA	Working for America Institute for assistance to union-based and labor-management training programs authorized under the Workforce Investment Act	1,500,000	Harkin
ETA	Appalachian Council for regional employment and training programs and career transition services for Job Corps graduates authorized under the Workforce Investment Act	2,200,000	Specter
ETA	National Center on Education and the Economy for technical assistance and policy support on national workforce development strategies authorized under the Workforce Investment Act	2,600,000	McGovern, James
Innovation and Improvement	Arts in Education Program for model arts education and other activities authorized under the Elementary and Secondary Education Act	38,041,000	Cochran, Bingaman, Kennedy; Abercrombie, Neil
Innovation and Improvement	Exchanges with Historic Whaling and Trading Partners Program for activities authorized under the Elementary and Secondary Education Act	9,000,000	Cochran, Inouye, Stevens, Kennedy
Higher Education	Strengthening Alaska Native and Native Hawaiian Serving Institutions Programs for activities authorized under the Higher Education Act	12,143,000	Inouye, Stevens
Higher Education	B.J. Stupak Olympic Scholarship Program for activities authorized under the Higher Education Act	970,000	Stupak, Bart
Higher Education	Thurgood Marshall Legal Sholarships Program for activities authorized under the Higher Education Act	2,946,000	Hoyer, Steny; Jackson, Jesse
HRSA	Delta Health Alliance, Inc. to improve the delivery of public health services in the Mississippi Delta region under title III of the Public Health Service Act	25,000,000	Cochran
HRSA	Denali Commission to support health projects and economic development activities for the arctic region under the Denali Commission Act of 1998	39,283,000	Stevens
HRSA	Native Hawaiian Health Care to provide primary health promotion and disease prevention services to Native Hawaiians through regional clinics under the Native Hawaiian Health Care Act of 1988	14,200,000	Inouye, Akaka
Innovation and Improvement	Close Up Fellowships Program for activities authorized under the Elementary and Secondary Education Act	1,977,000	Harkin, Craig, Lautenberg
Innovation and Improvement	National Board for Professional Teaching Standards for activities authorized under the Elementary and Secondary Education Act	9,821,000	Cochran, Harkin, Hoyer, Steny; Jackson, Jesse
Innovation and Improvement	National Writing Project for activities authorized under the Elementary and Secondary Education Act	24,000,000	Cochran, Durbin, Feinstein, Landrieu, Leahy, Mikulski, Reed, Akaka, Baucus, Bayh, Biden, Bingaman, Boxer, Brown, Bunning, Cardin, Casey, Clinton, Coleman, Collins, Conrad, Crapo, Dodd, Grassley, Kennedy, Kerry, Klobuchar, Levin, Lieberman, Lincoln, Lott, Lugar, Menendez, Obama, Pryor, Reid, Salazar, Sanders, Schumer, Smith, Snowe, Stabenow, Tester, Whitehouse, Wyden; Abercrombie, Neil; Crowley, Joseph; Dent, Charles; Ellison, Keith; Eshoo, Anna; Hare, Phil; Herseth Sandlin, Stephanie; Loebsack, Dave; Matsui, Doris; Miller, George; Renzi, Rick; Shays, Christopher; Whitfield, Ed

LABOR / HHS / EDUCATION—Continued

Account	Project	Amount (in dollars)	Member
Mine Safety and Health Administration	United Mine Workers of America for mine rescue team training activities authorized under the Mine Safety and Health Act	2,200,000	Byrd, Specter
Occupational Safety and Health Administration	Institutional Competency Grants under the Susan Harwood Training Program authorized under the Occupational Safety and Health Act	3,200,000	Miller, George
Rehabilitation Services and Disability Research	American Academy of Orthotists and Prosthetists for programs to improve the quality of orthotic and prosthetic research authorized under the Rehabilitation Services Act	1,000,000	Harkin
Safe Schools and Citizenship Education	Civic Education Program for activities authorized under the Education for Democracy Act and a comprehensive program between the Center for Civic Education, Indiana University, and National Conference of State Legislatures to improve public knowledge, understanding, and support of the Congress and the State legislatures	33,318,000	Abercrombie, Neil; Davis (AL), Artur; Davis, Geoff; Dent, Charles; Dingell, John; Eshoo, Anna; Kildee, Dale; Kind, Ron; Matsui, Doris; Miller (NC), Brad; Moran, Jerry; Rahall, Nick; Cochran, Landrieu, Leahy, Reed, Akaka, Baucus, Bayh, Biden, Bingaman, Boxer, Brown, Bunning, Cantwell, Cardin, Clinton, Coleman, Collins, Conrad, Dodd, Dole, Durbin, Ensign, Feinstein, Hagel, Kennedy, Kerry, Levin, Lieberman, Lincoln, Lott, Lugar, Martinez, Menendez, Murkowski, Bill Nelson, Obama, Pryor, Salazar, Sanders, Schumer, Sesssions, Smith, Snowe, Stabenow, Tester, Whitehouse, Wyden
School Improvement	Alaska Native Educational Equity for activities authorized under the Elementary and Secondary Education Act	34,204,000	Stevens
School Improvement	Education for Native Hawaiians for activities authorized under the Elementary and Secondary Education Act	34,204,000	Inouye, Akaka
Special Education	Special Olympics 2009 World Winter Games to support the educational, competitive athletic, and public awareness objectives of the winter games authorized under the Special Olympics Sports Empowerment Act	8,000,000	Simpson, Michael; Craig
Special Education	Washington Educational Television Association for a national program to provide information on diagnosis, intervention, and teaching strategies for children with disabilities authorized under P.L. 105-78	1,500,000	Cochran
Special Education	Recording for the Blind and Dyslexic, Inc. for development, production, and circulation of recorded educational materials as authorized under section 674(c)(1)(D) of the Individuals with Disabilities Education Act	13,000,000	Harkin
Special Education	Special Olympics for Special Olympics educational programs that can be integrated into classroom instruction and for activities to increase the participation of individuals with intellectual disabilities, as authorized under the Special Olympics Sport and Empowerment Act	5,000,000	Harkin; Hoyer, Steny; DeLauro, Rosa

CONFERENCE AGREEMENT

The following table displays the amounts agreed to for each program, project or activity with appropriate comparisons.

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
TITLE I - DEPARTMENT OF LABOR									
EMPLOYMENT AND TRAINING ADMINISTRATION									
TRAINING AND EMPLOYMENT SERVICES									
Grants to States:									
Adult Training, current year	152,199	---	152,199	152,199	152,199	---	---	---	D EE
Advance from prior year	(712,000)	(712,000)	(712,000)	(712,000)	(712,000)	---	---	---	NA
FY 2009	712,000	712,000	712,000	712,000	712,000	---	---	---	D
Adult Training	864,199	712,000	864,199	864,199	864,199	---	---	---	
Youth Training	940,500	840,500	940,500	940,500	940,500	---	---	---	D EE
Dislocated Worker Assistance, current year	341,811	54,939	341,811	341,811	341,811	---	---	---	D EE
Advance from prior year	(848,000)	(848,000)	(848,000)	(848,000)	(848,000)	---	---	---	NA
FY 2009	848,000	848,000	848,000	848,000	848,000	---	---	---	D
Dislocated Worker Assistance	1,189,811	902,939	1,189,811	1,189,811	1,189,811	---	---	---	
Subtotal, Grants to States	2,994,510	2,455,439	2,994,510	2,994,510	2,994,510	---	---	---	
Current Year	(1,434,510)	(895,439)	(1,434,510)	(1,434,510)	(1,434,510)	---	---	---	
FY 2009	(1,560,000)	(1,560,000)	(1,560,000)	(1,560,000)	(1,560,000)	---	---	---	
Federally Administered Programs:									
Dislocated Worker Assistance National Reserve:									
Current year	70,092	---	70,092	70,092	70,092	---	---	---	D EE
Advance from prior year 1/	(212,000)	(212,000)	(212,000)	(212,000)	(212,000)	---	---	---	NA

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
FY 2008	212,000	212,000	212,000	212,000	212,000	---	---	---	D
Dislocated Worker Assistance Nat'l Reserve	282,092	212,000	282,092	282,092	282,092	---	---	---	
Less Community-based Job Training Grants (NA)	(-125,000)	---	(-125,000)	(-150,000)	(-125,000)	---	---	(+25,000)	NA
Dislocated Worker Assistance Nat'l Reserve	157,092	212,000	157,092	132,092	157,092	---	---	+25,000	
Total, Dislocated Worker Assistance	1,471,903	1,114,939	1,471,903	1,471,903	1,471,903	---	---	---	
Native Americans	53,696	45,000	56,381	53,696	55,039	+1,343	-1,342	+1,343	D FF
Migrant and Seasonal Farmworkers	79,752	---	83,740	79,752	82,740	+2,988	-1,000	+2,988	D FF
Women in apprenticeship	1,000	---	1,000	1,000	1,000	---	---	---	D FF
YouthBuild	49,500	50,000	60,000	65,000	62,500	+13,000	+2,500	-2,500	D FF
Subtotal, Federally Administered Programs	466,040	307,000	483,213	481,540	483,371	+17,331	+158	+1,831	
Current Year	(254,040)	(95,000)	(271,213)	(269,540)	(271,371)	(+17,331)	(+158)	(+1,831)	
FY 2008	(212,000)	(212,000)	(212,000)	(212,000)	(212,000)	---	---	---	
National Activities 2/ 3/:									
Pilots, Demonstrations and Research	14,700	13,000	28,140	30,650	50,569	+35,869	+22,429	+19,919	D FF
Responsible Reintegration of Youthful Offenders 4/	49,104	---	---	55,000	---	-49,104	---	-55,000	D FF D FF
Prisoner Re-entry 4/	19,642	---	---	---	---	-19,642	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Reintegration of Ex-Offenders 4/	---	39,600	68,746	13,642	78,694	+78,694	+9,948	+65,052	D FF
Evaluation	4,921	7,000	4,921	4,921	4,921	---	---	---	D FF
Community-based Job Training Grants	---	150,000	---	---	---	---	---	---	D
Community-based Job Training Grants (NA)5/	(125,000)	---	(125,000)	(150,000)	(125,000)	---	---	(-25,000)	NA
Subtotal, program level	125,000	150,000	125,000	150,000	125,000	---	---	-25,000	
Denali Commission	6,875	---	---	6,875	6,875	---	+6,875	---	D
Undistributed reduction	---	---	-49,000	---	---	---	+49,000	---	D
Other	480	---	---	---	---	-480	---	---	D FF
Subtotal, National activities	95,722	209,600	52,807	111,088	141,059	+45,337	+88,252	+29,971	
Total, Training and Employment Services	3,556,272	2,972,039	3,530,530	3,587,138	3,618,940	+62,668	+88,410	+31,802	
Current Year	(1,784,272)	(1,200,039)	(1,758,530)	(1,815,138)	(1,846,940)	(+62,668)	(+88,410)	(+31,802)	
FY 2009	(1,772,000)	(1,772,000)	(1,772,000)	(1,772,000)	(1,772,000)	---	---	---	
COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS	483,611	350,000	530,900	483,611	530,900	+47,289	---	+47,289	D FF
FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES	837,600	888,700	888,700	888,700	888,700	+51,100	---	---	M

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS									
Unemployment Compensation (UI):									
State Operations	2,496,330	2,550,723	2,550,723	2,550,723	2,550,723	+54,393	---	---	TF
National Activities	11,340	10,500	10,500	10,500	10,500	-840	---	---	TF
Subtotal, Unemployment Compensation	2,507,670	2,561,223	2,561,223	2,561,223	2,561,223	+53,553	---	---	
Employment Service:									
Allotments to States:									
Federal Funds	22,883	22,016	23,203	22,883	22,883	---	-320	---	D
Trust Funds	693,000	666,763	702,680	693,000	693,000	---	-9,680	---	TF
Subtotal, Allotments to States	715,883	688,779	725,883	715,883	715,883	---	-10,000	---	
ES National Activities	33,428	32,766	32,766	34,000	32,766	-662	---	-1,234	TF
Subtotal, Employment Service	749,311	721,545	758,649	749,883	748,649	-662	-10,000	-1,234	
Federal Funds	22,883	22,016	23,203	22,883	22,883	---	-320	---	
Trust Funds	726,428	699,529	735,446	727,000	725,766	-662	-9,680	-1,234	
One-Stop Career Centers/Labor Market Information	63,855	55,985	52,985	55,985	52,985	-10,870	---	-3,000	D
Work Incentives Grants	19,514	---	9,757	19,541	14,649	-4,865	+4,892	-4,892	D FF
Total, State Unemployment & Employment Srvcs	3,340,350	3,338,753	3,382,614	3,386,632	3,377,506	+37,156	-5,108	-9,126	
Federal Funds	106,252	78,001	85,945	98,409	90,517	-15,735	+4,572	-7,892	
Trust Funds	(3,234,098)	(3,260,752)	(3,296,669)	(3,288,223)	(3,286,989)	(+52,891)	(-9,680)	(-1,234)	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
ADVANCES TO THE UI AND OTHER TRUST FUNDS 6/	465,000	437,000	437,000	437,000	437,000	-28,000	...	...	M
PROGRAM ADMINISTRATION									
Adult Employment and Training	43,442	45,593	43,442	44,593	43,442	...	...	-1,151	D
Trust Funds	7,846	8,283	7,846	7,846	7,846	...	...	...	TF
Youth Employment and Training 3/	39,354	40,311	10,981	11,439	10,981	-28,373	...	-458	D
Employment Security	6,354	6,376	6,354	6,376	6,354	...	...	-22	D
Trust Funds	72,113	84,436	72,113	84,436	78,275	+6,162	+6,162	-6,161	TF
Apprenticeship Services	21,542	21,725	21,542	21,725	21,542	...	...	-183	D
Executive Direction 3/	6,967	7,250	6,132	7,000	6,132	-835	...	-868	D
Trust Funds	2,090	2,188	2,090	2,090	2,090	...	...	...	TF
Total, Program Administration	199,708	218,182	170,500	185,505	176,662	-23,046	+6,162	-8,843	
Federal Funds	117,659	121,255	88,451	91,133	88,451	-29,208	...	-2,682	
Trust Funds	82,049	94,907	82,049	94,372	88,211	+6,162	+6,162	-6,161	
Total, Employment and Training Administration	8,882,541	8,202,654	8,940,244	8,968,586	9,029,708	+147,167	+89,464	+61,122	
Federal Funds	5,566,394	4,846,995	5,561,526	5,585,991	5,654,508	+88,114	+92,982	+68,517	
Current Year	(3,794,394)	(3,074,995)	(3,789,526)	(3,813,991)	(3,882,508)	(+88,114)	(+92,982)	(+68,517)	
FY 2009	(1,772,000)	(1,772,000)	(1,772,000)	(1,772,000)	(1,772,000)	...	...	...	
Trust Funds	3,316,147	3,355,659	3,378,718	3,382,595	3,375,200	+59,053	-3,518	-7,395	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
EMPLOYEE BENEFITS SECURITY ADMINISTRATION									
SALARIES AND EXPENSES									
Enforcement and Participant Assistance 7/	118,718	123,163	118,663	119,000	118,663	-55	...	-337	D
Policy and Compliance Assistance	17,585	18,315	18,315	18,315	18,315	+730	...	...	D
Executive Leadership, Program Oversight and Admin.	5,270	5,947	5,947	5,947	5,947	+677	...	...	D
Total, EBSA	141,573	147,425	142,925	143,262	142,925	+1,352	...	-337	
PENSION BENEFIT GUARANTY CORPORATION 7/									
Pension insurance activities	(80,357)	(74,784)	(74,784)	(74,784)	(74,784)	(-5,573)	...	...	NA
Pension plan termination	(128,466)	(205,158)	(205,158)	(205,158)	(205,158)	(+76,692)	...	...	NA
Operational support	(196,567)	(131,209)	(131,209)	(131,209)	(131,209)	(-65,358)	...	...	NA
Total, PBGC (Program level)	(405,390)	(411,151)	(411,151)	(411,151)	(411,151)	(+5,761)	...	...	
EMPLOYMENT STANDARDS ADMINISTRATION									
SALARIES AND EXPENSES									
Enforcement of Wage and Hour Standards	170,220	182,365	182,365	184,365	183,365	+13,145	+1,000	-1,000	D
Office of Labor-Management Standards	47,753	56,888	45,737	45,737	45,737	-2,016	...	...	D
Federal Contractor EEO Standards Enforcement	82,441	84,182	84,182	84,182	84,182	+1,741	...	...	D
Federal Programs for Workers' Compensation	100,889	104,478	104,478	104,478	104,478	+3,589	...	...	D
Trust Funds	2,042	2,111	2,111	2,111	2,111	+69	...	...	TF

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate
Program Direction and Support	17,526	17,635	17,635	17,635	17,635	+109	...	...
Total, ESA salaries and expenses	420,871	447,659	436,508	438,508	437,508	+16,637	+1,000	-1,000
Federal Funds	418,829	445,548	434,397	436,397	435,397	+16,568	+1,000	-1,000
Trust Funds	2,042	2,111	2,111	2,111	2,111	+69	...	...
SPECIAL BENEFITS								
Federal employees' compensation benefits	224,000	200,000	200,000	200,000	200,000	-24,000	...	...
Longshore and harbor workers' benefits	3,000	3,000	3,000	3,000	3,000	...	...	...
Total, Special Benefits	227,000	203,000	203,000	203,000	203,000	-24,000	...	...
SPECIAL BENEFITS FOR DISABLED COAL MINERS								
Benefit payments	298,000	271,000	271,000	271,000	271,000	-27,000	...	...
Administration	5,373	5,221	5,221	5,221	5,221	-152	...	...
Subtotal, FY 2008 program level	303,373	276,221	276,221	276,221	276,221	-27,152	...	...
Less funds advanced in prior year	-74,000	-68,000	-68,000	-68,000	-68,000	+6,000	...	...
Total, Current Year, FY 2008	229,373	208,221	208,221	208,221	208,221	-21,152	...	...
New advances, 1st quarter FY 2009	68,000	62,000	62,000	62,000	62,000	-6,000	...	...
Total, Special Benefits for Disabled Coal Miners	297,373	270,221	270,221	270,221	270,221	-27,152	...	...

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND, Part B Administrative Expenses	102,307	104,745	104,745	104,745	104,745	+2,438	...	...	M
BLACK LUNG DISABILITY TRUST FUND									
Benefit payments and interest on advances	1,010,011	1,009,763	1,009,763	1,009,763	1,009,763	-248	...	...	M
Employment Standards Admin., Salaries and expenses	33,578	32,761	32,761	32,761	32,761	-817	...	...	M
Departmental Management, Salaries and expenses	25,255	24,785	24,785	24,785	24,785	-470	...	...	M
Departmental Management, Inspector General	346	335	335	335	335	-11	...	...	M
Subtotal, Black Lung Disability	1,069,190	1,067,644	1,067,644	1,067,644	1,067,644	-1,546	...	...	
Treasury Department Administrative Costs	356	356	356	356	356	...	...	...	M
Total, Black Lung Disability Trust Fund	1,069,546	1,068,000	1,068,000	1,068,000	1,068,000	-1,546	...	...	
Total, Employment Standards Administration	2,117,097	2,093,625	2,082,474	2,084,474	2,083,474	-33,623	+1,000	-1,000	
Federal Funds	2,115,055	2,091,514	2,080,363	2,082,363	2,081,363	-33,692	+1,000	-1,000	
Current year	(2,047,055)	(2,029,514)	(2,018,363)	(2,020,363)	(2,019,363)	(-27,692)	(+1,000)	(-1,000)	
FY 2009	(68,000)	(62,000)	(62,000)	(62,000)	(62,000)	(-6,000)	...	...	
Trust Funds	2,042	2,111	2,111	2,111	2,111	+69	...	...	
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION									
SALARIES AND EXPENSES									
Safety and Health Standards	16,892	16,851	16,933	16,892	16,892	...	-41	...	D
Federal Enforcement	176,973	183,046	190,128	188,005	190,128	+13,155	...	+2,123	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
State Programs	91,093	91,093	91,093	91,093	91,093	...	...	...	D
Technical Support	22,392	22,066	22,066	22,066	22,066	-326	...	...	D
Compliance Assistance:									
Federal Assistance	72,659	79,607	75,566	72,659	72,659	...	-2,907	...	D
State Consultation Grants	53,357	54,531	54,531	54,531	54,531	+1,174	...	...	D
Training Grants	10,116	---	10,116	10,116	10,116	...	...	...	D
Subtotal, Compliance Assistance	136,132	134,138	140,213	137,306	137,306	+1,174	-2,907	...	D
Safety and Health Statistics	32,274	32,082	32,082	32,082	32,082	-192	...	...	D
Executive Direction and Administration	11,169	11,001	11,001	11,001	11,001	-168	...	...	D
Total, OSHA	486,925	490,277	503,516	498,445	500,568	+13,643	-2,948	+2,123	
MINE SAFETY AND HEALTH ADMINISTRATION									
SALARIES AND EXPENSES									
Coal Enforcement	120,396	140,620	140,620	157,420	157,420	+37,024	+16,800	...	D
Metal/Non-Metal Enforcement	72,506	72,290	72,290	72,690	72,690	+184	+400	...	D
Standards Development	2,727	2,737	2,737	3,237	3,237	+510	+500	...	D
Assessments	6,556	5,743	5,743	6,243	6,243	-313	+500	...	D
Educational Policy and Development	35,326	34,256	34,256	37,256	37,256	+1,930	+3,000	...	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Technical Support	29,237	28,200	28,200	30,000	30,000	+763	+1,800	...	D
Program evaluation and information resources (PEIR)	21,185	16,219	16,219	16,219	16,219	-4,966	...	...	D
Program Administration	13,637	13,413	13,413	16,963	16,828	+3,191	+3,415	-135	D
Total, Mine Safety and Health Administration	301,570	313,478	313,478	340,028	339,893	+38,323	+26,415	-135	
BUREAU OF LABOR STATISTICS									
SALARIES AND EXPENSES									
Employment and Unemployment Statistics	169,722	175,320	175,320	174,320	174,320	+4,598	-1,000	...	D
Labor Market Information	77,067	78,264	78,264	78,000	78,000	+933	-264	...	TF
Prices and Cost of Living	177,847	192,149	192,599	178,992	185,796	+7,949	-6,803	+6,804	D
Compensation and Working Conditions	81,658	84,859	86,084	85,859	85,859	+4,201	-225	...	D
Productivity and Technology	11,063	11,332	11,332	11,063	11,063	...	-269	...	D
Executive Direction and Staff Services	30,766	32,519	32,519	31,766	31,766	+1,000	-753	...	D
Total, Bureau of Labor Statistics	548,123	574,443	576,118	560,000	566,804	+18,681	-9,314	+6,804	
Federal Funds	471,056	496,179	497,854	482,000	488,804	+17,748	-9,050	+6,804	
Trust Funds	77,067	78,264	78,264	78,000	78,000	+933	-264	...	
OFFICE OF DISABILITY EMPLOYMENT POLICY									D
Salaries and expenses	27,712	18,602	27,712	27,712	27,712	...	...	...	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
DEPARTMENTAL MANAGEMENT									
SALARIES AND EXPENSES									
Executive Direction	28,189	28,680	23,237	28,680	23,237	-4,952	...	-5,443	D
Undistributed reduction	...	...	-20,666	-3,000	...	...	+20,666	+3,000	D
Firefighter fatality investigation and prevention	...	...	...	2,500	...	...	...	-2,500	D
Departmental IT Crosscut	29,482	31,405	18,000	22,000	20,000	-9,482	+2,000	-2,000	D
Departmental Management Crosscut	1,108	750	500	750	500	-608	...	-250	D
Legal Services	85,488	95,162	94,937	95,162	95,050	+9,562	+113	-112	D
Trust Funds	308	318	318	318	318	+10	...	...	TF
International Labor Affairs	72,516	14,087	72,516	82,516	82,516	+10,000	+10,000	...	D
Administration and Management	32,865	33,362	32,865	33,362	32,865	...	...	-497	D
Frances Perkins building security enhancements	...	...	...	...	...	...	...	...	D
Adjudication	27,537	28,289	28,289	28,289	28,289	+752	...	...	D
Women's Bureau	9,666	9,832	10,500	10,300	10,300	+634	-200	...	D
Civil Rights Activities	6,445	6,763	6,763	6,763	6,763	+318	...	...	D
Chief Financial Officer	5,336	5,578	5,336	5,578	5,336	...	...	-242	D
Total, Salaries and expenses	298,920	254,236	272,595	313,218	305,174	+6,254	+32,579	-8,044	
Federal Funds	298,612	253,918	272,277	312,900	304,856	+6,244	+32,579	-8,044	
Trust Funds	308	318	318	318	318	+10	...	...	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs. FY 2007 Comparable	Conference vs. FY 2008 House	Conference vs. FY 2008 Senate	
OFFICE OF JOB CORPS 2/									
Administration 3/	---	---	28,872	28,872	28,872	+28,872	---	---	
Operations	879,357	831,372	916,684	925,000	916,684	+37,327	---	-8,316	D FF
Advance from prior year	(591,000)	(591,000)	(591,000)	(591,000)	(591,000)	---	---	---	NA
FY 2008	591,000	591,000	591,000	591,000	591,000	---	---	---	D
Construction and Renovation	7,920	---	12,920	15,000	13,960	+6,040	+1,040	-1,040	D FF
Advance from prior year	(100,000)	(100,000)	(100,000)	(100,000)	(100,000)	---	---	---	NA
FY 2008	100,000	100,000	100,000	100,000	100,000	---	---	---	D
Total, Job Corps	1,578,277	1,522,372	1,649,476	1,659,872	1,650,516	+72,239	+1,040	-9,356	
Current Year	(887,277)	(831,372)	(958,476)	(968,872)	(959,516)	(+72,239)	(+1,040)	(-9,356)	
FY 2009	(691,000)	(691,000)	(691,000)	(691,000)	(691,000)	---	---	---	
VETERANS EMPLOYMENT AND TRAINING									
State administration, Grants	160,791	161,894	161,894	161,894	161,894	+1,103	---	---	TF
Federal Administration	31,187	33,282	33,282	36,282	33,282	+2,095	---	-3,000	TF
National Veterans Training Institute	1,967	1,949	1,967	1,967	1,967	---	---	---	TF
Homeless Veterans Program	21,809	23,620	23,620	23,620	23,620	+1,811	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs. FY 2007 Comparable	Conference vs. FY 2008 House	Conference vs. FY 2008 Senate
Veterans Workforce Investment Programs	7,435	7,351	7,435	7,435	7,435	...	...	...
Total, Veterans Employment and Training	223,189	228,096	228,198	231,198	228,198	+5,009	...	-3,000
Federal Funds	29,244	30,971	31,055	31,055	31,055	+1,811	...	...
Trust Funds	193,945	197,125	197,143	200,143	197,143	+3,198	...	-3,000
OFFICE OF THE INSPECTOR GENERAL								
Program Activities	67,214	72,929	72,929	73,929	72,929	+5,715	...	-1,000
Trust Funds	5,552	5,729	5,729	5,729	5,729	+177	...	...
Total, Office of the Inspector General	72,766	78,658	78,658	79,658	78,658	+5,892	...	-1,000
Federal funds	67,214	72,929	72,929	73,929	72,929	+5,715	...	-1,000
Trust funds	5,552	5,729	5,729	5,729	5,729	+177	...	...
Total, Departmental Management	2,173,152	2,083,362	2,228,927	2,283,946	2,262,546	+89,394	+33,619	-21,400
Federal Funds	1,973,347	1,880,190	2,025,737	2,077,756	2,059,356	+86,009	+33,619	-18,400
Current Year	(1,482,152)	(1,392,362)	(1,537,927)	(1,592,946)	(1,571,546)	(+89,394)	(+33,619)	(-21,400)
FY 2009	(691,000)	(691,000)	(691,000)	(691,000)	(691,000)	...	...	...
Trust Funds	199,805	203,172	203,190	206,190	203,190	+3,385	...	-3,000
WORKING CAPITAL FUND								
Working capital fund	6,168	12,000	...	...	...	-6,168	...	...
Total, Title I, Department of Labor	14,684,861	13,935,866	14,815,394	14,906,453	14,953,630	+268,769	+138,236	+47,177
Federal Funds	11,089,800	10,296,660	11,153,111	11,237,557	11,295,129	+205,329	+142,018	+57,572
Current Year	(8,558,800)	(7,771,660)	(8,628,111)	(8,712,557)	(8,770,129)	(+211,329)	(+142,018)	(+57,572)
FY 2009	(2,531,000)	(2,525,000)	(2,525,000)	(2,525,000)	(2,525,000)	(-6,000)	...	...
Trust Funds	3,595,061	3,639,206	3,662,283	3,668,896	3,658,501	+63,440	-3,782	-10,395

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Title I Footnotes: 1/ Includes FY 2006 rescission of $125M for Community College Initiative 2/ In FY 2007, Job Corps was requested and funded in ETA; FY 2008 requested in ETA but funded in Dept Mgmt 3/ Administration for Job Corps funding was transferred from ETA to DM in FY 2006 Act and FY 2008. 4/ In FY08 Request, the Responsible Reintegration of Youthful Offenders and Prisoner Re-entry programs will be combined into Reintegration of Ex-Offenders program 5/ Funding from the Dislocated Worker National Reserve 6/ Two year availability									
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES									
HEALTH RESOURCES AND SERVICES ADMINISTRATION									
HEALTH RESOURCES AND SERVICES									
BUREAU OF PRIMARY HEALTH CARE									
Community health centers	1,988,039	1,988,467	2,188,000	2,238,039	2,213,020	+224,981	+25,020	-25,019	D
State health access grants	...	...	75,000	...	50,000	+50,000	-25,000	+50,000	D
Free Clinics Medical Malpractice	41	100	40	40	40	-1	...	...	D
National Hansen's Disease Program	15,972	16,109	16,109	16,500	16,305	+333	+196	-195	D
Buildings and Facilities	220	100	100	220	160	-60	+60	-60	D
Payment to Hawaii, treatment of Hansen's	1,996	1,976	1,996	1,996	1,996	...	...	...	D
Subtotal, Bureau of Primary Health Care	2,006,268	2,006,752	2,281,245	2,256,795	2,281,521	+275,253	+276	+24,726	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
BUREAU OF HEALTH PROFESSIONS									
National Health Service Corps:									
Field placements	40,443	30,729	40,443	40,443	40,443	...	...	...	D
Recruitment	85,230	85,230	91,057	85,230	91,057	+5,827	...	+5,827	D
Subtotal, National Health Service Corps	125,673	115,959	131,500	125,673	131,500	+5,827	...	+5,827	
Health Professions, Training for Diversity:									
Centers of excellence	11,880	...	28,431	11,880	20,156	+8,276	-8,275	+8,276	D
Health careers opportunity program	3,960	...	28,440	3,960	16,200	+12,240	-12,240	+12,240	D
Faculty loan repayment	1,289	...	1,289	1,289	1,289	...	...	...	D
Scholarships for disadvantaged students	46,657	9,733	46,657	46,657	46,657	...	...	...	D
Subtotal, Training for Diversity	63,786	9,733	104,817	63,786	84,302	+20,516	-20,515	+20,516	
Training in Primary Care Medicine and Dentistry	48,851	...	48,851	48,851	48,851	...	...	...	D
Interdisciplinary Community-Based Linkages:									
Area health education centers	28,681	...	31,200	28,681	29,941	+1,260	-1,259	+1,260	D
Allied health and other disciplines	3,960	...	3,960	7,960	8,960	+5,000	+5,000	+1,000	D
Geriatric programs	31,548	...	31,548	31,548	31,548	...	...	...	D
Subtotal, Interdisciplinary Comm. Linkages	64,189	...	68,708	68,189	70,449	+6,260	+3,741	+2,260	
Public health, preventive med. and dental programs	7,920	...	7,920	8,920	8,420	+500	+500	-500	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Nursing Programs:									
Advanced Education Nursing	57,081	...	57,081	68,889	62,975	+5,914	+5,914	-5,914	D
Nurse education, practice, and retention	37,291	37,291	37,291	37,291	37,291	...	...	...	D
Nursing workforce diversity	16,107	16,107	16,107	16,107	16,107	...	...	...	D
Loan repayment and scholarship program	31,055	43,744	44,000	36,000	40,000	+8,945	-4,000	+4,000	D
Comprehensive geriatric education	3,392	3,392	3,392	3,392	3,392	...	...	...	D
Nursing faculty loan program	4,773	4,773	7,773	8,000	7,887	+3,114	+114	-113	D
Subtotal, Nursing programs	149,679	105,307	165,624	169,679	167,652	+17,973	+2,028	-2,027	
Subtotal, Health Professions	334,425	115,040	393,920	350,425	379,674	+45,249	-14,246	+29,249	
Children's Hospitals Graduate Medical Education	297,009	110,018	307,009	200,000	307,009	+10,000	...	+107,009	D
Patient Navigator	...	...	...	8,000	4,000	+4,000	+4,000	-4,000	D
National Practitioner Data Bank	16,200	18,900	18,900	18,900	18,900	+2,700	...	...	D
User Fees	-16,200	-18,900	-18,900	-18,900	-18,900	-2,700	...	...	D
Health Care Integrity and Protection Data Bank	3,825	...	4,000	3,825	3,825	...	-175	...	D
User Fees	-3,825	...	-4,000	-3,825	-3,825	...	+175	...	D
Subtotal, Bureau of Health Professions	757,107	341,017	832,429	693,098	822,183	+65,076	-10,246	+129,085	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
MATERNAL AND CHILD HEALTH BUREAU									
Maternal and Child Health Block Grant	693,000	693,000	750,000	673,337	683,000	-10,000	-67,000	+9,663	D
Sickle cell anemia demonstration program	2,180	2,184	2,184	3,180	3,180	+1,000	+996	...	D
Traumatic Brain Injury	8,910	...	8,910	10,000	9,455	+545	+545	-545	D
Autism and other developmental disorders	...	...	...	37,000	37,000	+37,000	+37,000	...	D
Healthy Start	101,518	100,503	120,000	101,518	110,759	+9,241	-9,241	+9,241	D
Universal Newborn Hearing	9,804	...	11,000	12,000	11,500	+1,696	+500	-500	D
Emergency medical services for children	19,800	...	22,300	20,000	19,900	+100	-2,400	-100	D
Subtotal, Maternal and Child Health Bureau	835,212	795,687	914,394	857,035	874,794	+39,582	-39,600	+17,759	
HIV/AIDS BUREAU									
Ryan White AIDS Programs:									
Emergency Assistance	603,993	603,993	636,300	603,993	636,300	+32,307	...	+32,307	D
Comprehensive Care Programs	1,195,500	1,215,518	1,239,500	1,225,518	1,232,509	+37,009	-6,991	+6,991	D
AIDS Drug Assistance Program (ADAP) (NA)	(789,546)	(814,546)	(830,593)	(814,546)	(822,570)	(+33,024)	(-8,023)	(+8,024)	NA
Early Intervention Program	193,721	199,821	216,700	193,622	205,161	+11,440	-11,539	+11,539	D
Children, Youth, Women, and Families	71,794	71,794	75,300	75,000	75,300	+3,506	...	+300	D
AIDS Dental Services	13,086	13,086	13,086	13,086	13,086	...	...	...	D
Education and Training Centers	34,701	28,700	34,700	34,700	34,700	-1	...	...	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs. FY 2007 Comparable	Conference vs. FY 2008 House	Conference vs. FY 2008 Senate	
Subtotal, Ryan White AIDS programs	2,112,795	2,132,912	2,215,586	2,145,919	2,197,056	+84,261	-18,530	+51,137	
Evaluation Tap Funding (NA)	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---	---	---	NA
Subtotal, Ryan White AIDs program level	(2,137,795)	(2,157,912)	(2,240,586)	(2,170,919)	(2,222,056)	(+84,261)	(-18,530)	(+51,137)	
Subtotal, HIV/AIDS Bureau	2,112,795	2,132,912	2,215,586	2,145,919	2,197,056	+84,261	-18,530	+51,137	
HEALTHCARE SYSTEMS BUREAU									
Organ Transplantation	23,049	23,049	23,049	25,049	24,049	+1,000	+1,000	-1,000	D
National Cord Blood Inventory	3,963	1,988	15,000	12,000	12,000	+8,037	-3,000	---	D
Bone Marrow Program	25,168	22,701	25,168	22,701	23,935	-1,233	-1,233	+1,234	D
Office of Pharmacy Affairs	---	2,940	2,940	2,940	2,940	+2,940	---	---	D
Trauma Care	---	---	---	3,000	3,000	+3,000	+3,000	---	D
Poison control	23,000	10,000	30,100	23,000	30,100	+7,100	---	+7,100	D
Subtotal, Healthcare systems bureau	75,180	60,656	96,257	88,690	96,024	+20,844	-233	+7,334	
RURAL HEALTH PROGRAMS									
Rural outreach grants	38,885	---	52,962	40,000	52,962	+14,077	---	+12,962	D
Rural Health Research	8,737	8,737	9,500	9,500	9,500	+763	---	---	D
Rural Hospital Flexibility Grants	63,538	---	63,538	38,538	38,538	-25,000	-25,000	---	D
Delta Health Initiative 1/	---	---	---	25,000	25,000	+25,000	+25,000	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs. FY 2007 Comparable	Conference vs. FY 2008 House	Conference vs. FY 2008 Senate	
Rural and community access to emergency devices	1,487	---	2,000	3,000	2,500	+1,013	+500	-500	D
State Offices of Rural Health	8,141	8,141	9,000	9,000	9,000	+859	---	---	D
Black lung clinics 2/	5,891	5,886	5,891	6,000	6,000	+109	+109	---	D
Radiation Exposure Screening and Education Program 2/	1,919	1,904	1,917	1,917	1,917	-2	---	---	D
Subtotal, Rural health programs	128,598	24,668	144,808	132,855	145,417	+16,819	+609	+12,462	
Denali Commission	39,283	---	---	39,283	39,283	---	+39,283	---	D
Family Planning	283,146	283,103	310,910	300,000	310,910	+27,764	---	+10,910	D
Health Care-related Facilities and activities	---	---	127,926	191,235	317,684	+317,684	+189,758	+126,449	D
Telehealth	6,819	6,819	7,000	13,800	7,000	+181	---	-6,800	D
Undistributed reduction	---	---	-11,037	---	---	---	+11,037	---	D
Program Management	146,294	144,181	142,191	145,000	143,596	-2,698	+1,405	-1,404	D
Total, Health resources and services	6,390,702	5,795,805	7,061,709	6,863,810	7,235,468	+844,766	+173,759	+371,658	
Total, Health resources & services program level	(6,415,702)	(5,820,805)	(7,086,709)	(6,888,810)	(7,260,468)	(+844,766)	(+173,759)	(+371,658)	
Evaluation tap funding	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---	---	---	
HEALTH EDUCATION ASSISTANCE LOANS (HEAL) PROGRAM:									
Liquidating account	(4,000)	(1,000)	(1,000)	(1,000)	(1,000)	(-3,000)	---	---	NA
Program management	2,898	2,906	2,906	2,906	2,906	+8	---	---	D
Total, HEAL	2,898	2,906	2,906	2,906	2,906	+8	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs. FY 2007 Comparable	Conference vs. FY 2008 House	Conference vs. FY 2008 Senate	
VACCINE INJURY COMPENSATION PROGRAM TRUST FUND:									
Post-FY 1988 claims	55,871	57,547	57,547	57,547	57,547	+1,676	---	---	M
HRSA administration	3,982	3,528	3,528	3,528	6,000	+2,018	+2,472	+2,472	D
Total, Vaccine Injury Compensation Trust Fund	59,853	61,075	61,075	61,075	63,547	+3,694	+2,472	+2,472	
Total, Health Resources and Services Admin	6,453,453	5,859,786	7,125,690	6,927,791	7,301,921	+848,468	+176,231	+374,130	
Total, HRSA program level	(6,482,453)	(5,885,786)	(7,151,690)	(6,953,791)	(7,327,921)	(+845,468)	(+176,231)	(+374,130)	
CENTERS FOR DISEASE CONTROL AND PREVENTION									
Infectious Diseases	1,773,903	1,781,574	1,900,508	1,762,083	1,848,601	+74,698	-51,907	+86,518	D
Evaluation Tap Funding	(12,794)	(12,794)	(12,794)	(12,794)	(12,794)	---	---	---	NA
Subtotal, Program level	(1,786,697)	(1,794,368)	(1,913,302)	(1,774,877)	(1,861,395)	(+74,698)	(-51,907)	(+86,518)	
Health Promotion	947,004	958,732	1,002,212	982,876	992,214	+45,210	-9,998	+9,338	D
Health Information and Service	136,580	108,361	70,104	98,854	117,168	-19,412	+47,064	+18,314	D
Evaluation Tap Funding	(133,826)	(135,135)	(183,924)	(133,799)	(185,824)	(+51,998)	(+1,900)	(+52,025)	NA
Subtotal, Program level	(270,406)	(243,496)	(254,028)	(232,653)	(302,992)	(+32,586)	(+48,964)	(+70,339)	
Environmental health and injury	282,752	287,674	305,151	300,907	306,856	+24,104	+1,705	+5,949	D
Occupational safety and health 4/	164,620	165,927	219,076	181,326	237,388	+72,768	+18,312	+56,062	D
Supplemental (P.L. 110-28) (emergency)	63,000	---	---	---	---	-63,000	---	---	
Evaluation Tap Funding	(87,480)	(87,071)	(91,861)	(92,071)	(97,404)	(+9,924)	(+5,543)	(+5,333)	NA

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Subtotal, Program level 4/	(315,100)	(252,998)	(310,937)	(273,397)	(334,792)	(+19,692)	(+23,855)	(+61,395)	
Global health	330,053	379,719	381,337	334,038	377,352	+47,299	-3,985	+43,314	D
Terrorism preparedness and response 3/	1,495,730	1,504,375	1,598,751	1,632,448	1,549,143	+53,413	-49,608	-83,305	D
Public Health research:									D
Evaluation Tap Funding	(31,000)	(31,000)	(31,000)	(31,000)	(31,000)	---	---	---	NA
Public health improvement and leadership	202,559	190,412	199,237	209,829	230,239	+27,680	+31,002	+20,410	D
Preventive health and health services block grant	99,000	---	109,000	99,000	104,000	+5,000	-5,000	+5,000	D
Undistributed reduction	---	---	-2,000	---	---	---	+2,000	---	D
Buildings and Facilities	134,400	20,000	10,500	220,000	147,000	+12,600	+136,500	-73,000	D
Business services	370,971	319,677	344,377	344,377	378,328	+7,357	+33,951	+33,951	D
Total, Centers for Disease Control	5,937,572	5,716,651	6,138,253	6,165,338	6,288,289	+350,717	+150,036	+122,951	
Evaluation Tap Funding (NA)	(265,100)	(266,000)	(319,579)	(269,664)	(327,022)	(+61,922)	(+7,443)	(+57,358)	
Total, Centers for Disease Control program level	(6,265,672)	(5,982,651)	(6,457,832)	(6,435,002)	(6,615,311)	(+349,639)	(+157,479)	(+180,309)	
NATIONAL INSTITUTES OF HEALTH									
National Cancer Institute	4,792,624	4,782,114	4,880,382	4,910,160	4,925,740	+133,116	+45,358	+15,580	D
National Heart, Lung, and Blood Institute	2,922,391	2,925,413	2,965,775	2,992,197	3,001,691	+79,300	+35,916	+9,494	D
National Institute of Dental & Craniofacial Research	389,066	389,722	395,753	398,602	399,867	+10,801	+4,114	+1,265	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs. FY 2007 Comparable	Conference vs. FY 2008 House	Conference vs. FY 2008 Senate	
National Institute of Diabetes and Digestive and Kidney Diseases	1,702,996	1,706,045	1,731,893	1,747,784	1,753,037	+50,041	+21,144	+5,253	D
Juvenile diabetes (mandatory)	(150,000)	(150,000)	(150,000)	(150,000)	(150,000)	---	---	---	NA
Subtotal, NIDDK	(1,852,996)	(1,856,045)	(1,881,893)	(1,897,784)	(1,903,037)	(+50,041)	(+21,144)	(+5,253)	
National Institute of Neurological Disorders & Stroke	1,532,988	1,537,019	1,569,106	1,573,268	1,578,210	+45,222	+9,104	+4,942	D
National Institute of Allergy and Infectious Diseases	4,264,034	4,292,482	4,332,019	4,368,472	4,382,585	+118,551	+50,566	+14,113	D
Global HIV/AIDS Fund Transfer	99,000	300,000	299,825	300,000	300,000	+201,000	+175	---	D
Subtotal, NIAID	4,363,034	4,592,482	4,631,844	4,668,472	4,682,585	+319,551	+50,741	+14,113	
National Institute of General Medical Sciences	1,932,580	1,941,462	1,966,019	1,978,601	1,984,879	+52,299	+18,860	+6,278	D
National Institute of Child Health & Human Development	1,252,765	1,264,946	1,273,863	1,282,231	1,286,379	+33,614	+12,516	+4,148	D
National Eye Institute	665,986	667,820	677,039	681,962	684,126	+18,140	+7,087	+2,164	D
National Institute of Environmental Health Sciences	647,242	637,406	652,303	656,176	658,258	+11,016	+5,955	+2,082	D
National Institute on Aging	1,045,468	1,047,148	1,062,833	1,073,048	1,076,389	+30,921	+13,556	+3,341	D
National Institute of Arthritis and Musculoskeletal and Skin Diseases	507,374	508,062	516,044	519,510	521,459	+14,085	+5,415	+1,949	D
National Institute on Deafness and Other Communication Disorders	392,992	393,682	400,305	402,680	403,958	+10,966	+3,653	+1,278	D
National Institute of Nursing Research	137,188	137,800	139,527	140,456	140,900	+3,712	+1,373	+444	D
National Institute on Alcohol Abuse and Alcoholism	435,585	436,505	442,870	445,702	447,245	+11,660	+4,375	+1,543	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
National Institute on Drug Abuse	1,001,952	1,000,365	1,015,559	1,022,594	1,025,839	+23,887	+10,280	+3,245	D
National Institute of Mental Health	1,402,385	1,405,421	1,425,531	1,436,001	1,440,557	+38,172	+15,026	+4,556	D
National Human Genome Research Institute	508,256	484,438	493,996	497,031	498,748	-9,508	+4,752	+1,717	D
National Institute of Biomedical Imaging and Bioengineering	296,380	300,463	303,318	304,319	305,884	+9,504	+2,566	+1,565	D
National Center for Research Resources	1,131,633	1,112,498	1,171,095	1,177,997	1,182,015	+50,382	+10,920	+4,018	D
National Center for Complementary and Alternative Medicine	121,371	121,699	123,380	124,213	124,647	+3,276	+1,267	+434	D
National Center on Minority Health and Health Disparities	199,107	194,495	202,691	203,895	204,542	+5,435	+1,851	+647	D
John E. Fogarty International Center	66,372	66,594	67,599	68,000	68,216	+1,844	+617	+216	D
National Library of Medicine	321,570	312,562	325,484	327,817	329,039	+7,469	+3,555	+1,222	D
Evaluation Tap Funding	(8,200)	(8,200)	(8,200)	(8,200)	(8,200)	...	...	...	NA
Subtotal, NLM	329,770	320,762	333,684	336,017	337,239	+7,469	+3,555	+1,222	
Office of the Director 3/	1,047,001	517,062	1,114,422	1,145,790	1,145,790	+98,789	+31,368	...	D
Common fund	(483,000)	(121,540)	(495,153)	(531,300)	(531,300)	(+48,300)	(+36,147)	...	NA
Buildings and Facilities	83,581	136,000	121,081	121,081	130,000	+46,419	+8,919	+8,919	D
Total, National Institutes of Health (NIH)	28,899,887	28,621,241	29,669,712	29,899,887	30,000,000	+1,100,113	+330,288	+100,113	
Global HIV/AIDS Fund Transfer	-99,000	-300,000	-299,825	-300,000	-300,000	-201,000	-175	...	
Evaluation Tap Funding	(8,200)	(8,200)	(8,200)	(8,200)	(8,200)	...	...	...	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Total, NIH, Program Level	(28,809,087)	(28,329,441)	(29,378,087)	(29,608,087)	(29,708,200)	(+899,113)	(+330,113)	(+100,113)	
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA)									
Mental Health:									
Programs of Regional and National Significance	263,263	186,633	277,030	298,217	304,668	+41,405	+27,638	+6,451	D
Mental Health block grant	406,843	406,843	419,843	406,843	406,843	---	-13,000	---	D
Evaluation Tap Funding	(21,413)	(21,413)	(21,413)	(21,413)	(21,413)	---	---	---	NA
Subtotal, Program level	(428,256)	(428,256)	(441,256)	(428,256)	(428,256)	---	(-13,000)	---	
Children's Mental Health	104,078	104,078	104,078	104,078	104,078	---	---	---	D
Grants to States for the Homeless (PATH)	54,261	54,261	54,261	54,261	54,261	---	---	---	D
Protection and Advocacy	34,000	34,000	34,000	39,000	36,500	+2,500	+2,500	-2,500	D
Subtotal, Mental Health	882,445	785,815	889,212	902,399	906,350	+43,905	+17,138	+3,951	
Subtotal, Program level	(883,858)	(807,228)	(910,625)	(923,812)	(927,763)	(+43,905)	(+17,138)	(+3,951)	
Substance Abuse Treatment:									
Programs of Regional and National Significance	394,649	347,790	398,102	422,268	412,963	+18,314	+14,861	-9,305	D
Evaluation Tap Funding	(4,300)	(4,300)	(4,300)	(4,300)	(4,300)	---	---	---	NA
Subtotal, Program level	(398,949)	(352,090)	(402,402)	(426,568)	(417,263)	(+18,314)	(+14,861)	(-9,305)	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Substance Abuse block grant	1,679,391	1,679,391	1,714,391	1,679,391	1,696,891	+17,500	-17,500	+17,500	D
Evaluation Tap Funding	(79,200)	(79,200)	(79,200)	(79,200)	(79,200)	---	---	---	NA
Subtotal, Program level	(1,758,591)	(1,758,591)	(1,793,591)	(1,758,591)	(1,776,091)	(+17,500)	(-17,500)	(+17,500)	
Subtotal, Substance Abuse Treatment	2,074,040	2,027,181	2,112,493	2,101,659	2,109,854	+35,814	-2,639	+8,195	
Subtotal, Program level	(2,157,540)	(2,110,681)	(2,195,993)	(2,185,159)	(2,193,354)	(+35,814)	(-2,639)	(+8,195)	
Substance Abuse Prevention:									
Programs of Regional and National Significance	192,902	156,481	194,502	197,108	197,675	+4,773	+3,173	+567	D
Program Management	76,721	76,969	76,721	76,969	76,969	+248	+248	---	D
Evaluation Tap funding (NA)	(16,000)	(16,250)	(16,000)	(21,750)	(19,750)	(+3,750)	(+3,750)	(-2,000)	NA
Subtotal, Program level	92,721	93,219	92,721	98,719	96,719	+3,998	+3,998	-2,000	
Total, SAMHSA	3,206,108	3,046,426	3,272,928	3,278,135	3,290,848	+84,740	+17,920	+12,713	
Evaluation Tap funding	(120,913)	(121,163)	(120,913)	(126,663)	(124,663)	(+3,750)	(+3,750)	(-2,000)	
Total, SAMHSA program level	(3,327,021)	(3,167,589)	(3,393,841)	(3,404,798)	(3,415,511)	(+88,490)	(+21,670)	(+10,713)	
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY									
Research on Health Costs, Quality, and Outcomes: Federal Funds	---	---	271,564	271,564	---	---	-271,564	-271,564	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Evaluation Tap funding (NA)	(260,986)	(271,564)	---	---	(276,584)	(+15,578)	(+276,584)	(+276,584)	NA
Clinical effectiveness research (NA)	(15,000)	(15,000)	(30,000)	(30,000)	(30,000)	(+15,000)	---	---	NA
Patient safety research (NA)	(84,000)	(93,934)	(78,934)	(78,934)	(78,934)	(-5,066)	---	---	NA
Subtotal, Program level	(260,986)	(271,564)	(271,564)	(271,564)	(276,584)	(+15,578)	(+5,000)	(+5,000)	
Medical Expenditures Panel Surveys:									NA
Federal Funds	---	---	8,236	55,300	---	---	-8,236	-55,300	D
Evaluation Tap funding (NA)	(55,300)	(55,300)	(47,064)	---	(55,300)	---	(+8,236)	(+55,300)	NA
Subtotal, Medical Expenditures Panel Surveys	(55,300)	(55,300)	(55,300)	(55,300)	(55,300)	---	---	---	
Program Support:									
Federal Funds	---	---	2,700	2,700	---	---	-2,700	-2,700	D
Evaluation Tap funding (NA)	(2,700)	(2,700)	---	---	(2,700)	---	(+2,700)	(+2,700)	NA
Subtotal, Program support	(2,700)	(2,700)	(2,700)	(2,700)	(2,700)	---	---	---	
Total, AHRQ	---	---	282,500	329,564	---	---	-282,500	-329,564	
Evaluation Tap funding (NA)	(318,986)	(329,564)	(47,064)	---	(334,584)	(+15,578)	(+287,500)	(+334,564)	
Total, AHRQ program level	(318,986)	(329,564)	(329,564)	(329,564)	(334,584)	(+15,578)	(+5,000)	(+5,000)	
Total, Public Health Service appropriation	44,560,020	43,244,104	46,489,083	46,600,715	46,881,058	+2,321,038	+391,975	+280,343	
Total, Public Health Service program level	(45,203,219)	(43,695,031)	(46,711,014)	(46,731,242)	(47,401,507)	(+2,198,288)	(+690,493)	(+670,265)	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate
CENTERS FOR MEDICARE AND MEDICAID SERVICES GRANTS TO STATES FOR MEDICAID								
Medicaid current law benefits	155,467,869	194,109,000	194,109,000	194,109,000	194,109,000	+38,641,131	---	---
State and local administration	9,881,583	10,014,716	10,014,716	10,014,716	10,014,716	+133,133	---	---
Vaccines for Children	2,905,330	2,761,957	2,763,957	2,761,957	2,761,957	-143,373	-2,000	---
Subtotal, Medicaid program level	168,254,782	206,885,673	206,887,673	206,885,673	206,885,673	+38,630,891	-2,000	---
Less funds advanced in prior year	-62,783,825	-65,257,617	-65,257,617	-65,257,617	-65,257,617	-2,473,792	---	---
Total, Grants to States for medicaid	105,470,957	141,628,056	141,630,056	141,628,056	141,628,056	+36,157,099	-2,000	---
New advance, 1st quarter	65,257,617	67,292,669	67,292,669	67,292,669	67,292,669	+2,035,052	---	---
State Children's Health Insurance program shortfall payment (SCHIP) (emergency)	395,000	---	---	---	---	-395,000	---	---
PAYMENTS TO HEALTH CARE TRUST FUNDS								
Supplemental medical insurance	137,623,000	140,704,000	140,704,000	140,704,000	140,704,000	+3,081,000	---	---
Hospital insurance for the uninsured	239,000	269,000	269,000	269,000	269,000	+30,000	---	---
Federal uninsured payment	229,000	237,000	237,000	237,000	237,000	+8,000	---	---
Program management	175,000	192,000	192,000	192,000	192,000	+17,000	---	---
General revenue for Part D benefit	37,329,000	46,299,000	46,299,000	46,299,000	46,299,000	+8,970,000	---	---
General revenue for Part D administration	703,480	744,000	744,000	744,000	744,000	+40,520	---	---

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
HCFAC reimbursement	---	183,000	383,000	383,000	383,000	+383,000	---	...	M
Subtotal, Payments to Trust Funds, current law	176,298,480	188,628,000	188,828,000	188,828,000	188,828,000	+12,529,520	---	---	
Less funds advanced in prior year	---	---	---	---	---	---	---	---	
Total, Payments to Trust Funds, current law	176,298,480	188,628,000	188,828,000	188,828,000	188,828,000	+12,529,520	---	---	
PROGRAM MANAGEMENT 5/									
Research, Demonstration, Evaluation	57,420	33,700	23,070	35,325	36,990	-20,430	+13,920	+1,665	TF
Medicare Operations 6/	2,159,242	2,303,615	2,221,215	2,276,052	2,253,634	+94,392	+32,419	-22,418	TF
Revitalization plan	23,963	---	---	---	---	-23,963	---	---	TF
State Survey and Certification	258,128	293,524	293,524	293,524	293,524	+35,396	---	---	TF
High risk insurance pools	---	---	50,000	---	50,000	+50,000	---	+50,000	TF
Federal Administration 6/	642,354	643,187	642,354	643,187	642,354	---	---	-833	TF
Total, Program management, Limitation on new BA	3,141,107	3,274,026	3,230,163	3,248,088	3,276,502	+135,395	+46,339	+28,414	
Survey and Certification user fee	---	(-35,000)	---	(-35,000)	---	---	---	(+35,000)	
Total, Program management, program level	(3,141,107)	(3,239,026)	(3,230,163)	(3,213,088)	(3,276,502)	(+135,395)	(+46,339)	(+63,414)	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs. FY 2007 Comparable	Conference vs. FY 2008 House	Conference vs. FY 2008 Senate	
HEALTH CARE FRAUD AND ABUSE CONTROL									
Part D drug benefit/medicare advantage (MIP)	---	137,840	288,480	288,480	249,620	+249,620	-38,860	-38,860	TF
HHS Office of Inspector General	---	17,530	36,690	36,690	36,690	+36,690	---	---	TF
Department of Justice	---	17,530	36,690	36,690	36,690	+36,690	---	---	TF
Medicaid/SCHIP	---	---	---	---	35,000	+35,000	+35,000	+35,000	TF
HHS Secretary	---	10,100	21,140	21,140	25,000	+25,000	+3,860	+3,860	TF
Total, Health Care Fraud and Abuse Control	---	183,000	383,000	383,000	383,000	+383,000	---	---	
Total, Center for Medicare and Medicaid Services	350,564,161	401,005,751	401,363,888	401,379,813	401,408,227	+50,844,066	+44,339	+28,414	
Federal funds	347,423,054	397,548,725	397,750,725	397,748,725	397,748,725	+50,325,671	-2,000	---	
Current year	(282,165,437)	(330,256,056)	(330,458,056)	(330,456,056)	(330,456,056)	(+48,290,619)	(-2,000)	---	
New advance, FY 2009	(65,257,617)	(67,292,669)	(67,292,669)	(67,292,669)	(67,292,669)	(+2,035,052)	---	---	
Trust Funds	3,141,107	3,457,026	3,613,163	3,631,088	3,659,502	+518,395	+46,339	+28,414	
ADMINISTRATION FOR CHILDREN AND FAMILIES FAMILY SUPPORT PAYMENTS TO STATES									
Payments to territories	38,000	38,000	38,000	38,000	38,000	---	---	---	M
Repatriation	1,000	1,000	1,000	1,000	1,000	---	---	---	M
Subtotal, Welfare payments	39,000	39,000	39,000	39,000	39,000	---	---	---	
Child Support Enforcement:									
State and local administration	3,943,678	3,417,713	3,417,713	3,417,713	3,417,713	-525,965	---	---	M
Federal incentive payments	471,000	483,000	483,000	483,000	483,000	+12,000	---	---	M

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Access and visitation	10,000	10,000	10,000	10,000	10,000	...	...	...	*
Subtotal, Child Support Enforcement	4,424,678	3,910,713	3,910,713	3,910,713	3,910,713	-513,965	...	...	
Total, Family support payments program level	4,463,678	3,949,713	3,949,713	3,949,713	3,949,713	-513,965	...	...	
Less funds advanced in previous years	-1,200,000	-1,000,000	-1,000,000	-1,000,000	-1,000,000	+200,000	...	...	*
Total, Family support payments, current year	3,263,678	2,949,713	2,949,713	2,949,713	2,949,713	-313,965	...	...	
New advance, 1st quarter, FY 2009	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	...	...	...	*
LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)									
Formula grants	1,980,000	1,500,000	1,980,000	1,980,000	1,980,000	...	...	...	D
Contingency fund	181,170	282,000	682,000	181,170	431,585	+250,415	-250,415	+250,415	D
Total, LIHEAP	2,161,170	1,782,000	2,662,000	2,161,170	2,411,585	+250,415	-250,415	+250,415	
REFUGEE AND ENTRANT ASSISTANCE									
Transitional and Medical Services	265,546	294,021	294,021	294,021	294,021	+28,475	...	...	D
Victims of Trafficking	9,823	14,816	9,814	9,823	9,814	-9	...	-9	D
Social Services	154,005	149,610	154,005	154,005	154,005	...	...	...	D
Preventive Health	4,748	4,700	4,748	4,748	4,748	...	...	...	D
Targeted Assistance	48,590	48,104	48,590	48,590	48,590	...	...	...	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Unaccompanied minors	95,318	134,662	129,635	133,162	131,399	+36,081	+1,764	-1,763	D
Victims of Torture	9,817	9,717	9,817	9,817	9,817	...	...	...	D
Total, Refugee and entrant assistance	587,847	655,630	650,630	654,166	652,394	+64,547	+1,764	-1,772	
CHILD CARE AND DEVELOPMENT BLOCK GRANT									D
Child Care and Development Block Grant	2,062,081	2,062,081	2,137,081	2,062,081	2,094,581	+32,500	-42,500	+32,500	D
Child Care for Small Business	...	...	...	5,000	5,000	+5,000	+5,000	...	D
Total, Child Care and Development Block Grant	2,062,081	2,062,081	2,137,081	2,067,081	2,099,581	+37,500	-37,500	+32,500	
SOCIAL SERVICES BLOCK GRANT (TITLE XX)	1,700,000	1,700,000	1,700,000	1,700,000	1,700,000	...	...	...	M
CHILDREN AND FAMILIES SERVICES PROGRAMS									
Programs for Children, Youth and Families: Head Start, current funded	5,499,771	5,399,771	5,574,771	5,699,771	5,653,396	+153,625	+78,625	-46,375	D
Advance from prior year	(1,388,800)	(1,388,800)	(1,388,800)	(1,388,800)	(1,388,800)	...	...	...	NA
FY 2009	1,388,800	1,388,800	1,388,800	1,388,800	1,388,800	...	...	...	D
Subtotal, Head Start, program level	6,888,571	6,788,571	6,963,571	7,088,571	7,042,196	+153,625	+78,625	-46,375	
Consolidated Runaway, Homeless Youth Program	87,837	87,837	97,837	102,837	100,337	+12,500	+2,500	-2,500	D
Prevention grants to reduce abuse of runaway youth	15,027	15,027	15,027	20,027	17,527	+2,500	+2,500	-2,500	D
Child Abuse State Grants	27,007	27,007	27,007	27,007	27,007	...	...	...	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Child Abuse Discretionary Activities............	25,780	36,138	36,833	37,738	38,026	+12,246	+1,193	+288	D
Community based child abuse prevention...........	42,430	42,430	42,430	42,430	42,430	---	---	---	D
Abandoned Infants Assistance......................	11,835	11,835	11,835	11,835	11,835	---	---	---	D
Child Welfare Services............................	286,754	286,754	286,754	286,754	286,754	---	---	---	D
Child Welfare Training............................	7,335	7,335	7,335	7,335	7,335	---	---	---	D
Adoption Opportunities............................	26,848	26,848	26,848	26,848	26,848	---	---	---	D
Adoption Incentive	5,000	13,500	9,500	9,500	4,400	-600	-5,100	-5,100	D
Adoption Awareness................................	12,674	12,674	14,674	12,674	13,674	+1,000	-1,000	+1,000	D
Interstate Home Study for Adoption and Foster Care	---	10,000	---	---	---	---	---	---	D
Compassion Capital Fund...........................	64,350	75,000	64,350	53,625	53,625	-10,725	-10,725	---	D
Social Services and Income Maintenance Research.......	5,868	---	8,635	5,825	15,898	+10,030	+7,263	+10,073	D
Evaluation tap funding............................	(6,000)	(5,880)	(6,000)	(6,000)	(6,000)	---	---	---	NA
Subtotal, Program level...........................	(11,868)	(5,880)	(14,635)	(11,825)	(21,898)	(+10,030)	(+7,263)	(+10,073)	
Developmental Disabilities Programs:									
State Councils....................................	71,771	71,771	76,771	77,271	77,271	+5,500	+500	---	D
Protection and Advocacy...........................	38,718	38,718	38,718	42,718	41,718	+3,000	+3,000	-1,000	D
Voting access for individuals with disabilities...	15,720	15,720	36,720	16,720	18,820	+3,100	-17,900	+2,100	D
Developmental Disabilities Projects of National Significance..................................	11,414	11,414	11,414	15,414	14,414	+3,000	+3,000	-1,000	D D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
University Centers for Excellence in Developmental Disabilities	33,212	33,213	33,213	38,713	37,613	+4,401	+4,400	-1,100	D D
Subtotal, Developmental disabilities programs	170,835	170,836	196,836	190,836	189,836	+19,001	-7,000	-1,000	
Native American Programs	44,332	44,332	47,332	49,332	48,332	+4,000	+1,000	-1,000	D
Community Services:									
Grants to States for Community Services	630,425	...	660,425	670,425	665,425	+35,000	+5,000	-5,000	D
Community Initiative Program:									
Economic Development	27,022	...	32,700	27,022	32,700	+5,678	...	+5,678	D
Job Opportunities for Low-Income Individuals	5,382	...	5,382	5,382	5,382	...	...	...	D
Individual Development Account Initiative	24,452	24,452	24,452	24,452	24,452	...	...	...	D
Rural Community Facilities	7,293	...	8,000	8,000	8,000	+707	...	...	D
Subtotal, Community Initiative Program	64,149	24,452	70,534	64,856	70,534	+6,385	...	+5,678	
Subtotal, Community Services	694,574	24,452	730,959	735,281	735,959	+41,385	+5,000	+678	
Domestic Violence Hotline	2,970	2,970	2,970	3,200	3,085	+115	+115	-115	D
Family Violence/Battered Women's Shelters	124,731	124,731	134,731	127,000	130,866	+6,135	-3,865	+3,866	D
Mentoring Children of Prisoners	49,493	50,000	49,493	49,493	49,493	...	...	...	D
Independent Living Training Vouchers	46,157	46,157	46,157	46,157	46,157	...	...	...	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Abstinence Education	108,900	136,664	136,664	80,416	136,664	+27,764	...	+56,248	D
Evaluation Tap Funding	(4,500)	(4,500)	(4,500)	(4,500)	(4,500)	...	...	...	NA
Subtotal, Program level	(113,400)	(141,164)	(141,164)	(84,916)	(141,164)	(+27,764)	...	(+56,248)	
Faith-Based Center	1,386	1,386	1,386	1,386	1,386	...	...	...	D
Program Direction	187,776	197,225	187,776	197,225	191,025	+3,249	+3,249	-6,200	D
Total, Children and Families Services Programs	8,938,470	8,239,709	9,146,940	9,213,332	9,220,695	+282,225	+73,755	+7,363	
Current Year	(7,549,670)	(6,850,909)	(7,758,140)	(7,824,532)	(7,831,895)	(+282,225)	(+73,755)	(+7,363)	
FY 2009	(1,388,800)	(1,388,800)	(1,388,800)	(1,388,800)	(1,388,800)	...	...	...	
Evaluation Tap funding	(10,500)	(10,380)	(10,500)	(10,500)	(10,500)	...	...	...	
Total, Program level	8,948,970	8,250,089	9,157,440	9,223,832	9,231,195	+282,225	+73,755	+7,363	
PROMOTING SAFE AND STABLE FAMILIES 7/	345,000	345,000	345,000	345,000	345,000	...	...	...	M
Discretionary Funds	89,100	89,100	89,100	89,100	89,100	...	...	...	D
PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION									
Foster Care	4,475,000	4,581,000	4,593,000	4,581,000	4,581,000	+106,000	-12,000	...	M
Adoption Assistance	2,027,000	2,156,000	2,159,000	2,156,000	2,156,000	+129,000	-3,000	...	M
Independent living	140,000	140,000	140,000	140,000	140,000	...	...	...	M
Total, Payments to States	6,642,000	6,877,000	6,892,000	6,877,000	6,877,000	+235,000	-15,000	...	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Less Advances from Prior Year	-1,730,000	-1,810,000	-1,810,000	-1,810,000	-1,810,000	-80,000	---	---	*
Total, payments, current year	4,912,000	5,067,000	5,082,000	5,067,000	5,067,000	+155,000	-15,000	---	
New Advance, 1st quarter	1,810,000	1,776,000	1,776,000	1,776,000	1,776,000	-34,000	---	---	*
Total, Administration for Children & Families	26,869,346	25,666,233	27,538,464	27,022,562	27,311,068	+441,722	-227,396	+288,506	
Current year	(22,670,546)	(21,501,433)	(23,373,664)	(22,857,782)	(23,146,268)	(+475,722)	(-227,396)	(+288,506)	
FY 2009	(4,198,800)	(4,164,800)	(4,164,800)	(4,164,800)	(4,164,800)	(-34,000)	---	---	
Evaluation Tap funding	(10,500)	(10,380)	(10,500)	(10,500)	(10,500)	---	---	---	
Total, Administration for Children & Families	26,879,846	25,676,613	27,548,964	27,033,062	27,321,568	+441,722	-227,396	+288,506	
ADMINISTRATION ON AGING									
Grants to States:									
Supportive Services and Centers	350,595	350,595	357,595	355,595	357,595	+7,000	---	+2,000	D
Preventive Health	21,400	---	21,400	21,400	21,400	---	---	---	D
Protection of Vulnerable Older Americans-Title VII	20,156	19,156	20,156	21,156	21,000	+844	+844	-156	D
Family Caregivers	156,167	154,187	156,167	159,167	158,167	+2,000	+2,000	-1,000	D
Native American Caregivers Support	6,241	6,241	6,428	6,428	6,428	+187	---	---	D
Subtotal, Caregivers	162,408	160,428	162,595	165,595	164,595	+2,187	+2,000	-1,000	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Nutrition:									
Congregate Meals	398,919	383,401	411,692	419,519	418,019	+19,100	+6,327	-1,500	D
Home Delivered Meals	188,305	180,998	194,337	198,805	197,305	+9,000	+2,968	-1,500	D
Nutrition Services Incentive Program	147,846	147,110	152,570	157,246	156,157	+8,311	+3,587	-1,089	D
Subtotal, Nutrition	735,070	711,509	758,599	775,570	771,481	+36,411	+12,882	-4,089	
Subtotal, Grants to States	1,289,629	1,241,698	1,320,345	1,339,316	1,336,071	+46,442	+15,726	-3,245	
Grants for Native Americans	26,134	26,134	26,918	27,834	27,376	+1,242	+458	-458	D
Program Innovations	24,058	35,485	10,240	11,420	15,094	-8,964	+4,854	+3,674	D
Aging Network Support Activities	13,133	13,133	29,633	42,651	37,901	+24,768	+8,268	-4,750	D
Alzheimer's Disease Demonstrations	11,668	---	11,668	11,668	11,668	---	---	---	D
Program Administration	18,385	18,686	18,385	18,696	18,541	+156	+156	-155	D
Total, Administration on Aging	1,383,007	1,335,146	1,417,189	1,451,585	1,446,651	+63,644	+29,462	-4,934	
OFFICE OF THE SECRETARY									
GENERAL DEPARTMENTAL MANAGEMENT:									
Federal Funds	179,175	225,442	185,021	227,403	211,726	+32,551	+26,705	-15,677	D
Rescission (P.L. 110-28)	-500	---	---	---	---	+500	---	---	D
Undistributed reduction	---	---	-31,000	-1,000	---	---	+31,000	+1,000	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

						Conference vs.			
	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	FY 2007 Comparable	FY 2008 House	FY 2008 Senate	
Trust Funds	5,792	5,851	5,851	5,851	5,851	+59	---	---	TF
Subtotal	184,467	231,293	169,872	232,254	217,577	+33,110	+47,705	-14,677	
Adolescent Family Life (Title XX)	30,307	30,307	30,307	30,307	30,307	---	---	---	D
Lifespan respite care	---	---	10,000	---	2,000	+2,000	-8,000	+2,000	D
Minority health	53,455	43,775	49,284	49,475	49,620	-3,835	+336	+145	D
Office of women's health	28,246	27,369	28,800	30,369	31,585	+3,339	+2,785	+1,216	D
Minority HIV/AIDS	51,891	51,891	51,891	51,891	51,891	---	---	---	D
Afghanistan	5,892	5,941	5,941	5,941	5,941	+49	---	---	D
Embryo adoption awareness campaign	1,980	1,980	1,980	4,000	4,000	+2,020	+2,020	---	D
Evaluation tap funding (ASPE) (NA)	(39,552)	(46,756)	(46,756)	(46,756)	(46,756)	(+7,204)	---	---	NA
Total, General Departmental Management	356,238	392,556	348,075	404,237	392,921	+36,683	+44,846	-11,316	
Federal Funds	(350,946)	(386,705)	(342,224)	(398,386)	(387,070)	(+36,124)	(+44,846)	(-11,316)	
Rescissions	(-500)	---	---	---	---	(+500)	---	---	
Trust Funds	5,792	5,851	5,851	5,851	5,851	+59	---	---	
Evaluation tap funding	(39,552)	(46,756)	(46,756)	(46,756)	(46,756)	(+7,204)	---	---	
OFFICE OF MEDICARE HEARINGS AND APPEALS	59,727	70,000	65,000	70,000	67,500	+7,773	+2,500	-2,500	TF
OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY 8/	42,402	89,872	13,302	43,000	27,651	-14,751	+14,349	-15,349	D
Evaluation tap funding	(18,900)	(28,000)	(48,000)	(28,000)	(38,500)	(+19,600)	(-9,500)	(+10,500)	NA
Total, Health Information Tech. program level	(61,302)	(117,872)	(61,302)	(71,000)	(66,151)	(+4,849)	(+4,849)	(-4,849)	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
OFFICE OF THE INSPECTOR GENERAL:									
Federal Funds	39,808	44,687	44,687	45,687	45,187	+5,379	+500	-500	D
HIPAA funding (NA)	(175,570)	(196,418)	(196,418)	(196,418)	(196,418)	(+20,848)	...	...	NA
Medicaid integrity program Deficit Reduction Act (P.L. 109-171) (NA)	...	(25,000)	(25,000)	(25,000)	(12,500)	(+12,500)	(-12,500)	(-12,500)	NA NA
Total, Inspector General program level	(215,378)	(266,105)	(266,105)	(267,105)	(254,105)	(+38,727)	(-12,000)	(-13,000)	
OFFICE FOR CIVIL RIGHTS:									
Federal Funds	31,628	33,748	33,748	33,748	33,748	+2,120	...	...	D
Trust Funds	3,281	3,314	3,314	3,314	3,314	+33	...	...	TF
Total, Office for Civil Rights	34,909	37,062	37,062	37,062	37,062	+2,153	...	...	
MEDICAL BENEFITS FOR COMMISSIONED OFFICERS									
Retirement payments	292,249	317,967	317,967	317,967	317,967	+25,718	...	...	M
Survivors benefits	17,338	18,026	18,026	18,026	18,026	+688	...	...	M
Dependents' medical care	61,111	66,549	66,549	66,549	66,549	+5,438	...	...	M
Total, Medical benefits for Commissioned Officers	370,698	402,542	402,542	402,542	402,542	+31,844	...	...	
PUBLIC HEALTH AND SOCIAL SERVICE EMERGENCY FUND									
Office of the Secretary activities	717,320	760,646	757,291	786,556	741,586	+24,266	-15,705	-44,970	D
Other PHSSEF activities	...	25,000	...	55,000	...	...	...	-55,000	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Pandemic influenza preparedness	...	948,091	948,091	888,000	763,923	+763,923	-184,168	-124,077	D
Total, PHSSEF	717,320	1,753,737	1,705,382	1,729,556	1,505,509	+788,189	-199,873	-224,047	
Covered countermeasure process fund	...	...	5,000	...	...	...	-5,000	...	D
Total, Office of the Secretary	1,621,102	2,790,456	2,621,050	2,732,084	2,478,372	+857,270	-142,678	-253,712	
Federal Funds	1,552,302	2,711,291	2,546,885	2,652,919	2,401,707	+849,405	-145,178	-251,212	
Trust Funds	68,800	79,165	74,165	79,165	76,665	+7,865	+2,500	-2,500	
Total, Title II, Dept of Health & Human Services	424,997,636	474,041,690	479,429,674	479,188,759	479,525,376	+54,527,740	+95,702	+336,617	
Federal Funds	421,787,729	470,505,499	475,742,346	475,476,506	475,789,209	+54,001,480	+46,863	+312,703	
Current year	(352,331,312)	(399,048,030)	(404,284,877)	(404,019,037)	(404,331,740)	(+52,000,428)	(+46,863)	(+312,703)	
Emergency appropriations	(459,000)	...	...	...	...	(-459,000)	...	...	
FY 2009	(69,456,417)	(71,457,469)	(71,457,469)	(71,457,469)	(71,457,469)	(+2,001,052)	...	...	
Trust Funds	3,209,907	3,536,191	3,687,328	3,710,253	3,736,167	+526,260	+48,839	+25,914	

Title II Footnotes:

1/ In FY06 the Delta Health initiative was funded through the Rural hospital flexibility grant program

2/ Depart. of Health & Human Services reorganization (7/12/06) of the Office of Rural Health Policy

3/ Funds provided for biodefense activities are reflected within CDC and NIH respectively.

4/ Includes Mine Safety and Health.

5/ The Deficit Reduction Act of 2005 provided $74M for CMS Program Management.

6/ FY 2006 Appropriations Act included a $60M program administrative reduction.

7/ The Deficit Reduction Act of 2005 provided $20M for the Promoting Safe and Stable Entitlement Program.

8/ An additional $50 million for Health IT within AHRQ in FY 2007; an additional $45 million in FY 2008.

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate		
TITLE III - DEPARTMENT OF EDUCATION										
EDUCATION FOR THE DISADVANTAGED										
Grants to Local Educational Agencies (LEAs)										
Basic Grants:										
Advance from prior year	(1,478,584)	(1,353,584)	(1,353,584)	(1,353,584)	(1,353,584)	(-125,000)	...	...	NA	
Forward funded	5,451,387	5,325,824	5,451,387	5,038,599	6,171,144	+719,757	+719,757	+1,132,545	D	FF
Current funded	3,437	4,000	4,000	4,000	4,000	+563	...	...	D	
Subtotal, Basic grants current year approp.	5,454,824	5,329,824	5,455,387	5,042,599	6,175,144	+720,320	+719,757	+1,132,545		
Subtotal, Basic grants total funds available	(6,933,408)	(6,683,408)	(6,808,971)	(6,396,183)	(7,528,728)	(+595,320)	(+719,757)	(+1,132,545)		
Basic Grants FY 2009 Advance	1,353,584	1,478,584	1,353,584	1,765,808	633,827	-719,757	-719,757	-1,131,981	D	
Subtotal, Basic grants, program level	6,808,408	6,808,408	6,808,971	6,808,407	6,808,971	+563	...	+564		
Concentration Grants:										
Advance from prior year	(1,365,031)	(1,365,031)	(1,365,031)	(1,365,031)	(1,365,031)	...	...	...	NA	
FY 2009 Advance	1,365,031	1,365,031	1,365,031	1,365,031	1,365,031	...	...	...	D	
Subtotal, Concentration Grants program level	1,365,031	1,365,031	1,365,031	1,365,031	1,365,031	...	...	...		
Targeted Grants:										
Forward funded	...	1,196,775	771,219	...	...	...	-771,219	...	D	FF
Advance from prior year	(2,269,843)	(2,332,343)	(2,332,343)	(2,332,343)	(2,332,343)	(+62,500)	...	...	NA	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate		
FY 2009 Advance	2,332,343	2,269,843	2,323,343	2,868,231	3,068,680	+736,337	+745,337	+200,449	D	
Subtotal, Targeted Grants program level	2,332,343	3,466,618	3,094,562	2,868,231	3,068,680	+736,337	-25,882	+200,449		
Education Finance Incentive Grants: Advance from prior year	(2,269,843)	(2,332,343)	(2,332,343)	(2,332,343)	(2,332,343)	(+62,500)	---	---	NA	
FY 2009 Advance	2,332,343	2,269,843	3,094,260	2,868,231	3,068,680	+736,337	-25,580	+200,449	D	
Subtotal, Education Finance Incentive Grants	2,332,343	2,269,843	3,094,260	2,868,231	3,068,680	+736,337	-25,580	+200,449		
Subtotal, Grants to LEAs, program level	12,838,125	13,909,900	14,362,824	13,909,900	14,311,362	+1,473,237	-51,462	+401,462		
Even Start	82,283	---	99,000	---	62,636	-19,647	-36,364	+62,636	D	FF
School improvement grants	125,000	500,000	500,000	500,000	500,000	+375,000	---	---	D	FF
Reading First State Grants	1,029,234	1,018,692	353,500	800,000	400,000	-629,234	+46,500	-400,000	D	FF
Early Reading First	117,666	117,666	114,550	117,666	114,550	-3,116	---	-3,116	D	
Striving readers 1/	31,870	100,000	31,870	36,000	36,000	+4,130	+4,130	---	D	FF
Math Now for elementary school students	---	125,000	---	---	---	---	---	---	D	
Math Now for middle school students	---	125,000	---	---	---	---	---	---		
Literacy through School Libraries	19,485	19,486	19,486	23,000	21,243	+1,758	+1,757	-1,757	D	
Promise scholarships	---	250,000	---	---	---	---	---	---	D	
America's opportunity scholarships for kids	---	50,000	---	---	---	---	---	---	D	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate		
State Agency Programs:										
Migrant	386,524	380,295	393,900	386,524	390,212	+3,688	-3,688	+3,688	D	FF
Neglected and Delinquent/High Risk Youth	49,797	49,797	49,797	49,797	49,797	---	---	---	D	FF
Subtotal, State Agency programs	436,321	430,092	443,697	436,321	440,009	+3,688	-3,688	+3,688		
Evaluation	9,330	9,327	9,330	9,330	9,330	---	---	---	D	
Comprehensive School Reform Demonstration	2,352	---	1,634	1,634	1,634	-718	---	---	D	FF
Migrant Education:										
High School Equivalency Program	18,550	18,550	18,550	18,550	18,550	---	---	---	D	
College Assistance Migrant Program	15,377	15,377	15,377	15,377	15,377	---	---	---	D	
Subtotal, Migrant Education	33,927	33,927	33,927	33,927	33,927	---	---	---		
Total, Education for the disadvantaged	14,725,593	16,689,090	15,969,818	15,867,778	15,930,691	+1,205,098	-39,127	+62,913		
Current Year	(7,342,292)	(9,305,789)	(7,833,600)	(7,000,477)	(7,794,473)	(+452,181)	(-39,127)	(+793,996)		
FY 2009	(7,383,301)	(7,383,301)	(8,136,218)	(8,867,301)	(8,136,218)	(+752,917)	---	(-731,083)		
Subtotal, forward funded	(7,158,447)	(6,571,383)	(7,652,307)	(6,812,554)	(7,611,423)	(+452,976)	(-40,884)	(+798,869)		
IMPACT AID										
Basic Support Payments	1,091,867	1,091,867	1,140,517	1,111,867	1,126,192	+34,325	-14,325	+14,325	D	
Payments for Children with Disabilities	49,466	49,466	49,466	49,466	49,466	---	---	---	D	
Facilities Maintenance (Sec. 8008)	4,950	4,597	4,950	4,950	4,950	---	---	---	D	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate		
Construction (Sec. 8007)	17,820	17,820	17,820	17,820	17,820	...	...	...	D	
Payments for Federal Property (Sec. 8002)	64,350	64,350	65,700	64,350	64,350	...	-1,350	...	D	
Total, Impact aid	1,228,453	1,228,100	1,278,453	1,248,453	1,282,778	+34,325	-15,675	+14,325		
SCHOOL IMPROVEMENT PROGRAMS										
State Grants for Improving Teacher Quality	1,452,439	1,352,488	1,752,439	1,452,439	1,602,439	+150,000	-150,000	+150,000	D	FF
Advance from prior year	(1,435,000)	(1,435,000)	(1,435,000)	(1,435,000)	(1,435,000)	...	...	...	NA	
FY 2009	1,435,000	1,435,000	1,435,000	1,435,000	1,435,000	...	...	...	D	
Subtotal, State Grants for Improving Teacher Quality, program level	2,887,439	2,787,488	3,187,439	2,887,439	3,037,439	+150,000	-150,000	+150,000		
Early Childhood Educator Professional Development	14,550	...	...	14,550	...	-14,550	...	-14,550	D	
Mathematics and Science Partnerships	182,160	182,124	197,826	184,000	183,080	+920	-14,746	-920	D	FF
State Grants for Innovative Education (Education Block Grant)	99,000	...	99,000	...	...	-99,000	-99,000	...	D	FF
Educational Technology State Grants	272,250	...	272,250	272,250	272,250	...	...	...	D	FF
Supplemental Education Grants	18,001	18,001	18,001	18,001	18,001	...	...	...	D	
21st Century Community Learning Centers	981,166	981,180	1,106,166	1,000,000	1,081,166	+100,000	-25,000	+81,166	D	FF
State Assessments/Enhanced Assessment Instruments	407,563	411,630	411,630	416,000	416,000	+8,437	+4,370	...	D	FF
Javits gifted and talented education	7,596	...	7,596	7,596	7,596	...	...	...	D	
Foreign language assistance	23,780	23,755	26,780	26,780	26,780	+3,000	...	...	D	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate		
Education for Homeless Children and Youth	61,871	61,878	66,878	66,878	66,878	+5,007	---	---	D	FF
Training and Advisory Services (Civil Rights)	7,113	7,113	7,113	7,113	7,113	---	---	---	D	
Education for Native Hawaiians	33,907	---	33,907	34,500	34,204	+297	+297	-296	D	
Alaska Native Education Equity	33,907	---	33,907	34,500	34,204	+297	+297	-296	D	
Rural Education	168,918	168,851	168,918	168,918	168,918	---	---	---	D	FF
Comprehensive Centers	56,257	56,256	56,257	60,000	58,129	+1,872	+1,872	-1,871	D	
Total, School Improvement programs	5,255,478	4,698,276	5,693,668	5,198,525	5,411,758	+156,280	-281,910	+213,233		
Current Year	(3,820,478)	(3,263,276)	(4,258,668)	(3,763,525)	(3,976,758)	(+156,280)	(-281,910)	(+213,233)		
FY 2009	(1,435,000)	(1,435,000)	(1,435,000)	(1,435,000)	(1,435,000)	---	---	---		
Subtotal, forward funded	(3,625,367)	(3,158,151)	(4,075,107)	(3,560,485)	(3,790,731)	(+165,364)	(-284,376)	(+230,246)		
INDIAN EDUCATION										
Grants to Local Educational Agencies	95,331	95,331	100,057	95,331	100,057	+4,726	---	+4,726	D	
Federal Programs:										
Special Programs for Indian Children	19,399	19,399	19,884	19,399	19,884	+485	---	+485	D	
National Activities	3,960	3,953	4,059	3,960	4,059	+99	---	+99	D	
Subtotal, Federal Programs	23,359	23,352	23,943	23,359	23,943	+584	---	+584		
Total, Indian Education	118,690	118,683	124,000	118,690	124,000	+5,310	---	+5,310		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
INNOVATION AND IMPROVEMENT									
Troops-to-Teachers	14,645	14,645	14,645	14,645	14,645	...	...	...	D
Transition to Teaching	44,484	44,482	44,484	44,484	44,484	...	...	...	D
Writing instruction	21,533	...	23,533	24,000	24,000	+2,467	+467	...	D
Teaching of Traditional American History	119,790	50,000	119,790	120,000	120,000	+210	+210	...	D
School Leadership	14,731	...	14,731	14,731	14,731	...	...	...	D
Advanced Credentialing	16,695	...	10,695	9,821	9,821	-6,874	-874	...	D
Adjunct Teacher Corps	...	25,000	...	...	...	...	...	...	D
Charter Schools Grants	214,783	214,782	251,394	214,783	214,783	...	-36,611	...	D
Credit Enhancement for Charter School Facilities	36,611	36,611	...	...	...	-36,611	...	...	D
Voluntary Public School Choice	26,278	26,275	26,278	26,278	26,278	...	...	...	D
Magnet Schools Assistance	106,693	106,685	106,693	106,693	106,693	...	...	...	D
Fund for the Improvement of Education (FIE)	158,508	58,108	205,402	218,699	262,917	+104,409	+57,515	+44,218	D
Teacher Incentive Fund, Current funded	200	199,000	99,000	99,000	99,000	+98,800	...	...	D
Ready-to-Learn television	24,255	24,255	24,255	25,255	24,755	+500	+500	-500	D
Congressional Fellowships	1,454	...	1,454	2,500	1,977	+523	+523	-523	D
Advanced Placement	37,026	122,175	50,000	42,000	46,000	+8,974	-4,000	+4,000	D
Total, Innovation and Improvement	837,686	922,018	992,354	962,889	1,010,084	+172,398	+17,730	+47,195	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate		
SAFE SCHOOLS AND CITIZENSHIP EDUCATION										
Safe and Drug Free Schools and Communities: State Grants, forward funded	346,500	100,000	346,500	300,000	300,000	-46,500	-46,500	---	D	FF
National Programs	141,112	200,000	141,112	139,112	140,112	-1,000	-1,000	+1,000	D	
Supplemental (P.L. 110-28) (emergency)	8,594	---	---	---	---	-8,594	---	---	D	
Alcohol Abuse Reduction	32,409	---	32,409	33,000	33,000	+591	+591	---	D	
Mentoring Programs	48,814	---	48,814	50,000	49,407	+593	+593	-593	D	
Character education	24,248	24,248	24,248	25,000	24,248	---	---	-752	D	
Elementary and Secondary School Counseling	34,650	---	61,500	40,000	50,750	+16,100	-10,750	+10,750	D	
Carol M. White Physical Education Program	72,674	---	72,674	80,000	78,000	+5,326	+5,326	-2,000	D	
Civic Education	29,111	---	33,318	30,000	33,318	+4,207	---	+3,318	D	
Total, Safe Schools and Citizenship Education	738,112	324,248	760,575	697,112	708,835	-29,277	-51,740	+11,723		
Current Year	(738,112)	(324,248)	(760,575)	(697,112)	(708,835)	(-29,277)	(-51,740)	(+11,723)		
Subtotal, Forward funded	(346,500)	(100,000)	(346,500)	(300,000)	(300,000)	(-46,500)	(-46,500)	---		
ENGLISH LANGUAGE ACQUISITION										
Current funded	43,485	43,603	50,350	43,603	46,977	+3,492	-3,373	+3,374	D	
Forward funded	625,522	627,216	724,264	627,216	675,740	+50,218	-48,524	+48,524	D	FF
Total, English Language Acquisition	669,007	670,819	774,614	670,819	722,717	+53,710	-51,897	+51,898		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs. FY 2007 Comparable	Conference vs. FY 2008 House	Conference vs. FY 2008 Senate		
SPECIAL EDUCATION										
State Grants:										
Grants to States Part B current year	5,358,761	4,276,741	4,700,443	5,315,800	4,637,443	-721,318	-63,000	-678,357	D	FF
Part B advance from prior year	(5,424,200)	(5,424,200)	(5,424,200)	(5,424,200)	(5,424,200)	---	---	---	NA	
Grants to States Part B (FY 2009)	5,424,200	6,215,200	6,641,982	5,924,200	6,654,982	+1,230,782	+13,000	+730,782	D	
Subtotal, Grants to States, program level	10,782,961	10,491,941	11,342,425	11,240,000	11,292,425	+509,464	-50,000	+52,425		
Preschool Grants	380,751	380,751	380,751	380,751	380,751	---	---	---	D	FF
Grants for Infants and Families	436,400	423,067	436,400	450,000	443,200	+6,800	+6,800	-6,800	D	FF
Subtotal, State grants, program level	11,600,112	11,295,759	12,159,576	12,070,751	12,116,376	+516,264	-43,200	+45,625		
IDEA National Activities (current funded):										
State personnel development	---	---	---	46,000	23,000	+23,000	+23,000	-23,000	D	
Technical Assistance and Dissemination	48,903	48,902	48,903	48,903	48,903	---	---	---	D	
Deaf-blindness teacher training	---	---	2,000	---	---	---	-2,000	---	D	FF
Personnel Preparation	89,720	89,719	89,720	89,720	89,720	---	---	---	D	
Parent Information Centers	25,704	25,704	25,704	27,000	27,000	+1,296	+1,296	---	D	
Technology and Media Services	38,428	25,063	36,928	40,000	40,000	+1,572	+3,072	---	D	
Subtotal, IDEA special programs	202,755	189,388	203,255	251,623	228,623	+25,868	+25,368	-23,000		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

						Conference vs.			
	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	FY 2007 Comparable	FY 2008 House	FY 2008 Senate	
Special Olympics Education programs	---	---	---	8,000	13,000	+13,000	+13,000	+5,000	
Total, Special education	11,802,867	11,485,147	12,362,831	12,330,374	12,357,999	+555,132	-4,832	+27,625	
Current Year	(6,378,667)	(5,269,947)	(5,720,849)	(6,406,174)	(5,703,017)	(-675,650)	(-17,832)	(-703,157)	
FY 2009	(5,424,200)	(6,215,200)	(6,641,982)	(5,924,200)	(6,654,982)	(+1,230,782)	(+13,000)	(+730,782)	
Subtotal, Forward funded	(6,175,912)	(5,080,559)	(5,519,594)	(6,146,551)	(5,461,394)	(-714,518)	(-58,200)	(-685,157)	
REHABILITATION SERVICES AND DISABILITY RESEARCH									
Vocational Rehabilitation State Grants	2,837,160	2,874,043	2,874,043	2,874,043	2,874,043	+36,883	---	---	R
Client Assistance State grants	11,782	11,782	11,782	11,782	11,782	---	---	---	D
Training	38,438	38,438	38,438	38,438	38,438	---	---	---	D
Demonstration and training programs	6,511	6,840	7,061	10,490	10,418	+3,907	+3,357	-72	D
Migrant and seasonal farmworkers	2,279	---	2,279	2,279	2,279	---	---	---	D
Recreational programs	2,518	---	2,518	2,518	2,518	---	---	---	D
Protection and advocacy of individual rights (PAIR)	16,489	16,489	16,489	17,489	16,989	+500	+500	-500	D
Projects with industry	19,538	---	19,538	19,538	19,538	---	---	---	D
Supported employment State grants	29,700	---	29,700	29,700	29,700	---	---	---	D
Independent living:									
State grants	22,588	22,588	22,588	22,588	22,588	---	---	---	D
Centers	74,638	74,638	74,638	74,638	74,638	---	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Services for older blind individuals	32,895	32,895	32,895	32,895	32,895	---	---	---	D
Subtotal, Independent living	130,121	130,121	130,121	130,121	130,121	---	---	---	
Program Improvement	835	633	633	633	633	-202	---	---	D
Evaluation	1,473	1,973	1,473	1,695	1,584	+111	+111	-111	D
Helen Keller National Center for Deaf/Blind Youth and Adults	8,511	8,011	8,511	9,511	9,011	+500	+500	-500	D D
National Inst. Disability and Rehab. Research (NIDRR)	106,705	106,705	106,705	106,705	107,705	+1,000	+1,000	+1,000	D
Assistive Technology	30,452	26,111	30,452	32,000	31,226	+774	+774	-774	D
Subtotal, Discretionary programs	405,352	347,103	405,700	412,899	411,942	+6,590	+6,242	-957	
Total, Rehabilitation services	3,242,512	3,221,146	3,279,743	3,286,942	3,285,985	+43,473	+6,242	-957	
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES									
AMERICAN PRINTING HOUSE FOR THE BLIND	17,573	17,573	17,573	22,000	22,000	+4,427	+4,427	---	D
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF (NTID): Operations	56,141	55,349	59,052	57,295	59,052	+2,911	---	+1,757	D
Construction	---	913	1,705	1,705	1,705	+1,705	---	---	D
Total, NTID	56,141	56,262	60,757	59,000	60,757	+4,616	---	+1,757	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate		
GALLAUDET UNIVERSITY:										
Operations	106,998	106,398	109,952	110,400	115,400	+8,402	+5,448	+5,000	D	
Evaluation	---	600	---	600	---	---	---	-600		
Total, Gallaudet	106,998	106,998	109,952	111,000	115,400	+8,402	+5,448	+4,400		
Total, Special Institutions for Persons with Disabilities	180,712	180,833	188,282	192,000	198,157	+17,445	+9,875	+6,157		
CAREER AND ADULT EDUCATION										
Career Education:										
Basic State Grants/Secondary & Technical Education State Grants, current funded	390,553	600,000	415,553	390,553	415,111	+24,558	-442	+24,558	D	FF
Advance from prior year	(791,000)	(791,000)	(791,000)	(791,000)	(791,000)	---	---	---	NA	
FY 2009	791,000	---	791,000	791,000	791,000	---	---	---	D	
Subtotal, Basic State Grants, program level	1,181,553	600,000	1,206,553	1,181,553	1,206,111	+24,558	-442	+24,558		
Tech-Prep Education State Grants	104,753	---	104,753	104,753	104,753	---	---	---	D	FF
National Programs	10,000	10,000	8,000	8,000	8,000	-2,000	---	---	D	FF
Tribally Controlled Postsec Voc/Tech Institutions	---	7,366	8,000	---	---	---	-8,000	---	D	
Subtotal, Vocational Education	1,296,306	617,366	1,327,306	1,294,306	1,318,864	+22,558	-8,442	+24,558		
Adult Education:										
State Grants/Adult basic and literacy education:										
State Grants, current funded	563,975	564,074	588,975	564,074	576,525	+12,550	-12,450	+12,451	D	FF

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs. FY 2007 Comparable	Conference vs. FY 2008 House	Conference vs. FY 2008 Senate	
National Programs:									
National Leadership Activities................	9,005	9,096	7,000	7,000	7,000	-2,005	---	---	D FF
National Institute for Literacy...............	6,583	6,638	6,638	6,638	6,638	+55	---	---	D FF
Subtotal, National programs.................	15,588	15,734	13,638	13,638	13,638	-1,950	---	---	
Subtotal, Adult education.......................	579,563	579,808	602,613	577,712	590,163	+10,600	-12,450	+12,451	
Smaller Learning Communities, current funded..........	4,677	---	---	---	4,077	-600	+4,077	+4,077	D
Smaller Learning Communities, forward funded..........	88,854	---	93,531	---	77,455	-11,399	-16,076	+77,455	D FF
State Grants for Incarcerated Youth Offenders 2/......	22,770	---	22,770	22,770	22,770	---	---	---	D FF
Total, Career and adult education...............	1,992,170	1,197,174	2,046,220	1,894,788	2,013,329	+21,159	-32,891	+118,541	
Current Year..................................	(1,201,170)	(1,197,174)	(1,255,220)	(1,103,788)	(1,222,329)	(+21,159)	(-32,891)	(+118,541)	
FY 2009.......................................	(791,000)	---	(791,000)	(791,000)	(791,000)	---	---	---	
Subtotal, forward funded........................	(1,196,493)	(1,189,808)	(1,247,220)	(1,103,788)	(1,218,252)	(+21,759)	(-28,968)	(+114,464)	
STUDENT FINANCIAL ASSISTANCE									
Pell Grants -- maximum grant (NA).....................	(4,310)	(4,050)	(4,700)	(4,310)	(4,435)	(+125)	(-265)	(+125)	NA
Pell Grants...	13,660,711	13,414,000	15,583,000	14,487,000	14,498,000	+837,289	-1,085,000	+11,000	D
Federal Supplemental Educational Opportunity Grants...	770,933	---	770,933	770,933	770,933	---	---	---	D
Federal Work Study....................................	980,354	980,492	980,492	980,492	980,492	+138	---	---	D
Federal Perkins loan cancellations....................	65,471	---	65,471	65,471	65,471	---	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
LEAP program	64,987	---	64,987	64,987	64,987	---	---	---	D
Subtotal, discretionary programs	15,542,456	14,394,492	17,464,883	16,368,883	16,379,883	+837,427	-1,085,000	+11,000	
Total, Student Financial Assistance	15,542,456	14,394,492	17,464,883	16,368,883	16,379,883	+837,427	-1,085,000	+11,000	
STUDENT AID ADMINISTRATION 3/	718,450	708,216	708,216	708,216	708,216	-10,234	---	---	D
Rescission (P.L. 110-28)	-500	---	---	---	---	+500	---	---	D
Total, Student aid administration	717,950	708,216	708,216	708,216	708,216	-9,734	---	---	
HIGHER EDUCATION									
Aid for Institutional Development:									
Strengthening Institutions	79,535	79,535	79,535	79,535	79,535	---	---	---	D
Hispanic Serving Institutions	94,914	94,911	99,500	94,914	97,207	+2,293	-2,293	+2,293	D
Strengthening Historically Black Colleges (HBCUs)	238,095	238,095	349,500	238,095	243,798	+5,703	-105,702	+5,703	D
Strengthening Historically Black Graduate Institutions	57,915	57,915	82,915	57,915	57,915	---	-25,000	---	D D
Strengthening Alaska Native and Native Hawaiian-Serving Institutions	11,785	---	11,785	12,500	12,143	+358	+358	-357	D D
Strengthening Tribal Colleges	23,570	18,570	24,475	24,475	24,475	+905	---	---	D
Subtotal, Aid for Institutional development	505,814	488,026	647,710	507,434	515,073	+9,259	-132,637	+7,639	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
International Education and Foreign Language:									
Domestic Programs	91,541	91,541	100,341	91,541	95,390	+3,849	-4,951	+3,849	D
Overseas Programs	12,610	12,610	13,610	12,610	13,610	+1,000	---	+1,000	D
Institute for International Public Policy	1,600	1,600	1,700	1,600	1,700	+100	---	+100	D
Subtotal, International Education & Foreign Lang	105,751	105,751	115,651	105,751	110,700	+4,949	-4,951	+4,949	
Fund for the Improvement of Postsec. Ed. (FIPSE)	21,989	21,988	63,264	81,844	126,256	+104,267	+62,992	+44,412	D
Minority Science and Engineering Improvement	8,730	8,730	8,730	8,730	8,730	---	---	---	D
Tribally Controlled Postsec Voc/Tech Institutions	7,366	---	---	8,000	8,000	+634	+8,000	---	D
Federal TRIO Programs	828,178	828,178	868,178	858,178	858,178	+30,000	-10,000	---	D
GEAR UP	303,423	303,423	323,423	313,423	318,423	+15,000	-5,000	+5,000	D
Byrd Honors Scholarships	40,590	---	40,590	41,000	41,000	+410	+410	---	D
Javits Fellowships	9,699	9,797	9,699	9,699	9,699	---	---	---	D
Graduate Assistance in Areas of National Need	30,067	30,064	30,067	30,067	30,067	---	---	---	D
Teacher Quality Enhancement Grants	59,895	---	40,000	28,521	34,261	-25,634	-5,739	+5,740	D
BA Degrees in STEM & Critical Foreign Languages	---	---	---	6,000	3,000	+3,000	+3,000	-3,000	D
MA Degrees in STEM & Critical Foreign Languages	---	---	---	4,000	2,000	+2,000	+2,000	-2,000	D
Child Care Access Means Parents in School	15,810	15,810	17,810	15,810	16,810	+1,000	-1,000	+1,000	D
Advancing America thru foreign language partnerships	---	24,000	---	12,000	---	---	---	-12,000	D
Demonstration in Disabilities / Higher Education	6,875	---	6,875	6,875	6,875	---	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

						Conference vs			
	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	FY 2007 Comparable	FY 2008 House	FY 2008 Senate	
Underground Railroad Program	1,980	...	...	2,000	2,000	+20	+2,000	...	D
GPRA data/HEA program evaluation	970	970	620	970	620	-350	...	-350	D
B.J. Stupak Olympic Scholarships	970	...	970	...	970	...	...	+970	D
Thurgood Marshall Legal education opportunities	2,946	...	2,946	...	2,946	...	...	+2,946	D
Total, Higher education	1,951,053	1,837,737	2,176,533	2,040,302	2,095,608	+144,555	-80,925	+55,306	
HOWARD UNIVERSITY									
Academic Program	204,405	204,405	204,405	204,405	204,405	...	...	...	D
Endowment Program	3,526	...	3,526	3,526	3,526	...	...	...	D
Howard University Hospital	29,461	29,461	29,461	29,461	29,461	...	...	...	D
Total, Howard University	237,392	233,866	237,392	237,392	237,392	...	...	...	
COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS(CHAFL)	571	481	481	481	481	-90	...	...	D
HBCU CAPITAL FINANCING PROGRAM -- Federal Admin	209	188	188	188	188	-21	...	...	D
INSTITUTE OF EDUCATION SCIENCES									
Research, development and dissemination	182,552	182,535	157,552	182,552	182,535	-17	+4,983	-20,017	D
Statistics	90,022	119,022	96,022	95,022	95,522	+5,500	-500	+500	D
Regional Educational Laboratories	65,470	65,464	65,470	68,000	66,735	+1,265	+1,265	-1,265	D
Research in special education	71,840	71,829	71,840	71,840	71,840	...	...	...	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Special education studies and evaluations	9,900	9,628	9,900	9,628	9,628	-272	-272	...	D
Statewide data systems	24,552	49,152	37,508	58,000	49,152	+24,600	+11,644	-8,848	D
Assessment:									
National Assessment	88,095	110,595	91,095	98,747	99,866	+11,771	+8,771	+1,119	D
National Assessment Governing Board	5,054	6,037	5,716	6,037	6,037	+983	+321	...	D
Subtotal, Assessment	93,149	116,632	96,811	104,784	105,903	+12,754	+9,092	+1,119	
Total, IES	517,485	594,282	535,103	589,826	561,315	+43,830	+26,212	-28,511	
DEPARTMENTAL MANAGEMENT									
PROGRAM ADMINISTRATION									
Salaries and Expenses	416,487	429,631	391,487	429,631	417,698	+1,211	+26,211	-11,933	D
Undistributed reduction	...	...	-175,000	-12,000	...	...	+175,000	+12,000	D
Building Modernization	2,100	17,303	3,000	3,000	3,000	+900	...	...	D
Total, Program administration	418,587	446,934	219,487	420,631	420,698	+2,111	+201,211	+67	
OFFICE FOR CIVIL RIGHTS	91,205	93,771	93,771	93,771	93,771	+2,566	...	...	D
OFFICE OF THE INSPECTOR GENERAL	50,266	53,239	53,239	54,239	53,239	+2,973	...	-1,000	D
Total, Departmental management	560,058	593,944	366,497	568,641	567,708	+7,650	+201,211	-933	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
HURRICANE EDUCATION RECOVERY									
Aid for Elementary and Secondary Education, Supplemental (P.L. 110-28) (emergency):									D
Recruitment, retention, and compensation of personnel	30,000	...	...	...	...	-30,000	...	...	D
Aid for Institutions of Higher Education, Supplemental (P.L. 110-28) (emergency)	30,000	...	...	...	...	-30,000	...	...	D D
Total, Hurricane Education Recovery	60,000	...	...	...	...	-60,000	...	...	
Total, Title III, Department of Education	60,378,454	59,098,720	64,959,851	62,982,299	63,577,124	+3,198,670	-1,382,727	+594,825	
Current Year	(45,344,953)	(44,065,219)	(47,955,651)	(45,964,798)	(46,559,924)	(+1,214,971)	(-1,395,727)	(+595,126)	
Emergency appropriations	(88,594)	...	...	...	...	(-88,594)	...	...	
FY 2009	(15,033,501)	(15,033,501)	(17,004,200)	(17,017,501)	(17,017,200)	(+1,983,699)	(+13,000)	(-301)	

Title III Footnotes:
1/ Funding for Striving readers was first forward funded in the FY 2006 conference agreement.
2/ Previously funded under Office of Safe and Drug Free Schools.
3/ In prior years, $800M was included as mandatory.

TITLE IV - RELATED AGENCIES

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED	4,652	4,994	4,994	4,994	4,994	+342	...	...	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs. FY 2007 Comparable	Conference vs. FY 2008 House	Conference vs. FY 2008 Senate	
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE									
OPERATING EXPENSES									
Domestic Volunteer Service Programs:									
Volunteers in Service to America (VISTA)	95,468	89,734	95,468	95,468	95,468	---	---	---	D
VISTA cost-share revolving fund	3,500	---	---	---	---	-3,500	---	---	D
National Senior Volunteer Corps:									
Foster Grandparents Program	110,937	97,550	110,937	110,937	110,937	---	---	---	D
Senior Companion Program	46,964	41,299	46,964	46,964	46,964	---	---	---	D
Retired Senior Volunteer Program	59,685	65,643	59,685	59,685	59,685	---	---	---	D
Subtotal, Senior Volunteers	217,586	204,492	217,586	217,586	217,586	---	---	---	
Subtotal, Domestic Volunteer Service Programs	316,554	294,226	313,054	313,054	313,054	-3,500	---	---	
National and Community Service Programs:									
National service trust	117,720	122,521	122,521	117,720	126,121	+8,401	+3,600	+8,401	D
AmeriCorps grants	264,825	255,625	255,625	275,775	261,371	-3,454	+5,746	-14,404	D
Innovation, assistance, and other activities	29,771	12,697	13,000	10,550	19,229	-10,542	+6,229	+8,679	D
Evaluation	3,960	3,960	3,960	3,960	3,960	---	---	---	D
National Civilian Community Corps	26,789	11,620	11,620	31,789	24,205	-2,584	+12,585	-7,584	D
Learn and Serve America: K-12 and Higher Ed	37,125	32,099	37,125	39,125	38,125	+1,000	+1,000	-1,000	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs. FY 2007 Comparable	Conference vs. FY 2008 House	Conference vs. FY 2008 Senate	
State Commission Administrative Grants	12,516	12,000	12,000	12,516	12,000	-516	---	-516	D
Points of Light Foundation	---	8,900	---	---	---	---	---	---	D
Subtotal, National & Community Service Programs	492,706	459,422	455,851	491,435	485,011	-7,695	+29,160	-6,424	
Total, Operating expenses	809,260	753,648	768,905	804,489	798,065	-11,195	+29,160	-6,424	
Salaries and expenses	70,324	69,520	68,964	69,520	68,964	-1,360	---	-556	
Office of the Inspector General	4,963	5,512	5,512	6,900	6,900	+1,937	+1,388	---	
Total, Corp. for National and Community Service	884,547	828,680	843,381	880,909	873,929	-10,618	+30,548	-6,980	
CORPORATION FOR PUBLIC BROADCASTING:									
FY 2010 (current) with FY 2009 comparable	400,000	---	420,000	420,000	420,000	+20,000	---	---	D
FY 2009 advance with FY 2008 comparable (NA)	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)	---	---	---	NA
Subtotal, FY 2009 program level	400,000	400,000	400,000	400,000	400,000	---	---	---	
FY 2008 advance with FY 2007 comparable (NA)	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)	---	---	---	NA
Rescission of FY 2008 funds (NA)	---	(-50,000)	---	---	---	---	---	---	NA
Subtotal, FY 2008 program level	400,000	350,000	400,000	400,000	400,000	---	---	---	
Digitalization program, current funded	29,700	---	29,700	29,700	29,700	---	---	---	D
Previous appropriated funds (NA)	---	(30,800)	---	---	---	---	---	---	NA

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
Interconnection, current funded	34,650	...	26,750	26,750	26,750	-7,900	...	...	D
Previous appropriated funds (NA)	...	(26,750)	...	...	...	...	...	...	NA
Subtotal, FY 2008 appropriation	64,350	...	56,450	56,450	56,450	-7,900	...	...	
FEDERAL MEDIATION AND CONCILIATION SERVICE	42,849	43,800	44,450	44,450	44,450	+1,601	...	...	D
FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION	7,778	8,096	8,096	8,096	8,096	+318	...	...	D
INSTITUTE OF MUSEUM AND LIBRARY SERVICES	247,205	271,246	264,812	265,680	277,131	+29,926	+12,319	+11,451	D
MEDICARE PAYMENT ADVISORY COMMISSION	12,066	10,748	10,748	10,748	10,748	-1,318	...	...	TF
NATIONAL COMMISSION ON LIBRARIES AND INFO SCIENCE	989	...	...	400	400	-589	+400	...	D
NATIONAL COUNCIL ON DISABILITY	3,426	3,113	3,113	3,113	3,113	-313	...	...	D
NATIONAL LABOR RELATIONS BOARD	251,507	256,238	257,488	256,988	256,988	+5,481	-500	...	D
NATIONAL MEDIATION BOARD	11,596	12,242	12,992	12,992	12,992	+1,396	...	...	D
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION	10,471	10,696	10,696	10,696	10,696	+225	...	...	D
RAILROAD RETIREMENT BOARD									
Dual Benefits Payments Account	88,000	79,000	79,000	79,000	79,000	-9,000	...	...	D
Less Income Tax Receipts on Dual Benefits	-6,000	-6,000	-6,000	-6,000	-6,000	...	...	...	D
Subtotal, Dual Benefits	82,000	73,000	73,000	73,000	73,000	-9,000	...	...	
Federal Payment to the RR Retirement Account	150	150	150	150	150	...	...	...	M

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs. FY 2007 Comparable	Conference vs. FY 2008 House	Conference vs. FY 2008 Senate	
Limitation on Administration	103,694	103,518	103,694	103,694	103,694	---	---	---	TF
Inspector General	7,173	7,606	7,606	8,000	7,803	+630	+197	-197	TF
SOCIAL SECURITY ADMINISTRATION									
Payments to Social Security Trust Funds	20,470	28,140	28,140	28,140	28,140	+7,670	---	---	M
SUPPLEMENTAL SECURITY INCOME									
Federal benefit payments	37,204,000	40,675,000	40,675,000	40,675,000	40,675,000	+3,471,000	---	---	M
Beneficiary services	---	36,000	36,000	36,000	36,000	+36,000	---	---	M
Research and demonstration	27,000	27,000	27,000	28,000	27,000	---	---	-1,000	M
Administration	2,950,169	2,983,000	3,020,525	3,076,500	3,086,000	+135,831	+65,475	+9,500	D
Subtotal, SSI program level	40,181,169	43,721,000	43,758,525	43,815,500	43,824,000	+3,642,831	+65,475	+8,500	
Less funds advanced in prior year	-11,110,000	-16,810,000	-16,810,000	-16,810,000	-16,810,000	-5,700,000	---	---	M
Subtotal, regular SSI current year	29,071,169	26,911,000	26,948,525	27,005,500	27,014,000	-2,057,169	+65,475	+8,500	
Total, SSI, current request	29,071,169	26,911,000	26,948,525	27,005,500	27,014,000	-2,057,169	+65,475	+8,500	
New advance, 1st quarter, FY 2009	16,810,000	14,800,000	14,800,000	14,800,000	14,800,000	-2,010,000	---	---	M
Total, SSI program	45,881,169	41,711,000	41,748,525	41,805,500	41,814,000	-4,067,169	+65,475	+8,500	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate	
LIMITATION ON ADMINISTRATIVE EXPENSES									
OASDI Trust Funds	4,598,834	4,698,292	4,760,767	4,852,492	4,870,292	+271,458	+109,525	+17,800	TF
HI/SMI Trust Funds	1,626,570	1,679,661	1,679,661	1,706,961	1,679,661	+53,091	...	-27,300	TF
Social Security Advisory Board	2,000	2,000	2,000	2,000	2,000	...	...	...	TF
SSI	2,950,169	2,868,000	2,905,525	2,961,500	2,971,000	+20,831	+65,475	+9,500	D
Subtotal, regular LAE	9,177,573	9,247,953	9,347,953	9,522,953	9,522,953	+345,380	+175,000	...	
Additional CDR Funding:									
OASDI Trust Funds	...	98,000	98,000	98,000	98,000	+98,000	...	...	TF
SSI	...	115,000	115,000	115,000	115,000	+115,000	...	...	TF
Subtotal, additional CDR funding	...	213,000	213,000	213,000	213,000	+213,000	...	...	
User Fees:									
SSI User Fee activities	117,000	135,000	135,000	135,000	135,000	+18,000	...	...	D
SSPA User Fee Activities	1,000	1,000	1,000	1,000	1,000	...	...	...	D
Subtotal, User fees	118,000	136,000	136,000	136,000	136,000	+18,000	...	...	
Total, Limitation on Administrative Expenses	9,295,573	9,596,953	9,696,953	9,871,953	9,871,953	+576,380	+175,000	...	
OFFICE OF THE INSPECTOR GENERAL									
Federal Funds	25,902	27,000	27,000	28,000	27,000	+1,098	...	-1,000	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate
Trust Funds	66,149	68,047	68,047	68,047	68,047	+1,898	...	... TF
Total, Office of the Inspector General	92,051	95,047	95,047	96,047	95,047	+2,996	...	-1,000
Adjustment: Trust fund transfers from general revenues	-2,950,169	-2,983,000	-3,020,525	-3,076,500	-3,086,000	-135,831	-65,475	-9,500 TF
Total, Social Security Administration	52,339,094	48,448,140	48,548,140	48,725,140	48,723,140	-3,615,954	+175,000	-2,000
Federal funds	46,045,541	41,902,140	41,939,665	41,997,640	42,005,140	-4,040,401	+65,475	+7,500
Current year	(29,235,541)	(27,102,140)	(27,139,665)	(27,197,640)	(27,205,140)	(-2,030,401)	(+65,475)	(+7,500)
New advances, 1st quarter	(16,810,000)	(14,800,000)	(14,800,000)	(14,800,000)	(14,800,000)	(-2,010,000)	...	...
Trust funds	6,293,553	6,546,000	6,608,475	6,727,500	6,718,000	+424,447	+109,525	-9,500
Total, Title IV, Related Agencies	54,473,547	50,082,267	50,669,810	50,885,500	50,887,774	-3,585,773	+217,964	+2,274
Federal Funds	48,057,061	43,414,395	43,939,287	44,035,558	44,047,529	-4,009,532	+108,242	+11,971
Current Year	(30,847,061)	(28,614,395)	(28,719,287)	(28,815,558)	(28,827,529)	(-2,019,532)	(+108,242)	(+11,971)
FY 2009 Advance	(16,810,000)	(14,800,000)	(14,800,000)	(14,800,000)	(14,800,000)	(-2,010,000)	...	...
FY 2010 Advance	(400,000)	...	(420,000)	(420,000)	(420,000)	(+20,000)	...	...
Trust Funds	6,416,486	6,667,872	6,730,523	6,849,942	6,840,245	+423,759	+109,722	-9,697

Title IV Footnotes:
1/ Carryover funding available from PL 108-173

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate
RECAP								
Mandatory, total in bill	409,271,907	455,448,526	455,665,526	455,649,526	455,648,526	+46,376,619	-17,000	-1,000
Less advances for subsequent years	-84,945,617	-84,930,669	-84,930,669	-84,930,669	-84,930,669	+14,948	...	...
Plus advances provided in prior years	76,897,825	84,945,617	84,945,617	84,945,617	84,945,617	+8,047,792	...	...
Total, mandatory, current year	401,224,115	455,463,474	455,680,474	455,664,474	455,663,474	+54,439,359	-17,000	-1,000
Discretionary, total in bill	145,262,591	141,710,017	154,209,203	152,311,485	153,295,378	+8,032,787	-913,825	+983,893
Less advances for subsequent years	-19,285,301	-18,885,301	-21,276,000	-21,289,301	-21,289,000	-2,003,699	-13,000	+301
Plus advances provided in prior years	19,285,301	19,285,301	19,285,301	19,285,301	19,285,301	...	...	...
Subtotal, Discretionary, current year	145,262,591	142,110,017	152,218,504	150,307,485	151,291,679	+6,029,088	-926,825	+984,194
Scorekeeping adjustments:								
SSI User Fee Collection	-117,000	-135,000	-135,000	-135,000	-135,000	-18,000	...	...
Adjustment to balance to CBO (technical)	2,000	...	...	...	...	-2,000	...	...
Adjustment to balance to CBO's ATB pay (technical)	6,401	...	...	...	...	-6,401	...	...
Vaccines for children amendment	...	...	2,000	...	...	...	-2,000	...
Average Weekly Insured Unemployment (AWIU) Conting	...	45,000	...	...	...	...	...	...
Health professions student loan (rescission)	...	-100,000	...	...	...	...	...	...
Health Center Loan Guarantee Program (rescission)	...	-5,000	...	...	...	...	...	...
Social services block grant reduction (rescission)	...	-500,000	...	...	...	...	...	...
Voc rehabilitation reduction (rescission)	...	-36,883	...	...	...	...	...	...
Academic Competiveness & SMART grants (rescission)	...	...	...	...	-525,000	-525,000	-525,000	-525,000

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate
Pell grants	---	---	---	---	525,000	+525,000	+525,000	+525,000
Excess H-1B Fee Revenue (rescission)	---	-50,000	-70,000	-70,000	-102,000	-102,000	-32,000	-32,000
National skills standards board (rescission)	---	-44	-44	-44	-44	-44	---	---
TES prior year balances (rescission)	---	-335,000	-335,000	---	-245,000	-245,000	+90,000	-245,000
Department of Labor (P.L. 110-28) (Rescission of emergency funds)	-8,594	---	---	---	---	+8,594	---	---
EFAST2 filing system (DOL) (P.L. 110-28)	---	1,000	1,000	1,000	1,000	+1,000	---	---
Domestic nursing enhancement account	---	---	---	-8,000	---	---	---	+8,000
2008 Bulk monovalent annual flu vaccine purchase (rescission)	-29,680	-29,680	---	---	---	+29,680	---	---
Medicare eligible accruals (permanent, indefinite)	36,288	37,365	37,365	37,365	37,365	+1,077	---	---
CMS Survey and Certification User Fee	---	-35,000	---	-35,000	---	---	---	+35,000
CPB (FY 2008 Rescission)	---	-50,000	---	---	---	---	---	---
Across the board travel expenses reduction	---	---	---	-12,500	---	---	---	+12,500
Across the board consulting services reduction	---	---	---	-19,000	---	---	---	+19,000
Physician quality incentive payment reduction	---	---	---	-150,000	-150,000	-150,000	-150,000	---
Reallocation of FY02 carryover from PL107-117(HHS)	-16,120	---	---	---	---	+16,120	---	---
Across the board administrative expenses reduction	---	---	---	-59,300	---	---	---	+59,300
Training and employment services (leg. proposal)	---	745,000	---	---	---	---	---	---

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2007 Comparable	FY 2008 Request	House	Senate	Conference	Conference vs FY 2007 Comparable	Conference vs FY 2008 House	Conference vs FY 2008 Senate
State unemployment insurance and employment service operations (leg. proposal)	---	-81,000	---	---	---	---	---	---
Unemployment trust fund (leg. proposal)	---	-885,000	---	---	---	---	---	---
Less emergency appropriations	-519,000	---	---	---	---	+519,000	---	---
Total, discretionary	144,616,886	140,915,775	151,718,825	149,857,006	150,698,000	+6,081,114	-1,020,825	+840,994
Adjustment to balance with 2007 enacted	-92,138	---	---	---	---	+92,138	---	---
Total, discretionary (FY 2007 enacted)	144,524,748	140,915,775	151,718,825	149,857,006	150,698,000	+6,173,252	-1,020,825	+840,994
Grand total, current year (incl FY 2007 comparable)	545,841,001	596,379,249	607,399,299	605,521,480	606,361,474	+60,520,473	-1,037,825	+839,994
Grand total, current year (incl FY 2007 enacted)	545,748,863	596,379,249	607,399,299	605,521,480	606,361,474	+60,612,611	-1,037,825	+839,994

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2008 recommended by the Committee of Conference, with comparisons to the fiscal year 2007 amount, the 2008 budget estimates, and the House and Senate bills for 2008 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2007	$554,534,498
Budget estimates of new (obligational) authority, fiscal year 2008	597,158,543
House bill, fiscal year 2008	609,874,729
Senate bill, fiscal year 2008	607,961,011
Conference agreement, fiscal year 2008	608,943,904
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2007	+54,409,406
Budget estimates of new (obligational) authority, fiscal year 2008	+11,785,361
House bill, fiscal year 2008	−930,825
Senate bill, fiscal year 2008	+982,893

DIVISION B—MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

This joint statement describes the effect of the conference agreement relative to the versions of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act (H.R. 2642) as passed by the House of Representatives and the Senate. References to amounts or language proposed by the House of Representatives or the Senate refer to amounts and language in the House or Senate passed versions of H.R. 2642 or in the accompanying committee reports (House Report 110–186 and Senate Report 110–85).

The Senate amendment to the text deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

Matters Addressed by Only One Committee.—The language and allocations set forth in House Report 110–186 and Senate Report 110–85 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House, which is not changed by the report of the Senate or the conference, and Senate report language, which is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where the House or the Senate have directed the submission of a report, such report is to be submitted to both Houses of Congress.

TITLE I

DEPARTMENT OF DEFENSE

ITEMS OF GENERAL INTEREST

"Grow the Force".—The conferees note that the President, in the fiscal year 2008 budget submission to Congress, did not identify individual projects associated with the Administration's $2,820,898,000 "Grow the Force" initiative, instead requesting lump sum funding for the initiative. Detailed information on individual projects was not provided by the Army and Marine Corps until weeks after the budget submission. The conferees provide full funding for this initiative, by project, and have identified the "Grow the Force" projects in the table at the back of the statement of the managers. The conferees remind the Department that the "Grow the Force" projects for which the President requested lump sum funding are part of the regular military construction program and are therefore subject to the same notification and reprogramming requirements that apply to all military construction appropriations.

Construction Inflation.—The conferees are concerned by the continuing impact of high inflation rates for construction material prices and labor costs. These high rates have made it increasingly difficult for the services and Defense agencies to execute their military construction and family housing construction programs in a timely manner without scope reductions, project cancellations, and reprogramming requests. Given the enormous volume of construction to be completed over the next five years due to BRAC, global rebasing, end-strength increases for the Army and Marine Corps, and numerous smaller initiatives, realistic budgeting for construction inflation is necessary if the quality of life and quality of service for military personnel and their families are to be maintained at a high level. The conferees are dismayed by the failure of the Office of Management and Budget and the Department of Defense to incorporate realistic inflation estimates in the budget submissions, even though the consequences of this failure are predictable. The conferees support and encourage current efforts to more accurately account for regional variations in construction inflation; however, the conferees also believe that such efforts will be of limited value if the overall inflation figure used by the Administration to build the military construction program is unrealistically low. The conferees direct the Department of Defense to report to the Committees on Appropriations of both Houses of Congress on the baseline construction inflation rate incorporated in the fiscal year 2009 military construction and family housing budget request, as well as a justification for that rate, no later than seven days following the submission of that request to Congress.

Integrated Construction Plans for the "Grow the Force," Global Basing, and Base Realignment and Closure Initiatives.—The conferees remain concerned about the ability of the Department of Defense to effectively coordinate and integrate the significant construction demands of the "Grow the Force" initiative with the equally daunting construction programs associated with the Department's global rebasing plan and the 2005 Base Realignment and Closure program, particularly within the short timeframe allotted for the completion of each of these initiatives. The conferees agree that the Secretary of Defense shall submit a separate report to the Committees on Appropriations of both Houses of Congress by January 31, 2008, identifying the installations at which there is any overlap of military construction and/or family housing construction among any or all of the three initiatives. In addition to a detailed list of the projects by installation, the report should include the projected timeline for completing each of the identified projects and the projected timeline for the movement of military personnel associated with the initiatives into the affected installations.

Government Accountability Office (GAO) Review of Global Defense Posture Report.—The conferees agree that the GAO review of the status of the Defense Department's Global Defense Posture should be submitted to the Committees on Appropriations of both Houses of Congress no later than April 15, 2008.

Failure to Comply With Report Deadlines.—The conferees note the Department of Defense's failure to comply with deadlines for several reports directed by the Committees on Appropriations of both Houses of Congress. These deadlines have passed without the reports being delivered, or even notice from the Department as to why it has been unable to meet the deadlines. Some of these reports are merely collections of data that are readily available. The conferees find this delay unacceptable. These reports are directed to ensure proper congressional oversight and to inform congressional decisions on the Department's budget requests. The conferees direct the Department to submit all reports directed by House Report 110–186 and Senate Report 110–85 that are currently overdue, or an explanation of why these reports have not been delivered along with the expected date of delivery, no later than seven days after the enactment of this Act. The conferees direct the Department and the services to meet future reporting deadlines. If future deadlines are not met, the Department or service shall submit an explanation for the failure to deliver and the expected date of delivery no later than seven days after the deadline.

Incrementally Funded Projects.—The conferees note that the Administration requested several large military construction projects that can be incrementally funded, but were instead submitted as large single-year requests, in accordance with a directive from the Office of Management and Budget to the Department of Defense to severely restrict the use of incremental funding for military construction. The Committees on Appropriations of both Houses of Congress have previously notified the Administration that they reserve the prerogative to provide incremental funding where appropriate, in accordance with authorizing legislation. The conferees continue to believe that military construction projects should be fully funded or separated into stand-alone phases when practical. In some cases, however, incremental funding makes fiscal and programmatic sense. The conferees have therefore agreed that the following projects will be incrementally funded: Fuel Storage Facilities, Point Loma, California; Southern Command Headquarters, Miami, Florida; Submarine Drive-in Magnetic Silencing Facility, Pearl Harbor, Hawaii; SOF Operations Facility, Dam Neck Annex, Virginia; Kilo Wharf, Naval Base Guam; and Brigade Operations Support Facility and Brigade Barracks/Community Facility, Vicenza, Italy.

Guam Master Plan.—The conferees agree that the massive construction program planned to expand the presence of the U.S. military on Guam presents a major challenge to the Department of Defense, and requires a well-planned execution strategy. However, the conferees are concerned that the Senate provision requiring the Secretary of Defense to submit a master plan for Guam by December 29, 2007, does not give the Department adequate time to complete the plan, particularly in view of the ongoing environmental assessments being conducted on Guam. The conferees do not concur with the Senate position and instead direct the Secretary of Defense to submit to the Committees on Appropriations of both Houses of Congress no later than September 15, 2008, a report on the Department's planning efforts for Guam. The report should identify in detail the size and makeup of the U.S. military forces to be located on Guam, the number of dependents expected to accompany those forces, and the infrastructure required to support the troops and their families. The report should also outline the Department's plan to accomplish the projected level of construction associated with the build-up, within the constrained construction capacity of Guam, and the infrastructure required to support the anticipated increase in the construction workforce. The Department is further directed to provide an updated funding plan for both the military and family housing construction, and the associated Defense education and Defense logistics infrastructure needed, and a status report on the availability and funding mechanism of the $6.1 billion that the Government of Japan has agreed to contribute.

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSION OF FUNDS)

The conference agreement appropriates $3,950,383,000 for Military Construction, Army, instead of $4,070,959,000 as proposed by the House and $3,928,149,000 as proposed by the Senate. Within this amount, the conference agreement provides $321,983,000 for study, planning, design, architect and engineer services, and host nation support instead of $481,468,000 as proposed by the House and $317,149,000 as proposed by the Senate.

The conference agreement rescinds $8,690,000 from funds previously appropriated to this account due to bid savings as follows:

Public Law/location	Project title	Conference agreement
PL 110-5 (FY 2007); TX: Fort Hood	Combined Arms Collective Training Facility	−8,690,000
Total		−8,690,000

Aviation Maintenance Hangar, Phase I, Fort Rucker, Alabama.—Of the funds provided for planning and design in this account, the conferees direct that $1,513,000 be made available for the design of this facility.

Chapel Center, Fort Campbell, Kentucky.—Of the funds provided for planning and design in this account, the conferees direct that $450,000 be made available for the design of this facility.

Component Rebuild Shop, Anniston Depot, Alabama.—Of the funds provided for planning and design in this account, the conferees direct that $800,000 be made available for the design of this facility.

Emergency Services Center, Fort Belvoir, Virginia.—Of the funds provided for planning and design in this account, the conferees direct that $288,000 be made available for the design of this facility.

Medical Parking Garage, Fort Bliss, Texas.—Of the funds provided for planning and design in this account, the conferees direct that $1,000,000 be made available for the design of this facility.

Regional Training Institute, Fort Leonard Wood, Missouri.—Of the funds provided for planning and design in this account, the conferees direct that $500,000 be made available for the design of this facility.

Sapper Leader Course General Instruction Building, Fort Leonard Wood, Missouri.—Of the funds provided for planning and design in this account, the conferees direct that $360,000 be made available for the design of this facility.

Training Support Center, Phase I, Fort Eustis, Virginia.—Of the funds provided for planning and design in this account, the conferees direct that $594,000 be made available for the design of this facility.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

(INCLUDING RESCISSIONS OF FUNDS)

The conference agreement appropriates $2,220,784,000 for Military Construction, Navy and Marine Corps, instead of $2,125,138,000 as proposed by the House and $2,168,315,000 as proposed by the Senate. Within this amount, the conference agreement provides $113,017,000 for study, planning, design, architect and engineer services instead of $110,167,000 as proposed by the House and $115,258,000 as proposed by the Senate.

The conference agreement rescinds $10,557,000 from funds previously appropriated to this account due to bid savings and unexecuted construction as follows:

Public Law/location	Project title	Conference agreement
PL 108-132 (FY 2004):		
AL: Barin OLF	Clear Zone Land Acquisition	−2,420,000
NC: Camp Lejeune	Consolidated Armories	−3,442,000
Subtotal, PL 108-132		−5,862,000
PL 108-324 (FY 2005):		
NC: Washington County	Outlying Landing Field	−2,069,000
PL 110-5 (FY 2007):		
NC: Washington County	Outlying Landing Field	−2,626,000
Total		−10,557,000

Bachelor Quarters Addition, Naval Station Newport, Rhode Island.—Of the funds provided for planning and design in this account, the conferees direct that $750,000 be made available for the design of this facility.

Dry Dock #3 Waterfront Support Facility, Portsmouth NSY, Maine.—Of the funds provided for planning and design in this account, the conferees direct that $1,200,000 be made available for the design of this facility.

Fitness Center, Naval Station Newport, Rhode Island.—Of the funds provided for planning and design in this account, the conferees direct that $900,000 be made available for the design of this facility.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSIONS OF FUNDS)

The conference agreement appropriates $1,159,747,000 for Military Construction, Air Force, instead of $927,428,000 as proposed by the House and $1,048,518,000 as proposed by the Senate. Within this amount, the conference agreement provides $43,721,000 for study, planning, design, architect and engineer services instead of $51,587,000 as proposed by the House and $64,958,000 as proposed by the Senate.

The conference agreement rescinds $10,470,000 from funds previously appropriated to this account due to bid savings as follows:

Public Law/location	Project title	Conference agreement
PL 108-324 (FY 2005):		
Greenland Thule AB	Dormitory	−5,319,000
PL 110-5 (FY 2007):		
VA: Langley AFB	DCGS Operations Facility	−5,151,000
Total		−10,470,000

Joint Security Forces Building, Lackland AFB, Texas.—Of the funds provided for planning and design in this account, the conferees direct that $900,000 be made available for the design of this facility.

Logistics Readiness Center, 366th Wing, Mountain Home AFB, Idaho.—Of the funds provided for planning and design in this account, the conferees direct that $1,593,000 be made available for the design of this facility.

Multi-Purpose Education Facility, Little Rock AFB, Arkansas.—Of the funds provided for planning and design in this account, the conferees direct that $882,000 be made available for the design of this facility.

Runway Paving, Dyess AFB, Texas.—Of the funds provided for planning and design in this account, the conferees direct that $1,710,000 be made available for the design of this facility.

Security Forces Operations Building, Wright-Patterson AFB, Ohio.—Of the funds provided for planning and design in this account, the conferees direct that $640,000 be made available for the design of this facility.

Taxiway, Randolph AFB, Texas.—Of the funds provided for planning and design in this account, the conferees direct that $554,000 be made available for the design of this facility.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

The conference agreement appropriates $1,609,596,000 for Military Construction, Defense-Wide, instead of $1,806,928,000 as proposed by the House and $1,758,755,000 as proposed by the Senate. Within this amount, the conference agreement provides $155,569,000 for study, planning, design, architect and engineer services instead of $154,728,000 as proposed by both the House and the Senate.

The conference agreement provides $70,000,000 for the Energy Conservation Investment Program as proposed by the House, instead of $85,000,000 as proposed by the Senate. The agreement also provides $5,000,000 for contingency construction, instead of $10,000,000 as proposed by both the House and the Senate.

The conference agreement rescinds $10,192,000 from funds previously appropriated to this account as follows:

Public Law/location	Project title	Conference agreement
PL 110–5 (FY 2007):		
Kwajalein Atoll	Launch Control Facility Upgrades	−7,592,000
Worldwide Unspecified	Contingency Construction	−2,600,000
Total		−10,192,000

Of the funds rescinded from Public Law 110–5, the conference agreement rescinds $7,592,000 from a Missile Defense Agency (MDA) project on Kwajalein Atoll and directs MDA to fund this project using its research, development, testing and evaluation construction authority. The conference agreement also rescinds $2,600,000 from contingency construction in Public Law 110–5. The fiscal year 2007 National Defense Authorization Act authorized a project to replace a fuel truck loading facility on Wake Island. The Department of Defense opted not to execute this project, shifting the funds to the contingency construction sub-account. A cancellation notice for the Wake Island project was not submitted until October 16, 2007 even though Pacific Air Forces had decided to place the island in caretaker status in March 2007. The conferees remind the Department that timely notification of project cancellations is mandatory in accordance with 10 U.S.C. 2853.

SOF C–130 Fuel Cell and Corrosion Control Hangars, Cannon AFB, New Mexico.—Of the funds provided for planning and design in this account, the conferees direct that $855,000 be made available for the design of this facility.

SOF CV–22 Simulator Facility, Cannon AFB, New Mexico.—Of the funds provided for planning and design in this account, the conferees direct that $711,000 be made available for the design of this facility.

Wilford Hall Medical Center, Ambulatory Care Center, Lackland AFB, Texas.—Of the funds provided for planning and design in this account, the conferees direct that $130,000 be made available for the design of this facility.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

The conference agreement appropriates $536,656,000 for Military Construction, Army National Guard, instead of $439,291,000 as proposed by the House and $478,836,000 as proposed by the Senate.

Add/Alter Readiness Center, Hamilton, Alabama.—Of the funds provided for planning and design in this account, the conferees direct that $1,164,000 be made available for the design of this facility.

Armed Forces Reserve Center/Security Forces Facility, Klamath Falls, Oregon.—Of the funds provided for planning and design in this account, the conferees direct that $1,452,000 be made available for the design of this facility.

Combined Support Maintenance Facility, Camp Smith, New York.—Of the funds provided for planning and design in this account, the conferees direct that $2,727,000 be made available for the design of this facility.

Combined Support Maintenance Shop, Camp Lincoln, Illinois.—Of the funds provided for planning and design in this account, the conferees direct that $666,000 be made available for the design of this facility.

Field Maintenance Shop, Arden Hills, Minnesota.—Of the funds provided for planning and design in this account, the conferees direct that $1,366,000 be made available for the design of this facility.

Joint Forces Headquarters, New Castle County Air National Guard Base, Delaware.—Of the funds provided for planning and design in this account, the conferees direct that $1,020,000 be made available for the design of this facility.

Joint Forces Headquarters and Emergency Operations Center, Arden Hills Army Training Site, Minnesota.—Of the funds provided for planning and design in this account, the conferees direct that $3,536,000 be made available for the design of this facility.

Readiness Center, Cabot, Arkansas.—Of the funds provided for planning and design in this account, the conferees direct that $840,000 be made available for the design of this facility.

Readiness Center, Dundalk, Maryland.—Of the funds provided for planning and design in this account, the conferees direct that $829,000 be made available for the design of this facility.

Readiness Center, Ethan Allen Range, Vermont.—Of the funds provided for planning and design in this account, the conferees direct that $792,000 be made available for the design of this facility.

Readiness Center, Miles City, Montana.—Of the funds provided for planning and design in this account, the conferees direct that $906,000 be made available for the design of this facility.

Readiness Center, Tacoma, Washington.—Of the funds provided for planning and design in this account, the conferees direct that $152,000 be made available for the design of this facility.

Readiness Center, The Dalles, Oregon.—Of the funds provided for planning and design in this account, the conferees direct that $960,000 be made available for the design of this facility.

Readiness Center, Tullahoma, Tennessee.—Of the funds provided for planning and design in this account, the conferees direct that $264,000 be made available for the design of this facility.

Readiness Center Rehabilitation, Wilkes-Barre, Pennsylvania.—Of the funds provided for planning and design in this account, the conferees direct that $263,000 be made available for the design of this facility.

Training Facility, Phase V, Camp Gruber, Oklahoma.—Of the funds provided for planning and design in this account, the conferees direct that $2,705,000 be made available for the design of this facility.

United States Property and Fiscal Office, North Kingstown, Rhode Island.—Of the funds provided for planning and design in this account, the conferees direct that $810,000 be made available for the design of this facility.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

The conference agreement appropriates $287,537,000 for Military Construction, Air National Guard, instead of $95,517,000 as proposed by the House and $228,995,000 as proposed by the Senate.

Replace Squadron Operations and Relocate Security Perimeter, McGhee Tyson Airport, Tennessee.—Of the funds provided for planning and design in this account, the conferees direct that $1,120,000 be made available for the design of this facility.

MILITARY CONSTRUCTION, ARMY REVERVE

The conference agreement appropriates $148,133,000 for Military Construction, Army Reserve, instead of $154,684,000 as proposed by the House and $138,424,000 as proposed by the Senate.

Army Reserve Center, Letterkenny Army Depot, Pennsylvania.—Of the funds provided for planning and design in this account, the conferees direct that $675,000 be made available for the design of this facility.

Tactical Training Base, Phase I, Fort Dix, New Jersey.—Of the funds provided for planning and design in this account, the conferees direct that $531,000 be made available for the design of this facility.

MILITARY CONSTRUCTION, NAVY RESERVE

The conference agreement appropriates $64,430,000 for Military Construction, Navy Reserve, instead of $69,150,000 as proposed by the House and $59,150,000 as proposed by the Senate.

Marine Corps Reserve Center, Windy Hill, Georgia.—Of the funds provided for planning and design in this account, the conferees direct that $310,000 be made available for the design of this facility.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

(INCLUDING RESCISSION OF FUNDS)

The conference agreement appropriates $28,359,000 for Military Construction, Air Force Reserve, instead of $39,628,000 as proposed by the House and $27,559,000 as proposed by the Senate.

The conference agreement rescinds $3,069,000 from funds previously appropriated to this account due to a cancelled project as follows:

Public Law/location	Project title	Conference agreement
PL 109-114 (FY 2006):		
AK: Elmendorf AFB	C-17 Convert Hangar for AFRC Group HQ	−3,069,000
Total		−3,069,000

Joint Deployment Processing Facility, March ARB, California.—Of the funds provided for planning and design in this account, the conferees direct that $972,000 be made available for the design of this facility.

Visiting Quarters, Phase I, Pittsburgh Air Reserve Station, Coraopolis, Pennsylvania.—Of the funds provided for planning and design in this account, the conferees direct that $828,000 be made available for the design of this facility.

North Atlantic Treaty Organization Security Investment Program

The conference agreement appropriates $201,400,000 for the North Atlantic Treaty Organization Security Investment Program as proposed by both the House and the Senate.

Missile Defense.—The conferees do not agree to a Senate provision requiring prior approval from the Committees on Appropriations of both Houses of Congress before NATO Security Investment Program (NSIP) funds can be obligated for the construction of missile defense facilities in Poland or the Czech Republic. Instead, the conferees require that the Committees on Appropriations of both Houses of Congress be notified in writing 21 days in advance of the obligation or expenditure of NSIP funds for missile defense studies, planning and design, or other activities related to the construction of missile defense facilities in Poland or the Czech Republic.

Family Housing Overview

Incorporation of Additional Information Into Semi-Annual Reports on Family Housing Privatization.—The conferees direct the Department of Defense to include data on the maintenance of family housing units and the contributions of housing privatization entities to the recapitalization accounts of each ongoing family housing privatization project in each future semi-annual progress report on the privatization program.

Transfer of Funds Between Family Housing Construction and Operation and Maintenance Sub-Accounts.—The conferees direct the services and Defense agencies to notify the Committees on Appropriations of both Houses of Congress within 30 days of a transfer of funds between sub-accounts within the family housing construction and family housing operation and maintenance accounts, if such transfer is in excess of 10 percent of the funds appropriated to the sub-account to which the funds are being transferred. Notifications to the Committees shall indicate the sub-accounts and amounts that are being used to source the transfer.

Family Housing Construction, Army

(INCLUDING RESCISSION OF FUNDS)

The conference agreement appropriates $424,400,000 for Family Housing Construction, Army, instead of $419,400,000 as proposed by both the House and the Senate. The conference agreement rescinds $4,559,000 from funds previously appropriated to this account due to cancelled or reduced projects as follows:

Public law/location	Project title	Conference agreement
PL 110-5 (FY 2007):		
AR: Pine Bluff	Replacement Construction	−500,000
AR: Pine Bluff	Improvements	−4,059,000
Total		−4,559,000

Family Housing Operation and Maintenance, Army

The conference agreement appropriates $731,920,000 for Family Housing Operation and Maintenance, Army, instead of $742,920,000 as proposed by both the House and the Senate.

Family Housing Construction, Navy and Marine Corps

The conference agreement appropriates $293,129,000 for Family Housing Construction, Navy and Marine Corps, instead of $298,329,000 as proposed by the House and $288,329,000 as proposed by the Senate.

Family Housing Operation and Maintenance, Navy and Marine Corps

The conference agreement appropriates $371,404,000 for Family Housing Operation and Maintenance, Navy and Marine Corps as proposed by both the House and the Senate.

Family Housing Construction, Air Force

(INCLUDING RESCISSION OF FUNDS)

The conference agreement appropriates $327,747,000 for Family Housing Construction, Air Force, instead of $362,747,000 as proposed by both the House and the Senate.

The conference agreement includes a general rescission of $15,000,000 from funds provided to this account by Public Law 108–132, due to savings generated by privatization.

Family Housing Operation and Maintenance, Air Force

The conference agreement appropriates $688,335,000 for Family Housing Operation and Maintenance, Air Force as proposed by both the House and the Senate.

Family Housing Operation and Maintenance, Defense-Wide

The conference agreement appropriates $48,848,000 for Family Housing Operation and Maintenance, Defense-Wide as proposed by both the House and the Senate.

Department of Defense Family Housing Improvement Fund

The conference agreement appropriates $500,000 for the Department of Defense Family Housing Improvement Fund as proposed by both the House and the Senate.

Chemical Demilitarization Construction, Defense-Wide

The conference agreement appropriates $104,176,000 for Chemical Demilitarization Construction, Defense-Wide as proposed by the Senate, instead of $86,176,000 as proposed by the House.

Department of Defense Base Closure Account 1990

The conference agreement appropriates $295,689,000 for the Department of Defense Base Closure Account 1990, instead of $270,689,000 as proposed by the House and $320,689,000 as proposed by the Senate. The agreement includes an increase of $75,000,000 above the budget request, of which $25,000,000 is provided for the Army and $50,000,000 is provided for the Navy. The conferees direct the Army and Navy to submit an expenditure plan for the additional funds provided no later than 30 days following the enactment of this Act. The conferees further direct the services to notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a site or closure package that exceeds or reduces the amount identified for that site or closure package in the fiscal year 2008 budget submission (plus additional funds as identified by the expenditure plan) by 20 percent or $2,000,000, whichever is less. This direction shall not apply to sites or closure packages for which the requested amount is less than $5,000,000.

Department of Defense Base Closure Account 2005

The conference agreement appropriates $8,040,401,000 for the Department of Defense Base Closure Account 2005, instead of $8,174,315,000 as proposed by both the House and the Senate. The decrease from the request is a general reduction. The funds requested for this account, which are appropriated by lump sum, are allocated among 189 BRAC projects earmarked for funding by the President for fiscal year 2008. The requested projects and related planning and design total $6,419,748,000. Additional funding provided in this account is for environmental, operations and maintenance, personnel, and related programs associated with the BRAC process. A detailed listing of the individual projects earmarked for funding by the President is provided in Senate report 110–85, and a list of the President's earmarks by BRAC closure package is provided in House report 110–186.

The conferees note that it is the practice of the Committees to not add congressional earmarks for BRAC construction because of the complicated and inter-related nature of the BRAC construction program. The conferees reaffirm this policy, and have included no congressionally directed earmarks in the BRAC 2005 account.

Administrative Provisions

The conference agreement includes section 101 as proposed by both the House and the Senate limiting the use of funds under a cost-plus-a-fixed-fee contract.

The conference agreement includes section 102 as proposed by both the House and the Senate allowing the use of construction funds in this title for hire of passenger motor vehicles.

The conference agreement includes section 103 as proposed by both the House and the Senate allowing the use of construction funds in this title for advances to the Federal Highway Administration for the construction of access roads.

The conference agreement includes section 104 as proposed by both the House and the Senate prohibiting construction of new bases in the United States without a specific appropriation.

The conference agreement includes section 105 as proposed by both the House and the Senate limiting the use of funds for the purchase of land or land easements that exceed 100 percent of the value.

The conference agreement includes section 106 as proposed by both the House and the Senate prohibiting the use of funds, except funds appropriated in this title for that purpose, for family housing.

The conference agreement includes section 107 as proposed by both the House and the Senate limiting the use of minor construction funds to transfer or relocate activities.

The conference agreement includes section 108 as proposed by both the House and the Senate prohibiting the procurement of steel unless American producers, fabricators, and manufacturers have been allowed to compete.

The conference agreement includes section 109 as proposed by both the House and the Senate prohibiting the use of construction and family housing funds available to pay real property taxes in any foreign nation.

The conference agreement includes section 110 as proposed by both the House and the Senate prohibiting the use of funds to initiate a new installation overseas without prior notification.

The conference agreement includes section 111 as proposed by the House establishing a preference for American architectural and engineering services for overseas projects. The Senate bill included a similar provision, but exempted countries that have increased their defense spending by at least three percent in calendar year 2005.

The conference agreement includes section 112 as proposed by both the House and the Senate establishing a preference for American contractors in certain locations.

The conference agreement includes section 113 as proposed by the House requiring congressional notification of military exercises where construction costs exceed $100,000. The Senate bill included a similar provision, but increased the threshold to $750,000.

The conference agreement includes section 114 as proposed by both the House and the Senate limiting obligations in the last two months of the fiscal year.

The conference agreement includes section 115 as proposed by both the House and the Senate allowing funds appropriated in prior years for new projects authorized during the current session of Congress.

The conference agreement includes section 116 as proposed by both the House and the Senate allowing the use of lapsed or expired funds to pay the cost of supervision for any project being completed with lapsed funds.

The conference agreement includes section 117 as proposed by both the House and the Senate allowing military construction funds to be available for five years.

The conference agreement modifies section 118 requiring an annual report on actions taken to encourage other nations to assume a greater share of the common defense burden to include a classified report option, if necessary.

The conference agreement includes section 119 as proposed by both the House and the Senate allowing the transfer of proceeds between BRAC accounts.

The conference agreement includes section 120 as proposed by both the House and the Senate allowing the transfer of funds from Family Housing Construction accounts to the Family Housing Improvement Fund.

The conference agreement includes section 121 as proposed by both the House and the Senate requiring congressional notification prior to issuing a solicitation for a contract with the private sector for family housing.

The conference agreement includes section 122 as proposed by both the House and the Senate allowing transfers to the Homeowners Assistance Fund.

The conference agreement includes section 123 as proposed by the House limiting the source of operation and maintenance funds for flag and general officer quarters. The Senate bill included a similar provision, but also allowed the use of gift funds.

The conference agreement includes section 124 as proposed by the House to require the Department of Defense to respond to a question or inquiry, in writing, within 21 days of the request. The Senate bill contained no similar provision.

The conference agreement includes section 125 as proposed by both the House and the Senate extending the availability of funds in the Ford Island Improvement Fund.

The conference agreement includes section 126 as proposed by both the House and the Senate placing limitations on the expenditure of funds for projects impacted by BRAC 2005.

The conference agreement includes section 127 as proposed by the House allowing the transfer of expired funds to the Foreign Currency Fluctuation, Construction, Defense account. The Senate bill contained no similar provision.

The conference agreement includes section 128 as proposed by the House prohibiting the use of funds for any activity related to the construction of an Outlying Landing Field in Washington County, North Carolina. The Senate bill contained no similar provision.

The conference agreement does not include a provision as proposed by the House (Sec. 121) limiting the obligation of funds for Partnership for Peace programs. The Senate bill contained no similar provision.

The conference agreement does not include a provision as proposed by the Senate (Sec. 126) related to reprogramming and notification requirements of "Grow the Force" projects. The House bill contained no similar provision. The issue is addressed elsewhere in the statement of the managers.

TITLE II—DEPARTMENT OF VETERANS AFFAIRS

ITEMS OF GENERAL INTEREST

Veterans Rights and Feedback.—The conferees are encouraged by the progress the Department has made in providing veterans with the opportunity to offer feedback and obtain assistance through the Internet and the use of toll-free telephone numbers. The conferees agree there are additional measures the Department should take to enhance these programs and to ensure that the Secretary, the Under Secretary for Health, the Under Secretary for Benefits, and the Office of Inspector General are kept informed of the feedback that is provided. The conference agreement includes sufficient funding to ensure the Department is able to provide a clearly marked, direct link that allows veterans to seek assistance and provide feedback on the Veterans Affairs Internet home page; provide a separate toll-free telephone number for the Veterans Health Administration and for the Veterans Benefits Administration that allows a veteran to check on his or her eligibility, seek assistance in obtaining services and/or resolving difficulties, and provide feedback; and provide the Secretary, the Under Secretary for Health, the Under Secretary for Benefits, and the Office of Inspector General with a report that informs them of the types of issues that are being addressed through these systems so that they may more easily identify evolving problems and take early corrective action. The Secretary is directed to report to the Committees on Appropriations of both Houses of Congress by February 1, 2008, on the actions that have been taken to implement this direction. Further, the Under Secretary for Health is directed to report to the Committees on Appropriations of both Houses of Congress by March 3, 2008, on the actions that have been taken to ensure that patient advocate contact information, including a telephone number, is clearly posted in all clinics, on all inpatient wards, and at the entrance of every Veterans Health Administration facility.

Services for Women Veterans.—The conferees agree more can be done by the Department to refine its programs, services and outreach efforts in order to inform women veterans of their eligibility status and improve their access to services. While the conference agreement does not retain the provision proposed by the House under General Operating Expenses, the conference agreement includes sufficient funds for the operation of both the Advisory Committee on Women Veterans and the Center for Women Veterans. Additionally, the conferees direct the Department to report to the Committees on Appropriations of both Houses of Congress by February 1, 2008, on the actions that have been taken to implement the recommendations of the Advisory Committee on Women Veterans 2006 Report. The conferees further direct the Government Accountability Office (GAO) to report to the Committees on Appropriations of both Houses of Congress by September 1, 2008, an assessment of the adequacy of mental health services provided by the Departments of Veterans Affairs to women veterans.

Reprogrammings.—The conferees would like to emphasize that reprogrammings permitted by this Act are to be transmitted to Congress in a timely manner.

Quarterly Financial Report.—The quarterly financial report required by this Act shall contain, at a minimum, both the planned and actual expenditure rates, unobligated balances, potential financial shortfalls, any transfers between major accounts (medical services, medical administration, and medical facilities), and status of any equipment or non-recurring maintenance funds—including whether they have been used to pay for operating expenses. In addition, the service portion of the report will contain, at a minimum, the time required for new patients to get their first appointment, the time required for established patients to get their next appointment, and the number of unique veterans and patients being served. Each report should address data for the system total and for each VISN. Further, the conferees direct that the Department include progress reports on the revision of the International Classification of Diseases—9th Revision (ICD–9) codes with respect to Traumatic Brain Injury.

Contracting Out.—The conferees note that the competition requirement provided in this Act already applies to the Department of Veterans Affairs. For any function performed by more than ten employees, the Department, like other agencies covered by this competition requirement, must conduct a public-private competition, involving both a Most Efficient Organization plan and a Minimum Cost Differential, before that function can be converted to contractor performance. Unless specifically excluded, the Department of Veterans Affairs would be held to any successor public-private competition requirements included in legislation, as well as 38 U.S.C. 8110(a)(5).

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates $41,236,322,000 for Compensation and Pensions as proposed by both the House and the Senate. Of the amount provided, not more than $28,583,000 is to be transferred to General Operating Expenses and Medical Administration for reimbursement of necessary expenses in implementing provisions of title 38.

READJUSTMENT BENEFITS

The conference agreement appropriates $3,300,289,000 for Readjustment Benefits as proposed by both the House and the Senate.

VETERANS INSURANCE AND INDEMNITIES

The conference agreement appropriates $41,250,000 for Veterans Insurance and Indemnities as proposed by both the House and the Senate.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

The conference agreement appropriates such sums as may be necessary for costs associated with direct and guaranteed loans for the Veterans Housing Benefit Program Fund Program Account as proposed by both the House and the Senate. The agreement limits obligations for direct loans to not more than $500,000 and provides that $154,562,000 shall be available for administrative expenses. The conference agreement does not include a transfer provision as proposed by the House.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates $71,000 for the cost of direct loans from the Vocational Rehabilitation Loans Program Account as proposed by both the House and the Senate, plus $311,000 to be transferred to and merged with General Operating Expenses. The conference agreement provides for a direct loan limitation of $3,287,000 as proposed by both the House and the Senate.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

The conference agreement appropriates $628,000 for administrative expenses of the Native American Veteran Housing Loan Program Account as proposed by both the House and the Senate. The conference agreement does not include a transfer provision or loan limitation as proposed by the House.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

The conference agreement provides up to $750,000 of the funds available in General Operating Expenses and Medical Administration to carry out the Guaranteed Transitional Housing Loans for Homeless Veterans Program Account as proposed by both the House and the Senate.

VETERANS HEALTH ADMINISTRATION

Health Care Sharing Incentive Fund.—The conferees have included bill language to allow a minimum of $15,000,000, to be transferred to the Health Care Sharing Incentive Fund to facilitate collaboration between the Departments of Defense and Veterans Affairs. The conferees agree the most important area for collaboration and investment between these departments is to ensure a seamless transition for our veterans. While the conferees do not intend to preclude the use of this fund for any joint project, the conferees strongly urge that priority for funding be given to the implementation of recommendations of the Report on the President's Commission on Care for America's Returning Wounded Warriors, July 2007. The conferees further urge the Departments of Defense and Veterans Affairs to seek every opportunity to partner to improve the continuity of care for our veterans through joint clinics; joint Centers of Excellence for Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI); joint research and/or treatment; and the development of joint clinical practice guidelines for polytrauma injury, traumatic brain injury (to include diagnostics), blast injury, mental health/PTSD, burn, and amputee patients based on evidence based medicine.

Traumatic Brain Injury (TBI).—Current data make it difficult for the Department to provide budget information on TBI as a Select Program. The conferees are encouraged to learn the Department is working with the National Center for Health Statistics and the Department of Defense to refine current International Classification of Diseases-9th Revision (ICD-9) codes to better reflect the TBI patient population within the Departments of Defense and Veterans Affairs. The conferees direct the Department of Veterans Affairs to include an update of progress on the revision of the ICD-9 codes for TBI within the quarterly reports provided to Congress during fiscal year 2008. The conferees also direct the Department of Veterans Affairs to include TBI as a Select Program within the Medical Services account in the fiscal year 2009 budget submission and all future budget submissions thereafter.

Level I Polytrauma Centers and Centers of Excellence on Mental Health and Post Traumatic Stress Disorder (PTSD).—The conferees agree that every effort must be made to ensure that the Level I polytrauma centers and the Centers of Excellence on Mental Health and PTSD are resourced to provide the very best in medical care to our veterans who have suffered multiple trauma injuries or require mental health services. The conference agreement has increased funding within the Veterans Health Administration accounts to ensure that the current Level I polytrauma centers and the Centers of Excellence on Mental Health and PTSD will be fully staffed and operational in fiscal year 2008.

Credentialing and Privileging in Rural Health Care Facilities.—The conferees are concerned about potential quality of care issues that may exist in rural VA medical facilities, including the qualifications of medical professionals. The conferees direct the Government Accountability Office to assess the standards that are being followed in rural VA hospitals, including the consistency with which VA standards are being applied across urban and rural facilities.

MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates $29,104,220,000 for Medical Services, instead of $29,031,400,000 as proposed by the House and $28,979,220,000 as proposed by the Senate. Additionally, the Senate had proposed an additional $125,000,000 in section 230 of the administrative provisions.

Of the amount provided, $1,350,000,000 is available for obligation until September 30, 2009 as proposed by the Senate, instead of $1,100,000,000 as proposed by the House. The conferees also agree that the Department shall spend not less than $2,900,000,000 for specialty mental health services as proposed by the House and not less than $130,000,000 for the homeless grants and per diem program.

The conference agreement includes a net increase of $1,936,549,000 above the budget request in order to address shortfalls anticipated in the Department's projection of health care demand and to address the Department's failure to adjust the beneficiary travel reimbursement rate despite consistently rising gasoline prices. The conference agreement includes a 5.5 percent increase for workload and a 4.45 percent increase for inflation which the conferees believe is necessary to ensure that sufficient funding is available to maintain services at their current level. The agreement also includes an additional $125,000,000 to increase the beneficiary travel reimbursement mileage rate to 28.5 cents per mile; an additional $70,000,000 for substance abuse services; an additional $12,500,000 for expanded outpatient services for the blind; an additional $15,000,000 for Vet Centers; and provides sufficient funding to allow for additional personnel for the HUD-Veterans Affairs Supportive Housing Program to address any increase in the number of vouchers offered and directs the Department to increase the number of case workers as necessary to accommodate the increase in vouchers.

Mental Health and Substance Abuse.—The conferees are concerned mental health and substance abuse services were not sufficiently addressed within the fiscal year 2008 budget submission which includes a reduction in the number of inpatient beds for psychiatric care and an anticipated increase of less than one percent for substance abuse services. The conferees believe these projections are unrealistic and have increased funding within the Medical Services account in order to increase access to substance abuse services; ensure that adequate inpatient psychiatric care is maintained; and to allow the Department to pursue all opportunities to improve access to mental health services for all veterans. To this end, the Department is directed to re-examine the policy for a reduction in psychiatric inpatient care, taking into account the needs of returning Operation Enduring Freedom and Operation Iraqi Freedom (OEF/OIF) veterans and the recommendations of OIG Report: Implementing VHA's Mental Health Strategic Plan Initiatives for Suicide Prevention, May 10, 2007, and is further directed to report to the Committees on Appropriations of both Houses of Congress by February 29, 2008, the findings of this review and what additional resources have been utilized to ensure that adequate inpatient care is available. Further, the conferees direct the Department not to reduce the number of inpatient psychiatric beds at any facility that currently has a waiting list. Additionally, the Department is directed to report to the Committees on Appropriations of both Houses of Congress by February 1, 2008, on its plan to better utilize all opportunities to improve access to mental health services for all veterans. This report should include, but not be limited to, the Department's plan to better utilize the services of the Community Mental Health Centers; implementation of peer training programs; additional fee-basis access to local mental health providers; mobile Vet Centers; and the development of Internet based services like the Network of Care for

Mental Health recommended in the President's New Freedom Commission on Mental Health.

HIV/AIDS Among Veterans.—The conferees concur with the Senate's recommendations on the VA health care system's HIV testing policy guidelines and direct the Department to submit a progress report to the Committees on Appropriations of both Houses of Congress by January 30, 2008.

Access to Medical Care in Remote Rural Areas.—The conferees direct the Secretary of Veterans Affairs to report to the Committees on Appropriations of both Houses of Congress not later than six months after the date of the enactment of this Act, a description of: the unique challenges and costs faced by veterans in remote rural areas of contiguous and non-contiguous States when obtaining medical services from the Department of Veterans Affairs, and the need to improve access to locally administered care for veterans who reside in remote rural areas. The report should also identify the need to fund alternative sources of medical services in areas where facilities of the Department of Veterans Affairs are not accessible to veterans without leaving such areas; and in cases in which receipt of medical services by a veteran in a facility of the Department requires transportation of such veteran by air due to geographic and infrastructural constraints. The report should also contain an assessment of the potential for increasing local access to medical services for veterans in remote rural areas of contiguous and non-contiguous States through strategic partnerships with other government and local private health care providers.

MEDICAL ADMINISTRATION

The conference agreement appropriates $3,517,000,000 for Medical Administration, instead of $3,510,600,000 as proposed by the House and $3,642,000,000 as proposed by the Senate.

Office of Rural Health.—The conferees agree the Office of Rural Health is vital to ensuring that equal access to health care is provided to all of our returning Reserve and National Guard veterans. While the conferees do not earmark a specific amount for the office, the conferees have provided sufficient funding within Medical Administration to ensure a robust Office of Rural Health. The conferees strongly encourage the Department to make full use of this office and direct the Secretary to submit a report to the Committees on Appropriations of both Houses of Congress on the actions that have been taken to improve access to health in rural areas by February 1, 2008.

MEDICAL FACILITIES

The conference agreement appropriates $4,100,000,000 for Medical Facilities as proposed by the House, instead of $4,092,000,000 as proposed by the Senate. The agreement also includes language allowing $350,000,000 of the funds to be available until September 30, 2009, as proposed by the Senate, instead of $250,000,000 as proposed by the House. The conference agreement further specifies that $325,000,000 for non-recurring maintenance shall be allocated in a manner not subject to the Veterans Equitable Resource Allocation model, instead of $300,000,000 as proposed by the House and $350,000,000 as proposed by the Senate. The conferees are in agreement that the funding provided above the budget request shall be used to address both facility condition assessment deficiencies and other essential requirements.

Non-Recurring Maintenance.—The conferees remain concerned that the Department is not adequately addressing specific issues regarding obligation of non-recurring maintenance (NRM) funds raised in a May 16, 2007, GAO report. The conferees fully expect that by fiscal year 2009 the Department will be obligating not more than twenty percent of its annual allocation of NRM funds in the last two months of the fiscal year. By May 16, 2008, the Department shall submit to the Committees on Appropriations of both Houses of Congress a report outlining these management objectives and a business plan to reach that goal.

Community Based Outpatient Clinics.—The conferees direct the Department to provide the Committees on Appropriations of both Houses of Congress with a report on the actual number of Community Based Outpatient Clinics (CBOC) opened in fiscal year 2007 and the planned CBOC activations in fiscal year 2008. In addition, the conferees further direct the Department to examine the need for, and report on the feasibility of and/or plans for clinics in the following locations: El Centro, California; rural Colorado; Brandon, Florida; Statesboro, Georgia; Belleville, Illinois; Moline, Illinois; Whiteside County, Illinois; Plymouth, Massachusetts; Dover-Foxcroft, Maine; Houlton, Maine; Lewiston-Auburn, Maine; Plattsburg, New York; Riverhead, New York; Southeastern Pennsylvania; Port Angeles, Washington; Wenatchee, Washington; Green Bay, Wisconsin; and Lynchburg, Virginia.

MEDICAL AND PROSTHETIC RESEARCH

The conference agreement appropriates $480,000,000 for Medical and Prosthetic Research as proposed by the House, instead of $500,000,000 as proposed by the Senate.

NATIONAL CEMETERY ADMINISTRATION

The conference agreement appropriates $195,000,000 for the National Cemetery Administration, instead of $170,000,000 as proposed by the House and $217,709,000 as proposed by the Senate. Of the amount provided, $20,000,000 is available until September 30, 2009, instead of $7,800,000 as proposed by the House and $25,000,000 as proposed by the Senate. The amount provided includes $900,000 from the Information Technology Systems account which was erroneously transferred during the recent reorganization of information technology programs.

The conferees have provided $28,191,000 in additional funding for the National Cemetery Administration to correct gravesite deficiencies at VA's national cemeteries, including those identified in the 2002 Millennium Act report to Congress. These repairs include gravesite renovation projects to replace turf, repair sunken graves, and raise, realign and clean headstones.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

The conference agreement appropriates $1,605,000,000 for General Operating Expenses, instead of $1,598,500,000 as proposed by the House and $1,612,031,000 as proposed by the Senate. The conference agreement provides not less than $1,327,001,000 for the Veterans Benefits Administration, instead of $1,324,957,000 as proposed by the House and $1,329,044,000 as proposed by the Senate. Of the amount provided, $75,000,000 is available for obligation until September 30, 2009, as proposed by both the House and the Senate.

The agreement also provides for a limitation on the purchase of passenger motor vehicles for use in operation by the Veterans Benefits Administration in Manila, Philippines.

The conference agreement does not include language as proposed by the House, which would have provided $2,000,000 for the Advisory Committee on Women Veterans. This issue is addressed in the Departmental overview section of this statement of the managers.

Funding Increases.—The conferees agree to provide an increase of $133,163,000 for General Operating Expenses when compared to the President's budget request. The conferees agree to provide $124,219,000 for the hiring of additional claims processors. Based upon data provided by the Department to the Committees on Appropriations of both Houses of Congress in response to reporting requirements included in the report accompanying Public Law 110–28, the cost per new hire will enable the Department to hire more than 1,800 new claims processors with the funding provided. In addition, the conferees have provided $2,000,000 for the leasing of office space to house these new employees. As the Department experiences an increase in the number of claims being filed, as well as an increase in the number of appeals, both the Board of Veterans Appeals and the Office of General Counsel will require additional personnel to handle these appeals. Therefore, the conferees have provided an increase of $3,724,000 for the Board of Veterans Appeals and $3,220,000 for the Office of General Counsel.

INFORMATION TECHNOLOGY SYSTEMS

The conference agreement appropriates $1,966,465,000 for Information Technology Systems, instead of $1,859,217,000 as proposed by the House and $1,898,000,000 as proposed by the Senate. The conference agreement directs the Department to submit an expenditure plan to the Committees on Appropriations of both Houses of Congress within 30 days of enactment as proposed by the House, instead of 60 days of enactment as proposed by the Senate.

The amount provided includes a reduction of $1,100,000 which has been transferred to the Office of Inspector General. The conferees have included an increase of $39,683,000 for computers and other information technology needs associated with the increase in claims processors for the Veterans Benefits Administration and for increased staff in other offices related to claims processing. Additionally, the conferees agree to provide $8,000,000 for an insurance card buffer system and $8,000,000 for the Veterans Health Administration Chief Logistics Office information technology support. Both of these program shortfalls were identified by the Department subsequent to completion of the House and Senate action on their respective appropriations bills. The conferees have also included $10,200,000 for the information technology costs associated with activation of new community based outpatient clinics, an expense that was underfunded in the budget submission.

On September 6, 2007, the Secretary of Veterans Affairs informed the Committees on Appropriations of both Houses of Congress of his intention to reorganize the information technology development functions within the Department of Veterans Affairs. The budget request for Information Technology Systems included a consolidation of all payroll-associated costs for operations and maintenance under the Information Technology account. The conference agreement reflects this consolidation; however, the conferees direct the VA to track payroll and non-pay costs separately in future budget submissions. In addition, to further the Department's consolidation objective, the conferees have agreed to include an increase of $42,465,000 to preclude the need to transfer funds from the General Operating Expenses, Medical Services, Medical Facilities, and Medical and Prosthetic Research accounts.

The conferees are in agreement that the Department should take all steps necessary to ensure that the entire information technology reorganization has no negative impact on providing vital services to veterans, nor should it impede the ability of health care providers and researchers in carrying out their duties.

Electronic Medical Record.—The conferees direct the Departments of Defense and Veterans Affairs to issue a joint report to the Committees on Appropriations of both Houses of Congress (subcommittees on Defense and Military Construction/Veterans Affairs) by April 1, 2008, detailing the actions being taken by each Department to achieve an interoperable electronic medical record (EMR) system. The report should include, but not be limited to, a detailed spending plan for the use of funding provided in the Joint Incentive Fund as well as identify all other ongoing and planned projects and programs within each Department addressing interoperability, including funding provided. The report should clearly identify the Departments' goals for interoperability and how these projects and programs will address those goals.

OFFICE OF INSPECTOR GENERAL

The conference agreement appropriates $80,500,000 for the Office of Inspector General, instead of $76,500,000 as proposed by the House and $88,700,000 as proposed by the Senate. Of the amount provided, $5,000,000 is available for obligation until September 30, 2009, instead of $3,630,000 as proposed by both the House and the Senate.

The conference agreement includes an additional $7,901,000 above the budget request for the Office of Inspector General. The additional funding includes $1,100,000 for information technology systems unique to the Office of Inspector General, as well as additional funding for new positions so that the Inspector General can expand and improve its independent oversight in critical areas, including transitional health care for veterans returning from the wars in Iraq and Afghanistan and Department of Veterans Affairs information technology programs.

CONSTRUCTION, MAJOR PROJECTS

The conference agreement appropriates $1,069,100,000 for Construction, Major Projects, instead of $1,410,800,000 as proposed by the House and $727,400,000 as proposed by the Senate. The conference agreement includes a provision proposed by the House which places a limitation on the use of funds related to 18 facilities on the Capital Asset Realignment for Enhanced Services list requiring further study. The Senate bill contained no similar provision.

The conferees are aware that the Department's budget request of $40,285,000 for the Advanced Planning Fund will not be sufficient to address projects on the Department's 5-Year Capital Plan for fiscal years 2009 through 2012. Therefore, the conferees have included an additional $9,200,000 in funding to begin the preliminary planning process to address identified construction needs.

Additionally, the conferees agree to provide $322,500,000 for allocation to previously appropriated major construction projects, including necessary cost adjustments. The Department is directed to provide the Committees on Appropriations of both Houses of Congress with a detailed list of how these funds will be allocated, within 60 days of enactment of this Act.

New Orleans Veterans Medical Center.—The conferees direct the Secretary of Veterans Affairs to report to the Committees on Appropriations of both Houses of Congress not later than October 1 and April 1 of each year, on the current status of the reconstruction of the Department of Veterans Affairs Medical Center in New Orleans, Louisiana. Each report shall include the status of any ongoing environmental assessments, the status of any current construction, and an assessment of the adequacy of funding necessary to complete the reconstruction. If reconstruction of the Medical Center is subject to any major delay, the report shall include a description of each such delay, an explanation for each such delay, and a description of actions being taken or planned to address the delay. Additionally, within 60 days of enactment of this Act, the Department shall report to the Committees on Appropriations of both Houses of Congress as to whether the New Orleans Medical Center should be designated as a Level I polytrauma rehabilitation center or a polytrauma network site.

The conference agreement includes the following items ($000):

Veterans Health Administration:	
Pittsburgh, PA	$40,000
Denver, CO	61,300
Orlando, FL	35,000
Las Vegas, NV	341,400
Syracuse, NY	23,800
Lee County, FL	9,890
Advance Planning Fund	49,485
Asbestos Abatement	3,000
BRAC Land Acquisition	5,000
Claims Analyses	2,000
Facility Security	21,325
Hazardous Waste Abatement	2,000
Judgment Fund	30,000
Previously appropriated projects/cost adjustments	322,500
Reprogram prior years funds	−45,000
Total Veterans Health Admin.	901,700
National Cemetery Administration:	
Columbia/Greenville, SC area	19,200
Sarasota, FL area	27,800
Jacksonville, FL area	22,400
Southeastern, PA	29,600
Birmingham, AL area	18,500
Bakersfield, CA area	19,500
Ft. Sam Houston, TX	29,400
Advance Planning Fund	1,000
Total, National Cemetery Admin.	167,400
Total, Major Construction	1,069,100

CONSTRUCTION, MINOR PROJECTS

The conference agreement appropriates $630,535,000 for Construction, Minor Projects, instead of $615,000,000 as proposed by the House and $751,398,000 as proposed by the Senate. The conference agreement does not include a provision as proposed by the House, which would have established reprogramming procedures for this account. Of the amount provided, the conferees agree that not less than $75,000,000 shall be used for gravesite expansion and infrastructure improvements for the National Cemetery Administration and not less than $8,000,000 shall be for minor construction for the Veterans Benefits Administration. In addition, the conferees agree that the Department should begin an effort to modernize and upgrade research facilities. The conferees are in agreement that the Department shall submit an expenditure plan to the Committees on Appropriations of both Houses of Congress which specifies how the Department intends to execute the funding provided by this agreement.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

The conference agreement appropriates $165,000,000 for Grants for Construction of State Extended Care Facilities as proposed by the House, instead of $250,000,000 as proposed by the Senate.

GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

The conference agreement appropriates $39,500,000 for Grants for Construction of State Veterans Cemeteries, instead of $37,000,000 as proposed by the House and $100,000,000 as proposed by the Senate.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes section 201 as proposed by both the House and the Senate allowing for transfers among various mandatory accounts. This provision is not extended beyond this Act as proposed by the Senate.

The conference agreement includes section 202 as proposed by the Senate allowing for the transfer of funds among the three medical accounts for the purpose of perfecting the restructuring of the Veterans Health Administration accounts. The House bill contained no similar provision.

The conference agreement includes section 203 as proposed by both the House and the Senate allowing for the use of salaries and expenses funds to be used for other authorized purposes.

The conference agreement includes section 204 as proposed by both the House and the Senate restricting the use of funds for the acquisition of land.

The conference agreement includes section 205 as proposed by both the House and the Senate limiting the use of funds in the Medical Services account to only entitled beneficiaries or unless reimbursement is made to the Department.

The conference agreement includes section 206 as proposed by both the House and the Senate allowing for the use of certain mandatory appropriations accounts for payment of prior year accrued obligations for those accounts.

The conference agreement includes section 207 as proposed by both the House and the Senate allowing for the use of appropriations available in this title to pay prior year obligations.

The conference agreement includes section 208 as proposed by both the House and the Senate allowing funds for the administration of the National Service Life Insurance Fund, the Veterans' Special Life Insurance Fund, and the United States Government Life Insurance Fund.

The conference agreement includes section 209 as proposed by both the House and the Senate allowing for the proceeds from enhanced-use leases to be obligated in the year in which the proceeds are received.

The conference agreement includes section 210 as proposed by both the House and the Senate allowing for the use of funds in this title for salaries and other administrative expenses to be used to reimburse the Office of Resolution Management and the Office of

Employment Discrimination Complaint Adjudication.

The conference agreement includes section 211 as proposed by both the House and the Senate limiting the use of funds for any lease with an estimated annual rental of more than $300,000 unless approved by the Committees on Appropriations of both Houses of Congress.

The conference agreement includes section 212 as proposed by both the House and the Senate requiring the Secretary of the Department of Veterans Affairs to collect third-party payer information for persons treated for non-service connected disability.

The conference agreement includes section 213 as proposed by both the House and the Senate allowing for the use of enhanced-use leasing revenues for Construction, Major Projects and Construction, Minor Projects.

The conference agreement includes section 214 as proposed by both the House and the Senate allowing for the use of Medical Services funds to be used for recreational facilities and funeral expenses.

The conference agreement includes section 215 as proposed by both the House and the Senate allowing for funds deposited into the Medical Care Collections Fund to be transferred to the Medical Services account.

The conference agreement includes section 216 as proposed by both the House and the Senate which allows Alaskan veterans to use medical facilities of the Indian Health Service or tribal organizations at no additional cost to the Department of Veterans Affairs or the Indian Health Service.

The conference agreement includes section 217 as proposed by both the House and the Senate providing for the transfer of funds from the Department of Veterans Affairs Capital Asset Fund to the Construction, Major Projects and Construction, Minor Projects accounts and makes those funds available until expended.

The conference agreement includes section 218 as proposed by both the House and the Senate prohibiting the expenditure of funds to replace the current system by which VISNs select and contract for diabetes monitoring supplies and equipment.

The conference agreement includes section 219 as proposed by both the House and the Senate prohibiting the use of funds on any policy prohibiting the use of outreach or marketing to enroll new veterans.

The conference agreement includes section 220 as proposed by both the House and the Senate requiring the Secretary to submit quarterly reports on the financial status and service level status of the Veterans Health Administration. The conference agreement does not include additional reporting requirements as proposed by the House.

The conference agreement includes section 221 as proposed by the Senate allowing for the transfer of funds from various accounts to the Information Technology Systems account to complete the restructuring of this appropriations account. The House bill contained no similar provision.

The conference agreement includes section 222 as proposed by both the House and the Senate providing for transfer of funds among projects within the Information Technology Systems account.

The conference agreement includes section 223 as proposed by the House allowing for the transfer of any prior year balances and/or credits in the Reinstated Entitlement Program for Survivors account to the Compensation and Pensions account.

The conference agreement includes section 224 as proposed by the Senate prohibiting the disposal of the land at the West Los Angeles Veterans Affairs Medical Center. The House bill contained no similar provision.

The conference agreement includes section 225 as proposed by the Senate maintaining funding for Gulf War Illness Research at levels not less than those made available in fiscal year 2007. The House bill contained no similar provision.

The conference agreement includes section 226 as proposed by the Senate directing the Office of Inspector General (OIG) to establish and maintain on the OIG Internet homepage a mechanism to allow for the anonymous reporting of fraud, waste and abuse. The House bill contained no similar provision.

The conference agreement includes a modified section 227 as proposed by the Senate authorizing the transfer of not more than $5,000,000 to the Secretary of Health and Human Services for a Graduate Psychology Education Program which directly benefits veterans. The House bill contained no similar provision.

The conference agreement includes section 228 as proposed by the Senate prohibiting any funds to be used to contract out any function performed by more than ten employees without a fair competition process. The House bill contained no similar provision.

The conference agreement includes section 229 as proposed by the Senate authorizing the lease of a major medical facility. The House bill contained no similar provision.

The conference agreement includes section 230 rescinding funding from the Medical Services account in Public Law 110–28 and reappropriating the funding to Construction, Major Projects to enable the Department to move forward with direction included in the emergency supplemental conference report.

The conference agreement does not include a provision proposed by the Senate (section 221) which would have allowed for the transfer of funds from the General Operating Expenses, National Cemetery Administration, and Office of Inspector General accounts to the Medical Services account.

The conference agreement does not include a provision proposed by the House (section 222) which would have required the Department to notify and receive Congressional approval prior to transferring funds in excess of $1,000,000 between minor construction projects.

The conference agreement does not include a provision proposed by the Senate (section 224) which would have provided additional direction on the obligation of non-recurring maintenance. This issue is instead addressed under the Medical Facilities section of this statement of the managers.

The conference agreement does not include a provision proposed by the Senate (section 229) which would have required a report on the Department of Veterans Affairs Medical Center in New Orleans, Louisiana. This issue is instead addressed elsewhere in this statement of the managers.

The conference agreement does not include a provision proposed by the Senate (section 230) which would have increased the Medical Services account by $125,000,000 and reduced the Medical Administration account by $125,000,000 for the Veterans Beneficiary Travel program. This issue is addressed under the Medical Services section of this statement of the managers.

The conference agreement does not include a provision proposed by the Senate (section 231) which would have required a report on access to medical services for veterans in rural areas. The issue is instead addressed elsewhere in this statement of the managers.

The conference agreement does not include a provision proposed by the Senate (section 232) which would have prohibited rounding down the dollar amounts to the next whole dollar for benefit payments.

The conference agreement does not include a provision proposed by the Senate (section 234) which would have named a clinic in Alpena, Michigan.

TITLE III—RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

The conference agreement appropriates $44,600,000 for Salaries and Expenses, instead of $43,470,000 as proposed by the House and $45,600,000 as proposed by the Senate.

The conferees agree that the increase above the budget request shall be used for capital improvements and infrastructure modernization. The conferees agree with the direction of the Senate that the Commission submit a report to the Committees on Appropriations of both Houses of Congress by February 29, 2008, detailing funding required to correct maintenance and infrastructure deficiencies at all cemeteries and memorials for which the Commission is responsible.

In fiscal year 2006, the Commission contracted for a study on ground erosion surrounding the World War II Pointe du Hoc Ranger Monument in France. The conferees direct the Commission to submit a report to the Committees on Appropriations of both Houses of Congress outlining the conclusions of the ground erosion study and the steps the Commission will take to implement any study recommendations.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

The conference agreement appropriates $11,000,000 for the Foreign Currency Fluctuations Account as proposed by both the House and the Senate.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

The conference agreement appropriates $22,717,000 for the Salaries and Expenses account, instead of $21,397,000 as proposed by the House and $24,217,000 as proposed by the Senate. The amount provided includes $1,210,000 for the pro bono program, instead of $1,300,000 as proposed by the House and $1,120,000 as proposed by the Senate.

The conferees have agreed to provide additional resources for the Court in recognition of the probability that the Court's workload will increase as the Department of Veterans Affairs experiences a significant increase in disability claims being processed. The increase in funding will provide the Court with sufficient resources to hire two additional magistrate judges, three staff attorneys and clerical staff.

DEPARTMENT OF DEFENSE—CIVIL CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

The conference agreement appropriates $31,230,000 for Salaries and Expenses, instead of $30,592,000 as proposed by the House and $31,865,000 as proposed by the Senate. The conference agreement includes a provision as proposed by the Senate which will allow funds to be provided to Arlington County, Virginia for expenses related to the relocation of the federally owned water main at Arlington National Cemetery. The House bill contained no similar provision.

The conferees agree that the increase of $4,338,000 above the budget request shall be used for the realignment of government-issued headstones, the construction of a heavy equipment storage facility, and costs not included in the budget request associated with the relocation of utilities at Arlington National Cemetery.

ARMED FORCES RETIREMENT HOME

TRUST FUNDS

The conference agreement appropriates $55,724,000 for the Armed Forces Retirement Home (AFRH) as proposed by both the House and the Senate.

The conferees maintain an interest in how the principles of the Green House approach can be incorporated into the new AFRH Gulfport campus while meeting construction milestones, fully restoring services and providing pre-Katrina number of resident spaces. The conferees direct the AFRH to submit a report to the Committees on Appropriations of both Houses of Congress no later than March 1, 2008, detailing the planned on-site services and how the agency could implement the principles of the Green House approach on the Gulfport campus.

GENERAL FUND PAYMENT

The conference agreement appropriates $800,000 as a General Fund Payment to the Armed Forces Retirement Home as proposed by the House, instead of $5,900,000 as proposed by the Senate. The funding is to be used for a study of funding sources for the Trust Fund to determine the long-term viability of the Trust Fund and the potential need for a recurring General Fund Payment to the Trust Fund.

ADMINISTRATIVE PROVISION

The conference agreement does not include an administrative provision as proposed by the Senate (Sec. 301) which would have prohibited the American Battle Monuments Commission from making a payment to the Capital Security Cost Sharing program.

TITLE IV—GENERAL PROVISIONS

The conference agreement includes section 401 as proposed by both the House and the Senate prohibiting the obligation of funds in the Act beyond the current fiscal year unless expressly so provided.

The conference agreement includes section 402 as proposed by both the House and the Senate requiring pay raises to be absorbed within the levels appropriated in the Act.

The conference agreement includes section 403 as proposed by both the House and the Senate prohibiting the use of the funds in this Act for programs, projects or activities not in compliance with Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

The conference agreement includes section 404 as proposed by both the House and the Senate prohibiting the use of funds in the Act to support or defeat legislation pending before Congress.

The conference agreement includes section 405 as proposed by the Senate encouraging all Departments to expand their use of "E-Commerce". The House bill contained a similar provision, but was more directive.

The conference agreement includes section 406 as proposed by both the House and the Senate prohibiting the transfer of funds to any instrumentality of the United States Government without authority from an appropriations Act.

The conference agreement includes section 407 as proposed by both the House and the Senate specifying the congressional committees that are to receive all reports and notifications.

The conference agreement includes section 408 as proposed by the House directing the Congressional Budget Office to submit a report that projects the annual appropriations necessary for the Department of Veterans Affairs to continue providing health care to veterans. The Senate bill contained no similar provision.

The conference agreement includes section 409 as proposed by both the House and the Senate prohibiting the use of funds in the Act for any action that is related to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

The conference agreement includes section 410 as proposed by the Senate allowing the City of Aurora, Colorado to convey land to the United States to be used by the Department of Veterans Affairs for construction of a veterans' medical facility. The House bill contained no similar provision.

The conference agreement does not include a provision as proposed by the House (section 409) which would have prohibited the use of funds in this Act to purchase light bulbs unless they have the "ENERGY STAR" designation. The Senate bill contained no similar provision.

The conference agreement does not include a provision as proposed by the Senate (section 408) which would have required the Government Accountability Office to assess mental health care services for female servicemembers and veterans. This issue is addressed elsewhere in this statement of the managers. The House bill contained no similar provision.

The conference agreement does not include a provision, as proposed by the Senate (section 409) which would have prohibited the use of funds in the Act to enter into a contract or award a grant in an amount greater than $5,000,000 unless the contractor or grantee certifies in writing that certain Federal requirements have been met. The House bill contained no similar provision.

The conference agreement does not include a provision as proposed by the Senate (section 411) which would have appropriated $100,000,000, designated as an emergency requirement, for security and related costs associated with the Democratic National Convention and the Republican National Convention. The House bill contained no similar provision.

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
ALABAMA		
ARMY		
ANNISTON ARMY DEPOT		
INDUSTRIAL WASTEWATER TREATMENT PLANT	26,000	26,000
REDSTONE ARSENAL		
CHILD CARE CENTER	---	2,000
SYSTEMS SOFTWARE ENGINEERING ANNEX	---	20,000
NAVY		
EVERGREEN		
NAVAL OUTLYING LANDING FACILITY EVERGREEN RUNWAY EXTENSION	9,560	9,560
ARMY NATIONAL GUARD		
SPRINGVILLE		
READINESS CENTER, ADDITION/ALTERATION (ARMY DIVISION REDESIGN STUDY)	3,300	3,300
ALASKA		
ARMY		
FORT RICHARDSON		
BARRACKS(GROW THE FORCE)	38,000	38,000
UNIT OPERATIONS FACILITIES(GROW THE FORCE)	42,000	42,000
UNIT OPERATIONS FACILITIES(GROW THE FORCE)	14,800	14,800
FORT WAINWRIGHT		
BARRACKS (GROW THE FORCE)	20,000	20,000
COMPANY OPERATIONS FACILITY	14,000	14,000
RAILHEAD OPERATIONS FACILITY, PHASE I	---	8,900
REPLACE SUBSTATION/UPGRADE ELECTRIC	60,000	60,000
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	11,600	11,600
AIR FORCE		
ELMENDORF AFB		
F-22 7 BAY AIRCRAFT SHELTER	21,400	21,400
F-22 FIGHTER TOWN EAST INFRASTRUCTURE PHASE 2	7,100	7,100
F-22 JET ENGINE INSPECTION & MAINT	13,600	13,600
F-22 TAXIWAY, TAXILANE & ARM/DE-ARM PAD	27,680	27,680
JOINT PROFESSIONAL MILITARY EDUCATION CENTER	---	13,000
ARMY NATIONAL GUARD		
KENAI		
ADD/ALT READINESS CENTER	---	1,400
AIR FORCE RESERVE		
ELMENDORF AFB		
AIRCRAFT MAINTENANCE SQUADRON FACILITY	4,550	4,550
GROUP HEADQUARTERS	10,400	10,400
ARIZONA		
ARMY		
FORT HUACHUCA		
AIT TRAINEE COMPLEX (GROW THE FORCE)	105,000	105,000
GENERAL INSTRUCTIONAL BUILDING (GROW THE FORCE)	13,600	13,600
EFFLUENT REUSE SYSTEM	11,000	11,000
NAVY		
YUMA		
BACHELOR ENLISTED QUARTERS	22,980	22,980
TOWWAY G	10,740	10,740
AIR FORCE		
DAVIS-MONTHAN AFB		
COMBAT SEARCH AND RESCUE EC130 MAINTENANCE HANGAR/ AIRCRAFT MAINTENANCE UNIT	11,200	11,200
LUKE AFB		
REPAIR AIRFIELD PAVEMENTS, PHASE I	---	5,500
ARMY NATIONAL GUARD		
FLORENCE		
FIELD MAINTENANCE SHOP	---	10,870
MARANA		
FIRE STATION (SILVER BELL ARMY HELIPORT)	---	1,964

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
ARKANSAS		
AIR FORCE		
LITTLE ROCK AIR FORCE BASE		
MULTI-PURPOSE EDUCATION FACILITY	---	9,800
RUNWAY REPAIR	---	9,800
ARMY NATIONAL GUARD		
CAMP ROBINSON		
AMMUNITION SUPPLY POINT	5,500	5,500
PROFESSIONAL EDUCATION CENTER/GED PLUS TRAINING COMPLEX (GROW THE FORCE)	18,423	18,423
URBAN ASSAULT COURSE	---	1,900
CALIFORNIA		
ARMY		
FORT IRWIN		
MILITARY OPERATIONS URBAN TERRAIN, PHASE 2	18,500	18,500
TRAINING LAND IMPROVEMENTS	5,500	5,500
PRESIDIO MONTEREY		
GENERAL INSTRUCTION BUILDING	28,000	28,000
NAVY		
CAMP PENDLETON		
1ST MARINE LOGISTICS GROUP ARMORY (GROW THE FORCE)	8,150	8,150
1ST MARINE LOGISTICS GROUP AND BATTALION OPERATIONS CENTER (GROW THE FORCE)	22,220	22,220
1ST MARINE LOGISTICS GROUP OPERATIONS CENTER (GROW THE FORCE)	18,100	18,180
BACHELOR ENLISTED QUARTERS-WOUNDED WARRIOR BATTALION (GROW THE FORCES)	25,940	25,940
BACHELOR ENLISTED QUARTERS - CHAPPO	29,050	29,050
BACHELOR ENLISTED QUARTERS - HEADQUARTERS	31,980	31,980
BACHELOR ENLISTED QUARTERS - MARGARITA	26,530	26,530
CONSOLIDATED COMMUNICATIONS/ELECTRONICS SHOP (GROW THE FORCE)	16,840	16,840
FORCE INTELLIGENCE OPERATIONS CENTER-HEADQUARTERS AREA (GROW THE FORCE)	24,990	24,990
HANGAR ADDITIONS	4,400	4,400
INFANTRY SQUAD BATTLE COURSE	15,090	---
INTELLIGENCE, SURVEILLANCE, AND RECONNAISANCE CAMP - INTEL BATTALION	17,980	17,980
MARINE SPECIAL OPERATIONS COMMAND SUPPORTING FACILITIES	17,730	17,730
PHYSICAL FITNESS CENTER	8,510	8,510
TACTICAL SUPPORT VAN PADS EXPANSION	6,050	6,050
TRAFFIC IMPROVEMENTS	5,830	5,830
MIRAMAR		
HANGAR MODIFICATION (GROW THE FORCE)	28,760	28,760
MONTEREY		
GLOBAL WEATHER OPERATIONS CENTER	---	9,780
SAN DIEGO		
MAGNETIC SILENCING FACILITY MODIFICATION	14,590	14,590
MAIN GATE (GATE 6) IMPROVEMENTS	---	3,000
PIER 5002 SUB FENDER INSTALLATION	9,040	9,040
TWENTYNINE PALMS		
ARMORY (GROW THE FORCE)	5,920	5,920
BACHELOR ENLISTED QUARTERS AND PARKING STRUCTURE	34,329	34,329
LANDFILL (GROW THE FORCE)	13,560	13,500
MOUT-FACILITY (PHASE 3)(GROW THE FORCE)	21,390	21,390
MULTI-BATTALION OPERATIONS CENTER (GROW THE FORCE)	33,770	33,770
MULTI-BATTALION OPERATIONS CENTER (GROW THE FORCE)	33,650	33,650
AIR FORCE		
EDWARDS AIR FORCE BASE		
MAIN BASE RUNWAY PHASE 3	35,000	35,000
MAIN BASE RUNWAY PHASE 4	---	8,500
TRAVIS AFB		
C-17 ROAD IMPROVEMENTS	4,600	4,600
C-17 SOUTHWEST LANDING ZONE	22,000	22,000

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
GLOBAL SUPPORT SQUADRON FACILITY	---	10,800
DEFENSE-WIDE		
CAMP PENDLETON		
SPECIAL OPERATIONS FORCES ACADEMIC INSTRUCTION FACILITY	5,950	5,950
SPECIAL OPERATIONS FORCES PARALOFT/BOAT/DIVE LOCKER	5,770	5,770
SPECIAL OPERATIONS FORCES SUPPLY FACILITY	8,310	8,310
CORONADO		
SPECIAL OPERATIONS FORCES SPECIAL BOAT TEAM OPERATIONS FACILITY	12,000	12,000
POINT LOMA ANNEX		
REPLACE FUEL STORAGE FACILITIES, INCR 1	140,000	55,700
ARMY NATIONAL GUARD		
CAMP ROBERTS		
INFANTRY PLATOON BATTLE COURSE	2,850	2,850
SACRAMENTO ARMY DEPOT		
READINESS CENTER	21,000	21,000
ARMY RESERVE		
B.T. COLLINS USARC (SACRAMENTO)		
HIGH TECH RTS MAINTENANCE FACILITY	---	8,874
FORT HUNTER LIGGETT		
CONVOY LIVE FIRE RANGE	2,534	2,534
RANGE CONTROL FACILITY	4,501	4,501
GARDEN GROVE		
ARMY RESERVE CENTER	25,440	25,440
NAVY RESERVE		
MIRAMAR		
RESERVE CENTER ADDITIONS	5,580	5,580
COLORADO		
ARMY		
FORT CARSON		
BARRACKS(GROW THE FORCE)	53,000	53,000
DEFENSE ACCESS ROAD	9,300	8,300
HOSPITAL ADDITION & DENTAL CLINIC (GROW THE FORCE)	18,000	18,000
INDOOR RANGE	4,900	4,900
UNIT OPERATION FACILITIES (GROW THE FORCE)	59,000	59,000
UNIT OPERATION FACILITIES (GROW THE FORCE)	13,000	13,000
AIR FORCE		
FORT CARSON		
AIR SUPPORT OPERATIONS SQUADRON COMPLEX	13,500	13,500
SCHRIEVER AFB		
AIR AND SPACE INTEGRATION FACILITY	24,500	24,500
U.S. AIR FORCE ACADEMY		
UPGRADE ACADEMIC FACILITY PHASE IVB	15,000	15,000
CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE		
PUEBLO ARMY DEPOT		
AMMUNITION DEMILITARIZATION FACILITY PH IX	35,159	35,159
AIR NATIONAL GUARD		
BUCKLEY AFB		
REPLACE SQUADRON OPERATIONS	---	7,300
CONNECTICUT		
NAVY		
NEW LONDON SUBMARINE BASE		
SUBMARINE LEARNING FACILITY	---	9,280
WATERFRONT OPERATIONS SMALL CRAFT FACILITY	---	11,900
ARMY NATIONAL GUARD		
NIANTIC		
READINESS CENTER (ARMY DIVISION REDESIGN STUDY)	13,600	13,600
DELAWARE		
ARMY		
DOVER AFB		

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
JOINT PERSONAL EFFECTS DEPOT	17,500	17,500
AIR NATIONAL GUARD		
NEW CASTLE COUNTY AIR GUARD BASE		
C-130 MAINTENANCE HANGER, PHASE I	---	10,800
DISTRICT OF COLUMBIA		
AIR FORCE		
BOLLING AFB		
COMMUNICATION SWITCH FACILITY	2,500	2,500
DEFENSE-WIDE		
BOLLING AFB		
INSTALL BACKUP WATER SYSTEM	1,012	1,012
FLORIDA		
ARMY		
CAMP RUDDER (EGLIN AFB)		
DINING FACILITY	---	1,500
EGLIN AFB		
OPERATIONS COMPLEX, PHASE 2	66,000	---
MIAMI DORAL		
SOUTHERN COMMAND HEADQUARTERS FACILITY, INCR 1	237,000	100,000
NAVY		
BLOUNT ISLAND		
MAIN GATE IMPROVEMENTS - BLOUNT ISLAND	7,570	7,570
SLIPWAY BARRIER	---	2,870
CAPE CANAVERAL AIR FORCE STATION		
ENGINEERING SERVICES FACILITY	---	9,900
PANAMA CITY		
LITTORAL WARFARE SYSTEMS FACILITY	13,870	13,870
PENSACOLA		
FIRE STATION (CORRY STATION)	---	3,140
AIR FORCE		
EGLIN AFB		
CONSTRUCT SEAWALLS SANTA ROSA ISLAND RANGE COMPLEX	35,000	35,000
F-35 ADD/ALTER 53RD JOINT REPROGRAMMING FACILITY	8,300	8,300
F-35 INTEGRATED TRAINING CENTER	39,000	39,000
F-35 SQUADRON OPERATIONS/AIRCRAFT MAINTENANCE UNIT/HANGAR	27,000	27,000
REPAIR ROADS SANTA ROSA ISLAND RANGE COMPLEX	49,000	49,000
MACDILL AFB		
ALTER CENTRAL COMMAND HEADQUARTERS	57,000	57,000
EXPLOSIVE ORDNANCE DISPOSAL FACILITY	---	3,500
MACDILL CENTCOM JOINT INTELLIGENCE CENTER	28,000	25,000
PATRICK AFB		
CHILD DEVELOPMENT CENTER	11,854	11,854
TYNDALL AFB		
1ST AIR FORCE HQ FACILITY	---	8,400
FITNESS CENTER	19,014	19,014
REPAIR AIRFIELD	25,100	25,100
DEFENSE-WIDE		
HURLBURT FIELD		
SPECIAL OPERATIONS FORCES MAINTENANCE STORAGE FACILITY	4,711	4,711
SPECIAL OPERATIONS FORCES OPERATIONS FACILITY	5,500	5,500
SPECIAL OPERATIONS FORCES SQUADRON OPERATIONS ADDITION	4,000	4,000
SPECIAL OPERATIONS FORCES COMBAT WEATHER OPERATIONS FACILITY	14,900	14,900
KEY WEST		
REPLACE FUEL PUMP HOUSE	1,874	1,874
MACDILL AFB		
CLINIC REPLACEMENT, INCREMENT II	41,400	41,400
PHARMACARE ADDITION/ALTERATION	5,000	5,000
SPECIAL OPERATIONS FORCES 501-D BUILDING ADDITION PHASE 2	12,200	12,200
SPECIAL OPERATIONS FORCES ACQUISITION CENTER	35,500	35,500

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
ARMY NATIONAL GUARD		
CAMP BLANDING		
RTI PHASE III - JOINT OPS CENTER TRAINING FACILITY	---	15,524
JACKSONVILLE		
ARMY AVIATION SUPPORT FACILITY ADDITION/ALTERATION	12,200	12,200
AIR NATIONAL GUARD		
JACKSONVILLE IAP		
REPLACE COMMUNICATIONS FACILITY..................	---	6,000
GEORGIA		
ARMY		
FORT BENNING		
CHILD DEVELOPMENT CENTER..........................	---	3,700
MODIFIED RECORD FIRE RANGE........................	5,800	5,800
RECEPTION STATION, PHASE 1........................	51,000	51,000
SIMULATIONS TRAINING FACILITY.....................	58,000	58,000
TRAINEE BARRACKS COMPLEX..........................	73,000	73,000
FORT STEWART		
BARRACKS COMPLEX..................................	36,000	36,000
BARRACKS (GROW THE FORCE).........................	25,000	25,000
BRIGADE COMPLEX-HEADQUARTERS......................	26,000	26,000
FIRE STATION (GROW THE FORCE).....................	5,500	5,500
UNIT OPERTATIONS FACILITIES (GROW THE FORCE)......	15,000	15,000
HUNTER ARMY AIRFIELD		
UNIT OPERATIONS FACILITIES (GROW THE FORCE).......	16,000	16,000
NAVY		
ALBANY MCLB		
COMBAT VEHICLE WAREHOUSE..........................	---	9,980
AIR FORCE		
MOODY AFB		
COMMERCIAL ACCESS GATE............................	---	7,500
ROBINS AFB		
AIRCRAFT COMPONENT REPAIR FACILITY................	14,700	14,700
SURVIVAL RECOVERY CENTER & COMMAND POST...........	---	5,000
DEFENSE-WIDE		
AUGUSTA		
REGIONAL SECURITY OPERATION CENTER INCREMENT III..	100,000	100,000
FORT BENNING		
SPECIAL OPERATIONS FORCES BATTALION COMPLEX.......	21,000	21,000
SPECIAL OPERATIONS FORCES HEADQUARTERS BUILDING ADDITION..	5,000	5,000
SPECIAL OPERATIONS FORCES TACTICAL EQUIPMENT SHOP.	9,000	9,000
HUNTER AIR NATIONAL GUARD STATION		
SPECIAL OPERATIONS FORCES SUPPORT COMPANY FACILITY	13,800	13,800
AIR NATIONAL GUARD		
SAVANNAH AIR NATIONAL GUARD		
TROOP DORMS.......................................	---	9,000
HAWAII		
ARMY		
FORT SHAFTER		
BARRACKS COMPLEX..................................	31,000	31,000
KAHUKU		
TACTICAL VEHICLE WASH FACILITY....................	---	10,200
SCHOFIELD BARRACKS		
BARRACKS COMPLEX..................................	43,000	43,000
BARRACKS COMPLEX..................................	45,000	45,000
WHEELER AFB		
BARRACKS COMPLEX..................................	51,000	51,000
NAVY		
KANEOHE BAY		
BACHELOR ENLISTED QUARTERS........................	37,961	37,961
PEARL HARBOR		
DRY DOCK SHIP SUPPORT SERVICES....................	---	30,200
SUB DRIVE-IN MAGNETIC SILENCING FACILITY, INCR 1..	99,860	49,860
WAHIAWA		

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
COMMUNICATION CENTER	65,410	65,410
AIR FORCE		
HICKAM AFB		
C-17 PARKING RAMP	15,471	15,471
DISTRIBUTED COMMON GROUND SYSTEM INTELLIGENCE SQUADRON OPERATIONS FACILITY	16,500	16,500
DEFENSE-WIDE		
HICKAM AFB		
REPLACE HYDRANT FUELS SYSTEM	11,900	11,900
KUNIA		
REGIONAL SECURITY OPERATION CENTER INCREMENT III	136,318	136,318
IDAHO		
ARMY NATIONAL GUARD		
GOWEN FIELD		
TRAINING AREA RAILHEAD	---	7,615
ORCHARD TRAINING AREA		
URBAN ASSAULT COURSE	1,700	1,700
ILLINOIS		
ARMY		
ROCK ISLAND ARSENAL		
COMBINED FIRE/POLICE FACILITY	---	3,350
NAVY		
GREAT LAKES		
RECRUIT TRAINING COMMAND INFRASTRUCTURE UPGRADE, GREAT LAKES INCREMENT 3	16,650	16,650
SMALL ARMS MARKSMANSHIP TRAINER	10,221	10,221
AIR FORCE		
SCOTT AFB		
CHILD DEVELOPMENT CENTER	---	8,200
SECURITY FORCES OPERATIONS FACILITY	16,700	16,700
DEFENSE-WIDE		
GREAT LAKES		
FEDERAL HEALTHCARE FACILITY	99,000	99,000
ARMY NATIONAL GUARD		
ST CLAIR COUNTY		
READINESS CENTER (ARMY DIVISION REDESIGN STUDY)	8,100	8,100
INDIANA		
NAVY		
CRANE NAVAL SURFACE WARFARE CENTER		
SECURED ELECTRONIC WARFARE SYSTEMS ENGINEERING FACILITY	---	12,000
SPECIAL WEAPONS ASSESSMENT FACILITY	---	11,800
ARMY NATIONAL GUARD		
MUSCATATUCK		
SECURITY FENCE	---	4,996
AIR NATIONAL GUARD		
HULMAN REGIONAL AIRPORT		
DIGITAL GROUND STATION BEDDOWN	7,700	7,700
IOWA		
ARMY NATIONAL GUARD		
CAMP DODGE		
MAIN ENTRANCE	---	1,500
IOWA CITY		
READINESS CENTER	---	13,186
KANSAS		
ARMY		
FORT LEAVENWORTH		
BARRACKS COMPLEX	55,000	55,000
BARRACKS (GROW THE FORCE)	12,800	12,800
CHAPEL COMPLEX, PHASE I	---	11,600
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	23,000	23,000

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
FORT RILEY		
BARRACKS (GROW THE FORCE)	50,000	50,000
CHILD DEVELOPEMENT CENTER (GROW THE FORCE)	8,500	8,500
DIGITAL MULTIPURPOSE RANGE COMPLEX	28,000	28,000
HEALTH & DENTAL CLINIC (GROW THE FORCE)	8,800	8,800
MILITARY WORKING DOG FACILITY	---	1,900
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	43,000	43,000
AIR FORCE		
FORT RILEY		
AIR SUPPORT OPERATIONS SQUADRON COMPLEX	12,515	12,515
MCCONNELL AFB		
MXG CONSOLIDATION AND FORWARD LOGISTICS CENTER	---	6,300
AIR NATIONAL GUARD		
SMOKY HILL AIR NATIONAL GUARD RANGE		
AIR SUPPORT OPERATIONS SQUADRON BEDDOWN	---	9,000
KENTUCKY		
ARMY		
FORT CAMPBELL		
BARRACKS (GROW THE FORCE)	27,000	27,000
CHILD DEVELOPMENT CENTER (AGES 0-5)	---	8,600
INDOOR RANGE	5,000	5,000
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	24,000	24,000
VEHICLE MAINTENANCE SHOP	49,000	49,000
FORT KNOX		
CANTONMENT AREA ROADS, PAVED	6,700	6,700
DEFENSE-WIDE		
FORT CAMPBELL		
SPECIAL OPERATIONS FORCES BATTALION OPERATIONS COMPLEX	35,000	35,000
SPECIAL OPERATIONS FORCES GROUP SUPPORT BATTALION COMPLEX	18,500	18,500
ARMY NATIONAL GUARD		
LONDON		
READINESS CENTER, PHASE II	---	2,427
CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE WIDE		
BLUE GRASS ARMY DEPOT		
AMMUNITION DEMILITARIZATION FACILITY PH VIII	51,017	51,017
AMMUNITION DEMILITARIZATION FACILITY PH VIII	---	18,000
LOUISIANA		
ARMY		
FORT POLK		
4TH BRIGADE 10TH MOUNTAIN DIVISION HEADQUARTERS FACILITY	---	9,800
CHILD CARE CENTER	---	6,100
AIR NATIONAL GUARD		
CAMP BEAUREGARD		
UPGRADE AIR SUPPORT OPERATIONS SQUADRON FACILITY	1,800	1,800
MAINE		
NAVY		
PORTSMOUTH NAVAL SHIPYARD		
CONSOLIDATED EMERGENCY CONTROL CENTER	---	9,700
MARYLAND		
ARMY		
ABERDEEN PROVING GROUND		
AUTOMOTIVE TECHNOLOGY EVALUATION FACILITY	---	12,200
NAVY		
INDIAN HEAD		
ADVANCED ENERGETICS RESEARCH LAB	---	9,450
PATUXENT RIVER		
AIRCRAFT PROTOTYPE FACILITY PHASE 1	17,990	17,990
E-2 ADVANCED HAWKEYE RESEARCH, DEVELOPMENT, TESTING, AND EVALUATION FACILITY	13,650	13,650

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
JOINT PRECISION APPROACH AND LANDING SYSTEM ADDITION TO BUILDING 2110/2122	8,720	8,720
SUITLAND		
NATIONAL MARITIME INTEL CENTER INCREMENT II	52,069	52,069
DEFENSE-WIDE		
FORT DETRICK		
US ARMY MEDICAL RESEARCH INSTITUTE OF INFECTIOUS DISEASES STAGE I, INC II	150,000	150,000
FORT MEADE		
NATIONAL SECURITY AGENCY - WASHINGTON OPS1 SOUTH STAIR TOWER	4,000	4,000
NATIONAL SECURITY AGENCY - WASHINGTON POWER, SPACE, AND COOLING UTILITY MANAGEMENT SYSTEM PH2	7,901	7,901
MASSACHUSETTS		
AIR FORCE		
HANSCOM AFB		
RENOVATE ACQUISITION MANAGEMENT FACILITY 81102C	---	12,800
AIR NATIONAL GUARD		
BARNES ANGB		
FIRE CRASH/RESCUE STATION	---	7,300
OTIS AIR NATIONAL GUARD BASE		
DIGITAL GROUND STATION INITIAL OPERATING CAPACITY BEDDOWN	1,800	1,800
MICHIGAN		
ARMY		
DETROIT ARSENAL		
GROUND SYSTEMS POWER AND ENERGY LABORATORY	---	18,500
ARMY NATIONAL GUARD		
LANSING		
US PROPERTY AND FISCAL OFFICE AND READINESS CENTER RENOVATION	---	4,230
CAMP GRAYLING		
INFANTRY PLATOON BATTLE COURSE W/ CONVOY LIVE FIRE RANGE	---	2,450
NAVY RESERVE		
SELFRIDGE		
RESERVE TRAINING CENTER	4,030	4,030
MINNESOTA		
ARMY NATIONAL GUARD		
CAMP RIPLEY		
COMBINED ARMS COLLECTIVE TRAINING FACILITY	4,850	4,850
COMBINED ARMS COLLECTIVE TRAINING FACILITY, PH2	---	12,800
AIR NATIONAL GUARD		
DULUTH		
REPLACE STORAGE FACILITIES	---	1,500
MISSISSIPPI		
NAVY		
MERIDIAN NAVAL AIR STATION		
FIRE STATION	---	8,770
AIR FORCE		
COLUMBUS AFB		
MISSION SUPPORT COMPLEX PHASE II	---	9,800
DEFENSE-WIDE		
JOHN C. STENNIS SPACE CENTER		
SOF RIVERINE AND COMBATANT CRAFT OPERATIONS FACILITY	---	10,200
ARMY NATIONAL GUARD		
CAMP SHELBY		
LIVE FIRE SHOOT HOUSE/URBAN ASSAULT COURSE	---	4,000
AIR NATIONAL GUARD		
KEY FIELD		
ASOS/ATCS TRAINING CENTER	---	8,100

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
MISSOURI		
ARMY		
FORT LEONARD WOOD		
AUTOMATED MULTIPURPOSE MACHINE GUN RANGE (GROW THE FORCE)	4,150	4,150
AUTOMATED PISTOL RANGE (GROW THE FORCE)	2,700	2,700
BARRACKS (GROW THE FORCE)	26,000	26,000
CHAPEL	---	10,400
CHILD DEVELOPMENT CENTER	---	7,000
DINING FACILITY-BASIC COMBAT TRAINING COMPLEX (GROW THE FORCE)	22,000	22,000
MODIFIED RECORD FIRE RANGE	3,800	3,800
MODIFIED RECORD FIRE RANGE	4,000	4,000
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	58,000	58,000
AIR FORCE		
WHITEMAN AFB		
CONSOLIDATE COMMUNICATIONS CENTER	---	11,400
ARMY NATIONAL GUARD		
WHITEMAN AFB		
ARMY AVIATION SUPPORT FACILITY	30,000	30,000
MONTANA		
AIR FORCE		
MALMSTROM AFB		
CONSTRUCT COMMUNITY ACTIVITY CENTER	---	7,000
ARMY RESERVE		
BUTTE		
ARMY RESERVE CENTER/LAND	7,629	7,629
NEBRASKA		
AIR FORCE		
OFFUTT AFB		
ADD/ALTER INTELLIGENCE SQUADRON FACILITY	16,952	16,952
AIR NATIONAL GUARD		
LINCOLN MUNICIPAL AIRPORT		
ADD/ALTER SECURITY FORCES COMMUNICATIONS COMPLEX	---	8,900
NEVADA		
ARMY		
HAWTHORNE ARMY AMMUNITION PLANT		
GROUND WATER TREATMENT PLANT	11,800	11,800
WABUSKA RAILROAD LINE SPUR	---	1,400
NAVY		
FALLON NAVAL AIR STATION		
RANGE IMPROVEMENTS B-20	---	11,460
AIR FORCE		
NELLIS AFB		
JOINT TERMINAL AIR CONTROL VIRTUAL TRAINING FACILITY	---	4,950
AIR NATIONAL GUARD		
RENO		
VEHICLE MAINTENANCE COMPLEX	---	5,200
NEW HAMPSHIRE		
AIR NATIONAL GUARD		
PEASE AIR NATIONAL GUARD BASE		
WING HEADQUARTERS OPERATIONS AND TRAINING FACILITY	---	6,900
NEW JERSEY		
ARMY		
PICATINNY ARSENAL		
ARMAMENT INTEGRATION FACILITY	---	9,900
NAVY		
LAKEHURST NAVAL AIR ENGINEERING STATION		
JOINT INSTALLATION ROAD IMPROVEMENT	---	4,100

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR NATIONAL GUARD		
ATLANTIC CITY		
ASOS BEDDOWN	---	8,800
ARMY RESERVE		
FORT DIX		
COMBINED MAINTENANCE FACILITY	17,000	17,000
TACTICAL TRAINING BASE, PHASE I	---	5,900
NEW MEXICO		
ARMY		
WHITE SANDS MISSLE RANGE		
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	71,000	71,000
AIR FORCE		
CANNON AFB		
ADD/ALTER HANGAR 09 FOR C-130	1,688	1,688
KIRTLAND AFB		
PJ/CRO LOGISTICS BUILDING	---	3,700
PJ/CRO RESCUE AND RECOVERY TRAINING CENTER	---	11,400
DEFENSE-WIDE		
CANNON AFB		
SPECIAL OPERATIONS FORCES FLIGHT SIMULATOR FACILITY	7,500	7,500
KIRTLAND AFB		
REPLACE FUEL UNLOAD FACILITY	1,800	1,800
NEW YORK		
ARMY		
FORT DRUM		
AUTOMATED QUALIFICATION TRAINING RANGE	---	9,800
BARRACKS (GROW THE FORCE)	61,000	61,000
BRIGADE COMPLEX MAINTENANCE FACILITY	44,000	44,000
BRIGADE COMPLEX-BARRACKS/OPERATIONS	40,000	40,000
BRIGADE COMPLEX-COMPANY OPERATIONS	55,000	55,000
CHILD DEVELOPMENT CENTER	---	10,600
INFRASTRUCTURE UPGRADES	12,000	12,000
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	41,000	41,000
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	36,000	38,000
DEFENSE-WIDE		
FORT DRUM		
MEDICAL CLINIC ADDITION/ALTERATION	41,000	41,000
AIR NATIONAL GUARD		
GABRESKI ANG BASE, WESTHAMPTON		
PARARESCUE FACILITY PH 1	---	8,400
GRIFFISS NEADS		
NEADS SUPPORT FACILITY, PHASE II	---	6,600
HANCOCK FIELD		
UPGRADE BASE FACILITIES	---	5,100
ARMY RESERVE		
FORT DRUM		
ARMY RESERVE CENTER	15,923	15,923
NORTH CAROLINA		
ARMY		
FORT BRAGG		
BARRACKS COMPLEX, INCREMENT 3	47,400	47,400
BARRACKS (GROW THE FORCE)	73,000	73,000
BLOOD DONOR CENTER	---	4,800
CHILD DEVELOPMENT CENTER (AGES 6-10)	---	8,700
COMMUNITY EMERGENCY SERVICES FACILITY	---	2,900
INDOOR RANGE	4,800	4,800
STUDENT BARRACKS	51,000	51,000
UNIT MAINTENANCE FACILITY (GROW THE FORCE)	88,000	88,000
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	54,000	54,000
NAVY		
CAMP LEJEUNE		
ACADEMIC INSTRUCTION FACILITY	16,400	16,400

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
BACHELOR ENLISTED QUARTERS - 4TH MARINE EXPEDITIONARY BRIGADE	29,970	29,970
BACHELOR ENLISTED QUARTERS - FRENCH CREEK	27,800	27,800
BACHELOR ENLISTED QUARTERS-WOUNDED WARRIOR BATTALION (GROW THE FORCE)	27,270	27,270
CHILD DEVELOPMENT CENTER, MIDWAY PARK	---	14,200
FIELD MEDICAL SERVICE SCHOOL	8,080	8,080
LANDFILL CELL (GROW THE FORCE)	14,170	14,170
MAIN GATE PHYSICAL SECURITY UPGRADE (GROW THE FORCE)	7,920	7,920
MARINE SPECIAL OPERATIONS COMMAND COMMUNITY SUPPORT FACILITIES	9,170	9,170
MARINE SPECIAL OPERATIONS COMMAND FITNESS CENTER/TRAINING TANK	14,480	14,480
MARINE SPECIAL OPERATIONS COMMAND SUPPORT FACILITY	21,720	21,720
MARINE SPECIAL OPERATIONS COMMAND TRAINING FACILITIES	12,590	12,590
MILITARY OPERATIONS ON UNEVEN TERRAIN ENHANCEMENTS	14,120	14,120
MULTI-PURPOSE MACHINE GUN RANGE-G10 (GROW THE FORCE)	17,250	17,250
PHYSICAL SECURITY UPGRADES-PINEY GREEN (GROW THE FORCE)	6,660	6,660
WASTEWATER SYSTEM MODIFICATION (GROW THE FORCE)	7,070	7,070
CHERRY POINT MARINE CORPS AIR STATION		
HANGER RENOVATION & FACILITY UPGRADES F/A18E/F	16,500	16,500
UNMANNED AERIAL VEHICLE OPERATIONS/MAINTENANCE	12,110	12,110
NEW RIVER		
BACHELOR ENLISTED QUARTERS	22,530	22,530
HANGAR ADDITION (PHASE 2)	17,330	17,330
JET ENGINE TEST CELL	14,570	14,570
MAIN GATE SECURITY UPGRADE	---	4,270
NAVAL OUTLYING LANDING FACILITY WASHINGTON COUNTY		
OUTLYING LANDING FIELD FACS & LAND ACQUISITION	10,060	---
DEFENSE-WIDE		
CAMP LEJEUNE		
DELALIO ELEMENTARY SCHOOL - CONSTRUCT GYMNASIUM	2,014	2,014
SPECIAL OPERATIONS FORCES ACADEMIC INSTRUCTION FACILITY	6,910	6,910
SPECIAL OPERATIONS FORCES EQUIPMENT FACILITY	10,800	10,800
SPECIAL OPERATIONS FORCES SUPPLY & PRE-DEPLOYMENT FACILITY	10,500	10,500
FORT BRAGG		
SPECIAL OPERATIONS FORCES HEADQUARTERS AND MOTOR POOL COMPLEX	39,250	39,250
SPECIAL OPERATIONS FORCES OPERATIONS/INTELLIGENCE ADDITION	8,000	8,000
ARMY NATIONAL GUARD		
ASHEVILLE		
FIELD MAINTENANCE SHOP	---	3,733
AIR NATIONAL GUARD		
CHARLOTTE (STANLY COUNTY AP)		
235TH ATC SQUADRON FACILITY	---	4,000
NORTH DAKOTA		
AIR FORCE		
GRAND FORKS AFB		
CONTROL TOWER/RAPCON	---	13,000
MINOT AFB		
DORMITORY (144 ROOM)	18,200	18,200
ARMY NATIONAL GUARD		
CAMP GRAFTON		
REGIONAL TRAINING INSTITUTE PHASE 1 (GROW THE FORCE)	33,416	33,416
OHIO		
DEFENSE-WIDE		

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
COLUMBUS		
DECENTRALIZE HEAT PLANT	4,000	4,000
ARMY NATIONAL GUARD		
CAMP PERRY		
BASE ENGINEERING, OPERATIONS & CLASSROOM FACILITY.	---	1,500
NEWTON FALLS		
TRAINING BUILDING ALTERATION (RAVENNA)	---	1,500
AIR NATIONAL GUARD		
RICKENBACKER ANGB		
SECURITY FORCES COMPLEX	---	7,600
NAVY RESERVE		
WRIGHT-PATTERSON AFB		
RESERVE TRAINING CENTER	10,277	10,277
OKLAHOMA		
ARMY		
FORT SILL		
FIRE AND MOVEMENT RANGE	---	1,300
MODIFIED RECORD FIRE RANGE	2,900	2,900
MULTIPURPOSE MACHINE GUN RANGE	---	3,300
AIR FORCE		
ALTUS AFB		
C-17 SHEET METAL COMPOSITE SHOP	2,000	2,000
TINKER AFB		
CONSOLIDATED FUEL OVERHAUL REPAIR & TEST FACILITY.	34,600	34,600
VANCE AFB		
FUEL SYSTEM MAINTENANCE HANGAR	---	7,700
OREGON		
ARMY NATIONAL GUARD		
ONTARIO		
READINESS CENTER	11,000	11,000
NAVY RESERVE		
PORTLAND		
OPERATIONAL FACILITIES MOBILE INSHORE UNDERSEA WARFARE UNIT 110/INSHORE BOAT UNIT 13	1,900	1,900
PENNSYLVANIA		
DEFENSE-WIDE		
DEFENSE DISTRIBUTION DEPOT NEW CUMBERLAND		
REPLACE CENTRAL HEAT PLANT	21,000	21,000
ARMY NATIONAL GUARD		
CARLISLE		
READINESS CENTER (STRYKER BRIGADE COMPANY TEAM (SBCT))	7,600	7,800
EAST FALLOWFIELD TOWNSHIP		
READINESS CENTER (SBCT)	8,300	8,300
FORT INDIANTOWN GAP		
AMMUNITION SUPPLY POINT UPGRADE (SBCT)	9,500	9,500
GETTYSBURG		
READINESS CENTER (SBCT)	6,300	6,300
GRATERFORD		
FIELD MAINTENANCE SHOP (SBCT)	7,300	7,300
HANOVER		
READINESS CENTER, ADDITION/ALTERATION (SBCT)	5,500	5,500
HAZELTON		
READINESS CENTER ADDITION/ALTERATION (SBCT)	5,600	5,600
HOLIDAYSBURG		
READINESS CENTER (SBCT)	9,400	9,400
HUNTINGDON		
READINESS CENTER (SBCT)	7,500	7,500
KUTZTOWN		
READINESS CENTER, ADDITION/ALTERATION (SBCT)	6,800	6,800
LEBANON		
READINESS CENTER, ADDITION/ALTERATION (SBCT)	7,800	7,800
PHILADELPHIA		

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
FIELD MAINTENANCE SHOP, ADDITION/ALTERATION (SBCT)	3,650	3,650
READINESS CENTER, ALTERATION (SBCT)	10,000	10,000
WAYNESBURG		
READINESS CENTER	---	9,000
AIR NATIONAL GUARD		
FORT INDIANTOWN GAP		
AIR SUPPORT OPERATIONS SQUADRON	6,400	6,400
OPERATIONS AND TRAINING FACILITY	---	6,300
HARRISBURG		
EXPAND AIRCRAFT PARKING APRON/RELOCATE TAXIWAY	---	1,000
RHODE ISLAND		
NAVY		
NAVAL STATION NEWPORT		
HAZMAT STORAGE FACILITY	---	3,860
RECONSTRUCT WHARF BETWEEN PIERS 1&2	---	9,900
ARMY NATIONAL GUARD		
EAST GREENWICH		
READINESS CENTER	8,200	8,200
NORTH KINGSTOWN		
ARMY AVIATION SUPPORT FACILITY	33,000	33,000
AIR NATIONAL GUARD		
QUONSET STATE AIRPORT		
SPECIAL OPERATIONS TRAINING FACILITY	---	5,000
SOUTH CAROLINA		
ARMY		
FORT JACKSON		
BASIC TRAINING COMPLEX (GROW THE FORCE)	85,000	85,000
NAVY		
BEAUFORT		
FIRE STATION	6,800	6,800
NUCLEAR, BIOLOGICAL & CHEMICAL TRAINING FACILITY	---	3,500
PARRIS ISLAND		
CONSOLIDATED DINING FACILITY (GROW THE FORCE)	24,430	24,430
MOTOR TRANSPORTATION COMPLEX	5,530	5,530
RECRUIT BARRACKS - 3RD BATTALION (PHASE 1)	25,322	25,322
AIR FORCE		
CHARLESTON AFB		
CHILD DEVELOPMENT CENTER	---	11,000
SHAW AFB		
BASE INFRASTRUCTURE	---	9,300
SOUTH DAKOTA		
AIR FORCE		
ELLSWORTH AFB		
BASE CIVIL ENGINEER ADMINISTRATIVE FACILITY	---	16,800
AIR NATIONAL GUARD		
JOE FOSS FIELD		
BASE CIVIL ENGINEER MAINTENANCE COMPLEX	---	7,900
RAPID CITY		
JOINT FORCES HEADQUARTERS	---	900
NAVY RESERVE		
SIOUX FALLS		
JOINT ARMED FORCES RESERVE CENTER	3,730	3,730
TENNESSEE		
AIR NATIONAL GUARD		
LOVELL FIELD		
COMMUNICATIONS TRAINING COMPLEX	---	8,200
MCGHEE-TYSON AIRPORT		
MILSTAR BEDDOWN-RELOCATE BASE ACCESS ROAD	3,200	3,200
MEMPHIS IAP		
C-5 FINAL INFRASTRUCTURE SUPPORT	6,676	6,676
C-5 GROUND RUN-UP ENCLOSURE	3,200	3,200
C-5 MUNITIONS STORAGE COMPLEX	1,500	1,500

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
TEXAS		
ARMY		
CAMP BULLIS		
URBAN ASSAULT COURSE	1,600	1,600
CORPUS CHRISTI DEPOT		
ROTOR BLADE PROCESSING FACILITY	---	11,200
FORT BLISS		
BARRACKS (GROW THE FORCE)	11,400	11,400
CHILD YOUTH SERVICES CENTER	---	8,500
HEALTH & DENTAL CLINIC (GROW THE FORCE)	16,500	16,500
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	84,000	84,000
FORT HOOD		
CH-47 MAINTENANCE HANGAR	---	18,000
CHILD DEVELOPMENT CENTER	---	7,400
BARRACKS COMPLEX	47,000	47,000
BARRACKS (GROW THE FORCE)	45,000	45,000
UNITS OPERATIONS FACILITIES (GROW THE FORCE)	46,000	46,000
FORT SAM HOUSTON		
BARRACKS (GROW THE FORCE)	6,600	6,600
BATTLE COMMAND TRAINING CENTER, PHASE 1	1,950	1,950
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	10,600	10,600
RED RIVER ARMY DEPOT		
MANEUVER SYSTEMS SUSTAINMENT CENTER, PHASE 2	9,200	9,200
NAVY		
CORPUS CHRISTI		
AVIATION TRAINER/SQUADRON OPERATIONS FACILITY	14,290	14,290
AIR FORCE		
GOODFELLOW AFB		
ADD TO FITNESS CENTER	---	5,800
LACKLAND AFB		
BASIC EXPEDITIONARY AIRMAN SKILL TRAINING PHASE 2.	14,000	14,000
LAUGHLIN AFB		
STUDENT ACTIVITY CENTER & LIBRARY	---	5,200
RANDOLPH AFB		
TAXIWAY WEST FLIGHTLINE	---	2,950
SHEPPARD AFB		
BASE OPERATIONS RAMP, PHASE 1	---	7,000
DEFENSE-WIDE		
CAMP BULLIS		
HEALTH CLINIC REPLACEMENT	7,400	7,400
ARMY NATIONAL GUARD		
CAMP BOWIE		
MODIFIED RECORD FIRE RANGE	1,500	1,500
FORT WOLTERS		
MODIFIED RECORD FIRE RANGE	2,100	2,100
AIR NATIONAL GUARD		
ELLINGTON FIELD		
MULTI-USE AVIATION FIRE STATION	---	7,200
ARMY RESERVE		
ELLINGTON FIELD		
ARMED FORCES RESERVE CENTER BATTLE PROJECTION CENTER (PHASE II)	---	15,000
FORT WORTH		
ARMY RESERVE CENTER	15,078	15,078
NAVY RESERVE		
AUSTIN		
RESERVE TRAINING CENTER	6,490	6,490
FORT WORTH		
AIRCRAFT MAINTENANCE DEPARTMENT PARKING FACILITY	5,140	5,140
CHILD DEVELOPMENT CENTER	4,920	4,920
JOINT CONTROL TOWER	12,454	12,454
JOINT INDOOR TRAINING TANK	---	4,970
UTAH		
AIR FORCE		

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
HILL AFB		
AIRCRAFT POWER SYSTEMS REPAIR FACILITY	8,399	8,399
CONSOLIDATED 388TH MUNITIONS FLIGHT ADMINISTRATIVE/MAINTENANCE FACILITY	---	9,200
HYDRAULIC FLIGHT CONTROL FACILITY	8,400	8,400
ARMY NATIONAL GUARD		
NORTH SALT LAKE		
READINESS CENTER	12,200	12,200
AIR FORCE RESERVE		
HILL AFB		
WING SUPPORT FACILITY	3,200	3,200
VERMONT		
ARMY NATIONAL GUARD		
ETHAN ALLEN RANGE, JERICHO		
MULTIPURPOSE MACHINE GUN RANGE	---	1,996
NORTHFIELD		
BILLETING, REGIONAL & READINESS TECHNOLOGY CENTER	---	1,500
AIR NATIONAL GUARD		
BURLINGTON INTERNATIONAL AIRPORT		
BASE SECURITY IMPROVEMENTS	---	6,800
VIRGINIA		
ARMY		
FORT BELVOIR		
DEFENSE ACCESS ROAD PHASE 3	13,000	13,000
FORT EUSTIS		
BARRACKS (GROW THE FORCE)	32,000	32,000
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	43,000	43,000
FORT LEE	---	---
BARRACKS (GROW THE FORCE)	6,900	6,900
UNIT CHAPEL	---	5,900
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	9,800	9,800
FORT MYER		
BARRACKS (GROW THE FORCE)	12,400	12,400
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	8,400	8,400
NAVY		
CHESAPEAKE		
MOBILE USER OBJECTIVE SYSTEM INSTALLATION	8,450	8,450
DAHLGREN NSWC		
ELECTROMAGNETIC LAUNCH RDTE FACILITY	---	10,000
NORFOLK		
E2/C2 AIRCREW TRAINING FACILITY	11,510	11,510
JOINT FORCES COMMAND, HEADQUARTERS, BUILDING ONE	---	14,200
MH-60S HANGER & AIRFIELD IMPROVEMENTS	53,850	53,850
QUANTICO		
BACHELOR ENLISTED QUARTERS - MARINE SECURITY GUARD BATTALION HEADQUARTERS	18,839	18,839
STUDENT QUARTERS - THE BASIC SCHOOL (PHASE 2)	26,680	26,680
WARFARE PROGRAMS SUPPORT CENTER (GROW THE FORCE)	5,000	5,000
DEFENSE-WIDE		
DAM NECK		
PARACHUTE DRYING FACILITY	---	5,300
SPECIAL OPERATIONS FORCES OPERATIONAL TRAINING FACILITY	14,000	14,000
SPECIAL OPERATIONS FORCES OPERATIONS FACILITY, INCR 1	94,500	47,250
FORT BELVOIR		
ENTRANCE GATE SECURITY ENHANCEMENTS	5,000	5,000
LITTLE CREEK		
SPECIAL OPERATIONS FORCES HEADQUARTERS FACILITY	51,000	---
SPECIAL OPERATIONS FORCES SEAL TEAM OPERATIONS AND SUPPORT FACILITY	34,000	34,000
SPECIAL OPERATIONS FORCES SPECIAL BOAT TEAM OPERATIONS FACILITY	14,000	14,000
NORFOLK		

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
ENVIRONMENTAL PREVENTIVE MEDICINE UNIT 2 REPLACEMENT	6,450	6,450
PENTAGON		
PENTAGON RESERVATION ELECTRICAL UPGRADES	18,531	---
ARMY NATIONAL GUARD		
FORT PICKETT		
COMBAT PISTOL QUALIFICATION COURSE	1,050	1,050
REGIONAL TRAINING INSTITUTE PHASE 1 (GROW THE FORCE)	25,161	25,161
WINCHESTER		
FIELD MAINTENANCE SHOP	---	3,113
NAVY RESERVE		
QUANTICO		
RESERVE CENTER ADDITIONS	2,410	2,410
WASHINGTON		
ARMY		
FORT LEWIS		
BARRACKS (GROW THE FORCE)	32,000	32,000
BRIGADE COMPLEX, INCREMENT 2	102,000	102,000
CHILD DEVELOPMENT CENTER, CLARKMOOR	---	10,600
FUELING FACILITY	---	3,300
INDOOR RANGE	5,000	5,000
RAILROAD YARD UPGRADE (GROW THE FORCE)	14,600	14,600
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	62,000	62,000
UNIT OPERATIONS FACILITIES (GROW THE FORCE)	51,000	51,000
YAKIMA		
DIGITAL MULTIPURPOSE RANGE COMPLEX	29,000	29,000
NAVY		
BANGOR		
LIMITED AREA PRODUCTION & STORAGE COMPLEX INCREMENT IV	39,750	39,750
BREMERTON		
BACHELOR ENLISTED QUARTERS HOMEPORT ASHORE INCREMENT II	47,240	47,240
NUCLEAR AIRCRAFT CARRIER MAINTENANCE PIER REPLACEMENT	91,070	91,070
MISSILE ASSEMBLY BUILDING 3	28,690	28,690
KITSAP NB		
OCEAN ENGINEERING SUPPORT FACILITY	---	6,130
NAVAL STATION EVERETT		
FLEET REGION READINESS CENTER	---	10,940
WHIDBEY ISLAND		
EA-18G FACILITY IMPROVEMENTS	23,910	23,910
INDOOR AIRCRAFT WASHRACK	---	10,610
AIR FORCE		
FAIRCHILD AFB		
PHYSIOLOGICAL TRAINING FACILITY	---	6,200
DEFENSE-WIDE		
FORT LEWIS		
MEDICAL/DENTAL CLINIC	21,000	21,000
SPECIAL OPERATIONS FORCES BATTALION OPERATIONS COMPLEX	47,000	47,000
SPECIAL OPERATIONS FORCES SUPPORT BATTALION COMPLEX	30,000	30,000
WEST VIRGINIA		
ARMY NATIONAL GUARD		
CAMP DAWSON		
MODIFIED RECORD FIRE RANGE	4,500	4,500
MULTIPURPOSE BUILDING	---	4,900
AIR NATIONAL GUARD		
EASTERN WEST VIRGINIA REGIONAL AIRPORT - SHEPHERD FIELD		
C-5 FINAL INFRASTRUCTURE UPGRADE	5,176	5,176
C-5 FUEL CELL MAINTENANCE HANGAR AND SHOPS	26,000	26,000

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
C-5 PARKING APRON, PHASE 2	---	12,000
C-5 SQUADRON OPERATIONS FACILITY	7,600	7,600
YEAGER ANG BASE		
REPLACE AIRCRAFT MAINTENANCE HANGAR	---	17,300
WISCONSIN		
ARMY RESERVE		
ELLSWORTH		
ARMY RESERVE CENTER/LAND	9,100	9,100
FORT MCCOY		
REGIONAL MEDICAL TRAINING FACILITY	8,523	8,523
AIR NATIONAL GUARD		
TRUAX FIELD MADISON		
ADD/ALTER FIRE CRASH/RESCUE STATION	---	7,000
WYOMING		
AIR FORCE		
F. E. WARREN AFB		
RENOVATE HISTORIC DORMITORIES	14,600	14,600
ARMY NATIONAL GUARD		
CAMP GUERNSEY		
QUALIFICATION TRAINING RANGE	2,650	2,650
AFGHANISTAN		
ARMY		
BAGRAM		
ADMINISTRATIVE BUILDING	13,800	13,800
BAHRAIN ISLAND		
NAVY		
BAHRAIN		
WATERFRONT DEVELOPMENT PHASE 1	35,500	35,500
DEFENSE-WIDE		
BAHRAIN		
SPECIAL OPERATIONS FORCES OPERATIONS FACILITY	19,000	19,000
BELGIUM		
DEFENSE-WIDE		
CASTEAU		
BRUSSELS AMERCIAN SCHOOL ADDITION	5,992	5,992
BULGARIA		
ARMY		
NEVO SELO FORWARD OPERATING SITE		
BASE CAMP	61,000	61,000
DIEGO GARCIA		
NAVY		
DIEGO GARCIA		
SEWAGE LAGOON, AIR OPERATIONS	7,150	7,150
DJIBOUTI		
NAVY		
CAMP LEMONIER		
FULL LENGTH TAXIWAY	15,490	15,490
FUEL FARM	4,000	4,000
WESTERN TAXIWAY	2,900	2,900
GERMANY		
ARMY		
GRAFENWOEHR		
BRIGADE COMPLEX-MAINTENANCE/OPERATIONS	34,000	34,000
BRIGADE COMPLEX-MAINTENANCE/OPERATIONS	28,000	28,000
AIR FORCE		
RAMSTEIN AIR BASE		
DORMITORY - 128 ROOM	14,949	14,949

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
FIRE TRAINING FACILITY	3,000	3,000
JOINT MOBILITY PROCESSING CENTER	24,000	24,000
SMALL DIAMETER BOMB FACILITIES PHASE 2	6,280	6,280
DEFENSE-WIDE		
RAMSTEIN AIR BASE		
RAMSTEIN INTERMEDIATE SCHOOL ADDITION	5,393	5,393
SPANGDAHLEM AIR BASE		
MEDICAL CLINIC REPLACEMENT	30,100	30,100
WEISBADEN		
H.H. ARNOLD HIGH SCHOOL ADDITION	15,379	15,379
HAINERBER ELEMENTARY SCHOOL/WEIS MIDDLE SCHOOL ADDITION	5,093	5,093
GUAM		
NAVY		
NAVAL BASE GUAM		
FITNESS CENTER GUAM	45,250	45,250
HARDEN BASE ELECTRICAL SYSTEMS	59,420	59,420
KILO WHARF EXTENSION, INCREMENT I	101,828	50,916
POTABLE WATER DISTRIBUTION SYSTEM PHASE 1	31,450	31,450
WASTEWATER TREATMENT PLANT REPAIRS & UPGRADE	40,870	40,870
AIR FORCE		
ANDERSEN AFB		
TECHNICAL TRAINING FACILITY	---	5,816
UPGRADE NORTHWEST FIELD INFRASTRUCTURE	10,000	10,000
HONDURAS		
ARMY		
SOTO CANO		
DINING FACILITY	2,550	2,550
ITALY		
ARMY		
VICENZA		
BRIGADE COMPLEX-BARRACKS/COMMUNITY FACILITY, INCR 1	88,000	22,500
BRIGADE COMPLEX-OPERATIONS SUPPORT FACILITY, INCR 1	87,000	23,500
JAPAN		
NAVY		
YOKOSUKA		
WHARF UPGRADES (INCREMENTED)	8,750	8,750
KOREA		
ARMY		
CAMP HUMPHREYS		
BARRACKS COMPLEX	22,000	22,000
BARRACKS COMPLEX	35,000	35,000
QATAR		
AIR FORCE		
AL UDEID		
MULTI AIRCRAFT MAINTENANCE HANGAR	22,300	22,300
DEFENSE-WIDE		
AL UDEID		
SPECIAL OPERATIONS FORCES AIR OPERATIONS CENTER	8,332	8,332
SPECIAL OPERATIONS FORCES AIRCRAFT PARKING RAMP	18,515	18,515
SPECIAL OPERATIONS FORCES OPERATIONS COMPLEX	18,908	18,908
SPECIAL OPERATIONS FORCES STORAGE FACILITY	3,590	3,590
SPECIAL OPERATIONS FORCES VEHICLE MAINTENANCE FACILITY	3,507	3,507
ROMANIA		
ARMY		
ROMANIA		

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
BASE CAMP, PHASE 2	12,600	12,600
SPAIN		
AIR FORCE		
MORON		
TACTICAL LEADERSHIP PROGRAM DORM (400 ROOM)	1,800	1,800
UNITED KINGDOM		
AIR FORCE		
MENWITH HILL STATION		
ADD/ALTER OPERATIONS AND TECHNICAL FACILITY	31,000	31,000
POWER AVAILABILITY & INFRASTRUCTURE IMPROVEMENTS	10,000	10,000
ROYAL AIR FORCE LAKENHEATH		
F-15C SQUAD OPERATIONS/AIRCRAFT MAINTENANCE UNIT	15,500	15,500
SMALL DIAMETER BOMB - STORAGE IGLOO	1,800	1,800
NATO SECURITY INVESTMENT PROGRAM	201,400	201,400
WORLDWIDE CLASSIFIED		
AIR FORCE		
SPECIAL EVALUATION PROGRAM	4,051	2,439
SPECIAL EVALUATION PROGRAM	9,889	9,889
CLASSIFIED MILCON PROJECT	1,600	1,500
DEFENSE-WIDE		
CLASSIFIED MILCON PROJECT	1,887	1,887
WORLDWIDE UNSPECIFIED		
ARMY		
HOST NATION SUPPORT	23,000	23,000
MINOR CONSTRUCTION	23,000	23,000
PLANNING AND DESIGN	75,468	66,504
PLANNING AND DESIGN (GROW THE FORCE)	232,479	232,479
RESCISSION (P.L. 110-5)	---	-8,690
NAVY		
WHARF UTILITIES UPGRADE	8,900	8,900
HOST NATION INFRASTRUCTURE	2,700	2,700
PLANNING AND DESIGN	88,376	91,225
MARINE CORPS PLANNING AND DESIGN (GROW THE FORCE)	21,792	21,792
MINOR CONSTRUCTION	10,000	10,000
RESCISSION (P.L. 108-132)	---	-5,862
RESCISSION (P.L. 108-324)	---	-2,069
RESCISSION (P.L. 110-5)	---	-2,828
AIR FORCE		
PLANNING AND DESIGN	51,587	43,721
MINOR CONSTRUCTION	15,000	15,000
RESCISSION (P.L. 108-324)	---	-5,319
RESCISSION (P.L. 110-5)	---	-5,151
DEFENSE-WIDE		
CONTINGENCY CONSTRUCTION	10,000	5,000
ENERGY CONSERVATION INVESTMENT PROGRAM	70,000	70,000
PLANNING AND DESIGN		
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION	3,400	3,400
NATIONAL SECURITY AGENCY	26,749	26,749
SPECIAL OPERATIONS COMMAND	19,679	20,390
TRICARE MANAGEMENT ACTIVITY	69,000	69,130
UNDISTRIBUTED	35,900	35,900
SUBTOTAL, PLANNING AND DESIGN	154,728	155,569
UNSPECIFIED MINOR CONSTRUCTION		
DEFENSE LOGISTICS AGENCY	4,100	4,100

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION	666	666
THE JOINT STAFF	8,753	8,753
SPECIAL OPERATIONS COMMAND	3,693	3,693
TRICARE MANAGEMENT ACTIVITY	3,499	3,499
UNDISTRIBUTED	3,000	3,000
SUBTOTAL, UNSPECIFIED MINOR CONSTRUCTION	23,711	23,711
DEFENSE-WIDE		
RESCISSION (P.L. 110-5)	---	-10,192
ARMY NATIONAL GUARD		
PLANNING AND DESIGN	26,841	47,293
PLANNING AND DESIGN (GROW THE FORCE)	17,000	17,000
MINOR CONSTRUCTION	8,700	8,700
AIR NATIONAL GUARD		
PLANNING AND DESIGN	7,965	9,065
MINOR CONSTRUCTION	6,500	6,500
ARMY RESERVE		
PLANNING AND DESIGN	10,958	11,833
MINOR CONSTRUCTION	3,000	3,000
NAVY RESERVE		
PLANNING AND DESIGN	2,219	2,529
AIR FORCE RESERVE		
PLANNING AND DESIGN	3,500	5,300
MINOR CONSTRUCTION	4,909	4,909
RESCISSION (P.L. 109-114)	---	-3,069
FAMILY HOUSING, ARMY		
UTAH		
DUGWAY PROVING GROUND (REPLACEMENT PHASE 1)	---	5,000
GERMANY		
ANSBACH (URLAS TRAINING AREA)	52,000	62,000
CONSTRUCTION IMPROVEMENTS	365,400	99,400
CONSTRUCTION IMPROVEMENTS (GROW THE FORCE)	---	266,000
PLANNING AND DESIGN	2,000	2,000
RESCISSION (P.L. 110-5)	---	-4,559
SUBTOTAL, CONSTRUCTION	419,400	419,841
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	145,366	145,366
SERVICES ACCOUNT	29,500	29,500
MANAGEMENT ACCOUNT	64,864	64,864
MISCELLANEOUS ACCOUNT	1,128	1,128
FURNISHINGS ACCOUNT	31,940	31,940
LEASING	217,129	217,129
MAINTENANCE OF REAL PROPERTY	215,585	215,585
PRIVATIZATION SUPPORT COSTS	37,408	37,408
GENERAL REDUCTION	---	-11,000
SUBTOTAL, OPERATION AND MAINTENANCE	742,920	731,920
FAMILY HOUSING, NAVY AND MARINE CORPS		
GUAM		
NB GUAM - OLD APRA PHASE II (73 UNITS)	67,167	47,167
CONSTRUCTION IMPROVEMENTS	237,990	162,990
TWENTYNINE PALMS		
INSTALL AIR CONDITIONING, VISTA DEL SOL	---	4,800
USMC FAMILY HOUSING (GROW THE FORCE)	---	75,000
PLANNING AND DESIGN	3,172	3,172

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
SUBTOTAL, CONSTRUCTION	298,329	293,129
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	41,802	41,802
SERVICES ACCOUNT	13,155	13,155
MANAGEMENT ACCOUNT	59,422	59,422
MISCELLANEOUS ACCOUNT	640	640
FURNISHINGS ACCOUNT	14,962	14,962
LEASING	141,757	141,757
MAINTENANCE OF REAL PROPERTY	70,678	70,678
PRIVATIZATION SUPPORT COSTS	28,988	28,988
SUBTOTAL, OPERATION AND MAINTENANCE	371,404	371,404
FAMILY HOUSING, AIR FORCE		
GERMANY		
RAMSTEIN (117 UNITS)	56,275	56,275
CONSTRUCTION IMPROVEMENTS	294,262	259,262
PLANNING AND DESIGN	12,210	12,210
RESCISSION (P.L. 108-132)	---	-15,000
SUBTOTAL, CONSTRUCTION	362,747	312,747
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	100,176	100,176
MANAGEMENT ACCOUNT	56,736	56,736
SERVICES ACCOUNT	20,673	20,673
FURNISHINGS ACCOUNT	43,472	43,472
MISCELLANEOUS ACCOUNT	1,960	1,960
LEASING	114,394	114,394
MAINTENANCE	296,465	296,465
DEBT ACCOUNT	1	1
PRIVATIZATION SUPPORT COSTS	52,458	52,458
SUBTOTAL, OPERATION AND MAINTENANCE	686,335	686,335
FAMILY HOUSING, DEFENSE-WIDE		
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT (NSA)	7	7
OPERATIONS ACCOUNT (NSA)	27	27
LEASING (NSA)	10,534	10,534
MAINTENANCE OF REAL PROPERTY (NSA)	70	70
FURNISHINGS ACCOUNT (DIA)	4,274	4,274
LEASING (DIA)	32,662	32,662
UTILITIES ACCOUNT (DLA)	445	445
FURNISHINGS ACCOUNT (DLA)	104	104
SERVICES ACCOUNT (DLA)	49	49
MANAGEMENT ACCOUNT (DLA)	410	410
MAINTENANCE OF REAL PROPERTY (DLA)	266	266
SUBTOTAL, OPERATION AND MAINTENANCE	48,848	48,848

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
DOD FAMILY HOUSING IMPROVEMENT FUND..................	500	500
BASE REALIGNMENT AND CLOSURE		
BASE REALIGNMENT AND CLOSURE ACCOUNT, 1990............	220,689	295,689
BASE REALIGNMENT AND CLOSURE ACCOUNT, 2005............	8,174,315	8,040,401
GRAND TOTAL....................................	21,165,182	21,471,037

COMPLIANCE WITH RULE XXI, CL. 9 (HOUSE) AND WITH RULE XLIV (SENATE)

The following list is submitted in compliance with clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate, which require publication of a list of congressionally directed spending items (Senate), congressional earmarks (House), limited tax benefits, and limited tariff benefits included in the conference report, or in the joint statement of the managers accompanying the conference report, including the name of each Senator, House Member, Delegate, or Resident Commissioner who submitted a request to the Committee of jurisdiction for each item so identified. Congressionally directed spending items (as defined in the Senate rule) and congressional earmarks (as defined in the House rule) in this division of the conference report or joint statement of the managers are listed below. Neither the conference report nor the statement of the managers contains any limited tax benefits or limited tariff benefits as defined in the applicable House and Senate rules.

The following list is also submitted in compliance with House Resolution 491, which requires a listing of congressional earmarks in the conference report or joint statement of the managers that were not committed to the committee of conference by either House, not in a report on a bill committed to conference, and not in a Senate committee report on a companion measure. All items on the following list technically meet that definition, because this division deals with legislation that was not committed to this committee of conference. Items on the following list have been marked with an asterisk if they were not in either the House or Senate version of the fiscal year 2008 Military Construction and Veterans Affairs and Related Agencies Appropriations bill or the accompanying Committee reports.

MILITARY CONSTRUCTION

Account	State	Location	Project Title	Amount (in thousands)	Member
Army	Alabama	Anniston Army Depot	Industrial Wastewater Treatment Plant	$26,000	The President/Mr. Rogers, M. (AL)/Mr. Sessions/Mr. Shelby
*Army	Alabama	Anniston Army Depot	Component Rebuild Shop	800	Mr. Rogers, M. (AL)
Army NG	Alabama	Springville	Readiness Center, Add/Alt (ADRS)	3,300	The President/Mr. Sessions/Mr. Shelby
*Army NG	Alabama	Hamilton	Add/Alt Readiness Center	1,164	Mr. Aderholt/Mr. Davis, A.
Navy	Alabama	Evergreen	NOLF Evergreen Runway Extension	9,560	The President/Mr. Sessions/Mr. Shelby
Army	Alabama	Redstone Arsenal	Systems Software Engineering Annex, Phase II	20,000	Mr. Shelby/Mr. Sessions
*Army	Alabama	Redstone Arsenal	Child Care Center	2,000	Mr. Cramer
*Army	Alabama	Fort Rucker	Aviation Maintenance Hangar, Phase I	1,513	Mr. Everett
Air Force	Alaska	Elmendorf	F-22 Jet Engine Inspection & Maintenance	13,800	The President
Air Force	Alaska	Elmendorf	F-22 7 Bay A/C Shelter	21,400	The President
Air Force	Alaska	Elmendorf	F-22 Fighter Town East Infrastructure, Phase II	7,100	The President
Air Force	Alaska	Elmendorf	F-22 Taxiway, Taxilane & Arm/De-Arm Pad	27,880	The President
Air Force	Alaska	Elmendorf	Joint Professional Military Education Center	13,000	Mr. Stevens
Air Force Res	Alaska	Elmendorf	Aircraft Maintenance Squadron Facility	4,550	The President
Air Force Res	Alaska	Elmendorf	Group Headquarters	10,400	The President
Army	Alaska	Fort Richardson	Unit Operations Facilities (Grow the Force)	42,000	The President
Army	Alaska	Fort Richardson	Barracks (Grow the Force)	36,000	The President
Army	Alaska	Fort Richardson	Unit Operations Facilities (Grow the Force)	14,800	The President
Army	Alaska	Fort Wainwright	Replace Substation/Upgrade Electric	60,000	The President
Army	Alaska	Fort Wainwright	Company Operations Facility	14,000	The President
Army	Alaska	Fort Wainwright	Unit Operations Facilities (Grow the Force)	11,600	The President
Army	Alaska	Fort Wainwright	Barracks (Grow the Force)	20,000	The President
Army	Alaska	Fort Wainwright	Railhead Operations Facility	8,900	Mr. Stevens
Army NG	Alaska	Kenai	Add/Alt Readiness Center	1,400	Mr. Stevens
Air Force	Arizona	Davis-Monthan AFB	CSAR EC130 Maintenance Hangar/AMU	11,200	The President
Army	Arizona	Fort Huachuca	Effluent Reuse System	11,000	The President
Army	Arizona	Fort Huachuca	General Instructional Building (Grow the Force)	13,600	The President
Army	Arizona	Fort Huachuca	AIT Trainee Complex (Grow the Force)	105,000	The President
Navy	Arizona	Yuma	BEQ	22,980	The President
Navy	Arizona	Yuma	Towway G	10,740	The President
*Air Force	Arizona	Luke AFB	Repair Airfield Pavements, Phase I	5,500	Mr. Franks/Mr. Pastor/Mr. Kyl
*Army NG	Arizona	Marana	Fire Station, Silverbell Army Heliport	1,964	Ms. Giffords
Army NG	Arizona	Florence	Field Maintenance Shop	10,870	Mr. Kyl/Mr. Franks/Mr. Mitchell/Mr. Renzi
Army NG	Arkansas	Camp Robinson	Ammunition Supply Point	5,500	The President/Mrs. Lincoln/Mr. Pryor
Army NG	Arkansas	Camp Robinson	Professional Education Center/GED Plus Training Complex (Grow the Force)	18,423	The President/Mrs. Lincoln/Mr. Pryor
*Army NG	Arkansas	Camp Robinson	Urban Assault Course	1,900	Mr. Berry/Mr. Snyder/Mrs. Lincoln/Mr. Pryor
Air Force	Arkansas	Little Rock AFB	Runway Repair	9,800	Mrs. Lincoln/Mr. Pryor
*Air Force	Arkansas	Little Rock AFB	Multi-Purpose Education Facility	9,800	Mr. Snyder/Mr. Berry/Mrs. Lincoln/Mr. Pryor
*Army NG	Arkansas	Cabot	Readiness Center	840	Mr. Berry
*Air Force	Arkansas	Little Rock AFB	Multi-Purpose Education Facility (Design)	882	Mr. Berry/Mr. Snyder/Mrs. Lincoln/Mr. Pryor

Air Force	California	Edwards AFB	Main Base Runway, Phase III	35,000	The President/Mr. McCarthy, K.
Air Force	California	Travis AFB	C-17 Road Improvements	4,600	The President
Air Force	California	Travis AFB	C-17 Southwest Landing Zone	22,000	The President
*Air Force	California	Travis AFB	Global Support Squadron Facility	10,800	Ms. Tauscher
Army	California	Fort Irwin	Military Operations Urban Terrain, Phase II	18,500	The President
Army	California	Fort Irwin	Training Land Improvements	5,500	The President
Army	California	Presidio Monterey	General Instruction Building	28,000	The President
Army NG	California	Camp Roberts	Infantry Platoon Battle Course	2,850	The President
Army NG	California	Sacramento Army Depot	Readiness Center	21,000	The President
Defense-Wide	California	Camp Pendleton	SOF Supply Facility	8,310	The President
Defense-Wide	California	Camp Pendleton	SOF Paraloft/Boat/Dive Locker	5,770	The President
Defense-Wide	California	Camp Pendleton	SOF Academic Instruction Facility	5,950	The President
Defense-Wide	California	Coronado	SOF Special Boat Team Operations Facility	12,000	The President
Defense-Wide	California	Point Loma Annex	Replace Fuel Storage Facilities, Incr 1	55,700	The President
Navy	California	Camp Pendleton	Physical Fitness Center	8,510	The President
Navy	California	Camp Pendleton	BEQ - Chappo	29,050	The President
Navy	California	Camp Pendleton	ISR Camp - Intel Battalion	17,980	The President
Navy	California	Camp Pendleton	MARSOC Supporting Facilities	17,730	The President
Navy	California	Camp Pendleton	BEQ - Headquarters	31,980	The President
Navy	California	Camp Pendleton	Traffic Improvements	5,830	The President
Navy	California	Camp Pendleton	Tactical Support Van Pads Expansion	6,050	The President
Navy	California	Camp Pendleton	Hangar Additions	4,400	The President
Navy	California	Camp Pendleton	BEQ - Margarita	26,530	The President
Navy	California	Camp Pendleton	Force Intelligence Operations Center - Headquarters Area (Grow the Force)	24,990	The President
Navy	California	Camp Pendleton	Consolidated Communications/Electronics Shop (Grow the Force)	16,840	The President
Navy	California	Camp Pendleton	1st Marine Logistics Group Operations Center (Grow the Force)	18,160	The President
Navy	California	Camp Pendleton	1st Marine Logistics Group Armory (Grow the Force)	8,150	The President
Navy	California	Camp Pendleton	1st Marine Logistics Group Group and Battalion Ops Center (Grow the Force)	22,220	The President
Navy	California	Camp Pendleton	BEQ - Wounded Warrior Battalion (Grow the Force)	25,940	The President
Navy	California	San Diego	Pier 5002 Submarine Fender Installation	9,040	The President
Navy	California	San Diego	Magnetic Silencing Facility Modification	14,590	The President
Navy	California	Twentynine Palms	BEQ and Parking Structure	34,329	The President
Navy	California	Twentynine Palms	Multi-Battalion Operations Center (Grow the Force)	33,770	The President
Navy	California	Twentynine Palms	Multi-Battalion Operations Center (Grow the Force)	33,650	The President
Navy	California	Twentynine Palms	Armory (Grow the Force)	5,920	The President
Navy	California	Twentynine Palms	Landfill (Grow the Force)	13,560	The President
Navy	California	Twentynine Palms	MOUT Facility, Phase III (Grow the Force)	21,390	The President
*Navy FH	California	Twentynine Palms	Air Conditioning, Vista Del Sol	4,800	Mr. Lewis, Jerry
Navy	California	Miramar	Hangar Modification (Grow the Force)	26,760	The President
Navy Reserve	California	Miramar	Reserve Center Additions	5,580	The President
Army	California	Fort Hunter Liggett	Convoy Live Fire Range	2,534	The President
Army	California	Fort Hunter Liggett	Range Control Facility	4,501	The President
Army	California	Garden Grove	Army Reserve Center	25,440	The President

MILITARY CONSTRUCTION—Continued

Account	State	Location	Project Title	Amount (in thousands)	Member
*Air Force Res	California	March ARB	Joint Deployment Processing Facility	972	Mr. Calvert
*Navy	California	San Diego	Main Gate (Gate 6) Improvements	3,000	Mrs. Davis, S.
*Army	California	B.T. Collins USARC	High Tech RTS Maintenance Facility	6,874	Mrs. Matsui
*Air Force	California	Edwards AFB	Main Base Runway Phase 4	8,500	Mr. McCarthy, K./Mr. McKeon
*Navy	California	Monterey NSA	DOD Global Weather Operations Center	9,780	Mr. Farr
Air Force	Colorado	Fort Carson	Air Support Operations Squadron Complex	13,500	The President/Mr. Allard/Mr. Ken Salazar
Air Force	Colorado	Schriever AFB	Air and Space Integration Facility	24,500	The President/Mr. Allard/Mr. Ken Salazar
Air Force	Colorado	Air Force Academy	Upgrade Academic Facility, Phase IVB	15,000	The President/Mr. Allard/Mr. Ken Salazar
Army	Colorado	Fort Carson	Indoor Range	4,900	The President/Mr. Allard/Mr. Ken Salazar
Army	Colorado	Fort Carson	Defense Access Road	8,300	The President/Mr. Allard/Mr. Ken Salazar
Army	Colorado	Fort Carson	Unit Operations Facilities (Grow the Force)	59,000	The President/Mr. Allard/Mr. Ken Salazar
Army	Colorado	Fort Carson	Barracks (Grow the Force)	53,000	The President/Mr. Allard/Mr. Ken Salazar
Army	Colorado	Fort Carson	Unit Operations Facilities (Grow the Force)	13,000	The President/Mr. Allard/Mr. Ken Salazar
Army	Colorado	Fort Carson	Hospital Addition & Dental Clinic (Grow the Force)	18,000	The President/Mr. Allard/Mr. Ken Salazar
Chem Demil	Colorado	Pueblo Depot	Ammunition Demilitarization Facility, Phase IX	35,159	The President/Mr. Allard/Mr. Ken Salazar
Air NG	Colorado	Buckley AFB	Replace Squadron Operations	7,300	Mr. Allard/Ms. DeGette/Mr. Lamborn/Ms. Musgrave/Mr. Perlmutter/Mr. Salazar, J./Mr. Ken Salazar/Mr. Tancredo/Mr Udall, M.
Army NG	Connecticut	Niantic	Readiness Center (ADRS)	13,600	The President/Mr. Dodd/Mr. Lieberman
Navy	Connecticut	New London Submarine Base	Waterfront Operations Small Crafts Facility	11,900	Mr. Dodd/Mr. Courtney
*Navy	Connecticut	New London Submarine Base	Submarine Learning Center	9,260	Mr. Courtney
Army	Delaware	Dover AFB	Joint Personal Effects Depot	17,500	The President/Mr. Biden/Mr. Carper
Air NG	Delaware	New Castle County Air Guard Base	C-130 Maintenance Hangar, Phase I	10,800	Mr. Biden/Mr. Carper/Mr. Castle
Army NG	Delaware	New Castle County Air Guard Base	Joint Forces HQ	1,020	Mr. Biden/Mr. Carper/Mr. Castle
Air Force	District of Columbia	Bolling AFB	Communication Switch Facility	2,500	The President
Defense-Wide	District of Columbia	Bolling AFB	Install Backup Water System	1,012	The President
Air Force	Florida	Eglin AFB	F–35 ADAL 53RD Joint Reprogramming Facility	8,300	The President//Mr. Martinez/Mr. Bill Nelson
Air Force	Florida	Eglin AFB	Construct Seawalls Santa Rosa Island Range Complex	35,000	The President//Mr. Martinez/Mr. Bill Nelson
Air Force	Florida	Eglin AFB	Repair Roads Santa Rosa Island Range Complex	49,000	The President//Mr. Martinez/Mr. Bill Nelson
Air Force	Florida	Eglin AFB	F–35 Integrated Training Center	39,000	The President//Mr. Martinez/Mr. Bill Nelson
Air Force	Florida	Eglin AFB	F–35 Squadron OPS/AMU/Hangar	27,000	The President//Mr. Martinez/Mr. Bill Nelson
Air Force	Florida	MacDill AFB	CENTCOM Joint Intell Center	25,000	The President//Mr. Martinez/Mr. Bill Nelson
Air Force	Florida	MacDill AFB	Alter CENTCOM Headquarters	57,000	The President//Mr. Martinez/Mr. Bill Nelson
Air Force	Florida	Patrick AFB	Child Development Center	11,854	The President//Mr. Martinez/Mr. Bill Nelson
Air Force	Florida	Tyndall AFB	Fitness Center	19,014	The President/Mr. Boyd/Mr. Martinez/Mr. Bill Nelson
Air Force	Florida	Tyndall AFB	Repair Airfield	25,100	The President/Mr. Boyd/Mr. Martinez/Mr. Bill Nelson
Army	Florida	Camp Rudder, Eglin AFB	Dining Facility	1,500	Mr. Bill Nelson
Army	Florida	Miami Doral	SOUTHCOM Headquarters Facility, Incr 1	100,000	The President/Mr. Diaz-Balart, L./Mr. Martinez/Mr. Bill Nelson
Army NG	Florida	Jacksonville IAP	Aviation Support Facility Add/Alt	12,200	The President//Mr. Martinez/Mr. Bill Nelson
Defense-Wide	Florida	Hurlburt Field	SOF Maintenance Storage Facility	4,711	The President//Mr. Martinez/Mr. Bill Nelson
Defense-Wide	Florida	Hurlburt Field	SOF Operations Facility	5,500	The President//Mr. Martinez/Mr. Bill Nelson
Defense-Wide	Florida	Hurlburt Field	SOF Combat Weather Operations Facility	14,900	The President//Mr. Martinez/Mr. Bill Nelson

Defense-Wide	Florida	Hurlburt Field	SOF Squadron Operations Addition	4,000	The President//Mr. Martinez/Mr. Bill Nelson
Defense-Wide	Florida	Key West	Replace Fuel Pump House	1,874	The President//Mr. Martinez/Mr. Bill Nelson
Defense-Wide	Florida	MacDill AFB	Pharmacare Add/Alt	5,000	The President//Mr. Martinez/Mr. Bill Nelson
Defense-Wide	Florida	MacDill AFB	Clinic Replacement, Increment III	41,400	The President//Mr. Martinez/Mr. Bill Nelson
Defense-Wide	Florida	MacDill AFB	SOF Acquisition Center	35,500	The President//Mr. Martinez/Mr. Bill Nelson
Defense-Wide	Florida	MacDill AFB	SOF 501–D Building Addition, Phase II	12,200	The President//Mr. Martinez/Mr. Bill Nelson
Navy	Florida	Blount Island	Main Gate Improvements	7,570	The President//Mr. Martinez/Mr. Bill Nelson
Navy	Florida	Panama City	Littoral Warfare Systems Facility	13,870	The President/Mr. Boyd/Mr. Martinez/Mr. Bill Nelson
Navy	Florida	Cape Canaveral Air Force Station	Engineering Services Facility	9,900	Mr. Bill Nelson
*Navy	Florida	Pensacola NAS	Fire Station, Corry Station	3,140	Mr. Miller, J./Mr. Martinez
*Air Force	Florida	MacDill AFB	EOD Facility	3,500	Ms. Castor
*Navy	Florida	Blount Island	Slipway Barrier	2,670	Mr. Crenshaw
*Air NG	Florida	Jacksonville IAP	Replace Communications Facility, 125th Fighter Wing	6,000	Mr. Crenshaw/Mr. Boyd/Mr. Stearns/Mr. Young, B.
*Army NG	Florida	Camp Blanding	Regional Training Institute Phase III—Joint Ops Center Training Facility	15,524	Mr. Young, B./Ms. Brown, C/Mr. Stearns/Mr. Martinez/Mr. Bill Nelson
*Air Force	Florida	Tyndall AFB	1st Air Force Forces Facility HQ	8,400	Mr. Boyd
Air Force	Georgia	Robins AFB	Aircraft Component Repair Facility	14,700	The President/Mr. Chambliss/Mr. Isakson
Army	Georgia	Fort Benning	Reception Station, Phase I	51,000	The President/Mr. Chambliss/Mr. Isakson
Army	Georgia	Fort Benning	Trainee Barracks Complex	73,000	The President/Mr. Chambliss/Mr. Isakson
Army	Georgia	Fort Benning	Modified Record Fire Range	5,800	The President/Mr. Chambliss/Mr. Isakson
Army	Georgia	Fort Benning	Simulations Training Facility	56,000	The President/Mr. Chambliss/Mr. Isakson
Army	Georgia	Fort Stewart	Barracks Complex	36,000	The President/Mr. Chambliss/Mr. Isakson
Army	Georgia	Fort Stewart	Brigade Complex Headquarters	26,000	The President/Mr. Chambliss/Mr. Isakson
Army	Georgia	Fort Stewart	Fire Station (Grow the Force)	5,500	The President/Mr. Chambliss/Mr. Isakson
Army	Georgia	Fort Stewart	Barracks (Grow the Force)	25,000	The President/Mr. Chambliss/Mr. Isakson
Army	Georgia	Fort Stewart	Unit Operations Facilities (Grow the Force)	15,000	The President/Mr. Chambliss/Mr. Isakson
Army	Georgia	Hunter Army Airfield	Unit Operations Facilities (Grow the Force)	16,000	The President/Mr. Chambliss/Mr. Isakson
Defense-Wide	Georgia	Augusta	Regional Security Operation Center, Increment III	100,000	The President/Mr. Chambliss/Mr. Isakson
Defense-Wide	Georgia	Fort Benning	SOF Battalion Complex	21,000	The President/Mr. Chambliss/Mr. Isakson
Defense-Wide	Georgia	Fort Benning	SOF Headquarters Building Addition	5,000	The President/Mr. Chambliss/Mr. Isakson
Defense-Wide	Georgia	Fort Benning	SOF Tactical Equipment Shop	9,000	The President/Mr. Chambliss/Mr. Isakson
Defense-Wide	Georgia	Hunter	SOF Support Company Facility	13,800	The President/Mr. Chambliss/Mr. Isakson
Air NG	Georgia	Savannah Air National Guard	Troop Dorms	9,000	Mr. Chambliss/Mr. Isakson/Mr. Barrow/Mr. Bishop, S./Mr. Kingston
*Navy	Georgia	Albany, Marine Corps Logistics Base	Warehouse-Combat Vehicle	9,980	Mr. Bishop, S./Mr. Chambliss/Mr. Isakson
*Air Force	Georgia	Robins Air Force Base	Survival Recovery Center & Command Post	5,000	Mr. Marshall/Mr. Chambliss/Mr. Isakson
*Air Force	Georgia	Moody Air Force Base	Commercial Access Gate	7,500	Mr. Kingston/Mr. Chambliss/Mr. Isakson
*Army	Georgia	Fort Benning	Child Development Center	3,700	House Committee on Appropriations
*Navy Reserve	Georgia	Windy Hill	Marine Corps Reserve Center	310	Mr. Gingrey
Air Force	Hawaii	Hickam AFB	DCGS Intelligence Squadron Operations Facility	16,500	The President/Mr. Akaka/Mr. Inouye
Air Force	Hawaii	Hickam AFB	C-17 Parking Ramp	15,471	The President/Mr. Akaka/Mr. Inouye
Army	Hawaii	Fort Shafter	Barracks Complex	31,000	The President/Mr. Akaka/Mr. Inouye
Army	Hawaii	Schofield Barracks	Barracks Complex	43,000	The President/Mr. Akaka/Mr. Inouye
Army	Hawaii	Schofield Barracks	Barracks Complex	45,000	The President/Mr. Akaka/Mr. Inouye
Army	Hawaii	Wheeler AFB	Barracks Complex	51,000	The President/Mr. Akaka/Mr. Inouye
Defense-Wide	Hawaii	Hickam AFB	Replace Hydrant Fuels System	11,900	The President/Mr. Akaka/Mr. Inouye

MILITARY CONSTRUCTION—Continued

Account	State	Location	Project Title	Amount (in thousands)	Member
Defense-Wide	Hawaii	Kunia	Regional Security Operation Center, Increment III	136,318	The President/Mr. Akaka/Mr. Inouye
Navy	Hawaii	Kaneohe Bay	Bachelor Enlisted Quarters	37,961	The President/Mr. Akaka/Mr. Inouye
Navy	Hawaii	Pearl Harbor	Submarine Drive-In Magnetic Silencing Facility, Incr 1	49,860	The President/Mr. Akaka/Mr. Inouye
Navy	Hawaii	Wahiawa	Communication Center	65,410	The President/Mr. Akaka/Mr. Inouye
Navy	Hawaii	Pearl Harbor	Dry Dock Ship Support Services	30,200	Mr. Inouye/Mr. Akaka
*Army	Hawaii	Kahuku Training Area	Tactical Vehicle Wash Facility	10,200	Mr. Abercrombie
Army NG	Idaho	Orchard Training Area	Urban Assault Course	1,700	The President/Mr. Craig/Mr. Crapo
Army NG	Idaho	Gowen Field	Training Area Railhead	7,615	Mr. Craig/Mr. Crapo/Mr. Simpson
*Air Force	Idaho	Mountain Home AFB	Logistics Readiness Center	1,593	Mr. Simpson/Mr. Craig/Mr. Crapo
Air Force	Illinois	Scott AFB	Security Forces Operations Facility	16,700	The President/Mr. Costello/Mr. Durbin
Army NG	Illinois	St. Clair County	Readiness Center (ADRS)	8,100	The President/Mr. Costello/Mr. Durbin
Defense-Wide	Illinois	Great Lakes	Healthcare Faciltiy	99,000	The President/Mr. Durbin
Navy	Illinois	Great Lakes	RTC Infrastructure Upgrade, Increment III	16,650	The President/Mr. Durbin
Navy	Illinois	Great Lakes	Small Arms Marksmanship Trainer	10,221	The President/Mr. Durbin
Air Force	Illinois	Scott Air Force Base	Child Development Center	8,200	Mr. Durbin/Mr. Costello/Mr. Shimkus
Army	Illinois	Rock Island Arsenal	Combined Fire/Police Facility	3,350	Mr. Durbin/Mr. Obama/Mr. Braley/Mr. Hare
Air NG	Indiana	Hulman Regional Airpt	Digital Ground Station (DGS) Beddown	7,700	The President/Mr. Bayh/Mr. Lugar
*Army NG	Indiana	Camp Lincoln	Combined Support Maintenance Shop	666	Mr. LaHood
Navy	Indiana	Crane Naval Surface Warfare Center	Secured Electronic Warfare Systems Engineering Facility	12,000	Mr. Bayh/Mr. Lugar/Mr. Ellsworth
*Navy	Indiana	Crane Naval Surface Warfare Center	Special Weapons Assessment Facility	11,800	Mr. Ellsworth/Mr. Bayh
*Army NG	Indiana	Muscatatuck	Urban Training Center Security Fence	4,996	Mr. Hill/Mr. Visclosky/Mr. Lugar
Army NG	Iowa	Iowa City	Iowa City Readiness Center	13,186	Mr. Harkin/Mr. Grassley/Mr. Latham
*Army NG	Iowa	Camp Dodge	Main Entrance	1,500	Mr. Boswell/Mr. Harkin/Mr. Grassley
Air Force	Kansas	Fort Riley	Air Support Operations Squadron Complex	12,515	The President/Mr. Brownback/Mr. Roberts/Mr. Tiahrt
Army	Kansas	Fort Leavenworth	Barracks Complex	55,000	The President/Mr. Brownback/Mr. Roberts/Mr. Tiahrt
Army	Kansas	Fort Leavenworth	Unit Operations Facilities (Grow the Force)	23,000	The President/Mr. Brownback/Mr. Roberts
Army	Kansas	Fort Leavenworth	Barracks (Grow the Force)	12,800	The President/Mr. Brownback/Mr. Roberts
Army	Kansas	Fort Riley	Digital Multipurpose Range Complex	28,000	The President/Mr. Brownback/Mr. Roberts/Mr. Tiahrt
Army	Kansas	Fort Riley	Unit Operations Facilities (Grow the Force)	43,000	The President/Mr. Brownback/Mr. Roberts
Army	Kansas	Fort Riley	Barracks (Grow the Force)	50,000	The President/Mr. Brownback/Mr. Roberts
Army	Kansas	Fort Riley	Child Development Center (Grow the Force)	8,500	The President/Mr. Brownback/Mr. Roberts
Army	Kansas	Fort Riley	Health & Dental Clinic (Grow the Force)	8,800	The President/Mr. Brownback/Mr. Roberts
Air NG	Kansas	Smoky Hill Air National Guard Range	ASOS Beddown	9,000	Mr. Brownback
*Air Force	Kansas	McConnell Air Force Base	MXG Consolidation and Forward Logistics Center	6,300	Mr. Tiahrt/Mr. Brownback
*Army	Kansas	Fort Riley	Military Working Dog Facility	1,900	Ms. Boyda/Mr. Brownback
*Army	Kansas	Fort Leavenworth	Chapel Complex Phase I	11,600	Ms. Boyda
Army	Kentucky	Fort Campbell	Indoor Range	5,000	The President/Mr. McConnell
Army	Kentucky	Fort Campbell	Vehicle Maintenance Complex	49,000	The President/Mr. McConnell
Army	Kentucky	Fort Campbell	Unit Operations Facilities (Grow the Force)	24,000	The President/Mr. McConnell
Army	Kentucky	Fort Campbell	Barracks (Grow the Force)	27,000	The President/Mr. McConnell

Army	Kentucky	Fort Campbell	Chapel Center	450	Mr. McConnell/Ms. Blackburn/Mr. Tanner/Mr. Wamp/Mr. Whitfield
Army	Kentucky	Fort Knox	Cantonment Area Roads	6,700	The President/Mr. McConnell
Defense-Wide	Kentucky	Fort Campbell	SOF Battalion Operations Complex	35,000	The President/Mr. McConnell
Defense-Wide	Kentucky	Fort Campbell	SOF Group Support Battalion Complex	18,500	The President/Mr. McConnell
*Army NG	Kentucky	London	Readiness Center Phase II - Joint Support Operations	2,427	Mr. Rogers, H.
*Army	Kentucky	Fort Campbell	Child Development Center (Ages 0-5)	8,600	House Committee on Appropriations/Mr. McConnell
Chem Demil	Kentucky	Blue Grass	Ammunition Demilitarization Faciltiy, Phase VIII	51,017	The President/Mr. McConnell
Chem Demil	Kentucky	Blue Grass	Ammunition Demilitarization Faciltiy, Phase VIII	18,000	Mr. McConnell
Air NG	Louisiana	Camp Beauregard	Upgrade ASOS Facility	1,800	The President/Ms. Landrieu/Mr. Vitter
Army	Louisiana	Ft. Polk	4th Brigade 10th Mountain Division Headquarters	9,800	Ms. Landrieu/Mr. Vitter/Mr. Jindal/Mr. McCrery
Army	Louisiana	Ft. Polk	Child Care Facility	6,100	Ms. Landrieu/Mr. Vitter/Mr. McCrery
Navy	Maine	Portsmouth Naval Shipyard	Consolidated Emergency Control Center	9,700	Ms. Collins
*Navy	Maine	Portsmouth Naval Shipyard	Dry Dock #3 Waterfront Support Facility	1,200	Mr. Allen/Ms. Shea-Porter/Ms. Collins/Ms. Snowe/Mr. Sununu
Defense-Wide	Maryland	Fort Detrick	USAMRIID Stage I, Increment II	150,000	The President/Mr. Cardin/Ms. Mikulski
Defense-Wide	Maryland	Fort Meade	NSAW PSC Utility Management System, Phase II	7,901	The President/Mr. Cardin/Ms. Mikulski
Defense-Wide	Maryland	Fort Meade	NSAW OPS1 South Stair Tower	4,000	The President/Mr. Cardin/Ms. Mikulski
Navy	Maryland	Patuxent River	Aircraft Prototype Facility, Phase I	17,990	The President/Mr. Cardin/Mr. Hoyer/Ms. Mikulski
Navy	Maryland	Patuxent River	E-2 Advanced Hawkeye RDT&E Facility	13,650	The President/Mr. Cardin/Mr. Hoyer/Ms. Mikulski
Navy	Maryland	Patuxent River	JPALS Addition to Building 2110/2122	6,720	The President/Mr. Cardin/Mr. Hoyer/Ms. Mikulski
Navy	Maryland	Suitland	National Maritime Intelligence Center, Increment II	52,069	The President/Mr. Cardin/Ms. Mikulski
Army	Maryland	Aberdeen Proving Ground, MD	Automotive Technology Evaluation Facility	12,200	Ms. Mikulski/Mr. Cardin/Mr. Ruppersberger
*Navy	Maryland	NWSC, Indian Head Division	Advanced Energetics Research Lab Complex (Phase I)	9,450	Mr. Hoyer/Mr. Cardin
*Army NG	Maryland	Dundalk	Readiness Center	829	Mr. Ruppersberger
Air NG	Massachusetts	Otis ANGB	Digital Ground Station (DGS) IOC Beddown	1,800	The President/Mr. Edward Kennedy/Mr. Kerry
Air Force	Massachusetts	Hanscom AFB	Renovate Acquisition Management Facility—B1102C	12,800	Mr. Edward Kennedy
*Air NG	Massachusetts	Barnes ANGB	Fire Crash/Rescue Station	7,300	Mr. Olver
Navy Reserve	Michigan	Selfridge	Reserve Training Center	4,030	The President/Mr. Carl Levin/Ms. Stabenow
Army	Michigan	Detroit Arsenal	Ground Systems Power and Energy Laboratory	18,500	Mr. Carl Levin/Ms. Stabenow
Army NG	Michigan	Lansing, MI	US Property and Fiscal Office and Readiness Center Renovation	4,239	Mr. Conyers/Mr. Knollenberg/Mr. Carl Levin/Mr. Rogers, M. (MI)/Ms. Stabenow/Mr. Stupak
Army NG	Michigan	Camp Grayling	IPBC with Convoy Live Fire Range	2,450	Mr. Carl Levin/Ms. Stabenow
Army NG	Minnesota	Camp Ripley	Combined Arms Collective Training Facility	4,850	The President/Mr. Coleman/Ms. Klobuchar
*Army NG	Minnesota	Camp Ripley	Combined Arms Collective Training Facility (CACTF) Phase II	12,600	Mr. Oberstar/Mr. Coleman/Ms. Klobuchar
*Army NG	Minnesota	Arden Hills	Field Maintenance Shop	1,366	Mr. Walz
Army NG	Minnesota	Arden Hills	Joint Forces HQ and Emergency Operations Center	3,536	Ms. Klobuchar/Ms. McCollum
*Air NG	Minnesota	Duluth 148th FW Base	Wing Storage Facility	1,500	Mr. Oberstar/Ms. Klobuchar/Mr. Coleman
Navy	Mississippi	NAS Meridian	Fire Station	6,770	Mr. Cochran/Mr. Lott/Mr. Pickering
Defense-Wide	Mississippi	John C. Stennis Space Center	SOF Riverine and Combatant Craft Operations Facility	10,200	Mr. Cochran/Mr. Lott
*Air Force	Mississippi	Columbus AFB	Mission Support Complex Phase II	9,800	Mr. Wicker/Mr. Lott
Army NG	Mississippi	Camp Shelby	Live Fire Shoot House/Urban Assault Course	4,000	Mr. Cochran/Mr. Lott/Mr. Taylor
*Air NG	Mississippi	Key Field	ASOS/ATCS Training Center	6,100	Mr. Wicker/Mr. Pickering
Army	Missouri	Fort Leonard Wood	Modified Record Fire Range	3,800	The President
Army	Missouri	Fort Leonard Wood	Modified Record Fire Range	4,000	The President
Army	Missouri	Fort Leonard Wood	Automated Multipurpose Machine Gun Range (Grow the Force)	4,150	The President
Army	Missouri	Fort Leonard Wood	Automated Pistol Range (Grow the Force)	2,700	The President

MILITARY CONSTRUCTION—Continued

Account	State	Location	Project Title	Amount (in thousands)	Member
Army	Missouri	Fort Leonard Wood	Unit Operations Facilities (Grow the Force)	56,000	The President
Army	Missouri	Fort Leonard Wood	Barracks (Grow the Force)	26,000	The President
Army	Missouri	Fort Leonard Wood	Dining Facility—Basic Combat Trng Complex (Grow the Force)	22,000	The President
Army NG	Missouri	Whiteman AFB	Aviation Support Facility	30,000	The President
Army	Missouri	Fort Leonard Wood	Child Development Center (Ages 6-10)	7,000	Mr. Bond/Ms. Emerson
*Army	Missouri	Fort Leonard Wood	Chapel	10,400	Mr. Skelton
Army	Missouri	Fort Leonard Wood	Regional Training Institute	500	Mr. Bond
Army	Missouri	Fort Leonard Wood	Sapper Leader Course General Instruction Building	360	Mr. Bond
*Air Force	Missouri	Whiteman AFB	Consolidated Communications Center	11,400	Mr. Skelton
Army	Montana	Butte	Army Reserve Center/Land	7,629	The President/Mr. Baucus/Mr. Tester
Air Force	Montana	Malmstrom Air Force Base, MT	Construct Community Activity Center	7,000	Mr. Baucus/Mr. Tester
*Army NG	Montana	Miles City	Readiness Center	906	Mr. Rehberg
Air Force	Nebraska	Offutt AFB	ADAL Intelligence Squadron Facility	16,952	The President/Mr. Hagel/Mr. Ben Nelson
Air NG	Nebraska	Lincoln Municipal Airport	Add/Alter Security Forces Commo Complex	8,900	Mr. Ben Nelson/Mr. Hagel/Mr. Fortenberry
Army	Nevada	Hawthorne Army Ammunition Plant	Ground Water Treatment Plant	11,800	The President/Mr. Ensign/Mr. Heller/Mr. Reid
Army	Nevada	Hawthorne Army Ammunition Plant	Wabuska Railroad Line Spur	1,400	Mr. Reid/Mr. Heller
Air NG	Nevada	Nevada Air National Guard, Reno	Vehicle Maintenance Complex	5,200	Mr. Reid/Mr. Ensign
Air Force	Nevada	Nellis Air Force Base	Joint Terminal Air Control Virtual Training Facility	4,950	Mr. Reid/Mr. Ensign
Navy	Nevada	Fallon Naval Air Station	Range Improvements B-20	11,460	Mr. Reid/Mr. Ensign
Air NG	New Hampshire	Pease Air National Guard Base	Wing HQ Operations and Training Facility	8,900	Mr. Gregg/Mr. Sununu/Mr. Hodes/Ms. Shea-Porter
Army	New Jersey	Fort Dix	Combined Maintenance Facility	17,000	The President/Mr. Lautenberg/Mr. Menendez
*Air NG	New Jersey	177th Fighter Wing, Egg Harbor Township, Atlantic City	Air Support Operations Squadron (ASOS)	9,800	Mr. LoBiondo/Mr. Rothman/Mr. Lautenberg/Mr. Menendez
*Army Reserve	New Jersey	Fort Dix	Tactical Training Base Phase I	5,900	Mr. Saxton/Mr. Rothman/Mr. Lautenberg/Mr. Menendez
Army Reserve	New Jersey	Fort Dix	Tactical Training Base Phase I (Design)	531	Mr. Lautenberg//Mr. Saxton/Mr. Rothman
Navy	New Jersey	Lakehurst Naval Air Engineering Station	Joint Installation Road Improvement	4,100	Mr. Lautenberg/Mr. Menendez/Mr. Rothman
*Army	New Jersey	Picatinny Arsenal	Armament Integration Facility	9,900	Mr. Frelinghuysen/Mr. Lautenberg/Mr. Menendez
Air Force	New Mexico	Cannon AFB	ADAL Hangar 09 for C-130	1,688	The President/Mr. Bingaman/Mr. Domenici/Mr. Udall, T.
Defense-Wide	New Mexico	Cannon AFB	SOF C-130 Fuel Cell & Corrosion Control Hangars	855	Mr. Domenici/Mr. Bingaman/Mr. Udall, T.
Defense-Wide	New Mexico	Cannon AFB	SOF Flight Simulator Facility	7,500	The President/Mr. Bingaman/Mr. Domenici/Mr. Udall, T.
*Defense-Wide	New Mexico	Cannon AFB	SOF CV-22 Simulator Facility	711	Mr. Udall, T.
Defense-Wide	New Mexico	Kirtland AFB	Replace Fuel Unload Facility	1,800	The President/Mr. Bingaman/Mr. Domenici
Army	New Mexico	White Sands Missile Range	Unit Operations Facilities (Grow the Force)	71,000	The President/Mr. Bingaman/Mr. Domenici
Air Force	New Mexico	Kirtland AFB	PJ/CRO Rescue & Recovery Training Center	11,400	Mr. Domenici/Mr. Bingaman/Ms. Wilson, H.
*Air Force	New Mexico	Kirtland AFB	PJ/CRO Logistics Building	3,700	Ms. Wilson, H.
Army	New York	Fort Drum	Infrastructure Upgrades	12,000	The President/Mrs. Clinton/Mr. Schumer
Army	New York	Fort Drum	Brigade Complex Company Operations	55,000	The President/Mrs. Clinton/Mr. Schumer
Army	New York	Fort Drum	Brigade Complex Barracks Operations	40,000	The President/Mrs. Clinton/Mr. Schumer
Army	New York	Fort Drum	Brigade Complex Maintenance Facility	44,000	The President/Mrs. Clinton/Mr. Schumer
Army	New York	Fort Drum	Unit Operations Facilities (Grow the Force)	41,000	The President/Mrs. Clinton/Mr. Schumer
Army	New York	Fort Drum	Unit Operations Facilities (Grow the Force)	38,000	The President/Mrs. Clinton/Mr. Schumer

Army	New York	Fort Drum	Barracks (Grow the Force)	61,000	The President/Mrs. Clinton/Mr. Schumer
Defense-Wide	New York	Fort Drum	Medical Clinic Add/Alt	41,000	The President/Mrs. Clinton/Mr. Schumer
Army	New York	Fort Drum	Army Reserve Center	15,923	The President/Mrs. Clinton/Mr. Schumer
*Army NG	New York	Camp Smith	Combined Support Maintenance Facility	2,727	Mr. Hall, J.
*Air NG	New York	Griffiss Northeast Air Defense (NEADS) ANG Base	Construct New Northeast Air Defense Sector Support Facility	6,600	Mr. Arcuri/Mr. Schumer/Mrs. Clinton
Air NG	New York	ANG Base, Gabreski Airport	Construct Part One of the Pararescue Facility	8,400	Mr. Schumer/Mrs. Clinton/Mr. Ackerman/Mr. Bishop, T./Ms. Gillibrand/Mr. Israel/Mr. King, P./Ms. McCarthy, C.
*Army	New York	Fort Drum	Automated Qualification Training Range	9,600	Mr. McHugh/Mr. Schumer/Mrs. Clinton
*Air NG	New York	Hancock Field	Upgrade Base Facilities	5,100	Mr. Walsh/Mr. Schumer/Mrs. Clinton
*Army	New York	Fort Drum	Child Development Center	10,600	House Committee on Appropriations
Army	North Carolina	Fort Bragg	Barracks Complex, Increment III	47,400	The President/Mr. Burr/Mrs. Dole
Army	North Carolina	Fort Bragg	Indoor Range	4,800	The President/Mr. Burr/Mrs. Dole
Army	North Carolina	Fort Bragg	Student Barracks	51,000	The President/Mr. Burr/Mrs. Dole
Army	North Carolina	Fort Bragg	Barracks (Grow the Force)	73,000	The President/Mr. Burr/Mrs. Dole
Army	North Carolina	Fort Bragg	Unit Maintenance Facility (Grow the Force)	88,000	The President/Mr. Burr/Mrs. Dole
Army	North Carolina	Fort Bragg	Unit Operations Facilities (Grow the Force)	54,000	The President/Mr. Burr/Mrs. Dole
Defense-Wide	North Carolina	Camp Lejeune	SOF Supply and Pre-deployment Facility	10,500	The President/Mr. Burr/Mrs. Dole
Defense-Wide	North Carolina	Camp Lejeune	SOF Academic Instruction Facility	6,910	The President/Mr. Burr/Mrs. Dole
Defense-Wide	North Carolina	Camp Lejeune	SOF Equipment Facility	10,800	The President/Mr. Burr/Mrs. Dole
Defense-Wide	North Carolina	Camp Lejeune	Delalio ES - Construct Gymnasium	2,014	The President/Mr. Burr/Mrs. Dole
Defense-Wide	North Carolina	Fort Bragg	SOF Operations/Intell Addition	8,000	The President/Mr. Burr/Mrs. Dole
Defense-Wide	North Carolina	Fort Bragg	SOF Headquarter and Motor Pool Complex	39,250	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	BEQ - French Creek	27,800	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	Field Medical Service School	8,080	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	MOUT Enhancements	14,120	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	MARSOC Support Facility	21,720	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	MARSOC Training Facilities	12,590	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	MARSOC Fitness Center/Training Tank	14,480	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	MARSOC Community Support Facilities	9,170	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	Academic Instruction Facility	16,460	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	BEQ - 4TH MEB	29,970	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	Multi-Purpose Machine Gun Range - G10 (Grow the Force)	17,250	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	Landfill Cell (Grow the Force)	14,170	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	Wastewater System Modification (Grow the Force)	7,070	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	Main Gate Physical Security Upgrades (Grow the Force)	7,920	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	Physical Security Upgrades - Piney Green (Grow the Force)	6,660	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Camp Lejeune	BEQ - Wounded Warrior Battalion (Grow the Force)	27,270	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Cherry Point MC Air Sta	UAV Operations/Maintenance	12,110	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	Cherry Point MC Air Sta	Hangar Renovation and Facility Upgrades F/A18E/F	16,500	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	New River	BEQ	22,530	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	New River	Hangar Addition, Phase II	17,330	The President/Mr. Burr/Mrs. Dole
Navy	North Carolina	New River	Jet Engine Test Cell	14,570	The President/Mr. Burr/Mrs. Dole
*Army	North Carolina	Fort Bragg	Child Development Center	8,700	House Committee on Appropriations/Mr. Burr
*Army	North Carolina	Fort Bragg	Community Emergency Services Center	2,900	Mr. McIntyre/Mr. Hayes/Mrs. Dole
*Navy	North Carolina	MCAS New River	Main Gate Security Upgrades	4,270	Mr. Jones, W./Mr. Burr/Mrs.Dole

MILITARY CONSTRUCTION—Continued

Account	State	Location	Project Title	Amount (in thousands)	Member
Army	North Carolina	Fort Bragg	Blood Donor Center	4,800	Mrs. Dole/Mr. McIntyre
*Army NG	North Carolina	Asheville	Field Maintenance Shop	3,733	Mr. Shuler/Mrs. Dole
*Air NG	North Carolina	Stanly County Airport (Charlotte)	Air Traffic Control Facility	4,000	Mr. Hayes/Mr. Burr/Mrs Dole
*Navy	North Carolina	Camp Lejeune	Child Development Center (P1096)	14,200	House Committee on Appropriations
Air Force	North Dakota	Minot AFB	Dormitory	18,200	The President/Mr. Conrad/Mr. Dorgan
Army NG	North Dakota	Camp Grafton	Regional Training Institute Phase 1 (Grow the Force)	33,416	The President/Mr. Conrad/Mr. Dorgan
Air Force	North Dakota	Grand Forks Air Force Base	Control Tower/RAPCON	13,000	Mr. Dorgan/Mr. Conrad
*Air Force	Ohio	Wright-Patterson AFB	Security Forces Operations Facility	640	Mr. Turner/Mr. Voinovich
Defense-Wide	Ohio	Columbus AFB	Decentralize Heat Plant	4,000	The President/Mr. Sherrod Brown/Mr. Hobson
Navy Reserve	Ohio	Wright-Patterson AFB	Reserve Training Center	10,277	The President/Mr. Sherrod Brown/Mr. Hobson
*Air NG	Ohio	Rickenbacker ANGB	Security Forces Complex/Communications Building	7,600	Mr. Hobson/Mr. Voinovich
*Army NG	Ohio	Camp Perry	Base Engineering, Operations & Classroom Facility	1,500	Ms. Kaptur
*Army NG	Ohio	Newton Falls	Training Building (#813) Alteration, Ravenna Training & Logistics Site	1,500	Mr. Ryan, T.
Air Force	Oklahoma	Altus AFB	C-17 Sheet Metal Composite Shop	2,000	The President/Mr. Inhofe
Air Force	Oklahoma	Tinker AFB	Consolidated Fuel O/H Repair and Test Facility	34,600	The President/Mr. Inhofe
Army	Oklahoma	Fort Sill	Modified Record Fire Range	2,900	The President/Mr. Inhofe
Air Force	Oklahoma	Vance AFB	Fuels System Maintenance Hangar	7,700	Mr. Inhofe/Mr. Lucas
Army	Oklahoma	Fort Sill	Multipurpose Machine Gun Range	3,300	Mr. Inhofe
*Army	Oklahoma	Fort Sill	Fire and Movement Range	1,300	Mr. Cole
*Army NG	Oklahoma	Camp Gruber	Training Facility Phase V	2,705	Mr. Boren
Army NG	Oregon	Ontario	Readiness Center	11,000	The President/Mr. Blumenauer/Mr. Gordon Smith/Mr. Wyden
Army NG	Oregon	Klamath Falls	Armed Forces Reserve Center/Security Forces Facility	1,452	Mr. Gordon Smith/Mr. Wyden//Mr. Blumenauer
Army NG	Oregon	The Dalles	Readiness Center	960	Mr. Wyden/Mr. Gordon Smith
Navy Reserve	Oregon	Portland	Operational Facilities MIUW 110/IBU 13	1,900	The President/Mr. Gordon Smith/Mr. Wyden
Air NG	Pennsylvania	Fort Indiantown Gap	Air Support Ops Squadron (ASOS) Beddown	6,400	The President
Army NG	Pennsylvania	Carlisle	Readiness Center (SBCT)	7,800	The President
Army NG	Pennsylvania	East Fallowfield Township	Readiness Center (SBCT)	8,300	The President
Army NG	Pennsylvania	Fort Indiantown Gap	Ammunition Supply Point Upgrade (SBCT)	9,500	The President
Army NG	Pennsylvania	Gettysburg	Readiness Center (SBCT)	6,300	The President
Army NG	Pennsylvania	Graterford	Field Maintenance Shop (SBCT)	7,300	The President
Army NG	Pennsylvania	Hanover	Readiness Center Add/Alt (SBCT)	5,500	The President
Army NG	Pennsylvania	Hazelton	Readiness Center Add/Alt (SBCT)	5,600	The President
Army NG	Pennsylvania	Holidaysburg	Readiness Center (SBCT)	9,400	The President
Army NG	Pennsylvania	Huntingdon	Readiness Center (SBCT)	7,500	The President
Army NG	Pennsylvania	Kutztown	Readiness Center Add/Alt (SBCT)	6,[illegible]00	The President
Army NG	Pennsylvania	Lebanon	Readiness Center Add/Alt (SBCT)	7,800	The President
Army NG	Pennsylvania	Philadelphia	Field Maintenance Shop, Add/Alt (SBCT)	3,650	The President
Army NG	Pennsylvania	Philadelphia	Readiness Center Alteration (SBCT)	10,000	The President
Defense-Wide	Pennsylvania	Distribution Depot New Cumberland	Replace Central Heat Plant	21,000	The President
Air NG	Pennsylvania	Fort Indiantown Gap, PA	Operations & Training Facility	6,300	Mr. Specter/Mr. Casey/Mr. Holden

*Army NG	Pennsylvania	Waynesburg	Readiness Center	9,000	Mr. Murtha
*Army NG	Pennsylvania	Wilkes-Barre	Readiness Center Rehabilitation	263	Mr. Carney
Army Reserve	Pennsylvania	Letterkenny Army Depot	Army Reserve Center	675	Mr. Specter/Mr. Casey/Mr. Shuster
*Air NG	Pennsylvania	Harrisburg	Expand Aircraft Parking Apron/Relocate Taxiway	1,000	Mr. Holden
Air Reserve	Pennsylvania	Pittsburgh ARS, Coraopolis	Visiting Quarters Phase I	828	Mr. Specter/Mr. Casey/Mr. Doyle
Army NG	Rhode Island	East Greenwich	Readiness Center	8,200	The President/Mr. Langevin/Mr. Reed
Army NG	Rhode Island	N. Kingstown	Aviation Support Facility	33,000	The President/Mr. Langevin/Mr. Reed
Army NG	Rhode Island	N. Kingstown	US Property and Fiscal Office	810	Mr. Reed
Air NG	Rhode Island	Quonset State Airport	Special Operations Training Facility	5,000	Mr. Reed
Navy	Rhode Island	NS Newport	Reconstruct Wharf between Piers 1 & 2	9,900	Mr. Reed
*Navy	Rhode Island	NS Newport	HAZMAT Storage Facility	3,860	Mr. Kennedy, P.
Navy	Rhode Island	NS Newport	Bachelor Quarters Addition	750	Mr. Reed
*Navy	Rhode Island	NS Newport	Fitness Center	900	Mr. Kennedy, P.
Army	South Carolina	Fort Jackson	Basic Training Complex (Grow the Force)	85,000	The President/Mr. Graham
Navy	South Carolina	Beaufort	Fire Station	6,800	The President/Mr. Graham
Navy	South Carolina	Parris Island	Recruit Barracks - 3rd Battalion, Phase I	25,322	The President/Mr. Graham
Navy	South Carolina	Parris Island	Motor Transportation Complex	5,530	The President/Mr. Graham
Navy	South Carolina	Parris Island	Consolidated Dining Facility (Grow the Force)	24,430	The President/Mr. Graham
AF Milcon	South Carolina	Charleston Air Force Base	Child Development Center	11,000	Mr. Graham/Mr. Brown, H.
*Navy	South Carolina	Marine Corp Air Station, Beaufort	Nuclear/Biological/Chemical Facility	3,500	Mr. Wilson, J./Mr. Graham
*Air Force	South Carolina	Shaw AFB	Base Infrastructure	9,300	Mr. Spratt
Navy Reserve	South Dakota	Sioux Falls	Joint Armed Forces Reserve Center	3,730	The President/Mr. Johnson/Mr. Thune
Air NG	South Dakota	Joe Foss Field, SD National Guard	Base Civil Engineer Maintenance Complex	7,900	Mr. Johnson/Mr. Thune/Ms. Herseth Sandlin
Air NG	South Dakota	Rapid City	Joint Forces Headquarters	900	Mr. Johnson
Air Force	South Dakota	Ellsworth AFB, SD	Base Civil Engineer Administrative Facility	16,600	Mr. Johnson/Mr. Thune/Ms. Herseth Sandlin
Air NG	Tennessee	McGhee-Tyson Airport	MILSTAR Beddown-Relocate Base Access Road	3,200	The President/Mr. Alexander/Mr. Corker
Air NG	Tennessee	Memphis IAP	C-5 Ground Run-Up Enclosure	3,200	The President/Mr. Alexander/Mr. Corker
Air NG	Tennessee	Memphis IAP	C-5 Final Infrastructure Support	6,676	The President/Mr. Alexander/Mr. Corker
Air NG	Tennessee	Memphis IAP	C-5 Munitions Storage Complex	1,500	The President/Mr. Alexander/Mr. Corker
*Air NG	Tennessee	Lovell Field	Communications Training Complex	8,200	Mr. Wamp
Air NG	Tennessee	McGhee-Tyson Airport	Replace Squadron Operations & Relocate Security Perimeter	1,120	Mr. Alexander/Mr. Corker
Army NG	Tennessee	Tullahoma	Readiness Center	264	Mr. Alexander/Mr. Corker/Mr. Davis, L.
Air Force	Texas	Lackland AFB	Basic Expeditionary Airman Skill Training, Phase II	14,000	The President/Mr. Cornyn/Mrs. Hutchison
Army	Texas	Camp Bullis	Urban Assault Course	1,600	The President/Mr. Cornyn/Mrs. Hutchison
Army	Texas	Fort Bliss	Unit Operations Facilities (Grow the Force)	84,000	The President/Mr. Cornyn/Mrs. Hutchison
Army	Texas	Fort Bliss	Barracks (Grow the Force)	11,400	The President/Mr. Cornyn/Mrs. Hutchison
Army	Texas	Fort Bliss	Health & Dental Clinic (Grow the Force)	16,500	The President/Mr. Cornyn/Mrs. Hutchison
Army	Texas	Fort Hood	Barracks Complex	47,000	The President/Mr. Cornyn/Mr. Edwards/Mrs. Hutchison
Army	Texas	Fort Hood	Unit Operations Facilities (Grow the Force)	46,000	The President/Mr. Cornyn/Mr. Edwards/Mrs. Hutchison
Army	Texas	Fort Hood	Barracks (Grow the Force)	45,000	The President/Mr. Cornyn/Mr. Edwards/Mrs. Hutchison
Army	Texas	Fort Sam Houston	Battle Command Training Center, Phase I	1,950	The President/Mr. Cornyn/Mrs. Hutchison/Mr. Smith, L.
Army	Texas	Fort Sam Houston	Unit Operations Facilities (Grow the Force)	10,600	The President/Mr. Cornyn/Mrs. Hutchison
Army	Texas	Fort Sam Houston	Barracks (Grow the Force)	6,600	The President/Mr. Cornyn/Mrs. Hutchison
Army	Texas	Red River Army Depot	Maneuver Systems Sustainment Center, Phase II	9,200	The President/Mr. Cornyn/Mrs. Hutchison

MILITARY CONSTRUCTION—Continued

Account	State	Location	Project Title	Amount (in thousands)	Member
Army NG	Texas	Çamp Bowie	Modified Record Fire Range	1,500	The President/Mr. Cornyn/Mrs. Hutchison
Army NG	Texas	Fort Wolters	Modified Record Fire Range	2,100	The President/Mr. Cornyn/Mrs. Hutchison
Defense-Wide	Texas	Camp Bullis	Health Clinic Replacement	7,400	The President/Mr. Cornyn/Mrs. Hutchison
Navy	Texas	Corpus Christi	Aviation Trainer/Squadron Operations Facility	14,290	The President/Mr. Cornyn/Mrs. Hutchison
Navy Reserve	Texas	Austin	Reserve Training Center	6,490	The President/Mr. Cornyn/Mrs. Hutchison
Navy Reserve	Texas	Fort Worth	Child Development Center	4,920	The President/Mr. Cornyn/Mrs. Hutchison
Navy Reserve	Texas	Fort Worth	Aircraft Maintenance Parking Facility	5,140	The President/Mr. Cornyn/Mrs. Hutchison
Navy Reserve	Texas	Fort Worth	Joint Control Tower	12,454	The President/Mr. Cornyn/Mrs. Hutchison
Army	Texas	Fort Worth	Army Reserve Center	15,076	The President/Mr. Cornyn/Mrs. Hutchison
Army	Texas	Ellington Field	Armed Forces Reserve Center/Battle Projection Center (Phase II)	15,000	Mrs. Hutchison/Mr. Cornyn
Army	Texas	Fort Hood	Child Development Center	7,400	Mrs. Hutchison/Mr. Cornyn
*Army	Texas	*Corpus Christi	Rotoblade Processing Facility	11,200	Mr. Ortiz
*Air Force	Texas	*Sheppard AFB	Base Operations Ramp, Phase I	7,000	Mr. Thornberry
*Air NG	Texas	*Ellington Field	Multi-Use Aviation Fire Station	7,200	Mr. Lampson
*Army	Texas	*Fort Hood	CH-47 Maintenance Hanger	18,000	Mr. Edwards/Mr. Carter
*Navy Reserve	Texas	*Fort Worth NAS JRB	Joint Indoor Training Tank	4,970	Ms. Granger
*Army	Texas	*Fort Bliss	Child Youth Services Center	6,500	House Committee on Appropriations
*Army	Texas	Fort Bliss	Medical Parking Garage	1,000	Mr. Reyes
*Air Force	Texas	*Goodfellow AFB	Addition to Fitness Center	5,800	Mr. Conaway
*Air Force	Texas	*Laughlin AFB	Student Activity Center & Library	5,200	Mr. Rodriguez
*Air Force	Texas	*Randolph AFB	Taxiway West Flightline	2,950	Mr. Cuellar/Mrs. Hutchison/Mr. Cornyn
Air Force	Texas	Randolph AFB	Taxiway	554	Mrs. Hutchison/Mr. Cornyn/Mr. Cuellar
Air Force	Texas	Dyess AFB	Runway Paving	1,710	Mrs. Hutchison/Mr. Cornyn/Mr. Neugebauer
Air Force	Texas	Lackland AFB	Joint Security Forces Building	900	Mrs. Hutchison/Mr. Cornyn/Mr. Gonzalez
*Defense-Wide	Texas	Lackland AFB	Wilford Hall Medical Center, Ambulatory Care Center	130	Mr. Gonzalez
Air Force	Utah	Hill AFB	Aircraft Power Systems Repair Facility	8,399	The President/Mr. Bennett/Mr. Hatch
Air Force	Utah	Hill AFB	Hydraulic Flight Control Facility	8,400	The President/Mr. Bennett/Mr. Hatch
Air Force Res	Utah	Hill AFB	Wing Support Facility	3,200	The President/Mr. Bennett/Mr. Hatch
Army NG	Utah	North Salt Lake	Readiness Center	12,200	The President/Mr. Bennett/Mr. Hatch
Air Force	Utah	Hill Air Force Base	Consolidated 388th Munitions Flight Administrative/Maintenance Facility	9,200	Mr. Bennett/Mr. Hatch/Mr. Bishop, R.
*Army FH	Utah	*Dugway Proving Ground	Replacement Construction, Phase I	5,000	Mr. Bishop, R.
Air NG	Vermont	Burlington International Airport	Base Security Improvements	6,600	Mr. Leahy/Mr. Sanders
Army NG	Vermont	Fort Ethan Allen	Multipurpose Machine Gun Range	1,996	Mr. Leahy/Mr. Sanders
Army NG	Vermont	Northfield	Billeting, Regional & Readiness Technology Center	1,500	Mr. Leahy
*Army NG	Vermont	Ethan Allen Range	Readiness Center	792	Mr. Welch
Army	Virginia	Fort Belvoir	Defense Access Road, Phase III	13,000	The President/Mr. Davis, T./Mr. Moran/Mr. Warner/Mr. Webb
*Army	Virginia	Fort Belvoir	Emergency Services Center	288	Mr. Moran/Mr. Davis, T.
Army	Virginia	Fort Eustis	Barracks (Grow the Force)	32,000	The President/Mr. Warner/Mr. Webb
Army	Virginia	Fort Eustis	Unit Operations Facilities (Grow the Force)	43,000	The President/Mr. Warner/Mr. Webb
*Army	Virginia	Fort Eustis	Training Support Center, Phase I	594	Mr. Scott, R.

Army	Virginia	Fort Lee	Unit Operations Facilities (Grow the Force)	9,800	The President/Mr. Warner/Mr. Webb
Army	Virginia	Fort Lee	Barracks (Grow the Force)	6,900	The President/Mr. Warner/Mr. Webb
Army	Virginia	Fort Myer	Unit Operations Facilities (Grow the Force)	8,400	The President/Mr. Warner/Mr. Webb
Army	Virginia	Fort Myer	Barracks (Grow the Force)	12,400	The President/Mr. Warner/Mr. Webb
Army NG	Virginia	Fort Pickett	Combat Pistol Qualification Course	1,050	The President/Mr. Warner/Mr. Webb
Army NG	Virginia	Fort Pickett	Regional Training Institute Phase 1 (Grow the Force)	25,161	The President/Mr. Warner/Mr. Webb
Defense-Wide	Virginia	Dam Neck	SOF Operational Training Facility	14,000	The President/Ms. Drake/Mr. Warner/Mr. Webb
Defense-Wide	Virginia	Dam Neck	SOF Operations Facility, Incr 1	47,250	The President/Ms. Drake/Mr. Warner/Mr. Webb
Defense-Wide	Virginia	Fort Belvoir	Entrance Gate Security Enhancements	5,000	The President/Mr. Davis, T./Mr. Moran/Mr. Warner/Mr. Webb
Defense-Wide	Virginia	Little Creek	SOF Special Boat Team Operations Facility	14,000	The President/Ms. Drake/Mr. Warner/Mr. Webb
Defense-Wide	Virginia	Little Creek	SOF Seal Team Operations and Support Facility	34,000	The President/Ms. Drake/Mr. Warner/Mr. Webb
Defense-Wide	Virginia	Norfolk	Environmental Preventive Medicine Unit 2 Replacement	6,450	The President/Mr. Warner/Mr. Webb
Navy	Virginia	Chesapeake	Mobile User Objective System Installation	8,450	The President/Mr. Warner/Mr. Webb
Navy	Virginia	Norfolk	E2/C2 Aircrew Training Facility	11,510	The President/Ms. Drake/Mr. Warner/Mr. Webb
Navy	Virginia	Norfolk	MH-60S Hangar and Airfield Improvements	53,850	The President/Ms. Drake/Mr. Warner/Mr. Webb
Navy	Virginia	Quantico	Student Quarters, Phase II	26,680	The President/Mr. Warner/Mr. Webb
Navy	Virginia	Quantico	BEQ—MSGBN Headquarters	18,839	The President/Mr. Warner/Mr. Webb
Navy	Virginia	Quantico	Warfare Programs Support Center (Grow the Force)	5,000	The President/Mr. Warner/Mr. Webb
Navy Reserve	Virginia	Quantico	Reserve Center Addition	2,410	The President/Mr. Warner/Mr. Webb
*Navy	Virginia	NSWC Dahlgren	Electromagnetic Launch RDT&E Facility	10,000	Ms. Davis, Jo Ann/Mr. Warner/Mr. Webb
Navy	Virginia	Norfolk	JFCOM Headquarters, Building One	14,200	Mr. Warner/Mr. Webb/Ms. Drake
Army NG	Virginia	Winchester	Field Maintenance Shop	3,113	Mr. Warner/Mr. Webb/Mr. Wolf
*Army	Virginia	Ft. Lee	Unit Chapel	5,900	Mr. Forbes
*Defense-Wide	Virginia	Dam Neck	Parachute Drying Facility	5,300	Ms. Drake
Army	Washington	Fort Lewis	Indoor Range	5,000	The President/Ms. Cantwell/Mrs. Murray
Army	Washington	Fort Lewis	Brigade Complex, Increment II	102,000	The President/Ms. Cantwell/Mrs. Murray
Army	Washington	Fort Lewis	Railroad Yard Upgrade (Grow the Force)	14,600	The President/Ms. Cantwell/Mrs. Murray
Army	Washington	Fort Lewis	Barracks (Grow the Force)	32,000	The President/Ms. Cantwell/Mrs. Murray
Army	Washington	Fort Lewis	Unit Operations Facilities (Grow the Force)	62,000	The President/Ms. Cantwell/Mrs. Murray
Army	Washington	Fort Lewis	Unit Operations Facilities (Grow the Force)	51,000	The President/Ms. Cantwell/Mrs. Murray
Army	Washington	Yakima	Digital Multipurpose Range Compex	29,000	The President/Ms. Cantwell/Mrs. Murray
Defense-Wide	Washington	Fort Lewis	Medical/Dental Clinic	21,000	The President/Ms. Cantwell/Mrs. Murray
Defense-Wide	Washington	Fort Lewis	SOF Support Battalion Complex	30,000	The President/Ms. Cantwell/Mrs. Murray
Defense-Wide	Washington	Fort Lewis	SOF Battalion Operations Complex	47,000	The President/Ms. Cantwell/Mrs. Murray
Navy	Washington	Bangor	Limited Area Production & Storage Complex, Incr IV	39,750	The President/Ms. Cantwell/Mrs. Murray
Navy	Washington	Bremerton	BEQ Homeport Ashore, Increment II	47,240	The President/Ms. Cantwell/Mrs. Murray
Navy	Washington	Bremerton	CVN Maintenance Pier Replacement	91,070	The President/Ms. Cantwell/Mrs. Murray
Navy	Washington	Bremerton	Missile Assembly Building 3	28,690	The President/Ms. Cantwell/Mrs. Murray
Navy	Washington	Whidbey Island	EA-18G Facility Improvements	23,910	The President/Ms. Cantwell/Mrs. Murray
Navy	Washington	Naval Station Everett	Fleet Region Readiness Center	10,940	Mrs. Murray/Mr. Larsen
*Air Force	Washington	Fairchild AFB	Physiological Training Facility	6,200	Ms. McMorris Rodgers
*Army	Washington	Ft. Lewis	Fueling Facility	3,300	Mr. Smith, A.
*Navy	Washington	NAS Whidbey Island	Indoor Aircraft Washrack	10,610	Mr. Larsen
*Army	Washington	Ft. Lewis	Child Development Center	10,600	House Committee on Appropriations

MILITARY CONSTRUCTION—Continued

Account	State	Location	Project Title	Amount (in thousands)	Member
*Navy	Washington	Kitsap NB	Ocean Engineering Support Facility	6,130	Mr. Dicks
*Army NG	Washington	Tacoma	Readiness Center	152	Mr. Smith, A./Mr. Dicks
Air NG	West Virginia	Shepherd Field	C-5 Fuel Cell Maintenance Hangar and Shops	26,000	The President/Mr. Byrd
Air NG	West Virginia	Shepherd Field	C-5 Final Infrastructure Upgrade	5,176	The President/Mr. Byrd
Air NG	West Virginia	Shepherd Field	C-5 Squadron Operations Facility	7,600	The President/Mr. Byrd
Army NG	West Virginia	Camp Dawson	Modified Record Fire Range	4,500	The President/Mr. Byrd
*Army NG	West Virginia	Camp Dawson	Multi Purpose Building	4,900	Mr. Mollohan
Air NG	West Virginia	Shepherd Field	C-5 Parking Apron, Phase 2	12,000	Mr. Byrd
Air NG	West Virginia	Yeager ANG Base	Replace Aircraft Maintenance Hangar	17,300	Mr. Byrd
Army	Wisconsin	Ellsworth	Army Reserve Center/Land	9,100	The President/Mr. Kohl
Army	Wisconsin	Fort McCoy	Regional Medical Training Facility	8,523	The President/Mr. Kohl
Air NG	Wisconsin	Truax Field, Madison WI	Add to and Alter Fire Crash Rescue Station	7,000	Mr. Kohl
Air Force	Wyoming	F. E. Warren AFB	Rennovate Historic Dormitories	14,600	The President/Mr. Barrasso/Mr. Enzi
Army NG	Wyoming	Camp Guernsey	Qualification Training Range	2,650	The President/Mr. Barrasso/Mr. Enzi
Army	Afghanistan	Bagram	Administrative Building	13,800	The President
Defense-Wide	Bahrain	Bahrain NSA	SOF Operations Facility	19,000	The President
Navy	Bahrain	Bahrain NSA	Waterfront Development, Phase I	35,500	The President
Defense-Wide	Belgium	Casteu	Brussels American School Addition	5,992	The President
Army	Bulgaria	Nevo Selo Fos	Base Camp	61,000	The President
Navy	Diego Garcia	Diego Garcia	Sewage Lagoon, Air Operations	7,150	The President
Navy	Djibouti	Camp Lemonier	Fuel Farm	4,000	The President
Navy	Djibouti	Camp Lemonier	Western Taxiway	2,900	The President
Navy	Djibouti	Camp Lemonier	Full Length Taxiway	15,490	The President
Air Force	Germany	Ramstein AB	Small Diameter Bomb Facilities, Phase II	6,260	The President
Air Force	Germany	Ramstein AB	Joint Mobility Processing Center	24,000	The President
Air Force	Germany	Ramstein AB	Dormitory	14,949	The President
Air Force	Germany	Ramstein AB	Fire Training Facility	3,000	The President
Army	Germany	Grafenwoehr	Brigade Complex Maintenance/Operations	34,000	The President
Army	Germany	Grafenwoehr	Brigade Complex Maintenance/Operations	28,000	The President
Defense-Wide	Germany	Ramstein AB	Intermediate School Addition	5,393	The President
Defense-Wide	Germany	Spangdahlem AB	Medical Clinic Replacement	30,100	The President
Defense-Wide	Germany	Weisbaden	Hainerber ES/MS Addition	5,093	The President
Defense-Wide	Germany	Weisbaden	H.H. Arnold HS Addition	15,379	The President
Air Force FH	Germany	Ramstein AB	Replace Family Housing	56,275	The President
Army FH	Germany	Ansbach	Family Housing Replacement	52,000	The President
Air Force	Guam	Andersen AFB	Upgrade NW Field Infrastructure	10,000	The President
Navy FH	Guam	Guam NB	Replace Old Apra, Ph II	57,167	The President
Navy	Guam	Guam NB	Kilo Wharf Expansion, Incr 1	50,916	The President
Navy	Guam	Guam NB	Harden Base Electrical Systems	59,420	The President
Navy	Guam	Guam NB	Wastewater Treatment Plant Repairs & Upgrade	40,870	The President

Navy	Guam	Guam NB	Fitness Center	45,250	The President
Navy	Guam	Guam NB	Potable Water Distribution System, Phase I	31,450	The President
*Air Force	Guam	Andersen AFB	Technical Training Facility	5,816	Ms. Bordallo
Army	Honduras	Soto Cano	Dining Facility	2,550	The President
Army	Italy	Vicenza	Brigade Complex Operations Support Facility, Incr 1	23,500	The President
Army	Italy	Vicenza	Brigade Complex Barracks/Community Facilities, Incr 1	22,500	The President
Navy	Japan	Yokosuka	Wharf Upgrades	8,750	The President
Army	Korea	Camp Humphreys	Barracks Complex	22,000	The President
Army	Korea	Camp Humphreys	Barracks Complex	35,000	The President
Air Force	Qatar	Al Udeid	Multi A/C Maintenance Hangar	22,300	The President
Defense-Wide	Qatar	Al Udeid	SOF Operations Complex	18,908	The President
Defense-Wide	Qatar	Al Udeid	SOF Aircraft Parking Ramp	18,515	The President
Defense-Wide	Qatar	Al Udeid	SOF Vehicle Maintenance Facility	3,507	The President
Defense-Wide	Qatar	Al Udeid	SOF Storage Facility	3,590	The President
Defense-Wide	Qatar	Al Udeid	SOF Air Operations Center	8,332	The President
Army	Romania	MK Air Base	Base Camp, Phase II	12,600	The President
Air Force	Spain	Moron	Leadership Program Dormitory	1,800	The President
Air Force	United Kingdom	Menwith Hill Station	Power Availability & Infrastructure Improvements	10,000	The President
Air Force	United Kingdom	Menwith Hill Station	ADAL Operations and Technical Facility	31,000	The President
Air Force	United Kingdom	Lakenheath	Small Diameter Bomb Storage Igloo	1,800	The President
Air Force	United Kingdom	Lakenheath	F-15C Squadron Operations/AMU	15,500	The President

DEPARTMENT OF VETERANS AFFAIRS

Construction, Major Projects	Amount (in thousands)	Member
Pittsburgh, PA	$40,000	The President/Mr. Casey/Mr. Specter
Denver, CO	61,300	The President/Mr. Allard/Ms. DeGette/Mr. Lamborn/Ms. Musgrave/Mr. Perlmutter/Mr. Ken Salazar/Mr. John Salazar/Mr. Tancredo/Mr. Udall, M
Orlando, FL	35,000	The President/Mr. Martinez/Mr. Bill Nelson/ Mr. Weldon
Las Vegas, NV	341,400	The President/Ms. Berkley/Mr. Ensign/Mr. Reid
Syracuse, NY	23,800	The President/Mrs. Clinton/Mr. Schumer/Mr. Walsh
Lee County, FL	9,900	The President/Mr. Martinez/Mr. Bill Nelson
Columbia/Greenville, SC-area	19,200	The President/Mr. Graham
Sarasota, FL-area	27,800	The President/Mr. Martinez/Mr. Bill Nelson
Jacksonville, FL-area	22,400	The President/Mr. Martinez/Mr. Bill Nelson
Southeastern, PA	29,600	The President/Mr. Casey/Mr. Specter
Birmingham, AL-area	18,500	The President/Mr. Sessions/Mr. Shelby
Bakersfield, CA-area	19,500	The President/Ms. Boxer/Mrs. Feinstein
Ft. Sam Houston, TX	29,400	The President/Mr. Cornyn/Mrs. Hutchison

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2008 recommended by the Committee of Conference, with comparisons to the fiscal year 2007 amount, the 2008 budget estimates, and the House and Senate bills for 2008 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2007	$97,630,909
Budget estimates of new (obligational) authority, fiscal year 2008	105,231,766
House bill, fiscal year 2008	109,231,766
Senate bill, fiscal year 2008	109,332,250
Conference agreement, fiscal year 2008	109,232,250
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2007	+11,601,341
Budget estimates of new (obligational) authority, fiscal year 2008	+4,000,484
House bill, fiscal year 2008	+484
Senate bill, fiscal year 2008	−100,000

DAVID R. OBEY,
NITA M. LOWEY,
ROSA L. DELAURO,
JESSE L. JACKSON,
PATRICK J. KENNEDY,
LUCILLE ROYBAL-ALLARD,
BARBARA LEE,
TOM UDALL,
MICHAEL M. HONDA,
BETTY MCCOLLUM,
TIM RYAN,
JOHN P. MURTHA,
CHET EDWARDS,
Managers on the Part of the House.

TOM HARKIN,
DANIEL K. INOUYE,
HERB KOHL,
PATTY MURRAY,
MARY LANDRIEU,
RICHARD J. DURBIN,
JACK REED,
FRANK R. LAUTENBERG,
ROBERT C. BYRD,
ARLEN SPECTER,
THAD COCHRAN,
LARRY CRAIG,
KAY BAILEY HUTCHISON,
(Only if the Milcon/VA conference report is separated from the LHHS conference report),
TED STEVENS
(Only if the Milcon/VA conference report is separated from the LHHS conference report),
RICHARD SHELBY,
PETE DOMENICI,
Managers on the Part of the Senate.

THE IMPORTANCE OF NATIONAL BIBLE WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. WALBERG) is recognized for 5 minutes.

Mr. WALBERG. Mr. Speaker, I rise to offer a few thoughts as regarding the importance of National Bible Week as well. It has been thrilling to hear my colleagues from both sides of the aisle refer to the importance of Scripture, and especially encouraging to hear the distinguished Representative from Illinois (Mr. RUSH), who represents the district I was born in. I appreciate the sincerity of your message this evening.

As a pastor in a previous life myself, I can unequivocally say that the Bible has deeply influenced my life every day in every way. Sadly, I haven't followed it every day in every way. But when it has been followed, it has influenced to the good.

The Bible is the best selling book of all time. It is a book that has touched countless numbers of lives. Along with being the main influence, many decisions have been made of by the billion, most importantly and most personally, my life and my faith in my Savior.

In 1940, a group of business and professional leaders got together and founded the nonprofit, independent, educational National Bible Association. Their goal was to encourage Americans to read the Bible in every sector of society, regardless of religious or political distinction. Every year since 1941, the National Bible Association has sponsored National Bible Week as a time to remind us of the importance of the Bible in our daily life.

Our Nation's traditions lie in the principles set out in the Bible. In 1951, an amazing book was published by the National Education Association and it was entitled, "The American Citizens Handbook." The book's author and publisher said that "This volume should be in every home library and on every teacher's desk. It may well be used as a text or reference book in the schools," and it was.

In fact, in that book, it had a grade-by-grade chart that included the following:

Second graders were to memorize the Lord's prayer: "Our father, who art in heaven, hallowed be Thy name."

Third graders were to memorize Psalm 23: "The Lord is my shepherd, I shall not want."

Seventh graders were to memorize the Beatitudes: "Blessed are the poor in spirit, the merciful, the hungry in spirit."

Ninth graders were to memorize Psalm 1, that beautiful Psalm that says, "Happy is the man who walks not in the counsel of the ungodly, nor stands in the way of sinners, nor sits in the seat of the scornful. But his delight is in the law of the Lord; and in his law he meditates day and night. And he shall be like a tree planted by the rivers of water, that brings forth fruit in his season. His fruit shall not wither."

Those are principles that were put forth in this book. High school seniors were to memorize the entire chapter of Romans 12, which begins by saying, "I beseech you therefore brethren by the mercies of God to present your bodies a living sacrifice, holy and acceptable unto God."

Those were patterned after the Founders of our country. Fifty-two of the 55 signers of the Declaration of Independence were deeply committed Christians, and the other three believed in a God who personally intervened in the lives of mankind. The same Continental Congress formed the American Bible Society, of all things, and purchased 20,000 copies of Scripture for the people of the Nation.

Patrick Henry's famous "give me liberty or give me death" speech actually came at the end of this statement, where he said, "An appeal to arms and the God of hosts is all that is left us. But we shall not fight our battle alone. There is a just God that presides over the destinies of nations. The battle, sir, is not to the strong alone. Is life so dear or peace so sweet to be purchased at the price of chains and slavery? Forbid it, almighty God." Patrick Henry understood the power and the content of Scripture.

Jonathan Whitherspoon, who was a minister and signed the Declaration of Independence, said "A republic, once equally poised, must either preserve its virtue or lose its liberty." Jonathan Whitherspoon knew that that virtue came from the Holy Scriptures, the Bible.

This Chamber and all the institutions of this great Republic are surrounded by images and phrases from Scripture. In this very Chamber is a portrait of Moses, the first lawgiver. The Supreme Court also holds several images of Moses. The south frieze prominently displays Moses holding Ten Commandments. In the Library of Congress stands a large statue of Moses alongside a statue of the Apostle Paul. The Great Reading Room of the Library is filled with Scriptures.

So today, to be able to stand here in the Halls of Congress and to call attention to the impact of Biblical authority, what a great opportunity that is. I thank the God of Scripture for that opportunity, and I thank my colleagues for bringing this to the floor tonight.

TAKING CARE OF AMERICA'S VETERANS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY of New York. Mr. Speaker, it has been a great comfort to listen to my colleagues on both sides of the aisle talk about National Bible Week. The Bible can bring great comfort to all of us, especially in time of need. And when I look at the legislation that we have been trying to pass and legislation that is coming forward, I hope we can all remember the words of the Bible and take care of each other and not the almighty dollar.

Mr. Speaker, next week is November 11th. We remember those who answered the call when America needed them most. Honoring our veterans reminds us that our freedoms come at a cost and with liberty comes responsibility. Congress has a responsibility to take care of the men and women who are serving and who have served. This year we passed legislation to increase the VA budget by $6.7 billion above last year's level. This is the largest single increase in veterans funding in the history of the VA. This increase will help better serve the health care needs of our veterans, both young and old, by providing over 1,000 new VA caseworkers to reduce the unacceptable delays in receiving their benefits.

Our young veterans are coming home from Iraq and Afghanistan with new injuries. We have seen a dramatic rise in traumatic brain injuries due to IEDs and roadside bombs. As of January, over 2,000 of our brave men and women have been diagnosed with TBI. These veterans need a high level of intensive care when they return from battle.

I understand the issues our soldiers who come home with TBI face. That is why I worked with Defense Subcommittee Chairman MURTHA to include language in the Department of Defense authorization that sets aside funding and support for TBI treatment.

We are in a new century and the members of our Armed Forces, our veterans and their loved ones, need a new GI Bill. A new GI Bill should increase funding for veterans' medical care; employment assistance for our homeless veterans throughout this country; increased pay for our active duty members, so they can actually have a family life; expand current benefits under the current Montgomery GI Bill.

I am proud to be a cosponsor of H.R. 2702, the Post-9/11 Veterans Educational Assistance Act. This legislation provides education assistance for our young veterans returning home from the war under the Montgomery GI Bill.

In addition to increased funding for a new GI Bill, there needs to be other substantive changes made to veterans care. There should be a guaranteed funding stream for veterans health care. Access to health care should improve and there should be increased funding for special VA programs such as posttraumatic stress disorder treatment, homelessness, long-term care.

We must also address the problem called concurrent receipt. Currently other Federal retirees get both disability and retirement pay. But we deny our veterans this privilege because of an outdated law.

Congress must authorize full payment of both retirement pay and disability compensation to more than hundreds of thousands of disabled veterans and military retirees.

What we need to do is keep the promises we made to our veterans. I am hoping Congress in the coming days, months, and years will take care of these promises. We owe this to the American people. We owe it to our young people that sign up to fight the wars that we are fighting. If we don't keep our promises, why should our young people join to keep this country secure?

I salute our veterans, thank them for their service, and say God bless America.

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NATIONAL BIBLE WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho (Mr. SALI) is recognized for 5 minutes.

Mr. SALI. Mr. Speaker, I rise to honor the greatest, most influential book known to man, the Holy Bible. November 18 through 25 is National Bible Week, and it fittingly coincides with Thanksgiving.

The Bible teaches us that we have very much to be thankful for. And although we ought to remind one another of this truth at all times, I am glad there is a time set aside for remembering our blessings.

The Holy Bible teaches that we are all created by God in His image. And as such, each individual has a certain dignity that should be respected. One John 4:7–11 is one of my favorite passages of scripture. It says: Dear friends, let us love one another, for love comes from God. Everyone who loves has been born of God and knows God. Whoever does not love does not know God, because God is love. This is how God showed His love among us: He sent His one and only Son into the world that we might live through Him. This is love: not that we loved God, but that He loved us and sent His Son as an atoning sacrifice for our sins. Dear friends, since God so loved us, we also ought to love one another.

Elsewhere, in Matthew 16:24, Jesus tells his disciples that if anyone would come after me, he must deny himself and take up his cross and follow me. I particularly like this verse because, coupled with the first passage from 1 John, it reminds me that I am to love God first, others second and myself third. How different would our personal interactions be if we took this to heart and sought to love others in the way that the Bible encourages us to?

It is a lesson worth learning, to love one another. In a city that oftentimes seems so bitterly divided, glimpses of true peace and genuine care seem so rare.

Holy Scripture, which served as guiding light for so many of our Founding Fathers, can also illuminate a path for us today. In spite of all of our differences, there are many things that we have in common: we have a common creator, a common desire to serve our country and a common inherent worth by virtue of being creations of the Almighty. As we go about our daily business, I think it would behoove us to remember that the Good Book teaches to love one another because we have been loved by God.

In all of the many chapters of my life, the Bible has served as a source of great wisdom, comfort and insight. Whether as a husband, a child, a father, a lawyer, or legislator, I have purposed to rely on the word of God to give direction in times of doubt. I applaud the efforts of my friends here in the people's House and around the country to recognize what is truly a treasure. I hope and pray that each Member of this House, their staff and all of our fellow citizens take time in the upcoming weeks to not only reflect on the great truth found in the Bible, but also to count our blessings and to give thanks.

On a personal note, I am quite sure that my third grade teacher, Mrs. McClain, prayed for my salvation when I was young. I believe my seventh grade reading teacher, Mrs. Cantrell, prayed for me, as did my high school band teacher, Mr. Jim Henry. They joined a long list of relatives, my sister, Annette; my brother, Joe; my great, great grandfather, John Henry Fortson, pastor of the Fishing Creek Baptist Church in Washington, Georgia, for over 40 years. He prayed for the salvation of his children and grandchildren to seven generations.

I reconfirm tonight that their prayers were fruitful. Jesus is my friend and I am a student of his word, the Bible. I understand His work on the cross as the sole means of my salvation because the Bible has taught me so.

Yes, Jesus loves me, this I know, for the Bible tell me so. May all those who prayed for me so diligently reflect in Thanksgiving this year that God has heard their prayers for me, and I will thank the God of the Bible for their prayers which resulted in my salvation according to the plan that He set out in the Bible.

CONGRATULATING THE PEOPLE OF ETHIOPIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HONDA) is recognized for 5 minutes.

Mr. HONDA. Mr. Speaker, I rise today in recognition of the passage of H. Res. 550, congratulating the people of Ethiopia on the second millennium of Ethiopia. I introduced this resolution, along with my colleague and fellow member of the Congressional Ethiopian American Caucus, Congressman DONALD PAYNE.

Ethiopia's calendar is based on the Orthodox Tewahedo calendar which is derived from the Julian calendar. The West follows the Gregorian calendar. On September 11 of this year, Ethiopians around the world celebrated a new millennium according to their official calendar.

H. Res. 550 demonstrates congressional support for the Ethiopian American community, and I plan to use the attention surrounding the millennium to highlight priority issues, including political reconciliation and peace in the Horn of Africa.

True reconciliation includes the speedy release of political prisoners and granting members of opposition parties the right to participate in a democratic society. Peace in that part of the word will have to involve a final demarcation and implementation of the border between Eritrea and Ethiopia.

In the spirit of new beginnings, it is my hope that the Ethiopian Government and members of the political opposition take every necessary step toward true reconciliation. It is my hope that Eritrea and Ethiopia will come to a peaceful and fair resolution and finally be able to work together to encourage stability in the region.

Members of the Congressional Ethiopian American Caucus are eager to use the millennium as an opportunity to bring national attention to Ethiopia, the original homes of hundred of thousands of Ethiopian Americans. Ethiopia is a symbol of freedom. It is a country with rich history and culture. Ethiopians made important contributions for the freedom of many African countries and fought courageously to defend its own.

This resolution pays tribute to the many sacrifices made by Ethiopians over the centuries. In the wake of a tumultuous period in Ethiopian history, it was important for me to do more to increase visibility around this country that has meant so much to an important, but largely overlooked, minority constituency.

We want to do more to show our appreciation to the Ethiopian American community for all that they continue to contribute to our society and, more importantly, to support their efforts to bring national attention to the issues that matter to them.

Ethiopian Americans make up the second largest African immigrant community in the United States, with U.S.-Ethiopian relations initiated in 1903. Recognizing Ethiopia's role in the formation of a Pan-African movement and defeating colonial rule are key points in the resolution, and a significant aspect of Ethiopian identity.

The resolution also recognizes the efforts of all those who organized the millennium celebrations. The African Union has already declared the Ethiopia Millennium as the African Millennium and acknowledges the critical role Ethiopia plays in keeping peace on the continent. I thank my colleagues for passing H. Res. 550, and I look forward to the Senate vote.

NATIONAL BIBLE WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. LAMBORN) is recognized for 5 minutes.

Mr. LAMBORN. Mr. Speaker, I thank both of my colleagues for organizing this time tonight in recognition of National Bible Week.

My own experience with the Bible began when I was an 18-year-old freshman at the University of Kansas in 1973. I was approached by some people who asked me if I knew what was in the Bible. I said I knew what it was all about. But then I had to admit I had never read it for myself. The only honest thing I could do at that point was to read the Bible for myself.

When I read the Gospel of John, I ended up discovering a personal relationship with Jesus Christ who became my Lord and Savior. In that gospel He says: I am the way, the truth and the life. No one comes to the Father but through Me.

Mr. Speaker, I don't know where in their spiritual journey people may be who are listening tonight, but I do know this: It is better to read the Bible for oneself and not just to take someone else's word for what is in it. For me, it made all of the difference in the world.

"NO" ON PERU

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, this week the new Congress, the Democratic Congress, will consider its first bilateral trade agreement during this session: the Bush-negotiated free trade agreement with Peru. This week, this Democratic Congress has an opportunity, an opportunity to prove that we are different from previous Congresses. We have an opportunity to demonstrate we have heard from America's voters who are fed up with job losses, trade deficits, and race-to-the-bottom wages for our middle class.

The American people expect us to reflect their concerns. Yet this bill is merely another godchild of NAFTA.

What is the public telling us? In a March 2007 poll by the Wall Street Journal/NBC before the recent scandals involving tainted food and toy imports, 54 percent of Democratic voters said free trade agreements have hurt the United States compared with 21 percent who said they have helped.

Then the Wall Street Journal in an October 4 front-page article stated that by a poll they had done, by a nearly 2 to 1 margin, Republican voters believe free trade is bad for the U.S. economy, a shift in opinion that mirrors Democratic views and suggests trade deals could face high hurdles under a new President.

And then a Democratic pollster found that 67 percent, two-thirds, of Americans believe unfair trade agreements are making it harder for Americans to keep good jobs. Thus, defeating the Peru free trade agreement isn't just about politics. It is about what Democrats stand for in terms of policy.

Why should we defeat this bill? We should defeat the free trade agreement that the Bush administration negotiated on behalf of Peru first to protect America's farmers and America's workers. With a $3 billion trade deficit with Peru already, we have lost knit-wear jobs, we have lost agricultural jobs in onions and asparagus, and the list grows longer. We will only lose more jobs as we did with NAFTA unless you fix the innards of the agreements to stem the outsourcing in the first place.

We should defeat the Peru trade agreement to stand up for the 3 million soon-to-be displaced Peruvian small farmers who will fall victim to the flood of cheap South American imports that will come from adjoining countries because there are no readjustment provisions in the measure, just as there were no readjustment provisions under NAFTA and 2 million Mexican farmers got displaced, many of them fleeing to our country. Where are those 3 million Peruvian farmers supposed to go with no transition provisions in the agreement?

We should defeat the Peru agreement because it does not contain support "Buy America" policies in it. We should defeat the Peru trade agreement because we know the Bush administration cannot be trusted to enforce it. They haven't balanced any trade agreement. There are no accounts that are positive in these trade agreements that have been signed. In fact, this country this year will rack up close to a $1 trillion trade deficit with the world. The American people are saying stop, fix what is wrong before you do anything more.

Why would we adopt an agreement that will ruin the rain forest and put indigenous peoples at risk? Why would we do that to the Third World when we see demonstrations against the United States already all over Latin America. Wouldn't you think we would stand up for safe foods and safe imports? We know salmonella and other tainted foods are coming our way from Peru because so much of the seafood comes in here. Why don't we fix the inspection procedures before we adopt another free trade agreement that is not free in the end?

Why won't we adopt trade agreements that would ensure that Peruvians will still have access to medicines they need, despite the demands of a large pharmaceutical company? Why don't we stand up for the average person in these agreements?

Why would we support an agreement that is going to cause such hollowing out of Peruvian agriculture that they're going to have to displace that production with increasing coca production and illegal drugs? Why would we support an agreement like that?

We have to stop the perpetuation of the NAFTA model that leaves poverty and imbalance in its wake while failing to fulfill any promises of benefits to the middle class in either country.

Mr. Speaker, the New Direction Congress must take a new direction on trade, and I urge my colleagues to reject the Bush NAFTA expansion to Peru and support a new trade model that puts the peoples of the Americas first.

☐ 2015

CELEBRATING NATIONAL BIBLE WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BROUN) is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Speaker, 21 years ago in the fall of 1986, I found myself sitting on the couch in my medical office in rural south Georgia.

My wife, Niki, and I had been married a year and we were struggling. I had been through several broken marriages, several episodes of broken relationships and financial problems because I had been living for myself. I'd been living a prideful, sinful, self-centered lifestyle.

And as I sat there trying to figure out what life was all about, I looked at the table beside the couch upon which I sat, and there was a Gideon Bible sitting there, Mr. Speaker. And as I looked at that, I remembered a few weeks before I was watching a professional football game, and as the cameras panned the crowd, there was a banner hanging over a railing up in the stands. And the big banner was there. The gentleman had this big rainbow-type of hair wig on, and the banner said John 3:16. At that time, it piqued my interest. I asked my wife, Niki, what John 3:16 said, and she didn't know. She wasn't raised in a religious household either. We didn't even have a Bible in our home to find out.

As I sat there in my office that fall trying to figure out life, I picked up the Bible that was on the table beside the couch, and I opened it up and I read John 3:16: For God so loved the world that He gave His only begotten Son, that whoever shall believe in Him shall not perish but have everlasting life.

I remembered just a few weeks before sitting on a dock and telling my wife that I didn't believe there was any afterlife, that I did not believe that there was a God, that I did not believe that we had anything beyond this life besides just how people remembered us or through our own kids.

But when I read John 3:16 that day, as a scientist, as a medical doctor, my heart was pricked, and I just prayed out and openly and said, God, if you're real, I want you to come into my life; I want you to show me that you're real. And as a scientist, I had to have proof, and God really came into my life and He has changed my life.

He's given me a stability in life that comes from no other source than having the Lord Jesus Christ as one's own personal Lord and Savior, and I accepted Him that day in November of 1986. My wife was saved independently just a few months after that.

She and I have been married 22 years now. We have a relationship that can come from no other source, from being based in God's inerant Word and have learned over the years that the Holy Bible is true, it's literal, and it's God's direction to us. I call it the manufacturer's handbook. It directs every aspect of life.

God ordained three social entities. He ordained the family, He ordained the church, and He ordained government. Romans 13:1 is very clear about that. The Bible gives us instructions on how to live our lives, every aspect of our lives. Each one of those social entities God's given its area of responsibility, its area of authority.

And unfortunately, in our Nation, because of this mistaken idea that we're supposed to have a separation of church and State, the family and the church have abdicated a lot of its duties over to government. But, Mr. Speaker, what we're doing in our society is not according to God's instructions.

In my home, I have two sets of machines, both washer and dryer. One set of machines washes and dries my clothes; the other machine washes and dries my dishes. Mr. Speaker, if we take our dishes and try to wash them in our clothes washers, we're going to have problems.

And that's what we're doing in our society today, Mr. Speaker, is we're trying to do things against God's inerant Word. We're trying to live our lives according to what seems right in the eyes of man, but the Scripture is very clear about that.

In Proverbs, we read that there is a way that seems right now as a man but its path is the way of death, and it's going to be the death of freedom. It's going to be the death of our society. It's going to be the death of our Republic unless we turn back to what our Founding Fathers very firmly believed.

Mr. Speaker, I believe in the Constitution as James Madison and company meant it to be. I carry a copy in my pocket. We've left this document, the great Constitution, as James Madison meant it as how we run our government, how we run our lives publicly.

During this time when we're celebrating National Bible Appreciation Week, I call on my colleagues to read the Bible, to read the Constitution, read what our Founding Fathers who were Bible-believing Christians believed, that every aspect of life should follow the dictates of God's inerant Word.

That's what I believe in. That's what we all should believe in, and I just praise the Lord Jesus Christ who came into my life that November day. And He saved my life for all of eternity, and I'm living an eternal life today, and He's given me a stability.

Our country is founded on those principles. Our Constitution's written on those principles that God gives us in His Word.

So I rise today to support Him first and foremost and support the Bible as the basis of our Nation. I look forward to serving the Lord Jesus Christ.

PERU FTA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. MICHAUD) is recognized for 5 minutes.

Mr. MICHAUD. Mr. Speaker, I rise in strong opposition to the Peru free trade agreement. I can't figure out why Congress is taking up this agreement now, especially when the Bush administration has had such a bad track record of enforcing any of our trade agreements.

President Bush has given little or nothing to our workers these last few years other than a pink slip. So why give them another vehicle for job losses?

Last week, the House passed a trade adjustment assistance overhaul bill. This legislation would provide our workers much-needed relief, but we wouldn't need more trade adjustment assistance legislation if we had better trade agreements.

Even before the TAA bill passed the House, we heard that the President would veto it. So what would the House Democrats be doing by taking up the Peru free trade agreement without a TAA bill?

And just last week we heard from the House leadership that there will be no China currency manipulation bill this year either. So let's review what we are getting out of our new trade deal: no additional relief for our workers, no China currency manipulation bill, no value added tax bill, no enforcement of existing trade policy.

This is what we do get. We get another NAFTA-style trade deal. What do workers get? The same old direction on trade.

The biggest supporter of the agreement is big multinational corporations. As a matter of fact, the President will be meeting with them tomorrow to get them to lobby for the passage of the Peru trade deal. It's the large multinational companies who seek to profit off the backs of working men and women in our country.

The Bush administration claims that the agreement will improve labor standards in Peru, and in the very next breath, Tom Donohue, who's president of the United States Chamber of Commerce, states that he is "encouraged by assurances that the labor provisions cannot be read to require compliance with ILO Conventions."

These multinational companies like Peru, they love these free trade agreements because it's not enforceable.

While some may think that there has been progress made on the environment and labor provisions by the Peru FTA, all you need to do is look at who's supporting these trade deals. Not one union supports this trade deal, not one union, environmental, consumer, small business, faith, family farm group supports the modified Bush Peru NAFTA-style trade deal.

Even the leaders of major Peruvian labor organizations oppose this agreement. They urge Congress to vote "no," claiming that it will weaken labor standards, encourage illegal immigration to the United States, and increase rates of drug trafficking as well.

By voting "no" to the Peru FTA, you're asking for a new direction on trade. I ask my colleagues to join me and vote "no" on the Peru free trade deal. It's a bad deal for America. It's a bad deal for Peru. It's the same old, same old NAFTA-style trade deal that we're dealing with.

NATIONAL BIBLE WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Mexico (Mr. PEARCE) is recognized for 5 minutes.

Mr. PEARCE. Mr. Speaker, I would like to join the many people who have come to the floor tonight to talk about National Bible Week.

My earliest memories are of Mom reading the Bible to us six children. We grew up basically in the oil field, in the very low income strata of the oil field. My dad was a roustabout. My parents gave us those values of faith, family and freedom from the earliest age. And when my wife observes the truism that she read recently of the hand that rocks the cradle steadies the Nation, it applies in my particular life.

I've been a Christian from an early age, and so it was about 10 years ago that my wife observed that, you know, we profess to be Christians but we don't necessarily read the Bible every day, we don't have a discipline, and we began at that point to do that.

Now, my daughter says it best, that what we find written in the words in the Bible give context. They give us a way to perceive. It's a perception that we gain.

I would like to share a couple of things that stay with me constantly. One is in Micah, Micah, the sixth chapter, where the question comes up rhetorically, when we have done wrong, what should we do? And the writer asks: With what shall I come before the Lord and bow down before the exalted God? Shall I come before Him with burnt offerings, with calves a year old? Will the Lord be pleased with thousands of rams, with 10,000 rivers of oil? Shall I offer my first born for my transgressions, the fruit of my body for the sin of my soul? And then we get the answer from the writer.

He has showed you a man that is good and what does the Lord require of you? To act justly, to love mercy and to walk humbly with your God.

This kind of a verse calms me down when things are urgent, when things are chaotic, and when I'm out of step.

Another significant verse is in Psalms 11. When, again, we have fears, the Psalms 11 addresses that. It's actually written by David, and he asks: How can you say to me flee like a bird to your mountain, for, look, the wicked bend their bows. They set their arrows against the strings to shoot from the shadows at the upright and heart.

And the significant question then comes: When the foundations are being destroyed, what can the righteous do?

The answer is given almost immediately: The Lord is in his holy temple, for the Lord is righteous, he loves justice. Upright men will see his face.

Again, we are not so consumed by the fears of the moment, by the perils of the circumstance.

We have a bipartisan group; it's called the Congressional Prayer Caucus. I was one of the people who helped found that group. We meet every Monday night in the context that we meet under to pray for the Nation comes from Second Chronicles 7:14: If my people who are called by My name will humble themselves and pray and seek My face and turn from their wicked ways, then will I hear from heaven, and will I forgive their sin and will heal their land.

Now, these words are spoken to those people who believe. It's not necessarily an instruction to those who don't share the belief, but simply a truism.

Today one of the deepest pleasures that I get is doing the same thing Mom did with me. I see my two grandchildren, Preston and Olivia, and were able to read the Bible with them in the mornings. They both are intent, listening, one 6, one 3. My daughter trains them daily. Again, I am remembering, the hand that rocks the cradle steadies the Nation.

I give thanks for those people who are dedicated to a belief system. I appreciate my belief system. I know there are others that other people rely on. But, for me, this Christian belief, this belief in Jesus Christ has been what has saved me.

□ 2030

WAR IN IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

Ms. WATERS. Mr. Speaker, a couple of weeks ago, Thomas Friedman wrote an op ed in the New York Times titled, "Remember Iraq."

In the article, Mr. Friedman laments that in the last couple of months "the air has gone out of the Iraq debate." Mr. Friedman, unfortunately, seems to be correct. We haven't been talking about Iraq as much lately.

The media is partly to blame for this, but the consumers of the media take some responsibility as well. Without new sensational stories to run, war coverage becomes monotonous, and we can be desensitized to the depictions of war. But it is the media's ethical responsibility to focus on the issues that matter the most rather than what sells the most papers and boosts ratings.

When reports of the terrible toll of the Iraq war fall off the front page and disappear from nightly TV coverage, it can be easier to put the sacrifices our men and women in uniform are making in Iraq out of one's mind. It can be easy to forget the suffering of the Iraq people, whose lives continue to be plagued by violence. The enormous costs of the war don't seem as real when they are not thrust in our faces every day.

But it is also the ethical responsibility of this Congress to continue to debate an issue as important as the war. We are partly to blame for letting the air out of the Iraq debate as well.

In the absence of the required number of votes needed to override an inevitable Bush veto on any Iraq-related legislation, we in Congress must do a better job of challenging the administration's false rhetoric about the Iraq war. While the war in Iraq is disappearing from the newspapers, problems in Pakistan, Turkey and Iran are sure getting a lot of attention.

Why aren't we making the connection between the problems in these countries with the problems we have created in Iraq? An enduring foreign military presence will destabilize any region. An enormous endless American military presence in the heart of the Middle East is a recipe for disaster.

We in Congress need to do more to educate our constituents of the incredible costs of this misguided war in Iraq and the danger it presents to the peace and security of the entire region.

The Middle East is a house of cards, and we are shaking the table. It is no accident that since we began our misguided war in Iraq, we have seen more problems among Iraq's neighbors. Turkey is a very important ally to the United States, and the threat of a Turkish invasion into the Kurdish region of Iraq is a real problem for us. The last thing we need is another front opening in an already unmanageable war.

We must also discuss the connection between the President's so-called war on terror, with the problems we are watching unfold in Pakistan. We must not forget that the al Qaeda forces, who might long ago have been defeated if we hadn't been distracted in Iraq, have invaded northern Pakistan and hundreds of Pakistani soldiers have been killed. Most experts agree that Osama bin Laden is probably hiding in that region in northern Pakistan.

Meanwhile, General Musharraf has imposed a state of emergency through Pakistan dissolving the courts and suspending the constitution. Thousands of angry lawyers in Lahore and other cities Monday have taken to the streets to protest the embattled Pakistani President. Pictures in our newspapers of the lawyers being beaten and arrested by the police are ominous warnings of further trouble to come.

This is worrisome when it happens in any country, but down right terrifying when it happens in a country that possesses nuclear weapons. It is difficult for anyone to say exactly how this connects to our failed war in Iraq, but it surely isn't helping.

The point is that President Bush's irresponsible policy in the Middle East has destabilized the entire region. He has created a ticking time bomb. Rather than trying to defuse the situation with the diplomatic surge, Bush's answer was a military surge and to ratchet up the rhetoric against those who dare oppose him.

We must make it clear every single day that it is because we care so strongly about the safety of our country, the wellness of our military and the help of those who serve, that we demand an end to the war in Iraq. As Mr. Friedman pointed out, when we, as a country, allowed the debate over Iraq to fizzle, we are not merely procrastinating and delaying the eventual confrontation. We are committing negligence.

The daily cost of the war is staggering and cannot be ignored. For every day the war in Iraq continues, more American lives are lost, more Iraqis are killed, more of our tax dollars are spent, and political reconciliation in Iraq becomes less and less likely as the vital struggle for power continues to rage. Perhaps the most important measure of progress, the stability of the region, seems to be slipping further and further out of balance.

Countless proposals have been offered to change the course of this President's war in Iraq. There is no shortage of good ideas on how, when, and why we need to end the war in Iraq. I am of the opinion that we must end the war in Iraq as soon as possible and only provide funding to bring our troops home safely and quickly.

Others in the Democratic Caucus offer different answers but remain committed to the ultimate goal of ending the war. We demand a new direction. Let's bring our troops home to their families as soon as possible and refocus this country's resources on the issues that matter the most to the American people. It's time to end the war in Iraq.

SUBPRIME MORTGAGE CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. CLARKE) is recognized for 5 minutes.

Ms. CLARKE. Mr. Speaker, I come to the floor this evening feeling compelled to speak on an issue that has had an adverse and devastating impact in my district and many districts across this Nation. The phenomenon known as subprime lending, which has grown so rapidly over the past decade or so, has made it possible for many New Yorkers with modest incomes and poor credit histories to purchase homes.

The question is, at what cost? The Federal Government has found that subprime loans made up 32 percent of all mortgages in New York City last year, which is up from 28 percent in 2005.

However, an estimated 364,433 subprime loans remain outstanding. As a result, as we stand here tonight, Brooklyn has 4,864 homes facing foreclosure.

When certain unscrupulous lenders aggressively and deceptively convince vulnerable borrowers seeking relief in their pursuit of the American Dream to accept unfair and abusive loan terms, many of these same borrowers have, unfortunately, lost their homes, leaving them displaced, penniless, and bankrupt.

Today, mortgage finance programs in the subprime lending industry are growing more severe, with soaring loan default even diminishing home prices. These defaults have depreciated about $71 billion in housing wealth. I must tell you this evening that this crisis will and is currently affecting State economies.

It has been estimated that there will be 1.3 million foreclosures from mid-2007 through 2009 in subprime mortgages, resulting in an estimated loss of $102.4 million in property taxes.

Also, it has been reported that the subprime mortgage crisis will cost States $917 million in lost property revenue through the end of 2009 and more than $103 billion in lost property values, including $9.5 billion for New York.

What is alarming to me is that there have been reports which have found that embedded within this American crisis there appears to be real racial disparities when it comes to subprime lending. For example, one report stated that blacks and Hispanics are 30 percent more likely than whites to be charged with higher interest rates. Additionally, in New York, blacks are 5 times and Hispanics almost 4 times more likely to pay higher interest rates for homes.

Even in East Flatbush, Brooklyn, which is located in my district, an astounding 44 percent of blacks and Hispanics earning between $40,000 and $50,000 received their loans from subprime lenders. We must make a conscious and focused effort to address the subprime lending crisis in predominantly black and Hispanic neighborhoods in New York City and across the Nation.

What is so ironic about this issue of the subprime mortgage crisis is that as a former New York City council member, my colleagues and I saw this crisis arise as representatives of the municipality. We even passed legislation, anti-predatory lending legislation, yet the legislation went nowhere due to the threat of litigation by the financial services sector. Now the crisis is upon us. Hundreds of thousands of Americans across this country are facing this crisis.

I am supporting and will champion any and all measures that ensure that all borrowers, especially those living in underserved communities, are no longer hurt by the recent events and tactics occurring in the mortgage market.

It is our responsibility, and in the public interest, to make certain that we eliminate predatory practices that have the potential to financially harm mortgage consumers living in America.

If we do not, I believe that we will generate an environment where predatory lenders will continue to actively sell high-cost, high-risk mortgages in many communities, including underserved communities, making the American Dream of all Americans an American nightmare.

☐ 2045

FORECLOSURES ARE ALL ACROSS THE NATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, listening to my colleague from New York, Representative CLARKE, it reinforced for me how important it is to deal seriously with the whole question of subprime lending and how vast foreclosures are all across the Nation.

I, like others, have been working with the coalition in my community, and many of them have come up with excellent ideas about what to do. But rather than just massaging the problem, than coming up with solutions, one solution that was put on the table the other day that I liked was the idea that rather than foreclosing on individuals who cannot pay the mortgages, why not rent the property to them and let them continue to live in it paying rent? Who knows, the time may very well come when they can go back to paying the mortgage.

Their lives never would have been disrupted. Plus we're finding that foreclosed properties oftentimes end up being lose-lose situations; that is, it's a loss for the lender as well as a loss for the homeowner, because in many neighborhoods, once a foreclosure occurs and people move out, the houses are boarded up, and of course, vandals prey upon them, destroy everything that was in it.

And so I simply wanted to appreciate all of those individuals who are part of the coalition of community groups and organizations with whom I've been working. And I join with others across the Nation to say to our government that we must correct the subprime lending process. But we also must do something that will aid those individuals who find themselves in tough situations right now.

So I join with Representative CLARKE.

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore (Mr. LINCOLN DAVIS of Tennessee). Under the Speaker's announced policy of January 18, 2007, the gentlewoman from Ohio (Mrs. JONES) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. JONES of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material thereon on the subject of my Special Order tonight, which is the Second Chance Act.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. JONES of Ohio. Mr. Speaker, on behalf of the Congressional Black Caucus and our Chair, CAROLYN CHEEKS KILPATRICK, I'm pleased to anchor this Congressional Black Caucus message hour today.

Let me commend all of the original cosponsors on this piece of legislation; the lead sponsor, DANNY DAVIS, who's joining me this evening in this Special Order; cosponsors STEPHANIE TUBBS JONES, JOHN CONYERS, ELIJAH CUMMINGS, SHEILA JACKSON-LEE, BOBBY SCOTT, HANK JOHNSON, BARBARA LEE, MAXINE WATERS, and the list goes on. The majority of the members of the Congressional Black Caucus are signatories to this very, very important piece of legislation.

The purpose of the Second Chance Act is to reduce recidivism, increase public safety, and help States and communities to better address the growing population of prisoners returning to communities. The bill will focus on four areas: jobs, housing, substance abuse, mental health treatment and families.

Nearly two-thirds of released State prisoners are expected to be arrested for a felony or serious misdemeanor within 3 years of their release. Such high recidivism rates translate into thousands of new crimes each year and wasted taxpayer dollars, which can be averted through improved prisoner reentry efforts.

The Second Chance Act of 2007 allocates $360 million towards a variety of re-entry programs. One of the main components of the bill is the funding of demonstration projects that will provide ex-offenders with a coordinated continuum of housing, education, health, employment, and mentoring services. This broad array of services will provide stability and make the transition for ex-offenders easier, in turn, reducing recidivism.

I sat here this evening, Mr. Speaker, and enjoyed the speeches by many of my colleagues talking about National Bible Month. I am so pleased that they chose that subject matter, and I hope that the many Members that spoke this evening about the Bible and where it specifically says "when I was in prison you visited me," they will remember that their good talk and great conversation about the Bible apply to ex-offenders and that they will support the Second Chance Act.

It gives me great pleasure at this time to yield to my colleague and good friend, SHEILA JACKSON-LEE of Texas.

Ms. JACKSON-LEE of Texas. Thank you very much, Madam Chair, and the convener of this Special Order. Let me thank the chairwoman of the Congressional Black Caucus, recognize that 43 members of the Congressional Black Caucus, 42 Members in the House, represent a basic conscience that has to craft for America the next steps.

I want to thank my good friend, Congressman DANNY DAVIS. He has been persistent in recognizing that there has to be a second chance. And I'm glad to join my colleague and my champion, my fellow champion of human rights, BARBARA LEE.

Let me also thank Congressman JOHN CONYERS, the chairman of the House Judiciary Committee; the subcommittee Chair, BOBBY SCOTT. We worked very hard on this legislation as it was crafted by the authors and the staff to make sure this legislation started to move.

Congresswoman TUBBS JONES, I'm very glad that you raised the question of National Bible Week. As I listened to my colleagues give extremely personal stories of their life, let me say, as someone who represents an inner-city district and has spent much of her political life as much as her personal life in churches, as a Seventh-day Adventist, we are committed to the teachings of the Old and New Testament.

But in many different faith communities, I recognize that the Bible is one vessel, one language that speaks to the language of the Good Samaritan. Many other religious documents speak to it, but it speaks about taking care of our fellow brothers and sisters. And it's a story that I love, on the road to Jericho, on the road that addresses the question of helping others. That is what the Second Chance bill is all about.

And I just want to cite that it is designed to reduce recidivism, increase public safety, and help State and local governments better address the growing population of ex-offenders returning to their communities. I see them every day in my community.

The bill focuses on 4 areas: Development and support of programs that provide alternatives to incarceration, expansion of the availability of substance abuse treatment, strengthening families, and the expansion of comprehensive re-entry services. And we held a series of hearings.

But as we talked about National Bible Week upcoming, this is a wonderful partnership between faith organizations for people to show their faith and helping people restore their lives.

I come from the State of Texas. In Texas, there are now 101,916 adults on parole, and there are 430,312 adults on probation; almost a congressional district.

At the same time you, we have a number of individuals by race. We see that out of that in Texas there are 40,000, almost, African Americans who are on parole and some 25,000 Hispanics. This speaks to the crisis nature of what we are facing.

And so I rise today to plead with my colleagues that one, the Second Chance bill must move through this House. In the Senate we understand that we are now prepared possibly for a final conclusion for this to get to the President's desk.

But I speak from the heart when I talk about the importance of the second chance. Unfortunately, Jena Six and that situation, it has become a symbol for not giving young people a second chance. For the altercation that occurred, a school yard fight, it resulted in an indictment that resulted in adult time.

In the State of Texas, we are notorious for what we do for our young people; therefore, creating adults who will ultimately be incarcerated, and those will be on parole. And so, it is important that we understand the crucialness, if you will, of this particular bill.

Let me just cite headlines that I'd like to submit for the RECORD, because it relates to the criminal justice system in the State of Texas that really is upside down and, frankly, needs a complete overhaul, because what it says is more youth are tried as adults in Harris County than any other county, and really probably any other State. So we're beginning to move youth into the process of needing a second chance.

And what I'm suggesting, Mr. Speaker, is that more and more the young people are going into the criminal justice system, and there is a definite need for a second chance, because when these individuals come out, they are still young. They're still able to be saved. But we have nothing but an empty hole, a pit that they fall back into and they wind up being on the sea of recidivism.

And it says here that 67.5 percent of the prisoners were arrested for a new offense, almost exclusively a felony or a serious misdemeanor. This is what happens.

And so, more youth are tried as adults in Harris County. It means that, rather than having justice, we're concerned about "just us," and so the criminal justice system has no sympathy.

In addition, we find that the youngest inmates, this is in Texas again, my county, tend to serve longer terms in juvenile prison, making them the kind of targets, or not targets, but kind of recipients, or those who would need the second chance, because they are laying the groundwork for going into the adult system.

I will include these articles for the RECORD that I'm now speaking to.

[From the Bureau of Justice Statistics, June 2002]

RECIDIVISM OF PRISONERS RELEASED IN 1994

(By Patrick A. Langan, Ph.D., David J. Levin, Ph.D.)

This study of the rearrest, reconviction, and reincarceration of prisoners tracked 272,111 former inmates for 3 years after their release in 1994. The 272,111—representing two-thirds of all prisoners released in the United States that year—were discharged from prisons in 15 States:

Arizona, California, Delaware, Florida, Illinois, Maryland, Michigan, Minnesota, New Jersey, New York, North Carolina, Ohio, Oregon, Texas, Virginia.

FOUR MEASURES OF RECIDIVISM

The study uses four measures of recidivism: rearrest, reconviction, resentence to prison, and return to prison with or without a new sentence. Except where expressly stated otherwise, all four study measures of recidivism—refer to the 3-year period following the prisoner's release in 1994; include both "in-State" and "out-of-State" recidivism.

"In-State" recidivism refers to new offenses committed within the State that released the prisoner. "Out-of-State" recidivism refers to new offenses in States other than the one where the prisoner served time.

CBC FOUNDATION

[Second Chance and Probation/Parole Analysis]

State	Representatives	Adults on parole (2005)	Adults on probation (2005)
California	Lee, Waters, Watson	111,743	388,260
Texas	Green, Jackson-Lee, Johnson	101,916	430,312
Pennsylvania	Fattah	75,732	167,561
New York	Clarke, Meeks, Rangel, Towns	53,533	119,025
Illinois	Davis, Jackson Jr., Obama, Rush	34,576	143,136
Louisiana	Jefferson	24,072	38,308
Georgia	Bishop, Johnson, Lewis, Scott	22,851	422,848
Michigan	Conyers, Kilpatrick	19,978	178,609
Ohio	Tubbs Jones	19,512	239,036
Missouri	Clay, Cleaver	18,374	53,614
Wisconsin	Moore	15,505	55,175
Maryland	Cummings, Wynn	14,271	75,593
New Jersey	Payne	13,874	139,610
Indiana	Carson	7,295	121,014
Alabama	Davis	7,252	38,995
Florida	Brown, Hastings, Meek	4,785	277,831
Virginia	Scott	4,499	45,589
Minnesota	Ellison	3,966	117,073
South Carolina	Clyburn	3,155	39,349
North Carolina	Butterfield, Watt	3,101	111,626
Mississippi	Thompson	1,970	23,864

District of Columbia, Holmes Norton, Data Unavailable.
Virgin Islands, Christian-Christensen, Data Unavailable.

State	Parole population, 2/31/2005	White	Black/African American	Hispanic or Latino	American Indian/Alaskan Native	Asian	Native Hawaiian/Other Pacific islander	Two or more races	Unknown or not reported
New Jersey	13,874	2,906	6,679	2,563	19	25	53	0	1,629
New York	53,533	8,770	24,467	18,739	225	312	0	0	1,020
Pennsylvania [a]	75,678	39,517	28,271	6,022	62	295	3	56	1,452
Illinois [b]	34,576	10,124	20,386	3,923	30	90	**	**	23
Michigan	19,978	9,170	10,209	309	132	38	0	0	120
Minnesota	3,966	2,350	996	319	201	0	0	0	100
Missouri	18,374	12,246	5,665	356	55	37	0	0	15
Ohio [b]	19,512	9,717	9,580	156	39	20	0	0	0
Wisconsin [a]	15,505	6,983	6,712	1,209	432	122	**	**	47
Alabama [b]	7,252	2,503	4,670	32	2	8	0	2	35
Florida	4,785	1,940	2,725	105	5	0	0	**	10
Georgia	22,851	7,979	14,872	**	**	**	**	**	0
Louisiana	24,072	8,519	15,432	4	4	2	**	**	111
Maryland	14,271	3,617	10,602	**	13	17	**	**	22
Mississippi	1,970	847	1,104	11	4	2	0	0	2
North Carolina	3,101	1,096	1,801	126	50	9	1	**	18
South Carolina	3,155	1,029	2,081	20	8	1	0	**	16
Texas	101,916	34,561	39,718	26,920	70	163	0	0	484
Virginia [b]	4,499	2,144	2,243	0	2	0	0	0	110
California	111,743	34,535	27,825	44,135	897	1,018	193	0	3,140

** Not known.

[a] See Explanatory notes for more detail.

[b] Some or all detailed data are estimated for race.

And then, of course, there is this short of years but long in lockup. This is a statement that talks about 13-year-olds who have 5 years, 6 years, 7 years, not because they are sentenced to that amount, but because they go into the juvenile system for 2 months, and because the handlers, the custodians, the jailers pile on more time, more time.

So what point am I making?

The point that I'm making is that we are assured that, with the ongoing cycle of young people going into the criminal justice system, that they then go into the adult system, and then we have this giant sinking hole.

The second chance is to save youngsters and adults from themselves, and to provide this safety net that provides jobs and training and also a social system that allows them to not be part of almost 70 percent recidivism.

Let me quickly just say that I was very pleased to have an amendment included into this legislation that particularly focused on some additional needs that we would have and that this bill also takes into account mental health concerns. This bill is a must.

My voice is gone, but my strength and my desire is here. If we are biblically grounded in this country, if we believe that there is value to religion and faith in the Bible and the Koran and many other documents that exude faith, then we should emphasize the charity of the Good Samaritan. That finds its way into the Jewish faith, the Christian faith and Muslim faith and any faith that is here. There is the concept of the Good Samaritan. That's what the Second Chance bill is.

And as I close, let me indicate that I am still working on this criminal justice system. It is a broken system. I believe that if you do the crime, you should pay the time. But where is the mercy on what the time is and how you rehabilitate people? That's why I'm offering legislation, the Good Time Early Release Bill that we hope will see hearings that will allow nonviolent prisoners to be released on their own recognizance and to allow them to get into this system. It is not a parole. It is good time early release, because these are Federal prisoners who are in the Federal system who are not subjected to parole and a limited probation.

So I'm looking forward to that location tagging this legislation, because if this passes, then those who will be released will have the safety net that is so very important.

It dismays me, Congresswoman TUBBS JONES, to see our young people, as you've been a prosecutor and I've been a judge, you've been a judge, to see them go into this system with no hope. I wish they were not in the system at all. But as they go into the system and then they become institutionalized as adults, then we need to have the second chance legislation that owns on up to the fact that we are, in fact, our brothers' and sisters' keepers, we are Good Samaritans, and we must find a way to save the lives of those who have paid their time and have come out to help their families.

With that, I ask us to really get this moving, and I thank you for your leadership.

I thank Congresswoman LEE for her yielding and Congressman DAVIS and all those that we've worked with for moving this bill forward.

Mr. Speaker, let me thank my dear friend, Mr. DANNY DAVIS of Illinois, for organizing this special order on the very important subject addressing the prison warehousing crisis in this country. H.R. 1593, The Second Chance Act, a bill of which I am an original co-sponsor, addresses the very serious concerns about the compromised state of warehousing prisoners.

Earlier this year the Judiciary Subcommittee on Crime, Terrorism and Homeland Security, of which I am a member, held hearings to address the state of certain conditions within the United States prison system. In one of those hearings, my colleagues and I considered the merits of The Second Chance Act, and my amendment which I offered in the last Congress was included in the base bill this year.

The Second Chance Act is designed to reduce recidivism, increase public safety, and help state and local governments better address the growing population of ex-offenders returning their communities. The bill focuses on four areas: development and support of programs that provide alternatives to incarceration, expansion of the availability of substance abuse treatment, strengthening families and the expansion of comprehensive re-entry services. The Subcommittee has held a series of hearings on issues relating to re-entry of prisoners and this legislation dating back to the 108th Congress. Our most recent hearing, on March 20, 2007, focused on re-entry best practices and the continuing need for Federal support of re-entry program development.

Nearly two-thirds of released state prisoners are expected to be re-arrested for a felony or serious misdemeanor within 3 years of their release. Such high recidivism rates translate into thousands of new crimes each year and wasted taxpayer dollars, which can be averted through improved prisoner reentry efforts.

The "Second Chance Act of 2007" allocates $36o million towards a variety of reentry programs. One of the main components of the bill is the funding of demonstration projects that would provide ex-offenders with a coordinated continuum of housing, education, health, employment, and mentoring services. This broad array of services would provide stability and make the transition for ex-offenders easier, in turn reducing recidivism.

Another reason why I strongly support this legislation is because it includes a provision contained in an amendment I offered during the Judiciary Committee markup of this bill in the 109th Congress. That amendment, incorporated in H.R. 1593 as Section 243 of the bill, requires that the:

> Attorney General shall collect data and develop best practices of State corrections departments and child protection agencies relating to the communication and coordination between such State departments and agencies to ensure the safety and support of children of incarcerated parents (including those in foster care and kinship care), and the support of parent-child relationships between incarcerated (and formerly incarcerated) parents and their children, as appropriate to the health and well-being of the children.

I also sponsored H.R. 261, the Federal Prison Bureau Nonviolent Offender Relief Act of 2007 which I introduced earlier this year. H.R. 261 directs the Bureau of Prisons, pursuant to a good time policy, to release a prisoner who has served one half or more of his or her term of imprisonment if that prisoner: (1) Has attained age 45; (2) has never been convicted of a crime of violence; and (3) has not engaged in any violation, involving violent conduct, of institutional disciplinary regulations.

H.R. 261, would address the problem of warehousing in the Nation's Federal correction facilities non-violent offenders over the age of 45 who have served more than half of their sentences and pose no future danger to society. As I stated during the markup of H.R. 1593, the Second Chance Act of 2007, I strongly believe that in affording older offenders a second chance to turn around their lives and contribute to society, that ex-offenders not be too old to take full advantage of a second chance to redeem themselves in the eyes of their families, friends, and communities. I believe setting an eligibility age of 45 rather than 60 will better achieve the goal we all share.

I am also concerned about the rehabilitation and treatment of juvenile offenders in my home state of Texas as it appears that the administrators of TYC have neglected their duties. The April 10, 2007 "Dallas Morning News", reported that "two former Texas Youth Commission administrators were indicted on charges that they sexually abused teenage inmates at the state juvenile prison in Pyote". The same article also cited the 2005 investigative report by Texas Rangers' Sgt. Burzynski which found that the two indicted TYC administrators, Brookins and Hernandez, had repeatedly molested inmates in the Pyote prison. The report is cited as saying that Mr. Brookins, who during some periods was the top official, had shown sex toys and pornography in his office, while Mr. Hernandez molested inmates in classrooms and closets.

I hope that all of my colleagues would join me in supporting the Second Chance Act as well as my bill H.R. 261, the Federal Prison Bureau Nonviolent Offender Relief Act of 2007. It is time to make a change.

Mrs. JONES of Ohio. Prisoner reentry is not a democratic issue. It's not a Republican issue. It is a commonsense issue. The facts are clear. Meaningful re-entry programs significantly diminish the chances that ex-offenders will return to prison.

It gives me great pleasure at this time to yield to my colleague and good friend, another leader on this issue, the Congresswoman from the great State of California, Congresswoman BARBARA LEE.

Ms. LEE. Thank you, Mr. Speaker, and thank you Congresswoman TUBBS JONES for once again organizing these very important message hours. Again, your experience as a judge, as a prosecutor, as a mother of a young African American brilliant young man understands very clearly why this legislation is so important.

□ 2100

You have seen lives shattered and you have done your best in so many ways to make sure that efforts such as the Second Chance Act gets passed. So thank you again for your leadership and for everything that you are doing.

And to Congressman DANNY DAVIS, let me just say I am so excited that finally we will get a chance to vote on this very important bill. You have been the lone voice in the wilderness and have been working on this for so many years. We all must begin to recognize the unique needs of those formerly incarcerated individuals on the path to reentry, and I can think of no one who has led in this effort such as yourself, Congressman DAVIS. So thank you again and congratulations.

Today our prisons and our jails are filled to the roof, mostly with nonviolent drug offenders at enormous cost to the taxpayers. The politics of locking people up, very easy. Though not enough lawmakers have given really much thought to the hard part, and that is the fact that more than 95 percent, 95 percent of those who are locked up will return at some point home with little or no preparation to succeed and no support to keep them out of jail.

The reality is recidivism rates continue to rise, with nearly 70 percent of those released from incarceration returning to prison within 3 years. Without arming them with the necessary tools for survival, we are condemning them to repeat their past mistakes. This does nothing to reduce crime, nor does it do anything to provide for safer communities.

Today we can truly change the landscape of reentry programs. We must make rehabilitation a reality, not just an abstract proposal. By providing all formerly incarcerated individuals with greater access to education, jobs, health care, drug treatment, we will reduce recidivism rates across the board.

Mr. Speaker, the fact is, and just let me say with regard to my district alone, over 14,000 formerly incarcerated persons return to my congressional district every year. In my home State of California, over 500,000 adults, 500,000 adults are on parole or probation, primarily African American and Latino men. Moreover, California spends about $7,200, just a drop in the bucket, every year on each student but pays over $25,000 a year for each prisoner. Governor Schwarzenegger has increased the prison budget by more than $5 billion. That's more than $1 billion a year since he took office. This is not the way to go. And in California, unfortunately, and we have worked very hard to do this and still haven't quite made it, rehabilitation is still not a part of California's prison reform effort.

So what we are doing here by helping with the Second Chance Act and getting this passed provides for comprehensive reentry programs that are really critical not only to my State but to the entire country.

Up to 60 percent of formerly incarcerated individuals are unemployed a year after release, and up to 30 percent go directly to homeless shelters upon their release. The incidents of drug use among ex-offenders is over 80 percent. Now, that's twice the rate of the United States population. It is more than clear that something needs to be done.

Following the lead of our colleague from Illinois, Congressman DAVIS, just this past weekend, and I wanted to mention this because Congressman DAVIS was with at our first record remedy Clean Slate Summit 3 years ago to help those who qualify to legally clean up their record so that they can gain access to employment, education, housing, and civic opportunities. Since this first clinic in April of 2005, and I believe Congressman CLYBURN was there and Congressman WATT and they witnessed this, there were 900 to 1,000 individuals, primarily African American men, who came to learn about how to clear up their records.

Well, I am very proud to say that now we have cleared approximately 3,600 records. We worked to coordinate these efforts of community groups like the East Bay Community Law Center and All of Us Or None of Us, which is a phenomenal organization, headed by Dorsey Nunn, whom Congressman DAVIS knows, who has chapters all over the country, and they are certainly leading the way in our community. Also with great elected leaders like Mayor Dellums and Assembly member Sandre Swanson, Supervisor Carson, many of our judges and the District Attorney's office.

And it is only through this very comprehensive and cooperative approach that we can successfully assist those who are so often completely cut off from their communities. And this is only a small example of what we can do within a very narrowly defined law. But it is truly all about us or none of us.

We have a vested interest, a vested interest, in making sure that people reenter our communities successfully. Help with cleaning their records provides an opportunity for formerly incarcerated individuals to get a job, to go back to school, or to find a place to live. This bill is so important to all of these efforts.

Also I want to thank Congressman DAVIS and Congresswoman TUBBS JONES for helping us deal with this one issue that, again, is so important but oftentimes goes below the radar, and that is allowing ex-offenders who have paid their debt to society to be allowed access to food stamps. Many don't even know that there is a lifetime ban, lifetime ban, on applying for food stamps for those who have been convicted of drug felonies. We say let them eat. I mean, you know, let them eat. Two hundred dollars, and you are turned out into a community with nothing and can't even get food stamps. This is a shame and disgrace.

Again, so many examples of laws that need to be changed, that need to be changed. But this moment we have now to help pass a bill to help formerly incarcerated individuals receive this second chance is so, so important.

Let me remind us of what Booker T. Washington once said. He said: "Success is to be measured not so much by the position that one has reached in life but by the obstacles which he or she has overcome." We must end this cycle of injustice that is perpetrated by a system that continues to punish people long after they have paid their debts to society. No one condones criminal activity; but I tell you once one serves their time, they should be able to feed their family and move on with their lives.

In closing, like Congresswomen TUBBS JONES and JACKSON-LEE indicated, as I listened to those speaking tonight in honor of National Bible Week and as one who deeply believes in the wisdom and direction of the Bible, to love one another, I do hope that these statements which we heard tonight weren't just a bunch of rhetoric. I hope that all of those lifting up the teachings of the Bible tonight vote for this bill, H.R. 1593, and all of the legislation sponsored by members of the Congressional Black Caucus, which continues to be the conscience of the Congress. Our bills, many bills that we see come to this floor truly reflect the command of the Bible to take care of the least of these. So tonight and this week we have a chance to do just that.

And I want to thank Congresswoman CAROLYN KILPATRICK, our great Chair of the Congressional Black Caucus for making sure that we come to the floor and have this opportunity to let the country know what the Congressional Black Caucus stands for and what we are doing for the least of these.

Thank you Congresswoman TUBBS JONES again for yielding.

Mr. WELCH of Vermont. Mr. Speaker, will the gentlewoman yield?

Mrs. JONES of Ohio. I yield to the gentleman from Vermont.

Mr. WELCH of Vermont. Mr. Speaker, I want to congratulate the Congressional Black Caucus on this incredibly important message hour. I wandered in and we should all be here. This is tremendous.

And, Representative DAVIS, thanks for your leadership, along with your colleagues in doing this. This is tremendous to listen to you. And you are the conscience of America, let alone the Congress. You are doing a great job.

Mrs. JONES of Ohio. Thank you.

Mr. Speaker, reclaiming my time, I have been waiting 30 years for Congress to enact meaningful reentry legislation, as I have been deeply involved in prison reentry programs since my days as a municipal court judge, common plea judge, and county prosecutor in Cleveland. While prosecutor, I helped to establish the Pretrial Diversion program, as well as the Municipal Drug Court program. And I am so happy to be able to say that it's my understanding that the drug court program in Cleveland is going to move from the municipal court to expand to the common pleas court so it is county-wide. Both programs, I'm proud to say, still exist and continue to help ex-offenders move on with their lives and become productive citizens.

The State of Ohio has one of the largest populations of ex-offenders reentering the community, with about 24,000 ex-offenders returning to their respective communities annually. Of those ex-offenders, about 6,000 will return to Cuyahoga County, my county, and almost 5,000 will reenter in the City of Cleveland. Statewide about 40 percent of ex-offenders will return to prison. In Cuyahoga County about 41 percent will return. Such high recidivism rates translate into thousands of new crimes each year and wasted taxpayer dollars.

Today I am proud to stand with my colleague DANNY DAVIS as an original cosponsor of the Second Chance Act of 2007. This legislation is forward-thinking. It provides opportunities for all the Members of Congress who sincerely believe in helping their brother or their sister in times of need to support this legislation.

It gives me great pleasure to yield to the lead sponsor of the Second Chance Act, DANNY DAVIS of Illinois, and say to him, DANNY, thank you for your leadership on this issue. I'm proud to join with you around the work that we have been doing on behalf of ex-offenders across the Nation.

Mr. DAVIS of Illinois. Mr. Speaker, I thank the gentlewoman for yielding.

First of all, I want to commend our leader of the Congressional Black Caucus, the gentlewoman from Detroit, Michigan, who engages us in such a way that we are able to do a number of different things as she provides opportunity for different individuals to display leadership. And so having Representative STEPHANIE TUBBS JONES convene each Monday a Special Order, an hour, where the Congressional Black Caucus members come and discuss issues, I tell you it is a pleasure for me to be here with my Delta sister from Cleveland, Ohio, a distinguished jurist, having been a defense attorney, a judge, a prosecutor, legislator, who understands this issue from every angle, any way that you look at it. Individuals who are being defended, individuals who have gone into the system, having to pass judgment, in a sense, and having to bring charges. It is just a pleasure to be here and to commend you because you do this every week, every Monday night. I mean, I was struggling to get here because my plane had some difficulty, but I am so delighted that I made it.

And to have the opportunity to work with individuals like Representative BARBARA LEE, listening to BARBARA with all of the things that are going on in the Oakland community, the neighborhood, it almost makes you dizzy.

□ 2115

But the interesting thing about it is that you know that it's real because you get the opportunity to see it. I mean, just imagine that number of individuals that you all have helped clear their records so that they can get a job, so that they can go to work, so that they can have a chance. And to know that that's only one of the issues, because you're leading internationally in creating awareness about the AIDS pandemic, generating resources and money, bringing to the forefront health issues that people kind of forget about.

BARBARA, it is just a pleasure and an honor to have the opportunity to serve in the same body with you at the same time and to be inspired and motivated by the work that you do and by the spirit that you have and the energy. I mean, Members of the caucus trying to keep up with you and SHEILA JACKSON-LEE, with your energy levels, I mean, it's almost impossible. You can't do it. And so, you know, you just do the best that you can and follow along and follow suit. Because it has been a combination of all this work that has raised this issue to the point where I'm holding in my hand 17 pages of paper that the Chicago Tribune did last week on this issue, beginning last Sunday with a front page story, and then following through Monday, Tuesday and Wednesday. And the first story was three pages.

You know, the Chicago Tribune is a big newspaper, and they highlighted the work of the North Lawndale Employment Network that has a project where they're teaching ex-offenders how to make honey and how to tend to bees. And they've actually developed a business. And these individuals are able now to actually go to work every day, earn a living. Some of them have already been able to max out of that program, go into other areas and get jobs, as people have seen what they do. And so, we are making progress.

But even so, the progress that we're making is awfully small compared to what is needed. And I thought it was just so important what you said about Booker Washington in terms of looking at where people have been and where they've come from. And so when we look at the history of this country and we recognize the travail, the difficulty that some population groups have had, that African Americans have experienced, and now we're trying to make sure that these individuals who have fallen off the path, who have succumbed in some ways to the difficulties of living in a tough environment, who are trying to find their way back, every day I come into contact with a story of somebody who is on the way up, on the way back, who found a way to get themselves a job.

I agree with all of my colleagues who have talked about this being National Bible Week. And I was thinking, as I listened, that we all get awards and we all get plaques and we all get things given to us. And the greatest thing that I have ever had given to me was something called the Gutenburg Award, which came from the Chicago Bible Society, which is a group of theologians and Bible scholars who analyze work. And on the basis of one's work and whether or not the work that they're doing is in keeping with the principles of the Bible, they give awards.

And so, when we talk about redemption and the need to redeem, there are more than 650,000 individuals who come out of jail and prison every year in the United States of America and they need to be redeemed. And so, if you want to be redeemed, you don't have to just go down by the Jordan Stream, you can go to some of the community programs that exist. You can help make sure that we provide resources so that those individuals who come home from jail and prison have some place to go, so that they have somebody to help them. Because if they get help, the chances of them recidivating are much less than if they don't.

The statistics show that 67 percent of the individuals who don't get help are more than likely going to do what we call "re-offend" within a 3-year period of time. More than 50 percent of them will be reincarcerated. But the recidivism rate goes down contingent upon the amount of help that they get. Some programs has it down as low as 18-20 percent. Well, that's just doing a great job. And I would hope that before the week is over, and we're expecting certainly before we adjourn, that the United States Congress is going to see the wisdom of reclaiming lives, of helping put people back on the employment rolls so that they can pay taxes.

You know, I would much rather help a person pay taxes. There is an old saying that if you give a man a fish, he can eat for a day, but if you teach him how to fish, he can eat for a lifetime. And so, if we help the individuals learn how to re-enter and function, then they're going to help further develop our Nation.

So, I just thank you so much for your leadership and the great work that you've done on this issue and how you tie in the Ways and Means functions with the needs of these individuals. And we talk about, you know, people can't get food stamps.

Mrs. JONES of Ohio. And if the gentlemen would yield, that legislation prohibits offenders who have drug convictions from getting student loans. So if they wanted to go back to school and change their lives, we've got legislation that prohibits them from having the opportunity to go back to college.

Mr. DAVIS of Illinois. Well, there are so many barriers, when you sit and look at it, and you wonder, for example, the person who wants to go to college can't get a Pell Grant. And many of the individuals who are incarcerated are young individuals who got caught up maybe in a place where they were smoking cocaine or they may have gotten picked up and had some controlled substance on them. And now they're out of school, they can't get a Pell Grant. And fortunately, we're beginning to seriously look at that. And fortunately the Supreme Court is looking seriously at the sentencing disparities that have existed relative to the difference between the sentences that you get for a conviction of having crack cocaine versus powder cocaine.

And I think what we're really saying is that these issues have to be brought to the forefront, and that's why these Special Orders are so important. I've always been told that awareness brings about dissatisfaction, and that the more people learn about the way things are, the more dissatisfied they become. And then if you can take that dissatisfaction and organize it into some action, now you've got a chance for some movement.

And therefore, we want to thank all of those many groups who have been in support of the Second Chance Act, all of that coalition, The Working Group, individuals who work with criminal justice issues, individuals who work with drug courts, individuals who know that there is a better way and a different way, we just have to see that road.

And, you know, the Bible has just so many great experiences. You know, I remember the story of Paul, you know, Saul of Tarsus on his way to persecute the Christians, but something turned him around. He met something and somebody along the road. And from being a prosecutor, he became the greatest advocate for Christianity that we have known, other than Jesus the Christ himself.

And so, we hope that there are people who will change their opinions about what to do with individuals who have fallen off the path. And again, it's just a real pleasure to be here with you and to share this time.

Mrs. JONES of Ohio. Thank you, Congressman Davis. I want to close this hour with just a few comments.

Mr. DAVIS of Illinois. Let me do this before you do. I would like to have this document included in the Record, because I think they are such a great indication of how mass media is beginning to understand the issue and beginning to recognize it as a problem. And I would like to include in the Record this document from the Chicago Tribune.

[From the Chicago Tribune, Oct. 28, 2007]

THE BEEKEEPERS

(By Louise Kiernan)

The men opened the hive and bees swirled up into the sky like sparks from a fire.

Bees flew through the weedy yard and past the chain-link fence. They flew into the alley, where a woman braced herself against the hood of a police car.

Bees flew toward the gas station, where the calls of hustlers selling drugs sliced the air. And beyond where the men could see them, bees scattered into the vacant lots and back-yard gardens, parks and parking lots of Chicago's West Side, searching, as always, for nectar.

This sunny morning in September 2006 was warm, but a bite to the breeze signaled fall. A boy walked by, dressed in a white shirt and navy pants. School had opened today. It was time for a new start, time for what the people who work at the non-profit agency on this corner in East Garfield Park had decided to call Sweet Beginnings.

The three men standing at the hive were learning how to become beekeepers. None had any experience at this job or, for that matter, much significant work history at all.

Tony Smith, a pug of a man with a broad face, moved with the graceful, contained gestures of someone accustomed to negotiating small spaces. At 30, he had spent half his life in prison.

Hovering uneasily behind him was Shelby Gallion, a 22-year-old former drug dealer. In an oversized T-shirt and jeans that blurred the outlines of his body, his expression unreadable, Shelby looked a little out of focus, as if he might eventually drift out of sight. He lived in a halfway house, still on parole.

Gerald Whitehead, the oldest member of the trio at 49, had been released from jail just a week before, after being cleared of a heroin-possession charge, the most recent stumble in the struggle to turn his life around after decades of violence and addiction. Gerald seemed intimidating, with his heavy-lidded eyes and thrust-out chin, but when he smiled, his face cracked open wide and bright.

The three men and 17 hives in this yard were the makings of a small experiment, an attempt to address one of the most stubborn and destructive problems in Chicago and other cities around the country: what to do with the hundreds of thousands of people released each year from prison.

Over the last three decades, harsher penalties for drug crimes and stricter sentencing laws have helped fuel explosive growth in the nation's prison population and, inevitably, in the number of inmates returning to society. In Chicago alone, roughly 20,000 ex-offenders come home each year.

Most end up in neighborhoods like this one, where unemployment is high, opportunity scant and the temptation of drugs and crime rarely more than a corner away. They don't stay long. More than half the state's prisoners find themselves back behind bars within three years of their release.

Finding work can reduce someone's chances of returning to prison. Although getting a job with a criminal record is difficult, checking the conviction box on an application poses only one hurdle. Many former inmates face other problems, from poor education and little understanding of workplace rules to drug addiction or a lack of stable housing. And behaviors that help people thrive on the job—teamwork, communication—are often the opposite of those that ensure survival in prison.

For five years, the North Lawndale Employment Network, or NLEN, had helped ex-offenders find employment. With Sweet Beginnings, the agency decided to create its own jobs, in its own neighborhood, where people could learn how to work and build an employment history before they moved on. The idea attracted the attention of major philanthropies and companies, among them the MacArthur Foundation, Boeing Co. and Ben & Jerry's, each of which donated expertise or money to the effort.

Now, what may have once seemed like little more than a quirky venture—using former prisoners to produce honey in the ghetto—stood on the verge of transforming itself into a high-profile business.

Whether it would succeed depended in part upon the three men in the yard. The men measured success in starker terms. Failing, they feared, meant going back to the streets, going back to prison or getting killed.

During the coming year, through the bees' final foraging in fall, the threat of winter, promise of spring and richness of summer, the men and the enterprise of Sweet Beginnings would attempt nothing less than their own reinvention.

This morning's lesson was about survival. John Hansen, the beekeeper training the workers, showed them how to tilt the hives to get a sense of how much honey they contained. A heavy hive meant the bees had stored enough to make it through the winter. A lighter hive would need help.

The hives, with their unevenly stacked wooden boxes, called supers, looked like tipsy filing cabinets scattered among the clumps of goldenrod, Queen Anne's lace and clover.

The men moved among them, gently leaning each hive back and opening the lid to peer inside.

An elderly woman stopped at the fence. "What ya'll got in there? Bees?" she asked.

"Yep," John answered, still bent over a hive.

"Oh, Lord, think I better get back."

After a minute or two, Shelby disappeared inside the building. John continued to make his way around the yard, Gerald and Tony in tow.

"Look at that," John cried out at Hive No. 2, lifting a frame thick with honey, each cell a stud of gold. At Hive No. 6, bees crowded the entrance, but the supers felt suspiciously light.

When they finished, John delivered his verdict.

"I think," he said, "we can bring them through the winter."

Second Chances

"To make a prairie it takes a clover and one bee,— .
One clover, and a bee,
And revery."—Emily Dickinson

In this pocket of the West Side, the past may fade or burn or erode almost to dust, but it persists. It holds on.

Like the Star of David that adorns the front of the Independence Boulevard Seventh Day Adventist Church, a remnant from the time when Chicago's Jews lived and worshiped in the neighborhood. Or the cracked patches of concrete in the overgrown lot at 1550 S. Hamlin Ave., where Martin Luther King Jr. lived for a short time in a rundown apartment to protest the way Chicago's blacks were housed.

Or, in the conference room at the North Lawndale Employment Network, the blotch of greenish ink on Tony Smith's right forearm, visible as he took notes in a narrow, slanting script. It had been a tattoo of a cobra until he removed what he could with lemon juice and a sewing needle.

The cobra is a symbol of the Mickey Cobras street gang, as is the "MC" inked on Tony's left shoulder. Police records say Tony belonged to this gang. He won't say much about that or anything else in his past.

What he will say is this: "I was a naive, snotty-nosed street kid who didn't care about himself or other people."

His first arrest came at age 9, for disorderly conduct. By the time he turned 13 he had been convicted in an attempted murder and was, according to a police officer who knew him, one of the most violent and feared gang members in the Cabrini-Green public housing complex. He marked his 16th birthday awaiting trial for beating three men with a gun and torturing two of them with a heated ice-chopper. That crime earned Tony a 30-year prison sentence.

He emerged almost 15 years later, having never used a cell phone or filled out a job application. When he talked about what he wanted to see for the first time with his own eyes, he named—after Navy Pier and Millennium Park—a Jet Ski.

Across the conference table, Shelby idly twirled one of the braids near his ear. Shelby's past was his shoes. The butterscotch Timberland boots imprinted with tiny hexagons or the candy-bright Bathing Ape sneakers. New shoes, like his new watch and new cell phone, the leather "Scarface" cell phone case—all accessories of the lifestyle he said he wanted to leave behind.

He began selling drugs about the time he started high school, and by his senior year, the money and all it bought had easily trumped education. Then came two stints in prison and, during the second one, nights spent lying on his cot, wondering what would become of his two young daughters.

That was why he had come to Sweet Beginnings. But he still thought about the old life. It took him a week at the agency to earn what he could have made in a matter of hours on the street.

And Gerald, standing at the kitchen window, staring out at the hives?

Gerald's past was the hovel of a building across the alley, where he had snorted $10 bags of heroin. And his grandmother's house three blocks away, where he had stayed as a child and sexually assaulted a young woman as an adult. The bar around the corner where he once got shot on his birthday. His past was the man crossing the street he knew from Narcotics Anonymous and the cap-shadowed teenager who walked in the door of the North Lawndale Employment Network and addressed him as "Brother Bone."

Gerald's past was everywhere.

His earliest memory was of being bitten by a dog. He bit the dog back.

Gerald wasn't sure whether he remembered this incident because it happened or remembered it because he was told it happened. It didn't matter. He became that story: the boy who would bite back.

He grew up with two older brothers and 10 younger sisters, a mother who worked as a live-in nurse and a father who was, as he put it, "kind of missing in action."

Gerald struggled in school. He never learned how to read or write well. The other children made fun of him. By 6th grade, he had basically stopped going.

"I started out making a career," he said. "Whatever I could steal to make a hustle."

At the same time, he joined the Unknown Vice Lords. In the gang, he could force respect from all the people who had once belittled him. He moved up to become an "elite," a top-ranking gang member and close associate of onetime Vice Lords kingpin Willie Lloyd.

From the age of 20, Gerald bounced in and out of prison, spending more time inside than out: armed robbery, home invasion, criminal sexual assault, burglary, aggravated battery, drug possession.

He was 43 before he decided he couldn't do the time anymore. He has his conversion story. One night in prison, he broke down. Was this all his life would ever be? Had God put him here for nothing more? He wanted to die.

Then, in his cell, he sensed the spirit of his late grandmother, who always gave him a meal when he was hungry and a bed when he was homeless, and he felt at peace.

He could try to change.

It proved difficult. He lost a job working in maintenance at a nursing home after a background check revealed his criminal record, he said. There was an arrest for domestic battery. He was using drugs too, crack and then heroin. He became a dope fiend, a hype.

That went on for years, until his mother persuaded him to check into a residential drug treatment program, where he stayed for five months. Not long after he got out, in the spring of 2006, he stopped by the fence at NLEN on his way to sell loose cigarettes at the gas station nearby. He knew the agency; the month before, he had gone through its four-week job-training program for ex-offenders.

A couple of men were setting up hives. Gerald asked if he could watch. Then he asked if he could help. He stepped into the yard and began handling the hives, as though, one of the men observed, he had been beekeeping all his life.

At first, Gerald worked for free. He did whatever needed to be done: fixing the lawn mower, pulling weeds, picking up the trash that blew in from the alley. It was somewhere to go every day. Soon, the agency began to pay him, $7.25 an hour.

Every day was a fight. Stay straight, go to work. Failing would be as easy as stumbling off the curb into the street.

"It's a wrassle trying to do good," Gerald said one afternoon. "You always got evil whispering in your ear."

He felt comfortable around the bees. He liked them. If you didn't know bees, he thought, they might scare you. But once you knew them, you came to respect them.

Gerald understood bees.

Finding sweetness

The building that housed the North Lawndale Employment Network, near the corner of West Flournoy Street and South Independence Boulevard, had once been a duplex and still felt like someone's home.

Walk in and you might find a worker bouncing a toddler on her knee while she interviewed the child's mother or an old woman grumbling about delays on the Pulaski bus.

Most days, the center hummed with people who came for one of the agency's job-training programs, a computer class or to get help writing a resume. Amid the bustle, the Sweet Beginnings employees set up beekeeping class at whatever table happened to be free and began to learn about bees.

They learned there are three types of honeybees: the worker bee, which is female; the drone, which is male; and the queen bee, which mates with the drones and lays the colony's eggs.

They learned that a worker bee lives for about six weeks. They learned that it takes the nectar from 5 million flowers to make 1 pint of honey. They learned that pollen mixed with nectar is called bee bread.

During these lessons, Tony took notes on a yellow legal pad. Gerald tilted his chair back or leaned forward, head propped on his arms, always restless. Shelby occasionally cleaned his nails with a public transit card.

Their teacher, John Hansen, was 76 and white and jangled the change in his pocket. He had begun keeping bees 31 years before, after he saw a sign someone had posted on a bulletin board at the suburban publishing company where he worked, offering to sell two hives. He went on to become president of the Illinois State Beekeepers Association, and in his retirement, he still kept bees, sold honey and ran a small business managing hives and removing bees from people's homes.

Of everything John taught the men about bees, they found nothing as interesting or amusing as what they learned about drones.

When drones hatch, the worker bees help them out of their brood cells while the worker bees must emerge on their own. Drones that mate with the queen on what is euphemistically called the "nuptial flight" die because the act rips their sexual organs from their bodies. When winter approaches, worker bees drive the drones from the hive, to certain death.

One morning, Tony walked in with his heavily underlined copy of "Beekeeping in the Midwest," the book they were assigned to read.

"It said male drones are like human males," Tony told John. "They don't do no work. I kid you not, that's what they said." The book doesn't compare men and bees; that was Tony's analysis.

In the beginning, the men's hands-on instruction mostly involved learning how to care for the hives and prepare them for winter. While they worked, they used a smoker, a metal can with attached bellows, to blow smoke into the hives to distract the bees. The smoke causes the bees to act as though their hive is on fire, and they eat honey to fortify themselves to flee, ignoring intruders.

Honey bees usually sting only if they feel threatened. Tony had never been stung, so John plucked a bee from a hive and stung him with it to make sure he wasn't allergic to the venom. Gerald hardly seemed to notice stings or care beyond issuing the occasional epithet. Shelby seemed the most leery, often hanging back while the others worked. But when Tony asked if the bees scared him, Shelby denied it.

In the early fall, the men learned how to extract honey, to harvest it from the frames where bees build the combs.

Because the Sweet Beginnings hives didn't contain enough honey to spare, John brought in eight frames from his own apiary. The frames, stacked in the kitchen of the resource center, looked a little like wood-frame screens, except that, instead of wire grids, the panels held hundreds of hexagons filled with honey.

As the men crowded around a large metal tank, a lone bee banged against the kitchen window.

"Do we have to actually do it?" Tony asked.

"Yeah, you guys are going to do it," John replied.

To extract honey, a beekeeper uses a knife to cut open the wax caps that seal the individual cells of honey in the frame. Then, the frames are placed in an extractor, which spins them to release the honey. The honey drips down the walls of the extractor and exits through a tap.

Slowly and delicately, Shelby slid the knife against the frame. Wax curled off in strips. A slight scent, sweet and floral, filled the kitchen.

"Just swipe it," Tony advised.

"Let it ride even and flat," Gerald said.

"You're doing fine," John said. "Just watch your fingers."

Tony and Gerald each took a turn. The knife, as it drew across the wax, made the thick, wet smack of a cartoon kiss. Sunlight warmed the honey in the frames to the color of amber, glowing against the black shadow of the blade.

"That honey look good, don't it?" Tony asked.

As the extractor spun, the air began to smell sweeter and sweeter. Thin streams ran down the inside of the tank. Minutes passed. A nickel-sized dollop of honey pooled on the filter atop the white bucket under the tap.

"There's the first drop," John said.

While the extractor whirred, the men went outside to check on the bees. Brenda Palms Barber, the exuberant black woman who served as the North Lawndale Employment Network's chief executive officer, joined them.

"I want to see how the babies are doing," she called out, standing at the hives, perfectly at ease in her gray suit while the others wore jackets with netted hoods.

More than two years before, Brenda had come up with the idea for Sweet Beginnings when she decided that the employment network needed to do more than help people find jobs; it needed to create them.

She considered a landscaping business or delivery service but worried that customers might be reluctant to allow ex-offenders in their homes. A friend suggested a honey co-op.

Brenda knew nothing about honey, but the idea intrigued her. She liked it even better when she learned that some people consider urban honey more flavorful than its rural counterpart because the bees can gather nectar from more varied flowers within a shorter distance. Imagine creating sweetness out of the asphalt and hardship of the West Side.

The agency launched Sweet Beginnings in the spring of 2004 with a grant from the Illinois Department of Corrections. Two years later, after parting ways with the original group of beekeepers working with the agency, the program started over with fresh bees and a new idea.

The bees came from Wisconsin, picked up and delivered by NLEN's chief operating officer, who had to roll down the windows of his Jeep Cherokee on the way back because the 30,000 bees generated so much heat and noise.

The new idea came from a business plan created by volunteers at Boeing, the chairwoman of the board of Ben & Jerry's and others. It called for Sweet Beginnings to shift its focus from selling honey to selling honey-based products such as lotion and lip balm. They hoped the move would increase profits and, with the expansion into manufacturing, packaging and marketing, the job prospects of its workers.

When Brenda and the beekeepers returned to the kitchen, about 4 inches of honey stood in the 5-gallon bucket.

She passed out plastic spoons and everyone dipped in to taste.

"Yum," she said. "It's really, really good."

She continued to talk, in a stream of words as smooth and unbroken as the honey pouring into the bucket. She talked about biscuits and business competition and hosting a honey cook-off and social purpose and making lip balm.

When she was almost done, she said, "That's some of the stuff we're thinking." Then she paused and said something else, slowly, as if the idea had just struck her.

"Our demographic," she said, "is the opposite of the people working on it."

Under suspicion

"There is a Thief Amongst Us!" the signs announced.

"IS IT YOU!"

One sign was posted above the sink in the kitchen of the resource center. Another was taped to the bathroom door. More hung on the walls next to inspirational quotes from Eleanor Roosevelt and Gail Sheehy.

The signs went up in late September, after someone stole the agency's digital camera from a cabinet in the downstairs conference room. It was only the second theft in the two years since NLEN had moved into the building, and it hurt.

The agency prided itself on being the kind of place where visitors wandered back to the kitchen to help themselves to coffee and bought candy for school fundraisers by dropping a dollar on a desktop.

No doors barred the offices; no cameras peered down from the ceilings. The clients who came here already felt as though the world treated them like criminals; the people who helped them didn't want to do the same.

That trust disappeared with the discovery of a dented cabinet door.

Brenda felt betrayed. She didn't like thieves. She could find a job for a murderer before she could find one for a thief. Stealing was a crime of opportunity, and every time a thief saw something to steal, he had to decide not to steal it.

If the signs shouted the crime, other conversations in the building occurred in whispers.

Who would know the camera was kept in the basement conference room, in the cabinet with the VCR? The beekeepers, who watched videos for their classes. And Gerald? Well, he had been an addict, and everyone knows that hypes steal.

Mrs. JONES of Ohio. I want to highlight, if I might, just a couple of programs in the City of Cleveland, Cuyahoga County, that have been successful in community re-entry.

I have served on the board of the Community Re-Entry Program under the Lutheran Metropolitan Ministries for some 25 years. I remember with great glee Rev. Dick Searing, who has gone on to shine down upon us as we continue his work, as well as Charles See, who is the executive director, and a lot of the members that were on the board. We were able, through Community Re-Entry, to do a number of things, and one of those was to develop care teams, and the care teams were made of ex-offenders. And we developed these care teams such that at one point in time they were literally serving as caretakers or workers for senior citizens staying in public housing.

One of the senior citizens actually said that she viewed the, we called them "care team members," and they wore red jackets, and she stated how she felt about them. And she said, "They're not criminals. They're just like my sons. And they've been taking care of me."

The care teams were paid employees of Community Re-Entry. They received a full-time benefit package, including vacation, health insurance and pension that was fully vested after 1 year. The recidivism rate for our care team members was less than 5 percent.

We also had a program under Community Re-Entry called Friend to Friend. The Friend to Friend program recruited, trained and coordinated volunteers to visit men and women in prison. Male volunteers are matched with men at Lorain Correctional and Grafton Prison located in Lorain County Ohio, and females were matched with women at the Pre-Release Center in Cleveland. The purpose of the program is to reduce socialization of people who are incarcerated and help them prepare for re-entry into the community. Because one of the dilemmas is that sometimes the penal institution is so far away from the family background, that they have a family home that they have no way of going to visit. Also, it is said that an inmate in prison is more likely to successfully re-enter if he has a support base around him when he or she returns home.

Another wonderful program that we had was we started a catering service that was run by ex-offenders who prepared boxed lunches, and we were able to serve many of the downtown businesses who did box lunches. We also had a painting company, and we were able to paint many of the different houses across the county.

What I would really just want to say in concluding this is that this is a unique opportunity for this Congress to step up and support a program that truly has been successful across the country. Community entry means that we will say to ex-offenders in this Nation, if you have done your time, then you have paid your commitment to the United States, the State of Ohio, whatever State you come from, and we now want to help you come back to be a productive citizen in the United States of America; paying taxes, raising families, paying child support, and really helping to make our community a better place.

I am so pleased to have an opportunity, and I said, I've been waiting 30 years for the Federal Congress to come back and do what they need to do with regard to community re-entry.

I thank all of my colleagues and friends for the opportunity. And I'm going to say it one more time, if we are truly going to celebrate the Bible, and my grandfather was a minister, I'm a student of the Bible, and I can name Genesis, Exodus, Leviticus, Numbers, Deuteronomy, and go down the list, but I will say to you, the best thing that we can do is to take care of one another.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in strong support of the Second Chance Act, and I thank Mr. Davis for introducing this important piece of legislation.

In America we have more than 2 million people in prison. Of these, over 600,000 are released each year. Very few of these individuals are prepared to return to their communities or receive support services to ease their transition.

These ex-offenders face serious impediments in obtaining employment, and often have serious mental or physical ailments that remain unaddressed. Today, approximately half of all black men are jobless. Amongst ex-offenders this number is even higher.

There is a revolving door of ex-offenders into many of our neighborhoods. With few opportunities, two-thirds of all ex-offenders are arrested for new crimes within a few years of their release. We must give these individuals the opportunity to become productive citizens.

The Second Chance Act will go a long way towards this goal by providing transitional assistance to ex-offenders reentering their communities. By focusing on the major impediments that face ex-offenders, the Second Chance Act seeks to reduce recidivism and give those reentering society a new opportunity to turn their lives around. This legislation addresses the need for jobs, housing, and substance abuse/mental health treatment, and it works to reunite families and provide the appropriate training and rehabilitation for these individuals.

This bill will increase public safety and give millions of ex-offenders a chance to be positive productive citizens. I strongly urge my colleagues' support.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 3043, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. WELCH of Vermont (during Special Order of Mrs. JONES of Ohio), from the Committee on Rules, submitted a privileged report (Rept. No. 110–427) on the resolution (H. Res. 794) providing for consideration of the conference report to accompany the bill (H.R. 3043) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 2130

WORKFORCE CAROLINA

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Mr. Speaker, I rise today to honor Workforce Carolina on its 20th anniversary of doing business in North Carolina. Workforce Carolina is a woman-owned business services company founded by Teresa Lewis that serves seven counties in the Fifth District of North Carolina. It assists employers throughout North Carolina's Triad region with job placement, employment screening, payroll and skills assessments. This company has been a growing part of the local economy and each year employs upwards of 3,000 people through its two offices in Mt. Airy and Elkin, North Carolina. In fact, it is the fifth largest employer in Surry County, North Carolina.

This year, Workforce Carolina was named one of the best places to work by the Triad Business Journal. The business journal also recognized Workforce Carolina as one of the fastest growing companies in the Triad in 2006.

I want to congratulate this fine company for its 20 years of services to its community and its commitment to excellence in the workplace. I wish all the good people at Workforce Carolina many more years of successful business.

NATIONAL BIBLE WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, I rise today to celebrate a book that has changed the course of history and left its mark on every level of our society. The Bible has been a God-given source of guidance for humanity for thousands of years and was a wellspring of wisdom and truth for the Founders of our Nation. As we approach National Bible Week, which is traditionally celebrated during the week of Thanksgiving, it is important to pause and reflect on how this Good Book has shaped the world, changed countless millions of lives, and brought humankind to a better understanding of our God and of our place in the world.

The Bible is a deep repository of fundamental and universal truth that has stood as a guide post for the generations. It teaches us how we ought to relate to our Creator and how to love our fellow human beings. During times of turmoil, confusion and strife, I can think of no more important source of guidance than the wisdom of this unchanging and inspired book.

The Bible offers us hope when circumstances are dire. The Bible is a source of strength when our human frailty brings us low, and when we are surrounded by darkness, as the psalmist wrote, the Bible "is a lamp to our feet and a light to our path." In all of its transcendent wisdom, the Bible does not fail to connect to our human condition. It kindles our joy and beckons us to know God regardless of our place in life.

Throughout my life, I have drawn on the words of the Bible to lead me and inform my moral compass. The Bible is an unshakeable pillar of truth that provides the surest of moral foundations for society's founded on and reliant on its inspired content. The Bible has nourished a dialogue of our Nation's public square and has bolstered the development of a strong moral identity for hundreds of years.

I encourage my fellow Americans to dig deep into the Good Book and discover for themselves what riches God's word has in store for them.

AMERICAN MEDICINE TODAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes as the designee of the minority leader.

Mr. BURGESS. Mr. Speaker, I come to the floor tonight to talk a little bit about health care. Of course, we are enmeshed in the great State Children's Health Insurance Program debate here this week, that load having been taken by the Senate at the end of last week, the bill being sent off to the President, we expect a veto, and probably sometime before this week is over, we will, one more time, test whether or not that veto will be overridden or sustained. I suspect the numbers will not have changed from the last time when the veto was sustained. So we are going to continue to have this debate in front of us for some time.

I do want to talk about the State Children's Health Insurance Program in some detail. But I want to put it in context. I want to put it in the context of what is happening in American medicine today, the transformational process that is going on in American medicine today and how those rapid advances in science are being affected by the policies that we craft here in this body and indeed how that has happened several times during the last hundred years, and we may expect it to happen in the future, but why the decisions we make today in this body are so critical for the future of health care in this country not just for next November, not just for a year from now, but for decades into the future.

Mr. Speaker, it is so critical, so critical that we develop a near-term, a mid-term and a long-term plan or strategy when it comes to crafting our health care policy. Sadly, I don't think this House has really been engaged in that process. We have been more fascinated by the political aspects of the fight.

Mr. Speaker, indeed, medicine is at a critical crossroads. This is a time of great transformation within the science. Down one of these pathways is a whole new genre of personalized care, changes in information technology, changes in the study of the human genome, changes in protein science, changes in imaging, the speed of information transfer; and indeed a time of rapid learning all serve to increase value for the patient.

Late last week at a conference downtown, Dr. Elias A. Zerhouni, the head of the National Institutes of Health put it in terms of the four Ps. He described a type of medicine in the future which will be predictive, personalized, preemptive, and participatory.

Now, Mr. Speaker, down the other path leads to the continued expansion of the reach and grasp of the Federal Government. Could this path equate to increased value for the patient? Well, the answer might be yes, but history has not been kind to that experience so far for this type of trajectory. The trend tends to become process driven, intensely process driven to a greater and greater degree rather than creating a true patient-centered environment.

Medical care, in fact, could be rationed in some of the most insidious ways that medical care can be rationed, and that is in the treatment room itself. That is by not paying for the care, not paying for the imaging, not paying for the physician services, having the physician not be there for the patient in the treatment room. That is the type of rationing that we may be talking about.

It becomes all about the transaction, very little attention being paid to delivering value for the patient. And, Mr. Speaker, no secret about it, I am a physician. I practiced for 25 years back in my home State of Texas. I will tell you, this is also injurious to providers. It is injurious to doctors. And that, in turn, increases an already existing problem with the physician workforce and aggravates an already existing supply-and-demand inequity. This, in turn, creates a further imbalance between workforce required versus workforce produced.

Prices are then set administratively rather than by the marketplace, and this disconnect heightens the insensitivity to market demands, and indeed, we end up with a system much as we see today where physicians are anesthetized as to the true cost of delivering the care that they deliver, and, in turn, the patient is unaware of the cost of the care that they receive. And this becomes a true hindrance to the transformational process itself. Again, the process becomes entirely transactional, and this hinders, or reverses, the transformational process.

Now, Mr. Speaker, I would like for us to consider three events, or three epics in the last hundred years where health care policy and changes in science kind of came together to alter, fundamentally alter, the way medicine is practiced and alter it forever into the future.

The first time would be early in the last century, 1910 to 1920, where significant advances in medicine including new discoveries related to immunizations, advances in public hygiene, discoveries of anesthesia and modern blood banking weren't too far removed from that era, but they did occur a little bit earlier. That was such a far cry from the way medicine had been practiced up even into the late part of the 19th century. Back then, the order of the day was burning, bleeding, and blistering; and those were accepted as scientifically proven ways to deliver value or to deliver care for the patient. So there was a rapid change in the science that was going on, and there also occurred that intersection of a sudden change in public policy that, again, altered the direction of medical care forever after then.

In fact, now the policy that was developed we pretty much regard as a State function. And it is ultimately a change in State policy. It did originate at the Federal level with the commissioning of what became known as the Flexner Commission, which subsequently delivered the Flexner Report. This report, delivered to Congress in 1910, characterized the uneven structure of medical schools across the country. Indeed, the variability of medical schools was truly startling. As a consequence of the Flexner Report, there was a standardization of medical school curricula at a time when the science was, indeed, rapidly advancing. This set the stage for the transformation of medicine literally out of the Dark Ages into the illumination of the 21st century.

Then let's skip forward several decades, Mr. Speaker, to the 1940s. And again we see vast changes occurring. Penicillin had been discovered a little bit before that. Back in 1928, Sir Alexander Fleming, we all know Sir Alexander Fleming, there is a big statue erected to him by the bullfighters because he obviously changed the way bullfighting injuries could be treated, but penicillin was discovered in 1928. It was really little more than a laboratory curiosity at first, this substance produced by a mold that would inhibit the growth of bacteria on an agar plate in a Petri dish, but only small amounts could be produced, and it was fairly labor intensive and extremely expensive. So it is a compound that showed great promise, but there really was no way amenable for treating large numbers of patients so its social impact was really quite, quite muted.

But then came the discovery of new fermentation techniques in this country in the 1940s. Suddenly, penicillin moved from a laboratory curiosity to a compound that was readily available, readily available in the clinics and dispensaries across the country, readily available and the price subsequently came down significantly. This new life-saving antibiotic was even available to treat our soldiers who were wounded during the invasion and the landing in Normandy in 1944. For the first time battlefield medicine had a way of combating infected wounds which obviously had a significant impact on saving life and limb.

Now, a similar story could be told about cortisone. It had been discovered prior to the 1940s, but the production of cortisone was very labor intensive. In fact, you had to derive it from the adrenal glands of oxen so it required someone going down to the slaughterhouse and collecting these glands and then doing whatever extractive process that was required to pull the cortisone out. So you can imagine that there just wasn't a lot of cortisone available and what was available was pretty expensive to produce.

But a bright young scientist name Percy Julian, and parenthetically, Mr. Speaker, we honored Dr. Julian here in this House in the last Congress, an African American scientist of great renown and turned out to be responsible for a great number of discoveries in the 1940s, 1950s and 1960s. And it was appropriate that this House honored his memory.

But Percy Julian discovered a way of producing cortisone in large amounts using precursors that he derived from a plant product, from soybeans. Thus, again, a medicine which had heretofore been only a laboratory curiosity or a research oddity became readily available, became readily available in large supply, and the price fell to within reach of the average patient.

So in the 1940s, we see the near-simultaneous introduction of large-scale quantities of an anti-infective agent, penicillin, and an anti-inflammatory agent, cortisone; and that was to forever alter the landscape of medicine.

□ 2145

But, at the same time, we saw the intersection, again, of a major policy change and how that policy change has affected and has impacted the practice of medicine now for decades into the future. In some ways, in many ways, Mr. Speaker, that change in policy, that social change that occurred in medicine at that time had just as profound an effect as the scientific advances of the 1940s. Of course, during the 1940s we were a country at war. The Second World War was raging. Because a lot of the workforce was tied up in fighting that war, there weren't many people left to do the manufacturing work in this country, but it was work that was required because, after all, they were producing for the war effort.

So, employers wanted to keep their employees working, they wanted to keep them happy, they wanted to keep them healthy, but the President issued wage and price controls so employers were not able to pay higher and higher wages. The President did this with all good reasons, to prevent an inflationary spiral from getting out of control. With wage and price controls on, employers looked around: Well, how are we going to improve things for our employees so they will want to stay here working for us and won't go off looking for work in some other location? They hit upon the idea of providing benefits to their employees, both health insurance benefits and retirement benefits.

Well, there was a lot of controversy over whether or not that violated the spirit and the context of the wage and price controls. So they did what all good people do; they went to court and eventually it worked its way up to the Supreme Court. In 1944, the Supreme Court ruled that indeed these health benefits that were being provided to employees could be provided without violating the spirit and the intent of the wage and price controls. Moreover, that these benefits could be supplied to the patient with pre-tax dollars; that is, they were not a taxed benefit given to the employee.

So, simultaneously, we had the era of employer-derived health insurance ushered in, which has proved to be exceedingly popular and endures to the present time. Although it has experienced some problems recently, it is still a very popular way for people to obtain their health insurance coverage. Also, near simultaneously, we began the time of the uneven tax treatment between employer-provided insurance as opposed to individually owned or individually provided insurance, which is paid for with after-tax dollars.

So then, Mr. Speaker, we fast-forward to 1965. Again, there were vast changes occurring in the science and medicine. At that time, new antipsychotic medicines were introduced, and for the first time the mentally ill could be treated with medication as opposed to simply restraining someone or holding someone in an incarcerated environment. So it truly changed the landscape of medicine in the mid-1960s.

Also, at that time you had the introduction of antidepressant medications. Although the antidepressants have undergone many, many changes since that time, for the first time medication was available to treat a condition of depression, and this opened up whole new worlds for treatment of patients in the 1960s.

Newer antibiotics were introduced to fight more aggressive infections. There was the beginning of the understanding that biochemistry played in the development of coronary artery disease, why high cholesterol had an impact and was important in the subsequent development of coronary artery disease. And, Mr. Speaker, conditions like malignant hypertension, which had claimed President Franklin Roosevelt the generation before, now saw newer medications that were available to treat this malady, medications that had not been previously available.

But, Mr. Speaker, again, there was that intersection of public policy which combined with rapid changes in the scientific arena to forever alter the landscape of the practice of medicine. In 1965 we saw the introduction of a program that we now know as Medicare, and then subsequently the Medicaid system was introduced in the years that followed. Now, for the first time, for the first time the Federal Government had an established role in paying for health care. Again, the medical world was forever altered.

Mr. Speaker, now in the present time we find ourselves in a highly political year. Health care is foremost in a lot of people's minds, particularly those that seek to lead the country via the office of the Presidency. The next administration is likely to be under significant pressure for the expansion of the Federal role in delivery of health care. Indeed, we see evidence of that now with the debate that is occurring over the State Children's Health Insurance Program.

Before we get to the State Children's Health Insurance Program, Mr. Speaker, history tells us that policy makers will, we will put the emphasis on the transactional and the administrative aspects of health care reform and we'll ignore the transformational process as it is occurring all around us.

Mr. Speaker, I think it is helpful to consider what is the unit of production of this vast American medical machine that is all around us. In its simplest terms, the unit of production is the interaction that occurs between the doctor and the patient in the treatment room. That is the widget. That is what the American medical system produces.

So all of our focus, all of our focus should be directed at driving up or delivering value at the level of the doctor-patient interaction. But all too often, all too often, our attention is diverted into other things. This, in turn, degrades the doctor-patient interaction.

Now, at the health fair's 25th anniversary symposium downtown last Thursday, Dr. Mark McClelland, former Director of the Food and Drug Administration, former Director of the Center for Medicare and Medicaid Services, started off his talk with: We want to know what works best at the lowest cost for each patient. In a nutshell, that is what personalized medicine is all about.

Right now we don't know. We don't know. But that concept defines a whole new era of the type of medicine that will be practiced in the latter part of our lifetimes, and indeed in our children's lifetimes and certainly in our children's children's lifetimes. That's the type of medicine that we will be practicing. Short-term gains in affordability, unfortunately, could lead to long-term stifling of patient access and interfering with the supply-demand relationship that occurs and exists in the medical marketplace. Certainly accountability may suffer with the subsequent reduction in quality because, quite frankly, the best and the brightest may self-exclude themselves from the medical workforce. Thus, we could have a situation where care is delivered by those who do not represent the best and brightest physicians or perhaps physician extenders or other paramedical personnel, and the overall quality of medical care to what, arguably, is the most challenging group of patients, our seniors, that might be further eroded.

Advancements in medicine might be placed in peril. Indeed, it is some of the tension in the current system, that hybrid system that is part public and part private. It is partly the tension that exists in that system that is a dynamic for change. Not all the change is good, but generally, generally it moves in the right direction.

Mr. Speaker, I'd ask us to consider for a moment the dilemma of health information technology. When I first came to Congress in 2003, the Department of Health and Human Services said it's going to develop a platform for the establishment of a national information technology effort. In fact, please, Congress, don't do anything right now because we are going to do this. We are going to establish this platform. We are going to get it right, and industry will follow what we do. Unfortunately, that reality has yet to be delivered.

Now, there are some bright spots. There is advanced informational technology within the Veterans Administration, but it lacks the interoperability with the system used by the Department of Defense, and this lack of interoperability may well have been the root cause for some of the problems encountered by our soldiers on medical hold at Walter Reed Hospital. Let me just give you an example of that, Mr. Speaker.

Mr. Speaker, of course The Washington Post broke the story, I believe, in January of this year about some of the treatment being received by some of our soldiers at Walter Reed Hospital. So, like many Members of Congress, within a week I took a trip out to Walter Reed Hospital, and indeed the physical characteristics of Building 18, the building in question, were deplorable, and the building was appropriately decommissioned and those soldiers were moved into more reasonable accommodations actually inside the campus of the Walter Reed Medical Center.

Building 18 was outside the garrison, it was outside the actual confines of the campus of the Medical Center, and, as a consequence, that made it desirable for some individuals. But the reality was the building itself was just not up to standards, not up to code, and realistically our soldiers on medical hold should not have been there.

What happens too, Mr. Speaker, is soldiers on medical hold, they are trying to decide if the injuries that they are there for which they are being treated are serious enough that they will now be discharged from the military and their care will transition over to the Veterans Administration system so it will be more of a disability-type of assessment that they undergo, or are their injuries such that they can in fact rejoin their unit. The individuals in that situation are placed on what is called medical hold, and there were facilities outside the garrison at Walter Reed Hospital to house those individuals on medical hold.

Now, here is a picture of Master Sergeant Blades, who took me around and showed me the rooms in Building 18 that were the point of some contention. But Master Sergeant Blades told me when I was there that the real problem he and his men were encountering, yes, the accommodations were crummy, but the real tragedy was the work that went into preparation of this medical record, the Department of Defense medical record, in getting it ready to send over to the Veterans Administration to perhaps make the case for the disability, make the case for what the disability allowances should be, what the disability payments should be, what care could be available at the VA hospital.

He said that he would spend hours and hours and hours preparing his medical chart, highlighting things with a yellow highlighter. This large chart in front of him, it looks about the size of the Washington, DC phone book, would then go sit on a desk for 2 weeks and then be lost and he would have to start all over again.

I said, well, wait a minute. I thought the VA system had this new fancy computer equipment and that this should no longer be a speaker. But as it turns out, Mr. Speaker, the Department of Defense can't speak to the computers in the VA system, and, as a consequence, it depends entirely on a hand-prepared record, and you see Master Sergeant Blades there preparing it as we visited that day at Walter Reed Hospital.

Here in Congress, the legislative process dealing with health information technology is completely stalled. We had a chance to act last year in the last Congress. The bills we were considering were to provide either grants or buying equipment outright for medical practices. But in the end, we couldn't get our work done, and the current legislative attempts that we see this year seem even more desperate and futile from those of last year. We have gone from bad to worse.

Considerable expense could be borne by individuals in private practice, physicians in private practice, trying to purchase or upgrade equipment. These informational systems and costs and learning of the operating of these new systems are significant barriers to entry.

Relaxation or moderation of what are known as the Stark laws could allow for hospitals and doctors to be cooperative and involve themselves in the investment in this type of technology. But barriers to entry for physicians are that the equipment is expensive. And in addition to the initial cost and the cost of maintenance and the cost of software and the cost of software upgrades, there is a problem: If there is no established criteria for interoperability, how is a guy out in private practice or a lady out in private practice who goes and buys a computer system from a vendor, how are they to know that they are making the correct purchase at all?

Now, that is the public sector. That is the government working on this. Remember one of the things I first said, the change of the speed of delivery of information is one of the things that is going to transform medicine. We are kind of stuck here and have been stuck here for 4 or 5 years.

What is happening on the private sector? Consider the experience of Aetna Insurance Company. A single company employing 34,000 individuals and has 15 percent of its workforce involved with information administration and maintenance. In fact, according to their CEO, if the Aetna Information and Technology Department was a standalone company, it would be one of the largest software development firms in the United States of America.

They have developed a Web-based electronic health record, not an electronic medical record controlled by the doctor, but a Web-based electronic health record that is controlled by the patient, the access is controlled by the patient, and that is available then to a patient anywhere in the country where they have computer access.

So, if they are traveling and they have got a medical condition that is under pretty tight control and good control at home and they have a problem, that information can be handed over to the treating physician in an emergency room at a distant location, because all that information is going to be available to them up on the Web. And when that patient returns home and returns to their doctor at home, the information derived, the testing done by that doctor in the different location, will be available to the patient when they return to their home for care.

□ 2200

Mr. Speaker, I have to tell you, I haven't always been a big believer in things like computerized medical records. Sometimes they are hard to learn. There is a learning curve associated with them. It takes some time to get up to speed with them. No one is interested in paying for the time it takes to get up to speed.

But in January 2006, taking my second trip down to the City of New Orleans after Hurricane Katrina came through there, all of the water came in, this is the basement of Charity Hospital. The water has been removed. You can't see in the picture, but there was still water about ankle deep. This is just one of hundreds of rows of charts as you might imagine a hospital of that size might contain.

This black here, they haven't been burned, this is mold growing on the medical records. This vault now is a hazmat site. Someone wanting to review a record for a patient would have to take extraordinary precautions not to inhale the spores from the mold when they opened the record. These records are unusable and unavailable and no one knows what has been lost here. There might be someone's leukemia, childhood asthma; those records are lost forever. This changed my mind on the concept of having an electronic medical record or, as Aetna has developed, an electronic health record that is owned and controlled by the patient and is Web-based.

Mr. Speaker, I ask which system now, remember my fundamental criteria: Do we deliver value to the doctor-patient interaction in the treatment room? Which system is delivering value to the doctor-patient interaction in the treatment room right now? Is that what we are doing at Health and Human Services, where we are trying to get things up and running, develop a national platform and one of these days we are going to roll this out? Or in the Halls of Congress, we are going to craft legislation if we can get the pieces right. But watch out, the unintended consequences of that legislation may turn around and bite you when you try to practice medicine a few years in the future.

Or the experience at Aetna U.S. Health Care. You have one system that is mired in entrenched bureaucratic wrangling, and the other one providing real data for real patients and advancing their health. Which system is making the maximum capital investment at the same time demanding accountability to deliver value for its covered individuals? Which system continues to hamper the growth and development of the technology that everyone acknowledges is necessary to bring medicine into the next generation?

I talked about a short-term, midterm and long-term strategy. That long-term strategy is the explosion in health infomatics that is going to bring us the type of personalized care we want in the future.

Now, Mr. Speaker, the American medical system takes a fair amount of criticism from around the world. I want to bring to the attention of this House the Washington Post and the Wall Street Journal today, two stories in two different newspapers today talking about some things that are happening when you export American medicine, American know-how, American technology half the way around the world.

From the "World in Brief" section under the heading of Afghanistan: "Six years after the Taliban's ouster, medical care in Afghanistan has improved such that nearly 90,000 children who would have died before the age of 5 in 2001 will survive this year." That's thanks to the efforts of the United States Agency for International Development that has brought modern American medical technology to the country of Afghanistan. They still have a long ways to go, but I thought I would share that with the House.

Another story from the Wall Street Journal about how we export American technical medical know-how to other countries. This is actually in the "Marketplace" section of today's Wall Street Journal. The title is: "Health care building booms in the Persian Gulf." It says that the region's families are recruiting brand-name U.S. medical institutions and private investors with plans over the next 20 years to more than quadruple the estimated $12 billion spent annually on health care. They are essentially trying to duplicate Harvard Medical School and its residency programs at the Massachusetts General Hospital in the City of Dubai.

As I stated previously, we are at a transformational time in medicine. There are changes occurring on many fronts. At the same time, we have the intersection of changes in public policy which can vastly affect the practice of medicine for years, decades into the future.

Mr. Speaker, there is a risk here. If health care policies are based on political expediency, and if they are not patient-centered, there is a risk of continuing to be beholden to the special interests and not empowering patients. There is a risk of delivering for the status quo and not delivering for the future.

Indeed, the transactional could triumph over the transformational. Prevention of this scenario will require development of, certainly with physician leaders within the house of medicine, they have to be engaged for their patients and not for the enduring bureaucracies or special interests. We do have some relatively new products that have emerged on the scene in the last several years. Health savings accounts and their precursors, medical savings accounts, are just a little over 10 years old, and they show some significant promise by putting purchasing power back in the hands of the patient and rekindling that doctor-patient relationship that has been so many times stifled by the current system.

Improvements to the health savings accounts could include methods for paying for preventive care and adding new coverage to include disease management for chronic conditions. In other words, move health savings accounts from the type of patient that is only going to purchase one because they don't think they will get ever get sick, to the type of patient who knows they have a medical condition but they want the power over their medical condition, and a medical savings account is a way to do that in an affordability fashion and still retain power over their illness.

Mr. Speaker, we should encourage new thinking by third-party payers. At some companies that is going on already. It could help move borders for affordability. A business that provides a premium reduction for individuals who engage in preventive practices and periodic screenings would represent a reasonable way to deliver increased affordability. It is a way of delivering value for the patient.

If the legislators and Federal agency personnel have the vision and discipline to focus on the long term, we may yet see delivery on the promise of the pending transformation in American medicine.

Mr. Speaker, former Speaker of this House, Newt Gingrich, in his book on transformation, I think his second principle of transformation where he asserts real change requires real change. What does he mean by that? He means in order to affect real change, you have to walk the talk. There has to be a culture and leadership not just embracing of the concept of change, but they have to act on it. They have to live it and breathe it and work it every single day. That is a valid concept, and I think the Speaker is right on the money when he brings that concept up.

But look at it another way. Real change requires real change. There is real change occurring in medicine, whether Congress knows it or not, whether Congress likes it or not, and whether Congress helps it or not. Real change is occurring in American medicine right now. Because of that real change that is occurring in the science part of medicine, real change is required here in this Congress, in the other body as to how we approach our health care policy so, again, we don't let the transactional become the enemy of the transformational.

Mr. Speaker, a short-term, a midterm and a long-term strategy are essential, and we must avoid sacrificing this concept and giving it all up for short-term political gain, which brings us back to the subject of the State Children's Health Insurance Program. When I think of health care policy, I try to put it in the context of what is delivering value for that doctor-patient interaction in the treatment room, not the cost, but what delivers value to that interaction.

What diminishes value? What happens if we have a significant negative effect on the physicians who are providing the care for our pediatric patients? Is there a cost to providers for shifting populations from commercial insurance onto public insurance? Well, I believe there is.

Mr. Speaker, I don't really know why and where insurance companies get the idea it is okay to only partially cover the cost of providing care, but I have a suspicion they get that because that's the way the Federal reimbursement structure works. That is the way it works in Medicare and Medicaid; and if we expand the reach and grasp of the Federal Government in the SCHIP program, I think we will find to the detriment that process is alive and well and subsequently we have the negative effect on the physician workforce.

Mr. Speaker, before I yield to other speakers, let me bring up this slide from the American Enterprise Institute. This points out at successive income levels, and these are rated at the percentage of the Federal poverty level, so here is between 100 and 200 percent of the Federal poverty level. This is about $41,000 to $42,000 a year. Here is between 200 to 300 percent of the Federal poverty level, so that is up to just over $60,000 a year. And 400 percent of poverty would represent a figure of over $80,000 a year.

So in the group between 100 and 200 percent of poverty, and this is the group that SCHIP was originally designed to cover, about half of those children have private coverage. If you move into the 300 percent of Federal poverty limit, they earn up to $60,000 a year, three-quarters of those kids already have health insurance. And nine out of 10 and 95 percent have health insurance. Why do we want to go and take these children who are already covered and bring them back into the SCHIP program? Are we delivering value to the patient? Are we furthering the concept of good patient care?

Mr. Speaker, I would point out that on the floor of this House 2 weeks ago when we had the debate on the new State Children's Health Insurance Program bill that we passed which was exactly like the one that the President vetoed and we sustained, when we were debating the new bill, I asked the chairman of the Committee on Energy and Commerce to enter into a colloquy with me, and he graciously did. We talked about State income set-asides. If the bill said that the maximum amount available for coverage under the program was 300 percent of the Federal poverty limit, so a little over $60,000, where again three-quarters of those children already have insurance, if that is our upward limit of coverage, were there income exclusions available to the State that could take that upper income level even higher, and I asked specifically about the cost of housing. And indeed within the bill was the language that States could exclude $20,000 of annual income involved in housing. And States could exclude $10,000 of annual income that is there for clothing. And States could exclude $10,000 of annual income that is available for transportation. Mr. Speaker, we are already over $100,000 in annual earnings for a family of four when we talk about this bill that was introduced and passed by this House.

Mr. Speaker, I am just a simple country doctor and there is so much about the budgeting process that I don't understand that I am so grateful that I have been joined by the gentleman from New Jersey (Mr. GARRETT) who sits on both our Budget Committee and our Committee on Financial Services. I think he is going to provide us all with some valuable insight as to some of the numbers involved in this process.

So I do now want to yield the floor to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. I thank the gentleman from Texas for yielding. I thank the gentleman also for bringing this issue once again to the floor. I was in my office earlier this evening when you began your remarks, and I have heard you on the floor on numerous occasions speaking to medical topics.

□ 2215

We appreciate very much your background, the expertise that you bring.

And on that point, I should just say that on my 3-hour trip from New Jersey traveling on good, old reliable, semi-reliable, slow Amtrak, I had the opportunity to read a number of your articles that you have written. I would commend anyone who is listening to us here tonight. I should ask the gentleman, is much of this material I read, one a position paper, another is called Addressing America's Health Care Challenge: A Solution, are these articles by any chance up on your Web site? Can I commend the audience here that listens to us tonight to go to your Web site and look to find these things?

Mr. BURGESS. Yes. You're very kind to point that out, and those writings, as well as several other musings and lamentations are available on my Web site. The bulk of the writing on the Web site is devoted to health policy because obviously that is one of my interests and one of my passions. So there's a good deal of information available; www.house.gov/burgess will take, scrolling back through the previous stories will give someone an insight as to what's available on the Web site.

Mr. GARRETT of New Jersey. I appreciate that, and just a couple of them, Addressing America's Health Care Challenge, with that and what you've talked about here, as I put the expression, you step back for a moment and look at the bigger picture, which is what I'm going to talk about in a moment. So I think this is a good one.

Another one is the cure to the physician crisis, and I'm not going to get into it here. This article gets into it pretty well to say, you can do all that you want to do when it comes to the issue of health insurance, but if we don't have enough docs out there such as yourself and other docs out there, physicians that are out there taking care of the patients, it's not going to mean anything.

When I'm back in my district and I tour my hospitals, what is one of the first complaints or concerns that I have, and I bet it's the first complaints and concerns that you hear from your hospitals, is a shortage of nurses. And whether it's long-term care facilities, hospitals or clinics, they say we just can't get enough visiting nurses, we just can't get enough trained nurses as well.

If we don't get that aspect of the problem solved, everything else that you and I and the rest of Congress talks here tonight and in the future will mean nothing because we're not getting the providers to the patients.

So, again, I just wanted to start where I should probably end, and I think I will in a little bit, thank you for your work in this area.

Where you left off and some of the points you were touching about goes along this line, and that is, that you have to look at some of the bigger picture.

In my office, I was looking at some data, and one of them is on data from the World Health Organization, and I think this is interesting. Again, regardless of what we do on health insurance and regardless of what we do in the government, whether it's in the Federal level, the State level or anything else, here's what they tell us. Here's what the World Health Organization tells us. That if Americans, and I guess the world community as well, but Americans in particular, would address three areas, smoking, eating disorders and eating, what your diet is, and exercise, if you address those in a logical coherent manner, presumably after consultation with your physician, 80 percent, an amazing number when I read it, 80 percent of Type 2 diabetes could be addressed and resolved. Eighty percent of heart disease could be resolved. Forty percent of cancer issues could be resolved.

Nothing about buying insurance. Nothing about spending more money. Matter of fact, you'd probably end up spending less money if you ate right and didn't go to McDonald's as much as I do. Those three areas.

The one on diabetes, I just had the opportunity in the last week to 10 days to have folks from that organization come and speak to me back in the district, and they pointed out a statistic. Approximately a little less than one-third of the dollars that we spend on Medicare goes to diabetes or diabetes-related injuries or other illnesses that are related to it.

So can you imagine, if we were able to resolve that issue, how we would be able to address our health care costs in this country. Costs being one factor, but obviously, the bigger factor is improving the quality of life.

So you're right on the target when you say how do we improve the health quality of individuals in this country first and foremost; and secondly, how do you do that through a proper physician relationship.

As I come to the floor this night, and I always make reference to this mark, here we are in November, the 11th month of the year, and we have to ask ourselves what has now under the new Democrat leadership wrought when it comes to the issue of health care in this country.

Somebody else pointed out some numbers to me the other day. I think it was this past week. So far the ledger is 106 bills have made its way to the President's desk. Forty-six of those bills have been to do with the naming of post offices and Federal buildings. Forty-four just have to do with Special Orders and special days and the like. That's almost two-thirds. Ninety bills out of 106 of no real major significance, and here we are at the floor tonight I think addressing something that is of major significance, second perhaps only to what our colleague TIM WALBERG and others were talking about as far as their faith issues, and that is the quality of life and the health of the citizens.

This, though, is not a new issue. President Clinton, when he was President of the United States, said that he had an answer to this problem, and it goes in a totally different direction that you were addressing before. His solution was larger Federal Government intrusions into this part of the economy. It's approximately what, one-fifth of the overall spending of the GDP on health care. He wanted it to be even larger and more of a centralized control, government-controlled health care, if you will, socialized health care.

And he told us back at that time how he intended to bring this country, that he realized after HILLARY's failure to address the issue through her secretive meetings that we heard about later on, he said how can we get there. He said we can get there through a centralized, government-run health care system incrementally. First, we'll insure and control the health care for indigent children, then all children and for indigent adults, and then for all adults. So all of us eventually will come under the control of the Federal Government.

That means we were basically putting that very personal, that you referred to before, and you know as well from the doctor side, we all know from the patient side, the placing of doctor-patient relationship under the control of the Federal Government, bureaucrats, faceless, nameless, maybe very nice people and well-intended, but bureaucrats.

I scratch my head to think when people actually advocate such a government control. This is the same Federal Government that we saw handle the Katrina situation and FEMA terribly, loss of life, loss of homes and what have you, that Federal Government. This is the same Federal Government during this past summer when families were trying to go on vacation and asked the Federal Government to do one of its basic functions, issue visas so families could go on family vacations. The government couldn't get the visas out the door. This is the same Federal Government that to this day we're still arguing and debating on this floor how do we close and secure our country's borders so that illegals and terrorists and drug traffickers can't come into this country. That same Federal Government can't control this, but they want to control our health care delivery system.

So he told us how he was going to do it, and one of the charts up that you have, I have a variation of it, but if I could just ask the gentleman from Texas to put that one chart back up with regard to the coverage. It tells us how he was going to do it, and they're now trying to do it through SCHIP.

By very definition, a middle-class entitlement means that you are going to be providing an entitlement, in this case, health care, for people who are making over or at the middle-class level of income and above. Well, we know that the poverty level is, for a family of four is around $42,000. I'm not sure if that's showing that on that chart, for a family of four is around $42,000. We also know that the median or the middle range of income in this country, again for a family of four in this country, is around $48,000.

So, by definition, if you're going to be providing a benefit to people over that level, over $48,000, then you're providing a middle-class entitlement. It's no longer talking about poor children first. I know there was another chart, benefits should go to poor children first. We're no longer talking about the indigent. We're now talking about just about everyone.

A family of four making over 300 percent makes around $62,000. So by definition we're saying, under the proposal that came before the House with regard to SCHIP, we want to provide benefits to a larger group of people, to a middle-class entitlement. And who is going to pay for that is the next question that should come to mind.

Well, the plan that is in place to pay for those various ranges, and without my far glasses it's hard to see them, says that that is going to come out of various sources, but one of the biggest sources will be smokers. And the interesting thing about this is that in order to get enough money to provide for that level of coverage, not just for the indigent anymore, but people above the 200 level of poverty, 300. As you know, in the State of New York they tried to go up to the 400 level of poverty, which means around $84,000 a year. In order to do that, they will have to look to smokers, which is fine on the one hand until you get into the weeds a little bit on this issue. And the Heritage Foundation did a little bit of study and said how many people do we have to actually have start smoking in this country in order to come up with that money, and they found out at the end of the day that we will actually be looking to find 22,000 more smokers in this country in order to fund this program.

Now, you are a physician and you could probably speak ad nauseam that smoking is harmful for your health, and actually it's most harmful probably for little kids more than anybody else. But in order to fund this program for the indigent poor and also for a middle-class entitlement, a government-controlled health care system, they will be looking to say we need 22,000 more children in this country in order to start smoking tomorrow so that we will have funding for this program down the road for the next few years.

It's an absurd situation, and it's even a little more absurd when you think about who actually does smoke in this country. This is a little bit of a sad situation. Lower income individuals smoke to a higher percentage than upper income individuals. And in fact, if you look at the numbers, it's something like this. People who make under $10,000 a year, so very low-income people, pay twice as much in taxes from smoking than people who make over $50,000 a year.

So what are we really saying? We're saying that we need 22,000 more kids to start smoking to pay for this program. And who are those people that are actually going to pay for it? The lowest of the low-income people who are smoking are going to pay the biggest percentage of their income towards this program.

It's an absurd situation to fund it, and it goes back then to the final point, and I'll close and I'll yield back to the gentleman, as I think our time is coming to a close. It's an absurd funding formula to come up with for a government-run program. And unfortunately for the advocates of the program, the money runs out. The money runs out.

You see on our little chart here, starting, if this program, as proposed by the other side of the aisle, Democrat side of the aisle, it would start in 2008, and there's little kids being encouraged to sign up. Indigent children are being encouraged to sign up for this program. I notice this picture does not have the children smoking. So, to be actually correct, we should have the children smoking, because they're encouraging them to smoke in order to pay for this program, but it would only last for 5 years. Then, after the 5 years, the funding is cut off almost entirely, 80 percent. That's why we have the chart go demographically down, and the kids are left hanging, in this case parachuting.

Why this is bad is twofold. One is because we're leading people to believe that we're actually setting up a program that's going to be paid for perpetually for the children. And two, who is this child that's now left jumping off of this cliff here? As your previous chart showed, he may very well have been a child who was already covered by your insurance. And your chart shows 55, 75, 80, 90 percent of the children had insurance prior to this program coming along, but now they were encouraged to join into this program and go into it, give up their prepaid plans under their father's programs, mother's programs, company plans, what have you. Five years from now under this program, it's designed to fail. They will jump off. They will not have anymore government program, and they also will no longer have any private insurance.

So we are setting up a system, encouraging kids to smoke in order to pay for it, and leading them to have to basically fall off the cliff in 5 years without having any health insurance at all.

At the end of the day, and I'll close on this, I commend the gentleman for leading us to look at this issue from a larger perspective, to ask a basic question. It's not so much about health insurance; it's about health care. And it's not so much of whether you have the coverage to provide you with insurance; it's whether or not you're actually going to have a doctor or a nurse out there to provide those services for you. And it's not so much as whether the government is supposedly going to do it, because we know at the end of the day they can't, by the numbers; it's whether or not at the end of the day we can come up with something to actually make sure that the patient is in control with his doctor of the delivery system and that it's the best care in order to provide the services to them, and at the end of the day the quality of life of those individuals as well.

I commend the gentleman from Texas for bringing this to the American public's attention tonight, and I look forward to reading more of his material, as well both on-line and in person.

□ 2230

Mr. BURGESS. One of the points that I probably did not make eloquently enough tonight is that the practicing pediatrician, not the pediatrician in an academic setting, not the pediatrician in a federally qualified health center, but the pediatrician is out there with a mix of different payer groups in his practice or her practice.

The average reimbursement for a child on the SCHIP program is about 30 percent less in my State of Texas than it is for one of the commercial insurances. If we take those children off of commercial insurance and move them to an SCHIP program, we are negatively impacting the bottom line of the pediatrician who is providing the care. We can only do that for so long before they will decide that they have got something else that they might do.

Mr. GARRETT of New Jersey. You make a perfect point. Again, it goes to what we were saying before. It doesn't matter whether you have insurance or not. It matters whether or not there is actually a doctor who will be there to take the insurance.

How many individuals that you know, senior citizens that you know right now that are Medicare or Medicaid, and they went out to find a doctor to treat them for their ailment, and they found out there are no longer doctors in their community who are taking Medicare or Medicaid patients. They had all the great socialized programs, coverage, that they needed. They just didn't have any doctors who would pick it up.

You are explaining the same thing very eloquently. The same thing will happen to these poor indigent children. We lead them down the road to believe that they actually are going to have coverage now, that think that there is going to be a doctor there to take care of them. If their reimbursement rates are anything like they are for Medicaid, there may not be a doctor there to deliver the services.

Mr. BURGESS. One of the things before the time completely leaves us, I just want to draw attention to a recent poll put out by U.S.A. Today that does show that the plurality of Americans, a majority of American citizens, believe that the benefits in the SCHIP program should go to poor children first, and that's not to the children at the upper-income levels that we were showing on the other slide. That is the group of children for which this program was originally intended, that is children whose parents make too much money to qualify for Medicaid, yet not enough money to reliably afford their health insurance.

When this program was first enacted in 1997, by a Republican Congress with a Democratic President when this program was first enacted, that was a group of children that the Congress was trying to help. The concept of poor children first is one that the American people embraced.

In fact, I introduced legislation earlier this year, H.R. 1013, that would have put the children back in SCHIP and removed adults from the program. Now, I am grateful, very grateful that the Democratic majority has now embraced that concept and at least their latest iteration of the SCHIP reauthorization bill said that there will be no adults on the program within one year of the enactment of the bill.

It's a bittersweet victory because there are so many other aspects of the bill that are flawed that Mr. GARRETT has just alluded to. The funding mechanism absolutely disappears in the fourth year of the program. The funding mechanism itself is based on a belief that there will be an increasing number of smokers in this country, and public policies that I support to decrease the number of smokers and decrease the number of young people who begin this habit.

It makes no sense to be saying we are going to fund this entire program based upon that type of tax and, on the other hand, try to put our maximal effort behind trying to reduce the number of smokers in this country. It is certainly a conflicted mindset that the Democratic majority seems to be propounding here.

One of the other things that I do want to bring up just before we close, another poll from U.S.A. Today that the American people are concerned, are concerned that the program as proposed would pull those children off of private health insurance and put them onto a government plan.

Then as Mr. GARRETT so eloquently pointed out, then the funding dries up, and where are you then? At the same time, if you have driven pediatricians out of practice because of lower reimbursement rates, you have now the trifecta, the triple whammy, where health care for children may be seriously jeopardized in the mid-term or the long-term because of the fact that we are sacrificing for political expediency today.

TERRORIST ACTIVITIES IN LATIN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from New York (Mr. SERRANO) is recognized for 60 minutes.

Mr. SERRANO. Mr. Speaker, I rise today to speak about an issue that troubles me quite a bit and I think should trouble a lot of the American people. Certainly it should concern Members of Congress.

A resolution was passed this afternoon by voice vote dealing with the alleged involvement and behavior of the President of Iran, therefore, the Government of Iran, in Latin America and supporting, according to this resolution, terrorist activities in Latin America.

Let me briefly read the opening statement of this resolution, the title, if you will: expressing concern relating to the threatening behavior of the Iranian regime and the activities of terrorist organizations sponsored by that regime in Latin America.

Well, just to deal with language itself, we know that when our government calls another government a regime, it is not saying anything positive about it. It is, in fact, confronting it in some way. But I think that as unnoticed as this went by, as I said it was passed on a voice vote, as unnoticed that this went by, this puts us in a situation, the Congress, the American people, our Nation, on a road, on a path to a very dangerous situation in the future, perhaps in the near future.

We all know how concerned the administration is and how concerned some Members of Congress are about the possibility that Iran could be involved in activities that would be hurtful to us. I want to correct that. I think all Members of Congress are concerned about that possibility.

But I think we are also concerned about the fact, many of us, that there seems to be a drumbeat towards war with Iran, a drumbeat that says, basically, some of the same things that were said when we were taken off to war against Iraq. Just about everything that was told to us at that time happened not to be true. History will tell whether, in fact, we were lied to, or whether the information was so bad that the administration had no choice but to pass that on to us thinking that it was correct.

But there are many who feel that we were lied to. Again, history will have to deal with that.

My concern is that this resolution today moves away from just a concern about the behavior of the Government in Iran and begins to suggest that there are neighbors of ours, and, yes, I say neighbors, because that's what the Latin American people are, neighbors of ours, that could be involved in this behavior, behavior which would be dangerous to the United States, behavior which we all should be concerned about, behavior that, perhaps, would lead us to get involved in Latin America in a way that we haven't been involved for a long, long time.

But I think in order to understand where we are with this issue, we also have to have, I think, an understanding of how history repeats itself, how some things that we are hearing now we have heard before. For close to 50 years now, we have had a very strong lobbying effort in this country against a Cuban Government. The so-called anti-Castro lobby has been very strong, and that lobby has been very influential in getting many Members of Congress and Presidents, present and past, to feel that the only path towards changes in Cuba is to continuously attack and confront the Cuban Government. To the dismay of many people, I am sure, and with all due respect to many people, it is no secret that for the most part that lobby, this effort, has come out of anti-Castro groups who, for the most part, live in the State of Florida.

Well, something very interesting has happened in the last few years. As Latin America has elected leftist-leaning leaders, people who propose to put forth a modern-day socialism, as they call it, 21st-century socialism, but people who have been elected and re-elected as they have emerged, they have decided that it would not be improper for them as leaders of those countries to have a relationship with the Cuban Government.

Well, that upsets the same people who have been upset with the Cuban Government. The fact that some new governments in Latin America would now be friendly to the Government in Cuba would upset these folks.

Our policy towards Cuba has been heavily influenced by this anti-Castro movement. I can't tell you how many times in the 17 years that I have been in Congress and have tried to change that policy. I have been told by Members of Congress on both sides, Democrats and Republicans, liberals and conservatives, I have been told by them, I agree with you, you are right with this policy having to change.

But I think we have to continue it, and most of them will tell you, because the lobbying effort, out of a couple of communities in this country is so strong, that I really don't want to face that. Right on the House floor they have told me, I don't want to face that, I will just go along with this policy, as outdated as this may be, as inefficient as that may be, because it hasn't changed anything in Cuba, not that we should necessarily be changing things in another country. But now we find that those same folks have now picked new targets.

Chief among those targets, top of the list, is the President of Venezuela, Hugo Chavez, who has over and over again shown his friendship to President Castro of Cuba, and that irritates the folks who support ending Mr. Castro's stay in Cuba. Those folks then have started to say the same things that they have said for years about Mr. Castro.

Now, the fact of life is that the Cuban Government, the system in Cuba, and the system in Venezuela, for instance, are totally different, totally different. But not to those folks who simply would want to get rid of one. They now feel that they have a target which is the President of Venezuela.

That target then, I think, leads us to situations like today, where a resolution presented here speaks of putting together all these groups who have one thing in common. They speak out against our government, they say things we don't like, and who happen to have been visited or received telephone calls or offers of help from Iran.

Now, Communist China, and I use that title, that phrase, that word, so we understand what we are talking about, are involved in the economy of every country in Latin America; but you don't see a resolution on the House floor condemning Communist China for being involved in Latin America.

□ 2245

Why? Because they're a big trading partner of ours. And secondly, let's be honest, because there is no Chinese American lobby in this country influencing how we behave in Congress. And so we could deal with China every day and they could do whatever they want in their country, and we will never say more than maybe say every so often, behave yourself.

And there are countries in the Middle East who treat their folks in ways that you could spend every day in Congress condemning them, but we won't do that because we have a relationship with them.

But nothing, and I say this with great admiration, nothing is as strong as the anti-Castro lobby, which has made it clear that the leadership in Latin America that is friendly to Mr. Castro must pay a price, and one of the prices you pay is to lump them together as this hate group that is now going to be involved in terrorist activities in Latin America.

We have democratically elected leaders in Latin America that have these friendly relations with the Cuban Government. That doesn't matter to us that these folks were elected and re-elected. As long as they are friendly to Cuba, Miami hates them. And as long as Miami hates them, then Congress must hate them too.

So when you hear comments about Chavez, when you hear comments about Evo Morales, the President of Bolivia, when you hear comments about President Correa in Ecuador, understand, when you hear these comments, or about any one of the other left-leaning presidents in Latin America, that you're basically hearing from the same playbook, the comments that you heard about Cuba for all these years.

But please understand something, that you are not hearing direct attacks on those governments; you're still hearing an attack on the Cuban Government. It is just being played out in this new scenario called the other countries in Latin America.

Now, it is true that we have, or they have elected leaders in Latin America that are not happy with the U.S. Government and that words have been strong at times towards us. But some of this rhetoric has a history behind it.

While our country paid a great deal of attention to Asia, Europe and the Middle East, we neglected Latin America. That is a fact. That is not Congressman SERRANO from the Bronx, New York, just making those comments to sound nice at this time of night. That's a fact. We neglected Latin America, and they suffered, and still do, through some very difficult periods.

And during the Cold War, it was really interesting. We would go to Latin America and we would say, General So-and-So, Senor, do you support communism in the Soviet Union or do you support our style of government? And those generals would say, oh, no; we support your style. We would say, great, you're our friend. We'll see you in a couple of years. And meanwhile, they mistreated their folks; they ransacked the country. But it didn't matter to us because they were not for communism. They were not to the left of the political spectrum. They were not for socialism.

During that time, however, we would say something very positive. Every so often we would kind of knock them on the shoulder and say democracy is the most important thing. Nothing is as important as democracy.

Well, you know something? They've tried it all in Latin America. They tried military dictatorships. The people didn't try it. They were the victims of it, and it didn't work. Then they tried regular dictatorships, if there's such a thing different from a military dictatorship. But it didn't work either. The people suffered, but the ones who tried it didn't work. Then they tried something new for Latin America in many cases, new to some countries, new to many countries. They tried democracy. They elected folks. But they elected folks who were very much tied to international corporate interests, who got elected, many in questionable elections, and then neglected the people, neglected the people. And the people found out that they had elected people, they had done everything they were asked to do, and they were getting poorer and poorer every day. So what have they done in the last couple of years? They've elected left-of-center candidates in Chile, in Argentina, in Ecuador, in Bolivia, in Venezuela. And these folks have been, and are, revolutionaries. They, themselves, claim to be revolutionaries, and that, again, we hear that word, that upsets us. We forget that this great system we have here was created through a revolution against the British. But we were the last ones to use that word in a way that we liked it. Now anybody who calls himself a revolutionary we get upset about. But these people are revolutionaries. They're trying something new in Latin America. Embarrassing as it may seem, it is new to many countries in Latin America, this whole notion that the person at the bottom, the person who's been suffering for years, the indigenous people, the darker skinned people, that they would now have an opportunity to have something better.

Now, and this is important what I just mentioned about the fact that in Latin America, the darker skinned folks are beginning to feel that they have a stake in their system.

When Secretary of State Colin Powell, one of the greatest Americans, left the administration at the last, the end of the last term, he came before our Subcommittee on Commerce, Justice, State, and I was the ranking member at that time. And he said to us something very important when he was talking about Latin America. He said, the big change in Latin America, and what we Americans need to understand, now he didn't say it was good. He didn't say it was bad. He didn't say it was a problem for us. He just said it was something that was happening in Latin America, that we as Americans have to pay attention to. He said, those folks are beginning to elect people who look like themselves. Now, that's a heck of a statement by a very intelligent man who has a good understanding of the world. I don't know if that upsets some of us, but I think it does upset some folks in this country and throughout the hemisphere, that countries that are composed primarily mostly of indigenous people and people of color have now decided to elect people who look like themself, people who come from them. And when they decide to make changes that are very dramatic and, yes, very revolutionary, we get upset because it doesn't serve the corporate interests of a lot of American corporations.

So Hugo Chavez in Venezuela decides that he's going to revolutionize the way Venezuela behaves. He came to the Bronx. He visited the Bronx. He spoke to us and he said something very interesting. He told us who he was. And you never hear about this in this country. He told us he was a kid, very poor, who didn't have shoes until he was a teenager, walked barefoot, who wanted only one dream in life, to become a major league baseball pitcher. And he was pretty good. But from where he lived, to be seen by major league scouts, he had to go to Caracas. And he was told that the only way to get to Caracas was to join the Army. So he joined the Army. He jokes that it was the worst mistake his country ever made, letting him join the Army, because when he began to travel with the Army he noticed something very interesting of Venezuela. He noticed that people who looked like him were very poor, and other folks who didn't look like him were living in a country with a lot of oil and a lot of money. He also noticed that not all neighborhoods were like his. He thought all of Venezuela was like his neighborhood, and it wasn't. It had serious pockets of serious money. So he began to grow a conscience about that; became a military leader, eventually led him into politics. He got elected. And when he got elected he immediately set out to change the way Venezuela behaves. And the opposition to him knows that. That's why they all admit that he's so popular within his country, by the folks who are at the bottom.

But, you know, I get to watch Spanish television from Latin America on my cable system in the Bronx, and you know, as tough as we are in American politics, some of the stuff you hear about President Chavez from the owners of these stations who open up their morning programming by reminding people that their President has curly hair and is dark skinned, as if that was a sin, but it's such a revolutionary thing that has happened in Latin America that some people still can't get over it. So he's an idiot. He's crazy. He's corrupt.

But even the opposition, at times, in attempting to say something against him, really says dumb things. I wish I had the name of the person, although I wouldn't use it on the House floor, but during the last elections in Venezuela when the polls indicated that President Chavez was at 62 percent of the vote, one of the New York Times reporters, I think it was, asked this leader of the opposition, Why do you think he's so popular? And the gentleman said, and this has to be the dumbest statement ever made by a politician in the history of the world, the gentleman said, You would be popular too if you were always building schools and hospitals for the poor. Well, to that I say, what American teenagers taught us to say, duh. I mean, isn't that the reason why you elect people to take care of those in the society who need help amongst others? Because you don't play class warfare. So they're saying that because he's building hospitals and because he's building schools, he's very popular. Well, yeah, Mr. Opposition. Why didn't you try that when you were in power for the last couple of hundred years to do some of that?

Now, these leaders in Latin America that we attack, it's important to know how they got to that point of being the leaders of these countries. For instance, in this resolution, it says, whereas in January of 2007, the President of Iran made his second visit to Central and South America in 5 months to meet with Hugo Chavez, President of Venezuela, to visit Daniel Ortega, President of Nicaragua, and to attend the inauguration of Rafael Correa, President of Ecuador.

Well, if we're going to be technical about this, the fact is he went there for the President's inauguration, something we all did. I mean, every country in the world sent a representative. I imagine our Ambassador was there. If he wasn't, he should have been there because this was an elected President of Ecuador.

When you make those visits, as our President does, and I commend him for it, you go and you take the time that you're in that country and you visit neighboring countries if you don't get a chance to meet with everybody. That's something you do.

But we attack these people in this resolution that we passed today, this, in my opinion, dangerous resolution, and that's why we're here today. We're here today because Congress passed a resolution today condemning Iran's involvement in Latin America and suggesting that these progressive leftist semi, if you want to call them, socialists in Latin America have a bond going with the President of Iran to create havoc for us and to fund terrorist organizations.

But there's something we forget. Let's look at Daniel Ortega of Nicaragua. He was elected in a free and fair election, recognized by world organizations. As part of the Central American peace plan, Ortega's Sandinista government agreed to internationally monitored democratic elections in 1990.

Now, this guy we don't like submitted himself to elections in 1990 and he lost, and peacefully, after having won a revolution, peacefully turned his government over to Violetta Chamorro, who was the victor, with our support, heavily with our support, because all the arguments in those days about how much money we sent into her campaign.

□ 2300

Now, can you imagine if somebody from another country sent money to one of our Presidential campaigns, another government, what we would do with that candidate in this country? But we do that.

Ortega ran for President in 1996 and lost, ran for democratically provided elections in 2001 and lost. Because he came in second place both times, however, Nicaraguan law gave him a seat in the national assembly where he has served as an opposition leader. Then he ran for President again in 2006 and won. Now, shouldn't that alone make us want to go to Nicaragua or call him up and say, We asked you, we asked everybody in Latin America, to get elected. You ran four times and finally you got elected. Let's at least talk. No? We are on his case. In fact, we are linking him to terrorist organizations in this resolution.

Rafael Correa, President of Ecuador, elected in free and fair elections January 15 of this year. He is a U.S.-trained economist. What does that mean? That he learned what he knows about what he wants to put in practice in Ecuador in American schools. So shouldn't we be applauding that? Shouldn't we be applauding the fact that he got elected democratically? He is Ecuador's eighth President in 10 years. The instability has been horrible. Maybe there could be stability now. We should be supportive of that. He defeated Alvaro Noboa, a wealthy banana magnate, in a run-off election held in 2006. Contrary to our predictions, he got 57 percent of the vote.

Now, the one that we attack the most, of course, is President Hugo Chavez of Venezuela. Well, let's review this for a second. President Chavez has won elections in 1998, in 2000, and in 2006. In other words, he got elected in 1998. He then went out and had his coalition elect delegates to a constitutional convention. Those delegates wrote a new constitution that, and listen to this revolutionary idea, gave power to the poor and to the indigenous people. They changed the constitution to do that, and they put it before the people. The constitution was passed by the people. So I'd say that that is another referendum on Chavez. Then the new constitution said that he had to cut his 6-year term short and run right away. So he ran in 1998; then he had to run again in 2000.

Then in 2006 in between the opposition again with support from outside forces, a lot of them based right in the State of Florida, they held a referendum. He submitted himself to that referendum to be recalled as the President. He wins in 1998. He doesn't finish his full term. He goes again in 2000. But by 2004 they were ready to kick him out, the opposition. They hold a referendum. And he wins it big. The recall, he wins it big. In 1999, as I said, he won a referendum for a new constitution. And in 2005 his coalition of parties won election for the Parliament, for the Congress.

Now, here's the question I have: Didn't we tell Latin American countries to use the democratic process? Isn't that what we always said was the bottom line? Everything else could be negotiable, we said at times. But democracy was the bottom line. Even when we didn't practice it, as I said before, we did say this is what you must do. Now I just read you three examples of people who have used the democratic system to reach their positions. So why are we attacking them continuously on the House floor? Once a month we get a resolution here attacking somebody in Latin America instead of getting close.

Now, what we don't understand is that this whole situation with Latin America's electing people who are left of center is because the people are tired of the poverty, tired of the pain, and they now have leaders who at least in what they have attempted to do up to now indicates that they want to balance off the wealth of those countries. Balance off.

We don't celebrate the fact that Hugo Chavez comes from poverty, reaches the presidency, and has been elected 3 times himself and his government another 5 times totaling 8 elections since 1998. We don't celebrate the fact that in over close to 500 years, the people of Bolivia, a country mostly made up of indigenous people, what we call Indians, elected for the first time an Indian, Evo Morales. We don't celebrate that.

I felt so good when I saw this man take the oath of the presidency dressed in the native dress of his people. I thought it was a great day. Our comments right away were, what is he going to do with the gas industry? Well, he did what we expected. He told some of the gas companies this is a very poor country. We have a lot of natural resources here. We are going to start sharing some of those profits with the people. Oh, he's a communist. We have got to get rid of him. He's a problem. So now in this resolution we lump him together with the President of Iran. When you do that, you immediately make enemies of the American people and those people.

But you also make a very serious mistake, and this is perhaps the most important thing that we have to pay attention to. When you reject the electoral victories of these folks; when you don't celebrate the fact that people from the lower class, economic class, that people of darker skin of indigenous people are being elected; when you as the American Government, the greatest and largest government in the world, don't celebrate that and, in fact, spend a lot of time trying to bring them down; when you don't do that, it is natural that you drive them to places where you don't want them to be.

Now, when you are a Member of Congress and you stand up in front of the House and people may watch you on TV, you are supposed to speak as exactly that. My problem, or my strength, is that I so often remind people that I grew up in a public housing project. And in the projects you have certain rules of behavior. And one is that if somebody is trying to do you in and that person is stronger and bigger than you, you go find someone who can help you confront that person. That's a fact of life for survival. Most Members of Congress, most American elected officials don't talk about the rule of the projects because they didn't grow in the projects. I am not saying that makes them worse than me, just different. So I use that as a point of understanding. Again, I grew up in the South Bronx in a public housing project. If you came after me, if you came after my mother, my sister, my cousin, you were my enemy.

Well, when President Chavez came to the U.N., our country was outraged. And I was not happy with what he said. He called President Bush the devil, and that was enough for us to go to war.

But let's talk about a little history now. There was a coup attempt on President Chavez by members of the military and members of the elite. All of Latin America, most of Europe, some folks in the Middle East all got up and said you can't do that. You can't do that. That man was elected. He's got to serve his term. What did the United States say? Well, at the White House some folks said publicly he brought it on himself. No, you can't say that, he brought it on himself. You don't bring on a coup against your government.

In Latin America they said that our fingerprints were all over that attempted coup; that if we actually did not participate in it, we gave aid to it through our comments and said it was okay. Now, when I met President Chavez when he came to visit the Bronx, he spoke to us for a couple of hours. He's famous for speaking a couple of hours. He told us about all the things I have mentioned here. But he said when they took him out of the presidential palace, the "White House," if you will, took him up to the mountains, he knew he was going to die. He knew he was going to get killed. And you can imagine what is going through his head because he doesn't know what is happening in Washington. He found out later that what was happening to him and when he thought he was going to get killed, he thought the whole world was outraged.

He found out later that Washington was basically saying we'll figure it out. And we didn't say anything when the guy who took over for him momentarily suspended the Congress, suspended the constitution, and that's when the people reacted to it. Of course, Chavez came back because two things happened. One was the folks from the mountain side, the poor folks, the dark-skin folks, the indigenous people found out and they started running to the city and demanding to have their President back. The people won, the power didn't. But we didn't say anything.

And he tells us that when he goes there, a young soldier, he's sitting in a room and opens the door and he hears the rifle load up and he thinks he's going to get shot right there, and the soldier says, If our President is killed, we will all be killed here. And that did a turnaround where the young soldiers told the older soldiers, We're not going back to those days. This man was elected and he has to serve his term.

Now, let's go back a second to my focal point of growing up in the projects. They tried to kill the man and he came back into power. He thinks a few people were involved in it. He calls our President the devil as a representative of the country that didn't help him during that time. We don't appreciate having our President called the devil. We don't encourage that and we all denounced it. But in the projects if you try to bump me off, the least I am going to call you is the devil. In fact, the ramifications may be even more dangerous. So I think it was really a light comment compared to what he felt was happening to him.

Now, there is another issue here that has been discussed a lot. We all heard about how recently President Chavez closed a TV station in Venezuela, and we were outraged. Nobody likes to do that. But what we were not told here is the history behind that. I'm not suggesting it was a good move. If I had been his adviser, I would have said leave it alone. But do you know who was on in the middle of the attempted coup against President Chavez in the Venezuela equivalent of the White House? The owner of the TV station that lost its license a few months ago. He was there as part of the coup to overthrow this government.

Now, listen to me. I don't support most of the policies of President Bush. But if I heard that CBS, ABC, CNN, anyone tomorrow was involved in a coup against President Bush, I would ask that their license not be renewed because that is not freedom of speech. That is violence against the government.

☐ 2315

And you can't treat them any differently than you would treat someone. I would say we have to seriously consider not allowing them to continue in that role because they just attempted to overthrow a government by force.

Also, they refused to televise the coup. And when they did televise, they only televised the opposition; they never televised the people. The country never knew that Chavez was gone because they didn't want the people to know. And when he came back, they didn't know that either, although they had televised part in the middle of the coup because they were supposedly playing cartoons and movies on TV because they didn't want to support the government in any way. That is the truth behind that licensing situation.

Now, what is the danger in what we've done today? Today, we committed the mistake of allowing our emotions on the issue of Cuba to blind us into attacks on Latin American countries, blanket attacks on many countries. And in this resolution we make claims on issues that in no way can be proven.

We're suggesting that Iran is going to fund terrorist organizations in Latin America. These are some of the same folks that told us there were weapons of mass destruction in Iraq. How many of us have forgotten those words, "weapons of mass destruction"? They also told us that Iraq was tied to al Qaeda. They also told us that Iraq helped al Qaeda in the 9/11 attacks. Even the White House has now admitted that most of that, if not all, was not true. So, I can't understand this desire to lump this together with Iran, present bad information, if not outright lies, and begin to move us towards a confrontation with Latin America at the same time we have confrontation with Iran.

But look at some of the silly things that the resolution says. It says, Whereas, at the Iranian Conference on Latin America, Iran announced that it would reopen embassies in Chile, Colombia, Ecuador, Nicaragua, Uruguay, and send a representative to Bolivia. And what is wrong with that? Don't we want people to talk to each other? Don't we have relations with most of the countries of the world? But when Iran does it, just to reopen relations they had before, re-establish, we get upset. Well, that's an acceptable action for a sovereign state.

Now, I spoke about the various leaders, and I neglected to remind us that the President of Bolivia was elected on December 18, 2005, with a record 85 percent of the Bolivian people voting in the elections. They were deemed by world organizations to be free and fair. He won a convincing victory, getting 54 percent of the vote, compared to 29 percent for his opposition. Although a lot of people were predicting that he would win, no one thought that he could win this big.

Now, here's another part of the resolution. And I leave it to the people watching or listening to this to try to figure out what this means, because I don't know what the crime is here. It says, Whereas, routine civilian airline flights have been established from Tehran, Iran directly into Caracas, Venezuela, and the Government of Venezuela has been found to be indiscriminate in the issuance of Venezuelan passports and other identifying documents to people coming on those flights. So, they're allowing people to fly directly to them, and they are allowing Iran to fly direct flights. Well, we have direct flights all over the world. What is the issue?

Now, here is the most dangerous one: Whereas, Iran and Hezbollah were involved in the two deadliest terrorist attacks in Argentina, and we all know that this is true, now they claim that Hezbollah is setting up in Latin America with the support of Iran. Well, my God, if that is true, why are we waiting until this particular resolution, which passed in what one could call the quickness of the afternoon without a vote, to bring up such a serious situation? If it's true that Hezbollah is involved in Latin America setting up bases, recruiting people, shouldn't we be outraged and really consider how to address that rather than just as a throw-away line in a resolution? This is so much more of this attempt to link Iran to Latin America.

And let me reach the last few minutes here by telling you why I think this is extremely dangerous.

It is pretty clear around here that we are beating the drum towards war with Iran. That's no longer an alarmed behavior. I'm not trying to alarm people into feeling nervous, but I think most American people are hearing a lot of what they heard before we went to Iraq. And you know that Iraq has been a very, very difficult situation for us, and we don't know when we will be able to get out of Iraq. And now there is this drumbeat, both inside and outside the Congress, throughout the country, but coming from the government, from the White House, coming out of the President's office, coming out of the Vice President's office, that we have to somehow confront Iran. That's a problem all by itself. And it's a horrible problem that we could be discussing here for hours.

But my concern, and my reason for speaking on a resolution today, a resolution which was introduced primarily by Democrats, and I know this is not something we usually do, speak against members of our own party, but we can all be nervous about a situation because on both sides of the aisle people are marching forward to war with Iran.

So, now we link these other countries. What does that mean? Does that mean that we now have an excuse to go and try military action against Bolivia? against Argentina? against Ecuador? against Venezuela? Is it because, indeed, they've earned the right, if you will, of having us react that way, or is it because we're using Iran as an excuse to deal with other things we wanted to deal with in the first place, which is getting at these folks.

And so, I go back to my initial statement, that the same lobby group that has been directing our policy towards Cuba and preventing us from making changes in that policy, that same group has been intelligent enough, enabled enough to now direct our attention towards Latin American leftist leaders because they're friendly to Cuba, and what best way to get at them? To link them to Iran, the ugly country for us right now.

And I'm not suggesting, by the way, that we should not have some concerns, if not serious concerns, about the behavior of Iran. That's not the issue here. I don't want people tomorrow saying, oh, he was defending Iran. No. I'm defending no one. What I'm defending is the right of the Latin American people to make their own democratic choices, if you will, and that we will respect that. But by linking them, I have to ask the question, if we go after Iran, and we just finished saying this afternoon that these Latin American countries are tied into Iran's behavior, aren't we also giving ourselves the opportunity, the reason, the power to go after these countries, too? That's my concern.

Let me conclude by speaking to a subject that I know well. You don't have to live in Latin America to know how Latin Americans feel about the United States or about American people. This may sound like a joke, it may even sound sarcastic, but it is honestly true. All you have to live is in southern Maryland, in northern Virginia, in D.C., in New York, in LA, in Houston, in Dallas, in any city, any suburb in this country that has the growing number of immigrants from Latin America, whether documented or not, they're here for a reason. And if we were discussing immigration, I would tell you that they're here because they like this country. They want to work. They want to feed their families. But that is no different than how people in Latin America feel about us. To link them with a group of folks in the Middle East who have openly said, not all of them, but some, who have openly said that they don't like us, to link them to that is to make two horrible mistakes. One is to have bad information again put forth about a people who actually like us, and also, the worst mistake of all, to drive them into the arms of people we don't like. Because as I told you before, when you pick on someone and you're the toughest guy on the block, that person is going to have to find someone to help them out.

So, instead of reaching out to Latin America, we say to them, you're as bad as the other guy. And we hate the other guy, and we're going to eventually take action against the other guy, so you know what you can expect. And even if that's not our intent, it will only make them think that that is our intent, and they will have to try to drum up new relationships. Because they're not going to give into us, they're not going to leave office and say we'll go back to the days when the general ran the country.

Latin Americans, my friends, can be found in any city, any suburb, any neighborhood. And so many of them have such a close relationship to the people back home that they want to do nothing in this country to jeopardize the ability to continue to deal with their family back home. And their family back home will never allow any behavior in those countries that can hurt us. They need us and we need them.

And so, when you speak to Latin Americans in our communities, you never hear hatred of the United States as you do in some other countries. They are materially poor, yes, suspicious of America's intentions in their hemisphere, yes, but interested in making common cause with Hezbollah and other foreign movements to target American interests? Never. Let me repeat that. They would never team up with a terrorist organization against the United States. They don't have anything against us of that nature. They just don't like our rhetoric and our indifference to them, but they're not going to team up with anybody to hurt us, because most of those countries have so many of their people living here that it would be like attacking another part of your neighborhood. Because to hurt the American interests would almost certainly hurt their own. Money that flows from here to there would be cut off from relatives. Those family ties of people living and working in the United States would be gone.

A broad cultural admiration for the U.S. have knit together places like Caracas, Quito, and New York. One of the ironies of the current immigration debate is how folks often evoke how immigration from Latin America is changing this country. What they forget is how that same phenomenon is changing Latin America, which, despite its general political rejection of this administration, is growing ever closer in its embrace of a Pan-American culture and a Pan-American economy.

□ 2330

For many thousands of people in Venezuela, Ecuador and Nicaragua, Americans are their cousins, their siblings and their children. They can be our greatest allies in the world if we don't continue to push them into the embrace of hostile regimes with foolish resolutions like this one.

Mr. Speaker, it wasn't easy for me to decide to speak on this today. As I said, this resolution was presented by many Democrats, well-intentioned folks. I just see us going down a dangerous road here, a very dangerous road. If we have a problem with Iran, deal with that problem. Don't link the poor people of Latin America who have nothing against us.

We have tried to export democracy to Latin America, and I think finally it is working. But we don't like the results. We have tried to export capitalism, and in many ways what they do with each other by trading oil for doctors and oil for technology is capitalism at its best. I often joke, but profoundly so, I think, that we exported baseball to Latin America. I don't have to tell you how well that is doing in Latin America and doing right here. I am a Yankee fan. But just ask the Boston Red Sox how they feel about Latin American ballplayers and Latin American baseball.

So these folks don't dislike us. But they are going to be troubled tomorrow morning when they find out what we did here in Congress today. They are going to be troubled that we are linking them with people we hate and they don't want to be hated by us.

So I hope we can spend some time reviewing this, thinking about it, and perhaps understanding that in our desire to do what is right for us and to protect our great country, this country I love, this country in whose Army I served proudly, this country whose

Congress I serve proudly, this country that I would give my life for, that as you love your country, you don't love it different from a child. When that child is not doing the right thing, you have to correct that child. And our country is wrong right now in its desire to treat Latin America with hate and disdain and to make of it something that it is not. They are our neighbors and our friends. We should treat them as such. We should extend our hand to them and tell them, you are our neighbor, you are our friends, you are, in fact, members of this family in more ways than one, and we are members of yours. Let's work together. Let's not show a lack of respect for each other.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BRALEY of Iowa (at the request of Mr. HOYER) for today on account of a flight delay.

Mr. CARNEY (at the request of Mr. HOYER) for today on account of business in the district.

Mr. DAVIS of Illinois (at the request of Mr. HOYER) for today on account of travel delays.

Ms. GIFFORDS (at the request of Mr. HOYER) for today on account of official business.

Mr. ISRAEL (at the request of Mr. HOYER) for today.

Mr. KIND (at the request of Mr. HOYER) for today.

Mr. MCNULTY (at the request of Mr. HOYER) for today and through 2 p.m. on November 7.

Mr. PASTOR (at the request of Mr. HOYER) for today and November 6 on account of business in the district.

Mr. YARMUTH (at the request of Mr. HOYER) for today on account of business in the district.

Mr. WELLER of Illinois (at the request of Mr. BOEHNER) for today on account of personal reasons.

Mr. WESTMORELAND (at the request of Mr. BOEHNER) for today on account of illness in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MICHAUD) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Ms. CLARKE, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Mr. MCINTYRE, for 5 minutes, today.

Mrs. BOYDA of Kansas, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mr. MICHAUD, for 5 minutes, today.

Mr. HARE, for 5 minutes, today.

(The following Members (at the request of Mr. WALBERG) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, November 9 and 12.

Mr. BURTON of Indiana, for 5 minutes, today and November 6, 7, 8, and 9.

Mr. JONES of North Carolina, for 5 minutes, November 9 and 12.

Mr. FLAKE, for 5 minutes, November 6.

Mr. ENGLISH of Pennsylvania, for 5 minutes, November 8.

Mr. WALBERG, for 5 minutes, today.

Mr. ADERHOLT, for 5 minutes, today.

Mr. SALI, for 5 minutes, today.

Mr. LAMBORN, for 5 minutes, today.

Mr. NEUGEBAUER, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

Mr. Broun of Georgia, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. CLYBURN, for 5 minutes, today.

Mr. HONDA, for 5 minutes, today.

Mr. PEARCE, for 5 minutes, today.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on November 1, 2007 she presented to the President of the United States, for his approval, the following bills.

H.R. 1808. To designate the Department of Veterans Affairs Medical Center in Augusta, Georgia, as the "Charlie Norwood Department of Veterans Affairs Medical Center."

H.R. 2779. To recognize the Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national museum of Navy SEALS and their predecessors.

ADJOURNMENT

Mr. SERRANO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, November 6, 2007, at 9 a.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3986. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Pesticide Tolerance Nomenclature Changes; Technical Amendments; Correction [EPA-HQ-OPP-2002-0043; FRL-8151-4] received October 30, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3987. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Army, Case Number 03-09, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

3988. A letter from the Assistant Secretary for Installations and Environment, Department of the Navy, Department of Defense, transmitting Notice of the decision of a public-private competition at the Naval Support Activity in Cutler, ME, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

3989. A letter from the Director, Defense Research and Engineering, Department of Defense, transmitting Notification of the intent to fund Foreign Comparative Testing Program projects for the Fiscal Year 2008 program, pursuant to 10 U.S.C. 2350a(g); to the Committee on Armed Services.

3990. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Board's report on the Availability of Credit to Small Businesses, pursuant to 12 U.S.C. 252; to the Committee on Financial Services.

3991. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Indonesia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3992. A letter from the Secretary, Department of Energy, transmitting the Department's report entitled, "The Potential Benefits of Distributed Generation and the Rate-Related Issues That May Impede Its Expansion," pursuant to Public Law 109-58, section 1817; to the Committee on Energy and Commerce.

3993. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Michigan; Consumer Products Rule [EPA-R05-OAR-2007-0192; FRL-8486-6] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3994. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Michigan; Recordkeeping and Reporting Requirements for Abnormal Conditions [EPA-R05-OAR-2007-0631; FRL-8486-4] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3995. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New York Emission Statement Program [Docket No. EPA-R02-OAR-2007-0368, FRL-8428-5] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3996. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; North Carolina: State Implementation Plan Revisions [EPA-R04-OAR-2007-0227-200722(a); FRL-8488-5] received October 24, 2007, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Energy and Commerce.

3997. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Delegation of Authority to the States of Iowa, Kansas, Missouri, and Nebraska for New Source Performance Standards (NSPS); National Emission Standards for Hazardous Air Pollutants (NESHAP); and Maximum Achievable Control Technology (MACT) Standards [FRL-8487-5] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3998. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products [EPA-HQ-OAR-2003-0048; FRL-8482-2] (RIN: 2060-AO65) received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3999. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — OHIO: Final Authorization of State Hazardous Waste Management Program Revision [FRL-8488-6] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4000. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives: Modification of Baselines for Gasoline Produced or Imported for Use in Hawaii, Alaska and U.S. Territories [EPA-HQ-OAR-2003-0010 FRL-8487-2] (RIN: 2060-AK02) received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4001. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Revised Denver PM10 Maintenance Plan [EPA-R08-OAR-2007-0622; FRL-8490-6] received October 30, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4002. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Revisions to the Nevada State Implementation Plan; Requests for Rescission [EPA-R09-OAR-2006-0590; FRL-8489-4] received October 30, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4003. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; Control of Emissions From Existing Other Solid Waste Incinerator Units; Nevada [EPA-R09-OAR-2007-0916; FRL-8489-6] received October 30, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4004. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Great Basin Unified Air Pollution Control District and Mojave Desert Air Quality Management District [EPA-R09-OAR-2007-0459; FRL-8487-6] received October 30, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4005. A letter from the Chair, Board of Directors, Corporation for Public Broadcasting, transmitting the semiannual report of the Office of the Inspector General for the period ending March 31, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4006. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4007. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4008. A letter from the Deputy Assistant General Counsel, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4009. A letter from the Assistant Administrator for Legislative and Intergovernmental Affairs, National Aeronautics and Space Administration, transmitting a copy of the Administration's second annual report on Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act; to the Committee on Oversight and Government Reform.

4010. A letter from the Director, Office of Management and Budget, transmitting a report entitled "Statistical Programs of the United States Government: Fiscal Year 2008," pursuant to 44 U.S.C. 3504(e)(2); to the Committee on Oversight and Government Reform.

4011. A letter from the Assistant Secretary for Economic Policy, Department of the Treasury, transmitting two reports entitled, "Social Security Reform: The Nature of the Problem" and "Social Security Reform: A Framework for Analysis"; to the Committee on Ways and Means.

4012. A letter from the Inspector General, Special Inspector General for Iraq Reconstruction, transmitting the October 2007 Quarterly Report pursuant to Section 3001(i) of Title III of the 2004 Emergency Supplemental Appropriations for Defense and for the Reconstruction of Iraq and Afghanistan (Pub. L. 108-106) as amended by Pub. L. 108-375, Pub. L. 109-102, Pub. L. 109-364, Pub. L. 109-440, and Pub. L. 110-28; jointly to the Committees on Foreign Affairs and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RANGEL: Committee on Ways and Means. H.R. 3688. A bill to implement the United States-Peru Trade Promotion Agreement (Rept. 110–421). Referred to the Committee of the Whole House on the State of the Union.

Ms. CASTOR: Committee on Rules. House Resolution 793. Resolution providing for consideration of the bill (H.R. 3685) to prohibit employment discrimination on the basis of sexual orientation (Rept. 110–422). Referred to the House Calendar.

Mr. CONYERS: Committee on the Judiciary. Recommending that the House of Representatives find Harriet Miers and Joshua Bolten, Chief of Staff, White House, in Contempt of Congress for Refusal to Comply with Subpoenas Duly Issued by the Committee on the Judiciary (Rept. 110–423). Referred to the House Calendar.

Mr. OBEY: Committee of Conference. Conference report on H.R. 3043. A bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes (Rept. 110–424). Ordered to be printed.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 3495. A bill to establish a National Commission on Children and Disasters, a National Resource Center on Children and Disasters, and for other purposes; with amendments (Rept. 110–425). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANGEL: Committee on Ways and Means. H.R. 3997. A bill to amend the Internal Revenue Code of 1986 to provide earnings assistance and tax relief to members of the uniformed services, volunteer firefighters, and Peace Corps volunteers, and for other purposes; with an amendment (Rept. 110–426). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Florida: Committee on Rules. House Resolution 794. Resolution providing for consideration of the conference report to accompany the bill (H.R. 3043) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes (Rept. 110–427). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. FILNER:

H.R. 4071. A bill to amend title 10, United States Code, to support disabled veterans by extending military commissary and exchange store privileges to such veterans and their dependents and by authorizing space-available travel on military aircraft for such veterans and their dependents; to the Committee on Armed Services.

By Mr. BARROW:

H.R. 4072. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 4073. A bill to amend title II of the Social Security Act to provide for the issuance of Social Security cards with enhanced security features, to provide that wages earned, and self-employment income derived, by individuals while such individuals were not citizens or nationals of the United States and were illegally in the United States shall not be credited for coverage under the old-age, survivors, and disability insurance program under such title, and to provide for the issuance of Social Security cards to illegal aliens, and for other purposes; to the Committee on Ways and Means.

By Mr. COSTA (for himself, Mr. RADANOVICH, Mr. CARDOZA, and Mrs. NAPOLITANO):

H.R. 4074. A bill to authorize the implementation of the San Joaquin River Restoration Settlement, and for other purposes; to the Committee on Natural Resources.

By Mr. COURTNEY:

H.R. 4075. A bill to amend the Higher Education Act of 1965 to expand college access and increase college persistence, and for other purposes; to the Committee on Education and Labor.

By Mr. ISRAEL:

H.R. 4076. A bill to amend the Federal Food, Drug, and Cosmetic Act to increase criminal penalties for the sale or trade of prescription drugs knowingly caused to be adulterated or misbranded, to modify requirements for maintaining records of the chain-of-custody of prescription drugs, to establish recall authority regarding drugs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PAUL:

H.R. 4077. A bill to authorize the interstate traffic of unpasteurized milk and milk products in final package form for human consumption when the milk or milk product originates in a State that allows the sale of unpasteurized milk and milk products in final package form and is destined for another State that allows the sale of unpasteurized milk and milk products in final package form; to the Committee on Energy and Commerce.

By Mr. PAUL:

H.R. 4078. A bill to amend the Internal Revenue Code of 1986 to allow elementary and secondary school teachers a credit against income tax for professional development and training expenses; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi (for himself, Mr. CUELLAR, Ms. CLARKE, Ms. JACKSON-LEE of Texas, Mrs. CHRISTENSEN, Ms. ZOE LOFGREN of California, Mr. AL GREEN of Texas, and Mr. TAYLOR):

H.R. 4079. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to require that temporary housing units provided to assist disaster victims comply with certain formaldehyde emissions requirements, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WEINER:

H.R. 4080. A bill to amend the Immigration and Nationality Act to establish a separate nonimmigrant classification for fashion models; to the Committee on the Judiciary.

By Mr. WEINER:

H.R. 4081. A bill to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes; to the Committee on the Judiciary.

By Mr. COOPER (for himself, Mr. MCGOVERN, Ms. MCCOLLUM of Minnesota, Mr. DOGGETT, Mr. LYNCH, and Ms. SCHAKOWSKY):

H. Res. 795. A resolution condemning the ongoing violence in the Eastern Democratic Republic of the Congo ("DRC") and recognizing the threat such violence poses to the overall peace of the Great Lakes region; to the Committee on Foreign Affairs.

By Mr. WEXLER (for himself, Mr. HASTINGS of Florida, and Mr. WHITFIELD):

H. Res. 796. A resolution condemning the Kurdistan Workers' Party (PKK) for its ongoing terrorist attacks against Turkey and the Turkish people; to the Committee on Foreign Affairs.

PRIVATE RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FILNER:

H. Res. 797. A resolution referring the bill (H.R. 4038), entitled "For the relief of Adrian Rodriguez", to the chief judge of the United States Court of Federal Claims for a report thereon; to the Committee on the Judiciary.

By Mr. FILNER:

H. Res. 798. A resolution referring the bill (H.R. 4037), entitled "For the relief of Francisco Rivera and Alfonso Calderon", to the chief judge of the United States Court of Federal Claims for a report thereon; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 178: Mr. GUTIERREZ, Ms. CLARKE, and Mr. LEWIS of Georgia.

H.R. 315: Mr. YOUNG of Alaska.

H.R. 471: Ms. GRANGER.

H.R. 513: Mr. ALTMIRE and Ms. BORDALLO.

H.R. 549: Mr. AL GREEN of Texas and Mr. MCGOVERN.

H.R. 552: Mr. MCHUGH.

H.R. 618: Mr. CAMP of Michigan.

H.R. 627: Mr. MCNULTY.

H.R. 695: Mrs. GILLIBRAND.

H.R. 741: Mr. INSLEE.

H.R. 748: Mr. WALBERG, Mr. NADLER, Mr. FOSSELLA, and Mr. SESTAK.

H.R. 821: Mr. MCGOVERN.

H.R. 847: Mr. RYAN of Wisconsin.

H.R. 854: Mr. RUSH.

H.R. 871: Ms. CLARKE and Mr. SERRANO.

H.R. 989: Mr. LATHAM.

H.R. 1063: Ms. GRANGER.

H.R. 1091: Mr. WALSH of New York and Mr. SARBANES.

H.R. 1108: Mr. PASTOR.

H.R. 1110: Mr. WELDON of Florida.

H.R. 1166: Mr. ALLEN and Mr. PAUL.

H.R. 1222: Mr. PRICE of Georgia.

H.R. 1223: Mr. PRICE of Georgia.

H.R. 1275: Mr. MCGOVERN.

H.R. 1295: Mr. PITTS.

H.R. 1439: Mrs. SCHMIDT.

H.R. 1440: Mr. GORDON.

H.R. 1457: Ms. GRANGER.

H.R. 1518: Mr. COHEN.

H.R. 1524: Mr. GENE GREEN of Texas and Mr. LANGEVIN.

H.R. 1619: Mr. SCOTT of Virginia and Mrs. SCHMIDT.

H.R. 1621: Mr. LOEBSACK.

H.R. 1653: Mr. TOWNS and Ms. WASSERMAN SCHULTZ.

H.R. 1687: Mr. LANGEVIN.

H.R. 1755: Mr. FARR.

H.R. 1796: Mr. COHEN.

H.R. 1809: Ms. ESHOO and Mr. JINDAL.

H.R. 1818: Ms. DELAURO, Mr. KENNEDY, Mr. RODRIGUEZ, Ms. WOOLSEY, and Mr. LEWIS of Kentucky.

H.R. 1898: Mr. CHABOT.

H.R. 1919: Mr. CHANDLER.

H.R. 1953: Mr. GORDON and Ms. KAPTUR.

H.R. 1973: Mr. SHAYS.

H.R. 2014: Mr. HOLT.

H.R. 2021: Ms. SOLIS, Mr. BOUCHER, Mr. ALLEN, Ms. CASTOR, Mr. WELCH of Vermont, Mr. ETHERIDGE, Ms. HERSETH SANDLIN, Ms. SLAUGHTER, Mr. HINOJOSA, Mr. PRICE of North Carolina, Ms. CORRINE BROWN of Florida, Mr. CARNAHAN, Mr. HARE, Mr. GORDON, Mr. ELLISON, Ms. LORETTA SANCHEZ of California, Mr. COURTNEY, and Mr. MARKEY.

H.R. 2053: Mr. HALL of New York.

H.R. 2067: Mr. SHUSTER.

H.R. 2091: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ETHERIDGE, and Mr. WYNN.

H.R. 2138: Mr. SMITH of Nebraska.

H.R. 2169: Mr. WYNN.

H.R. 2215: Mr. GRIJALVA.

H.R. 2267: Mr. LAHOOD.

H.R. 2287: Mr. LOBIONDO and Mr. GORDON.

H.R. 2290: Mr. MCCRERY.

H.R. 2380: Mr. MCNERNEY.

H.R. 2407: Mr. FEENEY.

H.R. 2464: Mr. JEFFERSON.

H.R. 2567: Mr. MCCOTTER.

H.R. 2578: Mr. COSTELLO.

H.R. 2580: Mrs. BLACKBURN.

H.R. 2601: Mrs. BOYDA of Kansas.

H.R. 2634: Mr. LYNCH, Mr. THOMPSON of Mississippi, and Mrs. LOWEY.

H.R. 2651: Mr. STARK.

H.R. 2666: Mr. LARSON of Connecticut.

H.R. 2762: Ms. KAPTUR, Mr. BISHOP of New York, Mrs. MCCARTHY of New York, Mr. LOBIONDO, Mr. KIRK, Mr. ALEXANDER, Mr. FORBES, Ms. BORDALLO, Ms. CLARKE, Mr. LATOURETTE, Mr. LAMPSON, Mr. NADLER, Mr. GONZALEZ, Mr. WILSON of Ohio, Mr. MCNERNEY, Ms. SLAUGHTER, Mr. SCHIFF, Mrs. JONES of Ohio, Mr. BOUCHER, Mrs. NAPOLITANO, Mr. ROSKAM, Mr. REYES, Mr. CALVERT, and Mr. ORTIZ.

H.R. 2807: Mr. TERRY.

H.R. 2883: Mr. SALI.

H.R. 2894: Mrs. WILSON of New Mexico and Mrs. MALONEY of New York.

H.R. 2910: Mr. NADLER, Mr. RODRIGUEZ, Mr. HAYES, Mr. SARBANES, Mr. COURTNEY, and Mr. COSTELLO.

H.R. 2915: Mr. ALLEN.

H.R. 2922: Ms. BERKLEY, and Mr. SESTAK.

H.R. 2946: Mr. LOBIONDO.

H.R. 3016: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 3029: Ms. SUTTON.

H.R. 3086: Mr. SMITH of Texas.

H.R. 3098: Mr. WESTMORELAND.

H.R. 3119: Mr. OBERSTAR and Ms. HOOLEY.

H.R. 3232: Mr. ENGLISH of Pennsylvania, Mr. BAIRD, Mr. MCCAUL of Texas, Mr. KING of New York, Mr. SMITH of Washington, Mr. COLE of Oklahoma, Mr. TOM DAVIS of Virginia, Ms. HIRONO, and Mrs. MALONEY of New York.

H.R. 3257: Mr. MARKEY and Mr. CARNAHAN.

H.R. 3282: Mr. UPTON.

H.R. 3289: Mrs. BOYDA of Kansas.

H.R. 3299: Mr. BARTLETT of Maryland.

H.R. 3309: Mr. ELLISON.

H.R. 3314: Ms. SCHWARTZ and Ms. HOOLEY.

H.R. 3320: Mr. ACKERMAN and Ms. WASSERMAN SCHULTZ.

H.R. 3334: Mr. FORBES.

H.R. 3337: Ms. JACKSON-LEE of Texas.

H.R. 3378: Ms. ZOE LOFGREN of California, Mr. ALLEN, and Ms. SCHAKOWSKY.

H.R. 3380: Mr. ENGEL.

H.R. 3385: Mr. ABERCROMBIE.

H.R. 3397: Mrs. NAPOLITANO.

H.R. 3501: Ms. SLAUGHTER.

H.R. 3533: Ms. LORETTA SANCHEZ of California, Mr. LOEBSACK, Mr. GRIJALVA, Mr. BRADY of Pennsylvania, and Mr. SPACE.

H.R. 3543: Mr. ALLEN.

H.R. 3548: Mr. DAVIS of Illinois and Ms. SUTTON.

H.R. 3563: Mr. FRANK of Massachusetts and Mr. ISSA.

H.R. 3585: Ms. SCHAKOWSKY.

H.R. 3610: Mrs. BOYDA of Kansas and Ms. SUTTON.

H.R. 3622: Mr. BAIRD, Mr. AL GREEN of Texas, Mr. ROGERS of Alabama, Mr. FILNER, and Mr. GORDON.

H.R. 3637: Mr. SARBANES, Ms. SHEA-PORTER, Mrs. DAVIS of California, Mr. THOMPSON of California, and Ms. WOOLSEY.

H.R. 3645: Mr. HINCHEY.

H.R. 3660: Mr. SHUSTER.

H.R. 3679: Mr. JORDAN and Mr. DAVIS of Alabama.

H.R. 3689: Mrs. CAPPS, Mr. CLAY, and Mr. LATOURETTE.

H.R. 3691: Mr. ELLSWORTH, Ms. BALDWIN, Mr. CARNAHAN, Mr. OLVER, and Mrs. CHRISTENSEN.

H.R. 3753: Ms. HERSETH SANDLIN.

H.R. 3774: Mr. COHEN.

H.R. 3781: Ms. KAPTUR and Mr. LOEBSACK.

H.R. 3784: Ms. GRANGER.

H.R. 3793: Mr. MCGOVERN, Mr. PLATTS, Mr. SESTAK, Mr. CLAY, and Mr. HALL of New York.

H.R. 3834: Mr. MCDERMOTT, Mr. COHEN, and Mr. HARE.

H.R. 3837: Mrs. MALONEY of New York.

H.R. 3852: Mr. ROSS and Mr. TANNER.

H.R. 3861: Mr. LOEBSACK, Mr. MCDERMOTT, and Mr. TOM DAVIS of Virginia.

H.R. 3865: Ms. BORDALLO and Mr. GOODE.

H.R. 3908: Mr. TURNER.

H.R. 3918: Ms. KILPATRICK and Mr. COHEN.

H.R. 3929: Mr. WATT.

H.R. 3934: Mr. CARNAHAN and Mr. WYNN.

H.R. 3960: Mr. RANGEL.

H.R. 3966: Mr. DAVIS of Illinois and Mr. STARK.

H.R. 3979: Mr. BAIRD.

H.R. 3987: Mr. GARY G. MILLER of California and Ms. WOOLSEY.

H.R. 3992: Mr. LEWIS of Georgia.

H.R. 4017: Mr. PAUL.

H.R. 4043: Mr. HINOJOSA.

H.R. 4060: Mr. ELLISON.

H.R. 4063: Mr. ROTHMAN.

H. Con. Res. 81: Mr. PAYNE, Ms. DELAURO, Ms. JACKSON-LEE of Texas, and Mr. SHAYS.

H. Con. Res. 126: Mr. SIRES.

H. Con. Res. 162: Mr. LAMPSON, Mr. HALL of New York, Mr. SPACE, and Ms. BORDALLO.

H. Con. Res. 211: Mr. KELLER.

H. Con. Res. 215: Mr. ALLEN.

H. Con. Res. 218: Mr. GOODLATTE.

H. Con. Res. 224: Mr. KIRK.

H. Con. Res. 235: Mr. SHIMKUS.

H. Con. Res. 237: Mr. MURTHA, Mrs. TAUSCHER, and Mr. ENGEL.

H. Con. Res. 240: Mr. PEARCE, Mr. FORTUÑO, Mr. LEWIS of Georgia, Mr. TERRY, Mr. WAMP, Mr. BISHOP of Utah, and Mr. COURTNEY.

H. Con. Res. 244: Mr. ROSS, Ms. FOXX, Mr. EVERETT, Mr. WHITFIELD, Mr. SPRATT, and Mr. SIMPSON.

H. Res. 111: Mr. CALVERT, Mr. MCCARTHY of California, Mr. CRENSHAW, Mr. LATHAM, Mr. TOWNS, Mr. DAVID DAVIS of Tennessee, Mr. WAMP, and Mr. CANNON.

H. Res. 146: Ms. DELAURO.

H. Res. 163: Mr. STARK.

H. Res. 333: Mr. DAVIS of Illinois.

H. Res. 435: Ms. LINDA T. SÁNCHEZ of California.

H. Res. 536: Mr. MCINTYRE.

H. Res. 620: Mr. TIERNEY and Ms. ZOE LOFGREN of California.

H. Res. 695: Mrs. GILLIBRAND, Mr. MCNERNEY, Mr. PASTOR, and Mr. LOEBSACK.

H. Res. 698: Ms. BORDALLO, Mr. VAN HOLLEN, Mr. PETRI, Ms. SOLIS, Ms. NORTON, and Mr. LEWIS of California.

H. Res. 700: MR. LINCOLN DIAZ-BALART of Florida.

H. Res. 735: Ms. BALDWIN, Mr. MCDERMOTT, Mr. COHEN, Ms. ROYBAL-ALLARD, Mr. PALLONE, and Mr. AL GREEN of Texas.

H. Res. 770: Mrs. BOYDA of Kansas and Mr. GILCHREST.

H. Res. 777: Ms. CLARKE, Mrs. MYRICK, and Mr. FORBES.

H. Res. 782: Mr. MACK, Ms. BORDALLO, Mr. ABERCROMBIE, Mr. PORTER, Mr. MATHESON, Ms. LINDA T. SÁNCHEZ of California, Mrs. DAVIS of California, Mr. MORAN of Virginia, Mr. UPTON, Mr. THOMPSON of California, Mr. RYAN of Ohio, Mr. BRADY of Pennsylvania, Mr. HOLDEN, Mr. YOUNG of Alaska, Mr. GORDON, Mr. GOODLATTE, Ms. KILPATRICK, Mr. SCHIFF, Mr. MEEK of Florida, Ms. HOOLEY, Mr. COHEN, Mr. WU, Mr. DOYLE, Mr. AL GREEN of Texas, Mr. JOHNSON of Georgia, Mr. HONDA, Mr. RAHALL, Mr. TAYLOR, Mr. MILLER of North Carolina, Mr. DAVIS of Alabama, Mr. POMEROY, and Mr. DEFAZIO.

H. Res. 784: Mr. FORTENBERRY, Mr. ISSA, Mr. JORDAN, Mr. MICA, Mrs. MYRICK, Mr. SAXTON, Mr. WALBERG, and Mr. BOEHNER.

H. Res. 785: Mr. MELANCON, Ms. LORETTA SANCHEZ of California, Mr. HARE, and Mr. MARCHANT.

H. Res. 786: Ms. ROS-LEHTINEN, Mr. KINGSTON, Mr. CONAWAY, Mr. MICA, Mr. BROWN of South Carolina, Mrs. BLACKBURN, Ms. FALLIN, Mr. DAVIS of Kentucky, Mr. SAXTON, Mr. PRICE of Georgia, Ms. GINNY BROWN-WAITE of Florida, Mr. BURGESS, Mr. ROSKAM, Mr. SHUSTER, Mr. BARTLETT of Maryland, Mr. DANIEL E. LUNGREN of California, Mr. JORDAN, Mr. MCHENRY, Mr. COBLE, Mr. CALVERT, Mr. CANNON, Mrs. EMERSON, Mr. LAMBORN, Mr. HELLER, and Mr. WILSON of South Carolina.

EXTENSIONS OF REMARKS

COMMENDING CONGRESSMAN MIKE McNULTY FOR HIS YEARS OF PUBLIC SERVICE

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Ms. PELOSI. Madam Speaker, in his nearly 20 years as a Member of the House, Congressman MIKE McNULTY has tirelessly served the people of New York with distinction. As the chairman of the Subcommittee on Social Security, Congressman McNULTY has been a leader in the efforts to ensure America's seniors earn the guaranteed benefit they were promised.

The Democratic Caucus, his constituents, and indeed the American people will miss the energy and intellect he brought to every endeavor. I wish him well and know he will enjoy spending more time with his children and grandchildren.

CELEBRATING THE LIFE OF JAY SHEPHERD

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Ms. KAPTUR. Madam Speaker, I rise today to recognize the life of Jay M. Shepherd. Mr. Shepherd passed from this life on September 23, 2007, and his family will hold a memorial celebration of his life on November 3, 2007.

Mr. Shepherd was born May 27, 1946 in Ashtabula, OH. He graduated from Wellington High School in 1964 and received a Bachelor's degree from Bowling Green State University in 1968.

He and his wife Judith Lee Greening were married on August 3, 1968, and together they raised a son, Patrick.

A Vietnam veteran (1969–1971), Mr. Shepherd was awarded the Bronze Star for his service. Upon his return, he managed the family business, Shepherd Chevrolet-Oldsmobile in Wellington. He operated the business until 1984, whereupon he was employed at Forest City Technologies until 2007, working as the Customer Service Manager and most recently as System Software Integration Manager.

Jay Shepherd was an avid photographer for most of his life. He served in a volunteer capacity as official photographer for Team MGD Racing. He enjoyed computers, motorcycles, and cars. He was a fan of the Cleveland Indians, Cleveland Browns, and NASCAR auto racing. He loved animals and nature.

Mr. Shepherd was a proud veteran, loving family man, community-minded businessman, an avid sports fan, and enjoyed his hobbies. He enjoyed life and the friends and family around him. We join his family, friends, colleagues, community, and neighbors in honoring this life well-lived as they celebrate his memory and the joy he brought to all who knew him.

PERSONAL EXPLANATION

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mrs. BLACKBURN. Madam Speaker, on rollcall No. 1023, had I been present, I would have voted "no."

HONORING THE LIFE AND SERVICE OF MS. ELOISE R. BAZA

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Ms. BORDALLO. Madam Speaker, I rise today to honor and recognize the life of Ms. Eloise R. Baza, the first woman to serve as the president of the Guam Chamber of Commerce and whose service to the community extended beyond her duties and responsibilities to the private sector. Eloise started her Chamber career as the assistant to the president in 1981. When then-president James McDonald stepped down in 1985, Ms. Baza was named to the position to fill the unexpired term. She was then elected in her own right and held it successfully until her untimely death on October 29, 2007.

Eloise will be missed not only by the members of the Chamber of Commerce and Guam's business community, but also by our island community. She contributed significantly to the improvement of our island, both in her capacity as Chamber president and as a devoted daughter of Guam. Eloise believed in our youth and supported programs to keep Guam's children drug free and to help them as future prospects in education, athletics and business careers in Guam. She promoted and advocated entrepreneurship among Guam's young people through regular participation and support for Guam's Junior Achievement Program; scholarships for business students attending the University of Guam, and as a speaker at many public and private Career Day activities. She was an active member of the Islandwide Beautification Task Force, the Summer Youth Swimming and Water Safety Program, and was especially proud of the Guam Juvenile Drug Court Program, which she started with former high school classmate and lifelong friend, Judge Elizabeth Barrett-Anderson.

Eloise was a member of the Asia-Pacific Council of American Chambers of Commerce, APCAC, and its committees on Trade & Investment/Asia-Pacific Economic Cooperation, APEC, Tax & Finance, and Intellectual Property Rights Protection; and the American Council of Chamber of Commerce Executives and its Small Business Council. She was also a member of Andersen Air Force Bases' Civilian Advisory Council, the Guam Territorial Aquarium Council, and the Guam Police Department's Community Assisted Policing Effort, CAPE, Program, in which she was named Honorary Deputy Chief of Police and proudly displayed the badge she had been given.

Eloise was a strong advocate of women in business and, by example, proved the value and insight of women's business acumen. She managed her family-owned apartment building, and handled the financial reporting, securing tenants and overseeing the maintenance of the units. Her unassailable integrity, her leadership, and her commitment to the field of commerce and free enterprise in general and to the Guam business community in particular made her truly a driving force behind the Guam Chamber of Commerce. She gave the Chamber an important and respected voice in our community. She also served as the Chamber's chief operating officer in charge of administration and management of all of the Chamber's operations and direction of all its projects, programs and activities. She played a central role in the Chamber's advocacy of sound economic policy, government reform, and community service.

Eloise R. Baza graduated from the Academy of Our Lady of Guam, AOLG, in 1971. She maintained close relationships with her classmates over the years and spearheaded the committee that created AOLG's Hall of Fame to inspire young ladies and promote "values, vision, and voice" in measuring success of family, civic and professional life. In 1974, Eloise earned a Bachelor of Arts in Business Administration from the College of Notre Dame in Belmont, California. She then came home and worked for the Guam Department of Commerce from 1975 until 1981. In 1979, she became an associate economist in the Commerce Department's Economic Research Center, where she prepared an action plan to centralize all economic development planning functions of the Government of Guam within the Department of Commerce. She also initiated Guam's participation in various federal economic development financing programs which funded infrastructure improvements island-wide. Her action plan was implemented as Commerce Department's Economic Development & Planning Division. Having initiated the establishment of the division, Eloise was named its chief in 1981. During her tenure, Eloise oversaw the preparation of the "Overall Economic Development Plan for Guam," the "Tumon Bay Master Plan," the "Ten Year Tourism Master Plan," and the "Aquaculture Development Plan for Guam." Additionally, she supervised all economic development federal program funds and directed

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

their use to finance infrastructure to support industry expansion. Also in 1981, Eloise undertook graduate coursework toward an MBA in International Business Management from Babson College in Wellesley, MA.

My sympathies and prayers go out to Eloise's family: Her parents, Rosa Rivera Baza and the late Jose Camacho Baza and Luis Camacho Baza; her loved one, Joseph Barrtoe; her siblings and their spouses, Evelyn Baza and Joseph F. Soriano, Leonard Rivera and Margaret Salas Baza, Rosa Duenas and Fred Manglona, Lucille Baza and Geronimo Castro, Luis Rivera and Marcia Woolley Baza, Barbara Baza and Daniel Ninete, Felisa Rivera Baza and Carisa San Agustin, Carmen Rivera Baza and Mark Timcoe, and her many relatives and friends.

CONGRATULATING MR. NENO SARTINI FOR HIS YEARS OF VOLUNTEER SERVICE ON BEHALF OF UNITED STATES MILITARY VETERANS

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Mr. Neno Sartini, of Wilkes-Barre, PA, who is being honored for his many years of service to military veterans that stems from his unyielding love of country and those who serve to protect it.

Mr. Sartini graduated in 1948 from Plains Township High School. He subsequently enlisted in the United States Air Force and is a veteran of the Korean and Vietnam Wars. He retired after 26 years of service with the rank of TSgt.

During his military service he was stationed in Greenland, Guam, Japan, and several stateside bases.

Mr. Sartini is a recipient of the Bronze Star, Republic of South Vietnam Medal of Honor, Army/Air Force Good Conduct Medal with silver clasp, Air Force Commendation Medal with silver clasp, and the Vietnam Campaign Service Medal with two stars.

In 1977, he was awarded the Meritorious Service Medal, the highest peacetime award given by the U.S. Air Force.

Mr. Sartini is a recipient of the "Chapel of Four Chaplains" Legion of Honor Award, the American Legion's William Brace Award for Public Service, and the American Spirit Award for patriotism and service to country.

Mr. Sartini has logged more than 2,300 hours of volunteer service at the Wilkes-Barre Veterans Medical Center over a period of 13 years.

He was a driving force in the creation of the Luzerne County Vietnam War Memorial that reposes on the south lawn of the county Courthouse in Wilkes-Barre.

Mr. Sartini has been a tireless advocate for all military service veterans and he has been an active member in the Italian American Veterans of Luzerne County where he served as commander. He served as vice commander of the Veterans of the Vietnam War Post 2 and is a member of the Korean War veterans of Luzerne County, Plains Township American Legion, Order of the Sons of Italy and Masonic Lodge, No. 61.

Mr. Sartini has been cited repeatedly over the years for his aggressive style of approaching all challenges, whether it be keeping military operating equipment in peak electrical condition and readiness; recruiting other young men and women for service in the United States Air Force; advising community leaders on important issues of the day, or volunteering his time and expertise to improve the quality of life in northeastern Pennsylvania.

Madam Speaker, please join me in congratulating Mr. Sartini. His love for this Nation and the men and women who have served in uniform to protect this land and the freedoms we enjoy as United States citizens knows no bounds. Clearly, Mr. Sartini has improved the quality of life for all with whom he comes into contact and, as such, he has earned our respect and deepest gratitude.

PERSONAL EXPLANATION

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mrs. BLACKBURN. Madam Speaker, on rollcall No. 1021, had I been present, I would have voted "no."

CELEBRATING THE LIFE OF HONORABLE JUDGE EDGAR C. NEMOYER

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. HIGGINS. Madam Speaker, I rise today to honor my dear friend, and an outstanding citizen of Buffalo and western New York, the Honorable Edgar C. "Mickey" NeMoyer. Mickey was a neighbor and a longtime friend and mentor; a great South Buffalonian, and a dear friend whose sudden passing this past weekend is a great shock to us all.

Mickey was born in Buffalo's First Ward in 1932, and soon after graduated from St. Theresa's Grammar School and Canisius High School, Mick pursued his higher education at Georgetown University, the University at Buffalo Law School, and the University of Wisconsin Law School. Later he shared his love and knowledge of the government process by teaching others as an Associate Professor at the State University of New York Albany Graduate School of Criminal Justice.

As a young man, Mickey served this Nation in the United States Air Force, rising to the rank of captain. Following military service, Mickey returned to the city of Buffalo and took a hands-on approach to law enforcement by joining the Buffalo Police Department, while at the same time working as a longshoreman as he made his way through law school. After earning his law degree he answered the call again, working in the general counsel's office of the U.S. Public Health Administration during the tenure of President John F. Kennedy.

Upon returning to Buffalo, Mickey began a long and distinguished career as an attorney and judge, working in private practice with the firm Boreanaz, NeMoyer, and Baker, and later serving as Deputy Corporation Counsel for the city of Buffalo. Mickey's legal and prosecutorial career flourished, as he served as an Assistant United States Attorney and later as First Assistant and Acting United States Attorney for the Western District of New York. His distinguished career was capped by his service as a justice of the New York State Supreme Court and by his 17 years as a justice of the New York State Court of Claims.

As a judge, the law prohibited Mickey from engaging in partisan politics. But it was throughout this time that he became a great mentor to me and someone to whom I consistently looked for advice and counsel throughout my own career. Indeed, in January 1999, as a newly-elected member of the New York State Legislature, I was honored to have my oath of office administered by the Honorable Justice Edgar C. NeMoyer. Fittingly, it was his example that helped to drive my own ambition to serve.

In his retirement years, Mickey and his loving wife Josephine were regulars on the political circuit in south Buffalo and throughout Erie County. Dozens of elected officials and would-be officials sought his counsel, and he and Josephine were great supporters of Democrats throughout our region. It was delightful to see Mickey during these times; unfettered by the political constraints placed upon a member of the bench, he was free to express himself politically, and we were all the better for it.

Mickey's love for the law and for our community was surpassed only by his love for his family, including his brother, New York State Supreme Court Justice Patrick H. NeMoyer, his children, Patricia, Daniel and Michael, and the late Michelle and Nora, and his grandchildren, whom he loved and spoke about so often.

When someone you love passes on suddenly, we always express gratitude that our friend and loved one did not suffer, but pain remains for those left behind. I am thankful, Madam Speaker, that you have allowed me to recognize a great and proud son of south Buffalo, the late Honorable Judge Edgar C. NeMoyer, a devoted advocate and defender of the laws and principles on which this great Nation was founded. His work to make this community safer and stronger will be sorely missed though his spirit lives on through the many lives he touched.

"WHEN EVEN THE POWERFUL CAN'T SPEAK THE TRUTH"

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Ms. LEE. Madam Speaker, I rise to insert into the CONGRESSIONAL RECORD this important article on our colleague Congressman PETE STARK.

[From the Alameda Sun, October 26, 2007]

WHEN EVEN THE POWERFUL CAN'T SPEAK THE TRUTH

Rep. Fortney "Pete" Stark, D-Fremont, the normally calm, grandfatherly and moderate (for the Bay Area) congressman found himself at the center of a rhetorical hornet's nest last week after daring to tell his colleagues that paying for children's health insurance should come before throwing money at President Bush's bungling military adventurism.

With the president's approval rating at 24 percent, about as low as former President Nixon's was when he left office, according to a Reuters/Zogby poll released last week, it was only too predictable that Bush's few remaining supporters would immediately leap from their foxholes to shoot the messenger.

The messenger, in this case was Stark. His words were crude and offensive but his frank oration is admirable. Stark could have chosen his words more carefully, a fact the Democratic leadership made apparent when they dragged him behind the woodshed. But love him or hate him, Stark had the guts to speak in a way that most of his 434 colleagues won't.

Stark cut through the vapid pablum that passes for political debate in this country; the junk-food rhetoric composed by spin-doctors, tested by focus groups, and proofread by campaign consultants and lobbyists. Just listen to what emanates from the mouths of the leading candidates of both parties in the lead up to November 2008. Or watch the drivel passed off as incisive political coverage on the 24-hour cable TV stations. Whether it's Hillary, Romney, Guiliani, Edwards, or McCain, not one policy or word is uttered without first being massaged and sanitized, calculated not to enlighten or lead, but to win votes without offending any demographic.

Obama, who was catapulted into second place in the polls because he appeared sincere in the spring, has receded after picking up the playbook of "serious candidate."

Stark got into hot water while speaking of the fundamental choice of policy-makers: one framed as "guns or butter." Eventually societies must choose between military spending and the needs of its citizenry.

The statement was uttered during debate on the House floor following Bush's veto of the popular State Children's Health Care Program (SCHIP), an $11.2 billion annual program that helps poor parents buy health insurance for their children.

Compare that figure to this week's White House request for $46 billion more to shovel into the quagmires in Iraq and Afghanistan. According to an estimate by the Center for Strategic and Budgetary Assessments, if the above figure is included, by the time the clock runs out on Bush's administration, U.S. taxpayers will be on the hook for $808 billion for military operations in Iraq and Afghanistan. That's roughly 10 times what Bush's father spent to humble Saddam Hussein in 1991.

China won't keep lending us that money forever. Sooner or later, the bill will come due.

What Stark actually told his colleagues: "The Republicans are worried that they can't pay for insuring an additional 10 million children."

"They sure don't care about finding $200 billion to fight the illegal war in Iraq. Where are you going to get that money? Are you going to tell us lies like you're telling us today? Is that how you're going to fund the war?

"You don't have money to fund the (Iraq) war or children. But you're going to spend it to blow up innocent people—if we can get enough kids to grow old enough for you to send to Iraq to get their heads blown off for the president's amusement."

These incendiary words launched an explosive backlash from pundits who immediately demanded Stark's head.

Stark was next criticized by the Democratic Party leadership, but survived a vote of official reprimand that Democrats tabled. Stark then publicly apologized Tuesday saying: "I want to apologize to my colleagues, many of whom I have offended, to the president, his family, (and) to the troops. I apologize for this reason: I think we have serious issues before us, the issue of providing medical care to children, the issue about what we're going to do about a war that we're divided about how to end."

If a U.S. congressman can be shouted down for speaking an essential truth: that blood and treasure is being spilled in a perverse quest by the current resident of 1600 Pennsylvania Ave. to outshine the legacy of his own father, these are truly dire days for our republic.

One wonders what reactions would spew forth from the mouths of those who vilify Stark had they read the words of another great American, a true Republican: Gen. Dwight David Eisenhower:

"In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.

"We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted only an alert and knowledgeable citizenry can compel the proper meshing of huge industrial and military machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together."

Too bad his warning so quickly landed in the ashcan of history.

PERSONAL EXPLANATION

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mrs. BLACKBURN. Madam Speaker, on rollcall No. 1022. Had I been present, I would have voted "no."

HONORING DEL RIO COUNTRY CLUB

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Del Rio Country Club on celebrating their 60th anniversary in business. A celebration in honor of this achievement is to be held on Saturday, November 3, 2007.

The Del Rio Country Club was founded in 1946 by a small group of community leaders. It was shortly after the end of World War II, gas prices were high and esteems were low. The local community leaders took the gently rolling terrain just north of Modesto, California and invited William P. Bell to design the original 18 holes. In 1996, the course grew. Del Rio was granted permission from the Federal Government to use the 150 acres as a combination of riparian habitat and golf course. Architect Robert Muir Graves was asked to design a second 9 hole course, the River Nine. Then in 1998, the course was updated 1 more time. Architect John Harbottle supervised the reconstruction of all tees, greens, and bunkers on William Bell's original layout.

Today, the Del Rio Country Club has 2 courses. One course is overlooked by a club house that features the Redwood Dining Room. The Country Club also features tennis courts and other family activities. The course is ranked among the top 20 golf courses in Northern California.

Madam Speaker, I rise today to commend and congratulate Del Rio Country Club on 60 years of business. I invite my colleagues to join me in wishing Del Rio Country Club many years of continued success.

PERSONAL EXPLANATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. SIMPSON. Madam Speaker, on rollcall No. 968, on passage of H.R. 3678, the Internet Tax Freedom Act Amendments Act of 2007, I was unavoidably detained and unable to vote. Had I been present, I would have voted "aye."

HONORING THE PRESIDENT'S CHALLENGE STATE CHAMPION SCHOOLS

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mrs. BLACKBURN. Madam Speaker, it is a privilege to recognize and honor the 2006–2007 President's Challenge State Champion schools named by the President's Council on Physical Fitness and Sports. In particular, I would like to recognize 2 Tennessee schools, Percy Priest Elementary School in Nashville and Bartlett Elementary School in Bartlett, TN.

These 2 Tennessee schools have set examples that others would do well to follow. They have shown commitment to educating students on the benefits of physical activity and maintaining healthy lifestyles. Across the state of Tennessee, these 2 schools had the highest proportion of students scoring at or above the 85th percentile on the President's Challenge Physical Fitness Test for the 2006–2007 school year.

To promote overall health and well-being, the President's Challenge program encourages all Americans to make being active part of their everyday lives. Percy Priest and Bartlett Elementary embraced these goals and in so doing succeeded in obtaining State Champion status.

Madam Speaker, I ask my colleagues to join me in congratulating the President's Challenge State Champions for being role models for other schools and for improving the overall health and well-being of their students.

HONORING THE FIRST CHRISTIAN CHURCH OF NAPA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. THOMPSON of California. Madam Speaker, I rise today to honor the First Christian Church of Napa, which is celebrating its 150th anniversary. The Church has a storied history in the Napa Valley, where it has become a fixture in our community and an important place for people to come together and worship.

The First Christian Church of Napa was founded in 1857 by G.O. Burnett. Its success built on the work of "Stormy John" McCorkle, who had founded the first congregation in the valley under a Madrona tree near modern-day Rutherford. With the motto "Let's go Forward through Faith", the Church has expanded well beyond the original eight families who formed the charter group. In 1872, members of the congregation came together to purchase a piece of land for the church building, and began construction. Lacking a resident minister in these years, four men worked in concert to lead the Church. These "Four Horsemen", who helped provide spiritual guidance and leadership in the church were A.A. Whitman, T.N. Mount, A.D. Butler, and W.P. Prall.

In 1951, the First Christian Church moved to its current location on First Street in Napa. While promoting an active spiritual life in the congregation, the church has reached out to the community and the world. Members of the church have worked on Christian humanitarian missions on six continents in a wide variety of different countries. Additionally, church members have worked in inner-city Los Angeles and San Francisco, and locally volunteer time with the Napa Valley Food Bank, Church Women United and other community benefit groups.

The First Christian Church has always taken pride in the sense of community among its members, and the work that goes in to helping members of the congregation have full lives and strong interpersonal relationships. By emphasizing the importance of family and fidelity, the church has drawn membership from families for many generations.

Madam Speaker, at this time it is appropriate that we congratulate the First Christian Church of Napa on its 150th anniversary, and thank the congregation for all it does in our community.

IN TRIBUTE TO SISTER ANN HALLORAN

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Ms. MOORE of Wisconsin. Madam Speaker, I rise today to recognize Sr. Ann Halloran, a community leader, co-founder and executive director of the Dominican Center for Women located in the Fourth Congressional District. The Milwaukee Archdiocese has recently presented Sr. Ann Halloran with the 2007 Vatican II "Service to Society" Award.

Sr. Ann Halloran and Sr. Anne-Marie Doyle founded the Dominican Center for Women in 1990 in a near north-side Milwaukee neighborhood with no formal clubs or community-based organizations. The mission of this human service agency is to help create a beautiful and safe central city neighborhood by providing services in three programmatic areas: Education, employment and housing. Sr. Ann Halloran believes this three-pronged approach is essential to dismantling poverty.

The programs at the Dominican Center for Women are offered free of charge to approximately 120 area residents. Initially, the center began by offering educational programs and employment counseling. As a result of participant surveys and with the urging of residents, a housing program utilizing a 12-block area surrounding the center was initiated in 1999. The housing program, designed to lead to home ownership, has become a primary focus of the center. The center leverages strategic partnerships and collaborations including Federal, State and local governmental agencies, faith-based organizations, sweat equity, volunteerism and the financial resources of a Habitat for Humanity loan, barter grants, IDA accounts and other resources found in the community, into affordable home ownership. Sixty-seven center program participants are now homeowners; they are primarily African-American women, single heads of households, who would not have been considered by mainstream conventional lending institutions.

The center continues to work with new homeowners after acquisition of the home by convening monthly meetings to encourage them to voice neighborhood concerns, take group action toward resolution, and ultimately ensure retention of their homes. The Dominican Center for Women and the participants in its program have been so successful that beginning in 2004 they hosted their first annual "Parade of Homes" in this previously blighted area.

Madam Speaker, for these reasons, I am honored to pay tribute to Sr. Ann Halloran's contributions to the Fourth Congressional District. She has helped to transform a neighborhood into a community.

CELEBRATING THE ACHIEVEMENTS OF TOLEDOAN SAM SZOR

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Ms. KAPTUR. Madam Speaker, since 1953, Samuel Szor has been an integral part of Toledo's music scene, earning him the title of Toledo's "Mr. Music." Mr. Szor ends his 55th season as the conductor/music director of the immensely popular Music under the Stars summer concert series held at the Toledo Zoo Amphitheater. Each summer our community happily anticipates the inception of another summer of the concert series of Music under the Stars. Because of Mr. Szor, music-lovers can rest in the Toledo Zoo's amphitheater taking in the beautiful sounds and sights of Toledo. Besides his dedication to bringing a collection of classical, patriotic and spirited pieces to Toledo residents, he holds an extensive list of additional credits.

In his early years after graduating with degrees from University of Michigan, he played bassoon with the Toledo Symphony, Toledo Opera Orchestra and the University of Toledo Woodwind Quintet and Trio as well as playing jazz saxophone in area bands and clubs. His conducting credits include the Casual concert series and other concerts with Toledo Symphony, twenty years with the Perrysburg Symphony Orchestra, guest conductor with the famous Goldman Memorial Band in New York City, and conductor/music director for opera, musical comedy and ballet theatre in the Toledo area. In the choral realm, he has been conductor/music director of The Toledo Choral Society for 49 years and was a director of church music for over 40 years. In addition to his conducting credits, he was a music educator serving for 32 years in the secondary and college levels in Toledo.

Mr. Szor has received numerous awards for his distinguished work, most recently including a national award from the American Hungarian foundation and the Ovation Award from the Vocal Arts Resource Network of Ohio. Toledo garners much pride in his commitment to evoke a mosaic of melodies to our community for decades. Sam Szor is an inspiration to conductors and musicians everywhere by his grace, ease and spirit toward music.

HONORING COPPELL MIDDLE SCHOOL NORTH BAND

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. MARCHANT. Madam Speaker, I rise today to honor Coppell Middle School North Band on being named an Outstanding National Wind Band and winning the 1–A Middle School Division.

Coppell Middle School North was among 81 bands selected in the top 25 percent of recordings submitted to the National Winds Band Honors competition. Each band was judged once again and narrowed the selection down to the National Honor in each classification. Charles Peltz, director of the New England Conservatory of Music, and noted composer John Mackey were the judges for this event.

All National award-winner bands will be invited to perform in the prestigious National Theatre in Washington, DC in May 2008.

Coppell Middle School North's band is under the direction of Joey Ashbrook and assistant director, Jeremy Lindquist.

Madam Speaker, it is an honor to represent Coppell Middle School North and their exceptional band department in the 24th District of Texas.

IN RECOGNITION OF T. J. LEE ELEMENTARY SCHOOL AND THE IRVING INDEPENDENT SCHOOL DISTRICT FOOD SERVICE DEPARTMENT

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. SESSIONS. Madam Speaker, I rise today to congratulate T. J. Lee Elementary School and the Irving Independent School District (IISD) Food Service Department for being awarded the coveted Gold School Award by the U.S. Department of Agriculture (USDA).

T. J. Lee Elementary is the first school in Texas to receive this prestigious honor. As part of the USDA's HealthierUS School Challenge program, schools around the nation are awarded 2 levels of certification: Silver and Gold. IISD eagerly took on this challenge and assumed a leadership role to ensure that our students are being served healthy school meals in addition to providing nutrition education and a variety of physical activities. Given the variety of food available, particularly fast food and snacks in vending machines, the students at T. J. Lee are taking steps toward a healthier future by making important nutrition choices at a young age.

Madam Speaker, I ask my esteemed colleagues to join me in congratulating them for receiving this tremendous honor.

CONGRATULATIONS TO LAVACE STEWART ELEMENTARY

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. PAUL. Madam Speaker, I am pleased to congratulate LaVace Stewart Elementary School in Kemah, Texas, in my congressional district, for being awarded a No Child Left Behind-Blue Ribbon award. LaVace Stewart Elementary School earned this award by going from acceptable to exemplary in State accountability ratings in less than 4 years.

LaVace Stewart Elementary School is one of only 23 Texas schools selected for the Blue Ribbon award, which honors public and private elementary, middle, and high schools that demonstrate superior academic performance or high gains in student achievement.

LaVace Stewart is certainly worthy of this award. As Dr. Sandra Mossman, superintendent of schools for Clear Creek Independent School District said, "[W]hen you walk into [LaVace Stewart] you can immediately feel the enthusiasm for learning and witness the compassion for children."

Madam Speaker, I agree with Secretary of Education Margaret Spellings that "It takes a lot of hard work by teachers and students to become a Blue Ribbon school, and it's a privilege to celebrate their great effort." I am pleased to extend my congratulations to the teachers, administrators, parents, and the students of LaVace Stewart Elementary School for the school's is named a Blue Ribbon School.

IN MEMORY OF STAFF SERGEANT JAMES DAVID BULLARD

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. WILSON of South Carolina. Madam Speaker, I rise today to remember the life of Staff Sergeant James Bullard of South Carolina. Staff Sergeant Bullard was killed last week while serving with the South Carolina Army National Guard's 218th Brigade in Afghanistan.

Staff Sergeant Bullard is the second member of the 218th to lose his life serving during Operation Enduring Freedom. As a former member of the 218th brigade I wish to recognize the ultimate sacrifice made by Staff Sergeant Bullard and express my deepest condolences on behalf of the House of Representatives and my family to his wife, Amber, his son, his parents and family, friends, and fellow soldiers. Our thoughts and prayers are with all of you during this difficult time.

Just like the millions of brave men and women who served our country in uniform, Staff Sergeant Bullard was a true patriot who fought to defend our freedoms and to protect American families. We are forever grateful for his sacrifice and that of our military men and women around the world.

In conclusion, God bless our troops, and we will never forget September 11th.

TRIBUTE TO SOUTH CAROLINA STATE UNIVERSITY BULLDOG FOOTBALL TEAM

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. CLYBURN. Madam Speaker, I rise today to pay tribute to the South Carolina State University Bulldog football team. This season the Bulldogs celebrate 100 years of play on the gridiron, and what a tremendous century it has been.

In 1907, what was then South Carolina State Agricultural and Mechanical College played its first game against Georgia State in Savannah. Just 3 years later, SC State became a charter member of the Georgia (GA)-South Carolina (SC) Athletic Association, which eventually changed its name to the South Atlantic Association.

In 1919, South Carolina State College won its first GA–SC Intercollegiate Association Championship. The Bulldogs were on their way to building a tremendous legacy.

Just 4 years later in 1923, SC State lost an important rivalry game with Tuskegee College, 13–6, in Orangeburg. However, the loss fueled the fire in the Bulldogs, and they went on 4 years later to a perfect 7–0 conference record and to capture their second South Atlantic Conference title. That season the team racked up six shutouts and lost only one game. This began the Bulldogs' reputation as a powerhouse in the South Atlantic Conference.

Oliver C. Dawson was named the Bulldogs' head football coach in 1937, marking the beginning of a new era. Coach Dawson was a beloved leader on campus—teaching classes and coaching multiple sports. During his tenure, the football team took a 2-year hiatus due to World War II, but they came back full of passion. In 1947, they went undefeated in regular season play and took on Shaw University for the Black National Championship in Washington, DC. Although SC State lost that game 8–0, the Bulldogs showed the tenacity for which they have become famous. Coach Dawson left such a legacy at SC State that the current football stadium bears his name.

Many trying years followed the 1947 successful season. The team struggled to regain its elite status, and then in 1965 tragedy struck. Player John Devlin of Greenwood was stricken while on the field and died. This sudden loss of a player and teammate revived the Bulldog spirit and the team went on to an 8–1–0 record that season under the leadership of Coach Oree Banks. Devlin's #31 jersey became the first ever retired in SC State athletic history. That same season, several Bulldog players received All-Conference honors, and Coach Banks was named SIAC and NAIA District 6 Coach of the Year.

In 1970, SC State President Maceo Nance led the school to become a charter member of the Mid-Eastern Athletic Conference (MEAC). This transition was followed by the need to find a new head football coach. In 1973, SC State tapped alumnus Willie Jeffries to lead the Bulldogs. Prior to Coach Jeffries' arrival, the Bulldogs had posted a dismal 1–9 season. He followed that with a 7–3–1 record, which was just the beginning of a tremendous era in Bulldog football history.

Under Coach Jeffries, the SC State Bulldogs built a record of 50–13–4 in just 6 seasons, and won its first of 11 MEAC titles. In 1976, the team captured its first Black National Championship in a 26–10 win over Norfolk State.

Due to his great success, other football programs sought Coach Jeffries' leadership. In 1978, he left to make history as the first African American head coach at a majority white university at Wichita State.

The Bulldogs rallied under the helm of its former Assistant Coach Bill Davis, who led SC State to its second National Black Championship, and the first of 2 straight invitations to the prestigious Division IAAA playoffs. Coach Davis led the Bulldogs to dominate the MEAC in the 1980s with back-to-back, 10-game seasons in 1980 and 1981.

Coach Davis was succeeded by Dennis Thomas in 1985, who coached the Bulldogs for three seasons. Then in 1989, the Bulldogs' favorite son, Willie Jeffries, returned as head coach.

In his second stint, Coach Jeffries produced seven winning teams. In 1994, he led the Bulldogs to a 10–2 season, again winning the MEAC championship. Coach Jeffries ended his career as the Bulldogs head football coach in 2002, and he was succeeded by another SC State alumnus.

Coach Buddy Pough left his assistant coaching job at the University of South Carolina to return to Orangeburg to lead the team he loved. His passion for the team and the players showed, as he orchestrated a new era of Bulldog dominance. In 2004, SC State compiled a 9–2 record and the Bulldogs once again were at the top of the MEAC conference. That season, the team ranked number 2 in the final polls of both the Sheridan Broadcasting Network and the American Sports Wire. They earned a Top 25 Division I–AA poll ranking from both the Sports Network and USA Today/ESPN. Today, Buddy Pough continues to lead the Bulldogs with the same tenacity.

The South Carolina State Bulldog football team has compiled a vibrant 100-year history. Over the century, the Bulldogs have won eleven MEAC titles. They have 3 National Black Championships in 1976, 1981, and 1994, and earned NCAA Division I–AA berths in 1981 and 1982. Three of its players have been enshrined in the prestigious Pro Football Hall of Fame in Canton, Ohio—Marion Motley (Cleveland Browns, 1965), David "Deacon" Jones (Los Angeles Rams, 1980) and Harry Carson (New York Giants, 2006). In addition to retiring #31 John Devlin's jersey, 4 other Bulldog standouts have had their jerseys retired—#66 Deacon Jones, #75 Harry Carson, #90 Donnie Shell, and #94 Robert Porcher.

Madam Speaker, I invite you and my colleagues to join me in celebrating the extraordinary 100-year history of the South Carolina State University football team. As an SC State alumnus and football fan who spent my entire life enjoying the talented and tenacious Bulldog teams, I commend the coaches and players who have contributed to this program's tremendous success. Go Bulldogs!

IN REMEMBRANCE OF GEORGE SOLOMONOFF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. KUCINICH. Madam Speaker, I rise today to honor the memory of George Solomonoff. For 50 years, he was an admirable spokesman for peace and justice.

As a young man growing up in Cleveland, George was fascinated by the world around him and learned all he could, with a particular interest in Eastern philosophies. This interest would be a great influence in how he led his life, including his views on social justice. Shortly after graduating high school, he joined the Army as a radio operator in Europe, participating in various U.S. campaigns during World War II. These experiences would greatly contribute to his decision to work toward peace.

Most recently, George was an active member in many peace and justice groups, including the InterReligious Task Force, Cleveland Peace Action, Veterans for Peace, and Women Speak Out for Peace and Justice. As a member of the InterReligious Task Force, he organized the annual Cleveland protest against the School of the Americas. He was a constant presence on issues of peace and social justice in the greater Cleveland community, and was an ardent supporter of my legislation to create a Cabinet-level Department of Peace. He is survived by his sons, Dave and Alex; his daughter Nicole; and his brother Raymond. He will be greatly missed by all who had the pleasure and privilege of knowing him.

Madam Speaker and colleagues, please join me in remembering the life of George Solomonoff. May he rest in peace, and may his desire for a better world and a better future for humanity live on in all of us.

TRIBUTE TO WILLIAM DONALD SCHAEFER ON HIS 86TH BIRTHDAY

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. CUMMINGS. Madam Speaker, I rise today to extend birthday greetings to one of Maryland's most famous sons and elected officials.

Mr. William D. Schaefer turns 86 today. He was born and raised in Baltimore, dedicating his life to public service.

After graduating from the University of Baltimore School of Law in 1942, he joined the U.S. Army and served in World War II. He remained in the U.S. Army Reserves until 1979 when he retired with the rank of colonel.

Although he was unsuccessful in his first two bids for public office, "Donald" Schaefer, as he was fondly known, did not give up.

In 1955, he earned a seat on the Baltimore City Council; and in 1967, he was elected city council president. From that point onward, his career continued to soar.

In 1971, Donald Schaefer ran successfully for the mayor's office, a position to which he would dedicate himself until 1986. During his tenure, he was known for his attention to detail, taking notes of strewn garbage and other violations as he rode around town and ordering them to be fixed immediately.

There is also a famous photograph that shows him dressed in an old-fashioned striped bathing suit, ready to dive into the dolphin pool at the then-new National Aquarium in Baltimore to settle a wager that it would not be opened in time.

In 1986, Donald Schaefer was overwhelmingly elected Maryland's 58th governor with 82 percent of the vote, the largest percentage total ever for a contested statewide election. He was re-elected to a second term in 1990.

His legacy includes Oriole Park at Camden Yards, M&T Bank Stadium, stricter measures against pollution, and higher standards for public schools. He also pushed for the Light Rail Line of electric-powered trains that runs 30 miles through the central corridor of Maryland.

In 1998, Donald Schaefer returned to public office, winning the position of Comptroller of Maryland by a substantial margin, 62 percent to 38 percent. In 2002, he won re-election to that post, receiving almost 68 percent of the vote.

William D. Schaefer is revered in Baltimore City and the State of Maryland. Throughout more than 50 years of public service, he has been tenacious, colorful and visionary. It is with great pleasure that I wish him the best on his 86th birthday.

IN HONOR OF MR. FRANK BOZICK, THE OLDEST LIVING VETERAN IN THE STATE OF KANSAS

HON. NANCY E. BOYDA

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mrs. BOYDA of Kansas. Madam Speaker, my state of Kansas is home to 235,000 veterans—brave men and women who served our nation in World War II, Korea, Vietnam, Afghanistan, Iraq, and everywhere else that duty has called. Among all of those Kansas veterans, the oldest is Mr. Frank Bozick, who will soon celebrate his 105th birthday. I'd like to take a few moments today to honor his service to our country.

Mr. Bozick was born on February 11, 1903, in the southeast Kansas town of Frontenac. At the age of 17, he graduated from a local automobile and tractor college and began a career maintaining early-model cars. He soon settled into a comfortable life running a local gas station and tire business—only to find his routine disrupted on December 7, 1941, when the attack on Pearl Harbor launched America into World War II.

Like so many other Americans, Mr. Bozick interrupted his daily life and traveled overseas to support the war effort. He served for 3 years in the Army performing tank repair, and his duties carried him to England, Normandy, and Paris. When, at last, the war ended, Mr. Bozick returned home to Kansas, where he operated his gas station for 42 years.

Over his long life, Mr. Bozick has witnessed an extraordinary span of history. He has seen America advance from Model Ts to hybrid cars, from steam engines to rocket ships, from manual typewriters to the World Wide Web. But through a century of enormous change, one thing has remained constant: America's profound gratitude to our veterans, who risked their lives to secure our peace.

KEEPING THE PROMISE TO OUR DISABLED VETERANS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. FILNER. Madam Speaker and colleagues, I rise today to speak about a bill that I have introduced to better the lives of our Nation's disabled veterans.

H.R. 4071, the Disabled Veterans Right to Commissaries and Space Available Travel Act, will extend commissary and exchange store privileges to service-disabled veterans with a rating of 30 percent or more and to their families. Congress must do all we reasonably can for the men and women who have become disabled in their service to our Nation. Our disabled veterans are important members of the greater military family, and they should be treated as such with every available opportunity.

This bill will also authorize transportation on military aircraft on a space-available basis to service-disabled veterans with a rating of 50 percent or more. Currently, members and retirees of the uniformed services and the reserves may travel free on Department of Defense (DoD) aircraft when space is available. This benefit is allowed when it does not interfere with military missions, and it recognizes that military careers are filled with rigorous duty.

But present policies do not extend this benefit to our disabled veterans. What more rigorous duty can be imagined than to become disabled in the service of our country? Why has the DoD chosen not to recognize the brave men and women who sacrificed their health and well-being while serving in uniform? This DoD policy needs to be corrected.

Space-available travel for these disabled veterans would cost the federal government nothing and would not interfere with active-duty personnel. Current military is always given priority, and H.R. 4071 would do nothing to change that. What my bill will do is allow seats that would otherwise go unused to be occupied by men and women who have been disabled when serving their Nation.

This bill is the right step to take for our disabled veterans! They have sacrificed their health and well-being for their country, and they have earned the right to these privileges. Please support H.R. 4071 and work with me for its passage.

IN RECOGNITION OF JAVIER LOPEZ, M.D., F.A.C.S. UPON HIS INDUCTION INTO THE SAINT VINCENT CHARITY HOSPITAL'S SOCIETY OF SAINT LUKE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. KUCINICH. Madam Speaker, I rise today in honor and recognition of my dear friend and mentor, Javier Lopez, M.D., upon his induction into St. Vincent Charity Hospital's Society of Saint Luke, an honor that reflects his immeasurable contribution to the health and well-being of countless individuals and families, from Cleveland, Ohio to Colombia, South America. His compassion and expertise continues to have the greatest impact on the poor of our community, whose lives are uplifted, inspired and made whole again by the healing compassion that defines the life and work of Dr. Javier Lopez.

A highly skilled surgeon and general family practitioner in the Cleveland area for more than 40 years, Dr. Lopez's brilliant medical expertise is equaled by his patience, caring, compassion, and dedication to every patient, regardless of their ability to pay. More than forty years ago, Dr. Lopez journeyed from his beautiful homeland of Medellín, Colombia, to Cleveland, Ohio, to complete his residency at St. Alexis Hospital. The people of North and South Broadway, including myself and my family, were immediately taken by his kind, gentle and humble nature. Dr. Lopez's talent as a gifted doctor could have landed him a successful medical practice in any wealthy suburb, yet he chose to stay in the inner city, on Broadway Avenue, wholly dedicated to treating those who embraced him as a young man so many years ago.

I have been fortunate to have known Dr. Lopez since I was a young man, and even more fortunate to have cultivated a close friendship with him. The positive impact that he has had on my life and the lives of so many others is truly indescribable in mere words. His excellence as a physician is surpassed by none, yet it is his deep sense of humanity that sets him apart from most others. Dr. Lopez continues to be a guiding beacon of hope along Broadway Avenue, uplifting the spirits, hearts and lives of countless individuals, including my own.

Dr. Lopez lives his life dedicated to his faith, his family, and the communities of North and South Broadway and St. Vincent's. His vocation in medicine reflects his unwavering faith and is captured in the biblical reference: "Whatsoever you do to the least of my brothers, that you do unto me." Dr. Lopez offers the same compassion, concern and medical expertise to the forgotten homeless man as he does to the successful attorney. Despite his great achievements in the field of medicine, Dr. Lopez's sense of humanity has always been blind to social or economic status.

Although Dr. Lopez has wholly embraced his Cleveland community, he never forgets the struggles of the people of his Colombian birthplace. An international ambassador of healing, Dr. Lopez continues to lead regular medical missions to Colombia and Honduras, where he donates his time, expertise, medicine and medical supplies to war-torn and impoverished communities, forging healing, peace and hope for a better day. In Cleveland, Ohio, Dr. Lopez's lifelong commitment to healing is reflected every day within his modest medical office on Broadway Avenue.

His office still remains across the street from where St. Alexis Hospital once stood, and in 2003, Dr. Lopez became an integral member of the medical staff of St. Vincent Charity Hospital. He immediately garnered the respect, admiration and adoration of St. Vincent Hospital staff members and patients—everyone from the front desk receptionists to the nurses and surgical specialists.

Madam Speaker and Colleagues, please join me in honor and recognition of Dr. Javier Lopez, upon his induction into the Society of Saint Luke. Dr. Lopez' medical insight, intellect, grace, wisdom, leadership and friendship—and above all else, his compassion, kindness and heart, continues to raise the lives of so many of us onto a platform of hope, survival, peace and healing.

Dr. Lopez strengthens our entire community by caring for us, and by caring, especially—"for the least of us." I am grateful and honored to call Dr. Lopez my friend, and I thank him for enriching my life by his close and consistent presence in it.

PERSONAL EXPLANATION

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mrs. MYRICK. Madam Speaker, I was unable to participate in the following votes. If I had been present on November 1, 2007, I would have voted as follows: rollcall vote 1032, on motion to recommit with instructions—H.R. 2262, the Hardrock Mining and Reclamation Act—I would have voted "aye"; rollcall vote 1033, on passage—H.R. 2262, the Hardrock Mining and Reclamation Act—I would have voted "nay."

INTRODUCTION OF THE SAFE AND HEALTHY EMERGENCY HOUSING ACT OF 2007

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. THOMPSON of Mississippi. Madam Speaker, I rise today to introduce the Safe and Healthy Emergency Housing Act, which underscores the Federal Government's obligation to provide safe emergency housing units to disaster victims during times of need.

I am glad to be joined today in introducing this bill by the chairman of the Subcommittee on Emergency Communications, Preparedness and Response, Henry Cuellar from Texas, and Representative Gene Taylor, who knows firsthand the importance of providing adequate housing to disaster victims.

I would also like to thank Representatives Clarke, Jackson-Lee, Christensen, Lofgren, and Al Green for signing on as original cosponsors.

Nearly 2½ years after Hurricane Katrina, we are still learning how we can improve our ability to better prepare for, respond to, and recover from disasters. The lessons we have learned cannot be ignored.

One of the most striking lessons we learned was that this country was ill-prepared to provide emergency housing to victims during a major catastrophe.

To house the number of individuals who lost their homes during Katrina and Rita, FEMA was forced to immediately purchase thousands of travel trailers. By the time the dust settled, FEMA had purchased over 100,000 of these units.

At the time, travel trailers appeared to be a logical choice because they can be produced much faster than other housing alternatives. However, as time passed, it became clear that travel trailers may not have been the best option.

By now, most of us are well aware that many of the travel trailers provided by FEMA were and remain contaminated with formaldehyde. Many of us, however, do not know why this happened.

Tests conducted in 2006 found that the formaldehyde levels in most of the trailers tested exceeded the Environmental Protection Agency's recommended limit. It's also important to note that formaldehyde is classified as a carcinogen by the International Agency for Research of Cancer.

I have continually raised concerns over the health impacts of formaldehyde exposure with the Department of Homeland Security, FEMA, and the Center for Disease Control and Prevention, CDC.

My Committee staff has also interviewed medical officials from the CDC Agency for Toxic Substances and Disease Registry about a February 2007 report that focused on formaldehyde levels present in FEMA trailers. However, the study did not analyze the potential health impacts on travel trailers' residents.

After expressing my deep concerns with the DHS chief medical officer over the lack of such a study, FEMA announced that they would be entering into an agreement with the CDC to test the trailers for formaldehyde and to study what associated health impacts may have been encountered.

I anxiously await the results of this important study.

Madam Speaker, as you may know, the Department of Housing and Urban Development, HUD, regulates formaldehyde emissions in manufactured housing. However, travel trailers are not considered to be "manufactured housing," and are, therefore, exempt from this regulation.

This legislation protects disaster victims by requiring that any emergency housing units provided by FEMA meet HUD regulations limiting formaldehyde emissions.

This legislation does not force the travel trailer industry to change the way they manufacture their product, it simply makes certain that FEMA will no longer provide formaldehyde-contaminated housing units to disaster victims.

While the health implications are still being studied, we do know that research has proven that the negative health effects can range anywhere from respiratory irritation to cancer. According to medical experts, the health impacts are most concerning for children whose lungs are still developing.

In closing Madam Speaker, let me say that our citizens' health should be a top priority during times of disaster recovery. I believe this legislation will embrace that priority and make certain that this problem will not be encountered during future disasters.

LEGISLATION ALLOWING INTERSTATE SHIPMENT OF UNPASTEURIZED MILK

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. PAUL. Madam Speaker, I rise to introduce legislation that allows the transportation and sale in interstate commerce of unpasteurized milk and milk products, as long as the milk both originates from and is shipped to States that allow the sale of unpasteurized milk and milk products. This legislation removes an unconstitutional restraint on farmers who wish to sell unpasteurized milk and milk products, and people who wish to consume unpasteurized milk and milk products.

My office has heard from numerous people who would like to purchase unpasteurized milk. Many of these people have done their own research and come to the conclusion that unpasteurized milk is healthier than pasteurized milk. These Americans have the right to consume these products without having the Federal Government second-guess their judgment about what products best promote health. If there are legitimate concerns about the safety of unpasteurized milk, those concerns should be addressed at the State and local level.

I urge my colleagues to join me in promoting consumers' rights, the original intent of the Constitution, and federalism by cosponsoring my legislation to allow the interstate sale of unpasteurized milk and milk products.

PERSONAL EXPLANATION

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Ms. WASSERMAN SCHULTZ. Madam Speaker, on October 31, 2007, I missed the following rollcall votes because I was attending to personal family matters in my District: Rollcall vote No. 1024, the McCrery substitute amendment to H.R. 3920, the Trade and Globalization Act, rollcall vote No. 1025, passage of H.R. 3920, the Trade and Globalization Act; and rollcall vote No. 1026, the motion to instruct conferees on H.R. 3043, the Fiscal Year 2008 Labor-HHS-Education Appropriations bill.

If present, I would have voted "nay" on rollcall Nos. 1024 and 1026 and "aye" on rollcall No. 1025.

IN RECOGNITION OF JOSEPH A. SOPKO, M.D. UPON HIS INDUCTION INTO THE SAINT VINCENT CHARITY HOSPITAL'S SAINT LUKE SOCIETY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. KUCINICH. Madam Speaker, I rise today in recognition of Joseph A. Sopko, M.D., upon his induction into St. Vincent Charity Hospital's St. Luke Society, for his contributions to pulmonary health education, residency program leadership, and for his community involvement, including his leadership and activism regarding tobacco use prevention.

Dr. Sopko has been a member of the medical staff at St. Vincent Charity Hospital for nearly 20 years. He earned his medical degree at Tufts University and completed his residency and fellowship training at the University of Iowa Hospitals. Dr. Sopko has held several significant roles at St. Vincent Charity Hospital, including: Medical Director of Pulmonary Services; Director of the Medical Intensive Care Unit; and educator within the Hospital's medical residency program. Moreover, Dr. Sopko played a critical role in establishing one of the first hospital-wide blood conservation programs in the nation—the Regional Center for Blood Conservation. For his service to students in the residency program, he was awarded the 2007 Teacher of the Year Award, given by the St. Vincent Charity Hospital Internal Medicine Program.

Madam Speaker and Colleagues, please join me in honor and recognition of Dr. Joseph A. Sopko, upon his induction into the Saint Luke Society. Dr. Sopko's medical expertise, caring demeanor and strong sense of volunteerism brings strength to St. Vincent's Hospital and superior health care for countless individuals throughout our community.

PERSONAL EXPLANATION

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. ENGLISH of Pennsylvania. Madam Speaker, on rollcall No. 1032, the Motion to Recommit with Instructions on H.R. 2262, the Hardrock Mining and Reclamation Act of 2007. I was delayed due to a meeting with constituents.

Had I been present, I would have voted "yes."

HONORING THE MEMORY OF RALPH P. HARR

HON. DAVID DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. DAVID DAVIS of Tennessee. Madam Speaker, I rise today to pay tribute to Ralph

Harr of Bristol, Tennessee who passed away November 2, 2007.

Mr. Harr was born April 4, 1926 to the late William and Addie Cowan Harr, and he was a lifelong resident of Sullivan County. Ralph graduated from Blountville High School and attended King College. He served our great Nation in the U.S. Army.

Ralph was an established businessman. He co-owned and operated Bristol Auto Auction for over 48 years.

Mr. Harr was a dedicated public servant. He served from 1952 until 2001 as the Clerk and Master of Sullivan County Chancery Court. Ralph served as County Commissioner for 30 years and was a member of the influential Budget Committee and the Sullivan Partnership Network. It was evident to anyone who knew him, he cared for Sullivan County in a fashion that is difficult to find.

As a devoted family man, he will be missed by his wife of 43 years, Marjorie Willis Han, son Jon Paul, daughter Jackie, grandchildren, nieces, nephews and so many friends.

Madam Speaker, I ask that the House join me this evening in honoring Ralph Harr for his service to this great Nation, commitment to making life better for those around him, and love for his family and friends. We have lost a tireless leader in the First District, he will be greatly missed.

TRIBUTE TO DEREK WETSCH

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mrs. CAPITO. Madam Speaker, I rise today to extend congratulations to Derek Wetsch, who received the highest rank in boy scouting; attaining the rank of Eagle Scout at his court of honor ceremony on November 4, 2007. He is a member of Troop 88, sponsored by First United Methodist Church in Elkins, West Virginia.

Derek took on quite an undertaking for his Eagle Scout project. As diligent student and member of the Elkins High Fighting Tiger Marching Band, he saw the need for a new sound system at the football stadium and improvement of its grounds. Thanks to his fundraising efforts, Wimer Field at Elkins High School has a new state-of-the-art sound system, which he installed himself.

Derek attended Elkins High School where he graduated in the top 10 percent of his class. A leader in his class, Derek was student body president, president of the band council, and a member of the National Honor Society. He remains an active volunteer with Boy Scouts of America.

Derek is a freshman at West Virginia University where he is a member of the Pride of West Virginia, Mountaineer Marching Band. He is majoring in Exercise Physiology and plans to attend dental school after his undergraduate studies.

I am proud to recognize Derek Wetsch for achieving the high honor of the Eagle Scout. West Virginia is fortunate to have him as a leader and I look forward to hearing about his future accomplishments.

IN RECOGNITION OF HELMUT SCHREIBER, M.D., F.A.C.S. UPON HIS INDUCTION INTO THE SAINT VINCENT CHARITY HOSPITAL'S SAINT LUKE SOCIETY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. KUCINICH. Madam Speaker, I rise today in honor and recognition of Helmut Schreiber, M.D., F.A.C.S., upon his induction into St. Vincent Charity Hospital's St. Luke Society, for his pioneering achievements in the area of bariatric medicine, his innovative techniques in the surgical treatment of morbid obesity, and for his natural talents as teacher and mentor.

Dr. Schreiber has been a member of the medical staff at St. Vincent Charity Hospital for the past nineteen years. He earned his medical degree from Ohio State University, and completed his residency and internship at University Hospitals of Cleveland. In 1999, after working for several years as Director of Surgery at Saint Luke's Hospital, Dr. Schreiber accepted the position of Director of Surgery at Saint Vincent Charity Hospital. Motivated by his deep compassion for patients struggling with obesity, Dr. Schreiber founded the Cleveland Center for Bariatric Surgery. Dr. Schreiber has also served as teacher for residency students and, most significantly, he has provided surgical care to countless individuals in need, regardless of their ability to pay.

Madam Speaker and Colleagues, please join me in honor and recognition of Dr. Helmut Schreiber, upon his induction into the Saint Luke Society. Dr. Schreiber's medical excellence, pioneering achievements, and caring and compassionate nature, serves to bring light and hope into the lives of patients, colleagues, family and friends, uplifting our entire community.

PERSONAL EXPLANATION

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. DAVIS of Virginia. Madam Speaker, I was not present for the vote on H.R. 2262. Had I been present, I would have voted in support of the bill.

TRIBUTE TO JENNIE RACHEL CATRON

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. ROGERS of Kentucky. Madam Speaker, I regret that I must inform the House of the passing of a great American in my home community who stood tall on the mountaintop and watched over many people all around her.

Jennie Rachel Catron lived through more tragedy than most people, and in spite of it, showed leadership, stability, strength, love, discipline, and direction until the day she left us at 91, on October 14, 2007. Her lesson to us is that it's not what happens to you in life that matters; it's what you do about it that counts.

To her children, she was their hero. To our community, she was our devoted volunteer. She inspired all of us to never quit and to never be counted out, but to move forward with compassion to put down adversity when it strikes.

Among the many causes Jennie Rachel dedicated herself to were the Daughters of the American Revolution, the Somerset-Pulaski County Rescue Squad, the PTA, the Homemaker's Club, and the Republican Women's Club. Through her efforts the uneducated were taught, the poor got a helping hand, and families were made stronger.

Her life appeared to be that of any wife, mother and then grandmother. But it was not—that life was violently taken away from her. She would lose her husband Harold, the Somerset Police Chief, to a criminal's bullet. And 45 years later, she lost her son Sam, the Sheriff of Pulaski County, the same way. Both times Jennie Rachel was only a few feet away. And both times, revenge was exacted against her husband and son for going after criminal enterprises.

Yet, she managed to build a new life. She devoted herself to her surviving son Lewis, daughter Nancy, grandchildren and great grandchildren. The community organizations she was involved in are too numerous to name.

The order in life that most of us expect, was upended for Jennie Rachel Catron. She rebuilt what was torn down—for her and the rest of us.

Her daughter Nancy read a verse at her mother's request and thus concluded her eulogy. It is a fitting tribute to a fine lady whose spirit is alive when we look across our community and see the good that is there.

Do not stand at my grave and weep:
I am not there. I do not sleep.

I am a thousand winds that blow.
I am the diamond glints on snow.

I am the sunlight on ripened grain.
I am the gentle autumn rain.

When you awaken in the morning's hush,
I am the swift uplifting rush

Of quiet birds in circled flight,
I am the soft stars that shine at night,

Do not stand at my grave and cry;
I am not there. I did not die.

We remember Jennie Rachel Catron.

IN RECOGNITION OF CHARITY A. KANKAM, M.D., UPON HER INDUCTION INTO THE SAINT VINCENT CHARITY HOSPITAL'S SAINT LUKE SOCIETY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. KUCINICH. Madam Speaker, I rise today in recognition of Charity A. Kankam, M.D., upon her induction into St. Vincent

Charity Hospital's St. Luke Society, an honor that reflects not only her superior clinical skills, but most significantly, highlights her daily outreach, care and compassion for the most vulnerable citizens of our community.

Dr. Kankam has been an integral member of the St. Vincent staff for the past seventeen years. She was awarded a medical degree from the University of Toronto, where she completed her residency and fellowship training as well. Dr. Kankam specializes in nephrology and has served as the Director of Nephrology since 1994. She also dedicates her time as a teacher to medical residents and staff. Dr. Kankam's limitless compassion and her dedication to improving the well-being of others reaches from the St. Vincent community to her birthplace, Ghana. When Dr. Kankam learned that Ghana lacked a desperately needed dialysis center, she became the leading organizer in raising funds to build one. Last year, due to Dr. Kankam's determination and focus, a dialysis center was established in Ghana—1 of only 2 in the country.

Madam Speaker and Colleagues, please join me in honor and recognition of Dr. Charity A. Kankam, upon her induction into the Saint Luke Society. Dr. Kankam's expertise in the area of nephrology is outshone only by her compassion and kindness, raising the spirits and lives of every patient into the realm of healing, strength and hope.

IN RECOGNITION OF NORTH HILLS HOSPITAL'S NEW HEART CENTER

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Mr. BURGESS. Madam Speaker, I rise today to congratulate the City of North Richland Hills' North Hills Hospital. North Hills Hospital is opening a new Heart Center that specializes in fast and efficient heart attack care.

North Hills Hospital has been leading the medical world in heart care. It is the first hospital in the United States to accomplish Cycle 2 Accreditation for its Chest Pain Center. The hospital is opening a Heart Center for its patients and will continue to lead the way in top-of-the-line cardiac care.

The Heart Center has been in construction for two years and consists of two operating rooms, 13 cardiac progressive care beds and eight cardiac intensive care beds. All of these rooms are on the same unit, which is helpful for transferring patients, and also for visiting families. The new model of the Heart Center is considered ground breaking in the medical field.

I extend my sincerest congratulations to the City of North Richland Hills and the North Hills Hospital. It is my hope that they will continue to serve patients of the 26th District of Texas with the same care and spirit of service that they have shown throughout the years.

TRIBUTE TO R.J. NATHE & SONS OF DADE CITY, FLORIDA ON 50TH YEAR IN BUSINESS

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 5, 2007

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, throughout America, small businesses and entrepreneurs work each day to help our nation prosper. One of these companies, R.J. Nathe & Sons of Dade City, Florida is celebrating their fiftieth anniversary this year. As one of the outstanding corporate citizens in Pasco County, the Nathe family deserves recognition for 50 years of giving back to the community.

In October of 1957, cousins R.J. Nathe and Walter Gude decided to go into the land clearing business, naming the company Nathe and Gude Landclering. Using an initial family loan to start the company, the cousins went out and put a down payment on 2 used bulldozers and 2 old pickup trucks. Reaching out to the growing citrus crop industry in Central Florida, they had plenty of proposed work until a bad freeze stopped their growing business in its tracks.

Once the cousins got back on their feet, they soon realized that while land clearing would make them money, the real business potential came from logging the timber that came off of the land they cleared. Over the years the business diversified even further to include extensive cattle and citrus operations.

When they incorporated the firm in 1980, the cousins decided to shorten the name to Nathe & Gude, Inc. in 1993 the Nathe family split with Gude, allowing Gude to take the cattle operation and the Nathe family keeping the original logging and land clearing part. The following year J.R. brought his 5 sons into the business and changed the name to R.J. Nathe & Sons, Inc. A very important part of the growing business is J.R.'s wife, Patsy, who keeps everyone coordinated and productive.

Over the years R.J. Nathe & Sons, Inc. has been recognized for its involvement in business and community actives. They have received numerous awards including Florida Logger of the Year in 1996, continuing on to win the Southeastern title and runner up for National Logger of the Year in 1997.

Along with timber harvesting and land clearing, Nathe & Sons now offers demolition and custom sawmilling. The business has strived to build strong customer relationships based on fairness, honesty and quality service. With a company motto of, "Treating everyone's land as if our own," it is clear that Nathe & Sons has a commitment to customers that is necessary to maintain an outstanding reputation in the Dade City community. I congratulate Patsy and J.R. and the entire family on their first fifty years of service in Pasco County and look forward to working with them over the next 50 years.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, November 6, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 7

9:30 a.m.
Small Business and Entrepreneurship
To hold a Business meeting to markup an original bill entitled, "Small Business Contracting Revitalization Act of 2007".
SR–428A

Veterans' Affairs
To hold an oversight hearing to examine the performance and structure of the United States Court of Appeals for Veterans Claims.
SD–562

2 p.m.
Judiciary
To hold hearings to examine the United States government enforcement of intellectual property rights.
SD–226

2:30 p.m.
Commerce, Science, and Transportation
Science, Technology, and Innovation Subcommittee
To hold hearings to examine carbon sequestration technologies.
SR–253

NOVEMBER 8

9:30 a.m.
Environment and Public Works
To hold hearings to examine S. 2191, to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases.
SD–406

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine localism, diversity, and media ownership.
SR–253

Health, Education, Labor, and Pensions
To hold hearings to examine ways to protect the employment rights of those who protect the United States.
SD–430

Homeland Security and Governmental Affairs
To hold hearings to examine the nominations of Robert D. Jamison, of Virginia, to be Under Secretary for National Protection and Programs, and W. Ross Ashley, III, of Virginia, to be an Assistant Administrator of the Federal Emergency Management Agency, both of the Department of Homeland Security.
SD–342

Judiciary

Business meeting to consider S. 352, to provide for media coverage of Federal court proceedings, S. 2135, to prohibit the recruitment or use of child soldiers, to designate persons who recruit or use child soldiers as inadmissible aliens, to allow the deportation of persons who recruit or use child soldiers, S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and the nominations of Michael J. Sullivan, of Massachusetts, to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Joseph N. Laplante, to be United States District Judge for the District of New Hampshire, Reed Charles O'Connor, to be United States District Judge for the Northern District of Texas, Thomas D. Schroeder, to be United States District Judge for the Middle District of North Carolina, and Amul R. Thapar, to be United States District Judge for the Eastern District of Kentucky.

SD–226

Joint Economic Committee

To hold hearings to examine the current economic outlook.

SH–216

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine outstanding issues relating to the 1992–1995 conflict in Bosnia, focusing on violent ethic cleansing, and how they shape politics, society, and economic development in Bosnia.

B–318–RHOB

2:30 p.m.

Foreign Relations

Near East and South and Central Asian Affairs Subcommittee

To hold hearings to examine Syria, focusing on options and implications for Lebanon and the surrounding region.

SD–419

Energy and Natural Resources

National Parks Subcommittee

To hold hearings to examine S. 86, to designate segments of Fossil Creek, a tributary to the Verde River in the State of Arizona, as wild and scenic rivers, S. 1365, to amend the Omnibus Parks and Public Lands Management Act of 1996 to authorize the Secretary of the Interior to enter into cooperative agreements with any of the management partners of the Boston Harbor Islands National Recreation Area, S. 1449, to establish the Rocky Mountain Science Collections Center to assist in preserving the archeological, anthropological, paleontological, zoological, and geologic artifacts and archival documentation from the Rocky Mountain region through the construction of an on-site, secure collections facility for the Denver Museum of Nature and Science in Denver, Colorado, S. 1921, to amend the American Battlefield Protection Act of 1996 to extend the authorization for that Act, S. 1941, to direct the Secretary of the Interior to study the suitability and feasibility of designating the Wolf House, located in Norfolk, Arkansas, as a unit of the National Park System, S. 1961, to expand the boundaries of the Little River Canyon National Preserve in the State of Alabama, S. 1991, to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of extending the Lewis and Clark National Historic Trail to include additional sites associated with the preparation and return phases of the expedition, S. 2098, to establish the Northern Plains Heritage Area in the State of North Dakota, S. 2220, to amend the Outdoor Recreation Act of 1963 to authorize certain appropriations, and H.R. 1191, to authorize the National Park Service to pay for services rendered by subcontractors under a General Services Administration Indefinite Deliver Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park.

SD–366

Intelligence

Meeting of conferees on proposed legislation authorizing funds for fiscal year 2008 for the intelligence community.

S–407, Capitol

NOVEMBER 13

10 a.m.

Small Business and Entrepreneurship

To hold an oversight hearing to examine the Small Business Administration, focusing on preventing loan fraud and improving regulation of lenders.

SR–428A

2:30 p.m.

Energy and Natural Resources

To hold an oversight hearing to examine the Surface Mining Control and Reclamation Act (Public Law 95–87), focusing on policy issues thirty years later.

SD–366

NOVEMBER 14

9:30 a.m.

Veterans' Affairs

Business meeting to markup pending legislation; to be immediately followed by a hearing to examine the nomination of Michael W. Hager, of Virginia, to be an Assistant Secretary of Veterans Affairs (Human Resources and Management).

SD–562

10 a.m.

Energy and Natural Resources

To hold hearings to examine the Global Nuclear Energy Partnership relating to the United States policy on nuclear fuel management.

SD–366

2 p.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine sovereign wealth fund acquisitions and other foreign government investments in the United States, focusing on economic and national security implications.

SD–538

NOVEMBER 15

9:30 a.m.

Armed Services

To hold hearings to examine the state of the United States Army.

SH–216

CANCELLATIONS

NOVEMBER 7

10 a.m.

Rules and Administration

To hold hearings to examine the Government Accountability Office report focusing on funding challenges and facilities maintenance at the Smithsonian Institution.

SR–301

SENATE—*Tuesday, November 6, 2007*

The Senate met at 10 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, most holy, You are more ready to hear us than we are to pray, for You know our needs before we ask for help. Give us listening ears, responsive hearts, and willing spirits.

Bless our Senators. Fill their lives with meaning and shower them with Your wisdom. Reveal the issues that matter most so their labors will glorify You. Let Your love sustain them through the welter and variety of the legislative process. Finally, keep them from becoming weary in well doing. As they listen to Your commands, give them the assurance of a sure harvest.

We pray in Your righteous Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 6, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, there will be a period for the transaction of morning business for 1 hour today. Senators are permitted to speak for up to 10 minutes each, with the times equally divided and controlled, with the Republicans controlling the first half and the majority controlling the final half.

At the close of morning business, the Senate will resume consideration of H.R. 2419, the farm bill. As a reminder, the Senate will stand in recess today from 12:30 p.m. to 2:15 p.m. for the respective party conference meetings.

I mentioned yesterday that we have a lot to do this week, and we do. I have spoken with the Republican leader. The House is going to pass the conference report on Labor-HHS. As part of that conference report, there will also be military construction and the veterans' benefits. I have been told there is going to be a point of order raised against the military construction-VA aspect of that bill. In fact, if that is the case, we can set it up very quickly, as I explained to my Republican counterpart, to find out if there are 60 votes for that bill without the necessity of filing cloture. If, in fact, there are not 60 votes, that part, of course, will be peeled off, and we will pass the Labor-HHS bill, and it will go back to the House. The House will concur in what we had done, and the President would be sent the Labor-HHS bill alone. We need to accomplish that work this week. We need to get our first appropriations bill to him—or bills, whatever the result.

As we speak—we started 5 minutes ago—the House and Senate conferees are meeting on the Defense appropriations bill. That conference will be wrapped up fairly soon. There has been a lot of preconference work done on the bill. We have Senators STEVENS and INOUYE who have worked that bill for many years. They do very well with their House counterparts.

It is a huge bill. I don't know the exact amount—$470 billion or some such amount. In addition to that, I think, as I told my friend, the Republican leader, the senior Senator from Kentucky, a continuing resolution will be put on the Defense bill just as it was done last year when Senator FRIST was majority leader. That we should get soon. We will get it in the next couple of days. And we have to finish that legislation before we leave this week.

It is extremely important that we don't wait until the last minute next week to take care of the Defense appropriations bill and the continuing resolution. That will leave us plenty to do next week. We have a lot to do, not the least of which is the Mukasey nomination which the Judiciary Committee will take care of this morning. That meeting also started 5 minutes ago.

We are on the farm bill. I will have more to say about the farm bill a little later, but I do want to say this regarding procedures and the farm bill. I have had some real good teachers over the years as to how to handle legislation. Some of those teachers have been my Republican counterparts. No one was more versed in so-called filling the tree than my friend, the distinguished Senator from Mississippi, Mr. LOTT.

We have just a few days until we break for Thanksgiving. This bill, the farm bill, is a tax bill. It has tax provisions in it. So I want to make sure everyone understands we should do all relevant amendments to the farm bill. There is no problem with that. That is what I said we would do. But this bill, as I have indicated, as I learned from my friends in past years from teachers such as Senator LOTT, Senator DOLE, and Democratic leaders, of course, is you have to be very careful in the waning days of any work period because any one Senator can shut this place down.

So on the farm bill, that is not going to be the case. We are going to work to complete the farm bill. It is a good, bipartisan bill. There should be amendments offered. We have a number of bipartisan amendments that must be offered. We have one amendment that Senator DORGAN and Senator GRASSLEY are ready to offer on payment limits. We have Senators LUGAR and LAUTENBERG who want to offer a whole substitute for this legislation. So I hope we can get to this legislation.

I have been told one of the things the Republicans will do in protest of what I am doing, which has been done countless other times in the past, is to go into a quorum call and prevent us from doing work on the farm bill. Everyone has a right to do that. We will have a few live quorums. If people don't want to do work on the farm bill, that is their right as a Senator.

The farm bill is something I believe we should do. I am certainly not going to file cloture on the farm bill this week. So if my friends on the other side of the aisle just want to have us sit in a quorum call and not do any work on the farm bill and not do our other work, that is fine. I don't think it is very productive when I have indicated the farm bill is certainly one where we can offer amendments relating to it, that will be relevant to the farm bill.

I, at a subsequent time prior to our getting on the bill, which will be an hour or so from now, will make sure I ask consent that we handle this bill with relevant amendments.

I ask unanimous consent that the time I use and the time my distinguished friend uses not count against the hour for morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

IRAQ

Mr. REID. Mr. President, yesterday we reached another tragic milestone in Iraq. It seems it never stops. We lost five young American soldiers. That means 2007 has been the deadliest year for our troops in the entire war. In just a few months, we will be starting the sixth year of this war. We have almost completed 5 years of the war. Our thoughts have to be, as they should be, with the families of the five latest American victims of the civil war in Iraq. Our hearts go out to the families—several score have been Nevada families—a total of about almost 3,900 now, young men and women who have lost their lives, and to the more than 30,000 who have been gravely wounded.

This war has caused so much suffering in America where losses continue to rise, not only in the loss of life and injury to our valiant troops but our Treasury. The Joint Economic Committee is going to come out with a report soon showing it to be in the trillions of dollars this war has cost our country. That means our Treasury is going to be depleted for generations to come.

No one doubts that our military is battered, scarred, and stretched to the limit. And let's not forget about what is going on in Iraq. It is estimated that 2 million people have left the country. This was a country of about 25 million people when the invasion took place. We learned today that 2.3 million civilians are now displaced, fleeing from their homes, their neighborhoods, their schools, places of worship. Violence is down, and certainly that is important and good, but many of the experts are saying one reason the violence is down is that so much ethnic cleansing has already taken place. It is true they found 35 or 40 dead bodies today, and they are still finding them—not to the amount they were finding before. They were finding more than 100 a day. Many of the areas have been ethnically cleansed.

Two-thirds of the displaced are children under the age of 12. This humanitarian crisis rages with no end in sight. Two-thirds of the 2.3 million displaced are kids under 12. By the most critical benchmarks, President Bush's flawed strategy on Iraq is making America not more secure but less secure.

We are seeing no signs of meaningful progress on political reconciliation, which is the key to success in Iraq. We have a civil war going on with the Palestinians. Two factions are at war. We have Lebanon, in effect, with an election that cannot be held because of civil strife in that country. We have Iran which is causing trouble in the whole region. And if a civil war in Iraq were not bad enough, now we have 100,000 Turkish troops who have gathered on the northern borders of Iraq.

Our brave troops, more than 160,000 of them, are giving everything they have to this war. Far too many of them have been buried; far too many face lives forever marred by physical and psychological wounds. Yet for all of our troops' sacrifice and suffering, Iraqi politicians are doing basically nothing. President Bush has said: As they step up, we stand down. They have not stepped up.

What better reminder do we need than the crisis in Pakistan that the world can change overnight? It is time to rebuild our military to refocus on the war on terror and the grave challenges that face us throughout the globe, not just in Iraq. We must repair the readiness of the Army and Marine Corps, the finest fighting force in the world, but a force that is under great strain. One only need look at the leader of the Army, General Casey. He is saying that right now, and he has testified under oath to that effect. We must be prepared to respond to new challenges. We must have the strength and flexibility to promote freedom and defend human rights when they are attacked. We must refocus our efforts on bin Laden and al-Qaida who threaten our safety, and it is long past time to give our troops the hero's welcome they so bravely earned. They need to come home.

After years of the Republican underfunding of veterans' care, Democrats have provided $4 billion above the President's request to make this failure right. President Bush remains obstinate. His allies in Congress have remained loyal. They have blocked our efforts so far, but we will continue fighting to give our troops and all Americans the new course in Iraq they deserve.

FARM BILL

Mr. REID. Mr. President, on the farm bill, it is a 5-year bill, scored at about $280 billion. It is a bill we need to look at the positive aspects of, and I have done that on a number of occasions.

The nutrition title is one of the bright spots of the bill. Food stamp recipients under the bill will be allowed to spend more on childcare and remain eligible, as well as save more for education and retirement without losing their benefits. Minimum benefits will rise. Funding for buying surplus food stuffs for food banks and other relief organizations have increased by $100 million each year. That includes over $1 billion for the School Lunch Program to provide fresh fruits and vegetables to these schools.

There are many other good things in this bill, and I was disappointed the President again talked about a veto. This is a new word in his vocabulary, because in the first 6 years of his Presidency, he basically never used the word. I should say the first 7 years. One year from today, we will have elections for a new President. So in the last 12 months, in this man's Presidency, he has come up with a new word, "veto." Everything is veto—CHIP, WRDA, appropriations bills, farm bills.

Yesterday, I came to the floor to express my optimism for the farm bill. I said the bill is an example of the good work that can come when both sides of the aisle work together. Chairman HARKIN and Senators BAUCUS, CHAMBLISS, and GRASSLEY have done that. I also said this bill would receive floor time for amendments dealing with the farm bill. Apparently, the good work and good faith put toward this bill by Democrats and Republicans does not count for much for the President. Yesterday afternoon, Acting Secretary of Agriculture Chuck Connors announced the President's intent to veto the farm bill—before it has been debated, before amendments are offered, and before, of course, it is passed.

Here we go again, I guess is what people are saying. The President has now threatened to veto 11 of 12 appropriations bills, including Labor-HHS, which provides crucial funding for schools, medical research, and police. He said he is going to veto WRDA, which passed the Senate with 81 votes.

I am not alone when I say this latest veto threat of the farm bill rings kind of hollow. It rings hollow because Secretary Johanns went around the country giving lectures about the current payments system, what a bad deal it was. Yet the Bush administration had every opportunity to fix the issue of nonfarmers receiving farm payments. This is what Johanns loved to go around the country saying. Why don't they fix this? He is the Secretary of Agriculture, part of the Bush administration. Yet even though he has gone around and given PowerPoint presentations to this effect, he should have been giving a PowerPoint presentation of why the Bush administration hasn't done anything to fix it. It can all be done by changing regulations. You don't need to change the law.

What they now blame Congress for failing to do, they could have reformed—the "actively engaged" farming payments system—right now. That is what they talk about all the time. They talk about people in apartment houses drawing benefits. They can change it. The President can do that. He has the power to do that. We gave him the power to do that. We passed a bill 20 years ago that reformed the process. Yet an April 2004 study by the General Accounting Office determined the Bush Department of Agriculture's track record in implementing this reform was, at best, halfhearted, and that is being generous.

A problem exists in the farming payout structure. We have all heard of individuals who live in the city but claim they are farmers and receive a subsidy. The Bush administration could change that with a regulation. The farm bill begins to tackle that problem—a problem that exists, in large part, because the Bush administration has failed to address it.

Now, the President plans to veto a bill that reforms the payment process, while maintaining the President's administrative authority to act on it. This bill takes reform seriously. If President Bush were serious about it as well, rather than just looking at political points, he would do something about it. He has the power to do something about it.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader.

VA-MILCON APPROPRIATIONS

Mr. McCONNELL. Mr. President, we are now in the sixth week of the 2008 fiscal year, and the majority still hasn't sent a single funding bill to the President for the 2007 fiscal year. It has been 20 years—20 years—since Congress has waited this late in the year to send a single appropriations bill to the President. The Veterans appropriations bill, for example, passed the Senate 2 months ago but is still sitting in Congress.

So why do our friends on the other side of the aisle continue to drag their feet on this very important measure? We know everyone agrees the bill is important and needed. We know our veterans have sacrificed for our country, and it is our duty—our duty—to provide for them. We know the bill holds wide bipartisan support, and the military construction part of the bill is important for providing housing, readiness, and improved quality of life for our troops. We also know the President will sign the veterans bill into law when he gets it. So why hasn't this bill been brought to the floor for a vote? Why haven't we had a vote on the veterans conference report? Shouldn't we put aside the gamesmanship and send this bill to the President so it can be signed before November 11, which happens to be Veterans Day?

The majority has decided it wants to tie the veterans bill, which will be signed into law, to the Labor bill, which is approximately $9 billion over the President's request, which, of course, will be vetoed. Now, some have said $9 billion is not much of a difference, but to put it into context, $9 billion is more than the individual budgets of 33 of our States. It is more than the entire yearly budget for the FBI. It is more than the budget of the U.S. Coast Guard. More than that, this figure will serve as a starting point for next year's budget, and that will serve as the starting point for the year after that. In short, this increase will compound into $120 billion in more Washington spending over the next 10 years.

To put this in context, for American taxpayers, for this same amount of money, we could have, instead, made permanent marriage penalty relief and permanent the expensing for small business and have increased taxpayers' standard deduction or we could have provided a 2-year alternative minimum tax patch.

So why attach a bill that overspends so dramatically it would not be signed into law and further postpone funding for our veterans? Our veterans deserve better. We shouldn't penalize them for the mismanagement and overspending of this Congress. We have a responsibility to send the veterans bill to the President at the earliest possible time. Providing funding to our veterans by Veterans Day, November 11, is still a realistic and attainable goal, and Congress should do it.

The election was 1 year ago. It is time to get serious about funding our veterans. We must remember our current force is composed entirely of volunteers, and they have earned our support. If our colleagues are serious, they will bring the veterans bill to the floor. No gimmicks, no games. Let us get it done before Veterans Day.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business for 60 minutes, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the leaders or their designees, with Republicans controlling the first half and the majority controlling the final half.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

RECOGNIZING THE GOOD WORK OF ED AND MARY ETTEL

Mr. CHAMBLISS. Mr. President, it is a pleasure to rise today to recognize the work of some remarkable Georgians, Ed and Mary Ettel, of Marietta, who happen to be in the gallery this morning. The Ettels have worked together in their community to help touch the lives of our men and women in uniform. Guided by the Any Soldier Foundation, Ed and Mary send requested goods to our soldiers serving in Iraq, Afghanistan, Kyrgyzstan, Somalia, and Kosovo. Soldiers can go to www.anysoldier.com and request what specifically they need and want. Good people such as the Ettels are making sure these soldiers' requests do not go unnoticed.

Serving 4 years of Active Duty in the U.S. Navy and 22 years on Reserve Duty, Ed Ettel undoubtedly knows what it means to sacrifice for his country. However, his loyalties to his fellow men and women in uniform did not end with his retirement. Together with his wife Mary, and daughters Erin and Alison, the Ettels committed themselves to being a support group for those who are serving overseas today.

For the Ettels, many Saturdays over the past 2 years have been similar to last Saturday. The smell of pancakes usually welcomes 40 volunteers arriving at the Ettel's house at Sope Creek Farm. After breakfast, the volunteers pick a soldier's request from the Any Soldier Web site, take it into the inventory room, and pack boxes with food, magazines, school supplies, clothing, toys or Christmas decorations. They also include a handwritten letter of support to each individual soldier, thanking them for their service.

Because of the Ettels' community leadership and the help they have received from the other members of the Mount Bethel United Methodist Church in Marietta, volunteers have been able to collectively send 496 boxes, weighing over 4 tons, to servicemembers in theaters around the globe.

One of the most fulfilling parts of the experience for these volunteers is how the soldiers respond. There have been countless thank-you and appreciation notes sent from the soldiers, letting them know how great it is that people back home support them and acknowledge the sacrifices they are making.

It is unclear whether the motivation behind the Ettels' generosity comes from Mary's history as a public servant in our school system, Ed's service to his country in the Navy as well as the Navy Reserve or if it is out of sheer gratitude for the Nation in which they live. It is clear the Ettels' appreciation for the troops and their love of country has been contagious among civic organizations, school groups, church groups, businesses, and fellow members of their community.

People such as the Ettels make this Nation the greatest in the world. I am proud to say such patriotic Americans live in my home State of Georgia. Words cannot express America's gratitude for our Armed Forces and their service and sacrifice for this Nation. As

Veterans Day approaches, we should all remember to acknowledge those sacrifices, and I challenge all Americans to follow the lead of Mary and Ed Ettel in finding a way to say thank you.

IRAQ

Mr. President, I also rise today to discuss the progress we are making in Iraq. Over the past few months, we have witnessed some encouraging developments, and I think it is important to acknowledge the successes of our men and women in uniform and the successes of the Iraqi people in helping to secure their own Nation.

Since the troop surge was fully implemented, in June 2007, we have seen a steady decline in Iraqi civilian deaths, a decline in the number of bombings, and a decline in the number of incidents involving the most deadly form of roadside bombs known as explosively formed penetrators.

We have sent our forces into Iraqi neighborhoods in order to root out extremists and gain the trust and confidence of the people, and we are seeing encouraging results. Since the surge of operations began in June, the number of IED attacks per week has declined by half. U.S. military deaths have fallen to their lowest level in 19 months.

One year ago, Al Anbar was thought to be lost to the enemy. At the time, al-Qaida staged a parade in the city streets to flaunt its control. Last week, there was another parade in Al Anbar Province. Only this time it was a parade of Iraqi citizens and Iraqi forces who had reclaimed their homes and driven the terrorists out. Iraqi forces have now assumed responsibility for security in 8 of the 18 Iraqi provinces. Across the country, brave Iraqis are increasingly taking on responsibility for their own safety and security.

The improvements we are witnessing in Iraq further confirm the report given by GEN David Petraeus, Commanding General of the Multinational Forces in Iraq, before Congress in September regarding the troop surge. While testifying before the Senate Armed Services Committee, he stated:

> The military objectives of the surge are in large measure being met. In recent months, in the face of tough enemies and the brutal summer heat of Iraq, coalition and Iraqi security forces have achieved progress in this arena.

Our enemies see the changes underway and increasingly fear they are on the wrong side of events. Day by day, our forces are seizing the initiative from the enemy. Osama bin Laden, who is in hiding out of fear of U.S. forces, has publicly expressed concern about al-Qaida's recent setback in Iraq. In an audiotape, he talks about the mistakes al-Qaida has made and urges terrorists to overcome what he says are growing divisions in their ranks.

This return on our success in Iraq means we are slowly beginning to bring some of our forces home, and we are doing it from a position of strength. The military did not replace 2,200 Marines who came home from Al Anbar Province in September, and we will also bring home an Army combat brigade, for a total force reduction of 5,700 troops by Christmas.

While there is good news in Iraq, news that is important for the American people to hear, there are also remaining challenges we need to be realistic about. Parts of Iraq continue to be violent and difficult.

The terrorists are still capable of carrying out attacks that will dominate headlines, and the Iraqi security forces will continue to require U.S. support. Now is certainly not the time to give up, restrict funding, or set a surrender date, as some in this body have argued we should do.

As we continue to debate Iraq in the body in the coming months, I hope we can all acknowledge there has been real progress, and work together to ensure this progress is not wasted. That approach is clearly in the interests of all Americans and is in the interests of the Iraqi people as well.

As a member of the Senate Armed Services Committee and a Member from a State with a strong military presence, I am committed to supporting our troops and their families and making sure their needs are met.

Clearly our military has answered the call of duty and they continue to perform courageously, and I for one will do whatever I can to ensure they have the resources and equipment to continue executing their mission, and that their families back home receive the support and assistance that we owe them.

I yield the floor.

The ACTING PRESIDENT pro tempore. The junior Senator from Georgia.

Mr. ISAKSON. Mr. President, I am honored to join Senator CHAMBLISS of Georgia in paying tribute to Ed and Mary Ettel, my neighbors, as a matter of fact, in East Cobb County, Marietta, Georgia. I live about a mile and a half from their home, and my son and daughter-in-law attend Mount Bethel United Methodist Church, where they are active members, a great church with a great minister, Randy Mickler, who does such a good job inspiring his congregation to do so many good things.

Ed and Mary do a tremendous service to our men and women in harm's way. I add my praise of them to the praise of Senator CHAMBLISS. I thank them for the example they set and the blessing they are to our soldiers.

I too want to talk for a second about Iraq, about the war in Iraq, and refresh some memories. Twice this year on the floor of this Senate, once before Memorial Day and once before the August break, we had heated 1-week-long debates of whether the United States of America should declare that we have lost and should leave Iraq. In fact, earlier this year, one Member of this body actually declared the war was lost. Well, as Senator CHAMBLISS has acknowledged, things have turned in Iraq. And they have turned because of the sacrifice of our young men and women fighting in harm's way. They have turned because of the determination of a President who understands the threat of terrorism around the world, and the agents of terror, and those who would harbor terrorists. Iraq is turning. We cannot declare victory in the sense of a declaration of it being lost was declared earlier this year, but we can declare and acknowledge that progress has been made and the country has accomplished a number of the enumerated goals we set out to accomplish when we went into Iraq.

In fact, if everyone will recall the President's speech 4 days before we went into Iraq, he established three goals for this country going into Iraq. No. 1 was to depose Saddam Hussein, and to find those weapons of mass destruction or their components that U.N. Resolution 1441 declared were there; second, to allow the Iraqi people to hold free elections and to write a constitution of their own, and establish a government of their determination; third was to train the Iraqi military to a capability of defending that new fledgling government.

Saddam Hussein has been deposed, was tried by a jury of his peers under Iraqi law. There are those who say we found no weapons of mass destruction, but they overlooked all of the components that we found, Scud missiles buried in the sand between Damascus and Baghdad, elements of sarin gas, 4 of the 7 mobile biological labs, 400,000 bodies in mass graves; all the signs, the telltale signs of the horror and the terror of mass destruction.

Goal No. 2, the Iraqis held free elections in 14 months, wrote a constitution, established the government. Mission accomplished there.

And then, No. 3, to train the Iraqi military sufficiently to sustain peace for that fledgling government. We are not there yet, but we are moving so much closer. It should be noted that a few weeks ago, when all the press noted the British had left Basra and what a disappointment that was, nobody took note of the fact that it was the Iraqi army that replaced them, not the American army, not coalition forces but the Iraqi army, trained and capable of doing it.

Of the al-Qaida operatives who have been captured or killed in the last 6 weeks, the majority of them have been operations of Iraqi soldiers, not American soldiers. The fact is, goal No. 3, training an adequate and sufficient military to protect the fledgling government, is not at hand, but it is getting closer.

So it is time today, on the week before the Veterans Day holiday, and

Veterans Day in this country, to pay tribute to the men and women who have sacrificed for this country, for freedom, and for the fight in the war on terrorism.

I carry with me a dogtag. This dogtag is SGT Mike Stokely's. Sergeant Stokely was killed in Iraq in September of 2005. I met his dad shortly after he had lost his son and, in fact, had lunch with his dad 3 weeks ago in Fayetteville, GA. I wanted to pay tribute to Mike and Noah Harris, another soldier from Georgia whose parents I have spent so much time with, and reflect for a moment on what they always tell me every time I see them. They said: Make sure you tell people that my son did not fight and die in vain, but what he sacrificed for is a country that seeks to end terror, end the threat of terror, and promote democracy around the world.

Well, to Bob Stokely, Mike's dad, to Lisa Harris, Noah's mom, I say: They did not die in vain. The evidence in Iraq across the board is proving that their hard work and their sacrifice has made a difference. If we can stay the course, support our troops, finish the training of the Iraqi military, the American forces can leave in large amount and leave the Iraqis to protect that free, self-determined government of their own.

It is time we acknowledge the success of our men and women in the U.S. military. It is time for us to say thank you for what they have done, and to look to the day that their effort makes us as Americans and the world a safer and a better place. Yes, the Iraq news is good. The war is not over. The progress is great, we need to stay the course, and finish the deal.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, may I inquire how much time in morning business this side has remaining?

The ACTING PRESIDENT pro tempore. The minority has 16 minutes remaining.

Mr. CORNYN. Mr. President, I join my colleagues from Georgia, Senators CHAMBLISS and ISAKSON, in talking about the news from Iraq. It is important as we discuss the challenges we still face and that the Iraqi people still face in Iraq to talk about the complete picture. Unfortunately, while we have heard much of violence in Iraq, and the challenges that face us, we have not heard enough about the successes the American military and our Iraqi allies are meeting with in that country.

It wasn't that long ago that the surge General Petraeus, the counterinsurgency strategy that he is the architect of and which he has executed, was called a failure on the floor of the Senate. It is ironic, looking back, as sometimes it is helpful to go back and learn from history—and you do not have to go back very far, actually, just the summer and the spring of this year—when leaders on the other side of the aisle called the surge a failure.

The most ironic part of it is that General Petraeus, the commander of the multinational forces in Iraq at the time, said: We have not even started the surge yet, so let me have a few months.

Well, General Petraeus has now had a few months, and the surge has now had an opportunity to make a difference. In fact, there is much positive news to report. I have to think the biggest mistake the naysayers have made is to bet against the men and women of the U.S. military. That is always a mistake, because the American military men and women have demonstrated they can accomplish the goals they set out to do, and they are making a tremendous difference in Iraq in eliminating terrorist strongholds, as we continue to train the Iraqi military to take our place.

As I have always said, we all want to bring our troops home. The question is, are we going to bring our troops home based on conditions on the ground and the Iraqis' ability to secure and stabilize their own country or are we going to do it regardless of the consequences in a way that will create the potential for a failed state in Iraq, another terrorist haven, and encourage our sworn enemies in Iran and elsewhere, embolden them to think that America cannot be trusted and America will turn its back on our allies?

In May, one of our senior colleagues said the surge was supposed to bring stability essential to political reconciliation and economic reconstruction. But he said at the time: It has not and it will not. One short month later, the majority leader and the Speaker of the House, in a letter to the President, wrote: As many had foreseen, the escalation has failed to produce the intended results. The increase in U.S. forces has had little impact in curbing the violence or fostering political reconciliation.

We even bore witness to atrocious ads run by organizations such as moveon.org slandering General Petraeus before he even had a chance to come here and to report on the status of the surge in September.

Well, the numbers do not lie, to the dismay of many Americans. Some of my colleagues have chosen to conveniently gloss over and try to explain away the progress that has been made by General Petraeus's counterinsurgency strategy. Far from being a simple increase in troops, we learned General Petraeus's strategy was a new way to attack the enemy in Iraq, that is, utilize support from both local Iraqi citizens and tribal leaders to form an offensive against insurgent and terrorist groups, and the strategy has met with a resounding success.

It has become a common story, but one worth repeating, that Al Anbar Province, a Sunni stronghold, was virtually overrun and lost to American and Iraqi forces, because al-Qaida basically had its way with that region, had terrorized the people so much that they would not stand up and fight them and basically were being held as victims of terror.

Now the so-called Anbar awakening has occurred. Tribal leaders have come forward and volunteered their people to serve in the Iraqi police force and the Iraqi security forces. Now Al Anbar Province has essentially been rid of organized al-Qaida strongholds.

The Washington Post editorial page on October 14 recognized the decreased violence in Iraq and noted that evidence of a drop in violence in Iraq is becoming hard to dispute. In September, Iraqi civilian deaths were down 52 percent from August, and 77 percent from September. The Iraqi Health Ministry and the Associated Press reported similar results. We are thankful that American casualties are down as well.

Numbers recently released by the Pentagon corroborate the progress occurring in Iraq in and around Baghdad. The DOD reports terrorist operations are down by 59 percent; operations targeting Iraqi forces more than 60 percent; car bombs are down by 65 percent; casualties due to enemy attacks are down by 77 percent; and violence during this last Ramadan period was the lowest in 3 years.

But perhaps the most convincing evidence that things, good things, are happening in Iraq, is the fact that the Iraqi people are beginning to move back into areas they had previously left behind, hopeless that peace and security could ever be accomplished. According to recent news reports, even cab drivers are feeling it is safer to drive around Baghdad neighborhoods where sectarian violence once made it impossible for them to enter.

But perhaps the most telling story of increased security in Baghdad is one told by the Iraqi people themselves.

According to an Associated Press article from this past weekend, thousands of Iraqi refugees who previously fled their homes in Iraq for the relative safety of neighboring Syria have now returned to their home country. While it is easy for some skeptics to second-guess numbers and statistics pertaining to the security situation in Iraq, it is nearly impossible to ignore the fact that thousands of Iraqis who not long ago were living as refugees in a foreign country now feel safe enough to come home. This reversal of refugee trends clearly indicates that there are good things happening in Iraq and around Baghdad.

The AP reports that "In a dramatic turnaround, more than 3,000 Iraqi families driven out of their Baghdad neighborhoods have returned to their homes in the past three months as sectarian violence has dropped." The article goes on to quote one refugee who returned home to his neighborhood of Khadra. "In Khadra," he said, "about 15 families have returned from Syria." He said, "I've called friends and family still there and told them it's safe to come home."

Where there was once widespread fear among Iraqi citizens, we are now seeing something new—hope, hope for a better and safer future. Nothing confirms this more than the return of refugees and their testimony that it is becoming safer in Iraq. While not yet safe, no one is saying the job has been completed, but surely an honest, objective appraisal would acknowledge the improvements in the security situation as demonstrated not only by these statistics but by testimonials from Iraqis themselves.

These heartwarming accounts of families reuniting in neighborhoods, which not long ago had been written off as hopeless, and businesses opening their doors are important lessons for us all. The strategy employed by General Petraeus has worked and is continuing to work. The efforts of our military men and women who have put their hearts and souls into this mission are now paying dividends and producing results.

These security gains are not a fluke. What we are seeing is a direct result of a carefully designed strategy which includes ramped-up counterinsurgency operations, increased efforts to foster cooperation and reconciliation among local tribes, and our continued backing of the hard work of the American military and support for their families.

As we are presented with funding requests by the Pentagon to bring about a stable and peaceful Iraq, we are ensuring that our soldiers have the resources they need to bring peace and stability to a tumultuous land. My hope is we will not use the funding request from the Pentagon for continued support for our troops as another political football, as it has been used in the past, particularly in the face of such hopeful and promising news for which I would expect we would be grateful and thank our men and women in uniform and their families who have sacrificed so much to help bring this about, along with our Iraqi allies.

General Petraeus told reporters this past weekend:

> In general, we think that there are no al-Qaeda strongholds at this point.

While he was quick to remind us that they are still a potent threat, his assessment of the progress in Iraq can be nothing but reassuring. I shudder to think of what would have happened had we listened to the naysayers months ago who said we have to withdraw all our troops, even before the surge was fully implemented. So far, we have voted 59 times on Iraq-related resolutions, most of which are nonbinding sense-of-the-Senate resolutions; 59 times we have voted even before the surge had a chance to be implemented. Now we see what a mistake it is to bet against the men and women of the U.S. military. Thank goodness those resolutions were not successful, and thank goodness our American soldiers, sailors, marines, airmen, and Coast Guard were able to carry out this new plan under the leadership of General Petraeus. We now see at least some hope in a land where hope was in short supply.

Although many of my colleagues on the other side of the aisle prejudged the surge strategy and continue to oppose our efforts in Iraq, some of whom call even today for cutting off funds to support our troops, we see now substantial evidence of progress. It is my continued hope these positive developments may yet change the tone of the national dialog on the global war on terror, including the campaign in Iraq. It is time for all Members of this body to take an objective look not through a political lens, not through a lens which sees only the next general election, but to look objectively at what our troops are accomplishing in Iraq. Instead of focusing only on the challenges, we should at least be honest enough to acknowledge the accomplishments, not the least of which are the indisputable gains in security made through their sacrifices.

I, for one, am proud to applaud the undeniable achievements of our troops in Iraq. Their hard work and tireless dedication have reminded us that a stable and peaceful Iraq is within reach. It is my fervent hope that my colleagues will join me in acknowledging and honoring the successes achieved by our military personnel and renew their support for them, their commander, and the counterinsurgency strategy that is bearing fruit and to always remember their families at home who wait for their loved one to return as soon as our mission is accomplished.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

GETTING RESULTS

Ms. STABENOW. Mr. President, I rise to respond to what has become a regular drumbeat in this Chamber in terms of the distinguished Republican leader and those on the other side of the aisle talking about how we have not accomplished anything this year, how the budget has not gotten done. It is important to continually remember what we have been dealing with as the new majority coming into the Senate in January, laser focused on changing the direction and the priorities of the country, laser focused on getting things done for middle-class Americans who are counting on us, who feel squeezed on all sides and see prices increase on gasoline and health care and the cost of college, all those kinds of things that come down on Americans as they are working harder and harder every day, maybe facing the loss of a job or having lost a job, lower wages, and so on. Those are the folks we are fighting for every day and, I am proud to say, getting results.

It is important to realize what has been happening since January. Despite all of the lamenting on the other side of the aisle about not getting things done, what we have seen are 52 Republican filibusters so far this year—unprecedented, the number of times we have had to vote to stop a filibuster. By the end of this week, it will be 53 or 54. It will continue right on, as there are efforts politically to stop what we are doing to change the direction of this country and focus on those things middle-class Americans care about every day and want to see fixed. In spite of that, we are, in fact, getting things done.

One of the areas I am proudest of is our refocus in the budget on keeping our promises to veterans. We heard this morning that we need to pass a veterans budget. There is no question about it. There is no question about the fact that we not only need to, but we will. But we need to also remember that when we came in in January, last year's budget wasn't done yet. The previous majority didn't get the budget done at all in 2006. When we came in and were left, frankly, with a budget mess, we made sure that in the process of keeping the Government going, public services going for the balance of the year, we addressed veterans first and foremost by placing dollars into what is called a continuing resolution because we know our veterans have not been getting the resources they need, brave men and women coming home from Iraq and Afghanistan every day who have not been able to get the health care they need, too many caught in unfortunate bureaucracies.

We heard about Walter Reed and those who are receiving military health care and then moving to the VA, and too many folks who are getting caught in that process and being hurt by the process. We have made veterans and keeping our promises to them and our military the highest priority. We addressed the issues that came up regarding Walter Reed and passed the Wounded Warrior provisions in the Department of Defense authorization that my senior colleague from Michigan, of whom we are so proud, Senator CARL LEVIN, helped lead. He led that, and we are making those changes.

In the budget—and I am proud to be a member of the Budget Committee, which has made sure this has happened under our great leader from North Dakota, Senator CONRAD—we have said for the first time we are going to fund veterans services at the level the veterans organizations say we need. We are going to use the numbers they recommend. We have seen consistently under this administration an underfunding of those things which are needed by our veterans coming home, the top of which has been health care, mental health services, and rehabilitative services.

We, since January, have made veterans health care the top priority. I am proud of the fact that we have added dollars. We have addressed the system problems. We have looked at what we need to be doing for families, both of Active military as well as our veterans. We don't have any concern at all about standing up and saying that we have been putting our veterans first, despite filibuster after filibuster after filibuster. Anyone watching will see more this week. It seems to be the nature of things today. But we have increased the dollars, the resources, the commitment—keeping our promises to veterans. We have done that in the budget for next year. We have done that in the funding available now. It is part of our overall vision and commitment.

We are getting results for middle-class Americans. That is what we are all about, the folks who are sending their children, husbands, and wives to the war to fight for our country, coming home, expecting us to keep the promises the country has made as it relates to veterans. We take that extremely seriously. We are keeping those promises as part of our efforts to get results for the American people. We intend to do that in this budget we will pass, that will go to the President, that will be historic in that it is keeping the promises to our veterans that they expect us to keep.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. TESTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. STABENOW). Without objection, it is so ordered.

FARM BILL

Mr. TESTER. Madam President, before I begin my speech today on the Wild Horse border crossing legislation, I want to say a couple things in reference to the farm will, and I will be speaking on it, potentially, later today. But if what I have heard this morning here in morning business is correct, I ask the leadership on the other side of the aisle to bring that caucus together.

The farm bill is far too important to play politics. It is a critical issue dealing with this country's food security and dealing with this country's family farmers. As I have said many times before, if we ever lose family farm agriculture in this country, this country will change for the worse—no ifs, ands, or buts about it. This farm bill is a good farm bill, passing out of committee, I believe, unanimously. It is a bill that deserves an honest debate by this body and deserves passage. It is critically important that this happen very soon, that we set our differences aside and work together to get this bill done.

WILD HORSE BORDER CROSSING

Mr. TESTER. With that, Madam President, I want to announce that yesterday I introduced a piece of legislation that will establish a 24-hour port of entry at the Port of Wild Horse, which is north of Havre, MT.

This legislation will establish this 24-hour port on the Montana-Alberta border. American trade with Alberta is growing at a rapid rate. Excluding pipeline shipments, Alberta's exports to the United States have grown 86 percent over the last decade. America's exports to Alberta have increased 75 percent. So it is a good deal in both directions.

The United States now sells more than $12.5 billion worth of goods to Alberta, most of which moves by truck through just five border crossings—only one of which is open 24 hours a day.

Commerce between the United States and Alberta is expected to increase. The Canadian development of the Alberta oil sands region means the United States is sending more heavy machinery north of the border. That is traffic which must move by truck. But today, truck traffic from Texas and other main shippers of these products must go hundreds of miles out of the way to reach the oil sands region. According to one Canadian study, an additional $4 billion worth of goods will be needed annually as the oil sands are developed in Alberta. This represents more than 40,000 truckloads of goods each year.

If all these trucks—as well as the 160,000 trucks that currently pass through our 24-hour port of Sweetgrass—were forced to move through the one existing 24-hour border crossing, the result would be an average of 480 trucks crossing it every day of each year. There is little doubt that such a pace would be both economically insufficient and unsustainable for our security needs. It would be faster and more economical for many of these products to move to the oil sands area through an eastern Alberta crossing, such as a crossing north of Havre at Wild Horse, and that is exactly what this legislation will do.

The State of Montana and the Provincial Government of Alberta have both passed resolutions calling for an upgrade to the border crossing at Wild Horse. Over the next few months, Senator BAUCUS and I will work with our colleagues and with Customs and Border Protection to determine how best to accomplish this goal.

I understand that CBP faces numerous staffing challenges in order to meet this proposal. I have tried in my short time in the Senate to highlight and address these challenges. But the cost of ignoring economic growth in Alberta and the border crossing needs in that region would be harmful to Montana's economy and to our Nation's economy. For that reason, I am pleased to have offered this bill.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RELEASE OF AITZAZ AHSAN

Mr. CONRAD. Mr. President, I rise today to speak about a matter of great personal concern with respect to events in Pakistan.

On last Saturday, a Pakistani leader, Aitzaz Ahsan, was arrested while conducting a press conference in Islamabad. Aitzaz Ahsan is one of the most distinguished jurists in Pakistan. He is the chief counsel to the Chief Justice of the Pakistani Supreme Court. He is the head of the Pakistani Supreme Court Bar Association. He is a longtime leader, or was a longtime leader in Pakistani Parliament. He has represented people ranging across the political divide in Pakistan, from Prime Minister Bhutto to former Prime Minister Nawaz Sharif. Sharif, although a political opponent, hired him to be his chief counsel.

Mr. President, this is a personal matter because Mr. Ahsan's son is a close friend of our family. I want to say further about Mr. Ahsan that he is pro-Western. He is prodemocracy. He was educated at Cambridge. His son is a close friend of our family, who went to Harvard University, graduated there, went to Yale Law School, graduated there, served in the very prestigious law firm of Cleary Gottlieb in New York, was then hired by Kofi Annan to be a speech writer for him at the United Nations, a post where he continues to serve.

I have, yesterday, written a letter to President Musharraf asking for the immediate release of Aitzaz Ahsan. Today, I am circulating a letter among colleagues asking them to sign the letter to President Musharraf, asking for intervention.

Mr. Ahsan is not the type of person who ought to be detained, arrested, threatened. That is not going to build respect for democratic institutions or for the future relationship of our countries.

I repeat, Mr. Ahsan is pro-Western, prodemocracy, somebody who has labored his life long to promote democracy and the spread of political freedoms in his country.

The family has not been in contact for more than 3 days. You can imagine how worried they are. We have even been told there was a move to arrest his wife and that she was not home at the time the security forces came to detain her.

I hope the Pakistani Government realizes how this looks to those of us who have been friends of this Government, who have respected the alliance between our countries, to have somebody like Mr. Ahsan arrested.

I repeat, he is the chief counsel to the Chief Justice of the Pakistani Supreme Court. He is head of the Pakistani Supreme Court Bar Association, is a longtime leader of the Parliament, somebody who has been retained as counsel by leading figures in Pakistan for many years when they encountered legal challenges.

I very much hope the Pakistani Government is listening. I have spoken to the State Department yesterday. We will have further conversations today. I am going to be asking the Ambassador from Pakistan to come and see me to discuss this matter.

I take this very seriously. When somebody of Mr. Ahsan's remarkable record and stature is detained in Pakistan—somebody who is pro-Western, prodemocracy, upholds all the values America stands for—that is a serious matter.

Mr. President, I hope the Pakistani Government is listening. I hope the State Department is listening. I hope my colleagues are listening. At our caucus today, I will circulate a letter and ask other colleagues to sign the letter to President Musharraf asking for Mr. Ahsan's immediate release.

If Pakistan is to have a future—and all of us pray that it will—it is critically important people of Mr. Ahsan's stature and standing are part of that future.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, how much time is left in morning business?

The ACTING PRESIDENT pro tempore. Eight minutes.

Mr. REID. OK. Whose time is it?

The ACTING PRESIDENT pro tempore. It is the majority's.

Mr. REID. OK. I do not see any takers.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

Mr. REID. Mr. President, if there is any morning business time left on the Democratic side, I yield it back.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

The majority leader is recognized.

UNANIMOUS-CONSENT REQUEST—H.R. 2419

Mr. REID. Mr. President, I ask unanimous consent that amendments to H.R. 2419 be relevant to the bill or to the substitute amendment.

Mr. CHAMBLISS. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I hope beyond all hope that we can have a farm bill that will be related to the substance rather than the procedure. It is a good bill. The committee has worked very hard on it. People have some problems with parts of the bill. But if we had a vote on the bill right now, we would get 70 votes. We are not going to be able to do that. People are going to come out here—and I suggest they are going to have to write new speeches. This has happened so many times, all you have to do is go to the CONGRESSIONAL RECORD and read what has gone on before. It doesn't matter whether it is a Democrat or a Republican who is majority leader, the same thing always happens when we are trying to get out of here.

This time we are trying to finish the work period before Thanksgiving. There are things we have to do. I say to my friends, do people really want an open process on this bill? Do we want to debate the war in Iraq on this bill? Do we want to debate amendments relating to labor issues throughout this country? I have been told those are some of the amendments that are going to be offered on my side. I have no idea what amendments the Republicans will offer, but I have kind of a good idea. I have see the rule XIVs in the last few weeks and the very mischievous amendments that have nothing to do with the farm bill—political amendments.

We are late in this year of Congress. We have just a few weeks left, and every majority leader does what I have done. I didn't invent this. As I said earlier this morning, I learned a lot from my Republican counterparts—from Senator LOTT, when he was majority leader, and from Senator DOLE. They did the same thing. I have to acknowledge that Senator Mitchell did it and Senator Daschle did it because it is the only way we can get the business of the country done.

We have had an open amendment process this year—not always but generally speaking. Once we got to the bills—and that has been tough—I have had to file cloture on motions to proceed, which has been a big waste of time. But we have been able to work our way through many different things we have done.

I think we have accomplished a great deal, Mr. President. We have done the minimum wage; the balanced budget, pay as you go; the CR; the work on U.S. Attorneys; the excellent work we did on higher education, health care for vets, and Active-Duty servicemembers; disaster relief, wildfire relief, SCHIP—a lot of good things.

So I hope everyone will understand HARRY REID hasn't invented what is taking place on the Senate floor. I am just copying what others have done. Why? Out of necessity. I have told everybody this farm bill is a pretty good bill. It is not everything I want, but one of the interesting things about American farm policy is we don't import 65 to 70 percent of our food as we do oil. Oil, we have been told, is soon going to go up to $4 per gallon.

Food, Mr. President, we pay too much for food. But we pay far less, on a proportionate basis, than any other country in the world. Why? One reason is the farm policy in this country. Could the farm policy be better? Sure. That is why we are having a bipartisan effort to change the underlying bill. Democrats and Republicans think it could be better.

Mr. President, we should move forward on this farm bill and finish it. We only do it every 5 years. If there are amendments that deal with this, I have said—and that was my consent just asked—if there are relevant amendments dealing with farm policy, move to change it, debate it, and vote on it. That is all I am asking. But I don't want to debate the estate tax repeal. The American people don't deserve that at this time. I don't want to debate another SCHIP bill that a number of Republicans believe is the right way to go for children's health because they are in such desperate shape for the vetoes the President has done. I have mentioned just a few things.

Mr. President, we are doing the right thing. I hope people will go to work on the farm bill. Both Democrats and Republicans have worked for months on a farm bill to get here. Do you think it was easy for Chairman HARKIN to get a bill out of committee? No; it was difficult. How many meetings did he hold—private meetings—with this group or that group of Senators? I have no idea, but there were scores of them. We are at a point where we are today so that we have a farm bill that received overwhelming support in the Agriculture Committee, and now it is on the Senate floor. For the American people, we need to do this bill.

Mr. HARKIN. Will the leader yield for a question?

Mr. REID. Yes, without losing my right to the floor.

Mr. HARKIN. I thank the leader for his statement. I just want to make sure everyone understands what just happened. As I understand it, the majority leader propounded a unanimous consent request that all amendments to be offered to the farm bill be relevant to the farm bill; is that not correct?

Mr. REID. That is exactly what I said.

Mr. HARKIN. There was objection on the other side. Why would there be an objection to that? We have a farm bill, and we have worked hard. The leader is right. We reached a bipartisan agreement. I daresay none of us like every little bit in the farm bill, but that is the art of compromise. You compromise on these sorts of things and you move them ahead.

I don't know, for the life of me, why there would be an objection to saying that all amendments should be relevant to the farm bill. Let's move the farm bill. I hope people in farm country are watching this. I hope agribusiness is seeing this. I hope people know what is at stake in this farm bill for rural America for specialty crops, for our dairy farmers, for rural development, and I might add the nutrition programs, food stamp recipients, things that we have done good work on in this bill, to provide an underpinning of nutrition and support for some of the least among us. We have done good work in that area. Now it is held up because some people want to offer nonrelevant amendments. For the life of me—and this is my seventh farm bill, counting my time in the House, and my second as chairman—I don't understand why we cannot have a bill. Yes, open it to amendments on the farm bill. If people have amendments on the bill and want to change this, add this, or subtract that, fine. But why should we now debate, as I said, the war?

Can the leader think of any reason we should not just stick to the farm bill?

Mr. REID. I say to my friend, the chairman, and to the ranking member, who have worked well together, I am not saying we are only going to allow Democratic amendments to be offered. I have made it very clear in my presentation to the Senate this morning that I am talking about mischievous amendments not only by Republicans but my colleagues over here.

I also say this of the farm bill: I was listening this morning to public radio as I was doing my exercise. There was one provision that struck me on this bill. Over a billion dollars for fresh fruits and vegetables will go to schools. That may not sound like much to people. I was raised, as everybody knows, in rural Nevada. When I was a boy 9 or 10 years old, the only grocery store in Searchlight burned down. It was never rebuilt. To this day, I like canned asparagus better than fresh asparagus. I love canned peas and canned fruit. The reason is, we never had fresh fruits or vegetables. We didn't have them and could not buy them. We all know fresh fruits and vegetables are better than that heavily salted stuff you get in a can that I am used to eating.

This bill is going to say the kids in Searchlight today are still—there are a few, such as the 7-Eleven you can go to.

Places, such as where I was raised, where there are no stores, but they have some food programs, they are going to be able to have fresh fruits and vegetables on occasion. Isn't that great? I would know—I am using me as a point of reference—what a fresh asparagus is, an apple, an orange. So this is a good bill. It has a lot of warts and pimples on it, but it is a good bill. I only picked one provision.

Why don't we go ahead and try to get this bill passed? I am not trying to play any games with anybody. I am trying to do what I have made a decision on that I think is best for the American people. Do we want to spend all this week on one amendment? People say: How would that happen? Let's go back to the Amtrak legislation. What happened when we went on that bill? As soon as it was open for amendment, bang, out came a tax amendment, and we spent all week on it, Internet tax. I am glad it is done, and that issue has now been sent to the President. He signed it. But we do not have time to do that this week. We must get an appropriations bill to the President. The House is going to work and send us something tonight. The President will wind up getting Labor-HHS later this week, unless we get hung up on some procedural issue.

We need to pass the Defense appropriations conference report, with a CR included in that, this week. So this is no effort on my behalf to try to circumvent rules or procedures. I am following the rules of the Senate to the letter. But I am saying, I repeat, I am doing what every majority leader has done, similarly situated, in recent history.

I said I hope we can deal with this important bill as we focus on efforts to pass an important farm bill. It appears the minority intends to offer unrelated amendments to the farm bill. They will have to wait until later to do that. Hopefully, maybe the time we are here during December, there will be amendable vehicles we can deal with. I hope we can work on this bipartisan farm bill in an orderly, relevant fashion.

So in an effort to keep this debate focused on farm-related issues, I intend to fill the amendment tree, but I will be willing to lay aside pending amendments for Members who wish to offer farm-related amendments to this bill.

I ask the Presiding Officer to lay down the bill.

FARM, NUTRITION, AND BIOENERGY ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2419, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

Pending:

Harkin amendment No. 3500, in the nature of a substitute.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 3508 TO AMENDMENT NO. 3500

(Purpose: To strengthen payment limitations and direct the savings to increased funding for certain programs)

Mr. REID. Mr. President, I call up an amendment on behalf of Senators DORGAN and GRASSLEY. The amendment is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. DORGAN, for himself and Mr. GRASSLEY, proposes an amendment numbered 3508 to amendment No. 3500.

Mr. REID. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3509 TO AMENDMENT NO. 3508

Mr. REID. Mr. President, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3509 to amendment No. 3508.

Mr. REID. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the amendment add the following:

This section shall take effect 1 day after enactment.

Mr. McCONNELL. Reserving the right to object, I wish to make a few comments at this point.

Mr. REID. Mr. President, I apologize to my distinguished colleague. That was actually in my script and I should have done that. I apologize for not doing that. Without losing my right to the floor, I yield to my friend. I apologize.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, the majority leader is certainly within his rights to do what we call "filling up the tree." It has certainly been done by majority leaders in both parties over the years. But let's get a picture of what we are talking about.

As I understand it, this is the amendment that has been offered. What my good friend, the majority leader, is saying is that in response to this amendment, the minority, this side of the aisle, will get an opportunity to offer only those amendments the majority leader allows us to offer.

The farm bill is a very important bill. It happens about every 5 years. There are many people interested in agriculture, school nutrition, and energy and others who have an abiding interest in this bill. The minority is going to insist on an open process.

The last time we enacted a farm bill, the Democrats were also in the majority and Senator Daschle was the majority leader. I asked my staff to check on what the procedure was then.

Senator Daschle attempted to limit amendments through early cloture, which is another procedural way to shut out the minority. Three cloture votes failed. They were not supported by the Republican minority. According to my notes, on the third day of consideration, a cloture motion ripened and failed by a vote of 53 to 45. The second cloture vote occurred 5 days later and also failed by a vote of 54 to 43. A third cloture vote failed by a vote of 54 to 43.

Senator Daschle pulled the bill but returned to it later, and after 6 days of floor consideration, the bill passed without a further cloture vote being necessary.

So let's look at the way farm bills have typically been handled. That is the way it was handled in 2002. In 1985, there were 30 rollcall votes; in 1990, 22 rollcall votes; in 1996, 10 rollcall votes; and in 2002, the year to which I was referring in which there were multiple cloture motions filed and cloture not invoked, there were 23 rollcall votes.

I don't know, there may be a few people in the Senate who don't want to pass a farm bill at all, but that certainly is not the view of the Republican leader, certainly not the view of the Senator from Georgia, our ranking member on the Agriculture Committee. But we are going to insist on a fair process.

We can get this bill done the easy way or the hard way. I think a better way to do it would be to understand that a bill of this magnitude is enormously significant, something we only do every 5 years. The Republican minority is going to insist on an open process, which is what we will get to, one way or the other, in going forward. I don't think that is unreasonable.

I thank the majority leader for giving me an opportunity to make some observations.

Mr. REID. Mr. President, this is not a tit for tat. Each time we do the farm bill, it comes at different times in the year and different situations and circumstances. I explained to both the chairman and ranking member that I have no intention of filing cloture this week. But there will be a time we will have to file cloture. We have such a small amount of time left this year and next year with the Presidential elections coming and all the other business we have to do that there will not be five cloture votes on this farm bill. People who vote no on cloture the first time should understand they may not get another chance to vote cloture on the bill, and there will be no farm bill. This is not a threat, it is what we have to deal with in the Senate.

I also say to my friends on the other side of the aisle, once I complete the amendment process, the Republicans have equal authority as I do whether other amendments will be heard. It takes unanimous consent to set an amendment aside, and they have as much control over that as I do. So I am not the ruling authority on that issue. It takes both the Democrats and Republicans to move down the road.

AMENDMENT NO. 3510

Mr. REID. Mr. President, I call up an amendment which is at the desk, to the underlying bill.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3510 to the language proposed to be stricken by amendment No. 3500.

Mr. REID. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill add the following:

This section shall take effect 3 days after the date of enactment.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3511 TO AMENDMENT NO. 3510

Mr. REID. Mr. President, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3511 to amendment No. 3510.

Mr. REID. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In the amendment strike 3 and insert 4.

MOTION TO COMMIT WITH AMENDMENT NO. 3512

Mr. REID. Mr. President, I send a motion to commit to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

Mr. REID moves to commit H.R. 2419 to the Committee on Agriculture with instructions to report back forthwith with the following amendment numbered 3512.

Mr. REID. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill add the following:

This section shall take effect 5 days after the date of enactment.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3513

Mr. REID. Mr. President, I send an amendment to the motion to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3513 to the instructions of the motion to commit.

Mr. REID. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In the motion strike 5 and insert 6.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3514 TO AMENDMENT NO. 3513

Mr. REID. Mr. President, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3514 to amendment No. 3513.

Mr. REID. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In the amendment strike 6 and insert 7.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, as I indicated earlier, I am disappointed with the majority leader's announcement that he would fill the tree, which he just did, and not allow the amendment process to perfect the farm bill. Our colleagues on the other side of the aisle have had all year to complete a farm bill prior to September 30, when it expired. Yet we waited until now, 2 months after the law's expiration, to bring it to the floor. Now we are told by the majority there is too much to do in this final 2 weeks for us to have an open and fair debate on the farm bill. It is another unfortunate example of mismanagement of this Congress.

Furthermore, filling the tree and shutting out amendments is not consistent with previous statements by the majority on this bill. For example, yesterday, Chairman HARKIN reported the farm bill debate would be "wide open as usual in the Senate." The majority leader's own spokesman expected an open debate when he said:

> The farm bill is the last truly amendable vehicle moving through the Senate this calendar year.

But the majority leader's words and actions seem to be exactly contradictory to this promised wide-open process, stating unequivocally yesterday afternoon that we are not going to have an open amendment process on this bill, and he has confirmed that, as we all know, again this morning.

Unfortunately, we have been down this road before. Almost at the inception of the last farm bill debate, as I was describing earlier, then-Majority Leader Daschle filed cloture in an attempt to similarly limit amendments. After only 2 days of debate and only six amendments, a cloture vote occurred on December 13, 2001, even a little bit later in the calendar year than we are in now. Not surprisingly, the cloture motion failed 53 to 45.

Similar to a bird continuing to slam into a paned-glass window, we had a second cloture vote on December 18, 2001, getting close to Christmas, with a similar vote of 54 to 43. Again, on December 19, 1 day closer to Christmas, in 2001. Not surprisingly, the contentious debate took up most of December.

However, after the majority finally agreed to open the amendment process, something that will ultimately be done here, in my view, the farm bill returned to the floor on February 6, 2002, no further cloture votes were necessary, and final passage occurred fairly quickly about a week later.

Let's not beat our head against a wall again this time. One of my favorite old sayings from rural Kentucky is: There is no education in the second kick of a mule. Our Nation's farmers are too important to wait until February.

Finally, look at the farm bill sitting on the desk in front of me. I held it up a while ago. It is quite thick. Reported by the committee less than 2 weeks ago, it totals 1,600 pages. Is the other side of the aisle suggesting this behemoth of a bill cannot be improved by an open amendment process? Surely, that is not the suggestion being made.

I am surprised and disappointed we are in the position we are in. This is not the way the Senate likely will be allowed to work on a very large bill that we only address every 5 years. It is not going to be rubberstamped by fiat.

I am dismayed by the attempt of the majority to ramrod this bill through, especially since the ink on 1,600 pages is barely dry and the administration claims it contains $37 billion in new budget gimmicks and new taxes.

Let's have a fair, open debate. Believe me, I say to my friends on the other side of the aisle, that is the way you get a farm bill completed. Our farmers and rural communities deserve no less and, hopefully, we can get back at the posture we ought to be in on this bill in the very near future.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I agree with my friend from Kentucky. Farmers do deserve more than what is going on here.

You know, I took only one course in logic in college, but I did pretty well in that course. And what I would say to my friend is, it is illogical what he is talking about. A 1,600-page bill that needs to be improved can only be improved—if, in fact, people think it should be improved—by offering amendments to it—amendments to the farm bill. Every farmer and rancher in America should understand we are trying to pass a farm bill. We have said any amendment you want to offer to this big bill, offer it, but it has to be relevant to the farm bill. That is all.

That is not a closed process. It is an open process. How can you have it both ways? The ink is hardly dry on this, is a gross overstatement. This bill has been around for several weeks now—not in its final form, but everyone knows what is in this bill. The tax portion was a little late in coming, but it had been worked on for a long time.

This is a bill upon which Democrats and Republicans agreed. It is a bill that is here by virtue of that bipartisanship. The House has already done their bill, and a lot that is in this bill is in the House bill. So if this bill needs to be improved, let's improve it. Let's improve it. I have said let's offer amendments.

One of the amendments that might be offered, and we have debated it before, is dealing with payment limitations—a bipartisan amendment offered by DORGAN and GRASSLEY, two senior Senators who come from farm States. They think this bill can be made better. What are they doing about it? Offering an amendment. That is what this is all about.

So for people to lament a closed process, look what Senator Daschle did—two amendments before cloture. Mr. President, I don't have any concern about how many amendments are offered, as long as they are relevant to the farm bill. That is all.

Mr. McCONNELL. Would my friend yield for a question?

Mr. REID. Sure.

Mr. McCONNELL. I never served in the House of Representatives, but my question is—it strikes me, I would say to my good friend, the majority leader, that he is attempting to act as if he is chairman of the Rules Committee in the House in determining what amendments would be allowed. Under this filling-up-the-tree process, where the majority leader is then positioned in order to allow the tree to be open and select amendments, is it not the case that my definition of "open" would probably not meet yours in the sense that you would be, yourself, selecting which amendments would be allowed?

Mr. REID. Mr. President, I have served in the House of Representatives. It was a wonderful opportunity for me to understand the Congress. The House is a great institution but much different from the Senate. In the House, if you are in the majority, you can pretty much do as you want to do. That isn't the way we do it over here.

As I indicated a few minutes ago, the first amendment I offered, I offered on behalf of Senators DORGAN and GRASSLEY. If someone wants to offer another amendment, I don't control that. Any one Senator who wants to offer another amendment, let's take a look at it. I don't control that. It takes consent from both sides, or the pending amendment must be set aside and another offered. I am not controlling that.

That certainly is not like the Rules Committee. The Rules Committee in the House sets what amendments can be offered—usually not very many—and how much debate time they can do on that amendment. That isn't anything like we are doing. What I am saying is, we have this big bill, and a number of people have said it can be improved upon. I am willing to work with the Democrats and Republicans to try to improve it, but it will not be improved by nonrelevant amendments.

I have mentioned some of the suspects that are lurking out there: provisions dealing with repealing the estate tax and getting us out of Iraq immediately. I mean, there are all kinds of suspects there. I am saying, if people want to change this bill, let's try to change it. I am not standing in the way of doing that, Mr. President.

Mr. GREGG. Will the majority leader yield for a question?

Mr. REID. Are you asking a question?

Mr. GREGG. Yes.

Mr. REID. I am sorry, I was preoccupied.

Mr. GREGG. So I am clear as to what the process is now that has been structured, you have used the term it has to be a "relevant" amendment. But, essentially, under the present process, is it not true that for any amendment to move forward in this body it would have to move forward on the basis of unanimous consent to set aside the pending amendment?

Mr. REID. The distinguished Senator is correct.

Mr. GREGG. Mr. President, if the majority leader would yield for a further question, essentially, we have set up a process which is extremely constricted. And, in fact, in comparison with the Rules Committee, it is even more constricted than the House process because any Member—and there are 100 Members in this body—who does not like the fact somebody is going to offer an amendment which might affect their interests—and, believe me, there isn't an amendment that will be offered that would not have opposition on the other side—is going to be knocked down by an objection from that individual Member.

So you have essentially shut the floor of the Senate down because the only amendments that can be brought up would be amendments that would have unanimous consent, which means 100 people have to agree to them. Basically, they are amendments of no impact or significance, relevant or irrelevant.

Mr. REID. I would be happy to respond to my friend. I smile because that is the way every bill comes before the Senate. That is the way it works. Once you lay down an amendment and you want to set it aside, you have to ask unanimous consent to set it aside. Today is no different from any other day. That is the way it works here.

I have bragged about my friend before. He has served in the House, he has been Governor of his State, and he is now a longtime Senator. He knows that. Every time we have a bill here, and you have an amendment that has been laid down, the only way you can set that aside is by unanimous consent. No one Senator can start offering amendments.

So this bill, I say to my friend, is no different than any other bill we have done in that regard. The only difference is, I laid down the first amendment on behalf of Senators GRASSLEY and DORGAN.

Mr. GREGG. Mr. President, if the majority leader would yield further, of course, the end of that sentence should have been: Yes, but I control the ability to allow those amendments to come forward.

And, in fact, it has been made fairly clear that control will be exercised by the leadership in a way that limits amendments that are brought forward to those which are agreed to by the majority leader until we get to the point where the majority leader is going to file a motion for cloture, which, on a farm bill, of course, would most likely be successful because we all know everybody around here is "in the field," so to say. I would not say "in the tent," but they are in the field for the farmer.

So as a practical matter, this is an extraordinarily closed process. Just to use one example, the majority leader said—he threw out, and maybe it was just a throw-away line—estate taxes shouldn't be brought onto this bill because they are not relevant, under the majority leader's terms. If I want to offer an amendment which says we should reform the death tax—which I might like to offer in light of the fact there is a tax title there—I happen to think that has a huge impact on the farming community because, for the most part, it is family farms and small businesses that are most impacted by the death tax. But we have already been told that would not be a relevant amendment.

Mr. REID. Mr. President, any Senator—not me, any Senator—on any bill has the same power I have to stop the setting aside of an amendment to offer another amendment. It is not me. The Senator from New Hampshire can do it, the Senator from Arizona, or the Senator from Georgia can do it. The Senator from Iowa can do it. Any Senator; it is not me.

I laid down the first amendment by virtue of being the majority leader. I have the right to do that. But that is about as far as it goes. Anytime after that, it takes unanimous consent to set aside that amendment. I agree, and offered a consent agreement, that any relevant amendment Senators want to offer, they should be able to do that, and that was objected to. But for my friend from New Hampshire to try to give a little mini lecture on what we are doing is different than anything we have ever done in the past, every day we are on a bill, it happens the way he has described it. Any one Senator can stop another Senator from setting aside an amendment and offering another amendment.

Mr. GREGG. Mr. President I don't want to beat a dead subsidy, so I will constrain myself to this last question.

The point is pretty obvious. Sure, any Senator on any bill can object to setting aside an amendment. That is not the way the institution has ever worked, in my experience. The way the institution works is the amendment process is a free-flowing, Wild West exercise around here, especially on bills such as this, which are huge authorizing bills with a lot of mandatory funding in them. Amendments are simply taken up in seriatim as they are offered.

What will happen now, and the majority leader has been specific about this and very open about this, he is going to limit the ability to bring forward amendments, and the unanimous consent is not going to be granted unless he deems those amendments are relevant to the underlying bill, which means in his context of what is relevant. Well, a lot of us will have different views on what that means, as I pointed out on the death tax alone as an issue.

So this is a process of shutting down the amendment process on the farm bill. The last time we debated the farm bill, we had 245 amendments and 19 rollcall votes, and we were on it for 4 weeks. I think on the first day or the second day of the farm bill debate around here, for those of us who may not be enamored with the bill, even though we know a lot of effort was put into it—because it spends a lot of money, creates a lot of new subsidies and programs, and uses a lot of budgetary gimmicks—we would like to have a much more open process, and I am disappointed we are not going to.

I yield the floor.

Mr. REID. I am not going to, as my friend said, belabor the point, but my friend from New Hampshire has made my case for me—4 weeks, 245 amendments, and 19 rollcall votes. I have no problem with the 19 rollcall votes. I do have a problem with 4 weeks. I do have a problem with 245 amendments. That is why I think we should have a process whereby people offer amendments, if they are relevant, to the farm bill.

In the time we have spent debating this—and we only have 15 minutes before we take our usual weekly Tuesday break—we could have taken up at least one amendment. The people who offered this huge amendment, a big amendment, and we had it described, for me, it is a pretty easy deal. I have been here when this has been debated before. Most everyone who has been here has heard this debate on numerous occasions. So I am sure they will go back, Senators DORGAN and GRASSLEY, and pick out their favorite statements they made before, and they will talk about it again. They do not want a lot of time on it. So we could dispose of this amendment very quickly, as we could most every other amendment on this bill.

But as I say, my friend has made my case for me—245 amendments, 4 weeks. I repeat: I don't have a problem with the 19 rollcall votes, but the only ones stopping the amendment process are my friends who think somehow this is different than other pieces of legislation we have. The difference is I offered the first amendment. And I am very happy, as the chairman of the bill is, and other people on this side of the aisle who are very concerned about the passage of this bill—they want it passed—to be cooperative. If there is something wrong with this bill, offer relevant amendments. If there is something in there you want to cut, that is always relevant, to cut things in a program, at least that is my understanding.

The only ones stopping the amendment process are my friends on the other side of the aisle. They are making a big deal out of nothing.

Mr. McCONNELL. Would the majority leader yield for a question?

Mr. REID. I yield to my colleague.

Mr. McCONNELL. The fundamental problem, I would say to my friend, the majority leader, is: What incentive do Members on my side of the aisle who object to the process have to grant consent to set aside an amendment? What incentive do they have?

I would expect, just guessing, the senior Senator from New Hampshire may not be very enthusiastic about the underlying bill. By setting up a process like the majority leader has set up, in which a number of Members on my side believe the process is unfair, what is their incentive to give consent for the majority leader to set aside an amendment and then allow an amendment of his choosing to be dealt with?

Mr. REID. I would be happy to respond to that. Mr. President, I think there is tremendous incentive. First of all, they could have their amendment heard—their relevant amendment. And there is nothing to stop us from having the managers of the bill sit down and work out a procedure where they can come up with 10 relevant amendments—amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10—to this bill. Do one, do the other, and we can try to work out time agreements on these matters.

So there is tremendous incentive, because I am convinced there are people on both sides of the aisle who have problems with this bill. Some do not like the bill and they want to change it; others want to improve the bill. They want to do that in good faith. So the incentive would be, as I have said to my dear friend, the Senator from Kentucky, to have their amendment and others heard.

There is nothing to prevent the manager of the bill from coming up with a series—I would even go as far as to say my distinguished friend, the Republican leader, if he wants to have the final say with me, if the managers do a good job, I would be happy to include him in the mix. But there is a lot of incentive. We could, in the next couple of days, work out a procedure to get rid of a lot of amendments that are relevant to this bill and would either improve the bill in the mind of some people or make it a little worse, which is the goal some people have.

There is tremendous incentive here, because we could agree to—we might arrive at a point where people say we have had a pretty good opportunity to change this bill; we do not need to do an Iraq amendment; we do not need to do an amendment dealing with firefighters that has no bearing on this bill. In fact, what we need to do is work on making this bill one where people have the opportunity to offer amendments on the farm bill that are relevant.

The PRESIDING OFFICER. The minority leader.

Mr. McCONNELL. Mr. President, let me sum up where I think we are. It has been a very interesting and enlightening discussion. But here is where we are. The Senate is gridlocked on the farm bill because of the decision to fill up the tree. And now where we are, as the distinguished Senator from New Hampshire has pointed out, is that any one Senator, any one of the 100, can object to an amendment being set aside in order to consider another amendment.

What will have to happen at this point is, as it happens every day on virtually every bill, the majority leader and I are going to have to sit down off the floor of the Senate and talk about the way forward, because we will not be able to go forward in our current circumstance because of the decision by the majority to shut out the minority, or contrarily to select what amendments will be permitted. That is simply not acceptable on this side of the aisle.

So it has been an interesting and useful discussion, and I am sure to some C-SPAN viewers quite boring, because it has largely been about procedure.

Nevertheless, that is where we are. We are going to have to do what we do every day in the Senate, sit down and figure out the way forward. The farm bill needs to pass. We hope it passes sometime in the near future. But we are going to insist on a fair process consistent with the way farm bills have been debated in the past.

Mr. REID. Mr. President, I know my friend from Arizona has been here and very patient. I guess the question I would ask—I have been asked most of the questions, but I do not ask any one person to answer this to me. But the question I have is: Why would there not be an agreement to my suggestion, my proposal? Let's debate the daylights out of this bill, offer amendments. What is wrong with that? Is it because there are people wanting to offer unrelated amendments to the bill? I mean, what in the world is wrong with what we are trying to accomplish here? It is a big bill. We do it every 5 years. People should have an opportunity to change it. I think they should do that. Why would they not want us to do that? Is there something I am missing here? I mean, is it their last opportunity to do—as Senator Dole used to refer to as decorating a Christmas tree? Is that what they want to do? Is this their Christmas tree to try to decorate it? I do not understand it.

I say to everyone within the sound of my voice: Do we need on the farm bill amendments relating to labor issues? Do we need amendments dealing with Leave No Child Behind? Do we need amendments relating to environmental issues? Global warming? Do we need amendments dealing with Iraq, the war in Iraq, Afghanistan, or the situation now in Pakistan?

I do not think so. I think we need to work on this bill, get as much of it done as we can this week. I think it will spill over into next week, but in the process, we are going to have to find time to do a conference report on the Labor-HHS bill. That has a rule violation in it, perhaps; we have to do the Defense appropriations bill with the CR. Those are the must-do items.

Now I am not trying, as I have said so many times here, to stop an open amendment process on this bill, except I want them to be relevant. I think most everybody does who has any dealing in this farm bill. I do not expect the ranking member to get engaged in this. He has responsibilities to listen to his leadership, and that is understandable.

I will bet if the truth were known, those Senators who have worked so hard on this bill are thinking to themselves: Now, what has REID said that is unreasonable? What he has said is: I have offered the first amendment, and it is not my amendment. I am not selfish, wanting my amendment to be heard. I have offered a bipartisan amendment that we know must be debated before this farm bill is completed. And then I say, anyone who wants to offer another amendment relating to the farm bill that is relevant: Have at it. I am not going to stop anyone from doing that. I don't think anybody on this side will either.

The Republicans are not having a debate on the farm bill, for reasons that are beyond my ability to comprehend, unless it is the Dole theory of trying to put new lights on the Christmas tree.

Mr. GREGG. Mr. President, I appreciate the majority leader's explanation of his position. But I think in his own explanation he raises the issues on which we are concerned. He has now taken off the table the estate tax. I cannot think of anything that is more relevant to the farmers, to the family farm, than the ability to pass that farm on to your children without having it wiped out by punitive and other inappropriate taxes, the death tax.

He has now taken off the table global warming issues. Well, I have to say from my little knowledge of that issue—I studied it a bit, I have spent a lot of time on it in a couple of narrow areas such as acid rain. Farming is a critical issue in the issue of global warming. What is done on a farm has a huge impact both positively and negatively on global warming.

Then he took off the table the issue of labor, labor questions. Well, in my experience, labor questions have a huge impact on farm policy, especially the immigration labor issues, how you get people who are immigrants to help you pick apples in New Hampshire, and the potatoes in Idaho. That is a labor issue.

So his concept of relevance is an extremely narrow one. But his concept of relevance is going to be the concept that disciplines this floor relevant to amendments being made.

The Senate was never conceived as being the House. This is supposed to be the place where we get into debates, where we exchange ideas, where people throw out a thought on a bill such as this that is fairly significant, and it gets debated, a position. But that is not going to happen on this bill because the majority leader has decided to execute a process which is even more constricted than what would be the House procedure under this similar bill.

It is certainly inconsistent with the traditions of the Senate, on the issue of the farm bills specifically, but on our traditions generally. He used my statistics to support his position. I do not see how he can do that, quite honestly. Farm bills have always involved significant debate on the floor. Why? Because they are huge policy issues which affect a lot of people in this country—everybody who eats, to begin with, and that is about everyone—and obviously the farm community, which is the producers of food and do an extraordinary job for our Nation. They have always taken a long time on the floor to debate—weeks, usually. And they have always been open for amendments, which is totally reasonable because of the complexity of the bill. They have often brought in issues such as the death tax, immigration, labor, and how you get migrant labor, global warming, and in the case of New England, for example, they brought in the question of these subsidies, which we find a little difficult to tolerate, which are now being expanded to asparagus. There is a crop that needs a subsidy or the walking-around money that has been put in this bill for the purpose of disasters or the fact that there is probably $20 billion of gimmicks put in this bill that are budgetary games or the fact that they have moved mandatory spending over to tax expenditures.

What an outrage on the budget process. They opened a $3 billion add-on in mandatory spending so they could go out and spend that on various interest groups by creating a tax credit. The list goes on and on and on and on.

Why should we not on this bill get into a debate over the issue of tax policy? Because tax policy underlines the way this bill is paid for. The Senator from Arizona has an extraordinarily good proposal on the death tax. Why should that not be on the table here?

The whole issue of AMT should be on the table, in my humble opinion, because there are a number of farmers, by the way, who pay the AMT tax, a number of them. There are going to be a lot more when we bump up to 20 million people paying that tax next year. These are all relevant to this bill, in my humble opinion, of what relevant is.

By the way, in the Senate, relevance is everything when it comes to the open amendment process. We are not functioning under postcloture rules here. Relevant is irrelevant when it comes to a bill on the floor of the Senate. Anything can be amended in any way, and it is an open bill. That is the concept of the Senate.

If somebody wants to put on this bill policies relative to Nicaraguan housekeepers, they can put that amendment on traditionally. That has no relevance at all to the average American looking at it, but it is the Senate's prerogative.

So we are undermining the fundamental prerogative of the Senate and every Member of the Senate, I think in a very damaging way. I am disappointed in the decision by the majority.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. I had hoped to ask the majority leader a question here, but I think my question has already been answered, so I will simply make this point.

There may be extraordinarily unique circumstances where once in a blue moon it is important to move a very focused piece of legislation in a very hurried period of time so that the majority is warranted in setting up a process such as that which has been established for this bill, where there are no amendments unless the majority leader says so. But that is not the situation with this bill. It never has been with the farm bill. This is the bill we are debating that we are taking up. And to suggest that the Senator's prerogative to offer any amendment—a lot of times they get voted down because they do not have the support—but the Senator's prerogative to offer an amendment is going to be eliminated through the gatekeeper of the majority leader or any other member of the Senate who can object, is to derogate the basic rule of the Senate and eliminate a basic right of Senators.

I recall not long after I got here, my colleague from Arizona objected to the then-majority on this side establishing a process that was not this drastic, but in some respects limited the right of amendments. He said: The Senate is the body in which any Member has a right to offer an amendment. It will be wrong for us to do that. Our leadership relented, and there were amendments allowed on the other side that got us over that impasse. That is what our minority leader was referring to a moment ago. You cannot impose a sort of dictatorial process where one person gets to decide whether you offer an amendment in the Senate.

Sooner or later that process is going to break down. And on a bill as big as this bill, with as many diverse interests as the Senator from New Hampshire was talking about, it is not right that Senators not be allowed to offer amendments. Again, if they are not good amendments, they are going to be defeated, and they can always be tabled at any time, so they do not have to take up time. If I offered a silly, nongermane amendment, any of my colleagues could immediately move to table that amendment. Assuming it was simply nongermane, that motion to table would presumably pass. That whole thing would transpire in less than half an hour.

So it is not about Republicans trying to take too long or offer silly amendments; it is about the regular process which ordinarily allowed us to offer amendments of our choice, not the choice of another Member of the body. I would hope the majority would reconsider, and that we could, after lunch, proceed with the process that is more amenable to all Senators being able to offer amendments they choose to offer.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I only hope that both the minority and the majority can figure out a way of moving forward with what has been a labor that has taken up both Republican and Democrats for the last 2 years to develop what is a very good farm bill. What the majority leader is attempting to do is to get us into a process where we will ultimately get a farm bill to cross the finish line, which is good for America. I hope the Republican minority can work with us to try to figure out a way forward to get us across the finish line.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, at 12:31 p.m., the Senate recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

FARM, NUTRITION, AND BIOENERGY ACT OF 2007—Continued

The PRESIDING OFFICER. Who seeks recognition?

The Senator from Georgia.

Mr. CHAMBLISS. What is the status of the Senate?

The PRESIDING OFFICER. Amendments submitted to the bill.

Mr. CHAMBLISS. I am sorry?

The PRESIDING OFFICER. Amendments are pending to the bill.

Mr. CHAMBLISS. I ask unanimous consent that three speakers—Senator SALAZAR for 20 minutes, ALEXANDER for 15 minutes, and DORGAN 20 minutes—go in that order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Colorado is recognized for 20 minutes.

Mr. SALAZAR. Mr. President, I rise in strong support of the 2007 farm bill. Before I go to the specifics of the bill, I wish to acknowledge those who have worked so hard in getting us where we are today.

This has been a huge undertaking spread out over several years, starting under the leadership of Senator CHAMBLISS and his work in the Agriculture Committee. The hearings he held around the country, the hearings he held in the West and the Southeast, all over, contributed greatly to the bipartisan product that is before the Senate today. In addition, the leadership of our chairman, Senator HARKIN, a man from farm country whose heart and soul are about making sure agriculture and rural America thrive—his leadership and the help of his staff in getting us to this point today is something we all must acknowledge and something for which I am grateful and something for which the farmers and ranchers in rural Colorado are grateful.

I also acknowledge both Senators BAUCUS and GRASSLEY and their leadership on the Finance Committee. The energy and specialty crops and conservation pieces of the farm bill have been significantly enhanced by the actions taken by the members of the Finance Committee. Without the leadership and bipartisan example of Senator BAUCUS and Senator GRASSLEY, we would not be where we are today.

It goes without saying that even though there are many laudatory comments given to the chairman and ranking member of both the Agriculture and Finance Committees, there are working on both of those committees many other Members of the Senate who have helped craft what I believe is one of the most historic pieces of legislation to come before this body. It will open a new chapter for agriculture and rural America, a product of which I am very proud.

I also thank the agricultural leaders in my State of Colorado who have been so helpful to me over the last 2½ years as we have helped craft the farm bill before the Senate: Commissioner John Stup, the commissioner of Colorado's Department of Agriculture; Kent Peppler and Lee Swensen with the Rocky Mountain Farmers Union; Alan Foutz and Troy Bredekamp, leaders of the Colorado Farm Bureau; Nick Midcap, Darrell Hannavan, and Dusty Tallman, who have labored so hard on this bill, who are with the Colorado Wheat Growers Association; Byron Weathers and Mark Sponslor, leaders of the Colorado Corn Growers Association; Terry Frankhauser with the Colorado Cattlemen's Association; Scott Johnson and Bill Hammerich with the Colorado Livestock Association; and from the Independent Cattlemen of Colorado, Doug Zalesky, John Reid, and Reid and Kathleen Kelly. I thank Gregg Yando with the Colorado Dairy Farmers of America, Jim Ehrlich with the Colorado Potato Administrative Council, and a host of other Colorado people who have been instrumental in our efforts in moving this bill forward.

This legislation is truly a bipartisan, forward-thinking, balanced package. It is truly the example of how this Senate ought to work, bringing Democrats and Republicans together on what is a major issue. The effort of Senator REID, the majority leader, to get us to a point where we will reach conclusion on this bill is something I appreciate. This is, after all, the farm bill. We ought not be debating the great issues of our time, whether those be Iraq or immigration or issues having to do with Latin America, issues that are extraneous, on this legislation. Senator REID's effort to make sure what we are doing is to keep the focus of this bill on agriculture and rural America and the substantive components of the farm bill is important. I hope my colleagues on both sides of the aisle, Republicans and Democrats, will say: Yes, we have to get a process that gets us to conclusion on the farm bill.

Today is a particularly proud day for me. The occupant of the chair was very involved in helping me understand the importance of becoming a Senator. For that, I will always be appreciative. I still remember that in my maiden speech on the floor more than 2 years ago, I spoke about the possibilities and the promise that America's small towns and rural communities offer for a country that is in need of clean renewable energy, a secure food supply, and responsible stewardship of our land and our water. Unfortunately, for too long Washington has overlooked the opportunities rural America can provide and, through a policy of neglect and disinterest, has allowed small towns and rural communities across the country to wither on the vine.

This legislation will change that course of neglect. The bill before us will bring new life and energy to rural America. It will do so in a number of different ways. It will do so through a set of smart investments that help farmers and ranchers and business men and women build a clean energy economy that has its roots in the fields of America's farmers and ranchers. It lays the infrastructure for rural broadband and microbusiness loans for accelerated economic development in rural areas. It creates incentives for the wise stewardship of land and water—practices from which we can all benefit. It puts money into nutrition programs that take on the scourge of hunger and allow low-income children to learn in our schools. It helps bring balance and certainty to the agricultural markets so that Americans can continue to enjoy a healthy and secure food supply. It does all of this while closing loopholes that have allowed Federal dollars to end up in the hands of people who should not have been eligible for assistance in the first place. It is a smart and fiscally responsible bill.

I grew up on a ranch in the San Luis Valley a few miles north of the Colorado-New Mexico border. My family has farmed and ranched that same land for five generations. For much of my life, I spent long days in the fields with my family tending to the cattle, baling hay, and fixing fences. It was hard work, and my hands are permanently calloused from nearly three decades of work on that ranch. But from that work, we always knew we loved our ranch, our land and water, and our way of life. To be a farmer or a rancher is a hard life, let there be no mistake about that. While the rest of the world might go home at 5 o'clock in the afternoon, for those who are working the farms and the ranches, you don't go home until probably half an hour after the sun sets at 9 o'clock. It is very hard work.

My parents always said that they could not give us—my seven brothers and sisters—material riches, but they could teach us values that come from work, family, and faith. These are the values one finds in rural communities across America. These are the priceless and timeless values that built this country. In 1787, Thomas Jefferson sent a letter to George Washington in which he talked about the role of the farmer in a young democracy. Thomas Jefferson said: "Agriculture . . . is our wisest pursuit because it will in the end contribute most to real wealth, good morals and happiness."

Those of us who have had the privilege of growing up on a farm or a ranch or of visiting some farms and spending time with America's producers can appreciate how important agriculture and our rural communities are. Unfortunately, in the coming days this bill will be criticized by some in the media, by some Members in this Chamber, and others for being too favorable to farmers, for putting too much money into conservation programs, for supporting rural development initiatives, or for making too many investments in biofuels production. In short, critics will ask why Federal dollars should go into programs that on the surface only appear to benefit rural communities. They are wrong. The answer is very simple: The health of our farms, ranches, and our rural communities is vital to American prosperity. Everyone benefits from a strong and smart farm bill. The farmer in eastern Colorado, the third grader eating fresh fruits and vegetables at lunch, and the mother who wants us to reduce our dependence on foreign oil all gain from a strong and balanced farm bill.

I wish to take a few moments to walk through the bill and explain why it is so important for farmers, for children, and for all Americans that the Senate pass this bill.

Since being elected to the Senate in 2004, I have often spoken about how Washington's policies in recent years have been blind to the needs of rural Americans. More than half of the counties in America are rural. In my State of Colorado, 44 of the 64 counties are rural. In my view, Washington's neglect of rural America has made rural America a forgotten America. Businesses on main streets in many towns and villages across my State have been boarded up. FSA offices have been closed or attempted to be closed, including the very recent actions of the U.S. Department of Agriculture. Family farmers are having to sell their land after years of drought. To see Washington's neglect of our rural communities is disheartening, when we know how much possibility and promise rural America holds. With modest investments, rural America can be the engine of a clean energy economy, fueling an alternative energy revolution that capitalizes on the hard work, productivity, and entrepreneurship of farmers and ranchers.

This is why I am so pleased that the 2007 farm bill makes such wise investments in rural development. The bill provides $355 million for rural development. These investments will enable entrepreneurs in rural communities to leverage microenterprise loans to build their businesses. They will help health care providers provide access to underserved rural communities. They will help get broadband Internet access into small towns. Broadband access is to rural communities in the 21st century what highways were in the 20th century and railroads were in the 19th century. It is the infrastructure that is essential to economic development. The $26 million in this bill for broadband will help close the digital divide that is preventing rural businesses and entrepreneurs from fully participating in the global economy.

Second, this bill includes an energy title that opens up a new chapter of opportunity for rural America. In the 2005 Energy Policy Act and in the Energy bill we passed earlier this year, we planted the seeds for a renewable energy revolution so that we can reduce our very dangerous dependence on foreign oil. The farm bill takes the next step, helping farmers and ranchers take advantage of new energy technologies that have been developed in places such as the National Renewable Energy Laboratory in Golden, CO. With the $1.3 billion this bill devotes to energy programs, farmers will be able to apply for grants to develop biorefineries and to improve the handling, harvest, transport, and storage of feedstocks for biofuels. The bill includes tax credits for small wind turbines and cellulosic biofuel production. It stimulates research into the methods and technologies that will allow the most productive land in the world to provide more and more of our energy. Our farmers and ranchers want to be a part of the solution to our addiction to foreign oil. They want to help reduce the amount of oil we import while helping stimulate a clean energy economy that is built on innovation, technology, and taking advantage of the production capabilities of rural America.

This energy title is a win-win for our rural communities. It is my hope that with this energy title in the farm bill, together with the other energy legislation we have adopted in the Senate and in committee, the vision Senator GRASSLEY and I had with respect to the 25 by 2025 resolution will help us grow our way to energy independence, because the 25 by 2025 resolution recognizes at its heart that we in America can grow 25 percent of our energy from renewable energy resources by the year 2025. This farm bill takes us a significant way down that road.

The third aspect of the legislation I want to emphasize is the conservation title. Farmers and ranchers are some of the best stewards of our land and water. We need a farm bill that recognizes and encourages the good stewardship practices from which we all benefit.

To understand why the conservation programs in the farm bill are so important—and to understand how we will all benefit from them—just visit one of the ranches along the Yampa River in northwest Colorado. You quickly see the ranchers there do not simply put high-quality, grassfed beef on our dinner table. They guard the open spaces that draw sightseers and recreationalists from all around the world. They protect the clean water that comes to our homes. They provide habitat for fish and game, bringing millions of dollars in revenue from fishing and hunting into our State.

Unfortunately, you cannot find a price on the Chicago Mercantile Exchange for these values in clean water, clean air, habitat, and open space dividends that ranchland and farmland provide to America. And if a ranch goes under or is developed, we lose the conservation value that farms and ranches provide.

So how do we address this challenge? How do we address this challenge in this bill? We do it through existing, effective programs that reward farmers and ranchers for the conservation practices from which we all benefit.

Thanks to Chairman HARKIN's leadership, the 2007 farm bill is the greenest farm bill in the history of America. It reauthorizes highly successful conservation programs such as the Environmental Quality Incentives Program, EQIP, and the Conservation Reserve Program, CRP.

The bill reauthorizes EQIP, which provides cost-share funding and technical assistance to producers so they can address environmental issues on their lands. In Colorado, we receive around $30 million to $40 million a year for projects that, for example, reduce water waste, improve water quality or provide fencing that keeps livestock out of sensitive areas.

The bill also reauthorizes the Conservation Reserve Program, which helps producers retire and restore agricultural land that, if taken out of production, would provide significant environmental benefits. In Colorado alone, we have around 2.3 million acres enrolled in CRP for purposes ranging from erosion control and habitat preservation to improving water use. The reauthorization in this bill will allow us to continue to make these wise investments in stewardship.

Mr. President, a parliamentary inquiry: How much time do I have?

The PRESIDING OFFICER. The Senator has 2 minutes 45 seconds.

Mr. SALAZAR. Mr. President, if my colleague from Tennessee will allow me, I ask unanimous consent for an additional 5 minutes to get through the conclusion of my speech.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. No objection.

The PRESIDING OFFICER. Without objection, the Senator is recognized for an additional 5 minutes.

Mr. SALAZAR. Mr. President, I thank my colleague and friend and comrade from Tennessee.

Beyond the conservation programs which are so much at the heart of this legislation, we also know that at the heart of this legislation is the food security of our country and the nutrition title.

In addition to the rural development, energy production, and conservation practices in this bill, the 2007 farm bill helps ensure the continued production of safe, healthy food right here at home.

Since our founding, agriculture has been indispensable to our economy and our prosperity. Corn, tobacco, and cotton helped fund the Revolution and the organization of our young States. The promise of free land brought millions of new settlers to the West where they planted wheat, raised cattle, and cultivated the earth. The productivity of our farms sustained the war effort as we defeated the Fascists and Nazis, helped rebuild Europe and Japan, and liberated the world. Now, as we search for new ways to power our economy, our farms and ranches offer new promise for a new, clean energy economy.

Growing up on a ranch in the San Luis Valley taught me how tough it is to make a living off the land. You work sunup to sundown all year, 7 days a week, to raise a good crop or a healthy herd, and then, without anything you can do to prevent it, a hailstorm, disease, drought, or flooding can wipe it all away in a moment's notice. When you do have a bumper crop, you sometimes find everyone else has had a bumper crop that year too. As a result, prices fall and you actually sometimes do worse.

The bill that is before us helps producers and, therefore, helps all of us by bringing some level of certainty and structure to agricultural markets. We cannot and should not take the risk out of our farming and ranching—it is a tough business however you cut it—but we can help make the very bad years a little less painful in rural America. The little bit of uncertainty that favorable loan rates or a countercyclical program can provide is often the difference between whether a family loses the farm or keeps the farm.

Why, some may ask, should we care about whether a family is able to stay on their farm? Why should we care? For many years—from my days as attorney general to my days in the Senate—I have always had a sign on my desk that says: "No Farms, No Food." To me, that statement tells the story about the importance of food security for our country.

The fresh fruits, grain, meats, and vegetables that come from our farms and ranches are essential to public health, reducing hunger, and ensuring that Americans can always find affordable, safe food at their grocery store.

A great example of how the bill benefits both producers and consumers is the Fresh Fruit and Vegetable Program, championed by Chairman HARKIN, which provides fruits and vegetables to schoolchildren across all of America. We are expanding this program now so it covers all 50 States, up from the 14 States that have been covered by this program in the past. For me and my constituents in Colorado, it means that 80,000 children are going to get fresh fruits and vegetables in their school lunches. This will reduce childhood obesity, increase productivity in school, and teach habits for a healthy lifestyle.

I want to speak briefly about some farm bill reform measures that are included in the bill.

Although we all benefit from smart investments in programs that help provide stability and certainty for producers, we also must be wary of waste and abuse. The 2002 farm bill was not perfect, and I am pleased the Agriculture Committee took this year's reauthorization as an opportunity to address its shortcomings.

Our bill, for example, includes significant reforms on how we deal with payment limits. USDA payments must now be attributed to an actual person—a real live person, one who breathes and walks and works the soil—as opposed to some amorphous entity. Previously, individuals were finding ways to collect payments from up to three different operations under the so-called three-entity rule. We have abolished that in this farm bill.

The 2002 farm bill also left open several loopholes that have allowed farm bill dollars to go to nonfarmers for land that is no longer in agriculture. I am proud to have worked with my colleague from Nebraska, Senator BEN NELSON, on language incorporated into the legislation that stops this waste. Our language prohibits the distribution of commodity support payments for land that has been subdivided for houses or transferred to other nonagricultural uses. This is an important fix.

So is our reform to how Washington deals with agricultural disasters equally important. From time to time, farmers and ranchers get hit by droughts, floods, or tornadoes that wipe away their crop. It happened to us in Colorado last winter in the southeastern part of our State, where a blizzard buried whole herds of livestock. Our producers lost thousands of head of cattle out in southeastern Colorado.

How did Washington respond to that agricultural disaster? Washington responded in its own typical fashion: USDA declares it a disaster. Congress scrambles to find emergency funding. The bill gets stalled, and then farmers and ranchers have to wait 2, 3, 4 years before they get any kind of relief.

What is wrong with this picture? First, we are not delivering disaster assistance efficiently. Second, we should not be relying on emergency spending to provide disaster assistance. We need to put these expenditures back on the books.

Mr. President, I ask unanimous consent to have 3 more minutes to finish my statement.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered. The Senator is recognized for 3 additional minutes.

Mr. SALAZAR. On disaster assistance and the importance of us creating a permanent disaster assistance fund, first, we are not delivering disaster assistance efficiently to date. Secondly, we should not be relying on emergency spending to provide disaster assistance. We need to put these expenditures back on the books. Congress has passed 23—23—ad hoc disaster assistance bills since 1988. That is 23 since 1988. Although I am supportive of this emergency assistance and have helped push this emergency disaster assistance forward in the last 2½ years, I believe we need to create a system for disaster aid that will respond more efficiently and promptly to the needs of our ranchers and farmers.

What we have done on this bill—thanks to the leadership of Chairman BAUCUS and Ranking Member GRASSLEY on the Finance Committee—is to create a permanent trust fund for disaster assistance. This will allow us to maintain discipline and high standards for determining when to pay out disaster funds, and it will allow producers to get help more quickly. It is a sensible and fiscally responsible solution.

The American farmer has always been an engine for prosperity and opportunity in America. Through revolution, western settlement, depression, and world wars, the men and women who work our lands have always been there to lead us through the next great challenge that faces our country. Today, we are faced with a new challenge—that of building a clean energy economy for the 21st century—and we need the help of our farmers and ranchers to get us there.

Our national security, our economic security, and our environmental security all demand that we grow our way toward energy independence. It is an imperative, but it is also a great opportunity for our Nation.

The country that successfully replaces its imports of foreign oil with clean, homegrown energy will reap competitive and technological advantages that will keep it out in front of the rest of the world for decades to come. We can play a part in this new economy, but the productivity and ingenuity of rural America is our greatest untapped resource in our quest to reduce our dependence on foreign oil.

I am excited about this bill, with its investments in rural development, energy technology, and wise stewardship. It taps the great resource of rural America while strengthening our ability to produce clean, safe, and affordable food.

This bill represents the best type of work we can do in the Senate—cooperative, bipartisan work that is focused on creating new opportunities for our country.

I thank again the leadership of both the Agriculture and Finance Committees for allowing us to move forward with this legislation and to bring the legislation to the floor today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, Senator DORGAN, by unanimous consent, is to follow me. I ask unanimous consent that Senator DOMENICI be recognized for up to 15 minutes, and then Senator CASEY for up to 15 minutes, following the remarks of Senator DORGAN.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I further ask unanimous consent that the next Democratic speaker in order be Senator STABENOW.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I further ask unanimous consent that, although I may not need it, I be granted an additional 5 minutes for my remarks to complete my speech, and that I be able to speak as in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ALEXANDER. Thank you, Mr. President.

Mr. President, would you please let me know when I have 2 minutes remaining.

Mr. President, I first congratulate Senator HARKIN and Senator CHAMBLISS for their work on the farm bill. I know we want to move toward that as quickly as possible, and I look forward to a successful conclusion of that legislation. But for the next few minutes, I wish to speak on a different subject.

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 2312 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ALEXANDER. I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from North Dakota is recognized for 20 minutes.

Mr. DORGAN. Mr. President, we are now debating the farm bill, and a number of my colleagues have talked about the particular provisions of the farm bill that is brought to us by the committee. I think the farm bill is a pretty good bill and I certainly intend to support it and I am pleased to be here to speak on it. I spoke last evening briefly. But I wish to make a couple of comments about family farmers, generally, before I talk about the bill and then also talk about the amendment that I, along with Senator GRASSLEY from Iowa, will be offering.

First, the issue of family farming is one that is not often discussed because when people here talk about the farm bill, the agriculture bill; they talk about the agricultural industry. Let me explain that my interest in this is largely to try to keep a network of families living out in the country under the yard lights, trying to raise food for a hungry world.

These are family farms that exist because they are out there trying to make a living, grow a crop, raise a family. They face all kinds of challenges—challenges that most of us don't face. They plant a seed in the ground, and they live on hope. They plant a seed and hope it grows. They hope it rains. They hope it doesn't rain too much to wash the seed out. Then they hope they get a growing season that gives them a chance to raise a crop. They hope it doesn't develop crop disease. They hope it doesn't hail and destroy the crop. They hope they get to harvest with something standing in the fields that they can, at that point, get off the field and take to a grain elevator, and at that point they hope the price will be decent. They don't know. If they survive all of those hopes and get to the grain elevator with the grain and perhaps get a decent price, maybe they make a decent living, but it is just as likely that they don't. Those families live out there alone, taking all the risks.

I recall about a year and a half ago driving into a town called Zeeland, ND, and meeting with a group of ranchers and farmers. They had been through a devastating drought where everything was destroyed. It looked like moonscape in the pastures driving into town. These ranchers and farmers had owned livestock they already had to sell, because if you don't have feed, you cannot keep them; they have to go to the livestock market. So they talked about what they were trying to get through, with no crops, no pasture, no capability to keep their cattle and conditions that forced them to market. That is just one issue, the drought. In that case, it was everything to them.

So what most farmers face in times where they don't have a devastating drought or some other natural weather disaster, they face economic circumstances that don't give them much of an opportunity either. That is why we have a farm bill, a safety net, to try to help farmers through tough times.

If you think about a farmer out there living under a yard light, trying to plow the land, plant a seed, harvest a crop, and make a living, here is what they face. When they order a load of gas to come out to gas up their tractor and their combine and till their fields, they discover the diesel fuel or gas is costing a fortune. They could not help that, they had nothing to do with that, but they are paying a fortune, as is the rest of the country, for this fuel they need.

The fertilizer prices are skyrocketing. If they are fortunate enough, for example, to get a crop and get the crop to market someplace, they have to find a foreign home for a fair amount of the crop, and they have to pay the railroads. The railroads, as you know, overcharge, and in my State the Public Service Commission estimates they are paying $100 million a year more than they should. Farmers are bearing a substantial portion of that.

So if they get their crops to the marketplace and to the county elevator and ship it somewhere, if some of it goes into a grocery manufacturing facility and comes out the other side, the farmer who started up the tractor, plowed the field, planted a seed of corn, and then hoped and was successful, got a stand of corn, cultivated the corn, and then harvested the corn, and that seed of corn then went to a grocery manufacturer—guess what. They then flake the corn and put it in a box and call it cornflakes. It has a fancy logo on the front, and they send it to the grocery store. They get more for flaking the corn than the farmer does for driving the tractor, planting the seed, and harvesting the corn. The fact is, they get more than the farmer does for growing it. The same is true for puffed rice and wheat chex. You rice it, puff it, flake it, you check it, and they get more than the family farmer who had to grease the combine and the tractor, plow the furrow, and plant the seed.

The farmer faces near monopolies in every single direction. If they want to sell a cow, steer, or bull, guess what. They face a packers' industry that is highly concentrated in every direction, the oil industry, the rail industry, the big packers, and the grain industry. In every direction, the family farmers living out there are struggling and trying to make a living, trying to get along, when they are surrounded by monopolies or near monopolies in economic circumstances where it is pretty tough for them.

Yesterday, I talked a bit about value. Why do we care? I suppose you could have corporations farming America from California to Maine, and then we would not sing "this land is your land, this land is my land." I suppose we can produce America's foods that way. I think family farmers—at least in my part of the country—produce more than just food, they produce communities. They are the blood vessels that flow into rural areas and communities. I mentioned yesterday that an author named Critchfield once wrote a book about what this contributes, and that is that family farmers are the seedbed of family values, and that seedbed nurtures family values from family farms to small towns to big cities.

Family farms are important to this country. We put together a farm bill to try to provide a safety net because during the tough times, when they reach a really tough patch—international price depressions for commodities, disasters, natural disasters, all kinds of things that confront family farmers in a disastrous way—we want to have a safety net for them to get through tough times instead of getting washed out every time there is a problem. The big corporations and agrifactories have the financial strength to make it through tough times. We have put together a farm program, called a safety net, to try to help family farmers through difficult times.

I know some view this notion of family farming as some sentimental journey back to yesteryear. A friend of mine named Chuck Suchy is a singer and songwriter. He has a song, "Saturday Night at the Bohemian Hall," describing what it was like growing up on the farm and gathering at the Bohemian Hall to swap stories and talk about the weather and the crops.

The description I gave yesterday of what one of the writers in North Dakota—a farmer and a rancher—who used to ask the question that needs to be asked of this country, I think, is important. Rodney Nelson asked the question, "What is it worth?" It is worth noting Rodney's question. What is it worth for the country to have a kid who knows how to pour cement? What is it worth for a kid to know how to drive a tractor? What is it worth to know how to teach a newborn calf to suck milk from a pail? What is it worth for a kid to know how to grease a combine, drive a tractor, plant a field, work in the cold winter, and work in the hot sunshine outdoors? What is all of that worth? Well, the fact is that it is important, and it contributes to this country in significant ways. In World War II, we sent millions of young people from America's farms over to go fight. They could do anything, fix anything, drive anything. They were unbelievably important to this country. The only place you learn all those skills is on the family farm in this country. That is why family farming is not just some sentimental journey; it is a value system for the country.

Does this country care about families who live on farms? Do they care about putting together a safety net for them? The answer should be yes. This farm bill says yes, and I support it. I want to make it better.

Senator GRASSLEY and I are going to offer an amendment that says if we are going to do this—and we should—then let's provide reform with respect to payment limits and really make the payment limits effective so we are providing a safety net for family farmers, not a set of golden arches for the largest corporate agrifactories in the country.

Let me read some of the records of farm payment recipients and explain why it is necessary for us to have a payment limit. Senator GRASSLEY and I say, No. 1, there should be a payment limit of $250,000 per farm. No. 2, we say you ought to have to be involved in farming to get a farm program benefit. That is not very radical.

I will read some of the payments. This comes from USDA information, and this is for 3 crop years, 2003 through 2005. The Balmoral Farming Partnership got $7.9 million. Phillips Farm in Mississippi got $5.9 million. Kelley Enterprises got $4.9 million. Walker Place got $4.6 million. Dublin Farms got $4.2 million. I could keep reading, but I don't think I need to read a lot more. But take a look at what happened with the farm program. Here is an example. In many ways, I am reluctantly reading the names, but they are public, and if someone is going to receive this funding and it is public information, it is reasonable to use it as an example. Benton Farms, Tyler, AL, got $2.5 million. Haney Farms of Athens, AL, Horace Haney got $607,000, and Shirley, Keith, and Matthew Haney each got $607,000. Combined, the Haney family got $2.3 million. Pickens and Son Company got $4.3 million. The Storey family got $2.7 million. Ronald Storey got $956,000, Hazel Storey got $932,000, Ben Storney got $478,000, Rebecca Storey got $430,000—I could do this for a while as well. I have pages of this. This is not a safety net for family farmers to get through tough times. It has become much more than that. It has become lucrative for big enterprises to farm the farm program and get paid millions of dollars, and it is wrong.

Our amendment is reasonably simple. It says we should have a payment limitation of $250,000, and you should have to be required to be involved in farming in order to collect farm program benefits.

It is important to note that the Agriculture Committee made some strides in this area as they brought the bill to the floor. They eliminated the three-entity rule, which itself was a loophole that needed to be closed. They provide for attribution, direct attribution, so the payments are attributed to an individual. It is not as if the Agriculture Committee didn't do anything. They did.

My colleague, Senator SALAZAR, talked about section 1105, and that section is also something that can be helpful. My own view of section 1105 is that it doesn't solve the problem entirely. So the proposal Senator GRASSLEY and I offer will address this in a significant way.

I mentioned yesterday that, to give you an example of how far this has gone—having nothing to do with farming—if you had base acres for rice or other crops—for program crops—and have base acres on land that hasn't been farmed for 20 years, has not produced a crop for 20 years, people who own that land but have never farmed in their life are getting farm program payments on land that hasn't produced a crop in 20 years because it had a base acre in the mid to early 1980s. That makes no sense to me. That is not about providing a safety net.

There is no stronger supporter of family farming in this Chamber than myself, and I am sure others would say the same about their support for family farming. But it seems to me we need to close these loopholes. Why on earth would we have a production base, base acres, on land that has, in many cases, nothing to do with farming?

I mentioned yesterday that down north of Houston, TX, they were selling what are referred to as "cowboy starter kits." You buy 10 acres, put a house on 1 acre, run a horse or cut hay on the other 9 acres, and you can get a farm program payment. The reason it is more prevalent in rice is that the payment per acre is over a hundred dollars an acre, as opposed to the other crops that are much less. Does it pass the test of reasonableness anywhere for someone who has never farmed to buy 10 acres someplace and get a farm program payment when they are not farming the 10 acres and it hasn't grown anything for 20 years? That does not meet any test of anything.

We can close that loophole, but the more effective way to close this is to say you can't get farm program payments unless you are actively involved in farming. Should an arts patron in San Francisco get $2-plus million? She is not a farmer. She just comes from a family who used to have a farm, and she gets just over $2 million. We have, I think it is 300 or 400 people living in New York City, in that mountain of concrete, who get farm program payments. We have people in Los Angeles, CA, who don't set foot on a farm who get farm program payments. Does that meet any test, or does somebody just not care about that and say: We just want to give payments to make us all feel good.

I feel good when we give a payment to a family farmer as a safety net payment to help them through troubled times. When prices are high and the crops are bountiful, if you have a bumper crop and good prices, in my judgment, you don't need the Government's help. With respect to the large enterprises, if you want to farm three or four counties, God bless you. I don't think the Federal Government has to be your banker. You have every right to farm as much as you want.

Some people would say to me, and they have said: That discriminates against the big operators, doesn't it? But I say: The purpose of the farm program is to be a safety net to help the family farm get through difficult times. They said: What is a family farm? Describe to me a family because you can't describe it. I remind them of Michelangelo, who said when asked how did he sculpt David, he said: I took a piece of marble, and then I chipped away everything that wasn't David. We could easily describe what most of us believe to be a family farm just by chipping away what isn't.

Is it a family farm when you have huge corporate enterprises with multiple family members getting $600,000, $700,000? Is that a family operation? I don't think so. Huge corporations sucking millions of dollars out of the farm program by farming the farm program? I don't think that is what was intended.

If you are a reformer, if you believe in reform—and we talk a lot about change and reform around here—in my judgment, one has to decide to do the right thing on this issue, and the right thing is to limit farm program payments to $250,000. That is a great deal of money. And at the same time, we have provided the disaster title in this bill, which I think is a significant improvement. Then decide, if you are going to get farm program payments, you have to be actively involved in farming.

We provide opportunities for people to get, for example, loans to go to college, but we don't say to them: You can come and get your loan; we don't care what you do with it. We will only give college loans to those going to college. The same is true with a whole series of items. We actually have a circumstance that we give farm program payments to people who have never been on a farm and don't intend to be on a farm. They just want to collect the farm program payments.

Even those who collect it think it is absurd. You can read the papers and gauge the reaction of people who say: I don't understand this at all. I bought 15 acres to build a house on, and I am getting farm program payments. What on Earth is the Government doing? Even the recipients scratch their heads and wonder what on Earth this is all about.

I only ask that we, in a bipartisan way—and this amendment is bipartisan—decide to join together to do real reform. I want to be proud of this farm bill. I think Senator HARKIN, my colleague, Senator CONRAD, Senator CHAMBLISS, and others have done some good work, but it can be improved upon by the passage of this amendment. It has a payment limit, and that also provides that those who receive farm program payments should be actively engaged in farming.

Some will think that is unbelievably radical. It is, of course, not radical at all. It is just a significant investment in common sense. My hope is that my colleagues will believe that is the right thing to do.

It is sad but true, this is a hungry world in which we live. Passengers on this planet circle the Sun. There are about 6.4 billion neighbors. We, through Divine Providence, ended up in this little space called the United States of America. We are blessed. We have the opportunity to have a wonderful lifestyle, standard, and scale of living. We have the ability to produce a prodigious amount of food. But even as I speak, a significant number of children have died in the last 10 minutes because they did not have enough to eat; 600 million to 700 million people go to bed in this world with an ache in their belly because they didn't have enough to eat. Think of that: They didn't have enough to eat. And we have economic all-stars called family farmers in this country who produce substantial amounts of food, and some people want them to believe somehow that is a liability. It is not. It is an unbelievable asset that in many ways can contribute to stability and world peace.

Even as we think through all of these issues about our contribution to the world and about what we can do, it is important to think about our contribution at home in terms of building the kind of country we want. I want to see a country in the future that continues to have people living on family farms, producing food for a hungry world, and doing so in a way with, in effect, a partnership with the policymakers who have decided to create a safety net to say: We think you are important to this country's economy and this country's culture. For that reason, we have a farm safety net. And when you run into tough times, you are not going to be alone. This country is going to have a safety net, and it is going to help you through.

I conclude by saying we should not ever believe that family farming is a liability. It is an enormous asset that contributes substantially to the character and value system of this country. I hope this Chamber will stand up for that value system. When we do, family farmers around this country will begin to be able to think about spring planting once again and begin next year with renewed hope.

I said yesterday, and I will say it again: You cannot be a family farmer, you cannot live out alone under the yard lights unless you live on a reservoir of hope. Everything is about hope for a better future, and I think the farm bill, amended by our amendment, could give farmers a substantial amount of renewed hope.

Madam President, I ask unanimous consent that the next two Democratic speakers, after the previously ordered lineup, be Senator BAUCUS and Senator WYDEN, up to 15 minutes each; further, that in the previous order, Senator STABENOW be recognized for up to 30 minutes and Senator CRAIG for 30 minutes—sorry, Senator ISAKSON be recognized for up to 30 minutes and Senator CRAIG—let me try to get through this. I could say it is the penmanship, but it is not. It is my interpretation—that Senator STABENOW be recognized for up to 30 minutes, Senator CRAIG for up to 30 minutes prior to Senator ISAKSON—STABENOW, I am sorry.

Madam President, if you have that straight, you are an unbelievable presider. I will send it to you in written form.

The PRESIDING OFFICER (Mrs. MCCASKILL). Thank goodness. Without objection, it is so ordered.

The Senator from Pennsylvania is recognized for 15 minutes.

Mr. CASEY. Madam President, I rise today, once again, to talk about a threatened veto by the President of the United States. We spent many weeks debating the Children's Health Insurance Program, months, really, when you consider all the time. People worked very hard on both sides of the aisle on children's health insurance. Yet despite all that work, despite all that bipartisanship, despite all of the hours and the energy that went into getting a bipartisan bill on children's health insurance, we have the President of the United States vetoing that legislation and threatening to veto it yet again.

Unfortunately, I stand today to talk about another threatened veto. President Bush is threatening to veto the farm bill, which makes no sense at all not only because of the work that went into this bill by Republicans and Democrats in the Senate, that is reason enough for him not to veto important legislation such as this, but I think it is even graver than that. It is an even graver threat than talking about vetoing legislation because when the President of the United States, if he were to carry through on his threat to veto the farm bill, he is vetoing a lot of provisions that he should not be coming out against and fighting against. The President is vetoing a farm bill which does so much for nutrition, just taking one example. We know the committee this bill came out of is not just the Agriculture Committee, it is the Agriculture, Nutrition, and Forestry Committee, and that word "nutrition" is critically important.

To give some examples of what this means for families across America, here is what we are talking about when we talk about nutrition programs. Of course, food stamps being a big part of that, I will go through some of the elements of that program in a moment, the Fruit and Vegetable Snack Program, No. 2; No. 3, the Emergency Food Assistance Program, known in Washington by the acronym TEFAP—all of these programs provide children and families who would otherwise go hungry with food.

The farm bill reauthorizes those programs, a Washington word "reauthorize" for telling us we are going to fund them again. Finally, the overall title, the section of the bill that is entitled "Nutrition," that title provides over $4 billion over 5 years to help on these important priorities.

So what are we talking about with food stamps? A couple of points. While the rest of the world received an increase in wages or an increase in purchasing power in parts of our Government and economy, a lot of people on food stamps were left behind the last couple of years.

What are we talking about? We are talking about a couple of changes that make a lot of sense. No. 1, ending benefit erosion, and the increases we provide in this farm bill will increase the purchasing power for families who benefit from food stamps.

No. 2, deducting the cost of childcare from program eligibility. That shouldn't be part of eligibility, a necessity such as childcare for working families and poor families across America. They shouldn't have to factor in childcare costs. That is a mistake, and we have changed that. Thank goodness.

No. 3, protecting family investments in prepaid college funds and retirement savings. Again, when a family's income is being evaluated for eligibility, we should not include prepaid college funds.

No. 4, increasing purchasing power for fruits and vegetables with a new pilot program. At long last—and I say this not just because Pennsylvania will do well, and I am happy to say we have a part of the farm bill that speaks directly to so-called speciality crops, of which fruit and vegetables are a big part of the economy of Pennsylvania and America, but this is particularly important for poor families and for children. They should have every opportunity we can provide to have the benefit of getting fresh fruits and vegetables. It is a great idea.

Along those lines is an actual program, the Fruit and Vegetable Program. We are committing over $1 billion over 5 years to this important program. It expands the already-existing program so schools in every single State can participate. Does it cover every school in every school district? No; there is not enough money to do that. But it does expand that program so at least some schools in every State can participate.

Finally, the Fruit and Vegetable Program targets the program to focus on hungry children to give them the healthy foods they need the most.

After food stamps and the Fruit and Vegetable Program is the Emergency Food Assistance Program, known as TEFAP. This bill provides $100 million each year to purchase food that is then distributed by local food banks. Again, in addition to that, there is $50 million for the Hunger-Free Communities Program. That particular program under TEFAP is for grants to local communities to combat hunger.

What does this all mean? It means feeding children in America who would otherwise go hungry and providing basic health care for children is another element I talked about earlier when I spoke of the State Children's Health Insurance Program. Both of these, whether it is the farm bill investments in nutrition or whether it is children's health insurance, are about investing in our children in the dawn of their lives, but also it is about building an economy many years from now.

I hope the President, when he is making a final decision about the farm bill, will take a close look at what this bill does for children, what it does for families, and what it does for our farm families all across America. We don't have time today to go through all of it, but suffice it to say this is the first time in many years we have addressed these things, and I would ask the President to look at what this farm bill does for dairy farmers.

I spent time back in the cold of the winter, in Wayne County, PA, and met a young man by the name of Joe Davitt, who has a dairy farm. His father had it before him and now it is his responsibility to take on that incredibly difficult job of long hours, year after year, trying to make ends meet. Our Government, frankly, hasn't done enough to help them make ends meet in this very difficult job, and they are not asking for anything a lot of us don't get help with.

This farm bill allows us to give some measure of relief; not nearly enough, but some measure of relief for dairy farmers, who are salt-of-the-earth people, who helped build this country and build our farm economy. Finally, at long last, we have a piece of legislation which takes into consideration the struggles and the challenges of dairy farms across Pennsylvania but, indeed, across the country, from one shore to the other.

There is a lot to recommend in this farm bill, whether it is helping dairy farmers, whether it is an investment—long overdue—in specialty crops, and what it does for nutrition for all of America, but especially those who are vulnerable, those who happen to be poor and need help with the basic necessities of life. I hope the President, when he looks at this legislation—after he has done so much over many years now for people who make $1 million a year, or maybe they make $10 million a year, or maybe they even make $100 million or more; those Americans have gotten an awful lot of help—he will see this farm bill focuses on families in America having trouble making ends meet, whether they are farm families or whether they happen to be poor Americans who can benefit from our nutrition programs. I hope the President will consider that in the interest of fairness, but also in the interest of investing in a stronger farm economy, investing in making sure our children have the nutrition they need, and also making investments in conservation, environmental protection, and a whole series of very important elements to the farm bill.

Unfortunately, I think the President, in his veto threat, is overlooking all that. I hope he changes his mind. There are some Americans who have done fine, thank you, under this President. And so for him to veto the farm bill would be contrary not just to all those interests, important interests in America—children, families, farmers, and farm families—but also it would be contrary to a lot of the work that was done by Chairman TOM HARKIN, the chairman of our committee, and Ranking Member CHAMBLISS from the State of Georgia; and not only the work they put in, but the work their staffs put in, month after month after month, working in a bipartisan way, to get this bill on the right track.

It is not perfect. There will be lots of criticism of this bill, but not nearly enough criticisms are warranted to justify the veto of this legislation. We have to get this done. It is the only time we will work on this in 5 years. We need to get it done. And the President, if he is thinking of the best interests of the country, will sign the legislation.

I urge the President, as respectfully as I can, not to veto the farm bill. It has broad bipartisan support. We have to get this legislation done.

Ms. KLOBUCHAR. Madam President, I ask unanimous consent to speak for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Minnesota is recognized for 10 minutes.

Ms. KLOBUCHAR. Madam President, the Senate is now considering the farm bill, and with the leadership of Chairman HARKIN, Ranking Member CHAMBLISS, Senator CONRAD, and a Minnesota Congressman, COLIN PETERSON, in the House, the bipartisan farm bill will invest in our farms and rural communities so they will be a strong, growing, and innovative part of 21st century America.

America's farm safety net was created during the Great Depression as an essential reform to help support rural communities and protect struggling family farmers from the financial shocks of volatile weather and equally volatile commodity prices. Almost 75 years later, the reasons for maintaining that strong safety net still exist.

The 2002 farm bill actually spurred rural development by allowing farmers in Minnesota and across the country to take risks to expand production. Because of productivity gains and innovation, including advances in renewable energy, the farm support programs in the 2002 farm bill actually came in $17 billion under budget.

As the Senate debates a final 2007 farm bill this week, it is important not to underestimate the value of a strong bill for States such as my State of Minnesota, where agriculture is so vital to our economy and our way of life. That is why, as a member of the Senate Agriculture Committee, I support the new farm bill. This includes an increased focus on cellulosic-based ethanol, continued support for a strong commodity safety net, and additional funds for conservation, nutrition, and disaster relief.

Of particular importance is the fact that we have balanced the budget with every dollar of new spending fully offset.

Traveling around my State during the last 2 years, I have had the opportunity to visit all 87 counties of my State twice, last year and this, and I had the opportunity to talk to many farmers about the good and the bad in the last farm bill. I can tell you this: The farm bill has worked to revitalize many of our rural communities across America. It has spurred rural development by allowing farmers in Minnesota and across the country to take risks and expand their agricultural production. Because of strong commodity prices and advances in renewable energy, the farm support programs in the 2002 farm bill are projected to come in $17 billion under budget.

I am pleased this bill continues this safety net, and I appreciate the effort that has also been made to rebalance the commodity programs to be more equitable to northern crops such as wheat, oats, barley, soybeans, and canola.

Another top priority for Minnesota farmers was creating a permanent program of disaster assistance. I thank Senator BAUCUS for the work the Finance Committee has put into this provision. Farmers have to come back to Congress each year with a tin cup in their hands when in fact we can do it differently. Our State has been hit by drought, flooding, and everything in between, and they had to wait 3 years for Congress to pass another ad hoc disaster relief bill. A permanent program of disaster relief will give farmers security moving forward.

One of my major goals for this farm bill was to include a strong cellulosic ethanol program. Our corn-based ethanol and soybean-based biodiesel have taken off in Minnesota, and we are ready to expand to the next generation of biofuels—cellulosic ethanol, prairie grasses, biomass that yields more energy and, if done the right way, is better for our environment and conservation.

I was proud to draft legislation to provide farmers with an incentive to grow cellulosic energy crops, and I thank Chairman HARKIN and Senator CONRAD for working with me to include this in the farm bill. The fact these crops put carbon back in the soil and take less fossil fuel to produce offers us the promise of producing a carbon-neutral motor fuel for this country. In short, the Biomass Crop Transition Program, which is what the cellulosic ethanol provision of this farm bill is, will allow us to expand on corn ethanol and soy diesel to a new generation of farm-based energy and greater freedom from imported oil.

I am also pleased this farm bill includes legislation I introduced, along with Senator BOND, to provide funding for E-85 pumps. It is a chicken-and-egg problem with E-85. Less than 1 percent of our gas stations have the E-85 pumps. In the Energy bill, we have more requirements for flex-fuel vehicles, and this bill will help to get the pumps out there so we can be investing in the farmers and the workers of the Midwest instead of the oil cartels of the Mideast.

I am also pleased the committee has accepted my amendment to double the authorized funding levels for two programs that serve beginning farmers and ranchers. There are real opportunities today to start out in farming, especially in growing areas such as organic farming and energy production. But beginning farmers also face big obstacles, including limited access to credit and technical assistance, and the high price of land. The Beginning Farmer and Rancher Programs in this farm bill provide mentoring and outreach for new farmers, and training in business planning and credit building—the skills they need to succeed and stay on the land.

There are a lot of good things for rural America in this farm bill. There is, however, one critical area where I believe more reform is needed. We need to stop urban millionaires from pocketing farm subsidies intended for hard-working farmers. This reform is in the best interest of Minnesota farmers. Here are the facts: Nationally, 60 farms have collected more than $1 million each under the 2002 farm bill, but none of them were in our State. The average income of Minnesota farms, after expenses, is $54,000. But under the current system, a part-time farmer can have an income as high as $2.5 million from outside sources and still qualify for Federal benefits.

It makes no sense to hand out payments to multimillionaires when this money should be targeted to family farmers. Big payments to big-city investors threaten to undermine the public support for every farm program, even though the commodity payments are projected to be only 15 percent of the total farm bill budget over the next 5 years.

A poster boy for what needs to be changed is Maurice Wilder, a Florida-based real estate developer. From 2003 to 2005, he has collected more than $3.2 million in farm payments for properties in five States, even though his net worth is estimated at $500 million. Nearly 600 residents of New York City, 559 residents of Washington, DC, and even 21 residents of Beverly Hills 90210 received Federal farm checks in the past 3 years. Some collected hundreds of thousands of dollars. Last time I checked, there wasn't a lot of farmland in those neighborhoods.

We can fix this and do better for our farmers by using the new farm bill to close loopholes, tighten payment limits, and enforce tougher income eligibility standards. First, the current Senate and House farm bill proposals eliminate the three-entity rule. This will cut down on abuse by applying payment limits strictly to individuals and married couples and ending the practice of dividing farms into multiple corporations to multiply payments.

Second, a longstanding bill, which is an amendment that will be considered this week, proposed by Senators DORGAN and GRASSLEY would limit annual payments to $250,000. I will vote in favor of this provision on the Senate floor, and the Senate should adopt it.

I also believe a third kind of reform is needed. Congress should act to prevent payments that are intended for hard-working farmers from going to urban millionaires and giant agribusiness.

We will be talking about these amendments in the week to come, but I wish to say as we move ahead to develop homegrown renewable sources of energy, rural America promises to be central to our Nation's future energy independence as well as the fight against global warming. This bill prepares us. This bill heads us in the right direction.

Inertia may be the most powerful force in the political universe, but after 75 years, the best interests of America's rural economy demand that we correct the abuses of the past so we can move forward with this bill, with some modifications of reform, to ensure a strong safety net for our hard-working farmers.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Madam President, may I inquire what the order of business is at this time?

The PRESIDING OFFICER. The Senator is to be recognized for up to 30 minutes under the unanimous consent agreement.

Mr. CRAIG. Madam President, many of us are coming to the floor today to speak to the new farm bill that the Senate Ag Committee has proposed and brought to us over the last several months.

Over the years I have had the privilege to participate in a variety of farm bill developments and structures as we ultimately came to a new 5-year farm policy in our country.

First of all, let me say for the first time in a good number of years we have actually had the Secretary of Agriculture go out amongst American agriculture, ask questions and listen, and send us proposals of change in farm policy.

We have also had both the House and the Senate committees operating extensively in bipartisan ways to hold hearings, looking at the existing farm policy and what may need to be changed to justify a new farm bill.

While many are caught up in the bits and pieces of a farm bill structure, what is important to remember is a nation that feeds itself is a nation that is, by its own definition, strong and independent. And that has been throughout our history one of our great legacies: that we could produce our own food and fiber to feed our own populations, and then step beyond that to help feed the world.

In fact, in the 1950s, 1960s, and 1970s, as we saw a burgeoning export market in agricultural growth, we were expanding our own growth capabilities not only to feed ourselves but to feed the world.

That, in part, has been the product of a consistent farm policy over the years that stabilized agriculture, agricultural producers who looked at the primary commodity crops and said: This is the base of American agriculture, and this is what we ought to support to assure there is adequate food and fiber for the American consumer.

We now take for granted every day of the week that as we walk into the supermarkets of America the shelves will be full and overflowing with an abundance of food. We just take it for granted—unless you are amongst the very poor, and then you might stand in a soup line. But there are few of those in our country today. And, certainly, for those less fortunate there are a variety of food and nutritional programs embodied within farm policy that assure there will be minimal nutrition values offered and provided to America. That is truly one of our great legacies and something I think all Americans can be proud of.

Over the years, American agriculture has changed. We think traditionally of corn and wheat and soybeans and cotton and, of course, we used to have a tobacco program in the South that was supported, that no longer exists for obvious and important reasons.

But little did we recognize something that we now value greatly as a part of our nutritional base today: our vegetables, our fruits, and that huge variety that you see on the fresh produce shelves as you walk into any of our great supermarkets across the Nation.

And to those of us who have been associated with agriculture all of our lives, it is not the meat shelf, it is not the bread shelf, it is the fruits and the vegetables, the specialty crops, the kinds of things that never have been in a farm bill, that we have never spoken clearly to, that embodied a very large part of American agriculture.

In fact, today, at farmgate, meaning the value of products leaving the farm itself, we view specialty crops as somewhere in the area of 50 percent. Not a program crop, not a loan program, not a base support price, but American farmers out there working to diversify and to ensure the variety that all of our consumers enjoy today.

So it is, in my opinion, a very big victory that today I come to the floor, along with a group of my colleagues, to talk about a new provision within farm policy to deal with the specialty crops. And for the next few moments, let me talk about it and its importance as we recognize what it means not only today but what it could mean in the future.

This sector includes vegetables, fruits, nursery crops, herbal crops, floriculture, horticulture, dried fruit, tree nuts, and turf grass. We know about all of those things. Turf grass you do not buy at the fresh produce stand, but if you are building a new home and all of a sudden you have instant yard because the landscaper has laid turf, then you know a lot about turf.

In my State of Idaho, that is a rapidly growing and, in some areas, urbanizing area; turf farms are a very important part of Idaho agriculture today. It may surprise some, when they think of specialty crops, they think of the great agricultural belt known as the San Joaquin Valley of California, where you see one different crop after another for hundreds and hundreds of miles across that phenomenally fertile stretch of American agricultural soil.

But in my State of Idaho, we are one of the top States in the Nation as it relates to producing specialty crops. Beyond being the No. 1 producer of potatoes that we certainly recognize, and most of us enjoy, Idaho is proud to boost production of cherries, table grapes, mint, apples, onions, carrots, and a variety of seed, nursery and ornamental crops.

The specialty crop industry has never relied, as I earlier mentioned, on the traditional farm program to support or sustain it. Yet they are subject to high volatility in markets. They face significant risk in their operations, including pests and disease threats, along with technical trade barriers and disaster conditions.

The inclusion of these new crops does not cost the traditional programs at all because we are not looking for, nor has the specialty crop industry asked for, the kind of program that is represented in wheat and barley and pulse crops and sugar and others. These new provisions do not provide direct subsidy to producers but create and fund programs that will, among other things, help to improve the competitiveness of specialty crops, expand valuable nutritional programs, and direct new mandatory funding to specialty crop research.

Let me give you an example of what I am talking about. Many States of the Nation now have a growing wine industry. Idaho is amongst those. We have a unique microclimate along the Snake River Valley of Idaho that allows us to raise quality grapes and to produce very fine quality wine.

But the problem of adapting an Australian-based or a German-based or an Italian-based grape to a new ecosystem takes research. A few years ago I was able to get the wine industry of Idaho research grants, hire a university professor, do the laboratory work, and learn how to manage a Melbac, or a Shiraz, or a particular type of Cab grape that allows us to up our values and up the quality of the wine grapes of our State. That is the kind of program we have embodied in the new specialty crop title and provision of the farm bill.

It provides producers better ways to address technical barriers in trade. It assists in the prevention, detection, and eradication of invasive pests and diseases in specialty crops.

I am pleased to see the bill extends the authority of specialty crop block grants, a charge which I led back in 2004, and will provide funding to States for locally driven and directed programs relating to research, commodity promotion, product quality enhancement, food safety, and other areas.

These are all very critical to the quality, the safety of the food that the average consumer, once again, walking into the supermarket on a daily basis simply takes for granted.

Mandatory dollars for specialty crop research will help our Nation keep a competitive edge on breeding, genetics, and genomics, also fund initiatives to address a certain economy such as the increased need for mechanization and food safety initiatives.

Very frankly, fellow Senators, if we do not begin to ensure a labor force to American agriculture, the kind that has largely left agriculture over the last 2 years because of the immigration debate and the border crisis that we are now trying to fix, we are going to have to see more and more of our industry mechanized or it will simply have to move out of our country to an area where that labor force exists.

So here is an opportunity in the specialty crop bill to do a little more of that research toward mechanization that again gives us opportunities that we heretofore did not have.

I also applaud the national expansion of the Fresh Fruit and Vegetable Snack Program, a program in which Idaho has been fortunate to participate for several years now. With the expansion, it is estimated that 4.5 million low-income elementary school children in 5,000 schools nationwide will benefit from receiving a fresh fruit or vegetable snack every day of the school year.

This bill takes a major step forward in recognizing the significance of the specialty crop industry to the overall agricultural economy of our country. The benefits to the health of U.S. citizens and the need for a stable, affordable, diverse, and secure food supply are clearly addressed within the specialty crop title.

For the first time in my years in Washington working on farm policy, I think it is possible to say the farm bill we currently have on the Senate floor, crafted in a bipartisan way, with the administration fully participating in the initial input of it, now covers a much broader whole of the American agricultural scene than we have ever before had.

With the inclusion of specialty crops in the overall program, it can clearly be said that is the case. So while I know the bill currently has its own problems on the Senate floor based on what may or may not transpire here, this is a very fine piece of work, in my opinion. Do I agree with all of it? No. Would I have written it this way had I been chairman of the Ag Committee or had the ability to do so? No, probably not.

There are several provisions within it that would simply not be there because my State of Idaho, for example, does not necessarily care for some of them. For example, the large milk program of dairy is not what adjusts or identifies to my State's large and rapidly growing dairy industry. This is designed to protect a much smaller producer; in my opinion, a less economical producer today than the kind that has built the dairy industry in my State.

Be that as it may, that has always been the character of farm policy. Has it been bipartisan? Yes. By definition it has to be. Does it need to recognize all regions of our country? Yes, it does.

But most importantly, in doing all of those things, what it always has been able to do is to assure the American consumer that food in this country will be relatively inexpensive compared to the amount of consumer income required to put a meal on the table of an American family. Americans, without question, are blessed because of the phenomenal productivity of American agriculture, the ingenuity, the technology, all that goes there.

In part, the stability that has produced that is a product of farm policies down through the decades that have recognized the basic principle that a nation that can feed itself, that can be assured there will be an abundance of food for itself and use the surplus to sell to the world, is a nation that not only can be preeminent but certainly a nation that can stand on its own.

Senator STABENOW has just entered the Chamber. She and I were the first two Senators to actually sit down with the fruits and vegetables industry of our Nation and say: We need a specialty crop title. We need provisions within the farm bill that recognize and bring forth all of the kinds of programs that I have just talked about.

Over the course of the last 3 years, working in a bipartisan way, we have done just that. Let me recognize Senator STABENOW for the phenomenal work she has done over the last several months in shepherding this piece of legislation through to inclusion in the farm bill, in working with both sides of the aisle to assure that happened. And I must say hats off to the Senator from Michigan because she, like I, recognizes the phenomenal diversity of agriculture in our State and the need to not only recognize it and enhance it where we can, but to do so in a bipartisan way, that has produced the work product we have before us.

I am proud to stand on the Senate floor today recognizing a small but very important new provision within the farm bill, recognizing the nearly 50 percent of gross farm revenue across America today that is embodied within the phenomenal specialty crop diversity that makes us the great agricultural Nation we are.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Michigan.

Ms. STABENOW. Mr. President, before my friend leaves the floor, I thank the distinguished Senator from Idaho for his leadership as we have worked together on specialty crop issues. This is an important bipartisan effort. We began focusing on it when we defined specialty crops in the Specialty Crop Competitiveness Act of 2004. We have now taken that definition and gone on to include, as he said, 50 percent of the cash receipts from the crops that had not been recognized fully in the farm bill. It has been my pleasure to work with him and see that we have been able to make this an important part of this farm bill for the future. I thank him and congratulate him.

I rise to speak about the farm bill in front of us. It is an effort that has taken a tremendous amount of time, debate, and negotiation, a 2-day markup. We ended up passing it unanimously out of the Agriculture Committee, which is no small feat. I am pleased to have played a role in that process. A major reason for our success was our chairman, the distinguished Senator from Iowa, who has been so diligent from the beginning. He has had a vision about the future for agriculture, where we needed to go in alternative energy, conservation, fruits and vegetables, nutrition, as well as our traditional support for agriculture. I thank Chairman HARKIN and our distinguished ranking member for their efforts together. We have put into place a farm bill for the future. I am very pleased we are doing that.

Our needs are different than when the first farm bills came about. Energy independence, preserving and protecting the environment, making sure we have a nutritious supply of products to keep communities and families healthy are all areas covered in this new farm bill.

I thank my dear friend and colleague, the chairman of the Budget Committee, Senator CONRAD, for his incredible leadership, putting all the numbers together. We have only a relatively small increase above the baseline in this farm bill, $8 billion. Contrary to what we are hearing from the administration, we are seeing a relatively small increase, fully paid for under the budget. Thanks to the work of Senator CONRAD, we have a farm bill that is done in a fiscally responsible way.

I thank the chairman of the Finance Committee, Senator BAUCUS, for his extraordinary leadership. Serving on the Budget, Finance, and Agriculture Committees, I have to say we would not be here with a successful farm bill if it were not for Senator BAUCUS and the work he has done in providing revenues as well as a permanent disaster relief program, which is incredibly important.

I also thank my staff for their hard work. We have been working for months and months on this farm bill, many late hours, some all-nighters. I thank Chris Adamo and Oliver Kim, who have done an extraordinary job on the nutrition pieces of this bill; Ilana Levinson; and my legislative director, Amanda Renteria.

This new farm bill represents a progressive agricultural policy and a vision of the future. It focuses on and expands many new policies, such as specialty crops and renewable energy, conservation, nutrition, and rural development. When people think of Michigan, most of the time people think of automobiles and manufacturing. But in fact, the second largest industry in Michigan is agriculture. We have more diversity of crops than any other State other than California. This is a very important part of public policy for Michigan. It is about supporting our growers, about communities, the schoolchildren, seniors, and others who benefit from nutrition programs. It is also about jobs. In real ways, this is a bill that will create jobs in my State.

We have everything from traditional commodities in Michigan, such as dairy and meat and pork and corn and sugar beets and soybeans. We are also proudly the national leaders in the production of numerous specialty crops—our fruits and vegetables, including blueberries, apples, cherries, asparagus, and celery. Michigan farmers are in need of a safety net for the crops they now grow, our program crops. But they also are asking us for a new set of policies, not payments, not direct payments, but a set of policies that will allow us to support fruit and vegetable growers who make up half of American agriculture.

In addition to diverse farms and commodities, we also have expansive urban areas with strong interests in conserving our national resources, our land, our Great Lakes, expanding as well in our inner-city areas access for fresh fruits and vegetables through farmers markets and community gardens and school nutrition programs. Literally, for me, every single part of the farm bill is important and impacts someone in my State, whether they be involved directly in farming or not. Of course, as we sometimes don't think about, the farm bill does impact everybody, whether you have any part of agricultural production in your State or not because of what this means in food security, nutrition, and now focusing on other important areas such as alternative energy.

I understand, as we debate this important farm bill, we will be continuing to talk about reforming farm policy. I know for many, the reforms that have passed in the Agriculture Committee—and we have put together very important reforms—as well as for me, do not go as far as I would like. But they do represent a very important first step in the right direction. There is a tremendous amount of reform in this legislation. It is important for us not to define reform as just changing direct payments. It is about changing the focus, expanding the focus toward the future, which is what this farm bill absolutely does. We have made progress on farm payment reform, but we have also put in place a new guide for the next 5 years in completely new farm policies, such as specialty crops, helping producers grow more and consumers to have more access to healthy foods.

Energy is a very exciting part of this bill, the next economic opportunity for rural America, for our farmers. These new policies will create new jobs and new, clean, renewable energies. Conservation, again, is a major focus for our chairman, and I commend him for that. His leadership has brought us more than $4 billion in new investments in conservation that will help producers be the great stewards of the land they want to be.

Again, the chairman, in his leadership on nutrition, has been extraordinary, expanding the food and nutrition program and providing more access to healthy foods. In fact, it is important to mention that roughly 66 percent of the farm bill is focused in some way on nutrition. That means this is truly a food security and nutrition bill for every American. It is also important to mention that we have included a focus on beginning and disadvantaged farmers, new policies in the conservation title, as our Presiding Officer has focused on in so many of the areas around conservation and supporting our farmers and family farmers. The credit title also helps new farmers and those sometimes wrongfully left out to provide for more conservation and more credit resources. We know we need a new generation of farmers to continue providing food security for our Nation.

Let me speak about each of these areas briefly. The area of the farm bill we call specialty crops, what does that mean? We are talking about fruits, vegetables, horticulture, floriculture, dried nuts. We had defined those areas in 2004 in the farm bill. This is something I have been working on since coming to the Congress after the 1996 election, 4 years in the U.S. House on the Agriculture Committee, and now in the Senate. I remember when we first started talking about specialty crops and trying to find something in the farm bill that would directly support the 50 percent of the crops that are fruits and vegetables and other specialty crops. It was difficult to find much. But finally, after working together on a bipartisan basis and having wonderful support from the Agriculture Committee, we can honestly say we have placed specialty crops as a permanent part of the farm bill.

This is incredibly important, particularly now when we look at the needs for nutrition, the needs of the future for our families, our children, our seniors, as we look at a world economy, where it is very important that we be supporting our own fruits and vegetable growers.

There are 36 Members of the Senate who have come together, because we grow specialty crops in our States, and have supported the efforts. I thank each Member who has lent their voice in support and strength to this effort. We have over 120 different organizations that have been working now for several years to come together to get to this point. I thank all of them for their efforts as well.

We have come a long way since the 2002 farm bill, when we were talking about trying to get some help with tree assistance or some basic nutrition programs. In 2004, we passed the Specialty Crop Competitiveness Act which defined specialty crops and for the first time gave us a policy from which to work. It laid the groundwork for the progress we have made in creating a specialty crop policy in the farm bill, including the centerpiece program such as specialty crop block grants. Today, for the first time, there is a significant package to help our growers who supply our healthy foods. This package is what I call a toolbox, not a direct payment. They have not asked for that, but they have asked for a variety of things to help them be successful and make fruits and vegetables available to our families.

The toolbox includes competitive grant programs, research funds, increased protections from pests and disease, trade export promotions, various nutrition programs to help those in need, as well as a focus on our schoolchildren, assistance for organic farmers, a very important, growing part of agriculture, as well as important conservation payments. This multitude of policies offers real reform and is needed for a variety of reasons.

It is also important to note the new disaster assistance program that has been put together accommodates specialty crops as well. There is approximately $1 billion of disaster relief for specialty crops included in the disaster relief program. It will expedite aid to producers after natural disasters for which farmers cannot plan. A critical part of this is new mandatory funding for the Tree Assistance Program. This is absolutely critical to our farmers who have orchards because our orchards—such as cherries and peaches and apples—are basically the assets. The trees are the assets for those farmers, and they are expensive assets that take years to yield profits. So being able to support those growers who have orchards and to be able to help them in a disaster is very important.

It is important to note that specialty crop farmers are also very diverse. What is good for the Washington apple growers may not be the same for Michigan apple growers. Different diseases and challenges face different growers in different parts of the country. So policies such as the State-run block grants that we have included and competitive research grants are vital to help the over 200 different types of specialty crop farmers across the Nation be able to have assistance for their particular issue, their particular areas of concern.

Second, fruits and vegetables are more susceptible to different pests and diseases. We must have the best inspection and rapid-response policies in place. Currently, the costs borne by the fruit and vegetable industry due to invasive species reaches over $1 billion a year. Our disease and pest policy will help prevent new invasive species as well as help mitigate them. This will help not only specialty crop growers but all our farmers as well as our forests.

Third, just like our traditional row crops, such as corn and soybeans, we need a strong domestic supply of fruits and vegetables. Studies suggest that even if every person in this country tried to eat the five to nine servings of fruits and vegetables per day that are recommended by the Federal Government, our domestic growers would simply not be able to meet the demand.

Fourth—and while speaking of domestic fruit and vegetable farmers—this Nation currently imports $2.7 billion more than it exports in fruits and vegetables. So we need to ensure our safety and health and help our growers as they export as well.

Finally, when we talk about specialty crops, we are really talking about eating in a healthier way. A better supply of fruits and vegetables means more access for more people to the things they need to be healthy and to prevent systemic disease in the future.

Along with our focus on specialty crops is a real partnership with the portion of the farm bill that focuses on nutrition. This farm bill makes important strides in reducing hunger in our Nation and improving the nutritional health of our children. It makes a key link between our commodities—our fruits and vegetables—and health by recognizing the importance of fruits and vegetables in the new specialty crops provisions.

The Physicians Committee for Responsible Medicine has applauded efforts to increase consumption of fruits and vegetables. They noted that HHS statistics have found that unhealthy eating and inactivity cause 310,000 to 580,000 deaths every year.

In addition, in this Congress we have made our children's health a legislative priority. In addition to our fight for the Children's Health Insurance Program, we have expanded the successful Fruit and Vegetable Snack Program so that schools nationwide will be able to give children a healthy snack. Again, my hat goes off to our chairman, who placed the Fruit and Vegetable Program in the farm bill in the past as a pilot project.

A lot of folks said: Well, even if you have a bowl of fruits—apples or other fresh fruits—and vegetables available in schools, the kids won't eat them; they will just go to the vending machine. Well, it turned out that was not true. It turned out that children loved having those apples and peaches and strawberries and plums and all of the other fruits available. Teachers across the country have been clamoring to expand this very successful Fruit and Vegetable Snack Program, and we have done that in this bill. In fact, with the passage of the farm bill, about 120,000 children in Michigan alone will have access to fresh fruits and vegetables through the snack program.

This is a very important policy in terms of the future for our children. Making sure children eat right and understand good nutrition is, of course, critical for their long-term health. According to the New America Foundation's child development and youth well-being index, health indicators for children are on the decline mainly due to children's poor nutritional health and obesity. By helping our schools purchase healthy snacks, we can not only give children better food but also help guide their nutritional choices throughout their entire lives. Maybe if they pick up an apple or dried cherries—grown in Michigan, of course—rather than junk food, we will give them an opportunity for a healthier future.

Additionally, the farm bill addresses hunger by making long overdue changes to the Food and Nutrition Program, formerly known as food stamps. Since 1996, the income standards for this program have been frozen—in other words, no increases. Food costs go up, inflation goes up, and there have been no increases. This has caused the purchasing power for families to decline as food costs and inflation have increased.

In just one example, a 32-year-old single mom named Sonya, who lives in Michigan near my hometown of Lansing, has two children ages 12 and 13. She works two jobs. One pays $10.40 an hour, where she works 24 hours a week. The other one pays her $76 a day. She is working hard to hold things together for her family. She spends nearly $650 a month in daycare expenses, right now, for her children. But under current law, she cannot count the full value of her childcare costs when she applies for the Food and Nutrition Program. This cap on childcare is a huge incentive against working.

The nutrition title will help Sonya and other families—and the vast majority of Food and Nutrition Program households are three-individual households like Sonya's—because it takes that cap off and will cover and count the costs of childcare for working moms. For example, a mother of three who works 35 hours a week at $9 an hour and pays $350 a month for childcare for a preschool-aged child would receive an additional $79 in food assistance for herself and her children. This is a huge difference. It may not sound like a lot of money, but it is a huge difference for families all across this country.

We should be very proud of the fact that on a bipartisan basis we have placed these improvements in the bill. However, we still need to do a lot more, and I certainly support other efforts to do that.

We still need to make improvements to the Commodity Supplemental Food Program. Unfortunately, our senior citizens, who make up the bulk of this program, the Commodity Supplemental Food Program, are eligible at a lower income threshold than are families. In other words, if you are a senior up to 130 percent of poverty, you can get help with food; for a family, it is 185 percent. There is really no reason to discriminate against senior citizens, and a number of organizations, including AARP, the National Commodity Supplemental Food Program Association, and America's Second Harvest, want to fix this program. I am working with the chairman to offer an amendment to do that.

I mentioned a little earlier that this bill is also a job creator. This farm bill is creating new jobs as well as a cleaner environment—both very important goals.

The energy title will help bring forth a new rural economy. In Michigan's case, this is already happening, and we welcome the provisions of this bill. They are very important to us in Michigan.

First, there are loans and loan guarantees for cellulosic ethanol refineries. In Michigan, we have interest from multiple companies to set up new cellulosic refineries. We have corn, sugar beets, switchgrass, and wood byproducts—timber—opportunities that can all be a part of the cellulosic equation. Again, I know the distinguished Presiding Officer has worked diligently in those areas. They are very important for the future of this country and certainly in my State will create jobs.

Financing is needed in the early development of these projects, as we know, and these new policies will provide that missing link, which is so critical. Perhaps by the next farm bill we will see the fruits of our labor when we can truly say: Buy fuel from Middle America instead of the Middle East.

Next, farmers need assistance to switch to these new energy crops and to produce renewable energies. New policies will provide technical assistance and resources to help producers convert to new crops that can produce ethanol and take advantage of their wastes by converting them into energy. An example of this is anaerobic digesters that our dairy farms can use to convert animal waste to energy. Not only is this a new source of income, but it also disposes of waste, therefore reducing pollution into the air and the water.

Finally, I would like to highlight another program important to Michigan that has the potential to spur economic development while alleviating our dependence on foreign oil. A Community Wood Energy Program will help invest in projects looking to use more wood products to produce energy. With a State that is more than one-third forested, and paper mills are in the decline, this is a very valuable addition, from my perspective in Michigan.

The energy title will go a long way toward a cleaner environment, but the conservation title in the farm bill is one of our most important environmental laws. Farmers are some of the best stewards of our land. We know that. They produce high-quality, safe, nutritious products while meeting strong environmental standards. Our addition of $4 billion in conservation funding this year is imperative to meet the growing demand of farmers who want to enroll in various conservation programs. These programs keep our air clean, farmland productive, spaces open, land open, wildlife thriving, and offer some of the best water quality protections.

The conservation title is especially vital to our Great Lakes, North America's largest source of fresh water. Farm bill conservation programs have ensured that once-marginal Great Lakes farmland now filters sediment and erosion while providing millions of acres of high-quality wildlife habitat, which supports the local $18 billion hunting, fishing, and wildlife-watching industry in Michigan. Programs such as the Wetlands Reserve Program improve water quality and are essential to the continued health of the Great Lakes. These programs protect and restore wetlands that serve to filter pesticides, fertilizers, and sediment out of the water that millions of Great Lakes residents depend on for their drinking water as well as for swimming and bathing and just plain fun. And we invite everyone to come and be a part of the Great Lakes experience.

I want to congratulate, again, Chairman HARKIN and my colleagues on the committee for their commitment to a strong conservation title. In spite of the tight budget we have once again, conservation is a priority.

I would like to take a moment to recognize changes in a program that I was very pleased to author as a part of this conservation title. The Great Lakes Basin Program for Soil Erosion and Sediment Control will be reauthorized for another 5 years under the current bill. This program has a proven track record of efficiently providing grant funding to local organizations and governments to prevent soil erosion in the Great Lakes region.

I am pleased to have been able to add language to the farm bill to tie the Great Lakes Basin Program to the Great Lakes Regional Collaboration Strategy to Restore and Protect the Great Lakes. This will assist in accomplishing two of the Great Lakes Regional Collaboration Strategy's priority recommendations: first, targeting cleanup activities in severely polluted rural watersheds; secondly, restoring urban watersheds that have been degraded by development.

The Great Lakes restoration strategy is really a comprehensive blueprint for restoring the Great Lakes. It was initiated following an Executive order which recognized the Great Lakes as a national treasure. The strategy was produced by a broad cross-section of people representing our local communities, the State and Federal Government—truly a bipartisan effort—NGOs, tribes, and various stakeholders that came together.

The strategy identifies reducing nonpoint source runoff from rural and urban areas as one of the top eight sets of priority recommendations necessary for restoring the health of the Great Lakes. This program will enable the region to initiate pilot projects consistent with these recommendations. I am very pleased this is part of the farm bill.

Restoring the Great Lakes must be a national priority. A recent Brookings Institute study clearly showed that Great Lakes restoration is about more than environmental restoration; it is about protecting our way of life. Reducing soil erosion, sediment, and pollutants helps maintain a clean source of drinking water for over 42 million Americans and Canadians who depend on the Great Lakes. Decreasing nonpoint pollution in the Great Lakes reduces the damage caused to fish and wildlife habitat and will help protect a sport fishery that generates $4 billion a year. Reducing nonpoint pollution will reduce the costs of maintaining stormwater systems and the costs of dredging the harbors and marinas that are the economic backbone to the Great Lakes region's shipping capacity, in addition to a $1 billion recreational boating industry. This program ties a Great Lakes program with a proven track record to the implementation of a comprehensive strategy that, when fully implemented, will protect an international treasure for the next generations.

I also want to acknowledge another important piece that I was pleased to author in the farm bill that is important to American producers. Current law clearly states that all purchases made—to the maximum extent practicable—with Federal funds for use in the National School Lunch and Breakfast programs should be domestic goods; in other words, American-made, American-grown. Congress has passed this law in multiple statutes and has repeatedly reinforced its support for the Buy American provision, and expects it to be implemented and enforced. Unfortunately, USDA has not adequately enforced the Buy American provisions in current law. This is another example of this administration's failure to enforce the laws on the books, and this time our growers and consumers are paying the price. The list of trade enforcement violations is growing, and today the United States has the weakest trade enforcement effort of any developed country. It is important we make sure that while the USDA buys only domestically grown food for schools, that we also make sure when the school programs themselves—the local programs—are purchasing, that they know this provision is in place.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. STABENOW. Mr. President, I ask unanimous consent for an additional 2 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. No objection. How many minutes? Two?

Ms. STABENOW. Two.

Mr. DOMENICI. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Thank you very much.

There is so much in the farm bill that it is difficult to have a short presentation. I am only touching on a few of the major areas.

Let me conclude, though, by summarizing the Buy American provisions because, unfortunately, even this past July at a national school food conference, a food company marketed peaches that said "peaches from China packed in Thailand," and I know we grow great peaches in the United States. So we want to make sure that as we are putting all of these provisions together to support American agriculture, that, in fact the USDA is doing everything possible not only to purchase themselves but to communicate with our school programs and other nutritional programs that we expect we will purchase from local growers, American growers first. We hope we will not have to say this again. We have put this in numerous bills. It is vital that we take this very seriously if we are going to, in fact, be supporting American growers. This provision—the Buy American amendment—matches the House-passed language, and I am hoping they will join us in making sure it is truly enforced at this time.

As my statement shows, this farm bill is expansive. It is important to all parts of our country, our families, our communities. It is important in so many ways as we look for healthy foods and strong communities and jobs, preserving our land and our water. It has very important policies, traditional policies we have had for some time, coupled with new approaches for the future in alternative energy and other areas that are critical for the future of our country. I regret that the administration has indicated a possible veto of this bill. I hope, in fact, they will reconsider as we move along. This is an important bipartisan effort. A tremendous amount of work has gone into this. This is truly a farm bill for the future of the country. It is fiscally responsible. It is paid for. I am very hopeful that not only will we pass this with a strong bipartisan vote, but that the President will support this very important effort to support our growers, our farmers, our ranchers, as well as the food security of the United States.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New Mexico has 15 minutes under the previous order. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, parliamentary inquiry: I am to be followed by Senator THUNE, who has 15 minutes, is that correct?

The PRESIDING OFFICER. That is not yet a part of the order.

Mr. DOMENICI. I ask unanimous consent that it be the case.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I rise this afternoon to discuss the process under which we consider this bill that has been set forth by the majority leader earlier. I also want to discuss a critical issue facing our farmers. I do not want to belabor the point that has been made by our distinguished Republican leader, Senator McCONNELL, and by Senator GREGG about the importance of an open amendment process, but I do want to add some context, if I might.

I understand it is the majority's prerogative to fill the amendment tree, and it has been done by leaders of both parties in the past. However, I wanted to go on record about the potential serious danger of this process. Earlier, the majority leader stated that only amendments that are relevant to the farm bill will be allowed to be offered and voted on.

Well, I cannot think of any amendment more relevant to the economic security of the American farmer than an amendment to increase the renewable fuel standard. I am very hopeful the amendment will meet the test the leader has made for amendments. I don't know yet whether it will, but I think before I am finished and before other speakers are heard, it should be quite obvious that there is no amendment that could be offered that is more important to rural America and the farmers than this one.

Since we passed the first ever renewable fuels standard in the Energy Policy Act of 2005—and the occupant of the chair was a member of the committee that wrote it—bipartisan—and played a very vital role in a number of its provisions—since that Energy Policy Act, we have seen a surge in ethanol jobs and a surge in the construction of ethanol plants. I think we all know that. In 2006 alone, the ethanol industry supported the creation of 160,000 new jobs, while producing 5 billion gallons of ethanol. These are American farm jobs which help produce American fuels and help reduce our dependence on foreign oil. It seems to me the relevance of ethanol is asked and answered.

My bipartisan amendment would set annual requirements for the amount of renewable fuels used in motor vehicles, homes, and boilers. It would require that our Nation use 8.5 billion gallons of renewable fuels in 2008 and progressively increase to 36 billion gallons by 2022.

My amendment will help the ethanol industry right now by doubling the current ethanol mandate from 7.5 billion gallons in 2009 to 15 billion gallons by 2015. That will ensure that America will be using the additional ethanol that farmers are producing.

Beginning in 2016, an increasing portion of the renewable fuels must be advanced biofuels. Advanced biofuels include cellulosic ethanol, biodiesel, and other fuels derived from unconventional biomass feedstocks such as sorghum. The required amount of advanced biofuels begins at 3 billion gallons in 2016 and increases to 21 billion by 2022.

I want to depart from my text and talk a minute with the Presiding Officer and any other Senators who are listening. This amendment is part of the so-called Senate Energy bill passed in June. It has three major parts, and this is one part of it. This is one that has a lot to do with ethanol, but it was part of the Energy bill we passed and took a lot of pride in. Since then, the House passed a bill. The House passed two bills on energy. Their bills were, for all intents and purposes, completely different than the Senate's bill. We have been totally unsuccessful in moving anything in the direction of getting either our bill or their bill moving toward a bicameral solution in conference or by agreement between the two Houses through appropriate people. That is not occurring. There is lots of talk but no action. Pretty soon we will be giving the excuse for doing nothing for the ethanol prices—we will be saying, wait another month and we will get this agreement with the House. The Senate-passed bill will somehow get negotiated out with the House, with somebody, somehow, sometime, even though they don't have any provision in their bill that is like the one I am talking about.

This amendment is in our bill—the bill of the Senate—that we worked so hard on. It is the one the President talked about in his State of the Union Address, as the occupant of the chair might remember. Cellulosic was what everybody talked about: In about 2 years we break that R&D requirement and we are ready to go with the most critical new fuel—cellulosic. Now we sit and say, let's not do anything. I am kind of prejudging what some will say tomorrow when this amendment, which will be filed at the desk and which is nothing more than the Energy bill that was passed with all of the amendments that were adopted, that was subtitle B, the biofuels for energy security and transportation as part of the Energy bill—it is now an amendment I am asking to be attached to the farm bill. I think it should meet the leader's test where he said it has to be something that is strongly related to agriculture or he isn't going to consider it. Considering things such as perhaps the Lugar bill, which is highly touted as a substitute—it won't pass, but it will be permitted to be offered as an amendment, I assume.

This amendment is very important. We could get out of here in December and not have an agreement with the House on this energy bill. I repeat: They don't have this provision in their bill. They are going to have to accept a whole new approach. Energy security and transportation through biofuels is part of the 3 components of the bill, of the big bill we are talking about. We would have to find some way for the House to accommodate all three of the big sections, because they have none of them. They don't have this one. They don't have CAFE, on which our fellow committee members on Commerce worked very hard. They don't have CAFE in theirs. They don't have this provision, and they don't have the very large provision we have in ours with reference to maintenance and security, reducing the costs of various fuel products. So it is not going to be easy to get that. It would be very easy—if the majority leader agrees tomorrow, it would be very easy to adopt this amendment and, eventually, if the agriculture bill passes and goes right over to the House, and they have no alternative—they have to go to conference with a farm bill that is going to be very popular and it is going to have this provision on it, and it is very popular. As my colleagues know, if it were freestanding and didn't have any of the problems of: Does it belong on this bill, which I think is an irrelevant statement—we shouldn't be talking about that—it belongs on this bill, we are going to make up a rule if we don't let it come on here. It fits; it is germane; it is relevant. Any words we have used historically for amendments, it is that.

Now, beginning in 2016, an increasing portion of renewable fuels must be advanced biofuels, which must include cellulosic ethanol, biodiesel, and other fuels derived from unconventional biomass feedstocks, such as sorghum. The required amount of advanced biofuels begins at 3 billion gallons in 2016 and increases to 21 billion by 2022.

Advanced biofuels do not have many of the challenges that conventional ethanol does. The inclusion of advanced biofuels strikes a balance that will allow America to begin diversifying our fuel supply in a very short term and in the long term.

That is why, when supporting these same provisions in the Energy bill, the Renewable Fuels Association said that they "strike the right chord"—that is what this does—noting that "such an investment in our Nation's energy future promises to spur the creation of new, good-paying jobs across the country."

This amendment consists of the very same provisions passed by the Senate in June as we considered the Energy bill. Some may ask, then, why do I seek to offer this amendment to the farm bill? I have already told you my answer. Repeating, first, the Energy bill is languishing largely because the House has very different provisions, and we have no way of going to conference. We are not in conference. We are negotiating in some way. People are talking. Committees are talking, but nothing is agreed upon by anyone as to the process or procedure. Certainly, we have to have that bipartisan. It will not pass if it comes here from the House and doesn't have some Republican input. I assume it will come from people such as me, as ranking member of one of the committees, or maybe Senator STEVENS, who would have to be part of it if it were to have a real chance.

The second reason is this amendment is relevant to the farm bill. It is necessary now to reinvigorate the ethanol industry, and that industry and everything that makes it up is looking to Congress to extend this mandate as soon as possible.

In one sense, we have been a victim of our own success. Thanks to the 2005 Energy bill, rural America has answered the call for increased ethanol production. In fact, we have now exceeded the original mandated amount in our fuel mix. For example, in 2006, the ethanol standard was 4 billion gallons and, in fact, our domestic production of ethanol was 5 billion gallons. We can do more and the American farmer is looking for Congress to do more.

Over the last year, the price of ethanol has dropped nearly 40 percent. The reason for this is simple economics. We have an increased supply and diminished demand in the marketplace. As a result the construction of new plants has been delayed meaning new job growth has been diminished and rural communities are looking to us to take action. We cannot wait for a languishing energy bill while rural communities are losing their opportunities. This amendment is not simply relevant to the farm bill, Mr. President. It is necessary.

This matter will come back. It will be filed sometime tomorrow, or the next day, depending on when the leader will talk to me on the floor.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, I want to thank my colleague from New Mexico for his leadership on energy issues, generally, as a former chairman and now ranking member on the Energy Committee, and particularly regarding renewable fuels.

In 2005, the Senate, the Congress passed an energy bill that was signed into law by the President, which, for the first time ever as a matter of policy, put into place a renewable fuels standard. That was in no small part a tribute to the leadership of Chairman DOMENICI and his good work, working with many of us who care deeply about renewable fuels and making sure we are advancing that industry in this country so we can lessen our dependence upon foreign sources of energy. So I appreciate his leadership and am glad to be able to work with him again as we try to offer a renewable fuels standard to the farm bill, which has already been adopted, as he mentioned, by the Senate regarding the Energy bill. The Energy bill is currently tied up and, hopefully, we will produce an energy bill this year before Congress adjourns for the holidays. But if, in fact, we cannot get that done, it is important for this industry, and I believe for our country's interest, that we get an expanded renewable fuels standard put into law.

Mr. President, the bill before us today is entitled the Food and Energy Security Act of 2007, commonly referred to as the 2007 Farm bill. The naming of this bill is not without meaning. It is abundantly clear that agriculture and energy production are inherently related, and together will move our Nation toward greater food and energy security.

The 2002 Farm bill was the first farm bill to include an energy title. As a member of the House Agriculture Committee during the 2002 Farm bill debate, I can attest that including an energy title in the farm bill was not easy, nor was it without controversy. However, Congress had the foresight to realize that renewable energy was an integral part to our agriculture economy and a comprehensive farm bill would be incomplete without including renewable energy incentives.

The Food and Energy Security Act of 2007 also includes an energy title that builds on the success of the 2002 bill. The incentives in this energy title will greatly benefit American consumers, our agriculture producers, and our Nation's energy independence.

As part of the 2007 Farm bill, the Senate Agriculture Committee worked with what little resources we had to meet the demands of a new generation of renewable fuel. In particular, the committee included a provision that Senator BEN NELSON and I helped draft that will provide incentives for farmers to grow energy dedicated crops in conjunction with the construction of a nearby biorefinery.

There is a chicken and egg dilemma with regard to cellulosic ethanol production. If you ask a farmer in South Dakota or Georgia or California to change his planting pattern to grow energy dedicated crops, the response will likely focus on a lack of market to sell these crops.

If you ask an ethanol producer about the prospects of cellulosic ethanol, they will likely highlight the lack of energy dedicated crop availability.

In reality, energy dedicated crops such as poplar trees, switchgrass, and miscanthus, take 2 to 3 years to establish. Likewise, a new generation cellulosic ethanol biorefinery will take several months or years to build. There is an obvious gap in the marketplace for cellulosic ethanol production, and this bill would fill this gap by providing first-of-its-kind incentives for producers who grow energy dedicated crops in conjunction with the construction of local biorefineries.

This provision represents significant progress in our agriculture policy as we look for ways to promote advanced biofuels.

The Food and Energy Security Act also authorizes the U.S. Department of Agriculture to provide grants and loan guarantees for commercial scale biorefineries. Private sector investment in the renewable fuels will ultimately determine the success of this industry, and it is critical that funding mechanisms are in place that will move cellulosic ethanol from the laboratory to full scale production.

Additionally, it is important to note that these loan guarantees would also benefit existing plants that wish to repower their facilities or retrofit with new cellulosic technology.

By leveraging a small amount of tax dollars with hundreds of millions of dollars in private equity, federally backed loans for new plants are an effective policy that will help grow the production of advanced biofuels.

Although the Senate version of the 2007 farm bill includes several important energy provisions, it is missing one critical component that would increase the market demand for renewable fuels.

Just a few moments ago, Senators DOMENICI, NELSON, GRASSLEY, and I introduced a bipartisan amendment to increase the renewable fuels standard from 7.5 billion gallons in 2012 to 36 billion gallons in 2022.

Last June, the Senate acted in a bipartisan manner and passed an Energy bill that increases the role renewable fuels as a part of our energy policy. This amendment reflects the Senate-passed RFS, and I hope my colleagues will once again support this policy as an amendment to the 2007 farm bill.

Some of my colleagues may ask, "Why include a renewable fuels standard as part of the 2007 farm bill?" The answer is simple, since the beginning of Federal farm programs, no single policy has had a greater impact on American's agriculture industry than the renewable fuels standard enacted by Congress in 2005.

The renewable fuels standard and the dramatic expansion of biofuels production has provided farmers with an alternative market for their crop and increased demand for corn production. The renewable fuels standard has created jobs in rural communities and spurred investment opportunities in rural America.

The expansion of the biofuels industry hasn't been perfect. The dramatic expansion of biofuels has led to concern among some livestock producers and food processors about inflationary trends in commodity prices. However, these concerns are being addressed by the marketplace. Producers have responded with record corn production and will continue to meet the demand for feed, food, ethanol, and exports.

Additionally, like the Senate-passed renewable fuels standard, this amendment would boost the production of advanced biofuels by requiring the production of 21 billion gallons of cellulosic ethanol by 2022.

Crude oil is trading at over $90 per barrel. Many analysts are predicting oil will hit $100 per barrel in the near future. Typically, in the late fall, early winter, consumers are granted a reprieve from high gasoline prices as demand subsides from the summer driving season.

However, this fall, the retail price of gasoline has remained at high levels. Yesterday, the average price of gasoline reached $3 per gallon—an all time record for gasoline prices in November. Many are predicting even higher prices in the near future if the price of crude oil continues to climb.

When is enough, enough? When are we going to take a stand and stop sending American dollars overseas to countries that want harm to the United States when we have an untapped resource for clean renewable fuel here at home?

I believe I speak for the majority of U.S. Senators when I say we should purchase our fuel from America's agricultural producers rather than from overseas oil cartels.

In 2005, Congress as acted to enact the first ever renewable fuels standard of 7.5 billion gallons by 2012. By the end of this year, our Nation's ethanol capacity will total almost 7.5 billion gallons, 4 years ahead of schedule. With planned and existing construction, our Nation's ethanol capacity will soon double.

Clearly, as our biofuels industry advances, so must our national policy. Now is the time to increase the renewable fuels standard and usher in a new generation of cellulosic ethanol production.

I thank Chairman HARKIN and Ranking Member, CHAMBLISS for their support for a strong energy title.

Over the past several months, we have had a thoughtful and conscientious debate on farm and energy policy. Considering the limited resources presented to the Committee, we crafted a bill that will undoubtedly move production agriculture and renewable fuels forward in a sustainable and reliable manner.

Adding a strong renewable fuels standard to the Food and Energy Security Act would greatly enhance these efforts. The U.S. Senate is already on record for supporting provision by a wide bipartisan majority. I encourage my colleagues to once again support this amendment.

There are so many things we can do in this farm bill to help improve the agricultural economy in this country. I will speak at a later point about some of the other provisions in the bill that I think will do that. But I cannot emphasize enough the importance of the energy title to not only American agriculture but to America's position and place in the world relative to our need for energy and our ability to meet that need here at home.

I hope my colleagues in the Senate will move in an expeditious fashion to pass this farm bill. Before we do that, let's take a hard look at what we can do to make this energy title even stronger and create an even more robust market for renewable energy, so those great American farmers out there who are producing the food and fiber for this country can also continue to produce fuel to meet America's growing energy demand and lessen our dependence upon foreign sources of energy.

I, again, thank the Senator from New Mexico for his leadership on this issue and for his important role in 2005 in getting the renewable fuels standard put into law for the first time—the 7.5 billion gallon standard I mentioned—by 2012. But it is now important that we increase that standard—as proposed in this amendment and as passed earlier by the Senate in the Energy bill—to 36 billion gallons by 2022. If we do that, we will make a very strong and bold statement about our commitment to reducing our dependence upon foreign energy and making America energy independent.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, there is a worldwide epidemic of illegal logging which has been poisonous for the global environment and devastating to vital American industries. Given the urgency of this problem, Senator ALEXANDER, myself, and more than 20 other Senators have joined in legislation—S. 1930, the Combat Illegal Logging Act—and I and my good friend from Tennessee are on the floor and wish to speak briefly about this legislation.

We have worked for many months on this bill, cooperatively with the forest products industry, with the conservation community, and with labor organizations, and the Congressional Budget Office recently scored our legislation as having no cost. We have filed this legislation as an amendment to the farm bill, and we believe it is urgent that the Senate pass this legislation on a bipartisan basis to protect American companies from unfair competition and to protect forests around the world against illegal logging.

More than 1 year ago, a group of hardwood plywood manufacturers came to me with concerns about illegal Chinese hardwood plywood imports that were threatening their businesses. A whole host of unfair and illegal practices was lowering the costs of the Chinese hardwood plywood import sector, giving them an unfair advantage over our American hardwood plywood and putting American companies in jeopardy of going out of business and the workers they employ out of work.

Since then, I have been working to level the playing field for these plywood manufacturers, many of whom are in Oregon, and to protect the jobs of the workers they employ. In the course of all this, I have met with the Department of Commerce, the Office of the United States Trade Representative, Customs and Border Patrol, and the International Trade Commission, and have urged them to pursue these issues and act where appropriate. They have, I commend them for it, and they have raised troubling practices that we have brought to light in diplomatic negotiations, opening investigations and even filing a case before the World Trade Organization targeting Chinese subsidies that benefit the hardwood plywood industry.

Our legislation—the legislation Senator ALEXANDER and I hope to win passage for as part of the farm bill—would level the playing field for all American plywood manufacturers as they struggle to compete against artificially low-priced wood and wood products. I am also pleased we have been able to secure the support of the conservation community. They have joined us in this effort because they know it is critically important to the protection of the environment worldwide to act against this illegal logging epidemic.

From the Amazon to the Congo basin to Siberia, we are seeing illegal logging devastate some of the most precious and valuable ecosystems one can imagine. It has been gutting local economies. It has annihilated the very way of life for a number of these communities. Because of the speed and violence with which illegal logging is occurring, failure to curb its effects now, in my view, is going to result in irreversible damage to forests around the world.

I note my friend from Tennessee is on the floor, and I want to make a couple of additional comments and allow him to speak as well. I see other colleagues want to talk, but I want to take a minute to describe how this illegal activity takes place.

It is typically done by complex criminal networks that have multinational funding, which I think is almost analogous to the way the drug trade works. There was a recent Washington Post article that documented how logs from Burma had been smuggled into Chinese processing facilities and then were exported to major retailers here in our country. In these Chinese processing facilities, what happens is the logs are often mislabeled and misclassified. Sometimes they are even fraudulently stamped with counterfeit stamps that mimic those of well-known wood certifications, such as the Forest Stewardship Council label.

There have been additional reports that have demonstrated how illegal logs are being smuggled out of the last intact rain forest in Asia, in Indonesia, and then they are made into flooring in China to feed the high-end markets in the United States and the EU. So the world's final remaining stands of old-growth teak, for example, are being stripped from Burma's forests to finance the bloody oppression of the military regime. The trade in teak and other valuable tropical hardwoods of Burma and China has reached as much as $350 million in 2005. In some cases one tree is so valuable on the international market that illegal loggers will cut a road through dense tropical forests to access it.

The amendment Senator ALEXANDER and I seek to offer—and there are many bipartisan supporters—would curb illegal logging by making changes in the Lacey Act, which currently regulates trade in fish, wildlife, and a limited subset of plants. The Combat Illegal Logging Act of 2007 would expand the Lacey statute so that violations of foreign law that apply to plants and plant products would fall within its protections. This would make it against the law to import timber illegally harvested and obtained in a foreign country. The act would change the way people who are importing harvested timber and wood products do business. That is its intended purpose.

But I will tell you—and then I want to give what additional time I have left to my friend from Tennessee—I commend the wood products sector, particularly the American Paper Association, which has worked so closely with us. As the Forest and Paper Association, as is their formal name, they have worked diligently with us to make sure the many wood products firms that have worked responsibly in this area can be supportive of this legislation. I am grateful to them for their support and the many environmental organizations that have joined with us.

I see my friend from North Dakota and my friend from Minnesota are here as well. With their leave, Mr. President, I yield whatever time I have to the cosponsor of this legislation, I thank him, and we can conclude our remarks with Senator ALEXANDER.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Oregon. He has pursued the illegal logging issue in his usual way, with a lot of persistence and in a bipartisan way as well.

If he has not already done so, I will ask unanimous consent to list the 22 cosponsors of the Combat Illegal Logging Act he has helped to recruit, and I thank him for including me as a part of this bill. It is important to the great Northwest and it is important to the Southeast, where we have large paper companies, but it is also important to conservation and to the rule of law in our country.

The Senator from Oregon made a point that is maybe the central point here when he compared our efforts to stop illegal logging to our efforts to stop the bringing of illegal drugs into the United States. We all know the tremendous amount of effort we go to, for example, to keep cocaine out of the United States. We send millions of dollars to Colombia and to other countries and we try to stop that. But the real problem we have is we are a big, rich country, and there is a big demand for cocaine here. So no matter what we do in the other countries, the cocaine still keeps coming in, and the same with other illegal drugs. Here we have a chance to make a much bigger difference than we can with illegal drugs. We still are creating the demand problem. This is a country that accounts for 25 percent of all the wealth in the world. It is a country that perhaps buys a huge volume of illegal timber from around the world. Well, we can stop that. This is not a drug addiction, this is a business practice, and it is a practice we can stop according to the laws of this country. When we stop it, we will make an enormous difference for our country and for the other countries.

Let us be absolutely clear. We are talking primarily about the laws of other countries. We are not talking about imposing American laws on other countries. We are simply saying if you violate the laws of any other country in the world, you can't bring those logs into the United States without violating a criminal law here. If this big economy says that to the world, we will make a dramatic difference in illegal logging.

As the Senator from Oregon said, it is an estimated $1 billion a year in depressed prices and reduced exports. It depresses prices $500 million to $700 million annually. It means the people who play by the rules in the United States are having money taken from them by criminals who don't play by the rules in other countries, with the rules set by other countries; not by us, by other countries.

There are other ancillary benefits—climate change, for example. There is a lot of talk about that here in the Senate. We are all looking for ways to deal with that. It may be expensive to deal with, it may be inconvenient to deal with, but some estimates are that 20 percent of climate change is caused by deforestation. According to the World Bank, illegal logging accounts for 10 percent, or $15 billion, of the world timber trade. So if we are able to slow down illegal logging in other countries, we will be making an inexpensive contribution, from the American taxpayers' point of view, to dealing with climate change, and at the same time we will be putting money in the pockets of those who work in this country in the timber and timber products business.

This is a rare intersection of the rule of law, of good conservation practices, and of keeping jobs in the United States.

I salute the Senator from Oregon for his leadership, and with his permission I ask unanimous consent to have printed in the RECORD the "Dear Colleague" letter which he and I sent to our colleagues, resulting so far in 22 Members of the Senate cosponsoring the Combat Illegal Logging Act of 2007.

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U.S. SENATE,
Washington, DC, October 17, 2007.

DEAR COLLEAGUE: We are writing to ask you to cosponsor S. 1930, the Combat Illegal Logging Act of 2007. This bill enjoys the support of a very broad coalition that includes members of the U.S. forest products industry, conservation community and organized labor, and has already received bipartisan support from many of our colleagues.

Illegal logging is a criminal activity that often circumvents a nation's legal process and halts efforts to establish good governance—by going around a nation's law and relying on corruption, bribery and theft. It destroys ecosystems, contributes to carbon emissions, harms often poor and rural communities, and forces American businesses and workers to compete against inappropriately low-cost forest products made from illegally sourced fiber. Illegal logging costs the U.S. forest products industry an estimated $1 billion per year in depressed prices and reduced exports, and contributes to ongoing mill closures and job losses.

The Combat Illegal Logging Act changes the incentives that drive trade in illegal timber. This legislation will raise the risks for illegal trade without harming legal trade and will be an important step toward leveling a playing field currently stacked against the U.S. forest products industry and importers and retailers committed to trading in legal wood products. Furthermore, it will also bring the power of the U.S. market to bear on fighting the illegal logging problem and will reinforce work being done with U.S. tax dollars to improve governance in forest-rich developing countries.

Organizations endorsing this bill include: American Forest & Paper Association, Center for International Environmental Law, Conservation International, Defenders of Wildlife, Dogwood Alliance, Environmental Investigation Agency, ForestEthics, Friends of the Earth, Global Witness, Greenpeace, Hardwood Federation, International Brotherhood of Carpenters and Joiners of America, International Brotherhood of Teamsters, Natural Resources Defense Council, Rainforest Action Network, Rainforest Alliance, Sierra Club, Society of American Foresters, Sustainable Furniture. Council, The Nature Conservancy, Tropical Forest Trust, United Steelworkers, Wildlife Conservation Society, and the World Wildlife Fund.

We'd be glad to furnish additional information, or your staff may wish to be in touch with Michele Miranda with Senator Wyden at 4-5244 or LaTonya Miller with Senator Alexander at 4-7198 if you would like to cosponsor this important legislation.

Sincerely,

RON WYDEN,
U.S. Senator
LAMAR ALEXANDER,
U.S. Senator

Mr. ALEXANDER. The value of this letter is to highlight the organizations endorsing the bill, ranging from the American Forest & Paper Association, to Defenders of Wildlife, to the Friends of the Earth. That is pretty good company in which to be.

Again, I thank the Senator from Oregon. I hope very much that the Senate will agree to this amendment. It may seem like a small step, but it will put money in the pockets of American workers. It will help with climate change. It will uphold the rule of law in our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I rise this evening to urge the White House to back away from their threats to veto the farm bill that is presently before the body. I think the White House would be much better advised to wait until congressional debate has concluded before making any final judgments on this bill.

In fairness, it should be pointed out the veto threat that came out of the White House today was not from the President. It is very interesting what did come out. This is the staff of the President saying, if the farm bill were sent to the President's desk, they would recommend to the President that he veto the bill.

Now, all of us know the dance that goes on in Washington on major legislation, and we all know this is negotiating leverage for the conference committee to come when the differences are worked out between the House and the Senate. So that is what is really going on.

The fact is, this farm bill is fiscally responsible. It helps our Nation's farmers and ranchers. It promotes new sources of energy, reduces our dependence on foreign oil, enhances conservation, and improves nutrition. But it does it in a way that is paid for and is within the budget.

I saw that some administration sources were asserting that there is somehow $36 billion of extra money in this bill. That is truly a concoction, $36 billion. Let's be clear. This bill costs $288 billion. The baseline is $280 billion. In other words, if we were just to have the same farm bill for the next 5 years as we have had for the past 6 years, it would cost $280 billion. This bill costs $288 billion. That is an $8 billion difference, not a $36 billion difference.

Why do we have more money than the current farm bill? Because the world has changed. We are trying to adjust the farm bill to deal with the new reality. What is that new reality? There is an energy opportunity for America, and this farm bill attempts to seize that opportunity. What is the opportunity? It is the chance to reduce our dependence on foreign oil.

Here are some key facts to remember about the bill. It is a 5-year bill. Its costs beyond 5 years will be determined in the next farm bill. So when the President's people take the 5 years of this farm bill and then extend it and look at its 10-year cost, that is not this bill. This bill is a 5-year bill. It is fully paid for. It complies with pay-go. It does not add one dime to the Nation's debt.

In fact, it cuts commodity title payments by $7.5 billion over 5 years. Those are the provisions that have drawn the most fire. It tightens payment limitations and eliminates loopholes. Notably, it ends the three entity loophole that has allowed some operators to effectively double their Government payments, and it begins direct attribution, requiring that Government payments be directly attributed to an individual.

The farm bill also keeps commodity program outlays which have been singled out for criticism in the media below CBO's August 2002 baseline, the baseline used in drafting the last farm bill. In other words, we can expect farm bill commodity program costs to remain below the level anticipated when the last farm bill was drafted.

This is what the last farm bill projected would be the cost of continuing those provisions. That is the red line. Here is the projected cost of the new farm bill, far below what the estimates were when the last farm bill was written. In other words, if we look at commodity programs, those are actually only 14 percent of this farm bill, commodity programs, but it seems to be the area that draws the most controversy.

But somebody apparently has not informed the administration or the White House that if you extend the Congressional Budget Office's baseline for commodity programs and compare it to this farm bill, this farm bill is well below what the last farm bill would have cost if it had just been simply extended.

So there are real savings. Over the next 5 years we can see the total farm bill outlays, including baseline farm spending, and this new farm bill will make up only 1.9 percent of total Federal outlays. In other words, this is the current bill we are working on now.

If you look at the total of Federal outlays, and you look at what this farm bill will cost, total cost is 1.9 percent of total projected Federal outlays during the period. The last farm bill was well over 2 percent. So as a share of Federal spending, agriculture's share is going down, and the commodity provisions that are so controversial are going down significantly.

In the last farm bill, commodity programs cost less than 1 percent, three-quarters of 1 percent of total Federal spending. But in the new farm bill that will be down to one-quarter of 1 percent. Still people complain. My goodness, I do not think they have any idea what they are talking about. I really do not.

The total farm bill has shrunk as a share of the total Federal budget. Commodity programs have shrunk dramatically as a share of the total Federal budget. It is worth noting that the cost of extending the 2001 and 2003 tax cuts dwarfs the funding in this farm bill. In fact, when shown on the same chart, the 2007 farm bill funding is barely visible.

This farm bill funding is fully paid for. It is ironic that some of the same people who complain about the farm bill funding are calling for the far more expensive extension of the 2001 and 2003 tax cuts without paying for a dime of it. And they are trying to talk about being fiscally responsible.

Look here. The President wants to extend the 2001 and 2003 tax cuts. Here is what that costs. Here is what extending the 2007 farm bill funding is.

There is no comparison. There is just no comparison. So if we are talking about being fiscally responsible, let's get real.

In addition, when I say this bill is paid for, it is just not my claim, this is the assessment of the Congressional Budget Office. They have analyzed the bill. They say it is fully paid for. In fact, they say: In the 5 years of the bill, there is a savings, when everything is taken into account—the spending, the offsets—that we have $61 million left over from 2008 to 2012, $61 million to the good. So there is not one penny added to the deficit or the debt as a result of this farm bill.

The administration has claimed this farm bill includes tax increases. That is wrong. This bill does not include tax increases. It does include loophole closers that have very strong bipartisan support. For example, it would codify the economic substance doctrine prohibiting businesses from using certain tax avoidance schemes. It revokes tax benefits for leasing foreign subways and sewers. I know this is hard to believe, but there are actually companies and individuals who are reducing their U.S. taxes by buying foreign sewer systems, depreciating them on the books for U.S. tax purposes, and leasing those sewer systems back to the European cities that built them in the first place.

Does anybody consider that a tax increase? I do not. I think it is cutting a tax loophole. It increases penalties for failure to file correct information returns, and it denies deductions for certain fines and penalties. I do not consider any of those tax increases.

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Look here. The President wants to extend the 2001 and 2003 tax cuts. Here is what that costs. Here is what extending the 2007 farm bill funding is.

There is no comparison. There is just no comparison. So if we are talking about being fiscally responsible, let's get real.

In addition, when I say this bill is paid for, it is just not my claim, this is the assessment of the Congressional Budget Office. They have analyzed the bill. They say it is fully paid for. In fact, they say: In the 5 years of the bill, there is a savings, when everything is taken into account—the spending, the offsets—that we have $61 million left over from 2008 to 2012, $61 million to the good. So there is not one penny added to the deficit or the debt as a result of this farm bill.

The administration has claimed this farm bill includes tax increases. That is wrong. This bill does not include tax increases. It does include loophole closers that have very strong bipartisan support. For example, it would codify the economic substance doctrine prohibiting businesses from using certain tax avoidance schemes. It revokes tax benefits for leasing foreign subways and sewers. I know this is hard to believe, but there are actually companies and individuals who are reducing their U.S. taxes by buying foreign sewer systems, depreciating them on the books for U.S. tax purposes, and leasing those sewer systems back to the European cities that built them in the first place.

Does anybody consider that a tax increase? I do not. I think it is cutting a tax loophole. It increases penalties for failure to file correct information returns, and it denies deductions for certain fines and penalties. I do not consider any of those tax increases.

Let's go to the next slide because I want to rivet the point. One of the ways of paying for the farm bill, or at least a part of it, is to shut down this scam. This is a picture of a European sewer system. And you do have to wonder, what has a European sewer system got to do with the American farm bill? Well, one of the things we found is, some companies and some wealthy individuals are actually buying sewer systems in Europe, depreciating them on the books in the United States to reduce their tax burden, and then leasing them back to the cities that built them in the first place.

Now, I know this sounds too fanciful to be true, but it is true. And it does not apply just to sewer systems. We have people who are doing this with European city halls. They are buying European city halls, depreciating them on their tax bills here, and then leasing them back to the European cities that built them in the first place. That is just a scam. So we are shutting down that scam. I do not think that is a tax increase. I think that is shutting down an abusive tax loophole.

The fact is, we actually cut taxes in this bill. Here are the tax cuts that are provided: $7.3 billion for conservation, including a tax credit for farm land, and a conservation reserve program, $2.5 billion for energy initiatives, including a tax credit for small producers of cellulosic fuel, and $800 million for agriculture and rural areas.

Tax relief. That is what is in this bill. Tax relief. But it is paid for. The entire bill is paid for. The administration has also complained that this bill contains sunsets. I would remind my colleagues this is a 5-year bill. And some of the programs, if we would extend them, would go on for more than 5 years. But we do not have unlimited means, so we have had to cut things off. What does that mean? That means when they write the next farm bill, those things are going to end unless somebody finds new money or savings to pay for them. That is how we always write legislation.

We cannot determine what is going to happen 10 years from now. This is a 5-year farm bill. Over the 5 years, this is the point I want to make: This bill is fully paid for. There is no budget point of order against this bill. None. This bill fully complies with pay-go. The only difference between this bill and simply extending the current farm bill is we have added less than 3 percent for energy initiatives to reduce our dependance on foreign oil and for certain conservation measures to further protect our vital resources. Every dime of it is paid for. That is the fact.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. COLEMAN. Mr. President, I thank the Senator from North Dakota. There has been a lot of discussion about this being a costly bill. It was worthwhile for me to sit here and be reminded again of the nature of this investment, the fact that things we are doing in renewable energy are the future of America. It is not just about taking care of some Minnesota and North Dakota farmers. Every gallon of gasoline we replace with ethanol is less money in the pockets of thugs and tyrants such as Chavez and Ahmadinejad. I thank the Senator from North Dakota. If you recall the last farm bill, there was a lot of discussion about whether the President should veto that. Now we look back and across the board folks are saying that was a good farm bill. That was a bill that in the end cost less. It kept the safety net in place. We moved forward with a new world of opportunities with things such as renewables. So we have this discussion again. I hope we pass this farm bill, and I hope it gets signed.

The farm bill begins by stating its necessity due to the fact that "the present acute economic emergency being in part the consequence of a severe and increasing disparity between the prices of agricultural and other commodities, which disparity has largely destroyed the purchasing power of farmers for industrial products, has broken down the orderly exchange of commodities, and has seriously impaired the agricultural assets supporting the national credit structure . . ."

This is not the start of the 2007 farm bill. It is an excerpt from the very first farm bill of 1933. When that farm bill was written in 1933, net farm income was only one-third of what it was 3 years prior. Food went wasted in the field, while Americans went hungry because of depressed commodity prices. There was no safety net. It was such a time of crisis that folks from across my State of Minnesota came together with farmers from the Dakotas, Iowa, and Nebraska to protect each other's homes, farms, livestock, and machinery from being taken through foreclosure.

The Senate Agriculture Committee has proven that like minds from these States still collaborate to save the family farm. Today I come to the floor as part of a bipartisan multiregional coalition not just from the Midwest and upper Midwest but from all across this great Nation. On the Ag Committee, we came together under the leadership of Chairman HARKIN and Ranking Member CHAMBLISS and my friend from North Dakota, Senator CONRAD, to build a stronger food safety net for working families, an ag safety net for farm families. Over the next several days, the U.S. Senate will have the responsibility to pass a farm bill that will ensure Americans can meet the bare requirements of human subsistence.

In today's world, relentlessly focused on the future, it can be difficult to reach back into the past and conceive of a time before food stamps, conservation programs, and a farm safety net. It doesn't seem possible that in this country hunger was widespread, massive clouds of dust roared from State to State, and farmers couldn't make enough money from their crops to even make harvest worthwhile. Yet our past bears witness to these struggles. Since these difficult years, Congress has struggled to perfect the omnibus legislation we call the farm bill.

In 2007, with the bipartisan bill produced by the Senate Agriculture Committee, I believe we move closer yet to our final goal of crafting a smarter, stronger safety net. As the Ag Committee has labored over the last several months to build this bill, I have worked with my colleagues from both sides of the aisle to secure a number of priorities for my State of Minnesota. This bill not only strengthens the farmer safety net but helps meet the food security challenges of America's low-income families, makes a bold commitment to renewable fuels, and boosts investment in renewable fuels and conservation.

As the ranking Republican on the Nutrition Subcommittee, I am proud of this bill's efforts to assist those Americans dealing with food security issues. This bill now provides an additional $5.3 billion in funding for nutrition programs, such as stamps and the emergency food and assistance program, TEFAP. The Food Stamp Program, which assists over 260,000 Minnesotans, will be significantly strengthened. We will stop inflation from creating greater benefit erosion in the Food Stamp Program and encourage savings among low-income families. During the markup, I fought to bring the bill's funding for TEFAP, which provides valuable resources to our food banks and homeless shelters, up to the same levels as the House bill. We have found the funds to meet this need, providing an additional $10 million a year.

If you believe everything you read in the editorial pages, you might conclude that this bill funds farmers at the expense of the poor, but that isn't true. Nutrition spending now makes up over 66 percent of the farm bill, while we have found in the Ag Committee $7.5 billion in savings in the commodity title. These savings come from programs that cost $22 billion less than was expected when the 2002 farm bill was passed. My colleague from North Dakota has laid that out. This is a bill wherein the commodity program baseline is lower than the estimate of the 2002 bill. This is a bill where the percent of dollars that goes to farms as a percentage of Federal spending is substantially lower than in the 2002 farm bill. Meanwhile, we manage to preserve the basic structure of the safety net for our farmers who feed and fuel this Nation.

For years now as I have driven across the great State of Minnesota, I have been hearing from farmers who have told me the 2002 farm bill worked. Families growing various crops told me we needed to make some adjustments. This bill makes needed updates for sugar, barley, wheat, and soybeans, among others. The bill includes a reauthorization of the dairy safety net, including the MILC Program, restoring it to the 45-percent payment rate. The committee included my proposal to create a farm storage loan program that works for today's farmers.

I proudly support the new permanent ag disaster program we now have, thanks to the leadership of Senators BAUCUS and CONRAD, that will lend farmers a helping hand when faced with natural disaster. The faces of thousands of hard-working farmers I have seen over the years come to mind as I consider the importance of the farm bill safety net. I also reflect on the health of my State's entire economy, the survival of small towns on country roads. In Minnesota, the agriculture and food industry is the second largest employer, with two-thirds of all agricultural jobs being off farm in processing, distribution, supply, and service sectors. We rank fifth nationally in farm exports and lead the Nation in sugar beet and turkey production. All of Minnesota needs a strong safety net for our farmers.

Nationally, the farm safety net is critical to every taxpayer, to every American. First, we all need food. Thanks to our farmers, U.S. consumers spend 10 percent of their income on food, the lowest percentage in the world. For every dollar Americans spend on food, farmers get only 20 cents. Our entire economy benefits. Some folks forget that agriculture employs 20 percent of the U.S. workforce, accounts for roughly 20 percent of the Nation's GDP, and is America's No. 1 export.

Beyond preserving the safety net for rural Americans who work in agriculture, this bill provides significant mandatory funding for key rural development programs to build vibrant rural communities, including $50 million to rehabilitate small rural hospitals, $20 million to protect rural drinking water, and provisions to encourage local ownership of ethanol plants.

To revitalize our rural economy, this includes the rural renaissance legislation I worked hard to pass with my colleague from Arkansas, Senator PRYOR, that will provide $400 million in tax credit bonds to finance rural infrastructure projects such as water and wastewater treatment projects.

I have no doubt Minnesota is similar to Colorado. We have small towns that simply don't have the tax base to do the infrastructure they need. This bill will provide some opportunity to assist those small rural communities with infrastructure.

Another key to renewing Minnesota's rural communities has been the production of renewable fuels as our farmers work to reduce dependence on foreign oil. In the Ag Committee, we worked to take the next step in helping power ethanol plants with crop biomass and diversifying our biofuels feedstocks to include cellulosic and sugar. All in all, this bill delivers over $1 billion in additional investment in the energy title. It will also help equip our existing corn ethanol plants with the latest in renewable technologies, with $422 million for competitive grants and loan guarantees. The future is cellulosic. We know that with corn we can do about 15 billion gallons of ethanol. We consume 140 billion gallons of gasoline each year, projected to go up to 180 billion. Cellulosic is the future. This bill provides a pathway to accelerate us reaching that future.

This bill helps farmers transition to the production of biomass crops. We provide over $200 million to help farmers with production, harvesting, transportation, and storage costs. I am hopeful one day we will see a cellulosic ethanol plant in Kittson County, MN. This bill will bring us closer to that reality. Meanwhile, this bill includes a sugar ethanol program which I have long advocated. If Brazil can do it, we can do it. They made a commitment in the early 1970s to ethanol. They do it with sugar. They didn't let up to that commitment when oil prices went down. They stayed the course. As a result today, Brazil is not dependent on foreign oil.

We need to have that same commitment, that same persistence. Sugar should be part of it. That opportunity is in this bill.

Finally, I have been concerned that those living near ethanol plants continue to have an opportunity to invest in these renewable opportunities. I am thankful to the chairman and ranking member for including my local ownership amendment to ensure communities continue to hold more of the value created by these plants in their small towns through ownership. On top of all these investments, this bill still manages to include the single largest investment in conservation this Nation has ever seen. Specifically, the bill increases funding for major programs such as the Wetland Reserve Program, the Conservation Stewardship Program, and the Grassland Reserve Program, as well as protecting 39.2 million acres allotted for the Conservation Reserve Program.

This bill also includes Open Fields, a critical, voluntary program to encourage property owners to allow public access for hunting and fishing. All in all, the bill increases conservation funding by $4.4 billion above the current budget baseline, which will mean increased wildlife habitat, cleaner water, and a healthy environment for all of us and it is paid for.

No bill of this size is going to be perfect. But I believe when the sum of these accomplishments is measured, folks will realize what an achievement this is. Of course, some will continue to criticize. Despite including what I consider to be great advances in farm nutrition, conservation, rural development, and energy policy, coupled with dramatic reforms, there no doubt will be detractors who look at this farm bill and cry that more reform is needed. They will argue that money should not to go factory farms. It should go to nutrition, conservation, and energy instead.

As I have traveled around Minnesota, I don't see factory farms. Instead, I meet family after family, such as the Meyer Family in Nicollet County. They let me know how important the farm safety net is to them. They told me the advent of renewable fuels, what it has meant to them in terms of transforming their farming operation, has had the same impact that electricity had for their grandfather. That is the path to hope and opportunity we are on. That is the path this farm bill fosters. I wholeheartedly agree this farm bill should invest more in nutrition, conservation, and energy. This bill makes remarkable strides in these areas. In fact, nutrition spending will grow to represent two-thirds of the bill's total spending. I also believe we need to reform to prevent nonfarming millionaires from getting farm payments and close loopholes to get around payment limitations. Ted Turner and Scottie Pippen should not get farm subsidies. This bill closes the loophole. It succeeds in doing that by the most aggressive farm payment reforms to date, by lowering the adjusted gross income limit from $2.5 million to $750,000 by 2010, while eliminating the three-entity rule and commodity certificate loopholes. No one wants multimillionaires to be getting farm subsidies. This bill says that doesn't happen.

Again, some critics will say reform is not enough. I urge these folks to talk to Senator CHAMBLISS, talk to my colleague from Arkansas, Senator LINCOLN. Ask them how tighter restrictions under the banner of reform will throw a disproportionate burden on their farmers, rice farmers and cotton farmers who have a greater cost of production for cotton and rice than in other regions of the country. Farm bills are about achieving broad bipartisan compromise for the good of the American people. This bill meets that standard and deserves this body's support.

I finish by asking my colleagues to take a look at the frescos that line the corridors of the hall of columns next time they find themselves on the House side. Written near the top of one of the walls, there is a quote by Carl Sandburg that reads:

> Whenever a people or an institution forgets its hard beginnings, it is beginning to decay.

The Senate must not forget this Nation's struggles on the farm and on the dinner tables before our farm and nutrition safety nets existed. We cannot afford to forget how far our farm bills have come since 1933. We have come a long way over the last 75 years in building a thriving agricultural economy, responsible conservation policies, and responsive nutrition programs. I urge my colleagues to join me in supporting this farm bill, which builds on the steady gains agriculture has made and continues the economic prosperity it has fueled.

I yield the floor.

The PRESIDING OFFICER (Mr. MENENDEZ). The Senator from Arkansas.

Mrs. LINCOLN. Mr. President, I rise to add my remarks to this debate on the Food and Energy Security Act of 2007. I see our chairman of the committee in the Chamber. I wish to say a personal thanks to him for his leadership and hard work, along with his staff, who worked diligently through the committee process to really come together.

My colleagues, including Senator COLEMAN, who is on the committee as well, working with others—Senator CONRAD has been here—those of us on the committee have worked so hard to come up with a compromise, a bill that is practical and realistic but also actually exhibits reforms that many people have been asking for. But the bill also moves forward in a progressive way, a way I think Americans can be proud in the values and the priorities we set. So as a member of our Senate Agriculture Committee, I am extremely proud of the product our committee has produced.

A lot of time and energy was put into the committee bill to ensure we maintain the blessings we have here in American agriculture. Staff and the members worked hard to come up with a good compromise, a compromise that respects and appreciates the diversities across our country and the great wealth and bounty of what our Nation has.

The farm bill does many other good things. Several of my colleagues have already touched on those. Our investment in nutrition, conservation, rural development, and energy programs has been dramatically increased. All of these things will benefit our country greatly.

As one of the cochairs and cofounders of the Senate Hunger Caucus, I find it very important that we focus, through this bill, on nutrition. I hope others do, and I hope they are willing to look for resources we need to make sure we pay for that, that we are serious about nutrition, and that we are going to continue to work on that. My faith requires me to look after the poorest among us, and I am very pleased the committee bill provides an additional $5 billion increase in programs targeted at reducing food insecurity among our children and our elderly, among our low-income and those who are in need.

Conservation is a big part of this package as well. The chairman has been a tireless advocate for conservation programs. I am pleased that once again he has produced a bill that is progressive in this area. It ensures that we are the best stewards of the land we possibly can be and that we will leave our children the environment they deserve.

Having grown up on a farm myself and recognizing that my dad, as a farmer, was one of the greatest conservationists I could ever meet—he was conscientious with the way he handled his land. He knew it would be there for future generations if he took good care of it. He also knew if he took good care of that land in the current, it would produce the crops that would provide for our family. So conservation is an essential part of who we are as Americans. What is exhibited in this bill is a step forward—a large step forward—in a very progressive way of how we have invested in conservation.

Rural development is also well represented in this bill. Again, growing up in rural America, it is so important to see the investments, whether it is investments in small businesses and entrepreneurs. The broadband effort we have made here is incredibly important.

I have a gentleman who bought property in Arkansas to retire on. He was not going to move there for another 10 or 15 years. When he realized his business actually could access three major cities across this country and access those cities through the technology he needed to use, he decided to move to Arkansas ahead of time, ahead of retirement, because it was a place he wanted to be.

The outmigration we have seen from rural America has been caused largely because of a lack of opportunity. In rural development, we provide not only many of those tools to help development, help entrepreneurs and small businesses grow their businesses, but we provide for communities to invest in their infrastructure so it will be a desirable place for people to build their businesses and raise their families. That is important.

Reducing dependency on foreign oil is absolutely critical, and we know that as a nation now. We see the passion in Americans for wanting an alternative and renewable energy source. In this bill, we have the beginnings, particularly of making sure that not only we lessen our dependence on foreign oil but we do so in a way that is good for the environment. It provides an additional marketplace for our producers with their commodities.

We have a win-win in this situation, with all of these things we have brought together in this bill. Yet many of them are new programs over the last couple of decades in terms of the farm bill in our outreach. It is essential that we recognize the investment we are making in this bill and that we do not tarry in getting it passed and that we make again the assurances to hard-working families, both on the family farm as well as in rural America, that we do believe in them, that we do believe as a government in investing in who they are, what their values are, and the contribution they make to the fabric of this country.

Most importantly, to me, as the mother of twin boys, the farm bill does something we should all be very proud of: It ensures our Nation, the working families of this country, and the children of this Nation, a safe and affordable domestic supply of food and fiber. We are the envy of the world in how we can do that. Not only do we do it most efficiently and effectively, we do it by keeping the cost of our food per capita the lowest of any developed country in the world. We do it with respect to our environment. It is the envy of the world. Many of my colleagues and most, if not all, of the media seem to take that for granted when we bring up this bill. It is something we should never lose sight of in this debate. As a mother, when I go to the store and I know and can see what it is I am purchasing, knowing those crops and those food sources—domestically produced—can ensure for me a quality food source and sustenance of life for my family, that is unbelievable—again, the envy of the world.

We look at what comes out of the media. One day they are reporting about the dangers our Nation is facing with unsafe food entering the country or the atrocities of outsourcing jobs, and the next day they are on the front page of the news criticizing farm programs that keep production agriculture here at home and level the disparities in global agricultural trade that U.S. farmers face abroad. The markets out there are not that open to certainly the commodities we grow in our region of the country.

But we are a diverse nation. Our crops are different in each region of the country. For that reason, we have several different programs to support individual commodity needs. In the Midwest, with corn, sugar, sugar beets, and fruit and vegetable producers, they enjoy several different programs outside our traditional farm programs to provide them the support they need to continue producing right here at home. They are different programs than my growers would probably access, and they have different rules for those programs. With sugar, we limit the access for foreign competition into the U.S. market. For corn, we provide several different provisions in law that support those producers, in addition to traditional commodity programs. We mandate a market through the renewable fuels standard. We provide a tax credit for blenders, and we protect ourselves from foreign competition to give this industry a chance to grow and an opportunity to reduce our dependency on foreign energy.

In other States across our country, in fruit and vegetable regions of our country, in addition to the nearly $3 billion worth of incentives for this industry, we provide a planting restriction to limit competition from producers of other commodities.

Oftentimes, we are told in the South: Why don't you just grow something else, something different that may be less difficult or less of a problem in the international trade market? Well, in many instances, we are unable to do that because of planting restrictions. But I am proud of the recognition of this diversity, and I am proud to have supported these initiatives tirelessly on behalf of the hard-working farm families in other regions of the country.

I have also fought hard to ensure that American agriculture gets the respect it deserves in the world marketplace because, as the budget chairman pointed out yesterday with his now famous charts, the world market for our farmers is not free or fair. My message is simple: We should meet our global competition, and we should not unilaterally disarm our farmers in the global marketplace.

The unfortunate reality is that our global agricultural competition is heavily subsidized, and their markets are closed to agricultural goods that my State particularly produces. We have to fight hard for the small bit of market access our crops need in those other countries and in those trade agreements. As a result, we have grown our operations to create an economy of scale that allows us to be competitive. If we are not careful, with the tighter payment limits, we are going to make our producers of staple commodities such as rice less competitive internationally. As I have pointed out, rice and cotton face much greater international competition than any of the other commodities we are discussing in this bill.

So our point, with these commodities we have and what we face in that global competitive marketplace, is: Yes, our program might need to be just a little bit different, kind of like the sugar program or the corn program and the supports they need. I did not invent the global subsidies in agriculture, but I am committed to ensuring that the Senate helps our farmers meet the global competition.

Working with both Chairman BAUCUS and Senator GRASSLEY on the trade aspects, through the Senate Finance Committee, and the Office of the USTR, we are going to continue the fight. I am going to continue to fight to ensure that global access is there for us. As we do that as a nation, I think it is our responsibility and duty to provide the support programs our farmers need. To not do so will simply result in an outsourcing of our food supply and our jobs in rural America.

Within the WTO negotiations, we have asked our trading partners to reduce their subsidies and their tariff levels on U.S. agricultural products. What we have said is that we will come down further and faster on our subsidy programs, on our support programs. But the response from the rest of the world has been abundantly clear to us: No, thank you, America. We don't want to bring down our subsidies. We don't want to bring down our supports. We want you to. But, no, thank you very much. We are not going to do that. You go right ahead. You lower your subsidies, and we will simply hang on to ours.

Here at home I have heard some of my colleagues and mostly media outlets that have said we needed to lower the caps on programs. Well, guess what. The committee bill does just that. It lowers the overall cap from $360,000 to $100,000.

I have also heard we needed to address the loophole that has allowed producers to avoid the caps. The committee bill does just that. It eliminates both of the loopholes most frequently cited—the three-entity rule and the generic certificates.

I heard we needed transparency, so the committee bill—yes, the committee bill we bring before this Senate—adds direct attribution, which will track payments directly to an individual farmer. Now, let me be clear. This is only for traditional, what we refer to as "program commodities," not sugar or dairy or ethanol. They will not have direct attribution. But in this bill we provide direct attribution for the traditional program commodities. As I pointed out, those programs operate in a slightly different fashion to provide support to their farmers because we have a lot of different farmers in different regions around this great country.

I heard we needed to disqualify millionaire nonfarmers, those who are walking around Fifth Avenue or Hollywood. So in the committee bill we do just that. We move the adjusted gross income means test from its current level of $2.5 million to $750,000.

Now I notice my colleague NORM COLEMAN bringing up celebrities such as Scottie Pippen. But the fact is, Scottie Pippen won't be affected, because most of those individuals—or certainly a large amount of them—are reported because of their conservation payments. These are contracts they enter into with the Federal Government for contracts on conservation, putting their land into conservation. Many of them will have an adjusted gross income above that level, but they will still be listed and they will still be getting their payments, because they have entered into that contract. We don't put an AGI means test on the conservation program. I think that is important for people to understand. Those people very often are not getting program payments; they are getting conservation payments.

My sincere hope is this will all be seen as what it is. It is a good-faith effort on my part and the members of the Agriculture Committee—all of the others on the committee—to address concerns and to recognize this is the most significant reform in the history of our farm program. We have made a tremendous progressive effort on the issues that are important to people, both reform as well as nutrition programs, conservation, energy, renewable energy. Now we have some time, it seems, to discuss what this farm bill does and doesn't do.

I am appreciative of this time, because throughout my career I have tried to look after family farmers and to respect the needs of farmers in every region of this great country. I have tried to do that first and I have tried to assist them in providing our Nation and the world with the bounty they do. It is something we far too often take for granted, the blessing of living in this country, knowing there is an affordable, abundant, and safe supply of food and fiber for the people of this country. We in this country are fortunate. We are fortunate to have this bounty. I am not going to let anyone in this Chamber forget it. I am not going to allow anyone to send this bounty to some foreign land never to be seen again in this country, to outsource the opportunity that hard-working farm families in this country have to do what it is they want to do most and what they do most effectively, and that is to provide this country with that safe, affordable, and abundant supply of food and fiber.

I look forward to the discussion ahead of us. I have to say if there is one unfortunate thing I find in all of this discussion, it is that there are those people who would choose to misrepresent the facts. When they misrepresent the facts, it breaks down the process. It breaks down the process from what is real. What is real is those of us on the Agriculture Committee who have come together in good faith to produce a bill that makes sense; something everybody can support and that respects people all across this country. My hope is we will continue this conversation, and that those who choose to misrepresent the facts can be countered or at least corrected, and those of us who want to work hard to come up with something that makes sense, that we can continue to do so. I look forward to that debate. I look forward to working with my colleagues. Senator GRASSLEY and Chairman BAUCUS are here on the floor. They have done yeoman's work on behalf of farmers across this country, and I look forward to continuing to work with them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I know it is my turn to speak, but out of deference to Senator BAUCUS who is negotiating on the Children's Health Insurance Program, I ask unanimous consent that he go before me, and then I ask that Senator TESTER would follow him, because I don't want Senator TESTER to have to sit around and listen to me. Then I ask unanimous consent after those two, I be the next in line.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

WRDA

Mr. BAUCUS. Mr. President, I thank my very good friend from Iowa. Senator GRASSLEY is a true gentleman and I deeply appreciate the courtesy he is offering me, as well as my colleague Senator TESTER.

A few moments ago, the House voted to override the President's veto by a vote of 361 to 54—361 to 54—clearly overriding the President's veto on the WRDA bill. I stand here today asking the Senate to do the same. We too should have a very strong vote to override the President's veto. If the House can vote to override, certainly the Senate can too.

This conference report, as we all know, provides authority for the Army Corps of Engineers to move forward on many very long overdue water resource projects. Let's not forget the West's battle with drought and the coasts' recurring struggles against Mother Nature's harsh storms that highlight the pressing need to address our water resource needs. I saw a very alarming article not too long ago, 2 or 3 weeks ago, about the effects of climate change and global warming. It is not just the ice sheets melting and the coastlines rising; there is also increased drought—increased drought in the Southeast and in the Southwest, especially the Southwest. It is tough enough for my part of the country where the average precipitation is about 13 inches a year. That is all it is. I think in Washington, DC, the average precipitation is around 40 inches. In the northern high plains States where we desperately need these projects, the annual precipitation is again about 13 to 14 inches a year. We need help.

I must say too it is important to keep in mind that since 1986, Congress enacted legislation known as the Water Resources Development Act, otherwise known as WRDA. Every 2 years since then, Congress has received a WRDA bill from the administration, seeking authorization for water resources projects. These requests provided the Corps and local sponsors with a regular planning schedule.

It is kind of like the highway bill. We have people in our country—the highway bill clearly is the contractors and the States—some ability to plan for the future. That is why we have 5- or 6-year bills. The same is also true with the Water Resources Development Act. We need to give some sense of predictability and some sense of certainty to people so they can plan for projects, in this case the Corps.

I must say, however, that the administration has not requested one update of the program—not one—since the year he has been President. So the question is, Why? Why has the President not suggested an update in the program? Well, according to the President, this is not a priority. He says the Congress is not being fiscally responsible. I have to disagree. He is not accurate. Why? Well, one reason is the costs in this legislation reflect an accumulation of projects that need to be authorized because we have not had a WRDA bill for over 6 years. It stands to reason that if we haven't had an authorization for over 6 years, clearly the costs are going to go up a little bit.

Investing in our water infrastructure is a cost we cannot afford to put off. I submit it doesn't make any sense to turn our backs on all of these water projects because otherwise they continue to crumble, they continue to erode, and it does not make a lot of sense. In fact, many people are worried about America's competitiveness, and I am one who thinks we do not pay enough attention to our infrastructure; that is, if we are going to compete in the future, we have to have strong highways, we have to have a power system, a telephone system, and we need to have a very good water resource system. We have to get water where it is needed because if we don't, there are going to be huge costs not just in the immediate term but also in the long term.

It is very important that this legislation, in my judgment, pass. There are several projects in this bill in the State of Montana, my home State. One is the Yellowstone River and Tributaries Recovery project, and another is called the Lower Yellowstone project at Intake, MT; third, the Missouri River and Tributaries Recovery project; the Upper Basin of the Missouri River project, and a riverfront revitalization project in Missoula, MT. These projects will all improve and protect our valuable water resources.

The old saying about whiskey and water: You fight over water. Whiskey is for drinking, water is for fighting over. It is because water is such a precious and valuable resource.

There is also an important authorization for a very important project in my State of Montana, and that is the rehabilitation and improvement of an aging water project we call the Hi-Line. If you look at the State of Montana, it is a highway that goes across northern Montana. We call it Hi-Line. It is as though we are high above the Earth because we go across northern Montana and up there, there is something called the St. Mary Diversion. It is a Federal project built years ago. It is a mess. It is dilapidated and crumbling. I have been up there not too long ago. I have been up there a couple of times. I am embarrassed that the U.S. Government has not kept up the system, not kept up the operation, and not kept it going. I am embarrassed and I feel bad, and in fact I am angry that half of the people in the area—it is an Indian reservation as well, and a lot of people have moved off the reservation, and we have to address this. This legislation does address it. It is very important. Without it, I might add, the Lower Milk River, which falls out of the Diversion, would go dry 6 out of every 10 years. Without this St. Mary Diversion, the Milk River would go dry 6 out of every 10 years. That is 60 percent of the time. This affects thousands of Montana families.

If you have been up on the Hi-Line, if you have been on the Milk River, you will get a sense and a feel for how valuable this is. It is our lifeblood. The President might not think these projects are a priority. I certainly do.

This conference report authorizes projects that will provide needed flood and storm damage protection, as well as a lot of navigation improvements and a lot of environmental restoration. There is also authority here that is so important for rebuilding and restoring the coast of Louisiana devastated by Hurricanes Rita and Katrina, and authority for modernizing the lock and dam system on the Mississippi River, and authority for ecosystem restoration projects from New Jersey to Florida to Colorado—all vitally important.

The 1986 comprehensive WRDA bill was enacted after a 16-year deadlock between the Congress and the executive branch. The deadlock we see today between the Congress and the President is about priorities. What are our priorities? What are America's priorities? What are the priorities of our country? The Congress has set priorities and enacted this legislation. The American people clearly value—and it goes without saying—the water resources of our country and our need to invest in them. The American people see this as a priority.

Again, the conference report passed the Senate by a strong 81-to-12 vote, clearly enough votes to override a Presidential veto, and the House voted moments ago very strongly to override the President's veto 361 to 54. So let's not delay any longer. Let's get this conference report enacted with a very strong vote and override the President's veto. We already did it in the

House. Let's do it in the Senate when the time comes—I think it is tomorrow—and then we can get on with developing these projects, and we can be very proud of doing something in the Congress that is very worthwhile.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. TESTER. Mr. President, I want to say a few words about this farm bill. Before I start, though, I thank Senator GRASSLEY for allowing me this time to speak. I certainly appreciate his hospitality.

This farm bill is one of the most important pieces of legislation we will vote on this year. Along with the members of the committee, I thank Chairman HARKIN and Ranking Member CHAMBLISS for their hard work on this bill in committee. This farm bill just doesn't affect farmers and ranchers and folks who need nutritional assistance; it impacts all Americans and it ensures that food in this country is secure.

Our agricultural policy has created the most dependable and affordable food system in the world. Americans have incredible choices at the grocery store. We have high quality and safe food, and our supplies and prices are stable. What makes this stability possible is a comprehensive farm bill that helps set national priorities, keeping our family farms and ranches productive and food on America's tables.

I bring a different perspective to the farm bill than a lot of my colleagues. I am a third-generation farmer. My wife and I farm the same land my grandparents homesteaded nearly a century ago. I have spent a lifetime with my hands in the dirt, and I know how difficult it is to get by in production agriculture, especially in these days. I am proud that Sharla and I are passing that same farm down that my grandparents homesteaded to the fourth generation of our family. If this bill is vetoed as the President has promised, many families won't have the option to pass their farm down, because over the next 5 years, many of them will go broke.

American agriculture is facing very difficult challenges, such as skyrocketing land prices, aging populations in rural America, and the high cost of fuels and fertilizers. The changing global marketplace creates more uncertainties for our producers and challenges when our so-called free markets sometimes come with a high price. America's family farms and ranches have a lot on the line right now. They also have tremendous potential. This farm bill provides new opportunities for rural America.

America's farmers and ranchers can be leaders in energy production as they are leaders in food production. For years, Montana, especially farm and ranch country, has adapted to our Nation's growing energy needs.

The folks who put food on America's dinner tables also have tremendous opportunity in contributing to this country's energy independence through biodiesel, cellulosic ethanol, and wind power—just to name a few.

That is good news for rural America, it is good news for our pocketbooks, and it is good for family agriculture.

In Montana, an oil-seed crop called Camelina is being used for biodiesel production. It grows on marginal soils, takes few inputs and doesn't need a whole lot of water. This year Montana started its first biodiesel facility—this farm bill will help this facility get off its feet and supply this country with much needed energy. I hope this plant is the first of many.

We have only scratched the surface of our energy potential—and this farm bill could really tap into it. This bill will put the necessary resources into the production of biofuels, and more incentives for rural wind power projects.

Many folks may not know that the farm bill is perhaps our largest conservation program. Our farmers and ranchers are stewards of the land and are constantly working to improve their operations to reduce their impact on the environment.

This bill strengthens our working lands conservation programs to help make our farms and ranches productive and protected.

This bill will finally implement mandatory country-of-origin labeling. May I say it is about time. In Montana, we passed a country-of-origin labeling law in 2005. It is time we implement it at the Federal level.

Whether it is the t-shirt I wear, the truck I drive, or the toy I buy for my grandkids, I can tell where it was made. It only makes sense that we know where our food comes from, too.

COOL is good public policy. Americans deserve to know where their food comes from, and implementation of mandatory country-of-origin labeling is long overdue.

Part of adequate labeling is the ability for our producers to market their products. I am happy to see that this farm bill will allow for the interstate shipment and sale of beef. Montana has some of the best beef in the world and smaller producers should be able to market their safe, healthy, quality products across State lines.

I don't like shopping all that much—but it is even worse here in Washington. The lines are too long and the prices too high. But I will tell you what, it sure would put a smile on my face to see a t-bone on the shelf with a "Made in Montana" stamp on it.

We hope to include in this bill permanent ag disaster assistance. I hear that some of my colleagues don't think this is the best way to protect family farm and ranch businesses but as a farmer I strongly support this measure.

I know what it is like in the good years when you have a crop to put in the bin. And I know what it is like to have no crop. Whether it is hail, drought, floods, grasshoppers, or any other disaster, we need to make sure that our farmers and ranchers are protected. This is a real safety net that will help family farmers get by when disaster strikes.

This disaster assistance program has strict requirements on who may receive assistance and will only help those farmers who have taken steps to mitigate their risk. This program will provide the predictable and consistent safety net that our family farmers and ranchers deserve.

This farm bill makes great strides in acknowledging the importance of organic agriculture in our food system. Organic foods have been growing at a rate of over 20 percent a year for 20 years. This bill offers money for research dollars to support organic agriculture. And it will provide funds to help family farms—if they choose—convert to organics so that U.S. farms can meet the needs of this growing market.

Organic agriculture is really a value-added program. It allows farmers and ranchers to find ways to increase the profitability of their products by consumers driving the marketplace.

As far as nutrition is concerned, of course, the farm bill has a tremendous impact on the underprivileged segments of our society.

The people who use these programs aren't lobbying our congressional offices, or sending thousands of letters, or using influence with the media to shape public policy. They are our children. They are the elderly. They are young, single mothers working two jobs. They are disabled veterans who need nutritional assistance until times get better.

In Montana, nearly 20 percent of our children live below the poverty line. Each month, more than 80,000 Montanans seek assistance through the food stamp program; 20,000 seek supplemental assistance through the Women, Infants, and Children program. Out of a total population of just under a million people this is a big impact on our State.

Montana also has some of the lowest unemployment rates in the country. We have good schools and college participation. We just can't always make ends meet where there is high cost of living and low wages. These nutrition programs are just the help folks need until they can get on their feet.

In the wealthiest, most-advanced society in the world, no person should go hungry. I am glad that this farm bill has made long overdue increases to our food assistance programs.

This farm bill is something that our Nation can be proud of. It strikes a balance between our different regions, and different interests. It does not have everything we want, but it has what we need.

This is a farm bill that meets the needs of this country's family farmers, and it takes great strides in helping families with a more realistic nutrition component.

Mr. President, I know firsthand how important this bill is for America's producers and America's consumers. This is mainstream, bipartisan legislation that was crafted and passed out of the Ag Committee without a dissenting vote. The farm bill is too important for anyone to obstruct, or to delay, or to play political games with.

American consumers, from all walks of life, living paycheck-to-paycheck, depend on this farm bill. American producers, in every corner of this country, living harvest to harvest, depend on this farm bill.

The Senate needs to debate and pass this legislation, and the President of the United States needs to sign it.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I rise to speak to the amendment that is before the Senate—the Dorgan-Grassley amendment—on payment limitations; in other words, limiting the amount of money that one farming operation can get from a farm program in a specific year.

The second reason I come to the floor is to address the issue of the President's suggested veto of the farm bill because it contains tax provisions that, presumably, the White House does not like.

I would like to give a justification for the provisions that are in this bill. I think everybody in this body would agree we need to provide an adequate safety net for our family farmers. In recent years, however, assistance to farmers has come under increased scrutiny. The largest corporate farms are reaping the majority of the benefits of the farm payment program. These payments were originally designed to benefit our small- and medium-sized farmers but instead have contributed to the demise of the small- and medium-sized family farmers. I believe we need to correct our course and modify the farm programs before those programs cause further concentration and consolidation in agriculture.

Today, most commodities are valued off demand, and the market dictates profitability. When farmers overproduce by planning for the farm program or expand rapidly because of the security of those programs, then the markets are not functioning. Unlimited farm payments have placed upward pressure on land prices and have contributed to overproduction and lower commodity prices.

I am going to refer to a series of charts that I have. Increased land prices and cash rents are driving family farmers and making it difficult, particularly for young farmers, to get into family farming—something that is probably there because for generations families have been farming sometimes the same land.

For instance, in Iowa, you can see how the value of farmland has very dramatically increased, particularly very recently. Around my hometown of New Hartford, IA, land is selling somewhere between the poor land at $4,000 an acre and the very best land for $6,000 an acre. In my home county of Butler, the value of an acre is up 64 percent since 2000. Across the entire State of Iowa, the average land value per acre rose 72 percent just in the last 6 years.

You will see from the next chart that the average typical cash rent per acre in Iowa rose 25 percent in that same timeframe. So you can legitimately ask, how are family farmers, particularly young farmers who cannot buy land and who have to rent land, going to survive when they have had such a rapid increase in either the price of land, on the one hand, or cash rents on the other hand? How are they even going to be able to get into farming for the very first start?

I have been hearing directly from producers for years what former Secretary Johanns heard in the series of farm meetings. I think either the Secretary, or his staff, had well over 100 hearings on proposed farm legislation prior to—well, during the years 2005 and 2006. So I have heard what Secretary Johanns has heard in his farm bill forums: Young farmers cannot carry on the tradition of farming because they are financially unable to do so because of high land values and cash rents.

What does all this have to do with farm programs? I am going to quote a famous and well-known Midwestern agricultural economist, Dr. Neil Harl, now emeritus. He came out with a report on this subject. He is and was at Iowa State University. The report states:

> The evidence is convincing that a significant portion of the subsidies are being bid into cash rents and capitalized into land values. If investors were to expect less Federal funding—or none at all—land values would likely decline, perhaps by as much as 25 percent.

So here we have an article from last year's Washington Post, when the Post did a series of articles on the disparity that farm program supports are causing. They reported:

> The largest farms' share of agricultural production has climbed from 32 percent to 45 percent, while the number of small and medium-sized farms has tumbled from 42 percent to 27 percent.

I assume the printing on the chart is so small that you will have to take my word for it that is what it says. The law creates a system that is clearly out of balance.

If we look at the results posted here, we have a system where 10 percent of the biggest farmers get 73 percent of the benefits from the tax-supported farm programs. Worse yet—or more extraordinary, I should say—the top 1 percent get almost 30 percent of all of those payments. I tend to concentrate on the top 10 percent of the biggest farmers getting 73 percent. But I think this other top 1 percent of—how do you say it—the big farmers, the top 1 percent are getting 30 percent of all of the benefits out of the Treasury. So we are back where we were 5 years ago.

This body passed as part of the farm bill, by a vote of 66 to 31, putting limits on farm payments. Well, it didn't survive a House-Senate conference. Senator DORGAN and I were working together then, and here we are back 5 years later. The farm bill is up for reauthorization, and we are filing an amendment that, I believe, will help revitalize the farm economy for young people across this country.

This amendment that Senator DORGAN put before the Senate this morning—actually, Senator REID did it for Senator DORGAN—will put a hard cap on farm payments at $250,000. No less important, it will close the loophole that has allowed large operations to avoid even the existing $360,000 limit and, as a result, receive benefits far exceeding the limit.

If I could say that another way, we have a situation where we do have caps in place, but there is legal subterfuge to get around those caps. One of them is the three-entity rule—split up your farming operation into three entities, and each one of those could qualify for that $360,000 limit.

The other one is where generic certificates are used. Those are not included in the limit. So that is why you read where some farmers are getting millions of dollars through the farm program.

We use the adjective, hard cap; $250,000 is the absolute limit. We do away with the legal subterfuge of getting around the cap to make it so it works and so it is effective.

I have another article by the Washington Post from last year outlining the ongoing abuse of farm support programs. It is entitled "Farm Program Pays $1.3 Billion to People who Don't Farm." We are paying $1.3 billion to people who are not actively engaged in the business of farming. Senator DORGAN spoke better about this last night and this morning and gave better examples than I can on that point. We have examples of people who live on land collecting direct payments because a commodity was once grown on that land. Any agricultural use, including having a horse on that land, qualifies them for a direct payment, even though they are not even growing a crop.

Our bill addresses these problems by doing away with the loopholes people have abused over the years to continue to get the payments. I have already referred to the three-entity rule. We also put in place a system we call direct attribution. Most importantly, we tighten up what is already in the law but not enforced by the U.S. Department of Agriculture, that you have to be "actively engaged" in the business of farming.

I wish to make a very clear distinction. Some Members of the Senate have advocated that the Dorgan-Grassley amendment is not as tough as what is in the Senate Agriculture Committee bill before us. I wish to explain why that is not true.

I have another chart. We have to compare apples to apples. Saying the committee has a hard cap on payments at $200,000 is not accurate. They only have a hard cap on two categories of payments: direct payments and countercyclical payments. The Dorgan-Grassley amendment actually caps those at $100,000.

In addition, my amendment will cap marketing loan gains at $150,000, while the committee bill before us that the Dorgan-Grassley changes leaves the marketing loan unlimited in the amount of money you can get through the marketing loan.

This actually weakens current law, and if you can believe, after all the bad publicity about 10 percent of the biggest farmers getting 72 or 73 percent of the benefits out of the farm program, why, the Agriculture Committee might write a bill that actually weakens current law. But I wish to make clear our bill at $250,000 is a hard cap, and it is more effective in taking care of this issue of the biggest 10 percent getting 73 percent of the benefits.

I anticipate there will be other votes on other types of reforms, including even means testing, also known as the adjusted gross income limit. I wish to make sure my colleagues are aware that an adjusted gross income cap and a hard cap on payments are two very different things and each should be looked at and considered individually.

Back in 2002—and I referred to this before, that Senator DORGAN and I have been working together—back in 2002, I voted against the farm bill out of conference committee. A lack of payment limits in that bill because it was lost in conference, the Senate position was lost to the House position, was one of my reasons for voting against the bill.

I have been fighting to reduce large-scale subsidies since I was a Member of the House of Representatives in the 1970s. Then we were, believe it or not, arguing over a $50,000 limitation.

Our amendment produces some considerable savings. Senator DORGAN and I have identified very critical and essential programs to help producers and farmers, small business owners, conservationists, and low-income people, including seniors and children. We support beginning farmer and rancher programs and the Rural Microenterprise Program. These programs are crucial to bolstering young farmers and to helping main streets across America.

It will also provide funds for the organic cost-share program and the farmers Market Promotion Program. These growing components of our food supply system will create new opportunities for farmers and increase healthy food options for our consumers.

A large priority of mine has always been seeing justice for Black farmers—discrimination cases brought against the USDA, but not everybody eligible got in on it. This amendment puts some money, double the amount provided by the committee, in for late filers under the Pigford consent decree for farmers who haven't gotten a chance for their claims to be heard. It is time to make it right for these farmers who were discriminated against in their attempts to get help from the Federal Government in farming.

We also support the Grasslands Reserve Program and the Farmland Protection Program with additional dollars. Conserving our natural resources is one of the most important components of agriculture, and this investment will make a substantial difference in the availability of these programs.

Finally, while the Agriculture Committee makes significant contributions to the nutrition and food assistance programs, they were not able to go far enough due to tight budget constraints. So Dorgan-Grassley adds money to this program so it can be adjusted for inflation and other nutrition priorities to assist low-income seniors, as well as children.

I worked with Senator DORGAN on a similar measure, as I have said for the third time, in 2002, and it passed with bipartisan support by a vote of 66 to 31. Unfortunately, it was stripped out of conference. My colleagues might remember the last time we had a vote on payment limits was on the budget resolution. Many of my colleagues said they agreed with what we were trying to do, but they voted against us at that particular time because they said doing it on the budget resolution in the middle of a farm bill authorization of 5 years was not the right time. Everybody said it needed to be done the next time the farm bill came up for debate.

Well, that time is right now, and I ask those who maybe thought it shouldn't be done on the budget resolution a couple years ago to remember what they said. They came up to us individually and said: We agree with what you are trying to do, but it shouldn't be in the middle of the farm bill reauthorization, and it shouldn't be done on the budget resolution. The inference was they will be with us at the right time. The time is right now, or within the next 24 hours, when we vote on this amendment.

I remind this body that in addition to what was said by our colleagues at that particular time, in the last farm bill, we set up, as supposedly a sop for those of us who didn't get what we wanted in payment limitations out of conference 5 years ago, a commission on the application of payment limitations for agriculture.

This commission was set up, and for a couple years they studied this issue. The purpose was to conduct a study on the potential need for further payment limitations on farm programs. The commission met. Farmers, agricultural economists—I can't think of everybody who was on it, but they knew the business of agriculture. This commission recommended the very same loophole-closing measures which we included in this amendment that is now before the Senate. Those people who thought they threw us a sop or some sort of a compromise that we ought to accept a commission instead of the real hard change in law to accomplish what we wanted to accomplish, that we would have people study it and then give some respectability to it, or maybe they thought we would forget about it and go away 5 years later, we haven't forgotten about it; we haven't gone away.

We are taking the recommendations of this commission that was set up to say what we ought to do in the area of payment limitations, and we are doing exactly what they said. We not only have the promise of those people who said it shouldn't be done on the budget resolution, we have the recommendations of all these experts of how it ought to be done, when it ought to be done, and why it ought to be done. It is for all those reasons that we have Dorgan and Grassley back again suggesting what we thought should have been done 5 years ago. If it had been done 5 years ago, we wouldn't have this problem of 10 percent of the biggest farmers getting 73 percent of the benefits out of the farm program.

There are several problems connected with that situation. One, when urban people read about this, they are going to say: Why do you need a farm safety net if all the help is going to biggest farmers? So we lose urban support. We lose support of a farm program in the House of Representatives controlled by urban people, and we don't have a farm safety net, and family farmers don't have the ability to withstand a lot of situations that are beyond their control. We also have a situation where we drive up the price of farmland so the next generation of farmers cannot get started. But also, we depart from the principle of a farm safety net of the last 70 years that was supposed to be directed to medium- and small-sized farmers, the very same people who produce the food we eat in a way so consumers spend less of their income on food than any other society anywhere on this globe, and to keep them strong when they cannot withstand natural disasters or the politics of agriculture or a war or energy problems.

They don't have the staying power, but the larger farmers do.

For 70 years, we have directed the benefit of a farm program, until very recently, to small- and medium-sized farmers. How it gets out of whack so we get 10 percent of the biggest farmers getting 73 percent of the benefits of the program is hard to explain. But it has happened, and we are trying to get back to the original purpose of farm programs to help small- and medium-sized farmers over the hurdles they have to cross, through no fault of their own, situations they cannot control, that larger farmers have the ability to have a little more staying power.

So here we are. By voting in favor of the Dorgan-Grassley amendment, we can allow young people to get into farming and lessen dependence on Federal subsidies. This will help restore public respectability for Federal farm assistance by targeting this assistance to those who need it the most.

So let us quit dragging our feet and let us pass real reform with a real payment for real farmers. I call upon my colleagues to support this commonsense legislation that is referred to as Dorgan-Grassley.

I told you, Mr. President, in my opening remarks that I wished to address a second issue as well, directly related to the farm bill, but including some issues that are a little bit broader than the farm bill, and that deals with the tax policy.

Remember, a very significant part of this farm bill is tax policy that we in the Finance Committee—Senator BAUCUS, me, and the other 19 members of the committee—set up that are directly related to soil conservation and drought relief, and we raise revenue to pay for it. In the process of this broad policy, we have freed up money the Agriculture Committee would otherwise spend on a lot of programs, such as disaster relief and conservation, so the Agriculture Committee would have a little more leeway to do what needs to be done in farm policy, and that is directly related to the fact that under the budget adopted by this Congress, we find the Agriculture Committee $15 billion under benchmark, and that is a big bite to swallow with the needs in American agriculture. So we have come up with, in the Finance Committee, a little bit of help for the Agriculture Committee.

As recently as yesterday, the President, or his people, have suggested because of the tax policy that is in this bill, they might veto the whole farm bill. I want to tell the President why that is a crazy idea—a crazy idea—so I will take the time to comment, then, on the revenue raisers that are in this farm bill.

The revenue raiser is a proposal to clarify a judicial doctrine in the tax law known as the economic substance doctrine. I am here not so much to justify revenue raising through this definition of economic substance, but I am here to say there are four circuit courts of appeal in different parts of the country that have had four different decisions on economic substance and each has said Congress ought to define economic substance. So as far as I am concerned, in putting economic substance in here, it is not just to raise revenue and to have an offset for the programs we have set up, it is for Congress to do the job of making the Tax Code on economic substance clear so the courts are not defining it, and most importantly so that four different courts aren't defining it in four different ways. We need to have some certainty, and this bill brings that certainty to the definition of economic substance.

But before I get into that, I have to be a little more general. For a lot of folks, this proposal may sound like an esoteric tax policy matter, and they might wonder why I am focusing on it today. The reason is the White House has indicated the President will veto the farm bill if this proposal is included in the bill sent to the President's desk.

Mr. President, I ask unanimous consent to have printed in the RECORD the Washington Post article reporting on the President's suggested veto of the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From washingtonpost.com, Nov. 6, 2007]

BUSH VOWS TO VETO SENATE'S FARM BILL

(By Dan Morgan)

The Bush administration, setting the stage for another confrontation with Congress over a major spending measure, issued a veto threat yesterday against the Senate version of the $288 billion farm bill.

The announcement came as a disappointment to bipartisan Senate supporters, who had hoped the farm legislation avoided some of the pitfalls that prompted a similar veto threat this summer against a House-passed version.

But in a news briefing held as Senate debate began yesterday, acting Agriculture Secretary Charles F. Conner charged that the five-year legislation had been inflated by $37 billion through the use of "tax increases and budget gimmicks."

"It will need significant changes. . . . We have a long way to go," he said. Conner said details of the administration critique will be issued shortly in the hope that they "will impel Congress to work with us."

Despite the enormous congressional popularity of the bill—which funds farm subsidy programs, food stamps, environmental programs and biofuels research—the administration believes it can sustain a veto by rallying Republicans against tax provisions used to fund some of the new outlays.

Conner charged that the bill's funding depends on $15 billion in new taxes and added that "we don't believe other sectors should pay" so that farm subsidies can go to "millionaires living on Park Avenue."

Most House Republicans voted against that chamber's version of the bill in July after Democrats offset new spending on nutrition programs by tightening tax rules on U.S. subsidiaries of foreign companies. Democrats said they were merely closing a loophole, but Republicans and the White House branded it a tax increase.

The Senate version, which includes a new $5.1 billion fund that farmers could tap when hit by weather losses, would be financed in part by a different set of measures clamping down on tax-avoidance techniques used by business.

Conner also said the bill contains too little reform of subsidies. He said the administration is dissatisfied that the bill does not place stricter limits on subsidy payments to rich farmers.

Mr. GRASSLEY. The title of that article is: "Bush Vowed to Veto Senate's Farm Bill."

Before I discuss the specifics of the economic substance doctrine, I wish to put this revenue raiser in context. We have heard a lot about pay-go. That is short for pay as you go. If you want to spend money, either raise taxes to offset it or cut someplace else to offset it. Or if you want to cut taxes, raise taxes someplace else to pay for it or cut spending someplace else to pay for the tax decrease. But around here we use the term pay-go for short.

Now, of course, pay-go was in place for many years before the current policy was put into place after a few years of absence. The difference is the old version of pay-go applied it as a backstop to a budget resolution. So if a proposal spent more than the budget permitted and added to the deficit, a pay-go point of order was possible. Likewise, if a proposal to cut taxes more than the amount of the revenue the budget assumed would come in, pay-go would apply.

This year Congress is struggling because a rigid notion of pay-go has hamstrung the committees—meaning every committee of the Congress that processes revenue or spending policies. The rubber has hit the road with pay-go here, more so at the end of the session than throughout the rest of 2007, and it has been a somewhat bumpy road for all of us. Of course, I think this road is even going to get bumpier as time goes on between now and Christmas.

As everyone knows, Congress has a lot of unfinished business. I am going to focus on the unfinished tax business. I have a chart here I want to point to. It is a chart I have used before. This chart shows the unfinished tax business that has got to come before the Congress between now and Christmas. It accounts for all the bills we passed out of the Finance Committee. It also accounts for the expiring provisions that are known as tax extenders. The biggest item of the revenue loss chart is the alternative minimum tax and the fix for that alternative minimum tax so 19 million additional middle-income taxpayers and their families are not paying the AMT. You see all of those various aspects listed there separately—the 2007 AMT fix, 2008 AMT fix, 2008 extenders, the Energy bill that has already passed the Senate, the airport reauthorization bill, and then eventually we will spend some time on the farm bill. But you can see they add up to a heck of a lot of money.

Since we are in the 2008 fiscal year, I have included then extenders for 2008 and also carrying a fix for AMT for not only 2007 but 2008.

This chart accounts for the revenue loss from the farm bill package that is there at $13 billion. My chart shows the revenue loss side as demands on the water well there. It is at the top of the well in the bucket what the shortfall is there. There are a lot of thirsty bills that have to be paid for. Those thirsty bills carry a revenue loss of $170 billion over 5 years.

I have accounted for the revenue offsets. This figure includes all revenue raisers proposed by Senate Democrats that are specified and scored by the nonpartisan Joint Committee on Taxation. That figure includes $32 billion from the Finance Committee-approved proposals and $29 billion in other proposals. That total is $61 billion. That is what we know for sure that has been thought up and probably has a great deal of support to accomplish.

This offset figure is calculated from the vantage point of the Senate Democratic leadership. In this total are proposals that House Democrats have opposed, such as shutting off the foreign subway leasing tax shelter, known as SILOS. In this total are proposals that most Senate Republicans have opposed, such as the reimposition of the Superfund taxes. In this total are many proposals that even the Bush administration has come out against.

Now with this favorable assumption to them, the pay-go advocates in the Senate need to know that as we stand here today, there is not enough known revenue to meet the pay-go requirements that are on this chart that obviously have to be dealt with between now and Christmas. In other words, the demands on the revenue well are $170 billion, and the available revenue raisers are only $61 billion. So that is a shortfall that is clear there, in the middle of the well—a shortfall of $109 billion. In other words, the revenue well is dry.

Now, $109 billion is a lot of money even here in Washington, DC. If the proposals are scored over 10 years, that shortfall does narrow slightly, from $109 billion down to $76 billion, and it is possible that some of the revenue raisers in Chairman RANGEL's bill may be pursued by the Senate Democratic leadership. But as it stands now, for unfinished tax business alone, by this accounting, we cannot meet the requirements that the Senate must meet that we call pay-go.

I point this out because everybody has to see this big picture. They seem to be missing the big picture on how we wrap up our overdue legislative business and meet the demands of the new pay-go rules. On the farm bill alone, my chart treats the farm bill as fully offset. My chart is created from the perspective of the Senate Democratic leadership, and so it shows the farm bill as offset. That is the way it is as it came out of the Senate Finance Committee.

The problem is that President Bush's opposition to the key revenue raiser is not accounted for in this chart. President Bush's position does matter. His opposition to any revenue raiser, but specifically this one, would have to be overcome with a veto override. As my friends and the Democratic leadership know, that happens to be a very tough hurdle, as we have found out, for instance, on the Children's Health Insurance Program recently before the House of Representatives.

My point is it is time to get practical around here. This chart of the water well shows that as we sit here today, looking at it from a Senate Democratic leadership perspective, the revenue well is dry. To insist on pay-go without a sense of realistically available offsets is trying to go up a blind alley. I say to my Democratic friends: At this late point in the legislative session, let us focus on what is practical. Let us apply the offsets we can agree to and in a manner we can agree on. We need to get to a posture of what can be agreed to by the House, by Senate Republicans, and by the White House. The AMT fix is the 800-pound gorilla in this discussion. It is $55 billion of the $109 billion shortfall. It affects 23 million families and could affect adversely another 27 million families. The AMT fix is long overdue. It needs to be completed expeditiously.

To address this important matter solely from a pay-go perspective is to ignore the realities that it needs to get done. Republicans are ready, Republicans are willing, and Republicans are able to help get this AMT fix done, and done very shortly, but for many reasons I have discussed all year, not at the price of offsets.

I will now go into the reasons why clarification of the economic substance doctrine is an appropriate revenue raiser and why it is basic to this farm bill before us, because it is a part of the farm bill; and why the President is crazy to use that as an excuse for vetoing the farm bill.

The provision made the Finance Committee package revenue neutral, raising $10 billion over 10 years. But I support codification of economic substance not just to raise revenue—although it does that, and it is important that it do that because otherwise we would not have our provisions offset, according to pay-go. As ranking member of the Finance Committee, and even when I was chairman in the last two Congresses, I have supported codification of economic substance because it is the right policy. This provision is an improved version of a provision that passed the Finance Committee and the full Senate in the last two Congresses.

The prior version was included in two bills passed by the full Senate in the 109th Congress, twice in the tax reconciliation bill, once in 2005 by a vote of 64 to 33, and again in 2006 by a vote of 66 to 31. It also passed the full Senate two times in the 108th Congress, once in the 2003 tax bill by a vote of 51 to 49 and again in the 2004 JOBS bill by a vote of 92 to 5.

This Senate is acquainted with the need to codify economic substance for us to do our job of making the Tax Code understandable so you do not get four different circuit courts of appeal giving four different definitions to economic substance. We ought to have one national policy on what is economic substance. Codifying it will clarify the test. It is a conjunctiva test requiring both a meaningful change in economic position and a business purpose, independent of Federal taxes. The courts are split on whether a transaction must have both economic substance as well as business purpose. This will give courts, then, a uniform doctrine to apply to noneconomic transactions that are inappropriately motivated solely to avoid Federal taxes—in other words, closing loopholes.

It will also ensure that a court will not overturn the doctrine, as a trial judge did in what is called the Coltec case, saying:

> The use of the economic substance doctrine to trump the mere compliance with the Code would violate the separation of powers.

That judge—I don't have to say that judge was crazy because the court of appeals reversed that judge's decision. But I am still concerned that another strict constructionist judge might reach a similar conclusion. Most important, codifying the economic substance doctrine will provide an additional deterrent against taxpayers entering into transactions solely for tax purposes, in ways that are inconsistent with congressional intent.

As I said earlier, this provision is an improved version of what has already passed the Finance Committee and the full Senate more than once. So this Senate agrees with economic substance. But maybe Senators have forgotten how they voted 2 and 3 and maybe 5 years ago, so I am here to remind them this has been overwhelmingly accepted by the full Senate.

This improved version has modifications made in response to concerns of taxpayers that codification would throw legitimate tax planning into question and allow the IRS to substitute its business judgment for that of the taxpayers. I am going to talk about those modifications so people understand, and all these lawyers in this town who are concerned about our writing this, that they know we have taken some of their legitimate concerns into consideration.

For instance, the strict liability nature of the penalty has been retained in order to effectively deter taxpayers from entering into tax-motivated transactions in unintended ways. Indeed, according to the Joint Committee on Taxation, the bulk of the revenue score is attributable to this strict liability penalty—not because the IRS will collect the penalty but because people are going to start obeying the law and change their behavior. The penalty will alter taxpayer behavior. It will cause taxpayers to forego entering into noneconomic, tax-motivated transactions that Congress never intended.

We have heard complaints that a strict liability penalty will cause IRS field agents to overreach and courts to be reluctant to apply the doctrine. These are serious concerns, and we have addressed those concerns by requiring the IRS to nationally coordinate through the Chief Counsel's Office when the penalty is asserted and/or when it is compromised. This procedure is similar to a process currently used by the IRS to designate cases for litigation.

As a protective measure, taxpayers will be permitted to make their case to the IRS at the national level before a penalty is asserted. Of course, cases involving the economic substance doctrine should be going through Chief Counsel anyway, and taxpayers currently have the ability to persuade the IRS not to assert a penalty. But because of the strict liability nature of this penalty, it is important to formalize this process and move it to a higher level of review.

Getting the Chief Counsel's Office involved earlier in this controversy will help taxpayers and the IRS resolve or make litigation decisions regarding tax shelters earlier.

We have also lowered the penalty for undisclosed transactions from 40 percent to 30 percent to bring it in line with the penalty on undisclosed listed transactions.

The proposal to codify economic substance has been controversial, even though it has passed the Finance Committee and the full Senate in the last two Congresses. Taxpayers and practitioners expressed legitimate concerns about it. We have addressed those concerns—maybe not in the way everybody wants, but I think we have done it in a responsible way.

As a general matter, in my tenure as chairman of the Finance Committee before we went into the minority this year, I am proud to have kept taxes down. During my tenure, we enacted bipartisan tax relief bills that totaled over $2 trillion over 10 years. So for critics who look at any change in the Tax Code, regardless of how legitimate it is, even regardless of not doing it for revenue-raising measures—they look at everything and say: You are changing the Tax Code; you are raising taxes—I am here to tell them on this issue of economic substance how ridiculous that is. So for the critics of this revenue raiser, I would refer them to my record of keeping taxes down.

By the way, for those on the liberal side of the political spectrum, I point out, as a percentage of GDP, the Federal Treasury is taking in a percentage that is above the post-World War II average.

Codifying the economic substance doctrine should be considered on its merits. It should not be dismissed because it scores as a revenue raiser. It should not be endorsed either because it scores as a revenue raiser. In my view, it should be enacted because it is the right tax policy. Folks need to take off the bean-counting green eyeshades and look at the tax policy.

The same goes for the long overdue AMT fix that I have talked about. It is not about maximizing Federal revenues. It is about fair taxation for 19 million middle-income families.

I am done, Mr. President, but I want to digress for one minute for the benefit of faceless bureaucrats down at the White House. I want to talk to those people who maybe were advising the President, and they put it in his veto message, that one of the reasons he was vetoing the Children's Health Insurance Program is because our bill allowed families earning up to $83,000 to have their children in a government program—when quite obviously most people making that kind of income can have health insurance. What I have said to those very same people who put that in the President's message is it was not in our bill; that States could do that. That has been in the law for 10 years. But nobody pointed that out to the President. Some stupid person said to the President: This bill allows people with $83,000 to get it. It didn't have anything to do with that. It was in the law for 10 years.

I want those faceless bureaucrats to read why we are doing economic substance. It is about time Congress does its job and the courts don't do the job we are supposed to do. Four circuit courts of appeal have defined and found fault with various aspects of economic substance. They said it is time for Congress to define it.

Yes, it is a revenue raiser, but it is not one of these changes in tax policy that is a change in rates of taxation that you can legitimately call tax increases. But somebody down there at the White House is telling the President this is a tax increase. What we are trying to do is do our job. This cannot be a reason for vetoing the farm bill.

If anybody down at the White House wants to discuss my rationale for this, come up and I will sit down and talk with them, or I will even go down there if they want to talk about it.

I yield the floor. I guess nobody else wants to speak, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, within the past few weeks a series of events has occurred that can help shed light on how tax relief enacted in the past 7 years has impacted the budget of the United States. On September 27, the Senate voted to increase the debt limit so the Treasury would be able to borrow enough to meet our Nation's obligations. At the time, I made a statement that this was necessary. The proper place to take a stand for fiscal responsibility is when we are considering bills that spend money and actually create our debt.

Unfortunately, some of my colleagues believe the only answer to our budget woes is to increase taxes. But I believe this point of view is misguided and would prove destructive to our budget in the long term. Especially over the past 7 years, discussion of an increase in debt limit has prompted excitable statements from my colleagues across the aisle on the current administration's fiscal record. I am sure I do not have to say these statements from across the aisle have not been positive.

Another event I want to mention is the release on October 5, 2007, of the Monthly Budget Review from the Congressional Budget Office. The Congressional Budget Office budget review forecasts that the deficit for fiscal year 2007 would be significantly smaller than the deficit for 2006, and then the Final Monthly Treasury Statement, published by the Treasury Financial Management Service, confirmed that. According to the U.S. Treasury, the Federal deficit for fiscal 2007 was $162.8 billion. The deficit for 2006, the year before, was considerably higher, at $248.2 billion. The deficit for 2007 then is around $85 billion less than it was last year.

The chart I am going to show you, taken from Treasury documents, shows how this decrease in the deficit has been driven by a 6.7-percent estimated increase in total receipts over fiscal year 2006.

If you are determined to show that tax relief has led to less revenue from the Federal Government, then this data is difficult to explain. Of course, the conventional criticism offered against tax relief was that it was going to be directly responsible for massive increases in the deficit. This argument implies that as a result of tax relief, the Federal Government would collect less money in taxes.

On May 23, 2003, the Senate voted to agree to a conference report to accompany the Jobs and Growth Tax Relief Reconciliation Act of 2003. The vote was close. The conference report was agreed to only because the Vice President cast the tie-breaking vote in favor of the report. Anyone who reviews the CONGRESSIONAL RECORD of that debate would see that the rollcall vote was preceded by a very contentious discussion. Many of my colleagues had very strong criticism of the bill which, among other things, reduced the rates for capital gains and dividends.

Tax policy generally is not seen as something that attracts a lot of excitement, but the floor debate of May 23, 2003, could have given a listener the impression the sky was falling.

This chart of Chicken Little reporting that the sky is falling illustrates the tone of some of the criticism made by my colleagues.

One Senator claimed:

> The tax base of the Federal Government is being destroyed.

This same Senator referred to the bill as:

> One of the most dangerous, destructive and dishonorable acts of Government that I have ever seen.

Another one of my colleagues claimed that the bill:

> Is about helping the elite few with large tax cuts while burdening the majority of Americans with huge debt.

Here again, you see the implication that the 2003 tax relief was going to diminish revenues collected by the Federal Government.

A third colleague claimed:

> This bill I call the policy of the three Ds. This is the policy of debt, deficits and decline.

This comment is especially interesting when examining a statement made by this very same Senator on September 27 of this year during the discussion on increasing the statutory limit on the public debt. That same Senator said at that time that:

> Revenue has been basically stagnant in this country for 6 years.

According to my colleagues in the Congressional Budget Office, revenues in 2000 were $2 trillion, just a hair over $2 trillion, while revenues in 2007 were calculated by the Treasury to be around $2.12 trillion, taking into consideration inflation.

First, I wish to point out that the word "stagnant" used by my colleague is a far cry from the debt, deficit, and decline that tax relief was supposed to inflict on this Nation. I am not saying we do not have a massive national debt fed by successive budget deficits, but the specific tax relief enacted in 2003 and again within the past 7 years is not the cause of that.

As my esteemed colleague pointed out, even accounting for inflation, the revenues of the Federal Government are projected to be greater in 2007 than they were in 2000. So this certainly shows that our tax base was not gutted by tax relief as was so profoundly asserted by my colleagues.

I also would like to say that I do not think that $90 billion is a trifling amount of money. Maybe it is to some people in some places, but it is certainly not for us people, for the Iowa farmer.

To offer a different perspective, let's consider this year's appropriations bills. The Democratic leadership wants to spend $23 billion more than the President's budget on appropriations. That same group is preparing to force a showdown with the President over that $23 billion. That is one-fourth of the amount I am talking about here. So when it comes to spending, extra dollars do count, but extra revenue from lower levels of taxation is to be belittled no matter what the number might be. It just sounds so inconsistent.

My excitable colleagues here in the Senate are not the only ones who predicted gloom and doom that never came because of the tax relief in August of 2003. Even the Congressional Budget Office published a document titled "The Budget and Economic Outlook: An Update." The bill reducing rates on capital gains and dividends had become law at the end of May, so the Congressional Budget Office was able to take tax relief into account as they conjured their budget projections. This chart right here illustrates the discrepancy between what was forecast by the Congressional Budget Office in the summer of 2003 and what actually transpired. You can see the red line actual figure is way above the blue line that was suggested by the Congressional Budget Office.

In August of 2003, the Congressional Budget Office projected that the Federal Government would collect about $1,770 billion in revenue. According to the historical budget data—also from the CBO—revenue in 2003 was actually about $1,783 billion. That difference is $13 billion. Now, $13 billion may be peanuts to some people, but I think it is a good start.

In August 2003, the Congressional Budget Office projected Federal revenues for 2003 to be $2,276 billion. Actually in 2003, Federal revenues were about $2,407 billion. The Federal Government collected, then, $131 billion more in 2006 than was originally forecast in the dark days of 2003, when several of my Democratic colleagues thought that tax relief was poised to destroy our tax base. Revenues actually collected were higher than projected when considered as a percentage of gross domestic product.

In August 2003, CBO projected that revenues in 2006 would be 18.2 percent of GDP. Actual revenues collected in 2006 were more than that—at 18.4 percent compared to 18.2 percent of GDP. In 2005, they were 17.6 percent; in 2004, they were 16.3 percent; and in 2003, they were 16.5 percent. After a small downturn in 2004, Federal revenues, taken in proportion, increased faster than the GDP.

Speaking of its 2007 projection, in an October 2007 monthly budget revenue, CBO states:

> Revenues rose to 18.8 percent of GDP, which is slightly higher than the average of 18.2 percent over the past 40 years.

Even with lower taxes, the Federal Government is collecting, on average, a greater percentage of GDP in revenue year by year than it has over the past four decades.

Incidentally, in 2003, CBO projected that revenues would equal 18.3 percent of GDP in 2007.

Next, I want to compare the 4-year period after the 2003 tax relief plan went into effect with the 4-year period after the tax increases were enacted in the Clinton first year, 1993.

The Omnibus Budget Reconciliation Act of 1993, signed into law by the President in August of that year, increased taxes on corporations and individuals while increasing taxes on gasoline and raising the taxable portion of Social Security benefits.

I think this may be counterintuitive to some people, especially to those who believe that the well-being of our Nation is directly proportional to our ability to seize income from taxpayers, but as a percentage of GDP, Federal revenues increased faster after tax relief than they did after tax increases.

To set the stage, in 1993, Federal revenues were 17.5 percent of gross domestic product. In 2003, Federal revenues were a percent less at 16.5 percent of GDP.

By the way, all of these numbers are Congressional Budget Office numbers, and until I get to 2007, they are not projections.

If you look at this chart we are now putting up, you can see that as a percentage of GDP, Federal revenues increased faster in the 4 years after the 2003 tax relief than they did after the 1993 tax increase. Let me emphasize that. Revenues came in faster after we decreased taxes in 2003 than they did after 1993 when we increased the taxes.

For 1997, Federal revenues were 19.3 percent of GDP. Between 1993 and 1997, Federal revenues increased by 1.8 percent of GDP.

Now, in 2007, Federal revenues are projected by the Congressional Budget Office to be 18.8 percent of GDP. If this is the case, then over the past 4 years, Federal revenues will have increased by 2.3 percent, and 1.8 percent subtracted from that 2.3 percent leaves one-half of a percent. The tax relief enacted in 2003 grew Federal revenues by one-half of a percentage point more than the tax hikes of 1993 in the 4 years following each.

I like to emphasize this because I think that it just—too many people see it as common sense that if you raise tax rates, you are going to bring in more revenue; if you lower tax rates, you are going to bring in less revenue. But I just showed that tax increases under Clinton did not bring in as much revenue as tax decreases in this administration. They brought in more revenue. So I would like to disabuse people of the fact that increasing rates brings in more revenue and decreasing rates brings in less revenue.

What is also important is that as a percentage of GDP, revenues were higher in 1997 than they will be this year. In my opinion, they were too high.

The point that I am making is that the rate of change in revenues as a percentage of GDP has so far been greater after tax relief than after a tax hike. I think it is very important, especially for those who reflexively believe that the only way for the Federal Government to raise more money is to confiscate more income from taxpayers. Clearly, that view is false.

To conclude, let me summarize the current budget situation.

Right now, taxes are lower than they would have been under Democratic rule. I want to make it clear that I am not saying that no Democrats supported any tax relief. Some Democrats voted for the 2003 tax relief plan, and many more voted for the 2000 tax relief plan. However, I am skeptical that a Democratic Congress or White House would have allowed taxpayers to keep so much of their own money.

The budget deficit is shrinking, and Federal revenues are increasing. Anyone who finds fault with this situation is determined to do nothing but simply find fault. They would probably be unable to enjoy a sunny day because they would constantly be on the lookout for storm clouds regardless of what the forecast said. There is a problem with debt and with Federal budget deficits, but tax increases are the wrong way to approach that problem.

We have a Federal budget deficit because the Federal Government spends too much money, and the best way to get rid of deficits is to spend less. Consequently, raising taxes makes the situation worse by punishing the overall economy and making conditions more difficult for the economy—the source of Federal revenues—to function efficiently. We have to remember that our economy supports the Government and not the other way around. The budget data I have discussed today shows how we can increase revenues and reduce deficits by removing impediments to economic efficiency and allowing our economy to flourish.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SALAZAR.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I appreciate everyone's patience. The Republican leader and I have been doing our best. Sometimes it is tough to work through the process.

UNANIMOUS-CONSENT AGREEMENT—CONFERENCE REPORT TO ACCOMPANY H.R. 3043

Mr. REID. Mr. President, I ask unanimous consent that tomorrow following the joint meeting, when we will hear the President of France speak, the Senate proceed to the consideration of the conference report on H.R. 3043, the Labor-HHS appropriations bill, if it has been received from the House; that there be 1 hour for debate divided equally among Senators HARKIN, REED of Rhode Island, SPECTER, and HUTCHISON, and 2 hours for debate under the control of the two leaders or their designees; that following the use or yielding back of time, Senator HUTCHISON be recognized to make a rule XXVIII scope point of order; that Senator HARKIN be recognized to waive rule XXVIII, and the Senate then proceed to debate the motion as under the provisions of rule XXVIII; that if the point of order is sustained, Senator COBURN be recognized to move to suspend the rules, provided it had been timely filed; that there then be 30 minutes for debate equally divided in the usual form; that at the conclusion or yielding back of time, the Senate vote, without any intervening action, on his motion to suspend the rules; that if the motion to suspend is adopted, Senator COBURN's amendment be agreed to and the Senate proceed to concur as stated below; that if his motion fails, then the Senate, without any intervening action or debate, vote immediately on the motion to recede and concur with the further amendment as under the rule; that if the motion to waive is successful, the Senate then vote on Thursday, November 8, on cloture on the conference report as if it had been filed on Tuesday, November 6.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

REAL ID ACT

Mr. LEAHY. Mr. President, when the REAL ID Act was added to an emergency supplemental spending bill in 2005, with little debate or foresight, I believed that Congress had made a mistake. I was not alone, and since that time 38 States have either introduced or passed legislation opposing the law. Seventeen States have enacted laws in opposition. I have joined Senators AKAKA, SUNUNU, TESTER, BAUCUS, and ALEXANDER in introducing legislation to repeal the driver's license provisions of the law and to replace them with the negotiated rulemaking process that had been originally enacted in the 2004 Intelligence Reform and Terrorist Prevention Act. That bill, which REAL ID superseded, was intended to improve the security of State driver's licenses through a cooperative partnership with the States and the private sector.

The Judiciary Committee held a hearing on May 8 of this year to examine whether the REAL ID Act is actually an effective way to improve our security. I agreed with many at the hearing who argued that the REAL ID Act was not an effective way to improve identity security, and the sacrifices Americans would be compelled to make in their personal privacy were unacceptable. All agreed more could and should be done to ensure the integrity of identification documents, but many cautioned that the REAL ID Act is not the most effective way to do it.

Opposition to the REAL ID Act has been bipartisan and widespread among the States and many Federal lawmakers. In addition to the enormous financial burdens placed on the States, the law raises serious privacy concerns about the Federal Government's interference in a responsibility traditionally left to the State. Proponents of the law proclaim it is not a national ID card. But when the Federal Government begins directing how a State driver's license is issued, what characteristics the card must have, and conditioning access to Federal buildings and airplanes on possession of a REAL ID card, it is difficult to think this is anything but the first, big step toward a national identification card that so many Americans oppose.

But the reality of the dissatisfaction among the American people is catching up with the administration. The Washington Post recently reported that Secretary Chertoff is expected to announce yet another delay for REAL ID's implementation deadline. Secretary Chertoff previously waived the May 2008 compliance deadline and set a new target of 2013 for nationwide compliance. Now Secretary Chertoff will reportedly extend this date to 2018 for drivers who are older than 40 or 50, and officials have said the Government will not bar those not possessing a REAL ID license from Federal facilities and airplanes.

Despite being faced with determined opposition from the States and many Members of Congress, the administration still refuses to reconsider implementation of the law and is ignoring the pleas of the States. Without buy-in from the States and the American people, this program is doomed to failure. Delaying the inevitable by pushing back deadlines is not the way we will improve identity security. Had the negotiated rulemaking provisions enacted in the 2004 Intelligence Reform and Terrorist Prevention Act been left intact, meaningful identity security improvements could already be underway. Unfortunately, instead of addressing the fundamental problems this law poses for the States, the administration appears content merely to prolong a contentious and unproductive battle to force the States to comply. Rather than improved security, this course will result in resentment, litigation, and enormous costs that States will be forced to absorb. The administration would do much better to treat the States as partners and forgo the paternalistic mandates that the American people are rejecting. That spirit of cooperation would result in much greater security than the administration's go-it-alone strategy to force compliance with another ill-conceived policy.

Like the Western Hemisphere Travel Initiative, the REAL ID Act represents precisely the big-government interference the President's party claims to dislike. The American people are demanding that the Federal Government take a second look at the wisdom of charging ahead with a national ID card, and the administration ought to listen carefully to what many have been saying since this law was enacted, before more time is wasted trying to force this unpopular and cumbersome law on the citizens of the United States. I welcome all Senators to join me and the other cosponsors of S. 717 in rejecting the burdensome mandates of REAL ID and advocating for a better system of securing our fundamental identification documents.

HATE CRIMES, BIGOTRY AND ANTI-SEMITISM

Mr. SMITH. Mr. President, today I attended a hearing of the Helsinki Commission on the increase in anti-Semitism and extremist political parties in Europe.

I take a deep interest in hate crimes, bigotry, and anti-Semitism. In our society, these issues are mostly restricted to the political fringe. Nobody in this country would gain widespread electoral support for the formation of an explicitly racist party. We are perhaps unique in that respect. In Europe, these parties are not only formed—they are prospering.

Today's hearing did much to highlight the rise of bigotry and discrimination in Europe. A number of experienced witnesses from the U.N., executive branch, and nonprofit sector described the political situation in Europe today, and it is alarming. Across the continent, extremist groups are parading openly and gaining support. In Russia, two thousand supporters of a fascist organization rallied on November 4, the country's National Day, to shout xenophobic and anti-Semitic slogans. Many gave the Hitler salute. This in Russia, which suffered more from the aggression of Nazism than perhaps any other nation in the world.

In Hungary last month, 600 people were sworn in as new members of the extremist, paramilitary "Hungarian Guard," wearing uniforms similar to those of the World War II fascist government. By its own account, the Guard has thousands of applications to join its ranks, at a time when the elected Hungarian government is already unpopular because of its previous deceptive election campaign. This criticism led to widespread street violence last year, creating a tense environment ripe for radicalization. The Hungarian Guard is supported by the rightwing political party Jobbik, which is small but virulent. The Prime Minister of Hungary likened the formation of the Hungarian Guard to the increasing influence of Brownshirts in Hitler's Germany, a comparison which seems to me—at least at an early stage—to be apt. The Jewish community in Hungary is understandably wary of its new Guard, and I feel it is incumbent upon all of us to watch future events in that country closely.

But it is not just the fringe organizations which are growing in popularity; inch by inch, more moderate groups with the similar tenets are moving to the mainstream. Last month, the somewhat xenophobic Swiss People's Party, SVP, romped to significant success in Switzerland's national election. Perhaps this should not be cause for excessive alarm. After all, Switzerland has a highly developed political system, with a republican tradition dating back hundreds of years. These people are also not marginalized discontents with a perennial grudge on their shoulder; indeed, they seem to address several issues about which the average Swiss citizen is concerned. But if there is not cause for alarm, there is certainly cause for unease. One reason is an election poster used by the SVP, depicting a white sheep kicking a black sheep off of the flag of Switzerland. Because of its racial overtones, the U.N. has already condemned the poster, though the SVP claimed during the campaign the poster was not racist. Perhaps.

I do not believe that the SVP are a fascist party, as some of its critics allege. However, its success is indicative of a potentially ugly mood across the Atlantic, as Europeans born into welfare state luxury are unsure how globalization and the mobility of capital will affect their economic birthright. In uncertain economic times, opprobrium then falls easily on traditional scapegoats; Jews, gypsies, and other minorities. It is critical for the Europeans to remember that these minorities are no less citizens for being different. They lead law-abiding lives, pay their taxes, and serve in the military. It does not thus stand to reason that European societies can treat them eternally as second-class citizens.

Groups like the Hungarian Guard would likely protest that their rigid stance is only aimed at those who become illegal, who commit crimes or threaten Hungary's law-and-order. But given the heated rhetoric on this issue, and the current torrid geopolitical climate, the status of minorities, particularly Jews and Muslims, in Western countries is an issue which needs to be tackled carefully. Many of the current challenges facing the world are rooted in the Middle Eastern and Islamic nations, and it would be foolish to place lives in jeopardy over election-day rhetoric.

Coincidental with rise of the Hungarian Guard and its ilk, there is another factor I find particularly troubling: the increase in overall anti-Semitism in Europe. This has several possible causes, and I certainly do not want to lay the blame solely on the shoulders of rightwing extremists. Passions arising from the Israeli-Palestinian conflict surely play a part, especially considering the large Muslim population in these countries. But it does seem true that there is still a strain of the old European anti-Semitism running through the Hungarian Guard, Russian fascists, and their like, a disturbing taint which has never quite vanished from European political culture.

Anti-Semitic violence was one of the terrible specters of the last century. After the Second World War, Europeans made a solemn commitment never to let such hatred loose again on their citizens of Jewish faith. Despite neo-Nazi movements in several countries, the European commitment to this resolution has been impressive. It is equally important to remember, however, just how recently was the Holocaust. The slaughter was ended 62 years ago, and many still live who were caught in its vice. In the breadth of human existence, 62 years is barely a lifetime. So I strongly believe it is necessary, even as extremist parties become increasingly visible, that responsible leaders recommit themselves to the eradication of anti-Semitism in their realms.

Uncertain times often lead men to seek the simplest solutions, the elements of their national culture with which they are the most comfortable. Two of these traditions are, unfortunately, extremist nationalism and anti-Semitism. Given the history of Europe, each nation should redouble its efforts to make peace with those in their ranks who are different. And it is also up to Europe to ensure that when they say "never again," they mean it.

HONORING OUR ARMED FORCES

Mrs. BOXER. Mr. President, today I rise to pay tribute to 35 young Americans who have been killed in Iraq since July 23, 2007. This brings to 812 the number of soldiers who were either from California or based in California that have been killed while serving our country in Iraq. This represents 21 percent of all U.S. deaths in Iraq.

Hospitalman Daniel S. Noble, 21, died July 24, as a result of enemy action while conducting security operations in the Dilaya Province of Iraq. Hospitalman Noble was permanently assigned to 1st Marine Division, Fleet Marine Force Pacific, Camp Pendleton, CA. He was from Whittier, CA.

SSG Joshua P. Mattero, 29, died on July 24, in Baqubah, Iraq, when an improvised explosive device detonated near his patrol. Staff Sergeant Mattero was assigned to the 725th Ordnance Company, 63rd Ordnance Battalion, 52nd Ordnance Group, Fort Drum, NY. He was from San Diego, CA.

CPL Matthew R. Zindars, 21, died July 24, while conducting combat operations in the Diyala province of Iraq. Corporal Zandars was assigned to 2nd Battalion, 11th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

SPC Jaime Rodriguez, Jr., 19, died July 26, in Saqlawiyah, Iraq of wounds sustained when an improvised explosive device detonated near his vehicle. Specialist Rodriguez was assigned to the 5th Squadron, 7th Cavalry Regiment, 1st Brigade Combat Team, 3rd Infantry Division, Fort Stewart, GA. He was from Oxnard, CA.

CPL Sean A. Stokes, 24, died July 30, from wounds suffered while conducting combat operations in the Al Anbar province of Iraq. Corporal Stokes was assigned to 3rd Battalion, 1st Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA. He was from Auburn, CA.

SPC Daniel F. Reyes, 24, died July 31, in Tunis, Iraq, of wounds suffered from enemy indirect fire. Specialist Reyes was assigned to the 2nd Battalion, 377th Parachute Field Artillery Regiment, 4th Brigade Combat Team, Airborne, 25th Infantry Division, Fort Richardson, AK. He was from San Diego, CA.

LCpl Cristian Vasquez, 20, died August 2, from wounds suffered while conducting combat operations in the Al Anbar province of Iraq. Lance Corporal Vasquez was assigned to 1st Light Armored Reconnaissance Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA. He was from Coalinga, CA.

SGT Jon E. Bonnell Jr., 22, died August 7, from wounds suffered while conducting combat operations in the Al Anbar province of Iraq. Sergeant Bonnell was assigned to 1st Battalion, 11th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

SGT Michael E. Tayaotao, 27, died August 9, from wounds suffered while conducting combat operations in the Al Anbar province of Iraq. Sergeant Tayaotao was assigned to 7th Engineer Support Battalion, 1st Marine Logistics Group, I Marine Expeditionary Force, Camp Pendleton, CA. He was from Sunnyvale, CA.

SSG Sean P. Fisher, 29, died August 14, in Al Taqqadum, Iraq, of injuries suffered when his helicopter crashed. Staff Sergeant Fisher was assigned to the 1st Battalion, 52nd Aviation Regiment, Task Force 49, Fort Wainwright, AK. He was from Santee, CA.

SGT Matthew L. Tallman, 30, died August 22, in Multaka, Iraq, of injuries suffered when his helicopter crashed. Sergeant Tallman was assigned to the 4th Squadron, 6th U.S. Air Cavalry Regiment, Fort Lewis, WA. He was from Groveland, CA.

SSG Jason L. Paton, 25, died August 22, in Multaka, Iraq, of injuries suffered when his helicopter crashed. Staff Sergeant Paton was assigned to the 2nd Battalion, 35th Infantry Regiment, 3rd Infantry Brigade Combat Team, 25th Infantry Division, Schofield Barracks, HI. He was from Poway, CA.

CPL Nathan C. Hubbard, 21, died August 22, in Multaka, Iraq, of injuries suffered when his helicopter crashed. Corporal Hubbard was assigned to the 2nd Battalion, 35th Infantry Regiment, 3rd Infantry Brigade Combat Team, 25th Infantry Division, Schofield Barracks, HI. He was from Clovis, CA.

LCpl Matthew S. Medlicott, 21, died August 25, from wounds suffered while conducting combat operations in the Al Anbar province of Iraq. Lance Corporal Medlicott was assigned to 1st Battalion, 1st Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Rogelio A. Ramirez, 21, died August 26, while conducting combat operations in the Al Anbar province of Iraq. Lance Corporal Ramirez was assigned to 1st Battalion, 1st Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA. He was from Pasadena, CA.

CPL John C. Tanner, 21, died August 29, while conducting combat operations in the Al Anbar province of Iraq. Corporal Tanner was assigned to 3rd Assault Amphibian Battalion 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

SGT Michael J. Yarbrough, 24, died September 6, while conducting combat operations in the Al Anbar province of Iraq. Sergeant Yarbrough was assigned to 3rd Assault Amphibian Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

SSG John C. Stock, 26, died September 6, while conducting combat operations in the Al Anbar province of Iraq. Staff Sergeant Stock was assigned to 3rd Assault Amphibian Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

CPL Bryan J. Scripsick, 22, died September 6, while conducting combat operations in the Al Anbar province of Iraq. Corporal Scripsick was assigned to 3rd Assault Amphibian Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

CPL Christopher L. Poole Jr., 22, died September 6, while conducting combat operations in the Al Anbar province of Iraq. Corporal Poole was assigned to 3rd Assault Amphibian Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

SPC Marisol Heredia, 19, died on September 7, at Brooke Army Medical Center, Fort Sam Houston, TX, of injuries sustained on July 18, in Baghdad, Iraq, from a non-combat related incident. Specialist Heredia was assigned to the 15th Brigade Support Battalion, 1st Cavalry Division, Fort Hood, TX. She was from El Monte, CA.

CAPT Drew N. Jensen, 27, died September 7, in Seattle of wounds suffered when insurgents attacked his unit using small arms fire during combat operations May 7 in Ba'qubah, Iraq. Captain Jensen was assigned to the 5th Battalion, 20th Infantry Regiment, 3rd Brigade, 2nd Infantry Division (Stryker Brigade Combat Team), Fort Lewis, WA. He was from Clackamas, CA.

LCpl Lance M. Clark, 21, died September 7, from a non-hostile incident in the Al Anbar province of Iraq. He was assigned to 1st Battalion, 1st Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

CPL Carlos E. Gilorozco, 23, died September 10, while conducting combat operations in the Al Anbar province of Iraq. Corporal Gilorozco was assigned to 2nd Battalion, 9th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, NC. He was from San Jose, CA.

SPC Nicholas P. Olson, 22, died September 18, in Muqdadiyah, Iraq, of wounds sustained when an improvised explosive device detonated near his unit during combat operations. Specialist Olson was assigned to the 2nd Battalion, 23rd Infantry Regiment, 4th Brigade, 2nd Infantry Division, Stryker Brigade Combat Team, Fort Lewis, WA. He was from Novato, CA.

CPL Anthony K. Bento, 23, died September 24, in Bayji, Iraq, of injuries sustained when his dismounted patrol encountered small arms fire. Corporal Bento was assigned to A Company, 1st Battalion, 505th Parachute Infantry Regiment, 82nd Airborne Division, Fort Bragg, NC. He was from San Diego, CA.

SGT Robert T. Ayres III, 23, died on September 29, in Baghdad, Iraq, of injuries sustained when he encountered small arms fire while on dismounted patrol. Sergeant Ayres was assigned to A Company, 3rd Squadron, 2nd Stryker

Cavalry Regiment, 1st Armored Division, Vilseck, Germany. He was from Los Angeles, CA.

SPC Avealalo Milo, 23, died October 4, in Baghdad, Iraq, of wounds suffered when insurgents attacked his unit using small arms fire. Specialist Milo was assigned to the 2nd Squadron, 2nd Stryker Cavalry Regiment, 2nd Stryker Brigade Combat Team, 1st Armored Division, Vilseck, Germany. He was from Hayward, CA.

LCpl Jeremy W. Burris, 22, died October 8, while conducting combat operations in Al Anbar province, Iraq. Lance Corporal Burris was assigned to 1st Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

CPL Gilberto A. Meza, 21, died October 6, in Baghdad, Iraq, of wounds sustained when an improvised explosive device detonated near his unit. Corporal Meza was assigned to the 3rd Squadron, 2nd Stryker Cavalry Regiment, Vilseck, Germany. He was from Oxnard, CA.

SPC Frank L. Cady III, 20, died on October 10, in Baghdad, Iraq, when his vehicle overturned. Specialist Cady was assigned to B Company, 4th Brigade Special Troops Battalion, 1st Infantry Division, Fort Riley, KS. He was from Sacramento, CA.

SPC Vincent A. Madero, 22, died October 17, in Balad, Iraq, of wounds suffered when an improvised explosive device detonated near his vehicle. Specialist Madero was assigned to 2nd Battalion, 82nd Field Artillery Regiment, 3rd Brigade Combat Team, 1st Cavalry Division, Fort Hood, TX. He was from Port Hueneme, CA.

CPL Erik T. Garoutte, 22, died October 19, in Baghdad, Iraq. Corporal Garoutte was assigned to 1st Fleet Anti-terrorism Security Team Company, Marine Corps Security Force Battalion, II Marine Expeditionary Force, Norfolk, VA. He was from Santee, CA.

SPC Wayne M. Geiger, 23, died October 18, in Baghdad, Iraq, of wounds sustained when an improvised explosive device detonated near his vehicle. Specialist Geiger was assigned to 3rd Squadron, 2nd Stryker Cavalry Regiment, Vilseck, Germany. He was from Lone Pine, CA.

SSG David A. Wieger, 28, died November 1, near Balad Air Base, Iraq, of wounds suffered from an improvised explosive device. Staff Sergeant Weiger was a special agent with the Air Force Office of Special Investigations and was assigned to Detachment 303, Travis Air Force Base, CA.

I would also like to pay tribute to the five soldiers from California who have died while serving our country in Operation Enduring Freedom since July 23.

SGT Travon T. Johnson, 29, died on July 23, in the Sarobi District of Afghanistan of injuries sustained when an improvised explosive device detonated near his mounted patrol. Sergeant Johnson was assigned to the 1st Battalion, 503rd Infantry Regiment, 173rd Airborne Brigade, Caserma Ederle, Italy. He was from Palmdale, CA.

MSG Patrick D. Magnani, 38, died September 4, near Bagram, Afghanistan, in a non-combat related incident. Master Sergeant Magnani was assigned to the 31st Medical Support Squadron, Aviano Air Base, Italy. He was from Martinez, CA.

CPL Travis M. Woods, 21, died September 9, from wounds suffered while conducting combat operations in the Northern Helmand province of Afghanistan. Corporal Woods was assigned to 3rd Battalion, 1st Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA. He was from Redding, CA.

PFC Mathew D. Taylor, 21, died September 26, in San Antonio of wounds sustained when an improvised explosive device detonated near his vehicle July 23, in the Sarobi District of Afghanistan. Private First Class Taylor was assigned to the 1st Battalion, Airborne, 503rd Infantry Regiment, 173rd Airborne Brigade Combat Team, Vicenza, Italy. He was from Cameron Park, CA.

SSG Joseph F. Curreri, 27, died October 27, in Siet, Lake Jolo Island, Philippines, from injuries sustained in a non-combat related incident. Staff Sergeant Curreri was assigned to the 2nd Battalion, 1st Special Forces Group, Airborne, Fort Lewis, WA. He was from Los Angeles, CA.

COMMERCE, JUSTICE, SCIENCE APPROPRIATIONS

Ms. MIKULSKI. Mr. President, as chairwoman of the Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies, I rise today to notify the Senate that I sponsored an amendment to H.R. 3093, the Commerce, Justice, Science, and Related Agencies Appropriations Act that provided $3 million in funding for Teach for America, headquartered in New York, NY, to improve science, technology, engineering, and mathematics education.

PRESIDENTIAL REMARKS

Mr. SESSIONS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the remarks by President George W. Bush at the Presidential Medal of Freedom presentation at the White House on November 5, 2007, honoring Harper Lee of Monroeville, AL.

There being no objection, the material was ordered to be printed in the RECORD.

Good morning. Laura and I are thrilled to welcome you to the White House. We welcome the members of Congress, the members of the Cabinet, and other distinguished guests. It's an honor to be with the Medal of Freedom recipients, as well as their family members and friends. We're sure glad you're here.

The Medal of Freedom is the highest civil honor that a President can bestow. By an executive order of John F. Kennedy, the medal is designed to recognize great contributions to national security, the cause of peace and freedom, science, the arts, literature, and many other fields. The eight men and women came to this distinction by very different paths. Each of them, by effort and by character, has earned the respect of the American people, and holds a unique place in the story of our time.

The story of an old order, and the glimmers of humanity that would one day overtake it, was unforgettably told in a book by Miss Harper Lee. Soon after its publication a reviewer said this: "A hundred pounds of sermons on tolerance, or an equal measure of invective deploring the lack of it, will weigh far less in the scale of enlightenment than a mere 18 ounces of a new fiction bearing the title To Kill a Mockingbird."

Given her legendary stature as a novelist, you may be surprised to learn that Harper Lee, early in her career, was an airline reservation clerk. Fortunately for all of us, she didn't stick to writing itineraries. Her beautiful book, with its grateful prose and memorable characters, became one of the biggest-selling novels of the 20th century.

Forty-six years after winning the Pulitzer Prize, To Kill a Mockingbird still touches and inspires every reader. We're moved by the story of a man falsely accused—with old prejudice massed against him, and an old sense of honor that rises to his defense. We learn that courage can be a solitary business. As the lawyer Atticus Finch tells his daughter, "before I can live with other folks I've got to live with myself. The one thing that doesn't abide by majority rule is a person's conscience."

Years after To Kill a Mockingbird was put to film, the character of Atticus Finch was voted the greatest movie hero of all time. It won Gregory Peck the Oscar. He was said to believe the role "brought him closest to being the kind of man he aspired to be." The great actor counted Harper Lee among his good friends, and we're so pleased that Gregory Peck's wife, Veronique, is with us today. Thank you for coming.

One reason To Kill a Mockingbird succeeded is the wise and kind heart of the author, which comes through on every page. This daughter of Monroeville, Alabama had something to say about honor, and tolerance, and, most of all, love—and it still resonates. Last year Harper Lee received an honorary doctorate at Notre Dame. As the degree was presented, the graduating class rose as one, held up copies of her book, and cheered for the author they love.

To Kill a Mockingbird has influenced the character of our country for the better. It's been a gift to the entire world. As a model of good writing and humane sensibility, this book will be read and studied forever. And so all of us are filled with admiration for a great American and a lovely lady named Harper Lee.

Thank you all for coming. I hope you've enjoyed this ceremony as much as I have. May God bless you all. Thank you.

PLAIN LANGUAGE IN GOVERNMENT COMMUNICATIONS ACT

Mr. AKAKA. Mr. President, I rise today to speak about the need to write government documents in plain language.

This past Sunday, November 4, 2007, the Washington Post ran an article entitled "Parsing the Fine Print in Federal Ads." This article illustrates exactly why the Federal Government must begin writing in language that the American people can understand.

The Federal Government has a pressing need to recruit skilled employees. Many agencies are understaffed, and more than 50 percent of the Federal workforce will be eligible to retire in the next 5 years. Yet advertisements for Federal jobs are described as "incomprehensible," "opaque," "dense," and "convoluted." The article quotes two different people who have written entire books about applying for Federal jobs, one of whom states that understanding a Federal job announcement can take hours and likens the process to explicating a poem in English class.

It is well known that the Federal hiring process is lengthy and complex. Agencies need to look for ways to streamline and improve the hiring process, especially now that the Federal government is facing a large number of retirements. One easy step that agencies can take is to write announcements in plain language.

Writing Federal job announcements in plain language would save applicants considerable time and energy spent attempting to figure out what a job advertisement means. Plain, clear, accessible ads are much more likely to attract candidates' attention than opaque and incomprehensible ones. By writing job ads in plain language, agencies likely would attract more candidates with strong qualifications, which would go a long way toward addressing the Federal Government's human capital challenges.

I urge my colleagues to support the Plain Language in Government Communications Act of 2007, S. 2291, and I ask unanimous consent that the article from the Washington Post be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Nov. 4, 2007]

PARSING THE FINE PRINT ON FEDERAL ADS

(By Mary Ellen Slayter)

Uncle Sam really does want you, even though at times it can be hard to figure out what exactly he wants you to do.

Federal job ads can seem particularly opaque to people looking to make the switch from the private sector. Or as one wannabe fed put it in my online chat recently: "What gives with USAJobs.com? The job descriptions on that site are incomprehensible to a person (like me) who hasn't worked for a government agency before. Seriously, they don't make any sense."

"The federal application process is complex to say the least," said Dennis Damp, author of The Book of U.S. Government Jobs" and a retired senior manager for the Federal Aviation Administration. Part of that is for good reason, he said; the process is designed to be fair, judging applicants on the basis of their qualifications, without discrimination or nepotism.

Even when you agree that those are commendable goals, the process can be exasperating. But those frustrations can be overcome with a little patience—and by making that seemingly dense job ad work for you.

Damp's book devotes a chapter to analyzing the job announcement, breaking it down piece by piece and showing applicants how to craft an effective résumé based on the information given. He said a common mistake people make is not reading the whole announcement before throwing their hands up in bewilderment—though he certainly sympathizes with them. "It's a ton of data that can be very confusing initially. You can't stop at the first paragraph, because if you do, you're probably bypassing positions that you're qualified for."

He also includes several cross-referenced indexes, which can be particularly helpful to the truly lost hunter who isn't sure if he's even looking at the right types of jobs to match his private-sector skill set.

"The announcement gives you so much content to use, if we slow down and appreciate what's in there," said Kathryn Kraemer Troutman, author of the "Federal Resume Guidebook" and president of the Resume Place, a consulting firm that specializes in helping applicants for federal jobs.

She offers a simple strategy for making sense of announcements: Start with the "duties" section. Count the sentences in the paragraph, and separate each one into a numbered line. Then read each sentence again slowly. Within each sentence, underline the key words.

"Then you will understand the position," she said. (This works, but "simple" does not mean "quick." It can easily take hours. If you ever had to explicate poems in English class, you get the idea.) Do the same thing with the "qualifications" section, which will probably cover five or six things. "Those key words must be in your résumé," Troutman said. "Don't be creative."

Something else to keep in mind: If the qualifications don't make sense to you after careful study, perhaps you're just not qualified. "Private industry people many times do not have the qualifications for federal jobs," Troutman said.

If that's the case, your work still wasn't a waste. If you dream of a fed job, make acquiring those qualifications your goals, she said. "Make this list your list, taking classes, volunteering."

But lack of qualifications isn't always the problem. Sometimes its just a language barrier—or a cultural one. "People from the private sector can't understand this language," Troutman said. "They just can't believe it." Others just "don't know how to play this paper game."

Max Stier, president of the nonprofit Partnership for Public Service, said that job seekers need to remember that all federal agencies are all different—right down to their job ads.

"A lot of agencies still provide descriptions of job openings that are convoluted," he said, but not all. "Some agencies get it. Some understand."

But if you don't understand, he said, pick up the phone and call the agency. Announcements on USAJobs, the government's primary avenue for advertising new jobs, include contact information for the appropriate human resources officer.

"Even in the age of the Web, finding someone to speak with can help," Stier said.

And be patient. "There are more and more good tools out there," he said, "but obviously it's still not a hiring nirvana."

TRIBUTE TO DON DIXON

Mr. CRAPO. Mr. President, it is with mixed emotions that I bid farewell to a longtime member of my staff but, more importantly, a trusted friend of many years. Don Dixon has served as my State director of agriculture for the past 12 years. His service has been exemplary; nothing less can be imagined from Don—he is a man of the highest character, a man whose honesty, trustworthiness, kindness, intelligence, dependability and wisdom are firmly rooted in a foundation of humility. He came to me with a well-established reputation for fairness and extensive knowledge of Idaho agriculture. Throughout more than a decade of public service, I can honestly say that I have learned more from him than he from me. I have the highest regard for Don; he is irreplaceable. Fortunately, it is just Senate employment that he is leaving, and I get to enjoy his friendship and insight for years to come.

As a farmer with firsthand knowledge of the challenges faced by producers, Don has been reliable counsel to the agriculture community, the Idaho delegation and others as he has worked for sound agriculture policy. Don has been recognized for his dedication to agriculture through awards, such as the Governor's Excellence in Agriculture Award and induction in the Eastern Idaho Agricultural Hall of Fame. It is also nearly impossible to find an aspect of Idaho agriculture that Don has not been involved with through membership of organizations and councils, service on boards, and continuous outreach.

In addition to his experience, Don brings contagious enthusiasm and energy to everything he undertakes, and serves as not only a strong advocate for the U.S. Department of Agriculture, but also provides exemplary counsel to fellow farmers and ranchers. Don's easy going personality is complemented by a sharp mind and quick wit. Idaho agriculture has benefited in incalculable ways from his wisdom, wealth of hard-earned knowledge and his ability to see the bigger picture when it comes to dealing with issues important to Idaho's agriculture community such as water, land use, grazing and animal management, conservation, invasive species and community relations. His has been a voice of reason and calm in the sometimes thorny conflicts that occur between Federal, State and local agriculture regulations and issues. Don has been a tireless spokesman for Idaho's growers and ranchers, a community leader and a good friend to many. It has been an incredible honor and a pleasure to have him on my staff. Don has taught me many things, among them the wisdom of a gate wide enough to accommodate a tiller, and the vast array of Idaho scenery that can be even better appreciated when "big" lost in the Little Lost.

Don has been an essential part of my hometown office, in Idaho Falls; as a result, I share office space with Don when I am home. For most of us, the little things that make our offices ours say quite a bit about who we are. Don keeps a supply of Whoppers in his desk, finishes his coffee, cold, in the afternoons, tracks useful information—what Idahoans like to call "scuttlebutt"—and keeps a dollar bill in his desk drawer. He has created many different storage options for himself in his office, has a reputation as a skilled charades player and color codes activities on his calendar. A little light-hearted personal work space analysis reveals that Don, a whopper of a fellow and true to his farming and ranching roots, is wisely frugal, keeps informed about his community, and is prepared for any emergency. He is creative, inventive and works hard to keep his friendships colorful, nurtured and long-lasting.

I want to thank Don for his many years of service, and thank his wife Georgia for her support as he has worked for me. The schedule isn't always the most family-friendly, and she, like Don, has braved it with a sense of humor and patience.

He has served Idahoans with excellence, and, as he takes the helm of the Idaho State Farm Services Agency, his knowledge, character and wisdom will continue to serve Idaho agriculture. I will miss him on my staff.

ADDITIONAL STATEMENTS

INDIANA SERVICE LEADERS SUMMIT

• Mr. BAYH. Mr. President, I wish to tell you about a group of extraordinary young Hoosiers. On October 27, National Make A Difference Day, the fifth annual Service Leaders Summit was held in Indianapolis to honor high school students from across Indiana for their service and dedication to their communities and hopefully to inspire them to continue serving throughout their lives.

The young men and women who were honored have answered the call to service. Some of them have helped build homes, some tutored and mentored younger students, and others have raised money to support cancer research or feed the hungry. Several of the young men and women led service projects on their own to address the problems in their schools and communities. Each one of the students spends hours making a difference in their hometowns. They have impacted the lives of countless Hoosiers.

During the summit, the students heard from Hoosier leaders who have chosen to dedicate their lives to serving others. The speakers highlighted the five pillars of successful service: Inspiration, organization, dedication, evaluation, and reflection. Following the speeches, the students divided into groups and participated in service activities at different sites throughout Indianapolis.

Robert F. Kennedy once said, "Some men see things as they are and say 'Why?' I dream of things that never were and say, 'Why not?'" Each one of these young men and women has already asked themselves "Why not?" and have worked to make positive changes in their communities. They represent a new generation of promise with the potential to make a real difference across Indiana and the nation.

Mr. President, I would like to thank each one of the following individuals for participating in the summit and for their service to their communities:

Laura Alexander, Kashua Alexander, Alex Anspaugh, Alexis Arnold, Chase Arthur, Tiffany Aylor, Anne Baenziger, Kelsie Ball, Kristin Barnes, Kaitlyn Batt, Brittany Bedwell, Adam Bernaix, Stephanie Bradley, Andrea Bright, Lesley Bright, Margaret Burke, Emily Burnworth, Conner Caudill, Libby Chang, Joshua Clifford, Ashley Clodfelder, Carla Cotton, Victoria Cottrell, Adam Crick, Conner Cunningham, Katie Day, Brittany Dunlavy, Christopher Ellison, Joey Etling, Iris Farries, Lyndsey Fisher, Riley Fitzpatrick, Eva Flick, Emily Friesen, Laura Gadson, Amy Gibson, Cody Goshert, Kimberly Gregory, Megan Haire, Katie Hawkins, Tim Herniak, Shelby Hodge, Cody Hodges, Matthew Hollars, Clinton Horine, Christopher Horn, Nick Horn, Stacey Houmes, Candice Howard-Perry, Kian Hudson, Taylor Jenkins, Ashley Jones, Lyndsey Kellett, Ericka Kelley, Sarah Kelsey, Alison Kocur, George Mammarella, Nicholas Marchi, Nicole McCann, Kristen McMann, Kandace McNeely, Lindsey Meyer, Nicole Miller, Emily Miller, Dennis Moynihan, Kristina Muehr, Benjamin Myers, Megan Noonan, Kayla O'Brien, Michael Padilla, Carmen Perry, Sarah Polk, Shavonda Price, Ravon Price, Chloé Pugh, Alexis Rivera, Sable Robinson, Rachel Rominger, TaMar Shachaf, Emily Shephard, Trevor Shockey, Aaron Smith, Jacob Sowers, Parker Stevens, Colin Stretch, Tha Sung, Jordan Taylor, Jennifer Thilges, Cami Thomas, Jessica Thompson, Vance Torres, Alyssa Vermillion, Tiffany Vogeler, Noah Wahl, Paul Weller, Mackenzie Williams, Lashaa Williams, Becky Wilson, Virginia "Ginny" Wright, and Janelle Yaryan.

I would also like to take a moment to express my gratitude to the Indiana University Purdue University Indianapolis students who took part in the summit as well. They are role models to younger students, and I am proud to recognize their achievements.

Lauren Bower, Michael Burk, John Burkhardt, Molly Childers, Victoria Easton, Ashley Fry, Paige Gaydos, Sashana Gordon-Jackson, Selene Hernandez-Buquer, Loan Hoang, Jordan Jenkins, Shani Jones, Whitney Kelly, Kyra Kline, David Lane, Janine Mullins, Sharee Myricks, Lauren Nowlin, Pascal Olame, Olutope Omosegbon, Stephanie Pendleton, Megan Prather, Tiffany Reed, Katherine Scheller, Eddie Shmukler, Lygia Vernon, Channe'l Walters, and Brittani Whitmore.•

TRIBUTE TO SHERIFF JAMES HAYES

• Mr. SESSIONS. Mr. President, today I pay tribute to Sheriff James Hayes, who passed away on a recent hunting trip. Sheriff Hayes's law enforcement career began at the Etowah County Sheriff's Office in 1972 as a deputy sheriff. In 1986, he was elected sheriff and was subsequently reelected to five more terms, distinguishing him as the longest-serving sheriff in Etowah County history. He was a graduate of the Hokes Bluff High School Class of 1965, and a member of the only undefeated football team in school history in 1964. Sheriff Hayes was a pillar of the law enforcement community, not only in Etowah County, but in the entire State of Alabama and the Nation. In 1994, he carried the distinguished title of president of the Alabama Sheriff's Association, serving both our State and sheriffs across the Nation with distinction. In the course of his career, Sheriff Hayes served on committees and boards throughout Etowah County and the State of Alabama. His unfailing leadership, and his unwavering love of public service, are examples for us all.

During the course of my Senate career, Sheriff Hayes worked closely with me and my staff to bring about positive change in Alabama. The accomplishment that I am perhaps most grateful to Sheriff Hayes for involves his vision for an immigration detention facility in the State of Alabama. In March of 1998, Sheriff Hayes started pursuing the expansion of the Etowah County Detention Facility. He had a vision for a long-term contract with the Federal Immigration Service, one that would increase the bed capacity in the State, and one that would serve to ensure that Federal immigration laws were more effectively enforced within the borders of our State. It is common knowledge that without bed space, you cannot arrest and deport illegal aliens. With the help of our office, he secured a 15-year agreement with the Immigration Service and an $8.4 million expansion grant. This grant added over 300 detention beds, more than doubling the number in the existing facility.

When the Immigration Service turned over control of the facility to its New Orleans Field Office after September 11, 2001, Sheriff Hayes further demonstrated his commitment to a successful immigration enforcement system in Alabama by initiating a movement to return oversight for the Etowah County Federal Detention Facility to Immigration Services' Atlanta Field Office. He firmly believed that the beds would be used more effectively under the direction of the Atlanta Field Office, which was hundreds of miles closer and wanted to use the facility for short term, instead of long-term, immigration detainees. Just 2 weeks before his death, I received notification from the Immigration Service that his multiple year-long effort was not in vain. DHS had fully evaluated his position, and had decided to grant his request. My office was able to communicate the good news that his persistence had been met with success to Sheriff Hayes just before his passing.

I am confident that Sheriff Hayes' diligent efforts over the last several years have ensured a more effective Federal partnership with law enforcement in Alabama for years to come. As I read the recent newspaper articles and messages reacting to Sheriff Hayes's death, I was touched to realize that the appreciation of Etowah County's citizens for Sheriff Hayes's unrelenting public service is only surpassed by their love for him as a husband, father, grandfather, brother and friend who will be missed tremendously. Alabama was indeed lucky to claim him as one of her own.

So, in closing, I want to let Sheriff Hayes' family know how much I appreciate his service, his professionalism, and his dedication to the people of Etowah County and the State of Alabama. I know that words cannot adequately express the loss being felt right now in Etowah County, but we can all be assured that Etowah County and our State are better places because of Sheriff Hayes' leadership. Let his life be a example for those of us who continue to serve in public office.●

TRIBUTE TO DR. GEORGE V. IRONS, JR., M.D.

● Mr. SESSIONS. Mr. President, today I commend Dr. George V. Irons, Jr., M.D., native Alabamian, for his outstanding achievements as one of our Nation's foremost cardiologists.

Dr. Irons has treated the hearts of Americans for over five decades. He graduated from the Medical College of Alabama, earning the highest grades ever recorded in the school's history, straight A-plus. Since that time, his professional accomplishments have been many.

While at the Medical College of Alabama, he was selected by the American Medical Association as one of the top two medical students in the nation. For his superior scholastic record, leadership and service, he won the Stuart Graves Award, as the Medical School's top student.

After military duty as a flight surgeon, Captain, U.S. Air Force, internship and residency, chief resident in cardiology, Dr. Irons joined the Duke University Medical School Faculty in 1964, where he was named fellow in cardiovascular diseases.

Dr. Irons' career has truly been notable. Since 1966, he has been in active practice in Charlotte, NC, as the first board certified cardiologist in western North Carolina. Dr. Irons was Founder and is president of Mid-Carolina Cardiology, a premiere coronary care provider.

As a high school junior, Irons won the prestigious Bausch & Lomb Award, as America's top science student—a nationwide science talent search based on competitive examinations sponsored by the University of Rochester, NY. As the winner, he was offered a substantial scholarship, which he declined, to attend Samford University.

He graduated from Woodlawn High School with a perfect academic record, first in his class, and served as president of the student body. At Howard College—now Samford University—he continued his course, finishing a rigorous 4 year pre-med curriculum in 35 months with a perfect 3.0—first in his class. For his excellence, he was awarded the John R. Mott Trophy and as the outstanding graduating senior, he won the Birmingham Exchange Club Trophy, Danforth Award, and the ODK National Leadership Award. He also found time to letter in varsity track and win the conference championship in his event.

As a distinguished cardiologist, he was inducted as fellow into the American College of Cardiology and received a special Award of Merit with Citation from the National Association of Cardiologists for his distinctive research contributions to the science of coronary disease. Only eight physicians have been so honored in the Association's history. Dr. Irons' research has been published worldwide in leading medical journals.

This year, Dr. Irons was named one of Samford University's Distinguished Alumnus. Samford University is one of America's finest liberal arts universities, founded and serving in the Christian tradition. To be selected Distinguished Alumnus, the nominee must be distinguished in their professional career, community and church involvement.

I would like to commend Dr. Irons, achievements, research, and devotion to superior patient care. He exhibits tremendous dedication to the science of coronary disease to provide a better life for our citizens through more improved medical technology and treatment.

I proudly salute Dr. Irons, one of Alabama's great native sons, for his extraordinary service to medicine and this latest honor as a Samford University Distinguished Alumnus.●

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 4:41 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2546. An act to designate the Department of Veterans Affairs Medical Center in Asheville, North Carolina, as the "Charles George Department of Veterans Affairs Medical Center".

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

At 5:20 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 3222) making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. MURTHA, Mr. DICKS, Mr. VISCLOSKY, Mr. MORAN of Virginia, Ms. KAPTUR, Mr. CRAMER, Mr. BOYD of Florida, Mr. ROTHMAN, Mr. BISHOP of Georgia, Mr. OBEY, Mr. YOUNG of Florida, Mr. HOBSON, Mr. FRELINGHUYSEN, Mr. TIAHRT, Mr. WICKER, Mr. KINGSTON, and Mr. LEWIS of California as managers of the conference on the part of the House.

The message also announced that the House has passed the following bill and joint resolution, without amendment.

S. 2206. An act to provide technical corrections to Public Law 109–116 (2 U.S.C. 2131a note) to extend the time period for the Joint Committee on the Library to enter into an agreement to obtain a statue of Rosa Parks, and for other purposes.

S.J. Res. 7. Joint resolution providing for the reappointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 513. An act to amend the Servicemembers Civil Relief Act to enhance the protection of credit ratings of members of the reserve component who serve on active duty in support of a contingency operation, and for other purposes.

H.R. 1567. An act to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, and for other purposes.

H.R. 2949. An act to authorize grants to the Eurasia Foundation, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 60. Concurrent resolution expressing support for the goals of Veterans Educate Today's Students (VETS) Day, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 513. An act to amend the Servicemembers Civil Relief Act to enhance the protection of credit ratings of members of the reserve component who serve on active duty in support of a contingency operation, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2949. An act to authorize grants to the Eurasia Foundation, and for other purposes; to the Committee on Foreign Relations.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 60. Concurrent resolution expressing support for the goals of Veterans Educate Today's Students (VETS) Day, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1567. An act to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. 2113. A bill to implement the United States-Peru Trade Promotion Agreement.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LEAHY for the Committee on the Judiciary.

*Michael B. Mukasey, of New York, to be Attorney General.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. AKAKA:

S. 2309. A bill to amend title 38, United States Code, to clarify the service treatable as service engaged in combat with the enemy for utilization of non-official evidence for proof of service-connection in a combat-related disease or injury; to the Committee on Veterans' Affairs.

By Mrs. CLINTON (for herself and Mr. NELSON of Florida):

S. 2310. A bill to establish a National Catastrophic Risks Consortium and a National Homeowners' Insurance Stabilization Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KENNEDY:

S. 2311. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the amendment or repeal of monographs, to expand the Food and Drug Administration's authority to regulate drug advertising, and for other purposes; to the Committee on Health, Education, Labor, and Pensions .

By Mr. ALEXANDER:

S. 2312. A bill to amend title VI of the Elementary and Secondary Education Act of 1965 to provide for State student achievement contracts; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself and Mr. HATCH):

S. 2313. A bill to amend the Public Health Service Act to enhance efforts to address antimicrobial resistance; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SALAZAR (for himself, Mr. INHOFE, and Mr. TESTER):

S. 2314. A bill to amend the Internal Revenue Code of 1986 to make geothermal heat pump systems eligible for the energy credit and the residential energy efficient property credit, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LIEBERMAN (for himself, Mr. SPECTER, Mr. SMITH, Mr. VOINOVICH, Mr. BIDEN, Mrs. CLINTON, Ms. MIKULSKI, Mr. CONRAD, Mr. MARTINEZ, Mr. LAUTENBERG, Mr. BROWNBACK, Mr. CARDIN, Mrs. FEINSTEIN, Mr. WYDEN, and Mr. CASEY):

S. Res. 367. A resolution commemorating the 40th anniversary of the mass movement for Soviet Jewish freedom and the 20th anniversary of the Freedom Sunday rally for Soviet Jewry on the National Mall; to the Committee on the Judiciary.

By Mr. KERRY (for himself, Ms. SNOWE, and Mr. STEVENS):

S. Res. 368. A resolution expressing the sense of the Senate that, at the 20th Regular Meeting of the International Commission on the Conservation of Atlantic Tunas, the United States should pursue a moratorium on the eastern Atlantic and Mediterranean bluefin tuna fishery to ensure control of the fishery and further facilitate recovery of the stock, pursue strengthened conservation and management measures to facilitate the recovery of the Atlantic bluefin tuna, and seek a review of compliance by all Nations with the International Commission for the Conservation of Atlantic Tunas' conservation and management recommendation for Atlantic bluefin tuna and other species, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CHAMBLISS (for himself, Mr. ISAKSON, and Mrs. LINCOLN):

S. Res. 369. A resolution designating November 25, 2007, as "Drive Safer Sunday"; considered and agreed to.

By Mrs. DOLE (for herself and Mr. NELSON of Florida):

S. Res. 370. A resolution supporting and encouraging greater support for Veterans Day each year; considered and agreed to.

ADDITIONAL COSPONSORS

S. 311

At the request of Ms. LANDRIEU, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 311, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 329

At the request of Mr. CRAPO, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 329, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 368

At the request of Mr. BIDEN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 368, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 431

At the request of Mr. SCHUMER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 431, a bill to require convicted sex offenders to register online identifiers, and for other purposes.

S. 714

At the request of Mr. AKAKA, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S.

714, a bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally.

S. 819

At the request of Mr. DORGAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 819, a bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes.

S. 1012

At the request of Ms. LANDRIEU, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1012, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 1239

At the request of Mr. ROCKEFELLER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1239, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2013, and for other purposes.

S. 1492

At the request of Mr. INOUYE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1492, a bill to improve the quality of federal and state data regarding the availability and quality of broadband services and to promote the deployment of affordable broadband services to all parts of the Nation.

S. 1514

At the request of Mr. DODD, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1514, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 1661

At the request of Mr. DORGAN, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 1661, a bill to communicate United States travel policies and improve marketing and other activities designed to increase travel in the United States from abroad.

S. 1775

At the request of Mr. BURR, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1775, a bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that no child is left behind.

S. 1782

At the request of Mr. FEINGOLD, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 1782, a bill to amend chapter 1 of title 9 of United States Code with respect to arbitration.

S. 1800

At the request of Mr. BAYH, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1800, a bill to amend title 10, United States Code, to require emergency contraception to be available at all military health care treatment facilities.

S. 1852

At the request of Mr. INOUYE, the names of the Senator from Montana (Mr. TESTER) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1852, a bill to designate the Friday after Thanksgiving of each year as "Native American Heritage Day" in honor of the achievements and contributions of Native Americans to the United States.

S. 1943

At the request of Mr. KENNEDY, the names of the Senator from Delaware (Mr. BIDEN) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 1943, a bill to establish uniform standards for interrogation techniques applicable to individuals under the custody or physical control of the United States Government.

S. 2035

At the request of Mr. SPECTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2035, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 2051

At the request of Mr. CONRAD, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2051, a bill to amend the small rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965.

S. 2053

At the request of Mr. FEINGOLD, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 2053, a bill to amend part A of title I of the Elementary and Secondary Education Act of 1965 to improve elementary and secondary education.

S. 2119

At the request of Mr. JOHNSON, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Wyoming (Mr. ENZI) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 2119, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 2123

At the request of Mr. GREGG, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2123, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 2140

At the request of Mr. DORGAN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2140, a bill to award a Congressional Gold Medal to Francis Collins, in recognition of his outstanding contributions and leadership in the fields of medicine and genetics.

S. 2168

At the request of Mr. LEAHY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2168, a bill to amend title 18, United States Code, to enable increased federal prosecution of identity theft crimes and to allow for restitution to victims of identity theft.

S. 2225

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2225, a bill to amend the Harmonized Tariff Schedule of the United States to clarify the tariff rate for certain mechanics' work gloves.

S. 2238

At the request of Mr. AKAKA, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2238, a bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams.

S. 2246

At the request of Mr. COLEMAN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2246, a bill to amend the Higher Education Act of 1965 to extend eligibility for Federal TRIO programs to members of the reserve components serving on active duty in support of contingency operations.

S. 2256

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2256, a bill to establish an Office of International and Domestic Product Safety and a Product Safety Coordinating Council to improve the management, coordination, promotion, and oversight of product safety responsibilities, develop a centralized public database for product recalls, advisories, and alerts, and for other purposes.

S. 2257

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 2257, a bill to impose sanctions on officials of the State Peace and Development Council in Burma, to amend the Burmese Freedom and Democracy Act of 2003 to prohibit the importation of gemstones and hardwoods from Burma, to promote a coordinated international effort to restore civilian democratic rule to Burma, and for other purposes.

S. 2262

At the request of Mr. DOMENICI, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2262, a bill to authorize the Preserve America Program and Save America's Treasures Program, and for other purposes.

S. 2275

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2275, a bill to prohibit the manufacture, sale, or distribution in commerce of certain children's products and child care articles that contain phthalates, and for other purposes.

S. 2277

At the request of Mr. SMITH, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2277, a bill to amend the Internal Revenue Code of 1986 to increase the limitation on the issuance of qualified veterans' mortgage bonds for Alaska, Oregon, and Wisconsin and to modify the definition of qualified veteran.

S. 2289

At the request of Mr. ALEXANDER, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2289, a bill to amend chapter 111 of title 28, United States Code, to limit the duration of Federal consent decrees to which State and local governments are a party, and for other purposes.

S. 2303

At the request of Mr. BURR, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 2303, a bill to amend section 435(o) of the Higher Education Act of 1965 regarding the definition of economic hardship.

S. RES. 299

At the request of Mr. MENENDEZ, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. Res. 299, a resolution recognizing the religious and historical significance of the festival of Diwali.

S. RES. 321

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 321, a resolution expressing the sense of the Senate regarding the Israeli-Palestinian peace process.

S. RES. 356

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. Res. 356, a resolution affirming that any offensive military action taken against Iran must be explicitly approved by Congress before such action may be initiated.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA:

S. 2309. A bill to amend title 38, United States Code, to clarify the service treatable as service engaged in combat with the enemy for utilization of non-official evidence for proof of service-connection in a combat-related disease or injury; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today I introduce the proposed Compensation for Combat Veterans Act. This legislation would remove a barrier to the fair adjudication of claims for VA benefits filed by veterans who have disabilities incurred or aggravated by their military service in combat areas. Under existing law, veterans who can establish that they served in combat do not have to produce official military records to support their claim for disabilities related to that service.

At present, some veterans, disabled by their service in Iraq and Afghanistan as well as those who served earlier in Korea and Vietnam, are unable to benefit from this liberalizing evidentiary requirement because they have difficulty proving personal participation in combat by official military documents.

Under an opinion of the Department of Veterans Affairs General Counsel, VA GC Opinion 12-99, veterans must establish by official military records or decorations that they "personally participated in events constituting an actual fight or encounter with a military foe or hostile unit or instrumentality." Oversight visits by Committee staff to VA regional offices have found claims denied as a result of this policy because those who served in combat zones were not able to produce official military documentation of their personal participation in an actual fight.

Some of these cases include a Marine Combat Engineer serving in Iraq who encountered IEDs, an Army veteran accidently shot in Iraq by a fellow servicemember, and an Army Infantryman whose records showed participation in the Tet offensive of 1968, but not "personal participation in an actual fight." In other cases, extensive delays in claims processing occur while VA adjudicators attempt to obtain official military documents showing that a Marine who served in Bagdad or Fallujah was personally exposed to IEDs.

The legislation I am introducing would overturn the General Counsel precedent opinion. I believe that the requirement in that opinion is inconsistent with the original intent of Congress in liberalizing the requirements for proof of service-connection in cases involving veterans who served in combat areas. As the Senate noted in 1941, in the report on the original bill providing special consideration for combat veterans:

> The absence of an official record of care or treatment in many of such cases is readily explained by the conditions surrounding the service of combat veterans. It was emphasized in the hearings that the establishment of records of care or treatment of veterans in other than combat areas, and particularly in the States, was a comparatively simple matter as compared with the veteran who served in combat. Either the veteran attempted to carry on despite his disability to avoid having a record made lest he might be separated from his organization or, as in many cases, the records themselves were lost.

S. Rep. 77-902 to H.R. 4905 at 2.

While some improvements have been made since 1941 in obtaining and maintaining records in combat areas, record keeping and transmittal of records in combat areas remains problematic.

This bill would require that, in cases in which the veteran can demonstrate service in a recognized combat area and alleges disabilities related to that service the relaxed evidentiary principles intended by the Congress would apply, with no requirement for further evidence from the veteran regarding his or her specific activity.

I urge all of my colleagues to support this measure, so that combat veterans of the current conflicts, as well as those who served in earlier conflicts, can receive the benefits they deserve in a timely manner.

By Mr. ALEXANDER:

S. 2312. A bill to amend title VI of the Elementary and Secondary Education Act of 1965 to provide for State student achievement contracts; to the Committee on Health, Education, Labor, and Pensions.

Mr. ALEXANDER. Mr. President, Senators KENNEDY and ENZI have recently said that early in 2008 the Senate will consider whether to authorize No Child Left Behind.

That law, which was enacted in 2001 as a part of the regular 5-year reauthorization of the Elementary and Secondary Education Act, required every State to set standards for math and reading and to test each child once a year in grades 3 through 8, and once in high school, in order to measure their progress toward meeting these State standards. In addition, the law requires States to report the results in a disaggregated way, meaning according to racial, ethnic, socioeconomic status, disability, and limited English proficiency, report the status of the children so it would be clearer whether groups of children are being left behind in their academic progress.

So my purpose today is, first, to announce my support for the reauthorization of the No Child Left Behind Act but ask that we find a better way to do the job of reporting results. We should be trying to catch schools doing things right rather than seeming to penalize them for doing things wrong.

Second, to introduce legislation providing for greater flexibility in administering the law for up to a dozen States, if those States agree to maintain a high level or increase the rigor of the program, their standard-setting process, and reporting requirements.

Third, to express my concerns about early drafts and proposals of reauthorizing legislation that seem to require more Federal control and less State responsibility for results—the reverse of what we should be seeking to achieve.

Finally, I wish to call attention to several parts of the legislation that need to be strengthened and expanded: Support for teaching American history; the Teacher Incentive Fund; charter schools, which I know the Presiding Officer has been very interested in for a long time; and State collection of data to aid States in measuring student progress.

First, support for reauthorization. I have decided to cosponsor the No Child Left Behind Act of 2007, which has been authored by Senators Burr and Gregg, because I believe it represents a sound foundation for eventual reauthorization of the legislation. This legislative draft leaves in place the framework of the 2001 law: high goals, State standards, and disaggregated reporting of results, and it addresses some obvious deficiencies in the existing legislation, including more flexibility in helping children learn English, in measuring the progress of children with disabilities, and in how to report the progress of children who make great progress but still fall behind their goals. This bill—the Burr-Gregg bill—does not retreat from the bold goal that all children will be proficient in reading and math according to each State's standards by the 2013–2014 school year. Some have argued that sets schools up for failure. I would argue it is the American way to set high goals and then to attempt to reach them. Our Declaration of Independence does not say "life, liberty, and the pursuit of happiness" for 80 percent of us. Our national character is not that some things are possible. Rightly or wrongly, we Americans uniquely believe that anything is possible for all of us, and much of our politics and debates in this body are about dealing with the disappointment of not reaching high goals that we set for ourselves, and then, of course, we set out and try again to achieve them.

I do think we would be wise to find a different way to talk about the progress of schools in reaching those high goals. Most schools, at least today, are succeeding in reaching their State's No Child Left Behind standards. There are more than 100,000 schools in the United States. According to the U.S. Department of Education, over 20 percent of those—21,000—did not make adequate yearly progress. Of those 21,000 schools, about one-fourth missed their goals by one subgroup of students.

The same is true in Tennessee. According to our Department of Education, there are 1,710 public schools. There were 245—or 15 percent—which did not make adequate yearly progress. Of those, 127 didn't do it because of one subgroup.

Therefore, I suggest we find a different way to talk about progress. Schools that reach their goals might be called "high-achieving schools." Schools that do so for more than 1 year in a row might be called the "highest achieving schools." Schools that, on the other hand, miss their goal by only one subgroup might be called "achieving schools," and those that do not do as well might be called priority schools.

Second: A new State contract for flexibility. I am introducing today the State Student Achievement Contract which I will work to make a part of No Child Left Behind. The idea is simple: Now that we have 5 years of experience with No Child Left Behind, we should toss the ball back to at least some States and see whether those States can implement the law with at least as much rigor in reporting, more flexibility, and more innovation.

I know if the Presiding Officer and I were still Governors of our respective States, we would want to try that over the next 5 years.

This proposal would allow up to 12 States to negotiate with the U.S. Secretary of Education to enter into a State student achievement contract, which would permit States to improve their own systems of accountability, and in exchange, receive the necessary flexibility to innovate on finding ways to close the achievement gap.

In other words, instead of saying: "Do it exactly this way" to the States, the Federal Government would be saying: "Give us results, and we will give you more flexibility."

In determining which States would be eligible for this new contract, the Secretary would expect States to increase their standards, assessments, and expectations of students.

Washington, DC, itself is not going to make schools better in Wilmington, Maryville, Kansas City, and Sacramento. This can only happen locally, when parents, teachers, communities, and State officials take charge. In fact, No Child Left Behind is simply an extension of the State standards movement that began in the 1980s in most States. While it requires the setting of standards and requires public reporting, the solution to the problem of low-achieving students is left in the hands of communities, where it must be left. In fact, only 8 percent of funding of public schools comes from the Federal Government.

So this proposal seeks to recognize that solutions are local, to encourage those States that are trying the boldest programs, and to permit the flexibility needed to achieve those results.

Third, creeping Federal control. One reason I have introduced the State contract proposal is I don't want the reauthorization of No Child Left Behind to become a vehicle for increased Federal control of local schools. In fact, now that the first 5 years of confusion and learning the new law are completed, there ought to be fewer Federal requirements, not more. After all, the law is essentially a requirement for State standards and reporting disaggregated results.

But, unfortunately, Washington doesn't work that way. Our motto seems to be: Once we have stuck our noses into something, we will meddle with it forever. In some of the early drafts of No Child Left Behind, I have seen examples of increased Federal regulation that in my view offer the prospect of more Federal control and less local accountability. It ought to be the other way around.

Finally, there are three special provisions of No Child Left Behind that, based upon the first 5 years' experience, need to be expanded.

One, teaching American history. The late Albert Shanker, president of the American Federation of Teachers, once said the rationale for a public school is to teach immigrant children the three Rs and what it means to be an American, with the hope they would go home and teach their parents. Yet the lowest test scores for American high school seniors is not math or reading or science, it is U.S. history. Senators KENNEDY, ENZI, and I have worked to create some new provisions for this reauthorization which would encourage putting the teaching of American history back in its rightful place in our schools so our children can grow up learning what it means to be an American. These provisions include: The teaching traditional American history provision. That was put in 5 years ago. It is a program of grants to school districts to encourage professional development and teaching of American history. It has been very successful. Senator KENNEDY and Senator BYRD have had a major part in this law.

Next, Presidential and congressional academies. The pilot programs for these summer academies for outstanding teachers and students of American history have been low cost and very successful. It is my hope that in a partnership with States and the private sector, these can be expanded to a total of 100 each summer. They are very much similar to the Governors' schools many States have for students and for teachers. David McCullough has suggested perhaps we can match up the 10-year centennial program for national parks with these summer programs for students and teachers of U.S. history. Imagine what it would be like for a group of U.S. history teachers to spend a week with David McCullough at the Adams House in Quincy, MA.

Finally, a 10-State pilot program in U.S. history NAEP. Currently, the National Assessment of Education Progress—the Nation's report card—only measures student achievement in history every 4 years. We don't get State-level data; only a national sample of student achievement. Senator KENNEDY and I have offered legislation to create a 10-State pilot program so there can be State-level data for 10 States, which will reflect the importance of this subject to our Nation and call attention to student progress or lack thereof in American history.

A second area of special emphasis that ought to be considered when we reauthorize No Child Left Behind is the Teacher Incentive Fund. After parents, nothing is more important to a child's success than the classroom teacher. In every hearing we have in the Senate, a witness emphasizes the need to attract specially equipped teachers for math, for science, for children with disabilities, for inner-city schools, for gifted students, and other special needs. Yet we struggle in this country with an across-the-board pay mentality that will not allow schools to lift themselves up when it comes to attracting and keeping outstanding classroom teachers.

Finding fair ways to pay teachers more for teaching well is not easy. I have tried it. But during the last 5 years, the Teacher Incentive Fund has helped at least three dozen cities, usually working with local teachers' unions, to find new ways to train and reward outstanding teachers and principals. We need to do as much of this as we possibly can. I wish to thank and acknowledge Senator DURBIN of Illinois, the Democratic whip, for working with me to make certain that appropriations for this program continue.

Then, charter schools. I mentioned earlier the Presiding Officer was a national leader on charter schools when he was Governor of Delaware. Last year, I visited a charter school in Memphis. It was the Easter holiday, except those ninth graders weren't on vacation, they were in class. To be specific, they were in a ninth grade advanced placement biology class. What was special was these children had come from so-called low-performing schools. To be blunt, they were labeled the least likely to succeed, except they were succeeding. This was because they were getting extra help during holidays, longer school days, Saturdays, and from special teachers.

The idea of a public charter school is simply to give teachers the freedom to use their common sense and their skills to help the children who are presented to them—freedom from Federal, State, and union rules so they can do it. It is nonsensical to me that we don't encourage, rather than discourage, such public charter schools.

Most of our children are learning, but for the 15 percent or so who are having genuinely special challenges in learning, it will take different kinds of schools, even better teachers and different methods. In this reauthorization of No Child Left Behind, we must do all of these things to cause that to happen.

Mr. President, I ask unanimous consent that the text of the bill and a letter addressed to Senator KENNEDY be printed in the RECORD.

There being no objection, the material was ordered to be placed in the RECORD, as follows:

S. 2312

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STATE STUDENT ACHIEVEMENT CONTRACTS.

(a) AMENDMENT.—Title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.) is amended—

(1) by redesignating part C (20 U.S.C. 7371 et seq.) as part D;

(2) by redesignating sections 6301 and 6302 (20 U.S.C. 7371, 7372) as sections 6401 and 6402, respectively; and

(3) by inserting after part B (20 U.S.C. 7341 et seq.) the following:

"PART C—STATE STUDENT ACHIEVEMENT CONTRACTS

"SEC. 6301. SHORT TITLE.

"This part may be cited as the 'State Student Achievement Contracts Act'.

"SEC. 6302. PURPOSE.

"The purpose of this part is to allow not more than 12 State educational agencies, that establish and implement challenging and rigorous academic standards, academic assessments, and accountability systems, greater flexibility to—

"(1) improve their academic achievement standards, academic assessments, and State accountability systems;

"(2) increase the academic achievement of all students;

"(3) narrow achievement gaps between the lowest- and highest-achieving groups of students; and

"(4) eliminate barriers to implementing effective education reforms.

"SEC. 6303. STATE STUDENT ACHIEVEMENT CONTRACTS.

"(a) AUTHORITY.—In accordance with this part, the Secretary shall establish and implement procedures that permit the Secretary to enter into a State student achievement contract, on a competitive basis, with not more than 12 State educational agencies, under which such a State educational agency may—

"(1) waive any statutory or regulatory requirement of any program under this Act (other than a requirement of this part) under which the Secretary awards funds to States on the basis of a formula, including such a requirement applicable to any local educational agency or school within the State, except those requirements relating to—

"(A) maintenance of effort;

"(B) comparability of services;

"(C) equitable participation of students and professional staff in private schools;

"(D) allocation or distribution of funds to local educational agencies, subject to paragraph (2);

"(E) serving eligible school attendance areas in rank order under section 1113(a)(3);

"(F) the selection of a school attendance area or school under subsections (a) and (b) of section 1113, except that such a State educational agency may grant a waiver to allow a school attendance area or school to participate in activities under part A of title I if the percentage of children from low-income families in the school attendance area or who attend such school is not less than 10 percentage points below the lowest percentage of such children for any school attendance area or school in the State that meets the requirements of subsections (a) and (b) of section 1113;

"(G) use of Federal funds to supplement, not supplant, non-Federal funds;

"(H) applicable civil rights requirements; and

"(I) prohibitions regarding—

"(i) State aid described in section 9522;

"(ii) use of funds for religious worship or instruction described in section 9505; and

"(iii) uses of funds for activities described in section 9526;

"(2) use funds made available to the State for State-level activities under section 1004, paragraph (4) or (5) of section 1202(d), section 2113(a)(3), section 2412(a)(1), subsection (a)(1) (with the agreement of the chief executive officer of the State), (b)(2), or (c)(1) of section 4112, section 4202(c), or section 5112(b), to carry out the uses of funds under 1 or more of such sections, paragraphs, or subsections, or under part A of title I, except that any such funds so used shall not be subject to allocation or distribution requirements under such sections, paragraphs, subsections, or part;

"(3) allow local educational agencies in the State to use funds made available under section 2121, 2412(a)(2)(A), 4112(b)(1), or 5112(a) to carry out the uses of funds under 1 or more of such sections or under part A of title I, except that any such funds so used shall not be subject to allocation or distribution requirements under such sections or part; and

"(4) require local educational agencies identified under subsection (b)(5)(C) to use funds in accordance with paragraph (3) in order to effectively implement the intervention described in subsection (b)(5)(D).

"(b) STATE APPLICATIONS.—To be eligible to enter into a State student achievement contract under this part, a State educational agency shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. The application shall demonstrate that the State is in full compliance with all requirements of part A of title I, as such part was in effect on the day before the date of enactment of the State Student Achievement Contracts Act, relating to academic standards, assessments, and accountability, and shall include the following:

"(1) EVIDENCE.—Evidence that the proposed contract was reviewed by independent experts with knowledge and expertise in educational standards, assessments, and accountability.

"(2) STANDARDS.—A demonstration, consistent with section 1111(b)(1)(A), through a documented and validated standards-setting process, including an independent, external review, that the State academic content standards, State student academic achievement standards, and educational objectives under paragraph (12), are—

"(A) fully articulated and aligned across kindergarten through grade 12, and include college and career-ready standards for secondary school graduation, including aligned course-level outcomes, developed in consultation with the State agency responsible for higher education, institutions of higher education, and representatives of the business community; or

"(B) at least as rigorous as national or international education standards and objectives measuring long-term trends and student academic achievement standards and objectives.

"(3) ASSESSMENTS.—

"(A) ASSURANCES.—An assurance that the State will—

"(i) assess students in the subjects and grades described in section 1111(b)(3)(C)(v) and (vii), conduct such assessment annually, and comply with section 1111(b)(7);

"(ii) demonstrate to the Secretary that any assessment used by the State and conducted under subparagraph (A) meets the requirements of clauses (i) through (iv) and (vi) through (xv) of section 1111(b)(3)(C); and

"(iii) describe any other student academic assessments the State educational agency will use, consistent with section 1111(b)(4), as part of the State's accountability system described in paragraph (5).

"(B) INFORMATION.—Information demonstrating that the State is administering assessments that are aligned with the standards described in paragraph (2), or will administer such aligned assessments in the next school year.

"(4) DISAGGREGATION.—An assurance that—

"(A) the State will disaggregate data in the same manner as data are disaggregated under section 1111(b)(2)(C)(v)(II); and

"(B) student performance data will be disaggregated in the same manner as data are disaggregated under section 1111(b)(3)(C)(xiii).

"(5) ACCOUNTABILITY SYSTEM.—An explanation of how the State will use the State's authority described in subsection (a) to develop and implement—

"(A) statewide annual measurable objectives which shall—

"(i) be set separately for all assessments used by the State under paragraph (3);

"(ii) be the same for all schools and local educational agencies in the States;

"(iii) identify a single minimum percentage of students who are required to meet or exceed the proficient level on the academic assessments that applies separately to each group of students described in section 1111(b)(2)(C)(v)(II); and

"(iv) ensure that all students will meet or exceed the State's proficient level of academic achievement on the State assessments within the State's timeline described in paragraph (6).

"(B) a single, statewide accountability system consistent with the requirements of section 1111(b)(2);

"(C) a comprehensive, uniform system for identifying schools and local educational agencies for intervention based on achievement towards meeting proficiency targets established under paragraph (6) for students and subgroups that are disaggregated under paragraph (4); and

"(D) a comprehensive, uniform system for providing intervention to schools and local educational agencies identified under subparagraph (C), including a specific description and explanation of—

"(i) specific interventions that will be provided to all schools and local educational agencies so identified—

"(I) which shall include providing options to students in schools so identified, including options regarding—

"(aa) supplemental educational services that will be provided consistent with 1116(e); or

"(bb) public school choice that will be provided consistent with section 1116(b)(1)(E); and

"(II) which may include—

"(aa) targeted intervention by the State or local educational agency;

"(bb) replacement of school personnel; and

"(cc) conversion of a public school into a public charter school;

"(ii) how the State or local educational agency will monitor local educational agency or school performance over time and impose more stringent measures on local educational agencies or schools, respectively, the longer local educational agencies or schools, respectively, do not make adequate yearly progress; and

"(iii) how the State will ensure that local educational agencies or schools that do not make adequate yearly progress for 5 consecutive school years undertake alternate governance arrangements.

"(6) STUDENT PROFICIENCY TARGETS.—A demonstration and explanation of the State trajectory that is in place for all students to meet proficiency targets—

"(A) by the timelines established in sections 1111(b)(2)(E) and 1111(b)(2)(F); or

"(B) in not more than 3 years and upon graduation from secondary school.

"(7) TEACHER QUALITY.—An assurance that the State has rigorous teacher quality standards, which may include State determined teacher effectiveness standards, that reflect clear and fair measures of teacher and principal performance based on demonstrated improvements in student academic achievement.

"(8) DATA SYSTEMS.—A demonstration that the State educational agency has an effective data system capable of reporting classroom and school level data.

"(9) WAIVERS.—A list of any statutory or regulatory requirements that the State intends to waive for local educational agencies and schools within the State as part of the State student achievement contract and the process the State educational agency will use to evaluate and grant such waivers.

"(10) STATE APPROVAL.—An assurance that the proposed State student achievement contract was developed by the State educational agency in consultation with local educational agencies, teachers, principals, pupil services personnel, administrators (including administrators of programs described in parts A through H of title I), and parents, and was approved by not less than 1 of the following:

"(A) The Governor of the State.

"(B) The State legislature.

"(11) DURATION.—A statement that the duration of the State student achievement contract shall be for a period of not more than 5 years.

"(12) EDUCATIONAL OBJECTIVES PLAN.—A plan, for the duration of the State student achievement contract, that describes the educational objectives the State educational agency plans to achieve, which objectives shall meet requirements similar to the requirements of clauses (i) through (v) of section 1111(b)(2)(G).

"(13) CONSOLIDATED FUNDS.—A description of the funds the State educational agency intends to use in accordance with subsection (a)(2) and how the funds will be used.

"(14) STATE REPORT CARD.—An assurance that the State will disseminate the information, including school and school district level information, required in section 6304 to all parents in the State.

"(c) STATES THAT PLAN TO ADOPT MORE RIGOROUS STANDARDS AND ASSESSMENTS.—

"(1) IN GENERAL.—A State educational agency that does not meet the requirements of subsection (b)(2) or (3) may apply for and (subject to the limit on the number of States that may be approved under this part pursuant to subsection (a)) be granted waiver authority under paragraph (2) if the State educational agency—

"(A) meets the requirements of paragraph (1) and paragraphs (4) through (14) of subsection (b); and

"(B) includes a plan, satisfactory to the Secretary, to meet the requirements of subsection (b)(2) or (3).

"(2) WAIVER.—A State educational agency described in paragraph (1) whose application is approved under this part is authorized to waive statutory and regulatory requirements applicable to local educational agencies and schools (other than any such requirement described in subparagraphs (A) through (I) of subsection (a)(1)) under the following programs:

"(A) Part A of title I, other than for sections 1111 and 1116.

"(B) Subpart 3 of part B, and parts C, D, and F, of title I.

"(C) Subparts 2 and 3 of part A of title II.

"(D) Subpart 1 of part D of title II.

"(E) Part A of title III.

"(F) Subpart 1 of part A of title IV.

"(G) Part A of title V.

"(d) APPROVAL OF STATE STUDENT ACHIEVEMENT CONTRACTS.—

"(1) IN GENERAL.—Not later than 90 days after the receipt of a State student achievement contract application submitted by the State educational agency, the Secretary shall—

"(A) receive recommendations from the peer review panel established in paragraph (2); and

"(B) approve the State student achievement contract or provide the State educational agency with a written explanation of the reasons the State student achievement contract fails to satisfy a purpose, goal, or a requirement of this part.

"(2) PEER-REVIEW PROCESS.—In carrying out paragraph (1), the Secretary shall—

"(A) establish an independent peer review panel to evaluate, and make recommendations for approval or disapproval of, State student achievement contract applications; and

"(B) appoint individuals to the peer review panel who are—

"(i) knowledgeable of, and have expertise in, educational standards, assessments, and accountability; and

"(ii) representative of State educational agencies and organizations representing State agencies or Governors.

"(3) DISAPPROVAL OF CONTRACT.—If the Secretary disapproves a State's student achievement contract application, then the State educational agency shall have 60 days to resubmit a revised State student achievement contract. Subject to the 12 State educational agency limitation described in subsection (a), the Secretary shall approve the revised State student achievement contract within 60 days of receipt of the revised contract or provide the State with a written determination that the revised State student achievement contract fails to satisfy a purpose, goal, or requirement of this part.

"(e) AMENDMENT TO ACHIEVEMENT CONTRACT.—

"(1) IN GENERAL.—A State educational agency may submit to the Secretary amendments to the State student achievement contract, on an annual basis. The Secretary shall submit the amendments to the peer review panel.

"(2) REVIEW OF AMENDMENT.—

"(A) IN GENERAL.—Not later than 60 days after the receipt of a proposed State student achievement contract amendment submitted by a State educational agency, the Secretary shall receive recommendations from the peer review panel and approve the amendment or provide the State educational agency with a written determination that the amendment fails to satisfy a purpose, goal, or requirement of this part.

"(B) TREATMENT AS APPROVED.—Each amendment for which the Secretary fails to take the action required in subparagraph (A) in the time period described in such subparagraph shall be considered approved.

"SEC. 6304. ANNUAL REPORTS.

"(a) IN GENERAL.—Not later than 1 year after the execution of a State student achievement contract under this part, and annually thereafter, each State educational agency executing such a contract shall disseminate widely to parents, the general public, and the Secretary, a report that includes a description, in an understandable manner, of how the State educational agency has used Federal funds under the contract to improve academic achievement, narrow the achievement gap, and improve educational opportunities for the disadvantaged. Each such report shall include—

"(1) information, in the aggregate, on student achievement at each proficiency target described in section 6303(b)(6) on the State academic assessments, disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student;

"(2) information that provides a comparison between—

"(A) the actual achievement levels of each group of students described in section 1111(b)(2)(C)(v); and

"(B) the State's annual measurable objectives for each such group of students on each of the academic assessments described in the educational objectives plan described in section 6303(b)(12);

"(3) the percentage of students not tested (disaggregated by the same categories and subject to the same exception described in paragraph (1));

"(4) the graduation rates for secondary school students (disaggregated by the same categories and subject to the same exception described in paragraph (1));

"(5) information on the performance of local educational agencies in the State regarding student academic achievement, including schools not meeting proficiency targets described in section 6303(b)(6);

"(6) the professional qualifications of teachers in the State, and the percentage of classes in the State not taught by a teacher meeting State qualifications, in the aggregate and disaggregated by high-poverty compared to low-poverty schools which, for the purpose of this paragraph, means schools in the top quartile of poverty and the bottom quartile of poverty, respectively, in the State;

"(7) a description of improvement methods used to assist local educational agencies and schools in meeting the proficiency targets described in section 6303(b)(6); and

"(8) a description of the State's accountability system described in section 6303(b)(5), including a description of the criteria by which the State evaluates school performance, and the criteria that the State has established to determine the progress of schools in meeting the goals established by the State.

"(b) SUBMISSION TO CONGRESS.—The Secretary shall submit the reports received under subsection (a) to Congress, together with any other information the Secretary considers appropriate.

"SEC. 6305. PERFORMANCE REVIEW AND EARLY TERMINATION.

"(a) REVIEW.—For each State having in effect a State student achievement contract under this part, the peer review panel established in section 6303(d)(2) shall carry out a review of the contract, after completion of the second school year of the contract, in order to—

"(1) determine whether the State has met the terms of the contract described in section 6303; and

"(2) make recommendations to the Secretary.

"(b) EARLY TERMINATION.—After taking into consideration the recommendations received under subsection (a)(2) from the peer review panel and after providing a State educational agency with notice and an opportunity for a hearing, the Secretary shall—

"(1) terminate a State student achievement contract, before the contract expires, if the State does not, for 3 consecutive school years, meet the terms of the contract described in section 6303; or

"(2) withhold funds under this Act.

"SEC. 6306. EVALUATION.

"(a) IN GENERAL.—The Secretary shall enter into a contract, with an independent organization outside of the Department, for a 5-year, rigorous, scientifically valid, quantitative evaluation of this part.

"(b) PROCESS.—The evaluation under subsection (a) shall be conducted by an organization that is capable of designing and carrying out an independent evaluation that identifies the effects of activities carried out by State educational agencies and local educational agencies under this part on improving student academic achievement.

"(c) ANALYSIS.—The evaluation under subsection (a) shall include an analysis of the following:

"(1) The implementation of activities assisted under this part and the impact of such implementation on increasing student academic achievement (particularly in schools with high concentrations of children living in poverty), relative to the goal of all students reaching the proficient level of academic achievement based on State academic assessments, challenging State academic content standards, and challenging State student academic achievement standards under section 6303.

"(2) Each participating State educational agency's method of identifying schools under 6303(b)(5)(C), including—

"(A) the impact on schools, local educational agencies, and the State;

"(B) the number of schools and local educational agencies so identified; and

"(C) the changes in the identification of schools and local educational agencies as a result of such identification.

"(3) How schools, local educational agencies, and participating States educational agencies have used the flexibility under section 6303(a) and Federal, State, and local educational agency funds and resources to support schools and provide technical assistance to improve the academic achievement of students in low-performing schools, including the impact of the technical assistance on such academic achievement.

"(4) The extent to which interventions described in section 6303(b)(5)(D) are implemented by the participating State educational agencies and local educational agencies to improve the academic achievement of students in low-performing schools, and the effectiveness of the implementation of such interventions, including the following:

"(A) The number of schools and local educational agencies identified under section 6303(b)(5)(C) and how many years the schools or local educational agencies remain so identified.

"(B) The types of support provided by the State educational agency and local educational agency to schools and local educational agencies respectively, so identified, and the impact of such support on student academic achievement.

"(C) The implementation and impact of actions that are taken with regard to schools and local educational agencies under section 6303(b)(5)(D)(iii).

"(d) REPORTS.—

"(1) INTERIM REPORT.—Not later than 3 years after the date of enactment of the State Student Achievement Contracts Act, the Secretary shall transmit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives, an interim report on the analysis conducted under this subsection.

"(2) FINAL REPORT.—Not later than 5 years after the date of enactment of the State Student Achievement Contracts Act, the Secretary shall transmit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives, a final report on the analysis conducted under this subsection.".

(b) CLERICAL AMENDMENT.—The table of contents in section 2 of such Act (20 U.S.C. 6301 note) is amended—

(1) by redesignating the item relating to part C of title VI as the item relating to part D of title VI;

(2) by redesignating the items relating to sections 6301 and 6302 as the items relating to sections 6401 and 6402, respectively; and

(3) by inserting after the item relating to section 6324 the following:

"PART C—STATE STUDENT ACHIEVEMENT CONTRACTS

"Sec. 6301. Short title.
"Sec. 6302. Purpose.
"Sec. 6303. State student achievement contracts.
"Sec. 6304. Annual reports.
"Sec. 6305. Performance review and early termination.
"Sec. 6306. Evaluation.".

U.S. SENATE,
Washington, DC, October 2, 2007.

Senator EDWARD KENNEDY,
Chairman, Senate Committee on Health, Education, Labor, and Pensions, Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN KENNEDY: As the Senate Committee on Health, Education, Labor and Pensions continues to consider legislative changes to the Elementary and Secondary Education Act, I am writing to express my concerns about efforts to further federalize control of decisions regarding education policy that are best made at the state and local level. Over the past 5 years, state and school district leaders, teachers, parents, and students have made great efforts to increase accountability and improve student achievement as they have worked to comply with the No Child Left Behind Act. I worry about efforts to inappropriately increase federal control of decisions regarding education policy that are best made at the state and local level in the name of greater accountability. Unfortunately, in many respects, more mandates from Washington may also lead to less accountability. The worst outcome for this Congress would be to reauthorize the law with more federal control and less actual accountability.

I believe we have a responsibility to provide the utmost flexibility to states and local school districts, while still ensuring accountability for all students. Despite the common desire to use the power of Washington to override what we may think are bad decisions by individual states, we must refrain from acting as a national school board and imposing one-size-fits-all decisions from here in Washington. States must maintain the necessary flexibility to reach the broad goals we ask them to achieve; they should not be treated as experimental sites for our good ideas.

The past five years since enactment of NCLB have proven effective in transforming the landscape of education across the country, and we cannot afford to turn away from decades of standards based reform and the use of rigorous state assessments to measure school accountability. However, in light of recent proposals made public by the House Committee on Education and Labor, as well as those by many in the advocacy community, I am concerned about the desire to exert greater federal control over decisions best left at the state and local level at the expense of accountability. I am particularly concerned about the following concepts.

Federally Mandated 'n' Size: I believe that we should continue to allow states to set uniform 'n' sizes for accountability. An 'n' size is the minimum number of students that must be present in a group or subgroup before a school has to be held accountable for that group's academic progress. Proposals have been put forth to establish a maximum 'n' size for accountability purposes. States currently have 'n' sizes ranging from 5 to 200. I understand the intent of such proposals given isolated abuses of the provision by individual states. But the law gives states flexibility to take into account various elements such as the complexity of the state data system, the diversity of the student population, school size, district size, the rigor of state assessments, and other factors when making decisions about their use of an 'n' size. Mandating a maximum number from Washington not only runs afoul of the intended state-level decision making in the law, but may jeopardize statistical reliability in some states. Moreover, by legislating a number that may be significantly higher than some states have already set, we may be sending a mixed signal and encouraging those states to set higher 'n' sizes and thus reduce accountability in their states.

Federally Mandated Confidence Intervals: I believe that we should continue to allow states to establish confidence intervals on their data. A confidence interval, similar to a margin of error on a poll, is another statistical methodology to ensure the reliability of data. States currently have confidence intervals that range between 95 percent and 99 percent, and some use other figures for measuring growth, safe harbor, and other decisions. States are responsible for setting these numbers and including them in their state plan which was reviewed by the U.S. Department of Education. Mandating a specific number from Washington would again reduce flexibility for each state to take into account the special circumstances within its borders and develop a comprehensive data plan based on those circumstances. A federal mandate could also lead to the unintended consequence of reducing accountability in those states that would face internal pressure to lower their standards to meet whatever level is placed in the statute.

Adequate Yearly Progress: I believe that we should allow states to use growth models based on reaching 'proficient' targets to measure progress. One of the driving forces behind No Child Left Behind, and its primary success, is the focus across the country toward getting all students to a 'proficient' level of achievement by the 2013–2014 school year. This is a tough goal, and one that we know many schools find difficult to achieve. As a nation we tend to set high goals, almost unachievable goals, and then work hard to try to reach them. Because of the rigor of the 2013–2014 goal, proposals have been put forth to give schools credit for students reaching 'basic' levels of achievement as opposed to 'proficient' achievement. This should be considered a wholesale retreat from the core principle of the law of accountability for all students.

'Basic' performance on a test is usually not considered sufficient to ensure high school graduation or attain college enrollment without remediation. I support giving states and school districts flexibility to meet the overriding goal of getting all students to 'proficient' levels of achievement. To do that we should follow the lead of states like North Carolina, Tennessee, Delaware, and Maryland and allow states to use growth models to track individual progress over time towards proficiency.

Early Childhood Program: I believe that we should not create a duplicative early childhood program that would compete with the existing federal programs Before asking what a new federal early childhood program should look like, we should be asking whether current programs are adequately funded and whether they are effective. According to the General Accountability Office there are 69 early childhood education and care programs, administered by 10 different federal agencies, receiving over $20 billion. We should be looking at how we enhance the efficiency of these programs before we layer another on.

High School Reform: I believe that Congress should authorize a competitive program with a matching requirement to states to help them reform our nation's high schools and that it would be a mistake to mandate specific reforms from Washington on all our nation's high schools. Tremendous effort is underway at the state and local level to transform our nation's high schools. Many of our nation's governors and school district officials are working diligently with philanthropic organizations like the Gates Foundation and Broad Foundation to learn how to improve high schools and build on successful research to develop promising models of reform. While there is some valuable research that shows some promising methods, it is inappropriate for Congress to assume that there is a limited set of choices on how to transform our nation's high schools. Instead of prescribing a limited set of reforms and mandating those reforms upon the states, we should find ways to encourage these continued efforts at the state and local level. It would be preferable to offer a competitive program where the states or local school districts find matching resources from the business community or philanthropic organizations, rather than develop a limited formula program that tries to proscribe reform without sufficient resources to actually provide it.

High School Graduation: I believe that Congress should not put into law a complex definition or graduation outcome requirements that interferes with current state leadership efforts on improving high school graduation results. Our nation faces significant problems with low high school graduation rates and poor student performance in our nation's postsecondary education institutions. State and local educational leaders are working diligently to address those problems. But proposals have been put forth to improve high school graduation rates by imposing a complex definition and goal setting process that do not reflect the efforts already underway.

We should instead allow states to develop their own goals for improving high school graduation rates as part of their comprehensive state plan. We must be mindful of the leadership already being offered by the states. The National Governors Association has demonstrated strong commitment towards developing a uniform definition of graduation rate, and Congress should not interfere or override those efforts. If Congress were to override the efforts already being taken by the NGA, or override the efforts of individual governors in working with such leaders as the Diploma Project, we would lose valuable years of work and effort by leaders in the states.

I understand that staff discussions have been ongoing for several months regarding proposals for the reauthorization of the Elementary and Secondary Education Act, and that many of these areas are still open for improvement. I appreciate the hard work and diligent effort of the staff, but I hope to have at least ten business days to review any final draft legislation so that I can consult with education leaders in my state and across the country so that I can provide suggested comments and revisions before this Committee is to markup a bill. It would be helpful for me to have that opportunity as I determine whether the bill meets my priorities for ensuring state and local control of education decisions.

Thank you for your consideration.

Sincerely,

LAMAR ALEXANDER,
U.S. Senator.

By Mr. BROWN (for himself and Mr. HATCH):

S. 2313. A bill to amend the Public Health Service Act to enhance efforts to address antimicrobial resistance; to the Committee on Health, Education, Labor, and Pensions.

Mr. BROWN. Mr. President, today, I am introducing the Strategies to Address Antimicrobial Resistance Act. This bill, also known as the STAAR Act, is meant to reinvigorate efforts to combat antimicrobial resistance—efforts that accelerated in the late 90s but then stalled.

I want to thank Senator HATCH for his leadership on this issue and for introducing this bill with me. I look forward to working with him to ensure it passage.

Antibiotics are the cornerstone of modern medicine, relied on to treat countless diseases and responsible for some of the great advances in public health in the 20th century. But over time, bacteria, viruses, and other pathogens have mutated to develop resistance to antibiotic drugs. This is a dangerous setback for modern medicine. Infections caused by drug-resistant bacteria can cause serious, prolonged, and debilitating illnesses, and even death.

Methicillin-resistant Staphylococcus aureus, MRSA, is a drug resistant infection that can be contracted not only in hospitals but in community settings such as gyms and playgrounds. A study that was published in the Journal of the American Medical Association last month projected that the number of deaths from MRSA exceeded the number from AIDS in 2005. That statistic alone should be a wake-up call for America. We need to respond quickly to this problem, because it will only grow worse with time.

We are creating these deadly infections. We create them by using antibiotics when we do not need to and by not following through on the full regimen of antibiotic therapies as prescribed. More consistent and thorough hand washing in health care settings can also make a huge difference.

Several of our Government agencies are involved in efforts to address antimicrobial resistance. However, we need more coordination among all the federal agencies involved. This bill seeks to facilitate that coordination by establishing an Office of Antimicrobial Resistance at the Department of Health and Human Services. The bill also reauthorizes an interagency task force that has already done significant legwork on this issue so that, spearheaded by the coordinating office, Federal agencies can turn that legwork into action. The STAAR Act calls for a comprehensive research plan that would identify knowledge gaps and recommend strategies for filling those gaps. It would significantly improve surveillance by establishing a multisite surveillance network and working to ensure uniformity in State collection of antimicrobial resistance data.

Drug-resistant infections set back the clock on medical progress. They cost money and more importantly, they take lives. We need to take antimicrobial resistance seriously and fight it with as much passion as we fight any potential killer.

Mr. HATCH. Mr. President, as recent events in neighboring Virginia have made all too clear, this country faces a number of troubling questions about whether we are prepared to address the growing problem of drug-resistant, bacterial infections. Indeed, while recent media reports have raised the visibility of this issue, infectious disease doctors have been sounding the alarm for years.

Now, Senator BROWN and I are sounding the alarm as well.

Data from the Centers for Disease Control and Prevention show that resistant strains of infections have spread rapidly. This alarming trend continues to grow and treatment options are sorely lacking.

Senator BROWN and I have collaborated to develop legislation that takes a science-based approach to this problem. This legislation, the Strategies to Address Antimicrobial Resistance Act or STAAR Act S. 2313, should be seen as a measure to catalyze a greater Government focus on a frightening, growing, public health problem which should be of concern to each and every one of us in this Nation.

One of the things that Senator BROWN and I have found in our considerable study of this issue is that there is not adequate infrastructure developed within the Government to collect the data, to coordinate the research, and to conduct the surveillance necessary to stop drug-resistant infections in their tracks.

We believe that jump-starting a greater, stronger, organizational focus at the Department of Health and Human Services will help our Government and our scientists develop an infrastructure that can grow as science develops.

At the same time, we make perfectly clear that our bill is not the sole answer to the complex, vexing problem of antibiotic resistance. At a minimum we need better testing, better hospital controls, better medications, and better funding to support these efforts, particularly the work of the Centers for Disease Control and Prevention.

The Infectious Diseases Society of America, the Institute of Medicine, the Resources for the Future, the Centers for Disease Control, and many others have been sounding the alarm about the growing threat from resistant microorganisms.

Congress must listen.

In fact, it its seminal report, "Bad Bugs, No Drugs", the Infectious Diseases Society, IDSA, said:

> Drug-resistant bacterial infections kill tens of thousands of Americans every year and a growing number of individuals are succumbing to community-acquired infections. An epidemic may harm millions. Unless Congress and the Administration move with urgency to address these infections now, there is a very good chance that U.S. patients will suffer greatly in the future.

Indeed, the seminal IDSA report points out a number of compelling facts.

As the report notes, infections caused by resistant bacteria can strike anyone, young and old, rich or poor, healthy or ill. However, the problem of antibiotic resistance is especially acute for patients with compromised immune systems, such as persons living with HIV/AIDS.

The scope of the problem is equally of note. As IDSA has calculated, about 2 million people acquire bacterial infections in U.S. hospitals each year and as many as 90,000 die as a result. More and more, public health experts are finding infections developed in the home or community as well. Infections in both settings are increasing, and the resultant drug resistance shows no sign of lessening.

This is a costly problem, costly for patients, for society, and potentially threatening to our global security.

And, in fact, health care providers are running out of treatments as the resistance problem grows.

Nobel Laureate Joshua Lederberg said it well: "We are running out of bullets for dealing with a number of bacterial, infections. Patients are dying because we no longer in many cases have antibiotics that work."

Indeed, last week, noted Utah infectious disease expert Dr. Andy Pavia told me about a 14-year-old boy he had treated who had bone, muscle and lung infections from MRSA, an aggressive, difficult to treat, form of staph that has spread rapidly within communities. Half of the children he sees with severe MRSA infections acquired their infection at home.

This young man, Dr. Pavia relates, was forced to undergo multiple surgeries and 6 weeks of intravenous antibiotics. MRSA infections are steadily increasing in Utah, as well as across all other States.

Fortunately, that young man is on the road to recovery. But the statistics indicate it is just as likely that he would not be.

We are not only talking about MRSA. Dr. Pavia also cites the real crisis growing with resistant gram-negative bacteria, which he calls the "Rodney Dangerfield of the infectious disease world"—in other words, "it don't get no respect."

We are also seeing increases in extensively drug-resistant, XDR, tuberculosis. There are numerous reports of soldiers returning home from Iraq with Acinetobactor—a resistant infection that is especially difficult to treat, and the only option is a very toxic antibiotic.

Senator BROWN and I have worked on this issue for many months, starting with our collaboration on provisions in the Food and Drug Act Amendments recently signed into law by the President. We are also working with our colleagues in the House, foremost among them Utah Congressman JIM MATHESON, author of the House STAAR Act.

Our conclusion is that the solutions to this problem are manifold, but they must start with a stronger Government effort. That is the genesis of the STAAR Act.

Let me review briefly what our legislation does.

The bill makes a series of congressional findings which layout the problem and the need to address it.

In particular, we note that while the advent of the antibiotic era has saved millions of lives and allowed for incredible medical progress, the increased use and overuse of antimicrobial drugs have correlated with an increase in the rates of antimicrobial resistance.

An important component to this problem is the fact that scientific evidence suggests the source of antimicrobial resistance in people is not only the overuse of human drugs, but also it may be from food-producing animals, which are exposed to antimicrobial drugs.

As scientists have found, nearly 70 percent of hospital-acquired bacterial infections in the U.S. are resistant to at least one drug; in some cases, the rate is much higher. In fact, each year nearly 2 million people contract bacterial infections in the hospital, and it is estimated that 90,000 of them die from the infections.

There seem to be no recent data on the costs associated with this problem, but a 1995 report by the Office of Technology Assessment found that six different antimicrobial-resistant strains of bacteria accounted for $1.3 billion in nationwide hospital costs—almost $1.9 billion in 2006 dollars!

Here is how our bill attempts to address the problems I have just laid out.

First, the bill establishes a new Office of Antimicrobial Resistance in the Department of Health and Human Services. That Office will work with the Task Force to issue biennial updates to the Public Health Action Plan to Combat Antimicrobial Resistance, including enhanced plans for addressing the problem here and abroad. As appropriate, the Office's Director will establish benchmarks for achieving the plan's goals, assess patterns of antimicrobial resistance emergence and their impact on clinical outcomes, determine how antimicrobial products are being used in humans, animals and plants, and recommend where additional federally-supported studies may be beneficial.

Second, we renew the Antimicrobial Resistance Task Force authorized in section 319E of the Public Health Service Act. The Task Force, whose authorization lapsed last year, is comprised of representatives from the following Federal agencies and offices, plus any others the Secretary deems necessary: the new Office of Antimicrobial Resistance established in the bill; the Assistant Secretary of Preparedness and Response; the Centers for Disease Control; the Food and Drug Administration; the National Institutes of Health; the Agency for Healthcare Research and Quality; the Centers for Medicare & Medicaid Services; the Health Resources and Services Administration; the Environmental Protection Agency; and the Departments of Agriculture, Education, Defense, Veterans Affairs, Homeland Security, and State.

It is important to note that Senator BROWN and I gave careful consideration to the location of this new Office.

We considered locating it at the CDC, the Office of the Assistant Secretary for Health (OASH), and in the Office of the Secretary, OS. There are benefits and drawbacks to each. Indeed, had OASH its previous organizational structure, that is, line authority over the Public Health Service agencies, that decision would have been easy. But since a change was made many years ago to devolve most of the OASH functions to the separate PHS agencies, OASH was not the natural locus for the new Office, we decided. Our final conclusion was that it was most appropriate to locate the new office in OS, both for reasons of prominence and flexibility.

Third, S. 2313 establishes a Public Health Antimicrobial Advisory Board, a panel of outside experts who will advise the Secretary on ways to encourage an adequate supply of antimicrobial products that are both safe and effective; help determine what research priorities should be, what data and surveillance are necessary to be collected, and assess how the action plan can be updated and strengthened.

It is very important to Senator BROWN, if I may speak for him, and to me that our measure be seen as a collaborative effort that draws on the strengths of existing organizations and catalyzes their efforts for greater good.

So, fourth, our bill requires the Secretary—working through the new Office, the CDC and the NIH, in consultation with other appropriate agencies—to develop a antimicrobial resistance strategic research plan that strengthens existing epidemiological, interventional, clinical, behavioral, translational and basic research efforts to advance our understanding of the emergence of resistance and how best to address it.

Fifth, the bill authorizes establishment of at least 10 Antimicrobial Resistance Clinical Research and Public Health Network sites, geographically dispersed across the U.S. The sites will monitor the emergence of resistant pathogens in individuals, study the epidemiology of such pathogens and evaluate the efficacy of interventions, and study problems associated with antimicrobial use. In addition, we are asking the network to assess the feasibility, cost-effectiveness, and appropriateness of surveillance and screening programs in differing health care and institutional settings, such as schools, and evaluate current treatment protocols and make appropriate recommendations on best practices for treating drug resistant infections. It is my hope the network will be able to take into account successful models for surveillance and screening such as inpatient programs of the Veterans Health Administration, work done in States such as Illinois, New York and the Utah Aware program, and experience overseas in countries such as the Netherlands, Denmark and Finland. Our bill authorizes $45 million for these networks in fiscal year 2008, $65 million next year, and $120 million in fiscal year 2010.

Finally, I would like to speak about data collection activities in S. 2313.

It has become obvious to me that there is a pressing need for better surveillance of antibiotic resistance and better data collection that is shared both within States and across States. From my long work on public health issues, it is equally clear to me that there is a need for the government to give guidance—guidance, not a mandate—on uniform ways in which those data should be collected so that all of the agencies are talking the same talk, so speak.

Our bill asks the Office of Antimicrobial Research to work with the Task Force and member agencies to develop those uniform standards for data collection. In drafting S. 2313, Senator BROWN and I were very sensitive to the jurisdictional needs of other Committees. At the same time, it is clear that any serious effort to address antimicrobial resistance must be spread across the many agencies of Government, each of which has a role to play in our collaborative effort. It is for that reason that our bill asks the Office and Task Force to work with the other agencies, some of which do not fall within the jurisdiction of the HELP Committee. If this language needs to be strengthened as consideration of S. 2313 progresses, it is our hope to work with the other committees which have an interest in the bill.

A second issue related to data collection is the fact that there is a pressing need for epidemiologists and other public health experts to begin to see data showing how many antibiotics are being distributed and used by patients so that they can evaluate the amount of resistance that is emerging. In writing our bill, we were sensitive to the need to provide scientists with these data, while at the same time working to make any new reporting provisions the least burdensome possible, while protecting both the national security and propriety aspects of those data. For that reason, our bill builds on current reporting to the FDA of pharmaceutical distribution data. Those data are currently submitted by manufacturers on the anniversary date of the product's approval. Our bill would move that reporting date to 60 days after the beginning of each calendar year, thus allowing epidemiologists to compare data from year to year. Our second concern, that of potentially harmful release of data, was addressed in the following way. Our bill precludes the release of data which are proprietary in nature and whose release could have the perverse result of providing a disincentive to antibiotic development. This strong section, section 7 of the bill, also precludes release of data which could be harmful to our national defense.

In closing, I wish to commend S. 2313 to my colleagues and ask for their serious consideration of this measure. For those who doubt the need for this legislation, if there are any doubters among us, I ask the following questions:

Where do we begin to get serious to address this concern?

Where do we begin to recognize that it will take literally years to develop an effective response?

What are we doing to develop the collaboration across agencies to assure the American public we are developing an action plan to combat the problem?

It is our hope that STAAR Act will begin to catalyze that response.

That is the motive behind our introduction of this legislation.

We look forward to working with our colleagues on the Health, Education, Labor and Pensions Committee as consideration of this legislation begins and we remain available to our colleagues to answer any questions or concerns they may have about this legislation.

By Mr. SALAZAR (for himself, Mr. INHOFE, and Mr. TESTER):

S. 2314. A bill to amend the Internal Revenue Code of 1986 to make geothermal heat pump systems eligible for the energy credit and the residential energy efficient property credit, and for other purposes; to the Committee on Finance.

Mr. SALAZAR. Mr. President, today I am joining my colleague Senator INHOFE in introducing the bipartisan Geothermal Heat Pump Development Act of 2007, which would provide American homes and businesses with tax credits to promote greater use of geothermal heat pumps, GHPs. Geothermal heat pumps are electrically-powered devices that use the earth's natural heat storage ability to heat and cool homes and meet energy demands.

Buildings account for 39 percent of the primary energy consumption in the U.S. and 71 percent of U.S. electricity consumption. The lion's share of this energy usage is for heating, cooling, and hot water. Making our buildings more energy efficient will therefore pay large energy dividends. According to the Environmental Protection Agency, GHPs are the most energy-efficient and environmentally clean space-conditioning systems currently in use. GHPs can reduce site energy consumption for climate control and water heating by as much as 40 percent compared to air-source heat pumps and as much as 70 percent compared to a fossil fuel heating system and air-conditioner.

However, in the absence of Federal tax credits to help mitigate the comparatively high installation costs associated with geothermal heat pump systems, American homeowners and businesses are reluctant to tap into this reliable technology. The SALAZAR-INHOFE bill would help overcome these cost barriers by amending current tax code to make geothermal heat pump systems eligible for the energy tax credit and the residential energy efficient property tax credit, for businesses and consumers, respectively.

Specifically, businesses could claim an investment tax credit in the amount of 10 percent of the installed cost of a new geothermal heat pump system, and could claim an accelerated 3-year depreciation on such equipment. For example, a business owner that spends $30,000 on a new GHP system would get a $3,000 tax credit and the accelerated depreciation provision would allow that business greater flexibility in reporting this capital expense. Consumers could claim a credit in the amount of 30 percent of the installed cost of a new geothermal heat pump system up to a maximum credit of $2,000, so that, for example, a home owner who purchases a $15,000 GHP system would receive a $2,000 tax credit. This consumer tax credit would be allowable against the alternative minimum tax.

Geothermal heat pumps are proven renewable energy technologies with significant energy efficiency gains and long-term cost-savings potential compared to conventional climate control systems. Geothermal heat pumps typically cost more than twice as much as a conventional fossil fuel furnace, but GHPs' impressive efficiency gains allow a home or business owner to recoup their up-front costs within about ten years.

Since their introduction in the 1980s, over 1 million GHPs have been installed in a wide variety of buildings, and in a diverse range of climates, across the U.S. Senator INHOFE and I are optimistic that the widespread adoption of geothermal heat pumps will not only save energy, but also create good local jobs. Because GHP systems can be deployed virtually anywhere, the demand for qualified engineers who can install and maintain these systems would surely expand.

Geothermal heat pumps should be an important element of our efforts to enhance our buildings' energy efficiency. By making it easier for American homes and business to embrace these extremely effective energy technologies, we will help develop a more secure, efficient and sustainable domestic energy program founded on clean, renewable and reliable energy alternatives.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 367—COMMEMORATING THE 40TH ANNIVERSARY OF THE MASS MOVEMENT FOR SOVIET JEWISH FREEDOM AND THE 20TH ANNIVERSARY OF THE FREEDOM SUNDAY RALLY FOR SOVIET JEWRY ON THE NATIONAL MALL

Mr. LIEBERMAN (for himself, Mr. SPECTER, Mr. SMITH, Mr. VOINOVICH, Mr. BIDEN, Mrs. CLINTON, Ms. MIKULSKI, Mr. CONRAD, Mr. MARTINEZ, Mr. LAUTENBERG, Mr. BROWNBACK, Mr. CARDIN, Mrs. FEINSTEIN, Mr. WYDEN, and Mr. CASEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 367

Whereas Jews living in the former Soviet Union were an oppressed cultural minority who faced systematic, state-sponsored discrimination and difficulties in exercising their religion and culture, including the study of the Hebrew language;

Whereas, in 1964, the American Jewish Conference on Soviet Jewry (AJCSJ) was founded to spearhead a national campaign on behalf of Soviet Jewry;

Whereas, in 1964, the Student Struggle for Soviet Jewry was founded to demand freedom for Soviet Jewry;

Whereas, in 1964, thousands of college students rallied on behalf of Soviet Jewry in front of the United Nations;

Whereas Israel's victory in the 1967 Six-Day War inspired Soviet Jews to intensify their efforts to win the right to emigrate;

Whereas, in 1967, the Soviet Union began an anti-Zionist propaganda campaign in the state-controlled mass media and a crack-down on Jewish autonomy, galvanizing a mass advocacy movement in the United States;

Whereas the Union of Councils for Soviet Jewry was founded in 1970 as a coalition of local grassroots "action" councils supporting freedom for the Jews of the Soviet Union;

Whereas, in 1971, the severe sentences, including death, meted out to 9 Jews from Leningrad who attempted to hijack a plane to flee the Soviet Union spurred worldwide protests;

Whereas, in 1971, the National Conference on Soviet Jewry (NCSJ) succeeded the AJCSJ;

Whereas, in 1971, mass emigration of Jews from the Soviet Union began;

Whereas, in 1974, Senator Henry "Scoop" Jackson and Congressman Charles Vanik successfully attached an amendment to the Trade Act of 1974 linking trade benefits, now known as Normal Trade Relations, to the emigration and human rights practices of Communist countries, including the Soviet Union;

Whereas, in 1975, President Gerald R. Ford signed into law the Jackson-Vanik amendment to the Trade Act of 1974, after both houses of Congress unanimously backed it;

Whereas, in 1978, the Congressional Wives for Soviet Jewry was founded;

Whereas, in 1982, President Ronald Reagan signed into law House Joint Resolution 373 (subsequently Public Law 97-157), expressing the sense of the Congress that the Soviet Union should cease its repressive actions against those who seek the freedom to emigrate or to practice their religious or cultural traditions, drawing special attention to the hardships and discrimination imposed upon the Jewish community in the Soviet Union;

Whereas, in 1983, the bipartisan Congressional Human Rights Caucus was founded to advance the cause of human rights;

Whereas, in 1984, the Congressional Coalition for Soviet Jews was founded;

Whereas, on December 6, 1987, an estimated 250,000 people demonstrated on the National Mall in Washington, DC in support of freedom for Soviet Jews, in advance of a summit between Mikhail Gorbachev and President Reagan;

Whereas, in 1989, the former Soviet Union opened its doors to allow the millions of Soviet Jews who had been held as virtual prisoners within their own country to leave the country;

Whereas, in 1991, the Supreme Soviet passed a law that codified the right of every citizen of the Soviet Union to emigrate, precipitating massive emigration by Jews, primarily to Israel and the United States;

Whereas, since 1975, more than 500,000 refugees from areas of the former Soviet Union—many of them Jews, evangelical Christians, and Catholics—have resettled in the United States;

Whereas the Soviet Jewish community in the United States today numbers between 750,000 and 1,000,000, though some estimates are twice as high;

Whereas Jewish immigrants from the former Soviet Union have greatly enriched the United States in areas as diverse as business, professional sports, the arts, politics, and philanthropy;

Whereas, in 1992, Congress passed the Freedom Support Act, making aid for the 15 independent states of the former Soviet Union contingent on progress toward democratic self-government and respect for human rights;

Whereas, since 2000, more than 400 independent Jewish cultural organizations and 30 Jewish day schools have been established in the independent states of the former Soviet Union; and

Whereas the National Conference on Soviet Jewry and its partner organizations continue to work to promote the safety and human rights of Jews in the independent states of the former Soviet Union: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significant contributions of American citizens of Jewish descent who emigrated from the Soviet Union;

(2) commemorates the 40th anniversary of the mass movement for freedom by and on behalf of Soviet Jewry;

(3) commemorates the 20th anniversary of the December 6, 1987, Freedom Sunday rally, a major landmark of Jewish activism in the United States; and

(4) condemns incidents of anti-Semitism, xenophobia, and religious persecution wherever they may occur in the independent states of the former Soviet Union and encourages the development and deepening of democracy, religious freedom, rule of law, and human rights in those states.

SENATE RESOLUTION 368—EXPRESSING THE SENSE OF THE SENATE THAT, AT THE 20TH REGULAR MEETING OF THE INTERNATIONAL COMMISSION ON THE CONSERVATION OF ATLANTIC TUNAS, THE UNITED STATES SHOULD PURSUE A MORATORIUM ON THE EASTERN ATLANTIC AND MEDITERRANEAN BLUEFIN TUNA FISHERY TO ENSURE CONTROL OF THE FISHERY AND FURTHER FACILITATE RECOVERY OF THE STOCK, PURSUE STRENGTHENED CONSERVATION AND MANAGEMENT MEASURES TO FACILITATE THE RECOVERY OF THE ATLANTIC BLUEFIN TUNA, AND SEEK A REVIEW OF COMPLIANCE BY ALL NATIONS WITH THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS' CONSERVATION AND MANAGEMENT RECOMMENDATION FOR ATLANTIC BLUEFIN TUNA AND OTHER SPECIES, AND FOR OTHER PURPOSES

Mr. KERRY (for himself, Ms. SNOWE, and Mr. STEVENS) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 368

Whereas Atlantic bluefin tuna are a valuable commercial and recreational fishery of the United States and many other countries;

Whereas the International Convention for the Conservation of Atlantic Tunas entered into force on March 21, 1969;

Whereas the Convention established the International Commission for the Conservation of Atlantic Tunas to coordinate international research and develop, implement, and enforce compliance of the conservation and management recommendations on the Atlantic bluefin tuna and other highly migratory species in the Atlantic Ocean and the adjacent seas, including the Mediterranean Sea;

Whereas in 1974, the Commission adopted its first conservation and management recommendation to ensure the sustainability of Atlantic bluefin tuna throughout the Atlantic Ocean and Mediterranean Sea, while allowing for the maximum sustainable catch for food and other purposes;

Whereas in 1981, for management purposes, the Commission adopted a working hypothesis of 2 Atlantic bluefin tuna stocks, with 1 occurring west of 45 degrees west longitude (hereinafter referred to as the "western Atlantic stock") and the other occurring east of 45 degrees west longitude (hereinafter referred to as the "eastern Atlantic and Mediterranean stock");

Whereas, despite scientific recommendations intended to maintain bluefin tuna populations at levels that will permit the maximum sustainable yield and ensure the future of the stocks, the total allowable catch quotas have been consistently set at levels significantly higher than the recommended levels for the eastern Atlantic and Mediterranean stock;

Whereas despite the establishment by the Commission of fishing quotas based on total allowable catch levels for the eastern Atlantic and Mediterranean bluefin tuna fishery that exceed scientific recommendations, compliance with such quotas by parties to the Convention that harvest that stock has been extremely poor, most recently with harvests exceeding such total allowable catch levels by more than 50 percent for each of the last 4 years;

Whereas insufficient data reporting in combination with unreliable national catch statistics has frequently undermined efforts by the Commission to assign quota overharvests to specific countries;

Whereas the failure of many Commission members fishing east of 45 degrees west longitude to comply with other Commission recommendations to conserve and control the overfished eastern Atlantic and Mediterranean bluefin tuna stock has been an ongoing problem;

Whereas the Commission's Standing Committee on Research and Statistics noted in its 2006 report that the fishing mortality rate for the eastern Atlantic and Mediterranean stock may be more than 3 times the level that would permit the stock to stabilize at the maximum sustainable catch level, and continuing to fish at the level of recent years "is expected to drive the spawning biomass to a very low level" giving "rise to a high risk of fishery and stock collapse";

Whereas the Standing Committee has recommended that the annual harvest levels for eastern Atlantic and Mediterranean bluefin tuna be reduced from 32,000 metric tons to approximately 15,000 metric tons to halt decline of the resource and initiate rebuilding, and the United States supported this recommendation at the 2006 Commission meeting;

Whereas in 2006, the Commission adopted the "Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the eastern Atlantic and Mediterranean" containing a wide range of management, monitoring, and control measures designed to facilitate the recovery of the eastern Atlantic and Mediterranean bluefin tuna stock;

Whereas the Recovery Plan is inadequate and allows overfishing and stock decline to continue, and initial information indicates that implementation of the plan in 2007 by many eastern Atlantic and Mediterranean bluefin tuna harvesting countries has been poor;

Whereas since 1981, the Commission has adopted additional and more restrictive conservation and management recommendations for the western Atlantic bluefin tuna stock, and these recommendations have been implemented by Nations fishing west of 45 degrees west longitude, including the United States,

Whereas despite adopting, fully implementing, and complying with a science-based rebuilding program for the western Atlantic bluefin tuna stock by countries fishing west of 45 degrees west longitude, catches and catch rates remain very low;

Whereas many scientists believe that mixing occurs between the western Atlantic bluefin tuna stock and the eastern Atlantic and Mediterranean stock, and as such, poor management and noncompliance with recommendations for one stock are likely to have an adverse effect on the other stock;

Whereas additional research on stock mixing will improve the understanding of the relationship between eastern and western bluefin tuna stocks and other fisheries, which will assist in the conservation, recovery, and management of the species throughout its range: Now, therefore, be it

Resolved, by the Senate That it is the sense of the Senate that the United States delegation to the 20th Regular Meeting of the International Commission for the Conservation of Atlantic Tunas, should—

(1) seek the adoption of a harvesting moratorium, which includes appropriate mechanisms to ensure compliance, on the eastern Atlantic and Mediterranean bluefin tuna fishery of sufficient duration to begin the process of stock recovery and allow for the development and implementation of an effective program of monitoring and control on the fishery when the moratorium ends;

(2) seek to strengthen the conservation and management of the eastern Atlantic and Mediterranean bluefin tuna by making recommendations to halt the decline of the stock and begin to rebuild it;

(3) reevaluate the implementation, effectiveness, and relevance of the Commission recommendation entitled "Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the eastern Atlantic and Mediterranean" (Recommendation 06-05), and seek from Commission members that have failed to fully implement the terms of the recommendations detailed justification for their lack of compliance;

(4) pursue a review and assessment of compliance with conservation and management measures adopted by the Commission and in effect for the 2006 eastern Atlantic and Mediterranean bluefin tuna fishery, occurring east of 45 degrees west longitude, and other fisheries that are subject to the jurisdiction of the Commission, including data collection and reporting requirements;

(5) seek to address noncompliance by parties to the Convention with such measures through appropriate actions, including, as appropriate, deducting a portion of a future quota for a party to compensate for such party exceeding its quota in prior years; and

(6) pursue additional research on the relationship between the western Atlantic and eastern Atlantic and Mediterranean bluefin tuna stocks and the extent to which the populations intermingle.

SENATE RESOLUTION 369—DESIGNATING NOVEMBER 25, 2007, AS "DRIVE SAFER SUNDAY"

Mr. CHAMBLISS (for himself, Mr. ISAKSON, and Mrs. LINCOLN) submitted the following resolution; which was considered and agreed to:

S. RES. 369

Whereas motor vehicle travel is the primary means of transportation in the United States;

Whereas everyone traveling on the roads and highways needs to drive more safely to reduce deaths and injuries resulting from motor vehicle accidents;

Whereas, according to the National Highway Traffic Safety Administration, wearing a seat belt saved 15,434 lives in 2004, 15,632 lives in 2005, and 15,383 lives in 2006;

Whereas Secretary of Transportation Mary Peters wants all people of the United States to understand the life-saving importance of wearing a seat belt and encourages motorists to drive safely, not just during the holiday season, but every time they get behind the wheel; and

Whereas the Sunday after Thanksgiving is the busiest highway traffic day of the year: Now, therefore, be it

Resolved, That the Senate—

(1) encourages—

(A) high schools, colleges, universities, administrators, teachers, primary schools, and secondary schools to launch campus-wide educational campaigns to urge students to be careful about safety when driving;

(B) national trucking firms to alert their drivers to be especially focused on driving safely during the heaviest traffic day of the year, and to publicize the importance of the day using Citizen's Band (CB) radios and in truck stops across the Nation;

(C) clergy to remind their members to travel safely when attending services and gatherings;

(D) law enforcement personnel to remind drivers and passengers to drive particularly safely on the Sunday after Thanksgiving; and

(E) all people of the United States to use the Sunday after Thanksgiving as an opportunity to educate themselves about highway safety; and

(2) designates November 25, 2007, as "Drive Safer Sunday".

SENATE RESOLUTION 370—SUPPORTING AND ENCOURAGING GREATER SUPPORT FOR VETERANS DAY EACH YEAR

Mrs. DOLE (for herself and Mr. NELSON of Florida) submitted the following resolution; which was considered and agreed to:

S. RES. 370

Whereas veterans of service in the United States Armed Forces have served the Nation with honor and at great personal sacrifice;

Whereas the American people owe the security of the Nation to those who have defended it;

Whereas, on Memorial Day each year, the Nation honors those who have lost their lives in service to the Nation;

Whereas, on Veterans Day each year, the Nation honors those who have defended democracy by serving in the Armed Forces;

Whereas the observance of Memorial Day and Veterans Day is an expression of faith in democracy, faith in American values, and faith that those who fight for freedom will defeat those whose cause is unjust;

Whereas section 116(a) of title 36, United States Code, provides that "The last Monday in May is Memorial Day" and section 116(b) of that title requests the President to issue a proclamation each year calling on the people of the United States to observe Memorial Day by praying, according to their individual religious faith, for permanent peace, designating a period of time on Memorial Day during which the people may unite in prayer for a permanent peace, calling on the people of the United States to unite in prayer at that time, and calling on the media to join in observing Memorial Day and the period of prayer;

Whereas section 4 of the National Moment of Remembrance Act (Public Law 106-579) provides, "The minute beginning at 3:00 p.m. (local time) on Memorial Day each year is designated as the 'National Moment of Remembrance' "; and

Whereas Section 6103(a) of title 5, United States Code, provides that "Memorial Day, the last Monday in May" and "Veteran's Day, November 11" are legal public holidays: Now, therefore, be it

Resolved, That the Senate

(1) encourages the people of the United States to demonstrate their support for veterans on Veterans Day each year by treating that day as a special day of reflection; and

(2) encourages schools and teachers to educate students on the great contributions veterans have made to the country and its history, both while serving as members of the United States Armed Forces and after completing their service.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3502. Mr. WYDEN (for himself, Mr. ALEXANDER, Mr. KERRY, Mr. FEINGOLD, Mr. BINGAMAN, Mr. SUNUNU, Mr. DODD, Ms. STABENOW, Mr. BIDEN, Ms. CANTWELL, Mrs. MURRAY, Ms. SNOWE, Mr. BAUCUS, and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table.

SA 3503. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3504. Ms. LANDRIEU (for herself and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3505. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3506. Mrs. FEINSTEIN (for herself, Mr. MARTINEZ, Mr. CASEY, Ms. STABENOW, Mrs. BOXER, Mr. NELSON of Florida, Mr. BINGAMAN, Mr. CARDIN, and Mr. INOUYE) submitted an amendment intended to be proposed by her to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3507. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3508. Mr. REID (for Mr. DORGAN (for himself, Mr. GRASSLEY, Mr. HARKIN, Mr. NELSON of Nebraska, Mr. FEINGOLD, Mr. JOHNSON, Ms. KLOBUCHAR, and Mr. TESTER)) proposed an amendment to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra.

SA 3509. Mr. REID proposed an amendment to amendment SA 3508 proposed by Mr. REID (for Mr. DORGAN (for himself, Mr. GRASSLEY, Mr. HARKIN, Mr. NELSON of Nebraska, Mr. FEINGOLD, Mr. JOHNSON, Ms. KLOBUCHAR, and Mr. TESTER)) to the amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra.

SA 3510. Mr. REID proposed an amendment to the bill H.R. 2419, supra.

SA 3511. Mr. REID proposed an amendment to amendment SA 3510 proposed by Mr. REID to the bill H.R. 2419, supra.

SA 3512. Mr. REID proposed an amendment to the bill H.R. 2419, supra.

SA 3513. Mr. REID proposed an amendment to amendment SA 3512 proposed by Mr. REID to the bill H.R. 2419, supra.

SA 3514. Mr. REID proposed an amendment to amendment SA 3513 proposed by Mr. REID to the amendment SA 3512 proposed by Mr. REID to the bill H.R. 2419, supra.

SA 3515. Mr. STEVENS (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3516. Mr. TESTER submitted an amendment intended to be proposed to amendment

SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3517. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3518. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3519. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3520. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3521. Mr. CASEY (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3522. Mr. CASEY (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3523. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3524. Ms. MIKULSKI (for herself and Mr. SPECTER) submitted an amendment intended to be proposed by her to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3525. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3526. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3527. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, MR. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3528. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3529. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3530. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, MR. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3531. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3532. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3533. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3534. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3535. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3536. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3537. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3538. Mr. AKAKA (for himself, Mr. KERRY, Mr. STEVENS, Mr. FEINGOLD, Mr. WYDEN, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3539. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3540. Mr. CASEY submitted an amendment intended to be proposed by him to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3541. Mr. CRAIG (for himself, Mr. ALLARD, and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3542. Mr. DOMENICI (for himself, Mr. THUNE, Mr. NELSON, of Nebraska, Mr. JOHNSON, Mr. GRASSLEY, Mr. CRAIG, Mr. SALAZAR, and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3543. Ms. STABENOW (for herself, Mr. DOMENICI, Mr. CASEY, Mr. LEVIN, Mr. SANDERS, Mrs. BOXER, Mr. BINGAMAN, Mr. COLEMAN, and Mr. FEINGOLD) submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3502. Mr. WYDEN (for himself, Mr. ALEXANDER, Mr. KERRY, Mr. FEINGOLD, Mr. BINGAMAN, Mr. SUNUNU, Mr. DODD, Ms. STABENOW, Mr. BIDEN, Ms. CANTWELL, Mrs. MURRAY, Ms. SNOWE, Mr. BAUCUS, and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VIII, add the following:

SEC. 82____. PREVENTION OF ILLEGAL LOGGING PRACTICES.

The Lacey Act Amendments of 1981 are amended—

(1) in section 2 (16 U.S.C. 3371)—

(A) by striking subsection (f) and inserting the following:

"(f) PLANT.—

"(1) IN GENERAL.—The term 'plant' means any wild member of the plant kingdom, including roots, seeds, parts, and products thereof.

"(2) EXCLUSIONS.—The term 'plant' excludes any common food crop or cultivar that is a species not listed—

"(A) on the most recent appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington on March 3, 1973 (27 UST 1087; TIAS 8249); or

"(B) as an endangered or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).";

(B) in subsection (h), by inserting "also" after "plants the term"; and

(C) by striking subsection (j) and inserting the following:

"(j) TAKE.—The term 'take' means—

"(1) to capture, kill, or collect; and

"(2) with respect to a plant, also to harvest, cut, log, or remove.";

(2) in section 3 (16 U.S.C. 3372)—

(A) in subsection (a)—

(i) in paragraph (2), by striking subparagraph (B) and inserting the following:

"(B) any plant—

"(i) taken, transported, possessed, or sold in violation of any law or regulation of any State or any foreign law that protects plants or that regulates—

"(I) the theft of plants;

"(II) the taking of plants from a park, forest reserve, or other officially protected area;

"(III) the taking of plants from an officially designated area; or

"(IV) the taking of plants without, or contrary to, required authorization;

"(ii) taken, transported, or exported without the payment of royalties, taxes, or stumpage fees required by any law or regulation of any State or any foreign law; or

"(iii) exported or transshipped in violation of any law or regulation of any State or any foreign law; or"; and

(ii) in paragraph (3), by striking subparagraph (B) and inserting the following:

"(B) to possess any plant—

"(i) taken, transported, possessed, or sold in violation of any law or regulation of any State or any foreign law that protects plants or that regulates—

"(I) the theft of plants;

"(II) the taking of plants from a park, forest reserve, or other officially protected area;

"(III) the taking of plants from an officially designated area; or

"(IV) the taking of plants without, or contrary to, required authorization;

"(ii) taken, transported, or exported without the payment of royalties, taxes, or stumpage fees required by any law or regulation of any State or any foreign law; or "(iii) exported or transshipped in violation of any law or regulation of any State or any foreign law; or"; and

(B) by adding at the end the following:

"(f) PLANT DECLARATIONS.—

"(1) IN GENERAL.—Effective 180 days from the date of enactment of this subsection and except as provided in paragraph (3), it shall be unlawful for any person to import any plant unless the person files upon importation where clearance is requested a declaration that contains—

"(A) the scientific name of any plant (including the genus and species of the plant) contained in the importation;

"(B) a description of—

"(i) the value of the importation; and

"(ii) the quantity, including the unit of measure, of the plant; and

"(C) the name of the country from which the plant was taken.

"(2) DECLARATION RELATING TO PLANT PRODUCTS.—Until the date on which the Secretary promulgates a regulation under paragraph (6), a declaration relating to a plant product shall—

"(A) in the case in which the species of plant used to produce the plant product that is the subject of the importation varies, and the species used to produce the plant product is unknown, contain the name of each species of plant that may have been used to produce the plant product; and

"(B) in the case in which the species of plant used to produce the plant product that is the subject of the importation is commonly taken from more than 1 country, and the country from which the plant was taken and used to produce the plant product is unknown, contain the name of each country from which the plant may have been taken.

"(3) EXCLUSIONS.—The declaration requirements of paragraphs (1) and (2) shall not apply to plants used exclusively as wood and paper packaging materials used to support, protect, or carry a commodity, unless the wood and paper packaging materials are the commodity being imported.

"(4) REVIEW.—

"(A) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall review the implementation of each requirement described in paragraphs (1) and (2).

"(B) REVIEW OF EXCLUDED WOOD AND PAPER PACKAGING MATERIALS.—The Secretary—

"(i) shall, in conducting the review under subparagraph (A), consider the effect of excluding the materials described in paragraph (3); and

"(ii) may limit the scope of the exclusions under paragraph (3) if the Secretary determines, based on the review, that the limitations in scope are warranted.

"(5) REPORT.—

"(A) IN GENERAL.—Not later than 180 days after the date on which the Secretary completes the review under paragraph (4), the Secretary shall submit to the appropriate committees of Congress a report containing—

"(i) an evaluation of—

"(I) the effectiveness of each type of information required under paragraphs (1) and (2) in assisting enforcement of section 3; and

"(II) the potential to harmonize each requirement described in paragraphs (1) and (2) with other applicable import regulations in existence as of the date of the report;

"(ii) recommendations for such legislation as the Secretary determines to be appropriate to assist in the identification of plants that are imported into the United States in violation of section 3; and

"(iii) an analysis of the effect of the provisions of subsection (a) and (f) on—

"(I) the cost of legal plant imports; and

"(II) the extent and methodology of illegal logging practices and trafficking.

"(B) PUBLIC PARTICIPATION.—In conducting the review under paragraph (4), the Secretary shall provide public notice and an opportunity for comment.

"(6) PROMULGATION OF REGULATIONS.—Not later than 180 days after the date on which the Secretary completes the review under paragraph (4), the Secretary may promulgate regulations—

"(A) to limit the applicability of any requirement described in paragraph (2) to specific plant products; and

"(B) to make any other necessary modification to any requirement described in paragraph (2), as determined by the Secretary based on the review under paragraph (4)."; and

(3) in section 7(a)(1) (16 U.S.C. 3376(a)(1)), by striking "section 4" and inserting "section 3(f), section 4,".

SA 3503. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XI, add the following:

SEC. 1107_. PENNINGTON BIOMEDICAL RESEARCH CENTER.

(a) FINDINGS.—Congress finds that—

(1) the Pennington Biomedical Research Center (referred to in this section as the "Center") is an outstanding facility, several investigators employed by which have positive international reputations; and

(2)(A) Congress has directed the Secretary, acting through the Administrator of the Agricultural Research Service, to collaborate with the Center—

(i) to establish a human nutrition research program with the Center; and

(ii) to employ scientists of the Agricultural Research Service focusing on obesity at the state-of-the-art facilities of the Center; but

(B) concern exists regarding the promptness with which the Secretary has—

(i) integrated the Center into the human nutrition research program of the Agricultural Research Service; and

(ii) provided funding to the Center.

(b) DESIGNATION AND FUNDING.—As soon as practicable after the date of enactment of this Act, the Secretary shall—

(1) officially designate the Center as an "Agricultural Research Service Human Nutrition Center"; and

(2) provide to the Center adequate funding in accordance with the formula used by the Secretary to provide funding to other Agricultural Research Service Human Nutrition Centers.

(c) EFFECT ON OTHER CENTERS.—The provision of funds to the Center pursuant to subsection (b)(2) shall not unjustly reduce the amount provided to any other Agricultural Research Service Human Nutrition Center by the Secretary under any other law (including regulations).

SA 3504. Ms. LANDRIEU (for herself and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ___DOMESTIC PET TURTLE MARKET ACCESS

SEC. ___. SHORT TITLE.

This title may be cited as the "Domestic Pet Turtle Market Access Act of 2007".

SEC. ___. FINDINGS.

Congress makes the following findings:

(1) Pet turtles less than 10.2 centimeters in diameter have been banned for sale in the United States by the Food and Drug Administration since 1975 due to health concerns.

(2) The Food and Drug Administration does not ban the sale of iguanas or other lizards, snakes, frogs, or other amphibians or reptiles that are sold as pets in the United States that carry salmonella bacteria. The Food and Drug Administration also does not require that these animals be treated for salmonella bacteria before being sold as pets.

(3) The technology to treat turtles for salmonella, and make them safe for sale, has greatly advanced since 1975. Treatments exist that can nearly eradicate salmonella from turtles, and individuals are more aware of the causes of salmonella, how to treat salmonella poisoning, and the seriousness associated with salmonella poisoning.

(4) University research has shown that these turtles can be treated in such a way that they can be raised, shipped, and distributed without having a recolonization of salmonella.

(5) University research has also shown that pet owners can be equipped with a treatment regimen that allows the turtle to be maintained safe from salmonella.

(6) The Food and Drug Administration should allow the sale of turtles less than 10.2 centimeters in diameter as pets as long as the sellers are required to use proven methods to treat these turtles for salmonella.

SEC. ___. SALE OF BABY TURTLES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Food and Drug Administration shall not restrict the sale by a turtle farmer, wholesaler, or commercial retail seller of a turtle that is less than 10.2 centimeters in diameter as a pet if—

(1) the State or territory in which the pet turtle farmer of the turtle is located has developed a regulatory process by which pet turtle farmers are required to have a State license to breed, hatch, propagate, raise, grow, receive, ship, transport, export, or sell pet turtles or pet turtle eggs;

(2) such State or territory requires certification of sanitization that is signed by a veterinarian who is licensed in the State or territory, and approved by the State or territory agency in charge of regulating the sale of pet turtles;

(3) the certification of sanitization requires each turtle to be sanitized or treated for diseases, including salmonella, and is dependant upon using the Siebeling method, or other such proven nonantibiotic method, to make the turtle salmonella-free; and

(4) the turtle farmer or commercial retail seller includes, with the sale of such a turtle, a disclosure to the buyer that includes—

(A) information regarding—

(i) the possibility that salmonella can recolonize in turtles;

(ii) the dangers, including possible severe illness or death, especially for at-risk people who may be susceptible to salmonella poisoning, such as children, pregnant women, and others who may have weak immune systems, that could result if the turtle is not properly handled and safely maintained;

(iii) the proper handling of the turtle, including an explanation of proper hygiene such as handwashing after handling a turtle; and

(iv) the proven methods of treatment that, if properly applied, keep the turtle safe from salmonella;

(B) a detailed explanation of how to properly treat the turtle to keep it safe from salmonella, using the proven methods of treatment referred to under subparagraph (A), and how the buyer can continue to purchase the tools, treatments, or any other required item to continually treat the turtle; and

(C) a statement that buyers of pet turtles should not abandon the turtle or abandon the turtle outside, as the turtle may become an invasive species to the local community, but should instead return the turtle to a commercial retail pet seller or other organization that would accept turtles no longer wanted as pets.

(b) FDA REVIEW OF STATE PROTECTIONS.—The Commissioner of Food and Drugs may, after providing an opportunity for the affected State to respond, restrict the sale of a turtle only if the Secretary of Health and Human Services determines that the actual implementation of State health protections described in subsection (a) are insufficient to protect consumers against infections diseases acquired from such turtle at the time of sale.

SA 3505. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the miscellaneous title, insert the following:

SEC. _____. LEAFY GREEN VEGETABLES.

(a) FINDINGS.—Congress finds that—

(1) unique requirements exist with respect to the production of safe, nutritious, and healthy leafy green vegetables; and

(2) it is necessary to regulate the production of leafy green vegetables under 1 marketing order that encompasses all leafy green vegetable production in the United States.

(b) NATIONAL MARKETING ORDERS.—Section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(1) in paragraph (8)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting the clauses appropriately;

(B) by striking the paragraph designation and heading and all that follows through "Except" and inserting the following:

"(8) ORDERS WITH MARKETING AGREEMENTS.—

"(A) IN GENERAL.—Subject to subparagraph (B) and except"; and

(C) by adding at the end the following:

"(B) LEAFY GREEN VEGETABLES.—

"(i) DEFINITION OF LEAFY GREEN VEGETABLE.—In this subparagraph, the term 'leafy green vegetable' includes—

"(I) arugula;

"(II) baby leaf lettuce (immature lettuce or leafy greens);

"(III) butter lettuce;

"(IV) chard;

"(V) endive (excluding Belgian endive);

"(VI) escarole;

"(VII) green leaf lettuce;

"(VIII) green, red, and savoy cabbage;

"(IX) iceberg lettuce;

"(X) kale;

"(XI) red leaf lettuce;

"(XII) romaine lettuce;

"(XIII) spinach; and

"(XIV) spring mix.

"(ii) APPROVAL BY HANDLERS.—Notwithstanding any other provision of this Act, the Secretary may establish a national marketing order for leafy green vegetables only on approval by—

"(I) ⅔ of the total number of handlers of leafy green vegetables in all States that participate in an election held by the Secretary for purposes of the approval; or

"(II) handlers of leafy green vegetables that, as determined by the Secretary, handle not less than ⅔ of the volume of leafy green vegetables handled by the total number of handlers of leafy green vegetables in all States that participate in an election held by the Secretary for purposes of the approval.

"(iii) CONTENTS.—A marketing order established pursuant to this subparagraph may provide quality requirements relating to food safety in the production and processing of leafy green vegetables.

"(iv) PERIOD OF EFFECTIVENESS.—A marketing order established pursuant to this subparagraph shall remain in effect until the earlier of—

"(I) the date of termination of the marketing order under paragraph (16)(B)(ii); and

"(II) the date on which the Secretary of Health and Human Services assumes responsibility, pursuant to Federal law, for safe handling in the leafy green vegetable industry."; and

(2) in paragraph (16)(B)—

(A) by striking "(B) The Secretary" and inserting the following:

"(B) TERMINATION OF MARKETING AGREEMENTS.—

"(i) IN GENERAL.—Except as provided in clause (ii), the Secretary"; and

(B) by adding at the end the following:

"(ii) LEAFY GREEN VEGETABLES.—Notwithstanding clause (i), the Secretary may terminate a marketing order established pursuant to paragraph (8)(B) only on approval by—

"(I) ½ of the total number of handlers of leafy green vegetables in all States that participate in an election held by the Secretary for purposes of the approval; or

"(II) handlers of leafy green vegetables that, as determined by the Secretary, handle more than ½ of the volume of leafy green vegetables handled by the total number of handlers of leafy green vegetables in all States that participate in an election held by the Secretary for purposes of the approval.".

(c) LIMITATIONS ON IMPORTATION.—Section 8e(a) of the Agricultural Adjustment Act (7 U.S.C. 608e–1(a)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended in the first sentence by inserting "leafy green vegetables," after "pistachios,".

SA 3506. Ms. FEINSTEIN (for herself, Mr. MARTINEZ, Mr. CASEY, Ms. STABENOW, Mrs. BOXER, Mr. NELSON of Florida, Mr. BINGAMAN, Mr. CARDIN, and Mr. INOUYE) submitted an amendment intended to be proposed by her to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle A of title XI, insert the following:

SEC. 1103_____. RESTORATION OF IMPORT AND ENTRY AGRICULTURAL INSPECTION FUNCTIONS TO DEPARTMENT OF AGRICULTURE.

(a) REPEAL OF TRANSFER OF FUNCTIONS.—Sections 310 and 421 of the Homeland Security Act of 2002 (6 U.S.C. 190, 231) are repealed.

(b) CONFORMING AMENDMENT TO FUNCTION OF SECRETARY OF HOMELAND SECURITY.—Section 402 of the Homeland Security Act of 2002 (6 U.S.C. 202) is amended—

(1) by striking paragraph (7); and

(2) by redesignating paragraph (8) as paragraph (7).

(c) TRANSFER AGREEMENT.—

(1) IN GENERAL.—Not later than the effective date described in subsection (g), the Secretary and the Secretary of Homeland Security shall enter into an agreement to effectuate the return of functions required by the amendments made by this section.

(2) USE OF CERTAIN EMPLOYEES.—The agreement may include authority for the Secretary to use employees of the Department of Homeland Security to carry out authorities delegated to the Animal and Plant Health Inspection Service regarding the protection of domestic livestock and plants.

(d) RESTORATION OF DEPARTMENT OF AGRICULTURE EMPLOYEES.—Not later than the effective date described in subsection (g), all full-time equivalent positions of the Department of Agriculture transferred to the Department of Homeland Security under section 310 or 421(g) of the Homeland Security Act of 2002 (6 U.S.C. 190, 231(g)) (as in effect on the day before the effective date described in subsection (g)) shall be restored to the Department of Agriculture.

(e) AUTHORITY OF APHIS.—

(1) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish within the Animal and Plant Health Inspection Service a program, to be known as the "International Agricultural Inspection Program", under which the Administrator of the Animal and Plant Health Inspection Service (referred to in this subsection as the "Administrator") shall carry out import and entry agricultural inspections.

(2) INFORMATION GATHERING AND INSPECTIONS.—In carrying out the program under paragraph (1), the Administrator shall have full access to—

(A) each secure area of any terminal for screening passengers or cargo under the control of the Department of Homeland Security on the day before the date of enactment of this Act for purposes of carrying out inspections and gathering information; and

(B) each database (including any database relating to cargo manifests or employee and business records) under the control of the Department of Homeland Security on the day before the date of enactment of this Act for purposes of gathering information.

(3) INSPECTION ALERTS.—The Administrator may issue inspection alerts, including by indicating cargo to be held for immediate inspection.

(4) INSPECTION USER FEES.—The Administrator may, as applicable—

(A) continue to collect any agricultural quarantine inspection user fee; and

(B) administer any reserve account for the fees.

(5) CAREER TRACK PROGRAM.—

(A) IN GENERAL.—The Administrator shall establish a program, to be known as the "import and entry agriculture inspector career track program", to support the development of long-term career professionals with expertise in import and entry agriculture inspection.

(B) STRATEGIC PLAN AND TRAINING.—In carrying out the program under this paragraph, the Administrator, in coordination with the Secretary, shall—

(i) develop a strategic plan to incorporate import and entry agricultural inspectors into the infrastructure protecting food, fiber, forests, bioenergy, and the environment of the United States from animal and plant pests, diseases, and noxious weeds; and

(ii) as part of the plan under clause (i), provide training for import and entry agricultural inspectors participating in the program not less frequently than once each year to improve inspection skills

(f) DUTIES OF SECRETARY.—

(1) IN GENERAL.—The Secretary shall—

(A) develop standard operating procedures for inspection, monitoring, and auditing relating to import and entry agricultural inspections, in accordance with recommendations from the Comptroller General of the United States and reports of interagency advisory groups, as applicable; and

(B) ensure that the Animal and Plant Health Inspection Service has a national electronic system with real-time tracking capability for monitoring, tracking, and reporting inspection activities of the Service.

(2) FEDERAL AND STATE COOPERATION.—

(A) COMMUNICATION SYSTEM.—The Secretary shall develop and maintain an integrated, real-time communication system with respect to import and entry agricultural inspections to alert State departments of agriculture of significant inspection findings of the Animal and Plant Health Inspection Service.

(B) ADVISORY COMMITTEE.—

(i) ESTABLISHMENT.—The Secretary shall establish a committee, to be known as the "International Trade Inspection Advisory Committee" (referred to in this subparagraph as the "committee"), to advise the Secretary on policies and other issues relating to import and entry agricultural inspection.

(ii) MODEL.—In establishing the committee, the Secretary shall use as a model the Agricultural Trade Advisory Committee.

(iii) MEMBERSHIP.—The committee shall be composed of members representing—

(I) State departments of agriculture;

(II) directors of ports and airports in the United States;

(III) the transportation industry;

(IV) the public; and

(V) such other entities as the Secretary determines to be appropriate.

(3) REPORT.—Not less frequently than once each year, the Secretary shall submit to Congress a report containing an assessment of—

(A) the resource needs for import and entry agricultural inspection, including the number of inspectors required;

(B) the adequacy of—

(i) inspection and monitoring procedures and facilities in the United States; and

(ii) the strategic plan developed under subsection (e)(5)(B)(i); and

(C) new and potential technologies and practices, including recommendations regarding the technologies and practices, to improve import and entry agricultural inspection.

(4) FUNDING.—The Secretary shall pay the costs of each import and entry agricultural inspector employed by the Animal and Plant Health Inspection Service from amounts made available to the Department of Agriculture for the applicable fiscal year.

(g) EFFECTIVE DATE.—The amendments made by this section take effect on the date that is 180 days after the date of enactment of this Act.

SA 3507. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 563, between lines 15 and 16, insert the following:

SEC. 3205. QUALITY REQUIREMENTS FOR CLEMENTINES.

Section 8e(a) of the Agricultural Adjustment Act (7 U.S.C. 608e–1(a)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended in the matter preceding the first proviso in the first sentence by inserting "clementines," after "nectarines,".

SA 3508. Mr. REID (for Mr. DORGAN (for himself, Mr. GRASSLEY, Mr. HARKIN, Mr. NELSON of Nebraska, Mr. FEINGOLD, Mr. JOHNSON, Ms. KLOBUCHAR, and Mr. TESTER)) proposed an amendment to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; as follows:

Beginning on page 187, strike line 8 and all that follows through page 209, line 18, and insert the following:

SEC. 1703. PAYMENT LIMITATIONS.

(a) IN GENERAL.—Section 1001 of the Food Security of 1985 (7 U.S.C. 1308) is amended—

(1) in subsection (a), by striking paragraphs (1) and (2) and inserting the following:

"(1) ENTITY.—

"(A) IN GENERAL.—The term 'entity' means—

"(i) an organization that (subject to the requirements of this section and section 1001A) is eligible to receive a payment under a provision of law referred to in subsection (b) or (c);

"(ii) a corporation, joint stock company, association, limited partnership, limited liability company, limited liability partnership, charitable organization, estate, irrevocable trust, grantor of a revocable trust, or other similar entity (as determined by the Secretary); and

"(iii) an organization that is participating in a farming operation as a partner in a general partnership or as a participant in a joint venture.

"(B) EXCLUSION.—The term 'entity' does not include a general partnership or joint venture.

"(C) ESTATES.—In promulgating regulations to define the term 'entity' as the term applies to estates, the Secretary shall ensure that fair and equitable treatment is given to estates and the beneficiaries of estates.

"(D) IRREVOCABLE TRUSTS.—In promulgating regulations to define the term 'entity' as the term applies to irrevocable trusts, the Secretary shall ensure that irrevocable trusts are legitimate entities that have not been created for the purpose of avoiding a payment limitation.

"(2) INDIVIDUAL.—The term 'individual' means—

"(A) a natural person, and any minor child of the natural person (as determined by the Secretary), who, subject to the requirements of this section and section 1001A, is eligible to receive a payment under a provision of law referred to in subsection (b), (c), or (d); and

"(B) a natural person participating in a farming operation as a partner in a general partnership, a participant in a joint venture, a grantor of a revocable trust, or a participant in a similar entity (as determined by the Secretary).";

(2) by striking subsection (b) and inserting the following:

"(b) LIMITATION ON DIRECT PAYMENTS.—The total amount of direct payments that an individual or entity may receive, directly or indirectly, during any crop year under part I or III of subtitle A of title I of the Food and Energy Security Act of 2007 for 1 or more covered commodities and peanuts, or average crop revenue payments determined under section 1401(b)(2) of that Act, shall not exceed $20,000.";

(3) by striking subsection (c) and inserting the following:

"(c) LIMITATION ON COUNTER-CYCLICAL PAYMENTS.—The total amount of counter-cyclical payments that an individual or entity may receive, directly or indirectly, during any crop year under part I or III of subtitle A or C of title I of the Food and Energy Security Act of 2007 for 1 or more covered commodities and peanuts, or average crop revenue payments determined under section 1401(b)(3) of that Act, shall not exceed $30,000.";

(4) by striking subsection (d) and inserting the following:

"(d) LIMITATIONS ON MARKETING LOAN GAINS, LOAN DEFICIENCY PAYMENTS, AND COMMODITY CERTIFICATE TRANSACTIONS.—The total amount of the following gains and payments that an individual or entity may receive during any crop year may not exceed $75,000:

"(1)(A) Any gain realized by a producer from repaying a marketing assistance loan for 1 or more loan commodities and peanuts under part II of subtitle A of title I of the Food and Energy Security Act of 2007 at a lower level than the original loan rate established for the loan commodity under that subtitle.

"(B) In the case of settlement of a marketing assistance loan for 1 or more loan commodities and peanuts under that subtitle by forfeiture, the amount by which the loan amount exceeds the repayment amount for the loan if the loan had been settled by repayment instead of forfeiture.

"(2) Any loan deficiency payments received for 1 or more loan commodities and peanuts under that subtitle.

"(3) Any gain realized from the use of a commodity certificate issued by the Commodity Credit Corporation for 1 or more loan commodities and peanuts, as determined by the Secretary, including the use of a certificate for the settlement of a marketing assistance loan made under that subtitle or section 1307 of that Act (7 U.S.C. 7957).";

(5) by striking subsection (e);

(6) by redesignating subsections (f) and (g) as subsections (i) and (j), respectively;

(7) by inserting after subsection (d) the following:

"(e) PAYMENTS TO INDIVIDUALS AND ENTITIES.—Notwithstanding, subsections (b) through (d), an individual or entity may receive, directly or indirectly, through all ownership interests of the individual or entity, from all sources, payments or gains (as applicable) for a crop year that shall not exceed an amount equal to twice the applicable dollar amounts specified in subsections (b), (c), and (d).

"(f) SINGLE FARMING OPERATION.—Notwithstanding subsections (b) through (d), if an individual or entity participates only in a single farming operation and receives, directly or indirectly, any payment or gain covered by this section through the farming operation, the total amount of payments or gains (as applicable) covered by this section that the individual or entity may receive during any crop year shall not exceed an amount equal to twice the applicable dollar amounts specified in subsections (b), (c), and (d).

"(g) SPOUSAL EQUITY.—

"(1) IN GENERAL.—Notwithstanding subsections (b) through (f), except as provided in paragraph (2), if an individual and the spouse of the individual are covered by paragraph (2) and receive, directly or indirectly, any payment or gain covered by this section, the total amount of payments or gains (as applicable) covered by this section that the individual and spouse may jointly receive during any crop year may not exceed an amount equal to twice the applicable dollar amounts specified in subsections (b), (c), and (d).

"(2) EXCEPTIONS.—

"(A) SEPARATE FARMING OPERATIONS.—In the case of a married couple in which each spouse, before the marriage, was separately engaged in an unrelated farming operation, each spouse shall be treated as a separate individual with respect to a farming operation brought into the marriage by a spouse, subject to the condition that the farming operation shall remain a separate farming operation, as determined by the Secretary.

"(B) ELECTION TO RECEIVE SEPARATE PAYMENTS.—A married couple may elect to receive payments separately in the name of each spouse if the total amount of payments and benefits described in subsections (b), (c), and (d) that the married couple receives, directly or indirectly, does not exceed an amount equal to twice the applicable dollar amounts specified in those subsections.

"(h) ATTRIBUTION OF PAYMENTS.—

"(1) IN GENERAL.—The Secretary shall issue such regulations as are necessary to ensure that all payments or gains (as applicable) are attributed to an individual by taking into account the direct and indirect ownership interests of the individual in an entity that is eligible to receive such payments or gains (as applicable).

"(2) PAYMENTS TO AN INDIVIDUAL.—Every payment made directly to an individual shall be combined with the individual's pro rata interest in payments received by an entity or entities in which the individual has a direct or indirect ownership interest.

"(3) PAYMENTS TO AN ENTITY.—

"(A) IN GENERAL.—Every payment or gain (as applicable) made to an entity shall be attributed to those individuals who have a direct or indirect ownership in the entity.

"(B) ATTRIBUTION OF PAYMENTS.—

"(i) PAYMENT LIMITS.—Except as provided by clause (ii), payments or gains (as applicable) made to an entity shall not exceed twice the amounts specified in subsections (b) through (d).

"(ii) EXCEPTION.—Payments or gains (as applicable) made to a joint venture or a general partnership shall not exceed, for each payment or gain (as applicable) specified in subsections (b) through (d), the amount determined by multiplying twice the maximum payment amount specified in subsections (b), (c), and (d) by the number of individuals and entities (other than joint ventures and general partnerships) that comprise the ownership of the joint venture or general partnership.

"(4) 4 LEVELS OF ATTRIBUTION FOR EMBEDDED ENTITIES.—

"(A) IN GENERAL.—Attribution of payments or gains (as applicable) made to entities shall be traced through 4 levels of ownership in entities.

"(B) FIRST LEVEL.—Any payments or gains (as applicable) made to an entity (a first-tier entity) that is owned in whole or in part by an individual shall be attributed to the individual in an amount that represents the direct ownership in the first-tier entity by the individual.

"(C) SECOND LEVEL.—

"(i) IN GENERAL.—Any payments or gains (as applicable) made to a first-tier entity that is owned in whole or in part by another entity (a second-tier entity) shall be attributed to the second-tier entity in proportion to the ownership interest of the second-tier entity in the first-tier entity.

"(ii) OWNERSHIP BY INDIVIDUAL.—If the second-tier entity is owned in whole or in part by an individual, the amount of the payment made to the first-tier entity shall be attributed to the individual in the amount the Secretary determines to represent the indirect ownership in the first-tier entity by the individual.

"(D) THIRD AND FOURTH LEVELS.—

"(i) IN GENERAL.—Except as provided in clause (ii), the Secretary shall attribute payments or gains (as applicable) at the third and fourth tiers of ownership in the same manner as specified in subparagraph (C).

"(ii) FOURTH-TIER OWNERSHIP BY ENTITY.—If the fourth-tier of ownership is that of a fourth-tier entity, the Secretary shall reduce the amount of the payment to be made to the first-tier entity in the amount that the Secretary determines to represent the indirect ownership in the first-tier entity by the fourth-tier entity."; and

(8) in subsection (i) (as redesignated by paragraph (6)), by striking "person" and inserting "individual or entity".

(b) SUBSTANTIVE CHANGE; PAYMENTS LIMITED TO ACTIVE FARMERS.—Section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308-1) is amended—

(1) by striking the section designation and heading and all that follows through the end of subsection (a) and inserting the following:

"SEC. 1001A. SUBSTANTIVE CHANGE; PAYMENTS LIMITED TO ACTIVE FARMERS.

"(a) SUBSTANTIVE CHANGE.—

"(1) IN GENERAL.—For purposes of the application of limitations under this section, the Secretary shall not approve any change in a farming operation that otherwise would increase the number of individuals or entities (as defined in section 1001(a)) to which the limitations under this section apply, unless the Secretary determines that the change is bona fide and substantive.

"(2) FAMILY MEMBERS.—For the purpose of paragraph (1), the addition of a family member (as defined in subsection (b)(2)(A)) to a farming operation under the criteria established under subsection (b)(3)(B) shall be considered to be a bona fide and substantive change in the farming operation.

"(3) PRIMARY CONTROL.—To prevent a farm from reorganizing in a manner that is inconsistent with the purposes of this Act, the Secretary shall promulgate such regulations as the Secretary determines to be necessary to simultaneously attribute payments for a farming operation to more than 1 individual or entity, including the individual or entity that exercises primary control over the farming operation, including to respond to—

"(A)(i) any instance in which ownership of a farming operation is transferred to an individual or entity under an arrangement that provides for the sale or exchange of any asset or ownership interest in 1 or more entities at less than fair market value; and

"(ii) the transferor is provided preferential rights to repurchase the asset or interest at less than fair market value; or

"(B) a sale or exchange of any asset or ownership interest in 1 or more entities under an arrangement under which rights to exercise control over the asset or interest are retained, directly or indirectly, by the transferor.";

(2) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—To be eligible to receive, directly or indirectly, payments or benefits described as being subject to limitation in subsection (b) through (d) of section 1001 with respect to a particular farming operation, an individual or entity (as defined in section 1001(a)) shall be actively engaged in farming with respect to the farming operation, in accordance with paragraphs (2), (3), and (4).";

(B) in paragraph (2)—

(i) by striking subparagraphs (A) and (B) and inserting the following:

"(A) DEFINITIONS.—In this paragraph:

"(i) ACTIVE PERSONAL MANAGEMENT.—The term 'active personal management' means, with respect to an individual, administrative duties carried out by the individual for a farming operation—

"(I) that are personally provided by the individual on a regular, substantial, and continuing basis; and

"(II) relating to the supervision and direction of—

"(aa) activities and labor involved in the farming operation; and

"(bb) onsite services directly related and necessary to the farming operation.

"(ii) FAMILY MEMBER.—The term 'family member', with respect to an individual participating in a farming operation, means an individual who is related to the individual as a lineal ancestor, a lineal descendant, or a sibling (including a spouse of such an individual).

"(B) ACTIVE ENGAGEMENT.—Except as provided in paragraph (3), for purposes of paragraph (1), the following shall apply:

"(i) An individual shall be considered to be actively engaged in farming with respect to a farming operation if—

"(I) the individual makes a significant contribution, as determined under subparagraph (E) (based on the total value of the farming operation), to the farming operation of—

"(aa) capital, equipment, or land; and

"(bb) personal labor and active personal management;

"(II) the share of the individual of the profits or losses from the farming operation is commensurate with the contributions of the individual to the operation; and

"(III) a contribution of the individual is at risk.

"(ii) An entity shall be considered to be actively engaged in farming with respect to a farming operation if—

"(I) the entity makes a significant contribution, as determined under subparagraph (E) (based on the total value of the farming operation), to the farming operation of capital, equipment, or land;

"(II)(aa) the stockholders or members that collectively own at least 51 percent of the combined beneficial interest in the entity each make a significant contribution of personal labor and active personal management to the operation; or “(bb) in the case of an entity in which all of the beneficial interests are held by family members, any stockholder or member (or household comprised of a stockholder or member and the spouse of the stockholder or member) who owns at least 10 percent of the beneficial interest in the entity makes a significant contribution of personal labor or active personal management; and

“(III) the entity meets the requirements of subclauses (II) and (III) of clause (i).”;

(ii) in subparagraph (C), by striking “and the standards provided” and all that follows through “active personal management” and inserting “the partners or members making a significant contribution of personal labor or active personal management and meeting the standards provided in subclauses (II) and (III) of subparagraph (B)(i)”; and

(iii) by adding at the end the following:

“(E) SIGNIFICANT CONTRIBUTION OF PERSONAL LABOR OR ACTIVE PERSONAL MANAGEMENT.—

“(i) IN GENERAL.—Subject to clause (ii), for purposes of subparagraph (B), an individual shall be considered to be providing, on behalf of the individual or an entity, a significant contribution of personal labor or active personal management, if the total contribution of personal labor and active personal management is at least equal to the lesser of—

“(I) 1,000 hours; and

“(II) a period of time equal to—

“(aa) 50 percent of the commensurate share of the total number of hours of personal labor and active personal management required to conduct the farming operation; or

“(bb) in the case of a stockholder or member (or household comprised of a stockholder or member and the spouse of the stockholder or member) that owns at least 10 percent of the beneficial interest in an entity in which all of the beneficial interests are held by family members, 50 percent of the commensurate share of hours of the personal labor and active personal management of all family members required to conduct the farming operation.

“(ii) MINIMUM LABOR HOURS.—For the purpose of clause (i), the minimum number of labor hours required to produce a commodity shall be equal to the number of hours that would be necessary to conduct a farming operation for the production of each commodity that is comparable in size to the commensurate share of an individual or entity in the farming operation for the production of the commodity, based on the minimum number of hours per acre required to produce the commodity in the State in which the farming operation is located, as determined by the Secretary.”;

(C) in paragraph (3)—

(i) by striking subparagraph (A) and inserting the following:

“(A) LANDOWNERS.—An individual or entity that is a landowner contributing owned land, and that meets the requirements of subclauses (II) and (III) of paragraph (2)(B)(i), if, as determined by the Secretary—

“(i) the landowner share-rents the land at a rate that is usual and customary; and

“(ii) the share received by the landowner is commensurate with the share of the crop or income received as rent.”;

(ii) in subparagraph (B)—

(I) in the first sentence—

(aa) by striking “persons, a majority of whom are individuals who” and inserting “individuals who are family members, or an entity the majority of the stockholders or members of which”; and

(bb) by striking “standards provided in clauses (ii) and (iii) of paragraph (2)(A)” and inserting “requirements of subclauses (II) and (III) of paragraph (2)(B)(i)”; and

(II) by striking the second sentence; and

(iii) in subparagraph (C), by striking “standards provided in clauses (ii) and (iii) of paragraph (2)(A)” and inserting “requirements of subclauses (II) and (III) of paragraph (2)(B)(i), and who was receiving payments from the landowner as a sharecropper prior to the effective date of the Food and Energy Security Act of 2007”;

(D) in paragraph (4)—

(i) in the paragraph heading, by striking “PERSONS” and inserting “INDIVIDUALS AND ENTITIES”;

(ii) in the matter preceding subparagraph (A), by striking “persons” and inserting “individuals and entities”; and

(iii) by striking subparagraph (B) and inserting the following:

“(B) OTHER INDIVIDUALS AND ENTITIES.—Any other individual or entity, or class of individuals or entities, that fails to meet the requirements of paragraphs (2) and (3), as determined by the Secretary.”;

(E) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(F) by inserting after paragraph (4) the following:

“(5) PERSONAL LABOR AND ACTIVE PERSONAL MANAGEMENT.—No stockholder or member may provide personal labor or active personal management to meet the requirements of this subsection for individuals or entities that collectively receive, directly or indirectly, an amount equal to more than twice the applicable limits under subsections (b), (c), and (d) of section 1001.”; and

(G) in paragraph (6) (as redesignated by subparagraph (E))—

(i) in the first sentence—

(I) by striking “A person” and inserting “An individual or entity”; and

(II) by striking “such person” and inserting “the individual or entity”; and

(ii) by striking the second sentence; and

(3) by adding at the end the following:

“(c) NOTIFICATION BY ENTITIES.—To facilitate the administration of this section, each entity that receives payments or benefits described as being subject to limitation in subsection (b), (c), or (d) of section 1001 with respect to a particular farming operation shall—

“(1) notify each individual or other entity that acquires or holds a beneficial interest in the farming operation of the requirements and limitations under this section; and

“(2) provide to the Secretary, at such times and in such manner as the Secretary may require, the name and social security number of each individual, or the name and taxpayer identification number of each entity, that holds or acquires such a beneficial interest.”.

(c) SCHEMES OR DEVICES.—Section 1001B of the Food Security Act of 1985 (7 U.S.C. 1308-2) is amended—

(1) by inserting “(a) IN GENERAL.—” before “If”;

(2) in subsection (a) (as designated by paragraph (1)), by striking “person” each place it appears and inserting “individual or entity”; and

(3) by adding at the end the following:

“(b) EXTENDED INELIGIBILITY.—If the Secretary determines that an individual or entity, for the benefit of the individual or entity or of any other individual or entity, has knowingly engaged in, or aided in the creation of fraudulent documents, failed to disclose material information relevant to the administration of this subtitle requested by the Secretary, or committed other equally serious actions as identified in regulations issued by the Secretary, the Secretary may for a period not to exceed 5 crop years deny the issuance of payments to the individual or entity.

“(c) FRAUD.—If fraud is committed by an individual or entity in connection with a scheme or device to evade, or that has the purpose of evading, section 1001, 1001A, or 1001C, the individual or entity shall be ineligible to receive farm program payments described as being subject to limitation in subsection (b), (c), or (d) of section 1001 for—

“(1) the crop year for which the scheme or device is adopted; and

“(2) the succeeding 5 crop years.

“(d) JOINT AND SEVERAL LIABILITY.—Any individual or entity that participates in a scheme or device described in subsection (a) or (b) shall be jointly and severally liable for any and all overpayments resulting from the scheme or device, and subject to program ineligibility resulting from the scheme or device, regardless of whether a particular individual or entity was a payment recipient.

“(e) WAIVER AUTHORITY.—

“(1) IN GENERAL.—The Secretary may fully or partially release an individual or entity from liability for repayment of program proceeds under subsection (d) if the individual or entity cooperates with the Department of Agriculture by disclosing a scheme or device to evade section 1001, 1001A, or 1001C or any other provision of law administered by the Secretary that imposes a payment limitation.

“(2) DISCRETION.—The decision of the Secretary under this subsection is vested in the sole discretion of the Secretary.”.

(d) FOREIGN INDIVIDUALS AND ENTITIES MADE INELIGIBLE FOR PROGRAM BENEFITS.—Section 1001C of the Food Security Act of 1985 (7 U.S.C. 1308-3) is amended—

(1) in the section heading, by striking “**PERSONS**” and inserting “**INDIVIDUALS AND ENTITIES**”;

(2) in subsection (a), by striking “person” each place it appears and inserting “individual”;

(3) in subsection (b)—

(A) in the subsection heading, by striking “CORPORATION OR OTHER”; and

(B) in the first sentence—

(i) by striking “a corporation or other entity shall be considered a person that” and inserting “an entity”; and

(ii) by striking “persons” both places it appears and inserting “individuals”; and

(4) in subsection (c), by striking “person” and inserting “entity or individual”.

(e) TREATMENT OF MULTIYEAR PROGRAM CONTACT PAYMENTS.—Section 1001F of the Food Security Act of 1985 (7 U.S.C. 1308-5) is repealed.

On page 233, strike lines 6 through 13 and insert the following:

(4) by striking subsection (e) and inserting the following:

“(e) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section—

“(1) $5,000,000 for fiscal year 2008; and

“(2) $10,000,000 for each of fiscal years 2009 through 2012.”.

On page 239, strike lines 8 through 14 and insert the following:

“(1) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture to carry out this section, to remain available until expended—

“(A) not later than 30 days after the date of enactment of the Food and Energy Security Act of 2007, $22,000,000; and

"(B) on October 1, 2011, $3,000,000.".

On pages 445, strike lines 18 through 25 and insert the following:

"(5) The farmland protection program under subchapter B of chapter 2, using, to the maximum extent practicable—

"(A) $97,000,000 for fiscal year 2008;

"(B) $114,000,000 for each of fiscal years 2009 and 2010;

"(C) $115,000,000 for fiscal year 2011; and

"(D) $97,000,000 for fiscal year 2012.

"(6) The grassland reserve program under subchapter C of chapter 2, using, to the maximum extent practicable, $285,000,000 for the period of fiscal years 2008 through 2012.

Beginning on page 574, strike line 23 and all that follows through page 575, line 3 and insert the following:

"(2) AMOUNTS.—In addition to the amounts made available under paragraph (1), from amounts made available to carry out this Act, the Secretary shall use to carry out this subsection—

"(A) $110,000,000 for each of fiscal years 2008 through 2012; and

"(B) $63,000,000 for each of fiscal years 2013 through 2017.".

On page 662, strike lines 2 through 7 and insert the following:

(a) EMERGENCY FOOD ASSISTANCE.—Section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508(a)(1)) is amended in the first sentence by striking "$60,000,000 for each of the fiscal years 2003 through 2007" and inserting "$100,000,000 for fiscal year 2008, $113,000,000 for fiscal year 2009, $114,000,000 for each of fiscal years 2010 and 2011, $115,000,000 for fiscal year 2012, and $100,000,000 for each fiscal year thereafter".

On page 692, strike lines 6 through 17 and insert the following:

(1) section 4101;

(2) section 4102;

(3) section 4104;

(4) section 4107;

(5) section 4109;

(6) section 4701(a)(3); and

(7) section 4903.

On page 715, strike lines 6 through 9 and insert the following:

"(1) FUNDING.—

"(A) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $5,000,000 for each of fiscal years 2009 through 2012, to remain available until expended.

"(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2008 through 2012.

On page 744, line 6, strike "$100,000,000" and insert "$200,000,000".

On page 746, strike lines 12 through 18 and insert the following:

(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available for payments and debt relief in satisfaction of claims against the United States under subsection (b) and for any actions under subsection (g), to remain available until expended—

(A) $120,000,000 for fiscal year 2008; and

(B) $40,000,000 for each of fiscal years 2009 and 2010.

Beginning on page 787, strike line 22 and all that follows through page 788, line 2, and insert the following:

"(A) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section, $40,000,000 for each of fiscal year 2008 and 2009, to remain available until expended.

On page 993, strike lines 16 through 18 and insert the following:

"(h) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section, $15,000,000 for each of fiscal years 2009 through 2012, to remain available until expended.".

SA 3509. Mr. REID proposed an amendment to amendment SA 3508 proposed by Mr. REID (for Mr. DORGAN (for himself, Mr. GRASSLEY, Mr. HARKIN, Mr. NELSON of Nebraska, Mr. FEINGOLD, Mr. JOHNSON, Ms. KLOBUCHAR, and Mr. TESTER)) to the amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; as follows:

At the end of the amendment add the following:

This section shall take effect 1 day after enactment.

SA 3510. Mr. REID proposed an amendment to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; as follows:

At the end of the bill add the following:

This section shall take effect 3 days after the date of enactment.

SA 3511. Mr. REID proposed an amendment to amendment SA 3510 proposed by Mr. REID to the bill H.R. 2419, to provide for the continuation of agricultural .programs through fiscal year 2012, and for other purposes; as follows:

In the amendment strike 3 and insert 4.

SA 3512. Mr. REID proposed an amendment to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; as follows:

At the end of the bill add the following:

This section shall take effect 5 days after the date of enactment.

SA 3513. Mr. REID proposed an amendment to amendment SA 3512 proposed by Mr. REID to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; as follows:

In the motion strike 5 and insert 6.

SA 3514. Mr. REID proposed an amendment to amendment SA 3513 proposed by Mr. REID to the amendment SA 3512 proposed by Mr. REID to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; as follows:

In the amendment strike 6 and insert 7.

SA 3515. Mr. STEVENS (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 884, line 16, strike "or".

On page 884, between lines 16 and 17, insert the following:

"(6) competitive grants, for public television stations or a consortium of public television stations, to provide education, outreach, and assistance, in cooperation with community groups, to rural communities and vulnerable populations with respect to the digital television transition, and particularly the acquisition, delivery, and installation of the digital-to-analog converter boxes described in section 3005 of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note); or

On page 884, line 17, strike "(6)" and insert "(7)".

SA 3516. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 850, strike line 23 and all that follows through page 851, line 6, and insert the following:

"(b) LOANS.—In addition to any other funds or authorities otherwise made available under this Act, the Secretary may make electric loans under this title for—

"(1) electric generation from renewable energy resources for resale to rural and nonrural residents;

"(2) transmission lines principally for the purpose of wheeling power from 1 or more renewable energy sources; and

"(3) a project to capture, transport, and store carbon dioxide at an eligible facility, except that funds from a loan made available for such a project may be used only—

"(A) to carry out carbon dioxide capture, including purification and compression;

"(B) to provide for the cost of transportation and injection of carbon dioxide; or

"(C) to incorporate within the project a comprehensive measurement, monitoring, and validation program.

SA 3517. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 313, strike line 21 and all that follows through page 320, line 22, and insert the following:

(e) PILOT PROGRAM FOR ENROLLMENT OF WETLAND, SHALLOW WATER AREAS, AND BUFFER ACREAGE IN CONSERVATION RESERVE.—Section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended by striking subsection (h) and inserting the following:

"(h) PILOT PROGRAM FOR ENROLLMENT OF WETLAND, SHALLOW WATER AREAS, AND BUFFER ACREAGE IN CONSERVATION RESERVE.—

"(1) PROGRAM.—

"(A) IN GENERAL.—During the 2008 through 2012 calendar years, the Secretary shall carry out a program in each State under which the Secretary shall enroll eligible acreage described in paragraph (2).

"(B) PARTICIPATION AMONG STATES.—The Secretary shall ensure, to the maximum extent practicable, that owners and operators in each State have an equitable opportunity to participate in the pilot program established under this subsection.

"(2) ELIGIBLE ACREAGE.—

"(A) IN GENERAL.—Subject to subparagraphs (B) and (C), an owner or operator may enroll in the conservation reserve under this subsection—

"(i)(I) a wetland (including a converted wetland described in section 1222(b)(1)(A)) that had a cropping history during at least 3 of the immediately preceding 10 crop years;

"(II) a shallow water area that was devoted to a commercial pond-raised aquaculture operation any year during the period of calendar years 2002 through 2007; or

"(III) an agricultural drainage water treatment wetland that receives flow from a row crop agricultural drainage system and is designed to provide nitrogen removal in addition to other wetland functions; and

"(ii) buffer acreage that—

"(I) is contiguous to a wetland or shallow water area described in clause (i);

"(II) is used to protect the wetland or shallow water area described in clause (i); and

"(III) is of such width as the Secretary determines to be necessary to protect the wetland or shallow water area described in clause (i) or to enhance the wildlife benefits, including through restoration of bottomland hardwood habitat, taking into consideration and accommodating the farming practices (including the straightening of boundaries to accommodate machinery) used with respect to the cropland that surrounds the wetland or shallow water area.

"(B) PROGRAM LIMITATIONS.—

"(i) IN GENERAL.—The Secretary may enroll in the conservation reserve under this subsection not more than—

"(I) 100,000 acres in any 1 State referred to in paragraph (1); and

"(II) not more than a total of 1,000,000 acres.

"(ii) RELATIONSHIP TO PROGRAM MAXIMUM.—Subject to clause (iii), for the purposes of subsection (d), any acreage enrolled in the conservation reserve under this subsection shall be considered acres maintained in the conservation reserve.

"(iii) RELATIONSHIP TO OTHER ENROLLED ACREAGE.—Acreage enrolled under this subsection shall not affect for any fiscal year the quantity of—

"(I) acreage enrolled to establish conservation buffers as part of the program announced on March 24, 1998 (63 Fed. Reg. 14109); or

"(II) acreage enrolled into the conservation reserve enhancement program announced on May 27, 1998 (63 Fed. Reg. 28965).

"(iv) REVIEW; POTENTIAL INCREASE IN ENROLLMENT ACREAGE.—Not later than 3 years after the date of enactment of the Food and Energy Security Act of 2007, the Secretary shall—

"(I) conduct a review of the program under this subsection with respect to each State that has enrolled land in the program; and

"(II) notwithstanding clause (i)(I), increase the number of acres that may be enrolled by a State under clause (i)(I) to not more than 150,000 acres, as determined by the Secretary.

"(C) OWNER OR OPERATOR LIMITATIONS ON BUFFER ACREAGE.—The maximum size of any buffer acreage described in subparagraph (A)(ii) of an owner or operator enrolled in the conservation reserve under this subsection shall be determined by the Secretary, in consultation with the State Technical Committee.

"(3) DUTIES OF OWNERS AND OPERATORS.—Under a contract entered into under this subsection, during the term of the contract, an owner or operator of a farm or ranch shall agree—

"(A) to restore the hydrology of the wetland within the eligible acreage to the maximum extent practicable, as determined by the Secretary;

"(B) to establish vegetative cover (which may include emerging vegetation in water and bottomland hardwoods, cypress, and other appropriate tree species in shallow water areas) on the eligible acreage, as determined by the Secretary;

"(C) to a general prohibition of commercial use of the enrolled land, except for hunting leases and other environmental services; and

"(D) to carry out other duties described in section 1232.

"(4) DUTIES OF THE SECRETARY.—

"(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), in return for a contract entered into by an owner or operator under this subsection, the Secretary shall make payments based on rental rates for cropland and provide assistance to the owner or operator in accordance with sections 1233 and 1234.

"(B) CONTINUOUS SIGNUP.—The Secretary shall use continuous signup under section 1234(c)(2)(B) to determine the acceptability of contract offers and the amount of rental payments under this subsection.

"(C) INCENTIVES.—The amounts payable to owners and operators in the form of rental payments under contracts entered into under this subsection shall reflect incentives that are provided to owners and operators to enroll filterstrips in the conservation reserve under section 1234.".

SA 3518. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 793, between lines 16 and 17, insert the following:

SEC. 6____. GRANTS TO IMPROVE TECHNICAL INFRASTRUCTURE AND QUALITY OF RURAL HEALTH CARE FACILITIES.

Subtitle D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981 et seq.) (as amended by section 6028) is amended by adding at the end the following:

"SEC. 379F. GRANTS TO IMPROVE TECHNICAL INFRASTRUCTURE AND QUALITY OF RURAL HEALTH CARE FACILITIES.

"(a) DEFINITIONS.—In this section:

"(1) HEALTH INFORMATION TECHNOLOGY.—The term 'health information technology' includes total expenditures incurred for—

"(A) purchasing, leasing, and installing computer software and hardware, including handheld computer technologies, and related services;

"(B) making improvements to computer software and hardware;

"(C) purchasing or leasing communications capabilities necessary for clinical data access, storage, and exchange;

"(D) services associated with acquiring, implementing, operating, or optimizing the use of computer software and hardware and clinical health care informatics systems;

"(E) providing education and training to rural health facility staff on information systems and technology designed to improve patient safety and quality of care; and

"(F) purchasing, leasing, subscribing, or servicing support to establish interoperability that—

"(i) integrates patient-specific clinical data with well-established national treatment guidelines;

"(ii) provides continuous quality improvement functions that allow providers to assess improvement rates over time and against averages for similar providers; and

"(iii) integrates with larger health networks.

"(2) RURAL AREA.—The term 'rural area' means any area of the United States that is not—

"(A) included in the boundaries of any city, town, borough, or village, whether incorporated or unincorporated, with a population of more than 20,000 residents; or

"(B) an urbanized area contiguous and adjacent to such a city, town, borough, or village.

"(3) RURAL HEALTH FACILITY.—The term 'rural health facility' means any of—

"(A) a hospital (as defined in section 1861(e) of the Social Security Act (42 U.S.C. 1395x(e)));

"(B) a critical access hospital (as defined in section 1861(mm) of that Act (42 U.S.C. 1395x(mm)));

"(C) a Federally qualified health center (as defined in section 1861(aa) of that Act (42 U.S.C. 1395x(aa))) that is located in a rural area;

"(D) a rural health clinic (as defined in that section (42 U.S.C. 1395x(aa)));

"(E) a medicare-dependent, small rural hospital (as defined in section 1886(d)(5)(G) of that Act (42 U.S.C. 1395ww(d)(5)(G)));

"(F) a physician or physician group practice that is located in a rural area; and

"(G) a governmental or nongovernmental ground or air ambulance service licensed or recognized by a State.

"(b) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a program under which the Secretary shall provide grants to rural health facilities for the purpose of assisting the rural health facilities in—

"(1) purchasing health information technology to improve the quality of health care or patient safety; or

"(2) otherwise improving the quality of health care or patient safety, including through the development of—

"(A) quality improvement support structures to assist rural health facilities and professionals—

"(i) to increase integration of personal and population health services; and

"(ii) to address safety, effectiveness, patient- or community-centeredness, timeliness, efficiency, and equity; and

"(B) innovative approaches to the financing and delivery of health services to achieve rural health quality goals.

"(c) AMOUNT OF GRANT.—The Secretary shall determine the amount of a grant provided under this section.

"(d) PROVISION OF INFORMATION.—A rural health facility that receives a grant under this section shall provide to the Secretary such information as the Secretary may require—

"(1) to evaluate the project for which the grant is used; and

"(2) to ensure that the grant is expended for the purposes for which the grant was provided.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section not more than $30,000,000 for each of fiscal years 2008 through 2012.".

SA 3519. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XI, add the following:

SEC. 11____. RURAL FIREFIGHTERS AND EMERGENCY MEDICAL SERVICE ASSISTANCE PROGRAM.

Section 6405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 2655) is amended to read as follows:

"SEC. 6405. RURAL FIREFIGHTERS AND EMERGENCY MEDICAL SERVICE ASSISTANCE PROGRAM.

"(a) DEFINITION OF EMERGENCY MEDICAL SERVICE.—In this section:

"(1) IN GENERAL.—The term 'emergency medical service' means any resource used by a qualified public or private entity, or by any other entity recognized as qualified by the State involved, to deliver medical care outside of a medical facility under emergency conditions that occur as a result of—

"(A) the condition of the patient; or

"(B) a natural disaster or similar situation.

"(2) INCLUSIONS.—The term 'emergency medical service' includes (compensated or volunteer) services delivered by an emergency medical service provider or other provider recognized by the State involved that is licensed or certified by the State as an emergency medical technician or the equivalent (as determined by the State), a registered nurse, a physician assistant, or a physician that provides services similar to services provided by such an emergency medical service provider.

"(b) GRANTS.—The Secretary shall award grants to eligible entities—

"(1) to enable the entities to provide for improved emergency medical services in rural areas; and

"(2) to pay the cost of training firefighters and emergency medical personnel in firefighting, emergency medical practices, and responding to hazardous materials and bioagents in rural areas.

"(c) ELIGIBILITY.—To be eligible to receive a grant under this section, an entity shall—

"(1) be—

"(A) a State emergency medical services office;

"(B) a State emergency medical services association;

"(C) a State office of rural health;

"(D) a local government entity;

"(E) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b));

"(F) a State or local ambulance provider; or

"(G) any other entity determined to be appropriate by the Secretary; and

"(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, that includes—

"(A) a description of the activities to be carried out under the grant; and

"(B) an assurance that the applicant will comply with the matching requirement of subsection (f).

"(d) USE OF FUNDS.—An entity shall use amounts received under a grant made under subsection (b) only in rural areas—

"(1) to hire or recruit emergency medical service personnel;

"(2) to recruit or retain volunteer emergency medical service personnel;

"(3) to train emergency medical service personnel in emergency response, injury prevention, safety awareness, and other topics relevant to the delivery of emergency medical services;

"(4) to fund training to meet Federal or State certification requirements;

"(5) to provide training for firefighters and emergency medical personnel for improvements to the training facility, equipment, curricula, and personnel;

"(6) to develop new ways to educate emergency health care providers through the use of technology-enhanced educational methods (such as distance learning);

"(7) to acquire emergency medical services vehicles, including ambulances;

"(8) to acquire emergency medical services equipment, including cardiac defibrillators;

"(9) to acquire personal protective equipment for emergency medical services personnel as required by the Occupational Safety and Health Administration; and

"(10) to educate the public concerning cardiopulmonary resuscitation, first aid, injury prevention, safety awareness, illness prevention, and other related emergency preparedness topics.

"(e) PREFERENCE.—In awarding grants under this section, the Secretary shall give preference to—

"(1) applications that reflect a collaborative effort by 2 or more of the entities described in subparagraphs (A) through (G) of subsection (c)(1); and

"(2) applications submitted by entities that intend to use amounts provided under the grant to fund activities described in any of paragraphs (1) through (5) of subsection (d).

"(f) MATCHING REQUIREMENT.—The Secretary may not make a grant under this section to an entity unless the entity agrees that the entity will make available (directly or through contributions from other public or private entities) non-Federal contributions toward the activities to be carried out under the grant in an amount equal to 5 percent of the amount received under the grant.

"(g) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this section not more than $30,000,000 for each of fiscal years 2008 through 2012.

"(2) ADMINISTRATIVE COSTS.—Not more than 10 percent of the amount appropriated under paragraph (1) for a fiscal year may be used for administrative expenses.".

SA 3520. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subchapter B of chapter 2 of subtitle D of title II, add the following:

SEC. 23___. AIR QUALITY IMPROVEMENT.

(a) IN GENERAL.—Under the environmental quality section of the program established under this subchapter, the Secretary shall promote air quality by providing cost-share payments and incentive payments to individual producers for use in addressing air quality concerns associated with agriculture.

(b) ELIGIBLE PRACTICES, COST-SHARE.—

(1) REDUCTION OF EMISSIONS OF AIR POLLUTANTS AND PRECURSORS OF AIR POLLUTANTS.—In addition to practices eligible for cost-share payments under the environmental quality section of the program established under this subchapter, the Secretary shall provide cost-share payments to producers under this section for mobile or stationary equipment (including engines) used in an agricultural operation that would reduce emissions and precursors of air pollutants.

(2) CONSIDERATIONS.—In evaluating applications for cost-share assistance for equipment described in paragraph (1), the Secretary shall prioritize assistance for equipment that—

(A) is the most cost-effective in addressing air quality concerns; and

(B) would assist producers in meeting Federal, State, or local regulatory requirements relating to air quality.

(c) LOCATIONS.—To receive a payment for a project under this section, a producer shall carry out the project in a county—

(1) that is in nonattainment with respect to ambient air quality standards;

(2) in which there is air quality degradation, recognized by a State or local agency, to which agricultural emissions significantly contribute.

(d) PRIORITY.—The Secretary shall give priority to projects that—

(1) involve multiple producers implementing eligible conservation activities in a coordinated manner to promote air quality; or

(2) are designed to encourage broad adoption of innovative approaches, including approaches involving the use of innovative technologies and integrated pest management, on the condition that the technologies do not have the unintended consequence of compromising other environmental goals.

SA 3521. Mr. CASEY (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 1362, between lines 19 and 20, insert the following:

SEC. 11072. INVASIVE PEST AND DISEASE EMERGENCY RESPONSE FUNDING CLARIFICATION.

The Secretary may provide funds on an emergency basis to States to assist the States in combating invasive pest and disease outbreaks for any appropriate period of years after the date of initial detection by a State of an invasive pest or disease outbreak, as determined by the Secretary.

SA 3522. Mr. CASEY (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the nutrition title, insert the following:

SEC. ____. SENSE OF CONGRESS REGARDING THE FOOD STAMP NUTRITION EDUCATION PROGRAM.

(a) FINDINGS.—Congress finds that—

(1) nutrition education under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.)

plays an essential role in improving the dietary and physical activity practices of low-income people in the United States, helping to reduce food insecurity, prevent obesity, and reduce the risks of chronic disease;

(2) expert organizations, such as the Institute of Medicine, indicate that dietary and physical activity behavior change is more likely to result from the combined application of public health approaches and education than from education alone; and

(3) State programs are implementing nutrition education using effective strategies, including direct education, group activities, and social marketing.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary should support and encourage the most effective interventions for nutrition education under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.), including public health approaches and traditional education, to increase the likelihood that recipients of food and nutrition program benefits and people who are potentially eligible for those benefits will choose diets and physical activity practices consistent with the Dietary Guidelines for Americans; and

(2) to promote the most effective implementation of publicly-funded programs, State nutrition education activities under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.)—

(A) should be coordinated with other federally-funded food assistance and public health programs; and

(B) should leverage public/private partnerships to maximize the resources and impact of the programs.

SA 3523. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 672, strike line 7 and all that follows through page 673, line 4, and insert the following:

SEC. 4904. BUY AMERICAN REQUIREMENTS.

(a) FINDINGS.—Congress finds the following:

(1) Federal law requires that commodities and products purchased with Federal funds be, to the extent practicable, of domestic origin.

(2) Federal Buy American statutory requirements seek to ensure that purchases made with Federal funds benefit domestic producers.

(3) The Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) requires the use of domestic food products for all meals served under the program, including foods products for all meals served under the program, including foods products purchased with local funds.

(b) BUY AMERICAN STATUTORY REQUIREMENTS.—The Department of Agriculture should undertake training, guidance, and enforcement of the various current Buy American statutory requirements and regulations, including those of the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Department of Defense fresh fruit and vegetable distribution program.

SA 3524. Ms. MIKULSKI (for herself and Mr. SPECTER) submitted an amendment intended to be proposed by her to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 1045, after line 2, insert the following:

SEC. 7505. STUDIES AND REPORTS BY THE DEPARTMENT OF AGRICULTURE AND THE NATIONAL ACADEMY OF SCIENCES ON FOOD PRODUCTS FROM CLONED ANIMALS.

(a) STUDY BY THE DEPARTMENT OF AGRICULTURE.—

(1) IN GENERAL.—The Secretary of Agriculture (referred to in this section as the "Secretary"), in coordination with the Economic Research Service, and after consultation with the Secretary of Health and Human Services (acting through the Commissioner of Food and Drugs), shall conduct a study on the economic and trade impact of agricultural exports of food products from cloned animals.

(2) CONTENT OF STUDY.—The study under paragraph (1) shall include—

(A) an analysis of the domestic agricultural and international trade economic implications of permitting commercialization of milk and meat from cloned animals and their progeny into the food supply, with special attention to—

(i) the impact on Federal agricultural expenditures; and

(ii) meat and milk exports shifts that would take place as other countries react to that commercialization, including the potential for other countries to ban exports from the United States; and

(B) estimates of the consumer and exporter behavioral responses that must be factored into both the economic impact analysis and the health impact analysis required under this section.

(b) STUDY WITH THE GOVERNMENT ACCOUNTABILITY OFFICE ON MONITORING FOOD PRODUCTS FROM CLONED ANIMALS.—

(1) IN GENERAL.—The Secretary, in coordination with Comptroller General of the United States, shall conduct a study on the programs in place at the Department of Agriculture to monitor food products from cloned animals if such products enter the food supply.

(2) CONTENT OF STUDY.—The study under paragraph (1) shall include an evaluation of the processes in place at the Department of Agriculture to monitor food products from cloned animals throughout the food supply. The study shall also include a review of existing studies and literature, from the United States and other countries and organizations, that relate to the evaluation of the safety of food products from cloned animals and methods for monitoring such products in the food supply.

(c) STUDY WITH THE GOVERNMENT ACCOUNTABILITY OFFICE ON THE HEALTH EFFECTS AND COSTS ATTRIBUTABLE TO MILK FROM CLONED ANIMALS IN THE FOOD SUPPLY.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Health and Human Services (acting through the Commissioner of Food and Drugs), and in coordination with Comptroller General of the United States, shall conduct a study on the health effects and costs attributable to milk from cloned animals in the food supply.

(2) CONTENT OF STUDY.—The study under paragraph (1) shall include an evaluation and measurement of the potential public health effects and associated health care costs, including any consumer behavior changes and negative impacts on nutrition, and prevention of osteoporosis and other chronic disease that result from any decrease in milk consumption, attributable to the commercialization of milk from cloned animals and their progeny.

(d) STUDY WITH THE NATIONAL ACADEMY OF SCIENCES.—

(1) IN GENERAL.—The Secretary shall contract with the National Academy of Sciences to conduct a study and report to Congress regarding the safety of food products derived from cloned animals.

(2) CONTENT OF STUDY.—The study under paragraph (1) shall include a review and an assessment of whether the studies (including peer review studies), data, and analysis used in the draft risk assessment issued by the Food and Drug Administration entitled *Animal Cloning: A Draft Risk Assessment* (issued on December 28, 2006) supported the conclusions drawn by such draft risk assessment and—

(A) whether there were a sufficient number of studies to support such conclusions; and

(B) whether additional pertinent studies and data exist which were not considered in the draft risk assessment and how this additional information affects the conclusions drawn in such draft risk assessment.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to impede ongoing scientific research in artificial reproductive health technologies.

(f) TIMEFRAME FOR STUDIES.—The Secretary shall complete the studies required under this section prior to issuance by the Commissioner of Food and Drugs of the final risk assessment on the safety of cloned animals and food products derived from cloned animals.

(g) CONTINUANCE OF MORATORIUM.—The voluntary moratorium on introducing food from cloned animals or their progeny into the food supply, as in effect on the date of enactment of this Act, shall remain in effect at least until the date that the Secretary of Health and Human Services (acting through the Commissioner of Food and Drugs) issues the final risk assessment described in subsection (f).

SA 3525. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title XI, insert the following:

SEC. 11___. CLONED FOOD LABELING.

(a) AMENDMENTS TO THE FEDERAL FOOD, DRUG, AND COSMETIC ACT.—

(1) IN GENERAL.—Section 403 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343) is amended by adding at the end the following:

"(z)(1) If it contains cloned product unless it bears a label that provides notice in accordance with the following:

"(A) A notice as follows: 'THIS PRODUCT IS FROM A CLONED ANIMAL OR ITS PROGENY'.

"(B) The notice required in clause (A) is of the same size as would apply if the notice provided nutrition information that is required in paragraph (q)(1).

"(C) The notice required under clause (A) is clearly legible and conspicuous.

"(2) For purposes of this paragraph:

"(A) The term 'cloned animal' means—

"(i) an animal produced as the result of somatic cell nuclear transfer; and

"(ii) the progeny of such an animal.

"(B) The term 'cloned product' means a product or byproduct derived from or containing any part of a cloned animal.

"(3) This paragraph does not apply to food that is a medical food as defined in section 5(b) of the Orphan Drug Act.

"(4)(A) The Secretary, in consultation with the Secretary of Agriculture, shall require that any person that prepares, stores, handles, or distributes a cloned product for retail sale maintain a verifiable recordkeeping audit trail that will permit the Secretary to verify compliance with this paragraph and paragraph (aa).

"(B) The Secretary, in consultation with the Secretary of Agriculture, shall publish in the Federal Register the procedures established by such Secretaries to verify compliance with the recordkeeping audit trail system required under clause (A).

"(C) The Secretary, in consultation with the Secretary of Agriculture, shall, on annual basis, submit to Congress a report that describes the progress and activities of the recordkeeping audit trail system and compliance verification procedures required under this subparagraph.

"(aa) If it bears a label indicating (within the meaning of paragraph (z)) that it does not contain cloned product, unless the label is in accordance with regulations promulgated by the Secretary. With respect to such regulations:

"(1) The regulations may not require such a label to include any statement indicating that the fact that a food does not contain such product has no bearing on the safety of the food for human consumption.

"(2) The regulations may not prohibit such a label on the basis that, in the case of the type of food involved, there is no version of the food in commercial distribution that does contain such product.".

(2) CIVIL PENALTIES.—Section 303 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333) is amended by adding at the end the following subsection:

"(h)(1) With respect to a violation of section 301(a), 301(b), or 301(c) involving the misbranding of food within the meaning of section 403(z) or 403(aa), any person engaging in such a violation shall be liable to the United States for a civil penalty in an amount not to exceed $100,000 for each such violation.

"(2) Paragraphs (5) through (7) of subsection (f) apply with respect to a civil penalty under paragraph (1) of this subsection to the same extent and in the same manner as such paragraphs (5) through (7) apply with respect to a civil penalty under paragraph (1), (2), or (3) of subsection (f).".

(3) GUARANTY.—

(A) IN GENERAL.—Section 303(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(d)) is amended—

(i) by striking "(d)" and inserting "(d)(1)"; and

(ii) by adding at the end the following paragraph:

"(2) Subject to section 403(z)(4), no person shall be subject to the penalties of subsection (a)(1) or (h) for a violation of section 301(a), 301(b), or 301(c) involving the misbranding of food within the meaning of section 403(z) and 403(aa) if such person (referred to in this paragraph as the 'recipient') establishes a guaranty or undertaking signed by, and containing the name and address of, the person residing in the United States from whom the recipient received in good faith the food to the effect that (within the meaning of section 403(z)) the food does not contain any cloned product.".

(B) FALSE GUARANTY.—Section 301(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(h)) is amended by inserting "or 303(d)(2)" after "303(c)(2)".

(4) CITIZEN SUITS.—Chapter III of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331 et seq.) is amended by adding at the end the following section:

"SEC. 311. CITIZEN SUITS REGARDING MISBRANDING OF FOOD WITH RESPECT TO PRODUCT FROM CLONED ANIMALS.

"(a) IN GENERAL.—Except as provided in subsection (c), any person may on his or her behalf commence a civil action in an appropriate district court of the United States against—

"(1) a person who is alleged to have engaged in a violation of section 301(a), 301(b), or 301(c) involving the misbranding of food within the meaning of section 403(z) or 403(aa); or

"(2) the Secretary where there is alleged a failure of the Secretary to perform any act or duty under section 403(z) or 403(aa) that is not discretionary.

"(b) RELIEF.—In a civil action under subsection (a), the district court involved may, as the case may be—

"(1) enforce the compliance of a person with the applicable provisions referred to paragraph (1) of such subsection; or

"(2) order the Secretary to perform an act or duty referred to in paragraph (2) of such subsection.

"(c) LIMITATIONS.—

"(1) NOTICE TO SECRETARY.—A civil action may not be commenced under subsection (a)(1) prior to 60 days after the plaintiff has provided to the Secretary notice of the violation involved.

"(2) RELATION TO ACTIONS OF SECRETARY.—A civil action may not be commenced under subsection (a)(2) if the Secretary has commenced and is diligently prosecuting a civil or criminal action in a district court of the United States to enforce compliance with the applicable provisions referred to in subsection (a)(1).

"(d) RIGHT OF SECRETARY TO INTERVENE.—In any civil action under subsection (a), the Secretary, if not a party, may intervene as a matter of right.

"(e) AWARD OF COSTS; FILING OF BOND.—In a civil action under subsection (a), the district court involved may award costs of litigation (including reasonable attorney and expert witness fees) to any party whenever the court determines such an award is appropriate. The court may, if a temporary restraining order or preliminary injunction is sought, require the filing of a bond or equivalent security in accordance with the Federal Rules of Civil Procedure.

"(f) SAVINGS PROVISION.—This section does not restrict any right that a person (or class of persons) may have under any statute or common law to seek enforcement of the provisions referred to subsection (a)(1), or to seek any other relief (including relief against the Secretary).".

(b) AMENDMENTS TO THE FEDERAL MEAT INSPECTION ACT.—

(1) REQUIREMENTS FOR LABELING REGARDING CLONED MEAT FOOD PRODUCTS.—The Federal Meat Inspection Act is amended by inserting after section 7 (21 U.S.C. 607) the following:

"SEC. 7A. REQUIREMENTS FOR LABELING REGARDING CLONED MEAT FOOD PRODUCTS.

"(a) DEFINITIONS.—In this section:

"(1) CLONED ANIMAL.—The term 'cloned animal' means—

"(A) an animal produced as the result of somatic cell nuclear transfer; and

"(B) the progeny of such an animal.

"(2) CLONED PRODUCT.—The term 'cloned product' means a product or byproduct derived from or containing any part of a cloned animal.

"(3) CLONED MEAT FOOD PRODUCT.—The term 'cloned meat food product' means a meat food product that contains a cloned product.

"(b) LABELING REQUIREMENT.—

"(1) REQUIRED LABELING TO AVOID MISBRANDING.—

"(A) INVOLVEMENT OF CLONED MEAT FOOD PRODUCT.—For purposes of sections 1(n) and 10, a meat food product is misbranded if the meat food product—

"(i) is a cloned meat food product; and

"(ii) does not bear a label (or include labeling, in the case of a meat food product that is not packaged in a container) that provides, in a clearly legible and conspicuous manner, the notice described in subsection (c).

"(B) NO INVOLVEMENT OF CLONED MEAT FOOD PRODUCT.—

"(i) IN GENERAL.—For purposes of sections 1(n) and 10, a meat food product is misbranded if the meat food product bears a label indicating that the meat food product is not a cloned meat food product, unless the label is in accordance with regulations promulgated by the Secretary.

"(ii) REQUIREMENTS.—In promulgating regulations referred to in clause (i), the Secretary may not—

"(I) require a label to include any statement indicating that the fact that a meat food product is not a cloned meat food product has no bearing on the safety of the food for human consumption; or

"(II) prohibit a label on the basis that, in the case of the type of meat food product involved, there is no version of the meat food product in commercial distribution that is not a cloned meat food product.

"(2) AUDIT VERIFICATION SYSTEM.—

"(A) IN GENERAL.—The Secretary, in consultation with the Secretary of Health and Human Services, shall require that any person that manufactures, produces, distributes, stores, or handles a meat food product maintain a verifiable recordkeeping audit trail that will permit the Secretary to verify compliance with the labeling requirements described in paragraph (1).

"(B) PUBLICATION.—The Secretary, in consultation with the Secretary of Health and Human Services, shall publish in the Federal Register the procedures established by the Secretaries to verify compliance with the recordkeeping audit trail system required under subparagraph (A).

"(C) REPORT.—The Secretary, in consultation with the Secretary of Health and Human Services, shall, on annual basis, submit to Congress a report that describes the progress and activities of the recordkeeping audit trail system and compliance verification procedures required under this paragraph.

"(c) SPECIFICS OF LABEL NOTICE.—

"(1) REQUIRED NOTICE.—The notice referred to in subsection (b)(1)(A)(ii) is the following: 'THIS PRODUCT IS FROM A CLONED ANIMAL OR ITS PROGENY'.

"(2) SIZE.—The notice required in paragraph (1) shall be of the same size as if the notice provided nutrition information that is required under section 403(q)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343(q)(1)).

"(d) GUARANTY.—

"(1) IN GENERAL.—Subject to subsection (b)(2) and paragraph (2), a person engaged in the business of manufacturing or processing meat food products, or selling or serving meat food products at retail or through a food service establishment (referred to in this subsection as the 'recipient') shall not be considered to have violated this section with respect to the labeling of a meat food product if the recipient establishes a guaranty or undertaking signed by, and containing the name and address of, the person residing in the United States from whom the recipient received in good faith the meat food product or the animal from which the meat food product was derived, or received in good faith food intended to be fed to the animal, to the effect that the meat food product, or the animal, or the meat food product, respectively, does not contain a cloned product or was not produced with a cloned product.

"(2) AUDIT VERIFICATION SYSTEM.—In the case of recipients who establish guaranties or undertakings in accordance with paragraph (1), the Secretary may exempt the recipients from the requirement under subsection (b)(2) regarding maintaining a verifiable recordkeeping audit trail.

"(3) FALSE GUARANTY.—It is a violation of this Act for a person to give a guaranty or undertaking in accordance with paragraph (1) that the person knows or has reason to know is false.

"(e) CIVIL PENALTIES.—

"(1) IN GENERAL.—The Secretary may assess a civil penalty against a person that violates subsection (b) or (c) in an amount not to exceed $100,000 for each violation.

"(2) NOTICE AND OPPORTUNITY FOR HEARING.—

"(A) IN GENERAL.—A civil penalty under paragraph (1) shall be assessed by the Secretary by an order made on the record after opportunity for a hearing provided in accordance with this paragraph and section 554 of title 5, United States Code.

"(B) WRITTEN NOTICE.—Before issuing an order under subparagraph (A), the Secretary shall—

"(i) give written notice to the person to be assessed a civil penalty under the order of the proposal of the Secretary to issue the order; and

"(ii) provide the person an opportunity for a hearing on the order.

"(C) AUTHORIZATIONS.—In the course of any investigation, the Secretary may issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence that relates to the matter under investigation.

"(3) CONSIDERATIONS REGARDING AMOUNT OF PENALTY.—In determining the amount of a civil penalty under paragraph (1), the Secretary shall consider—

"(A) the nature, circumstances, extent, and gravity of the 1 or more violations; and

"(B) with respect to the violator—

"(i) ability to pay;

"(ii) effect on ability to continue to do business;

"(iii) any history of prior violations;

"(iv) the degree of culpability; and

"(v) such other matters as justice may require.

"(4) CERTAIN AUTHORITIES.—

"(A) IN GENERAL.—The Secretary may compromise, modify, or remit, with or without conditions, any civil penalty under paragraph (1).

"(B) DEDUCTION FROM SUMS OWED.—The amount of a civil penalty under this subsection, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged.

"(5) JUDICIAL REVIEW.—

"(A) IN GENERAL.—Any person who requested, in accordance with paragraph (2), a hearing respecting the assessment of a civil penalty under paragraph (1) and who is aggrieved by an order assessing a civil penalty may file a petition for judicial review of the order with—

"(i) the United States Court of Appeals for the District of Columbia Circuit; or

"(ii) any other circuit in which the person resides or transacts business.

"(B) FILING DEADLINE.—A petition described in subparagraph (A) may only be filed within the 60-day period beginning on the date the order making the assessment was issued.

"(6) FAILURE TO PAY.—

"(A) IN GENERAL.—The Attorney General shall recover the amount assessed under a civil penalty (plus interest at prevailing rates from the date of the expiration of the 60-day period referred to in paragraph (5)(B) or the date of the final judgment, as appropriate) in an action brought in any appropriate district court of the United States if a person fails to pay the assessment—

"(i) after the order making the assessment becomes final, if the person does not file a petition for judicial review of the order in accordance with paragraph (5)(A); or

"(ii) after a court in an action brought under paragraph (5) has entered a final judgment in favor of the Secretary;

"(B) EXEMPTIONS FROM REVIEW.—In an action described in subparagraph (A), the validity, amount, and appropriateness of the civil penalty shall not be subject to review.

"(f) CITIZEN SUITS.—

"(1) IN GENERAL.—Except as provided in paragraph (3), any person may on his or her behalf commence a civil action in an appropriate district court of the United States against—

"(A) a person who is alleged to have engaged in a violation of subsection (b) or (c); or

"(B) the Secretary in a case in which there is alleged a failure of the Secretary to perform any act or duty under subsection (b) or (c) that is not discretionary.

"(2) RELIEF.—In a civil action under paragraph (1), the district court involved may, as appropriate—

"(A) enforce the compliance of a person with the applicable provisions referred to paragraph (1)(A); or

"(B) order the Secretary to perform an act or duty referred to in paragraph (1)(B).

"(3) LIMITATIONS.—

"(A) NOTICE TO SECRETARY.—A civil action may not be commenced under paragraph (1)(A) prior to 60 days after the date on which the plaintiff provided to the Secretary notice of the violation involved.

"(B) RELATION TO ACTIONS OF SECRETARY.—A civil action may not be commenced under paragraph (1)(B) if the Secretary has commenced and is diligently prosecuting a civil or criminal action in a district court of the United States to enforce compliance with the applicable provisions referred to in paragraph (1)(A).

"(4) RIGHT OF SECRETARY TO INTERVENE.—In any civil action under paragraph (1), the Secretary, if not a party, may intervene as a matter of right.

"(5) AWARD OF COSTS; FILING OF BOND.—

"(A) AWARD OF COSTS.—In a civil action under paragraph (1), the district court involved may award costs of litigation (including reasonable attorney and expert witness fees) to any party in any case in which the court determines such an award is appropriate.

"(B) FILING OF BOND.—The court may, if a temporary restraining order or preliminary injunction is sought, require the filing of a bond or equivalent security in accordance with the Federal Rules of Civil Procedure.

"(6) SAVINGS PROVISION.—This subsection does not restrict any right that a person (or class of persons) may have under any statute or common law—

"(A) to seek enforcement of the provisions referred to in paragraph (1)(A); or

"(B) to seek any other relief (including relief against the Secretary).".

(2) INCLUSION OF LABELING REQUIREMENTS IN DEFINITION OF MISBRANDED.—Section 1(n) of the Federal Meat Inspection Act (21 U.S.C. 601(n)) is amended—

(A) by striking "or" at the end of paragraph (11);

(B) by striking the period at the end of paragraph (12) and inserting "; or"; and

(C) by adding at the end the following:

"(13) if it fails to bear a label or labeling as required by section 7A.".

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect upon the expiration of the 180-day period beginning on the date of enactment of this Act.

SA 3526. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 6023.

SA 3527. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 6025 and insert the following:

SEC. 6025. HISTORIC BARN PRESERVATION.

Section 379A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008o) is amended—

(1) in subsection (c)(4)—

(A) by striking "There are" and inserting the following:

"(A) IN GENERAL.—There are"; and

(B) by adding at the end the following:

"(B) LIMITATION.—If, at any time during the 2-year period preceding the date on which funds are made available to carry out this section, Congress has provided supplemental agricultural assistance to agricultural producers or the President has declared an agricultural-related emergency—

"(i) none of the funds made available to carry out this section shall be used for the program under this section; and

"(ii) the funds made available to carry out this section shall be—

"(I) used to carry out programs that address the agricultural emergencies identified by Congress or the President; or

"(II) returned to the Treasury of the United States for debt reduction to offset the costs of the emergency agricultural spending."; and

(2) by adding at the end the following:

"(d) REPEAL.—If, during each of 5 consecutive fiscal years, Congress has provided supplemental agricultural assistance to agricultural producers or the President has declared an agricultural-related emergency, this section is repealed.".

SA 3528. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 7312 and insert the following:

SEC. 7312. NATIONAL ARBORETUM.

The Act of March 4, 1927 (20 U.S.C. 191 et seq.), is amended by adding at the end the following:

"SEC. 7. CONSTRUCTION OF A CHINESE GARDEN AT NATIONAL ARBORETUM.

"(a) IN GENERAL.—A Chinese Garden may be constructed at the National Arboretum established under this Act with—

"(1) funds accepted under section 5; and

"(2) authorities provided to the Secretary of Agriculture under section 6.

"(b) LIMITATION.—No Federal funds shall be used for the construction and maintenance of the Chinese Garden authorized under subsection (a).".

SA 3529. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the countinuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XI, insert the following:

SEC. 11____. DEPARTMENT OF AGRICULTURE CONFERENCE TRANSPARENCY.

(a) REPORTS ON CONFERENCE EXPENDITURES.—For fiscal year 2008 and each fiscal year thereafter, the Secretary shall submit to the Inspector General of the Department of Agriculture quarterly reports that describe the costs and contracting procedures relating to each conference or meeting held by the Department of Agriculture during the quarter covered by the report for which the cost to the Federal Government was more than $20,000.

(b) REQUIREMENTS.—Each report submitted under subsection (a) shall include, for each conference and meeting covered by the report—

(1) a description of the number participants attending, and the purpose of those participants for attending, the conference or meeting;

(2) a detailed statement of the costs incurred by the Federal Government relating to that conference or meeting, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of all related travel; and

(D) a discussion of the methodology used to determine which costs relate to that conference or meeting; and

(3) a description of the contracting procedures relating to that conference or meeting, including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the Department of Agriculture in evaluating potential contractors for any conference or meeting.

(c) TRAVEL EXPENSES.—

(1) DEFINITION OF CONFERENCE.—In this subsection, the term "conference" means a meeting that—

(A) is held for consultation, education, awareness, or discussion;

(B) includes participants who are not all employees of the same agency;

(C) is not held entirely at an agency facility;

(D) involves costs associated with travel and lodging for some participants; and

(E) is sponsored by 1 or more agencies, 1 or more organizations that are not agencies, or a combination of those agencies or organizations.

(2) REPORT.—Not later than September 30 of each fiscal year, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, and post on the public website of the Department of Agriculture in a searchable, electronic format, a report on each conference for which the Department of Agriculture paid travel expenses during the fiscal year covered by the report, including—

(A) a description of—

(i) the itemized expenses paid by the Department of Agriculture, including travel expenses and any other expenditures to support the conference;

(ii) the primary sponsor of the conference; and

(iii) the.location of the conference; and

(B) in the case of a conference for which the Department of Agriculture was the primary sponsor, a statement that—

(i) justifies the location selected;

(ii) demonstrates the cost efficiency of the location;

(iii) specifies the date or dates of the conference;

(iv) includes a brief explanation of the ways in which the conference advanced the mission of the Department of Agriculture; and

(v) specifies the total number of individuals whose travel or attendance at the conference was paid for, in whole or in part, by the Department of Agriculture.

(d) LIMITATION ON FUNDING FOR CONFERENCES.—Notwithstanding any other provision of this Act, not more than $15,000,000 of amounts made available to the Secretary pursuant to this Act and the amendments made by this Act shall be used for expenses relating to conferences, including for conference programs, conference travel costs, and related expenses.

SA 3530. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XI, insert the following:

SEC. ____. PAYMENTS TO DECEASED INDIVIDUALS AND ESTATES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall not provide to any deceased individual or estate of such an individual any agricultural payment under this Act, or an Act amended by this Act, after the date that is 1 program year (as determined by the Secretary with respect to the applicable payment program) after the date of death of the individual.

(b) REPORT.—As soon as practicable after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, and post on the website of the Department of Agriculture, a report that describes, for the period covered by the report—

(1) the number and aggregate amount of agricultural payments described in subsection (a) provided to deceased individuals and estates of deceased individuals; and

(2) for each such payment, the length of time the estate of the deceased individual that received the payment has been open.

SA 3531. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

In section 1608(d), strike paragraph (2) and insert the following:

(2) MEMBERS.—As soon as practicable after the date on which funds are first made available to carry out this section—

(A) 2 members of the Commission shall be appointed by the Chairman of the Committee on Agriculture of the House of Representatives, in consultation with the ranking member of that committee;

(B) 2 members of the Commission shall be appointed by the Chairman of the Committee on Agriculture, Nutrition, and Forestry of the Senate, in consultation with the ranking member of that committee;

(C) 10 members of the Commission shall be appointed by the Secretary;

(D) 2 members of the Commission shall be appointed by the Chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the House of Representatives, in consultation with the ranking member of that subcommittee; and

(E) 2 members of the Commission shall be appointed by the Chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Senate, in consultation with the ranking member of that subcommittee.

SA 3532. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 1197, between lines 15 and 16, insert the following:

SEC. 9004. SENSE OF CONGRESS RELATING TO FUNDING OF RURAL ENERGY FOR AMERICA PROGRAM.

(a) FINDINGS.—The Congress finds that—

(1) the amount of mandatory funding made available under section 9007(j)(1) of the Farm Security and Rural Investment Act of 2002 (as amended by section 9001) does not provide additional discretionary funds under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)) for fiscal years 2009 through 2012; and

(2) the amount authorized to be appropriated under section 9007(j)(2) of the Farm Security and Rural Investment Act of 2002 (as amended by section 9001) would require—

(A) additional discretionary funds under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)); or

(B) substantial cuts to discretionary conservation, food safety, nutrition, rural development, or agricultural research initiatives in existence as of the date of enactment of this Act.

(b) SENSE OF CONGRESS.—It is the sense of Congress that additional discretionary funds should be provided under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to accomplish each objective of section 9007 of the Farm Security and Rural Investment Act of 2002 (as amended by section 9001).

SA 3533. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 1197, between lines 15 and 16, insert the following:

SEC. 9004. SENSE OF CONGRESS RELATING TO FUNDING OF REGIONAL BIOMASS CROP EXPERIMENTS PROGRAM.

(a) FINDINGS.—The Congress finds that—

(1) the amount of mandatory funding made available under section 9010(e)(1) of the Farm Security and Rural Investment Act of 2002 (as amended by section 9001) does not provide additional discretionary funds under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)); and

(2) the amount authorized to be appropriated under section 9010(e)(2) of the Farm Security and Rural Investment Act of 2002 (as amended by section 9001) would require—

(A) additional discretionary funds under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)); or

(B) substantial cuts to discretionary conservation, food safety, nutrition, rural development, or agricultural research initiatives in existence as of the date of enactment of this Act.

(b) SENSE OF CONGRESS.—It is the sense of Congress that additional discretionary funds should be provided under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to accomplish each objective of section 9010 of the Farm Security and Rural Investment Act of 2002 (as amended by section 9001).

SA 3534. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 1197, between lines 15 and 16, insert the following:

SEC. 9004. SENSE OF CONGRESS RELATING TO FUNDING OF SUN GRANT PROGRAM.

(a) FINDINGS.—The Congress finds that—

(1) the amount of mandatory funding made available under section 9009(j)(1) of the Farm Security and Rural Investment Act of 2002 (as amended by section 9001) does not provide additional discretionary funds under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)); and

(2) the amount authorized to be appropriated under section 9009(j)(2) of the Farm Security and Rural Investment Act of 2002 (as amended by section 9001) would require—

(A) additional discretionary funds under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)); or

(B) substantial cuts to discretionary conservation, food safety, nutrition, rural development, or agricultural research initiatives in existence as of the date of enactment of this Act.

(b) SENSE OF CONGRESS.—It is the sense of Congress that additional discretionary funds should be provided under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to accomplish each objective of section 9009 of the Farm Security and Rural Investment Act of 2002 (as amended by section 9001).

SA 3535. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 1197, between lines 15 and 16, insert the following:

SEC. 9004. SENSE OF CONGRESS RELATING TO FUNDING OF BIOMASS RESEARCH AND DEVELOPMENT ACT OF 2000.

(a) FINDINGS.—The Congress finds that—

(1) the amount of mandatory funding made available under section 9008(h)(1) of the Farm Security and Rural Investment Act of 2002 (as amended by section 9001) does not provide additional discretionary funds under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)); and

(2) the amount authorized to be appropriated under section 9008(h)(2) of the Farm Security and Rural Investment Act of 2002 (as amended by section 9001) would require—

(A) additional discretionary funds under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)); or

(B) substantial cuts to discretionary conservation, food safety, nutrition, rural development, or agricultural research initiatives in existence as of the date of enactment of this Act.

(b) SENSE OF CONGRESS.—It is the sense of Congress that additional discretionary funds should be provided under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to accomplish each objective of section 9008 of the Farm Security and Rural Investment Act of 2002 (as amended by section 9001).

SA 3536. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 893, between lines 4 and 5, insert the following:

SEC. 6404. SENSE OF CONGRESS RELATING TO FUNDING OF RURAL COLLABORATIVE INVESTMENT PROGRAM.

(a) FINDINGS.—The Congress finds that—

(1) the amount of mandatory funding made available under section 385H(a) of the Consolidated Farm and Rural Development Act (as amended by section 6032) does not provide additional discretionary funds under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)); and

(2) the amount authorized to be appropriated under section 385H(c) of the Consolidated Farm and Rural Development Act (as amended by section 6032) would require—

(A) additional discretionary funds under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)); or

(B) substantial cuts to discretionary conservation, food safety, nutrition, rural development, or agricultural research initiatives in existence as of the date of enactment of this Act.

(b) SENSE OF CONGRESS.—It is the sense of Congress that additional discretionary funds should be provided under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to accomplish each objective of subtitle I of the Consolidated Farm and Rural Development Act (as amended by section 6032).

SA 3537. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 893, between lines 4 and 5, insert the following:

SEC. 6404. SENSE OF CONGRESS RELATING TO FUNDING OF RURAL MICROENTERPRISE ASSISTANCE PROGRAM.

(a) FINDINGS.—The Congress finds that—

(1) the amount of mandatory funding made available under section 366(d)(1) of the Consolidated Farm and Rural Development Act (as added by section 6022) does not provide additional discretionary funds under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)) for fiscal years 2009 through 2012; and

(2) the amount authorized to be appropriated under section 366(d)(2) of the Consolidated Farm and Rural Development Act (as added by section 6022) would require—

(A) additional discretionary funds under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)); or

(B) substantial cuts to discretionary conservation, food safety, nutrition, rural development, or agricultural research initiatives in existence as of the date of enactment of this Act.

(b) SENSE OF CONGRESS.—It is the sense of Congress that additional discretionary funds should be provided under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to accomplish each objective of section 366 of the Consolidated Farm and Rural Development Act (as added by section 6022).

SA 3538. Mr. AKAKA (for himself, Mr. KERRY, Mr. STEVENS, Mr. FEINGOLD, Mr. WYDEN, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XI, add the following:

SEC. 11072. PROTECTION OF PETS.

(a) SHORT TITLE.—This section may be cited as the "Pet Safety and Protection Act of 2007".

(b) RESEARCH FACILITIES.—Section 7 of the Animal Welfare Act (7 U.S.C. 2137) is amended to read as follows:

"SEC. 7. SOURCES OF DOGS AND CATS FOR RESEARCH FACILITIES.

"(a) DEFINITION OF PERSON.—In this section, the term 'person' means any individual, partnership, firm, joint stock company, corporation, association, trust, estate, pound, shelter, or other legal entity.

"(b) USE OF DOGS AND CATS.—No research facility or Federal research facility may use a dog or cat for research or educational purposes if the dog or cat was obtained from a person other than a person described in subsection (d).

"(c) SELLING, DONATING, OR OFFERING DOGS AND CATS.—No person, other than a person described in subsection (d), may sell, donate, or offer a dog or cat to any research facility or Federal research facility.

"(d) PERMISSIBLE SOURCES.—A person from whom a research facility or a Federal research facility may obtain a dog or cat for research or educational purposes under subsection (b), and a person who may sell, donate, or offer a dog or cat to a research facility or a Federal research facility under subsection (c), shall be—

"(1) a dealer licensed under section 3 that has bred and raised the dog or cat;

"(2) a publicly owned and operated pound or shelter that—

"(A) is registered with the Secretary;

"(B) is in compliance with section 28(a)(1) and with the requirements for dealers in subsections (b) and (c) of section 28; and

"(C) obtained the dog or cat from its legal owner, other than a pound or shelter;

"(3) a person that is donating the dog or cat and that—

"(A) bred and raised the dog or cat; or

"(B) owned the dog or cat for not less than 1 year immediately preceding the donation;

"(4) a research facility licensed by the Secretary; and

"(5) a Federal research facility licensed by the Secretary.

"(e) PENALTIES.—

"(1) IN GENERAL.—A person that violates this section shall be fined $1,000 for each violation.

"(2) ADDITIONAL PENALTY.—A penalty under this subsection shall be in addition to any other applicable penalty.

"(f) NO REQUIRED SALE OR DONATION.—Nothing in this section requires a pound or shelter to sell, donate, or offer a dog or cat to a research facility or Federal research facility.".

(c) FEDERAL RESEARCH FACILITIES.—Section 8 of the Animal Welfare Act (7 U.S.C. 2138) is amended—

(1) by striking "SEC. 8. No department" and inserting the following:

"SEC. 8. FEDERAL RESEARCH FACILITIES.

"Except as provided in section 7, no department";

(2) by striking "research or experimentation or"; and

(3) by striking "such purposes" and inserting "that purpose".

(d) CERTIFICATION.—Section 28(b)(1) of the Animal Welfare Act (7 U.S.C. 2158(b)(1)) is amended by striking "individual or entity" and inserting "research facility or Federal research facility".

(e) EFFECTIVE DATE.—The amendments made by subsections (b), (c), and (d) take effect on the date that is 90 days after the date of enactment of this Act.

SA 3539. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XI, insert the following:

SEC. 1107_. TERMINATION OF AUTHORITY TO CONDUCT INSPECTIONS AND ISSUE REGULATIONS.

(a) TERMINATION OF AUTHORITY.—The authority to conduct inspections and issue regulations under the provisions of law described in subsection (b) shall terminate on the date that is 2 years after the date of enactment of this Act.

(b) PROVISIONS OF LAW.—The provisions of law referred to in subsection (a) are—

(1) the Poultry Products Inspection Act (21 U.S.C. 451 et seq.);

(2) the Federal Meat Inspection Act (21 U.S.C. 601 et seq.);

(3) the Egg Products Inspection Act (21 U.S.C. 1031 et seq.); and

(4) chapter IV of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341 et seq.).

SA 3540. Mr. CASEY submitted an amendment intended to be proposed by him to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 266, between lines 10 and 11, insert the following:

SEC. 10___. INSURANCE UNITS.

Section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended by adding at the end the following:

"(11) INSURANCE UNITS.—In those areas in which optional units are only available by farm serial number, the Corporation shall allow separate optional units for each tract on the farm within a single farm serial number basis, as determined by the Secretary.".

SA 3541. Mr. CRAIG (for himself, Mr. ALLARD, Mr. BROWNBACK) submitted an amendment intended to be proposed by him to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 895, lines 12 and 13, strike "subsection (e)" and insert "subsection (g)".

On page 895, strike lines 16 through 19 and insert the following:

"(d) INITIAL IMPLEMENTATION.—To address the urgent security concerns of the United States with respect to public health, bioterrorism preparedness, and food supply security, in implementing the first phase of the veterinary medicine loan repayment program, the Secretary shall give priority to large and mixed animal practitioner shortages in rural communities.

"(e) USE OF FUNDS.—None of the funds appropriated to the Secretary under subsection (g) may be used to carry out section 5379 of title 5, United States Code.

"(f) REGULATIONS.—Notwithstanding subchapter II of chapter 5 of title 5, United States Code, not later than 270 days after the date of enactment of this subsection, the Secretary shall promulgate regulations to carry out this section.".

SA 3542. Mr. DOMENICI (for himself and Mr. THUNE, Mr. NELSON of Nebraska, Mr. JOHNSON, Mr. GRASSLEY, Mr. CRAIG, Mr. SALAZAR, and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX, add the following:

Subtitle B—Biofuels for Energy Security and Transportation

SEC. 9101. SHORT TITLE.

This subtitle may be cited as the "Biofuels for Energy Security and Transportation Act of 2007".

SEC. 9102. DEFINITIONS.

In this subtitle:

(1) ADVANCED BIOFUEL.—

(A) IN GENERAL.—The term "advanced biofuel" means fuel derived from renewable biomass other than corn starch.

(B) INCLUSIONS.—The term "advanced biofuel" includes—

(i) ethanol derived from cellulose, hemicellulose, or lignin;

(ii) ethanol derived from sugar or starch, other than ethanol derived from corn starch;

(iii) ethanol derived from waste material, including crop residue, other vegetative waste material, animal waste, and food waste and yard waste;

(iv) diesel-equivalent fuel derived from renewable biomass, including vegetable oil and animal fat;

(v) biogas (including landfill gas and sewage waste treatment gas) produced through the conversion of organic matter from renewable biomass;

(vi) butanol or other alcohols produced through the conversion of organic matter from renewable biomass; and

(vii) other fuel derived from cellulosic biomass.

(2) CELLULOSIC BIOMASS ETHANOL.—The term "cellulosic biomass ethanol" means ethanol derived from any cellulose, hemicellulose, or lignin that is derived from renewable biomass.

(3) CONVENTIONAL BIOFUEL.—The term "conventional biofuel" means ethanol derived from corn starch.

(4) RENEWABLE BIOMASS.—The term "renewable biomass" means—

(A) nonmerchantable materials or precommercial thinnings that—

(i) are byproducts of preventive treatments, such as trees, wood, brush, thinnings, chips, and slash, that are removed—

(I) to reduce hazardous fuels;

(II) to reduce or contain disease or insect infestation; or

(III) to restore forest health;

(ii) would not otherwise be used for higher-value products; and

(iii) are harvested from National Forest System land or public land (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702))—

(I) where permitted by law; and

(II) in accordance with—

(aa) applicable land management plans; and

(bb) the requirements for old-growth maintenance, restoration, and management direction of paragraphs (2), (3), and (4) of subsection (e) and the requirements for large-tree retention of subsection (f) of section 102 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6512); or

(B) any organic matter that is available on a renewable or recurring basis from non-Federal land or from land belonging to an Indian tribe, or an Indian individual, that is held in trust by the United States or subject to a restriction against alienation imposed by the United States, including—

(i) renewable plant material, including—

(I) feed grains;

(II) other agricultural commodities;

(III) other plants and trees; and

(IV) algae; and

(ii) waste material, including—

(I) crop residue;

(II) other vegetative waste material (including wood waste and wood residues);

(III) animal waste and byproducts (including fats, oils, greases, and manure); and

(IV) food waste and yard waste.

(5) RENEWABLE FUEL.—

(A) IN GENERAL.—The term "renewable fuel" means motor vehicle fuel or home heating fuel that is—

(i) produced from renewable biomass; and

(ii) used to replace or reduce the quantity of fossil fuel present in a fuel or fuel mixture used to operate a motor vehicle or furnace.

(B) INCLUSION.—The term "renewable fuel" includes—

(i) conventional biofuel; and

(ii) advanced biofuel.

(6) SECRETARY.—The term "Secretary" means the Secretary of Energy

(7) SMALL REFINERY.—The term "small refinery" means a refinery for which the average aggregate daily crude oil throughput for a calendar year (as determined by dividing the aggregate throughput for the calendar year by the number of days in the calendar year) does not exceed 75,000 barrels.

PART I—RENEWABLE FUEL STANDARD

SEC. 9111. RENEWABLE FUEL STANDARD.

(a) RENEWABLE FUEL PROGRAM.—

(1) REGULATIONS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the President shall promulgate regulations to ensure that motor vehicle fuel and home heating oil sold or introduced into commerce in the United States (except in noncontiguous States or territories), on an annual average basis, contains the applicable volume of renewable fuel determined in accordance with paragraph (2).

(B) PROVISIONS OF REGULATIONS.—Regardless of the date of promulgation, the regulations promulgated under subparagraph (A)—

(i) shall contain compliance provisions applicable to refineries, blenders, distributors, and importers, as appropriate, to ensure that—

(I) the requirements of this subsection are met; and

(II) renewable fuels produced from facilities that commence operations after the date of enactment of this Act achieve at least a 20 percent reduction in life cycle greenhouse gas emissions compared to gasoline; but

(ii) shall not—

(I) restrict geographic areas in the contiguous United States in which renewable fuel may be used; or

(II) impose any per-gallon obligation for the use of renewable fuel.

(C) RELATIONSHIP TO OTHER REGULATIONS.—Regulations promulgated under this paragraph shall, to the maximum extent practicable, incorporate the program structure, compliance, and reporting requirements established under the final regulations promulgated to implement the renewable fuel program established by the amendment made by section 1501(a)(2) of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 1067).

(2) APPLICABLE VOLUME.—

(A) CALENDAR YEARS 2008 THROUGH 2022.—

(i) RENEWABLE FUEL.—For the purpose of paragraph (1), subject to clause (ii), the applicable volume for any of calendar years 2008 through 2022 shall be determined in accordance with the following table:

Calendar year:	Applicable volume of renewable fuel (in billions of gallons):
2008	8.5
2009	10.5
2010	12.0
2011	12.6
2012	13.2
2013	13.8
2014	14.4
2015	15.0
2016	18.0
2017	21.0
2018	24.0
2019	27.0
2020	30.0
2021	33.0
2022	36.0.

(ii) ADVANCED BIOFUELS.—For the purpose of paragraph (1), of the volume of renewable fuel required under clause (i), the applicable volume for any of calendar years 2016 through 2022 for advanced biofuels shall be determined in accordance with the following table:

Calendar year:	Applicable volume of advanced biofuels (in billions of gallons):
2016	3.0
2017	6.0
2018	9.0
2019	12.0
2020	15.0
2021	18.0
2022	21.0.

(B) CALENDAR YEAR 2023 AND THEREAFTER.—Subject to subparagraph (C), for the purposes of paragraph (1), the applicable volume for calendar year 2023 and each calendar year thereafter shall be determined by the President, in coordination with the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency, based on a review of the implementation of the program during calendar years 2007 through 2022, including a review of—

(i) the impact of renewable fuels on the energy security of the United States;

(ii) the expected annual rate of future production of renewable fuels, including advanced biofuels;

(iii) the impact of renewable fuels on the infrastructure of the United States, including deliverability of materials, goods, and products other than renewable fuel, and the sufficiency of infrastructure to deliver renewable fuel; and

(iv) the impact of the use of renewable fuels on other factors, including job creation, the price and supply of agricultural commodities, rural economic development, and the environment.

(C) MINIMUM APPLICABLE VOLUME.—Subject to subparagraph (D), for the purpose of paragraph (1), the applicable volume for calendar year 2023 and each calendar year thereafter shall be equal to the product obtained by multiplying—

(i) the number of gallons of gasoline that the President estimates will be sold or introduced into commerce in the calendar year; and

(ii) the ratio that—

(I) 36,000,000,000 gallons of renewable fuel; bears to

(II) the number of gallons of gasoline sold or introduced into commerce in calendar year 2022.

(D) MINIMUM PERCENTAGE OF ADVANCED BIOFUEL.—For the purpose of paragraph (1) and subparagraph (C), at least 60 percent of the minimum applicable volume for calendar year 2023 and each calendar year thereafter shall be advanced biofuel.

(b) APPLICABLE PERCENTAGES.—

(1) PROVISION OF ESTIMATE OF VOLUMES OF GASOLINE SALES.—Not later than October 31 of each of calendar years 2008 through 2021, the Administrator of the Energy Information Administration shall provide to the President an estimate, with respect to the following calendar year, of the volumes of gasoline projected to be sold or introduced into commerce in the United States.

(2) DETERMINATION OF APPLICABLE PERCENTAGES.—

(A) IN GENERAL.—Not later than November 30 of each of calendar years 2008 through 2022, based on the estimate provided under paragraph (1), the President shall determine and publish in the Federal Register, with respect to the following calendar year, the renewable fuel obligation that ensures that the requirements of subsection (a) are met.

(B) REQUIRED ELEMENTS.—The renewable fuel obligation determined for a calendar year under subparagraph (A) shall—

(i) be applicable to refineries, blenders, and importers, as appropriate;

(ii) be expressed in terms of a volume percentage of gasoline sold or introduced into commerce in the United States; and

(iii) subject to paragraph (3)(A), consist of a single applicable percentage that applies to all categories of persons specified in clause (i).

(3) ADJUSTMENTS.—In determining the applicable percentage for a calendar year, the President shall make adjustments—

(A) to prevent the imposition of redundant obligations on any person specified in paragraph (2)(B)(i); and

(B) to account for the use of renewable fuel during the previous calendar year by small refineries that are exempt under subsection (g).

(c) VOLUME CONVERSION FACTORS FOR RENEWABLE FUELS BASED ON ENERGY CONTENT OR REQUIREMENTS.—

(1) IN GENERAL.—For the purpose of subsection (a), the President shall assign values to specific types of advanced biofuels for the purpose of satisfying the fuel volume requirements of subsection (a)(2) in accordance with this subsection.

(2) ENERGY CONTENT RELATIVE TO ETHANOL.—For advanced biofuel, 1 gallon of the advanced biofuel shall be considered to be the equivalent of 1 gallon of renewable fuel multiplied by the ratio that—

(A) the number of British thermal units of energy produced by the combustion of 1 gallon of the advanced biofuel (as measured under conditions determined by the Secretary); bears to

(B) the number of British thermal units of energy produced by the combustion of 1 gallon of pure ethanol (as measured under conditions determined by the Secretary to be comparable to conditions described in subparagraph (A)).

(3) TRANSITIONAL ENERGY-RELATED CONVERSION FACTORS FOR CELLULOSIC BIOMASS ETHANOL.—For any of calendar years 2008 through 2015, 1 gallon of cellulosic biomass ethanol shall be considered to be the equivalent of 2.5 gallons of renewable fuel.

(d) CREDIT PROGRAM.—

(1) IN GENERAL.—The President, in consultation with the Secretary and the Administrator of the Environmental Protection Agency, shall implement a credit program to manage the renewable fuel requirement of this section in a manner consistent with the credit program established by the amendment made by section 1501(a)(2) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 1067).

(2) MARKET TRANSPARENCY.—In carrying out the credit program under this subsection, the President shall facilitate price transparency in markets for the sale and trade of credits, with due regard for the public interest, the integrity of those markets, fair competition, and the protection of consumers and agricultural producers.

(e) SEASONAL VARIATIONS IN RENEWABLE FUEL USE.—

(1) STUDY.—For each of calendar years 2008 through 2022, the Administrator of the Energy Information Administration shall conduct a study of renewable fuel blending to determine whether there are excessive seasonal variations in the use of renewable fuel.

(2) REGULATION OF EXCESSIVE SEASONAL VARIATIONS.—If, for any calendar year, the Administrator of the Energy Information Administration, based on the study under paragraph (1), makes the determinations specified in paragraph (3), the President shall promulgate regulations to ensure that 25 percent or more of the quantity of renewable fuel necessary to meet the requirements of subsection (a) is used during each of the 2 periods specified in paragraph (4) of each subsequent calendar year.

(3) DETERMINATIONS.—The determinations referred to in paragraph (2) are that—

(A) less than 25 percent of the quantity of renewable fuel necessary to meet the requirements of subsection (a) has been used during 1 of the 2 periods specified in paragraph (4) of the calendar year;

(B) a pattern of excessive seasonal variation described in subparagraph (A) will continue in subsequent calendar years; and

(C) promulgating regulations or other requirements to impose a 25 percent or more seasonal use of renewable fuels will not significantly—

(i) increase the price of motor fuels to the consumer; or

(ii) prevent or interfere with the attainment of national ambient air quality standards.

(4) PERIODS.—The 2 periods referred to in this subsection are—

(A) April through September; and

(B) January through March and October through December.

(f) WAIVERS.—

(1) IN GENERAL.—The President, in consultation with the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency, may waive the requirements of subsection (a) in whole or in part on petition by one or more States by reducing the national quantity of renewable fuel required under subsection (a), based on a determination by the President (after public notice and opportunity for comment), that—

(A) implementation of the requirement would severely harm the economy or environment of a State, a region, or the United States; or

(B) extreme and unusual circumstances exist that prevent distribution of an adequate supply of domestically-produced renewable fuel to consumers in the United States.

(2) PETITIONS FOR WAIVERS.—The President, in consultation with the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency, shall approve or disapprove a State petition for a waiver of the requirements of subsection (a) within 30 days after the date on which the petition is received by the President.

(3) TERMINATION OF WAIVERS.—A waiver granted under paragraph (1) shall terminate after 1 year, but may be renewed by the President after consultation with the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency.

(g) SMALL REFINERIES.—

(1) TEMPORARY EXEMPTION.—

(A) IN GENERAL.—The requirements of subsection (a) shall not apply to—

(i) small refineries (other than a small refinery described in clause (ii)) until calendar year 2013; and

(ii) small refineries owned by a small business refiner (as defined in section 45H(c) of the Internal Revenue Code of 1986) until calendar year 2015.

(B) EXTENSION OF EXEMPTION.—

(i) STUDY BY SECRETARY.—Not later than December 31, 2008, the Secretary shall submit to the President and Congress a report describing the results of a study to determine whether compliance with the requirements of subsection (a) would impose a disproportionate economic hardship on small refineries.

(ii) EXTENSION OF EXEMPTION.—In the case of a small refinery that the Secretary determines under clause (i) would be subject to a disproportionate economic hardship if required to comply with subsection (a), the President shall extend the exemption under subparagraph (A) for the small refinery for a period of not less than 2 additional years.

(2) PETITIONS BASED ON DISPROPORTIONATE ECONOMIC HARDSHIP.—

(A) EXTENSION OF EXEMPTION.—A small refinery may at any time petition the President for an extension of the exemption under paragraph (1) for the reason of disproportionate economic hardship.

(B) EVALUATION OF PETITIONS.—In evaluating a petition under subparagraph (A), the President, in consultation with the Secretary, shall consider the findings of the study under paragraph (1)(B) and other economic factors.

(C) DEADLINE FOR ACTION ON PETITIONS.—The President shall act on any petition submitted by a small refinery for a hardship exemption not later than 90 days after the date of receipt of the petition.

(3) OPT-IN FOR SMALL REFINERIES.—A small refinery shall be subject to the requirements of subsection (a) if the small refinery notifies the President that the small refinery waives the exemption under paragraph (1).

(h) PENALTIES AND ENFORCEMENT.—

(1) CIVIL PENALTIES.—

(A) IN GENERAL.—Any person that violates a regulation promulgated under subsection (a), or that fails to furnish any information required under such a regulation, shall be liable to the United States for a civil penalty of not more than the total of—

(i) $25,000 for each day of the violation; and

(ii) the amount of economic benefit or savings received by the person resulting from the violation, as determined by the President.

(B) COLLECTION.—Civil penalties under subparagraph (A) shall be assessed by, and collected in a civil action brought by, the Secretary or such other officer of the United States as is designated by the President.

(2) INJUNCTIVE AUTHORITY.—

(A) IN GENERAL.—The district courts of the United States shall have jurisdiction to—

(i) restrain a violation of a regulation promulgated under subsection (a);

(ii) award other appropriate relief; and

(iii) compel the furnishing of information required under the regulation.

(B) ACTIONS.—An action to restrain such violations and compel such actions shall be brought by and in the name of the United States.

(C) SUBPOENAS.—In the action, a subpoena for a witness who is required to attend a district court in any district may apply in any other district.

(i) VOLUNTARY LABELING PROGRAM.—

(1) IN GENERAL.—The President shall establish criteria for a system of voluntary labeling of renewable fuels based on life cycle greenhouse gas emissions.

(2) CONSUMER EDUCATION.—The President shall ensure that the labeling system under this subsection provides useful information to consumers making fuel purchases.

(3) FLEXIBILITY.—In carrying out this subsection, the President may establish more than 1 label, as appropriate.

(j) STUDY OF IMPACT OF RENEWABLE FUEL STANDARD.—

(1) IN GENERAL.—The Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct a study to assess the impact of the requirements described in subsection (a)(2) on each industry relating to the production of feed grains, livestock, food, and energy.

(2) PARTICIPATION.—In conducting the study under paragraph (1), the National Academy of Sciences shall seek the participation, and consider the input, of—

(A) producers of feed grains;

(B) producers of livestock, poultry, and pork products;

(C) producers of food and food products;

(D) producers of energy;

(E) individuals and entities interested in issues relating to conservation, the environment, and nutrition; and

(F) users of renewable fuels.

(3) CONSIDERATIONS.—In conducting the study, the National Academy of Sciences shall consider—

(A) the likely impact on domestic animal agriculture feedstocks that, in any crop year, are significantly below current projections; and

(B) policy options to alleviate the impact on domestic animal agriculture feedstocks that are significantly below current projections.

(4) COMPONENTS.—The study shall include—

(A) a description of the conditions under which the requirements described in subsection (a)(2) should be suspended or reduced to prevent adverse impacts to domestic animal agriculture feedstocks described in paragraph (3)(B); and

(B) recommendations for the means by which the Federal Government could prevent or minimize adverse economic hardships and impacts.

(5) DEADLINE FOR COMPLETION OF STUDY.—Not later than 270 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the results of the study.

(6) PERIODIC REVIEWS.—

(A) IN GENERAL.—To allow for the appropriate adjustment of the requirements described in subsection (a)(2), the Secretary shall conduct periodic reviews of—

(i) existing technologies;

(ii) the feasibility of achieving compliance with the requirements; and

(iii) the impacts of the requirements described in subsection (a)(2) on each individual and entity described in paragraph (2).

(k) EFFECTIVE DATE.—Except as otherwise specifically provided in this section, this section takes effect on the date on which the National Academies of Science completes the study under subsection (j).

SEC. 9112. PRODUCTION OF RENEWABLE FUEL USING RENEWABLE ENERGY.

(a) DEFINITIONS.—In this section:

(1) FACILITY.—The term "facility" means a facility used for the production of renewable fuel.

(2) RENEWABLE ENERGY.—

(A) IN GENERAL.—The term "renewable energy" has the meaning given the term in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)).

(B) INCLUSION.—The term "renewable energy" includes biogas produced through the conversion of organic matter from renewable biomass.

(b) ADDITIONAL CREDIT.—

(1) IN GENERAL.—The President shall provide a credit under the program established under section 9111(d) to the owner of a facility that uses renewable energy to displace more than 90 percent of the fossil fuel normally used in the production of renewable fuel.

(2) CREDIT AMOUNT.—The President may provide the credit in a quantity that is not more than the equivalent of 1.5 gallons of renewable fuel for each gallon of renewable fuel produced in a facility described in paragraph (1).

SEC. 9113. SENSE OF CONGRESS RELATING TO THE USE OF RENEWABLE RESOURCES TO GENERATE ENERGY.

(a) FINDINGS.—Congress finds that—

(1) the United States has a quantity of renewable energy resources that is sufficient to supply a significant portion of the energy needs of the United States;

(2) the agricultural, forestry, and working land of the United States can help ensure a sustainable domestic energy system;

(3) accelerated development and use of renewable energy technologies provide numerous benefits to the United States, including improved national security, improved balance of payments, healthier rural economies, improved environmental quality, and abundant, reliable, and affordable energy for all citizens of the United States;

(4) the production of transportation fuels from renewable energy would help the United States meet rapidly growing domestic and global energy demands, reduce the dependence of the United States on energy imported from volatile regions of the world that are politically unstable, stabilize the cost and availability of energy, and safeguard the economy and security of the United States;

(5) increased energy production from domestic renewable resources would attract substantial new investments in energy infrastructure, create economic growth, develop new jobs for the citizens of the United States, and increase the income for farm, ranch, and forestry jobs in the rural regions of the United States;

(6) increased use of renewable energy is practical and can be cost effective with the implementation of supportive policies and proper incentives to stimulate markets and infrastructure; and

(7) public policies aimed at enhancing renewable energy production and accelerating technological improvements will further reduce energy costs over time and increase market demand.

(b) SENSE OF CONGRESS.—It is the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should—

(1) provide from renewable resources not less than 25 percent of the total energy consumed in the United States; and

(2) continue to produce safe, abundant, and affordable food, feed, and fiber.

PART II—RENEWABLE FUELS INFRASTRUCTURE

SEC. 9121. INFRASTRUCTURE PILOT PROGRAM FOR RENEWABLE FUELS.

(a) IN GENERAL.—The Secretary, in consultation with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall establish a competitive grant pilot program (referred to in this section as the "pilot program"), to be administered through the Vehicle Technology Deployment Program of the Department of Energy, to provide not more than 10 geographically-dispersed project grants to State governments, Indian tribal governments, local governments, metropolitan transportation authorities, or partnerships of those entities to carry out 1 or more projects for the purposes described in subsection (b).

(b) GRANT PURPOSES.—A grant under this section shall be used for the establishment of refueling infrastructure corridors, as designated by the Secretary, for gasoline blends that contain not less than 11 percent, and not more than 85 percent, renewable fuel or diesel fuel that contains at least 10 percent renewable fuel, including—

(1) installation of infrastructure and equipment necessary to ensure adequate distribution of renewable fuels within the corridor;

(2) installation of infrastructure and equipment necessary to directly support vehicles powered by renewable fuels; and

(3) operation and maintenance of infrastructure and equipment installed as part of a project funded by the grant.

(c) APPLICATIONS.—

(1) REQUIREMENTS.—

(A) IN GENERAL.—Subject to subparagraph (B), not later than 90 days after the date of enactment of this Act, the Secretary shall issue requirements for use in applying for grants under the pilot program.

(B) MINIMUM REQUIREMENTS.—At a minimum, the Secretary shall require that an application for a grant under this section—

(i) be submitted by—

(I) the head of a State, tribal, or local government or a metropolitan transportation authority, or any combination of those entities; and

(II) a registered participant in the Vehicle Technology Deployment Program of the Department of Energy; and

(ii) include—

(I) a description of the project proposed in the application, including the ways in which the project meets the requirements of this section;

(II) an estimate of the degree of use of the project, including the estimated size of fleet of vehicles operated with renewable fuel available within the geographic region of the corridor, measured as a total quantity and a percentage;

(III) an estimate of the potential petroleum displaced as a result of the project (measured as a total quantity and a percentage), and a plan to collect and disseminate petroleum displacement and other relevant data relating to the project to be funded under the grant, over the expected life of the project;

(IV) a description of the means by which the project will be sustainable without Federal assistance after the completion of the term of the grant;

(V) a complete description of the costs of the project, including acquisition, construction, operation, and maintenance costs over the expected life of the project; and

(VI) a description of which costs of the project will be supported by Federal assistance under this subsection.

(2) PARTNERS.—An applicant under paragraph (1) may carry out a project under the pilot program in partnership with public and private entities.

(d) SELECTION CRITERIA.—In evaluating applications under the pilot program, the Secretary shall—

(1) consider the experience of each applicant with previous, similar projects; and

(2) give priority consideration to applications that—

(A) are most likely to maximize displacement of petroleum consumption, measured as a total quantity and a percentage;

(B) are best able to incorporate existing infrastructure while maximizing, to the extent practicable, the use of advanced biofuels;

(C) demonstrate the greatest commitment on the part of the applicant to ensure funding for the proposed project and the greatest likelihood that the project will be maintained or expanded after Federal assistance under this subsection is completed;

(D) represent a partnership of public and private entities; and

(E) exceed the minimum requirements of subsection (c)(1)(B).

(e) PILOT PROJECT REQUIREMENTS.—

(1) MAXIMUM AMOUNT.—The Secretary shall provide not more than $20,000,000 in Federal assistance under the pilot program to any applicant.

(2) COST SHARING.—The non-Federal share of the cost of any activity relating to renewable fuel infrastructure development carried out using funds from a grant under this section shall be not less than 20 percent.

(3) MAXIMUM PERIOD OF GRANTS.—The Secretary shall not provide funds to any applicant under the pilot program for more than 2 years.

(4) DEPLOYMENT AND DISTRIBUTION.—The Secretary shall seek, to the maximum extent practicable, to ensure a broad geographic distribution of project sites funded by grants under this section.

(5) TRANSFER OF INFORMATION AND KNOWLEDGE.—The Secretary shall establish mechanisms to ensure that the information and knowledge gained by participants in the pilot program are transferred among the pilot program participants and to other interested parties, including other applicants that submitted applications.

(f) SCHEDULE.—

(1) INITIAL GRANTS.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register, Commerce Business Daily, and such other publications as the Secretary considers to be appropriate, a notice and request for applications to carry out projects under the pilot program.

(B) DEADLINE.—An application described in subparagraph (A) shall be submitted to the Secretary by not later than 180 days after the date of publication of the notice under that subparagraph.

(C) INITIAL SELECTION.—Not later than 90 days after the date by which applications for grants are due under subparagraph (B), the Secretary shall select by competitive, peer-reviewed proposal up to 5 applications for projects to be awarded a grant under the pilot program.

(2) ADDITIONAL GRANTS.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall publish in the Federal Register, Commerce Business Daily, and such other publications as the Secretary considers to be appropriate, a notice and request for additional applications to carry out projects under the pilot program that incorporate the information and knowledge obtained through the implementation of the first round of projects authorized under the pilot program.

(B) DEADLINE.—An application described in subparagraph (A) shall be submitted to the Secretary by not later than 180 days after the date of publication of the notice under that subparagraph.

(C) INITIAL SELECTION.—Not later than 90 days after the date by which applications for grants are due under subparagraph (B), the Secretary shall select by competitive, peer-reviewed proposal such additional applications for projects to be awarded a grant under the pilot program as the Secretary determines to be appropriate.

(g) REPORTS TO CONGRESS.—

(1) INITIAL REPORT.—Not later than 60 days after the date on which grants are awarded under this section, the Secretary shall submit to Congress a report containing—

(A) an identification of the grant recipients and a description of the projects to be funded under the pilot program;

(B) an identification of other applicants that submitted applications for the pilot program but to which funding was not provided; and

(C) a description of the mechanisms used by the Secretary to ensure that the information and knowledge gained by participants in the pilot program are transferred among the pilot program participants and to other interested parties, including other applicants that submitted applications.

(2) EVALUATION.—Not later than 2 years after the date of enactment of this Act, and annually thereafter until the termination of the pilot program, the Secretary shall submit to Congress a report containing an evaluation of the effectiveness of the pilot program, including an assessment of the petroleum displacement and benefits to the environment derived from the projects included in the pilot program.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $200,000,000, to remain available until expended.

SEC. 9122. BIOENERGY RESEARCH AND DEVELOPMENT.

Section 931(c) of the Energy Policy Act of 2005 (42 U.S.C. 16231(c)) is amended—

(1) in paragraph (2), by striking "$251,000,000" and inserting "$377,000,000"; and

(2) in paragraph (3), by striking "$274,000,000" and inserting "$398,000,000".

SEC. 9123. BIORESEARCH CENTERS FOR SYSTEMS BIOLOGY PROGRAM.

Section 977(a)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16317(a)(1)) is amended by inserting before the period at the end the following: ", including the establishment of at least 11 bioresearch centers of varying sizes, as appropriate, that focus on biofuels, of which at least 2 centers shall be located in each of the 4 Petroleum Administration for Defense Districts with no subdistricts and 1 center shall be located in each of the subdistricts of the Petroleum Administration for Defense District with subdistricts".

SEC. 9124. LOAN GUARANTEES FOR RENEWABLE FUEL FACILITIES.

(a) IN GENERAL.—Section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513) is amended by adding at the end the following:

"(f) RENEWABLE FUEL FACILITIES.—

"(1) IN GENERAL.—The Secretary may make guarantees under this title for projects that produce advanced biofuel (as defined in section 9102 of the Biofuels for Energy Security and Transportation Act of 2007).

"(2) REQUIREMENTS.—A project under this subsection shall employ new or significantly improved technologies for the production of renewable fuels as compared to commercial technologies in service in the United States at the time that the guarantee is issued.

"(3) ISSUANCE OF FIRST LOAN GUARANTEES.—The requirement of section 20320(b) of division B of the Continuing Appropriations Resolution, 2007 (Public Law 109–289, Public Law 110–5), relating to the issuance of final regulations, shall not apply to the first 6 guarantees issued under this subsection.

"(4) PROJECT DESIGN.—A project for which a guarantee is made under this subsection shall have a project design that has been validated through the operation of a continuous process pilot facility with an annual output of at least 50,000 gallons of ethanol or the energy equivalent volume of other advanced biofuels.

"(5) MAXIMUM GUARANTEED PRINCIPAL.—The total principal amount of a loan guaranteed under this subsection may not exceed $250,000,000 for a single facility.

"(6) AMOUNT OF GUARANTEE.—The Secretary shall guarantee 100 percent of the principal and interest due on 1 or more loans made for a facility that is the subject of the guarantee under paragraph (3).

"(7) DEADLINE.—The Secretary shall approve or disapprove an application for a guarantee under this subsection not later than 90 days after the date of receipt of the application.

"(8) REPORT.—Not later than 30 days after approving or disapproving an application under paragraph (7), the Secretary shall submit to Congress a report on the approval or disapproval (including the reasons for the action).".

(b) IMPROVEMENTS TO UNDERLYING LOAN GUARANTEE AUTHORITY.—

(1) DEFINITION OF COMMERCIAL TECHNOLOGY.—Section 1701(1) of the Energy Policy Act of 2005 (42 U.S.C. 16511(1)) is amended by striking subparagraph (B) and inserting the following:

"(B) EXCLUSION.—The term 'commercial technology' does not include a technology if the sole use of the technology is in connection with—

"(i) a demonstration plant; or

"(ii) a project for which the Secretary approved a loan guarantee.".

(2) SPECIFIC APPROPRIATION OR CONTRIBUTION.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended by striking subsection (b) and inserting the following:

"(b) SPECIFIC APPROPRIATION OR CONTRIBUTION.—

"(1) IN GENERAL.—No guarantee shall be made unless—

"(A) an appropriation for the cost has been made; or

"(B) the Secretary has received from the borrower a payment in full for the cost of the obligation and deposited the payment into the Treasury.

"(2) LIMITATION.—The source of payments received from a borrower under paragraph (1)(B) shall not be a loan or other debt obligation that is made or guaranteed by the Federal Government.

"(3) RELATION TO OTHER LAWS.—Section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)) shall not apply to a loan or loan guarantee made in accordance with paragraph (1)(B).".

(3) AMOUNT.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended by striking subsection (c) and inserting the following:

"(c) AMOUNT.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall guarantee up to 100 percent of the principal and interest due on 1 or more loans for a facility that are the subject of the guarantee.

"(2) LIMITATION.—The total amount of loans guaranteed for a facility by the Secretary shall not exceed 80 percent of the total cost of the facility, as estimated at the time at which the guarantee is issued.".

(4) SUBROGATION.—Section 1702(g)(2) of the Energy Policy Act of 2005 (42 U.S.C. 16512(g)(2)) is amended—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraph (C) as subparagraph (B).

(5) FEES.—Section 1702(h) of the Energy Policy Act of 2005 (42 U.S.C. 16512(h)) is amended by striking paragraph (2) and inserting the following:

"(2) AVAILABILITY.—Fees collected under this subsection shall—

"(A) be deposited by the Secretary into a special fund in the Treasury to be known as the 'Incentives For Innovative Technologies Fund'; and

"(B) remain available to the Secretary for expenditure, without further appropriation or fiscal year limitation, for administrative expenses incurred in carrying out this title.".

SEC. 9125. GRANTS FOR RENEWABLE FUEL PRODUCTION RESEARCH AND DEVELOPMENT IN CERTAIN STATES.

(a) IN GENERAL.—The Secretary shall provide grants to eligible entities to conduct research into, and develop and implement, renewable fuel production technologies in States with low rates of ethanol production, including low rates of production of cellulosic biomass ethanol, as determined by the Secretary.

(b) ELIGIBILITY.—To be eligible to receive a grant under the section, an entity shall—

(1)(A) be an institution of higher education (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)) located in a State described in subsection (a);

(B) be an institution—

(i) referred to in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (Public Law 103–382; 7 U.S.C. 301 note);

(ii) that is eligible for a grant under the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 et seq.), including Diné College; or

(iii) that is eligible for a grant under the Navajo Community College Act (25 U.S.C. 640a et seq.); or

(C) be a consortium of such institutions of higher education, industry, State agencies, Indian tribal agencies, or local government agencies located in the State; and

(2) have proven experience and capabilities with relevant technologies.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $25,000,000 for each of fiscal years 2008 through 2010.

SEC. 9126. GRANTS FOR INFRASTRUCTURE FOR TRANSPORTATION OF BIOMASS TO LOCAL BIOREFINERIES.

(a) IN GENERAL.—The Secretary shall conduct a program under which the Secretary shall provide grants to Indian tribal and local governments and other eligible entities (as determined by the Secretary) (referred to in this section as "eligible entities") to promote the development of infrastructure to support the separation, production, processing, and transportation of biomass to local biorefineries, including by portable processing equipment.

(b) PHASES.—The Secretary shall conduct the program in the following phases:

(1) DEVELOPMENT.—In the first phase of the program, the Secretary shall make grants to eligible entities to assist the eligible entities in the development of local projects to promote the development of infrastructure to support the separation, production, processing, and transportation of biomass to local biorefineries, including by portable processing equipment.

(2) IMPLEMENTATION.—In the second phase of the program, the Secretary shall make competitive grants to eligible entities to implement projects developed under paragraph (1).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 9127. BIOREFINERY INFORMATION CENTER.

(a) IN GENERAL.—The Secretary, in cooperation with the Secretary of Agriculture, shall establish a biorefinery information center to make available to interested parties information on—

(1) renewable fuel resources, including information on programs and incentives for renewable fuels;

(2) renewable fuel producers;

(3) renewable fuel users; and

(4) potential renewable fuel users.

(b) ADMINISTRATION.—In administering the biorefinery information center, the Secretary shall—

(1) continually update information provided by the center;

(2) make information available to interested parties on the process for establishing a biorefinery; and

(3) make information and assistance provided by the center available through a toll-free telephone number and website.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 9128. ALTERNATIVE FUEL DATABASE AND MATERIALS.

The Secretary and the Director of the National Institute of Standards and Technology shall jointly establish and make available to the public—

(1) a database that describes the physical properties of different types of alternative fuel; and

(2) standard reference materials for different types of alternative fuel.

SEC. 9129. FUEL TANK CAP LABELING REQUIREMENT.

Section 406(a) of the Energy Policy Act of 1992 (42 U.S.C. 13232(a)) is amended—

(1) by striking "The Federal Trade Commission" and inserting the following:

"(1) IN GENERAL.—The Federal Trade Commission"; and

(2) by adding at the end the following:

"(2) FUEL TANK CAP LABELING REQUIREMENT.—Beginning with model year 2010, the fuel tank cap of each alternative fueled vehicle manufactured for sale in the United States shall be clearly labeled to inform consumers that such vehicle can operate on alternative fuel.".

SEC. 9130. BIODIESEL.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report on any research and development challenges inherent in increasing to 5 percent the proportion of diesel fuel sold in the United States that is biodiesel (as defined in section 757 of the Energy Policy Act of 2005 (42 U.S.C. 16105)).

(b) REGULATIONS.—The President shall promulgate regulations providing for the uniform labeling of biodiesel blends that are certified to meet applicable standards published by the American Society for Testing and Materials.

(c) NATIONAL BIODIESEL FUEL QUALITY STANDARD.—

(1) QUALITY REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the President shall promulgate regulations to ensure that each diesel-equivalent fuel derived from renewable biomass and introduced into interstate commerce is tested and certified to comply with applicable standards of the American Society for Testing and Materials.

(2) ENFORCEMENT.—The President shall ensure that all biodiesel entering interstate commerce meets the requirements of paragraph (1).

(3) FUNDING.—There are authorized to be appropriated to the President to carry out this section:

(A) $3,000,000 for fiscal year 2008.

(B) $3,000,000 for fiscal year 2009.

(C) $3,000,000 for fiscal year 2010.

SEC. 9131. TRANSITIONAL ASSISTANCE FOR FARMERS WHO PLANT DEDICATED ENERGY CROPS FOR A LOCAL CELLULOSIC REFINERY.

(a) DEFINITIONS.—In this section:

(1) CELLULOSIC CROP.—The term "cellulosic crop" means a tree or grass that is grown specifically—

(A) to provide raw materials (including feedstocks) for conversion to liquid transportation fuels or chemicals through biochemical or thermochemical processes; or

(B) for energy generation through combustion, pyrolysis, or cofiring.

(2) CELLULOSIC REFINER.—The term "cellulosic refiner" means the owner or operator of a cellulosic refinery.

(3) CELLULOSIC REFINERY.—The term "cellulosic refinery" means a refinery that processes a cellulosic crop.

(4) QUALIFIED CELLULOSIC CROP.—The term "qualified cellulosic crop" means, with respect to an agricultural producer, a cellulosic crop that is—

(A) the subject of a contract or memorandum of understanding between the producer and a cellulosic refiner, under which the producer is obligated to sell the crop to the cellulosic refiner by a certain date; and

(B) produced not more than 70 miles from a cellulosic refinery owned or operated by the cellulosic refiner.

(5) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(b) TRANSITIONAL ASSISTANCE PAYMENTS.—The Secretary shall make transitional assistance payments to an agricultural producer during the first year in which the producer devotes land to the production of a qualified cellulosic crop.

(c) AMOUNT OF PAYMENT.—

(1) DETERMINED BY FORMULA.—Subject to paragraph (2), the Secretary shall devise a formula to be used to calculate the amount of a payment to be made to an agricultural producer under this section, based on the opportunity cost (as determined in accordance with such standard as the Secretary may establish, taking into consideration land rental rates and other applicable costs) incurred by the producer during the first year in which the producer devotes land to the production of the qualified cellulosic crop.

(2) LIMITATION.—The total of the amount paid to a producer under this section shall not exceed an amount equal to 25 percent of the amounts made available under subsection (e) for the applicable fiscal year.

(d) REGULATIONS.—The Secretary shall promulgate such regulations as the Secretary determines to be necessary to carry out this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $4,088,000 for each of fiscal years 2008 through 2012, to remain available until expended.

SEC. 9132. RESEARCH AND DEVELOPMENT IN SUPPORT OF LOW-CARBON FUELS.

(a) DECLARATION OF POLICY.—Congress declares that, in order to achieve maximum reductions in greenhouse gas emissions, enhance national security, and ensure the protection of wildlife habitat, biodiversity, water quality, air quality, and rural and regional economies throughout the lifecycle of each low-carbon fuel, it is necessary and desirable to undertake a combination of basic and applied research, as well as technology development and demonstration, involving the colleges and universities of the United States, in partnership with the Federal Government, State governments, and the private sector.

(b) PURPOSE.—The purpose of this section is to provide for research support to facilitate the development of sustainable markets and technologies to produce and use woody biomass and other low-carbon fuels for the production of thermal and electric energy, biofuels, and bioproducts.

(c) DEFINITION OF FUEL EMISSION BASELINE.—In this section, the term "fuel emission baseline" means the average lifecycle greenhouse gas emissions per unit of energy of the fossil fuel component of conventional transportation fuels in commerce in the United States in calendar year 2008, as determined by the President.

(d) GRANT PROGRAM.—The President shall establish a program to provide to eligible entities (as identified by the President) grants for use in—

(1) providing financial support for not more than 4 nor less than 6 demonstration facilities that—

(A) use woody biomass to deploy advanced technologies for production of thermal and electric energy, biofuels, and bioproducts; and

(B) are targeted at regional feedstocks and markets;

(2) conducting targeted research for the development of cellulosic ethanol and other liquid fuels from woody or other biomass that may be used in transportation or stationary applications, such as industrial processes or industrial, commercial, and residential heating;

(3) conducting research into the best scientifically-based and periodically-updated

methods of assessing and certifying the impacts of each low-carbon fuel with respect to—

(A) the reduction in lifecycle greenhouse gas emissions of each fuel as compared to—

(i) the fuel emission baseline; and

(ii) the greenhouse gas emissions of other sectors, such as the agricultural, industrial, and manufacturing sectors;

(B) the contribution of the fuel toward enhancing the energy security of the United States by displacing imported petroleum and petroleum products;

(C) any impacts of the fuel on wildlife habitat, biodiversity, water quality, and air quality; and

(D) any effect of the fuel with respect to rural and regional economies;

(4) conducting research to determine to what extent the use of low-carbon fuels in the transportation sector would impact greenhouse gas emissions in other sectors, such as the agricultural, industrial, and manufacturing sectors;

(5) conducting research for the development of the supply infrastructure that may provide renewable biomass feedstocks in a consistent, predictable, and environmentally-sustainable manner;

(6) conducting research for the development of supply infrastructure that may provide renewable low-carbon fuels in a consistent, predictable, and environmentally-sustainable manner; and

(7) conducting policy research on the global movement of low-carbon fuels in a consistent, predictable, and environmentally-sustainable manner.

(e) AUTHORIZATION OF APPROPRIATIONS.—Of the funding authorized under section 9122, there are authorized to be appropriated to carry out this section—

(1) $45,000,000 for fiscal year 2009;
(2) $50,000,000 for fiscal year 2010;
(3) $55,000,000 for fiscal year 2011;
(4) $60,000,000 for fiscal year 2012; and
(5) $65,000,000 for fiscal year 2013.

PART III—STUDIES

SEC. 9141. STUDY OF ADVANCED BIOFUELS TECHNOLOGIES.

(a) IN GENERAL.—Not later than October 1, 2012, the Secretary shall offer to enter into a contract with the National Academy of Sciences under which the Academy shall conduct a study of technologies relating to the production, transportation, and distribution of advanced biofuels.

(b) SCOPE.—In conducting the study, the Academy shall—

(1) include an assessment of the maturity of advanced biofuels technologies;

(2) consider whether the rate of development of those technologies will be sufficient to meet the advanced biofuel standards required under section 9111;

(3) consider the effectiveness of the research and development programs and activities of the Department of Energy relating to advanced biofuel technologies; and

(4) make policy recommendations to accelerate the development of those technologies to commercial viability, as appropriate.

(c) REPORT.—Not later than November 30, 2014, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing the results of the study conducted under this section.

SEC. 9142. STUDY OF INCREASED CONSUMPTION OF ETHANOL-BLENDED GASOLINE WITH HIGHER LEVELS OF ETHANOL.

(a) IN GENERAL.—The Secretary, in cooperation with the Secretary of Agriculture, the Administrator of the Environmental Protection Agency, and the Secretary of Transportation, and after providing notice and an opportunity for public comment, shall conduct a study of the feasibility of increasing consumption in the United States of ethanol-blended gasoline with levels of ethanol that are not less than 10 percent and not more than 40 percent.

(b) STUDY.—The study under subsection (a) shall include—

(1) a review of production and infrastructure constraints on increasing consumption of ethanol;

(2) an evaluation of the economic, market, and energy-related impacts of State and regional differences in ethanol blends;

(3) an evaluation of the economic, market, and energy-related impacts on gasoline retailers and consumers of separate and distinctly labeled fuel storage facilities and dispensers;

(4) an evaluation of the environmental impacts of mid-level ethanol blends on evaporative and exhaust emissions from on-road, off-road, and marine engines, recreational boats, vehicles, and equipment;

(5) an evaluation of the impacts of mid-level ethanol blends on the operation, durability, and performance of on-road, off-road, and marine engines, recreational boats, vehicles, and equipment; and

(6) an evaluation of the safety impacts of mid-level ethanol blends on consumers that own and operate off-road and marine engines, recreational boats, vehicles, or equipment.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study conducted under this section.

SEC. 9143. PIPELINE FEASIBILITY STUDY.

(a) IN GENERAL.—The Secretary, in coordination with the Secretary of Agriculture and the Secretary of Transportation, shall conduct a study of the feasibility of the construction of dedicated ethanol pipelines.

(b) FACTORS.—In conducting the study, the Secretary shall consider—

(1) the quantity of ethanol production that would make dedicated pipelines economically viable;

(2) existing or potential barriers to dedicated ethanol pipelines, including technical, siting, financing, and regulatory barriers;

(3) market risk (including throughput risk) and means of mitigating the risk;

(4) regulatory, financing, and siting options that would mitigate risk in those areas and help ensure the construction of 1 or more dedicated ethanol pipelines;

(5) financial incentives that may be necessary for the construction of dedicated ethanol pipelines, including the return on equity that sponsors of the initial dedicated ethanol pipelines will require to invest in the pipelines;

(6) technical factors that may compromise the safe transportation of ethanol in pipelines, identifying remedial and preventative measures to ensure pipeline integrity; and

(7) such other factors as the Secretary considers appropriate.

(c) REPORT.—Not later than 15 months after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study conducted under this section.

SEC. 9144. STUDY OF OPTIMIZATION OF FLEXIBLE FUELED VEHICLES TO USE E–85 FUEL.

(a) IN GENERAL.—The Secretary shall conduct a study of methods of increasing the fuel efficiency of flexible fueled vehicles by optimizing flexible fueled vehicles to operate using E–85 fuel.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes the results of the study, including any recommendations of the Secretary.

SEC. 9145. STUDY OF CREDITS FOR USE OF RENEWABLE ELECTRICITY IN ELECTRIC VEHICLES.

(a) DEFINITION OF ELECTRIC VEHICLE.—In this section, the term "electric vehicle" means an electric motor vehicle (as defined in section 601 of the Energy Policy Act of 1992 (42 U.S.C. 13271)) for which the rechargeable storage battery—

(1) receives a charge directly from a source of electric current that is external to the vehicle; and

(2) provides a minimum of 80 percent of the motive power of the vehicle.

(b) STUDY.—The Secretary shall conduct a study on the feasibility of issuing credits under the program established under section 9111(d) to electric vehicles powered by electricity produced from renewable energy sources.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes the results of the study, including a description of—

(1) existing programs and studies on the use of renewable electricity as a means of powering electric vehicles; and

(2) alternatives for—

(A) designing a pilot program to determine the feasibility of using renewable electricity to power electric vehicles as an adjunct to a renewable fuels mandate;

(B) allowing the use, under the pilot program designed under subparagraph (A), of electricity generated from nuclear energy as an additional source of supply;

(C) identifying the source of electricity used to power electric vehicles; and

(D) equating specific quantities of electricity to quantities of renewable fuel under section 9111(d).

SEC. 9146. STUDY OF ENGINE DURABILITY ASSOCIATED WITH THE USE OF BIODIESEL.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall initiate a study on the effects of the use of biodiesel on engine durability.

(b) COMPONENTS.—The study under this section shall include—

(1) an assessment of whether the use of biodiesel in conventional diesel engines lessens engine durability; and

(2) an assessment of the effects referred to in subsection (a) with respect to biodiesel blends at varying concentrations, including—

(A) B5;
(B) B10;
(C) B20; and
(D) B30.

SEC. 9147. STUDY OF INCENTIVES FOR RENEWABLE FUELS.

(a) STUDY.—The President shall conduct a study of the renewable fuels industry and markets in the United States, including—

(1) the costs to produce conventional and advanced biofuels;

(2) the factors affecting the future market prices for those biofuels, including world oil prices; and

(3) the financial incentives necessary to enhance, to the maximum extent practicable, the biofuels industry of the United States to reduce the dependence of the United States on foreign oil during calendar years 2011 through 2030.

(b) GOALS.—The study shall include an analysis of the options for financial incentives and the advantage and disadvantages of each option.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the President shall submit to Congress a report that describes the results of the study.

SEC. 9148. STUDY OF STREAMLINED LIFECYCLE ANALYSIS TOOLS FOR THE EVALUATION OF RENEWABLE CARBON CONTENT OF BIOFUELS.

(a) IN GENERAL.—The Secretary, in consultation with the Secretary of Agriculture and the Administrator of the Environmental Protection Agency, shall conduct a study of—

(1) published methods for evaluating the lifecycle fossil and renewable carbon content of fuels, including conventional and advanced biofuels; and

(2) methods for performing simplified, streamlined lifecycle analyses of the fossil and renewable carbon content of biofuels.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes the results of the study under subsection (a), including recommendations for a method for performing a simplified, streamlined lifecycle analysis of the fossil and renewable carbon content of biofuels that includes—

(1) carbon inputs to feedstock production; and

(2) carbon inputs to the biofuel production process, including the carbon associated with electrical and thermal energy inputs.

SEC. 9149. STUDY OF EFFECTS OF ETHANOL-BLENDED GASOLINE ON OFF-ROAD VEHICLES.

(a) STUDY.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall conduct a study to determine the effects of ethanol-blended gasoline on off-road vehicles and recreational boats.

(2) EVALUATION.—The study shall include an evaluation of the operational, safety, durability, and environmental impacts of ethanol-blended gasoline on off-road and marine engines, recreational boats, and related equipment.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study.

SEC. 9150. STUDY OF OFFSHORE WIND RESOURCES.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE INSTITUTION.—The term "eligible institution" means a college or university that—

(A) as of the date of enactment of this Act, has an offshore wind power research program; and

(B) is located in a region of the United States that is in reasonable proximity to the eastern outer Continental Shelf, as determined by the Secretary.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the Minerals Management Service.

(b) STUDY.—The Secretary, in cooperation with an eligible institution, as selected by the Secretary, shall conduct a study to assess each offshore wind resource located in the region of the eastern outer Continental Shelf.

(c) REPORT.—Upon completion of the study under subsection (b), the Secretary shall submit to Congress a report that includes—

(1) a description of—

(A) the locations and total power generation resources of the best offshore wind resources located in the region of the eastern outer Continental Shelf, as determined by the Secretary;

(B) based on conflicting zones relating to any infrastructure that, as of the date of enactment of this Act, is located in close proximity to any offshore wind resource, the likely exclusion zones of each offshore wind resource described in subparagraph (A);

(C) the relationship of the temporal variation of each offshore wind resource described in subparagraph (A) with—

(i) any other offshore wind resource; and

(ii) with loads and corresponding system operator markets;

(D) the geological compatibility of each offshore wind resource described in subparagraph (A) with any potential technology relating to sea floor towers; and

(E) with respect to each area in which an offshore wind resource described in subparagraph (A) is located, the relationship of the authority under any coastal management plan of the State in which the area is located with the Federal Government; and

(2) recommendations on the manner by which to handle offshore wind intermittence.

(d) INCORPORATION OF STUDY.—Effective beginning on the date on which the Secretary completes the study under subsection (b), the Secretary shall incorporate the findings included in the report under subsection (c) into the planning process documents for any wind energy lease sale—

(1) relating to any offshore wind resource located in any appropriate area of the outer Continental Shelf, as determined by the Secretary; and

(2) that is completed on or after the date of enactment of this Act.

(e) EFFECT.—Nothing in this section—

(1) delays any final regulation to be promulgated by the Secretary of the Interior to carry out section 8(p) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(p)); or

(2) limits the authority of the Secretary to lease any offshore wind resource located in any appropriate area of the outer Continental Shelf, as determined by the Secretary.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000, to remain available until expended.

PART IV—ENVIRONMENTAL SAFEGUARDS

SEC. 9161. GRANTS FOR PRODUCTION OF ADVANCED BIOFUELS.

(a) IN GENERAL.—The Secretary shall establish a grant program to encourage the production of advanced biofuels.

(b) REQUIREMENTS AND PRIORITY.—In making grants under this section, the Secretary—

(1) shall make awards to the proposals for advanced biofuels with the greatest reduction in lifecycle greenhouse gas emissions compared to the comparable motor vehicle fuel lifecycle emissions during calendar year 2007; and

(2) shall not make an award to a project that does not achieve at least a 50-percent reduction in such lifecycle greenhouse gas emissions.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $500,000,000 for the period of fiscal years 2008 through 2015.

SEC. 9162. STUDIES OF EFFECTS OF RENEWABLE FUEL USE.

Section 211 of the Clean Air Act (42 U.S.C. 7545) is amended by adding at the end the following:

"(t) STUDIES OF EFFECTS OF RENEWABLE FUEL USE.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Administrator shall offer to enter into appropriate arrangements with the National Academy of Sciences and any other independent research institute determined to be appropriate by the Administrator, in consultation with appropriate Federal agencies, to conduct 2 studies on the effects of increased domestic use of renewable fuels under the Renewable Fuels, Consumer Protection, and Energy Efficiency Act of 2007.

"(2) MATTERS TO BE STUDIED.—

"(A) IN GENERAL.—The studies under this subsection shall assess, quantify, and recommend analytical methodologies in relation to environmental changes associated with the increased domestic use of renewable fuels under the Renewable Fuels, Consumer Protection, and Energy Efficiency Act of 2007, including production, handling, transportation, and use of the fuels.

"(B) SPECIFIC MATTERS.—The studies shall include an assessment and quantification, to the maximum extent practicable, of significant changes—

"(i) in air and water quality and the quality of other natural resources;

"(ii) in land use patterns;

"(iii) in the rate of deforestation in the United States and globally;

"(iv) to greenhouse gas emissions;

"(v) to significant geographic areas and habitats with high biodiversity values (including species richness, the presence of species that are exclusively native to a place, or the presence of endangered species); or

"(vi) in the long-term capacity of the United States to produce biomass feedstocks.

"(C) BASELINE COMPARISON.—In making an assessment or quantifying effects of increased use of renewable fuels, the studies shall use an appropriate baseline involving increased use of the conventional transportation fuels, if displacement by use of renewable fuels had not occurred.

"(3) REPORTS TO CONGRESS.—The Administrator shall submit to Congress a report summarizing the assessments and findings of—

"(A) the first study, along with any recommendations by the Administrator to mitigate adverse effects identified by the study, not later than 3 years after the date of enactment of this subsection; and

"(B) the second study, along with any recommendations by the Administrator to mitigate adverse effects identified by the study, not later December 31, 2015.".

SEC. 9163. INTEGRATED CONSIDERATION OF WATER QUALITY IN DETERMINATIONS ON FUELS AND FUEL ADDITIVES.

Section 211(c)(1) of the Clean Air Act (42 U.S.C. 7545(c)(1)) is amended—

(1) by striking "nonroad vehicle (A) if in the judgment of the Administrator" and inserting "nonroad vehicle—

"(A) if, in the judgment of the Administrator, any fuel or fuel additive or";

(2) in subparagraph (A), by striking "air pollution which" and inserting "air pollution or water pollution (including any degradation in the quality of groundwater) that"; and

(3) by striking ", or (B) if" and inserting the following: "; or

"(B) if".

SEC. 9164. ANTI-BACKSLIDING.

Section 211 of the Clean Air Act (42 U.S.C. 7545) (as amended by section 9162) is amended by adding at the end the following:

"(u) PREVENTION OF AIR QUALITY DETERIORATION.—

"(1) STUDY.—

"(A) IN GENERAL.—Not later than 18 months after the date of enactment of the Renewable Fuels, Consumer Protection, and Energy Efficiency Act of 2007, the Administrator shall complete a study to determine whether the renewable fuel volumes required by that Act will adversely impact air quality as a result of changes in vehicle and engine emissions of air pollutants regulated under this Act.

"(B) CONSIDERATIONS.—The study shall include consideration of—

"(i) different blend levels, types of renewable fuels, and available vehicle technologies; and

"(ii) appropriate national, regional, and local air quality control measures.

"(2) REGULATIONS.—Not later than 3 years after the date of enactment of the Renewable Fuels, Consumer Protection, and Energy Efficiency Act of 2007, the Administrator shall—

"(A) promulgate regulations to implement appropriate measures to mitigate, to the greatest extent achievable, considering the results of the study under paragraph (1), any adverse impacts on air quality, as the result of the renewable volumes required by that Act; or

"(B) make a determination that no such measures are necessary.

"(3) OTHER REQUIREMENTS.—Nothing in the Renewable Fuels, Consumer Protection, and Energy Efficiency Act of 2007 supercedes or otherwise affects any Federal or State requirement under any other provision of law that is more stringent than any requirement of this title.".

SA 3543. Ms. STABENOW (for herself, Mr. DOMENICI, Mr. CASEY, Mr. LEVIN, Mr. SANDERS, Mrs. BOXER, Mr. BINGAMAN, Mr. COLEMAN, and Mr. FEINGOLD) submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title IV, insert the following:

SEC. _____. ELIGIBILITY OF ELDERLY PERSONS, WOMEN, INFANTS, AND CHILDREN UNDER THE COMMODITY SUPPLEMENTAL FOOD PROGRAM.

Section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93–86) is amended—

(1) by striking subsection (g) and inserting the following:

"(g) USE OF RESOURCES.—Each local agency shall use funds made available to the agency to provide assistance under the program to low-income elderly individuals, women, infants, and children in need of food assistance in accordance with such regulations as the Secretary may prescribe.";

(2) in paragraphs (2) and (3) of subsection (h), by inserting "elderly individuals," before "pregnant"; and

(3) by adding at the end the following:

"(m) INCOME ELIGIBILITY STANDARDS.—

"(1) IN GENERAL.—The Secretary shall establish maximum income eligibility standards to be used in conjunction with such other risk criteria as may be appropriate in determining eligibility for the program.

"(2) CONFORMITY; MAXIMUM INCOME.—The income standards established under paragraph (1) shall—

"(A) be the same for all pregnant, postpartum, and breastfeeding women, for infants, for children, and for elderly individuals qualifying for the program; and

"(B) not exceed the maximum income limit prescribed under section 17(d)(2)(A)(i) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)(A)(i)).".

NOTICES OF INTENT TO SUSPEND THE RULES

Mr. ENSIGN. Mr. President, I submit the following notice in writing: In accordance with Rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4(b)(3) of Rule XXVIII for the purpose of proposing to the amendment of the Senate to the bill (H.R. 3043), making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

To the amendment of the Senate to H.R. 3043.

Insert in the appropriate place:

SEC. . (a) Notwithstanding any other provision of this Act, none of funds made available under the heading **"OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION"** under the heading "Institute of Museum and Library Services" in title IV may be used for the Bethel Performing Arts Center.

Mr. COBURN. Mr. President, I submit the following notice in writing: In accordance with Rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4(b)(3) of Rule XXVIII for the purpose of proposing to the amendment of the Senate to the bill (H.R. 3043), making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. Notwithstanding any other provision of this Act, none of the funds made available under the heading "OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION" under the heading "INSTITUTE OF MUSEUM AND LIBRARY SERVICES" in title IV may be used for for the Bethel Performing Arts Center.

NOTICE OF HEARING

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing entitled, "Medicaid Providers That Cheat on Their Taxes and What Can Be Done About It." More than 30,000 Medicaid providers owe more than $1 billion in unpaid Federal taxes, according to a recent investigation conducted by the Government Accountability Office at the request of the Permanent Subcommittee on Investigations. The GAO study included only 7 States, which means the total number of Medicaid providers that cheat on their taxes could be considerably higher. The Subcommittee's November 14 hearing will cover the extent of the problem, as well as possible solutions. Witnesses for the upcoming hearing will include representatives of the Government Accountability Office, the Internal Revenue Service, the Financial Management Service, and the Centers for Medicare and Medicaid Services. A final witness list will be available Friday, November 9, 2007.

The Subcommittee hearing is scheduled for Wednesday, November 14, 2007, at 2:30 p.m., in room 342 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at 224–9505.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Tuesday, November 6, 2007, at 10 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on whether domestic energy industry will have the available workforce, crafts and professional, to meet our Nation's growing energy needs and if gaps exist, what policies the Congress should take to address these gaps.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, November 6, 2007, at 2:30 p.m., in room 215 of the Dirksen Senate Office Building, in order to hear testimony on the "GOP and WEP: Policies affecting pensions from work not covered by Social Security".

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet, during the session of the Senate, in order to conduct an Executive business meeting on Tuesday, November 6, 2007. The hearing will commence at 10 a.m. in room 226 of the Dirksen Senate Office Building.

Agenda: Nomination of Michael B. Mukasey to be Attorney General of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. SALAZAR. Mr. President, I ask unanimous consent for the Committee on Veterans' Affairs to be authorized to meet during the session of the Senate on Tuesday, November 6, 2007, in order to conduct an oversight hearing on the hiring practices and quality control in VA medical facilities. The Committee will meet in room 562 of the Dirksen Senate Office Building, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 6, 2007, at 2:30 p.m. in order to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. CHAMBLISS. I ask unanimous consent that Alan Mackey and Patty Lawrence, detailees from the U.S. Department of Agriculture on my committee staff, be granted the privilege of the floor for today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Madam President, I ask unanimous consent that Caryn Long of my staff be granted the privilege of the floor for the remainder of the Senate's consideration of the farm bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 371, the nomination of Patrick Francis Kennedy, to be Under Secretary of State; that the nomination be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF STATE

Patrick Francis Kennedy, of Illinois, a Career Member of the Senior Foreign Service, Class of Career Minister, to be an Under Secretary of State (Management).

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

APPOINTMENT OF COMMITTEE TO ESCORT HIS EXCELLENCY, THE HONORABLE NICOLAS SARKOZY, PRESIDENT OF FRANCE

Mr. REID. Mr. President, I ask unanimous consent that the President pro tempore of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency Nicolas Sarkozy, President of France, into the House Chamber for a joint meeting at 11 a.m. tomorrow, Wednesday, November 7, 2007.

The PRESIDING OFFICER. Without objection, it is so ordered.

DESIGNATING NOVEMBER 25, 2007, AS "DRIVE SAFER SUNDAY"

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 369, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 369) designating November 25, 2007, as "Drive Safer Sunday."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 369) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 369

Whereas motor vehicle travel is the primary means of transportation in the United States;

Whereas everyone traveling on the roads and highways needs to drive more safely to reduce deaths and injuries resulting from motor vehicle accidents;

Whereas, according to the National Highway Traffic Safety Administration, wearing a seat belt saved 15,434 lives in 2004, 15,632 lives in 2005, and 15,383 lives in 2006;

Whereas Secretary of Transportation Mary Peters wants all people of the United States to understand the life-saving importance of wearing a seat belt and encourages motorists to drive safely, not just during the holiday season, but every time they get behind the wheel; and

Whereas the Sunday after Thanksgiving is the busiest highway traffic day of the year: Now, therefore, be it

Resolved, That the Senate—

(1) encourages—

(A) high schools, colleges, universities, administrators, teachers, primary schools, and secondary schools to launch campus-wide educational campaigns to urge students to be careful about safety when driving;

(B) national trucking firms to alert their drivers to be especially focused on driving safely during the heaviest traffic day of the year, and to publicize the importance of the day using Citizen's Band (CB) radios and in truck stops across the Nation;

(C) clergy to remind their members to travel safely when attending services and gatherings;

(D) law enforcement personnel to remind drivers and passengers to drive particularly safely on the Sunday after Thanksgiving; and

(E) all people of the United States to use the Sunday after Thanksgiving as an opportunity to educate themselves about highway safety; and

(2) designates November 25, 2007, as "Drive Safer Sunday".

SUPPORTING VETERANS DAY

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 370.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 370) supporting and encouraging greater support for Veterans Day each year.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 370) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 370

Whereas veterans of service in the United States Armed Forces have served the Nation with honor and at great personal sacrifice;

Whereas the American people owe the security of the Nation to those who have defended it;

Whereas, on Memorial Day each year, the Nation honors those who have lost their lives in service to the Nation;

Whereas, on Veterans Day each year, the Nation honors those who have defended democracy by serving in the Armed Forces;

Whereas the observance of Memorial Day and Veterans Day is an expression of faith in democracy, faith in American values, and faith that those who fight for freedom will defeat those whose cause is unjust;

Whereas section 116(a) of title 36, United States Code, provides that "The last Monday in May is Memorial Day" and section 116(b) of that title requests the President to issue a proclamation each year calling on the people of the United States to observe Memorial Day by praying, according to their individual religious faith, for permanent peace, designating a period of time on Memorial Day during which the people may unite in prayer for a permanent peace, calling on the people of the United States to unite in prayer at that time, and calling on the media to join in observing Memorial Day and the period of prayer;

Whereas section 4 of the National Moment of Remembrance Act (Public Law 106–579) provides, "The minute beginning at 3:00 p.m. (local time) on Memorial Day each year is designated as the 'National Moment of Remembrance' "; and

Whereas Section 6103(a) of title 5, United States Code, provides that "Memorial Day, the last Monday in May" and "Veteran's Day, November 11" are legal public holidays: Now, therefore, be it

Resolved, That the Senate—

(1) encourages the people of the United States to demonstrate their support for veterans on Veterans Day each year by treating that day as a special day of reflection; and

(2) encourages schools and teachers to educate students on the great contributions veterans have made to the country and its history, both while serving as members of the United States Armed Forces and after completing their service.

ORDERS FOR WEDNESDAY, NOVEMBER 7, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand adjourned until 10:30 a.m. tomorrow, Wednesday, November 7; that, on Wednesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any remarks of the two leaders, the Senate proceed as a body to the House of Representatives for a joint meeting to hear an address by the President of France; that the Senate then stand in recess until 12:15 p.m., and the Senate then proceed to the conference report to accompany H.R. 3043, as provided under a previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. REID. Unless the distinguished Republican leader has further business to bring before this body, I ask unanimous consent the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 8:57 p.m., adjourned until Wednesday, November 7, 2007, at 10:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate Tuesday, November 6, 2007:

DEPARTMENT OF STATE

PATRICK FRANCIS KENNEDY, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN UNDER SECRETARY OF STATE (MANAGEMENT).

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

HOUSE OF REPRESENTATIVES—*Tuesday, November 6, 2007*

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. COHEN).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 6, 2007.

I hereby appoint the Honorable STEVE COHEN to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 25 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

The Chair recognizes the gentleman from Illinois (Mr. WELLER) for 5 minutes.

UNITED STATES-PERU FREE TRADE AGREEMENT

Mr. WELLER of Illinois. Good morning, and thank you, Mr. Speaker.

This week, the House will vote on a trade agreement between the United States and Peru. By moving forward on the U.S.-Peru Free Trade Agreement we are signaling that the United States will not retreat from trade and will maintain its commitment to its partners.

I note that my district depends on exports, both farmers, manufacturers, and workers, and the U.S.-Peru Free Trade Agreement is good for the 11th District of Illinois. This agreement is about economics; it is about the big picture of our hemisphere. We know the numbers.

For the United States, on day one, 80 percent of our exports, consumer and industrial products, become duty free immediately. Illinois' small and medium enterprises will benefit greatly from the tariff elimination, as well as its largest employer in the district I represent, Caterpillar. Union workers who build world-famous Caterpillar machinery will benefit when their products such as off-highway trucks are no longer taxed when they arrive in Peru. These vehicles sell for about $1 million and face a 12 percent tariff, meaning $120,000 is added to the price of the vehicle. That goes away on day one, making Caterpillar equipment more competitive with Asian competition, and meaning Caterpillar's union workers will build more machinery for export.

The Peru TPA is good for Illinois farmers. Soybeans become duty free immediately, meaning new markets for our farmers. Before this agreement, Illinois pork and corn were at a competitive disadvantage to Chile and Argentina, who faced lower tariffs than the United States' products going into Peru. Now, our pork producers and corn farmers will be competitive. In fact, farmers' groups say Peru and the Colombia Free Trade Agreements are the best deals ever negotiated on behalf of agriculture. In fact, the U.S.-Peru Free Trade Agreement has the potential to increase farm exports by well over $700 million a year. We benefit from two-way trade.

But this agreement has broader implications beyond increasing exports for Illinois farmers and manufacturers. Peru is a leader in the hemisphere, and the leadership of President Toledo and now President Garcia is making a difference. Poverty is being reduced, real jobs are being created, and Peru is becoming an economic success story for the hemisphere. Peru is achieving results at home not by following anti-American rhetoric or by giving in to populist demagoguery, but by sound economics and partnerships with the United States. We congratulate President Garcia on his 8 percent economic growth and poverty reduction, and I note poverty is down to 49 percent this past year. This trade agreement is not the solution to poverty, but it is a tool and it will help.

In 1994, 270,000 jobs in Peru relied on exports; today, more than 1 million rely on exports, thanks to trade granted by Andean Trade Preferences granted by this Congress. Now, this agreement has the potential to create 1 million more formal jobs in Peru because of exports. Clearly, this partnership with Peru will help lift more families out of poverty.

The U.S.-Peru partnership also has broader implications. Coca production is down 70 percent since 1995. Today, Peru is a hemispheric leader in security, helping with peacekeeping in Haiti and is hosting a campus of the International Law Enforcement Academy. Peruvians elected President Garcia to maintain the independence of the country from extremist ideology and to continue on a moderate path.

Now is the time to complete the trade commitment with Peru. Peruvians and people across the hemisphere are waiting to see what the United States is going to do and whether we are going to answer the question, are we going to stand by our commitments to our friends?

I urge my colleagues to pass the Peru Free Trade Agreement this week with a strong bipartisan vote. Let's strengthen the U.S.-Peru partnership that is good for both the United States and is good for Peru.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 6 minutes a.m.), the House stood in recess until 10 a.m.

☐ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. LORETTA SANCHEZ of California) at 10 a.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Author of eternal promise and God of mercy, You know, full well, that our human nature is fraught with limitations and wounded by sin. The result is that peace in this world is never finally established or lasts forever. The building of a peaceful society has to go on all the time, day after day.

Lord, continue Your work in us. In and through this representative democracy keep this Nation ever vigilant to secure the peace. By the outpouring of Your grace may each person of this our homeland struggle to control one's passions, be willing to trust others, as well as share human talents and riches with the less fortunate.

May our true growth in becoming Your beloved community spread around the globe and give You glory both now and forever. Amen.

☐This symbol represents the time of day during the House proceedings, e.g., ☐1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Georgia (Mr. GINGREY come forward and lead the House in the Pledge of Allegiance.

Mr. GINGREY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1347. An act to amend the Omnibus Indian Advancement Act to modify the date as of which certain tribal land of the Lytton Rancheria of California is deemed to be held in trust and to provide for the conduct of certain activities on the land.

DEMOCRATS PRIORITIZE VETERANS NEEDS

(Mr. WALZ of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. WALZ of Minnesota. Madam Speaker, as this Nation prepares to honor our veterans on Veterans Day, this new Democratic Congress has shown an unwavering commitment to those who have served this Nation so bravely.

We have passed a Wounded Warrior Assistance Act that takes the first steps to address the problems brought to light in the Walter Reed scandal by improving outpatient medical care and restoring efficiency by cutting bureaucratic red tape.

We have passed legislation that focuses on posttraumatic stress disorder by requiring a program to reduce suicide among veterans with suicide prevention counselors at all medical facilities.

And we have passed a veterans appropriation bill that provides the largest investment in veterans health care in the 77-year history of the VA. We plan on sending that funding bill to the President's desk this week after a vote on this floor today.

Madam Speaker, a budget is far more than a fiscal document. It is a reflection of this Nation's values. America's veterans bravely served this Nation and were promised health care to meet the needs to take care of them once they returned home. This new Democratic Congress is committed to fulfilling that pledge.

WORLD BANK SUBSIDIZING AHMADINEJAD

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Madam Speaker, three blocks from our White House, the World Bank is subsidizing the administration of Iranian President Mahmoud Ahmadinejad. Last year the World Bank cut a $220 million check to the Government of Iran. After 2 U.N. sanctions, the World Bank paid another $50 million to Iran in August. According to the bank, they have another $820 million on the way. World Bank funding is paid through Iran's Bank Mali, which the U.S. Government has now found to be a conduit for terrorist financing. Over $5 million of World Bank funds are now frozen in Bank Mali's accounts.

It is hard enough for the United Nations to sanction a country, but it has now sanctioned Iran twice. That united voice of the United Nations should not be undercut by a $800 million check in funding by the World Bank to Iran.

RESTORE DEMOCRACY IN PAKISTAN

(Mr. GEORGE MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Madam Speaker and Members of the House, President Bush must take a strong stand on the actions of President Musharraf in Pakistan. The constitution of Pakistan must be restored, and democratic rule must be given back to the people. If we fail to do that, then democracy fails in Pakistan and we will see the exact environment in which the Taliban, terrorists, al Qaeda and others are born. Witness Egypt and Saudi Arabia.

The restoration of democracy immediately must be high on the agenda of the Bush administration. Failure to do so turns Pakistan into an armed dictatorship with a nuclear weapon.

We have spent tens of billions of dollars in Pakistan to encourage their fight against terrorism and the Taliban. And what have we gotten in return? We now see that the military has started businesses with that money. They have used it to pad their retirement accounts. They have used it to run their private businesses rather than to defend the country and prosecute the war against al Qaeda, the Taliban, and other terrorists that are now in northern Pakistan.

The choice is this administration's. They can speak out forcefully for democracy, or they can watch it wither on the vine and we will have another failed state in exactly a region where we don't need one.

SEND MILCON-VA TO PRESIDENT'S DESK

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Madam Speaker, if my grandmother were standing here today, she would say your actions are speaking so loudly I cannot hear one single word you are saying. And she would be saying that about the mistreatment of our veterans by this majority.

It has been over 140 days since the House passed the MilCon-VA approps bill and 8 weeks since the slow-moving Senate passed it. The bill has strong bipartisan support and the President has poised his pen ready to sign that bill.

Well, now the Democrats have decided they are going to delay it. They are going to play politics with it. They are going to pile on other things around it. And they are doing it to use it as a political tool. How very, very sad we find this situation.

We need to make certain that a political tool is not made of our veterans and our men and women in uniform. They have sacrificed so much for this country. It is imperative that we move the bill forward as a stand-alone bill. As we go into Veterans Day, let's honor those who served by the actions they see us take.

ENSURING PROMISES MADE TO VETERANS

(Mr. SIRES asked and was given permission to address the House for 1 minute.)

Mr. SIRES. Madam Speaker, as America prepares to honor our veterans and those who continue to wear the uniform this weekend, the Democratic Congress is proud of our record over the last 10 months that has provided real support for our troops and our veterans.

Today, we will take a vote on a final veterans bill that increases funding for veterans health care by $6.7 billion, making it the single largest increase in veterans funding in the 77-year history of the Veterans Administration. This bill invests $3.8 billion more than the President requested.

The final conference report also includes $500 million above the President's request for much-needed maintenance in VA health care facilities, and $600 million more than the President's request for mental health, PTSD and traumatic brain injury. This investment is critically important at a time when one-third of the veterans returning from Iraq and Afghanistan face mental health challenges.

Madam Speaker, today let us ensure that no veteran is left behind by supporting this bill that fulfills our promises to our Nation's veterans.

FUNDING OUR VETERANS

(Mrs. DRAKE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DRAKE. Madam Speaker, this is day 37. That is 37 days so far that our veterans have not had the use of increased funding for their benefits and health care. That is $18.5 million a day not able to be used. In June this House passed this appropriation bill with a $6 billion increase in a bipartisan manner. On September 6, the Senate completed their bill.

This work is done; yet the bill has not been sent to the President who has agreed to sign it. And why? Because the Democratic leadership has decided to use funding for our veterans as a smoke screen in an effort to pass billions in unrelated domestic spending.

Our veterans are not pawns in a political game. They are heroes. These funding issues must be considered separately and on their own merits. America expects us to get the job done. America expects us to provide the best care to our veterans. Our veterans deserve no less.

Please join me in calling upon the Democratic leadership to put our veterans first and send a clean veterans appropriation bill to the President.

DEMOCRATS IMPROVE VETERANS BENEFITS

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Madam Speaker, as we approach the Veterans Day holiday, I want to express my support for all men and women who have ever served our country. I congratulate the new Democratic Congress for making remarkable improvements to veterans benefits.

During this past year, we have already appropriated the largest increase in veterans health spending ever. We have also taken steps to increase awareness about posttraumatic stress disorder and other mental health needs among veterans.

In addition, we seek to improve our ability to prevent, to diagnose and treat these conditions. I especially would like to note a new awareness about the needs of our women veterans, and commend my colleagues in the Women's Caucus for making the needs of women veterans a priority of ours during this Congress.

As we commemorate Veterans Day this weekend, let us all make a commitment to continuing and renewing our efforts to improve benefits for all veterans.

DEMOCRATS USE MILCON-VA BILL AS POLITICAL TOOL

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, it has been 8 weeks since the Senate passed the Military Construction-Veterans Affairs appropriations bill and joined the House in demonstrating overwhelming and bipartisan support for this legislation. Yet, for two full months, the Democrat leadership has refused to send this important piece of legislation to the floor. They refuse to give our veterans the funding they deserve.

This week the majority will bring the VA bill to the floor attached to the Labor, Health and Human Services and Education appropriations bill. Rather than send these bills to the President on a stand-alone basis, something the Democratic leadership promised they would do, they are using this VA bill as a political tool to push through other legislation.

As a veteran and military parent, I know it is time that our colleagues on the other side of the aisle stop using the military and our veterans as a political tool to help advance their other spending priorities.

In conclusion, God bless our troops and we will never forget September the 11th.

DEMOCRATS TAKE AMERICA IN NEW DIRECTION

(Mr. WELCH of Vermont asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH of Vermont. Madam Speaker, 1 year ago the American people went to the voting booths and voted for a new direction. This decision was not only asking for a new Congress, but asking Congress to head in a new direction. One area: Make America safer.

The last Congress ignored the recommendations of the 9/11 Commission. This Congress is implementing the recommendations of the 9/11 Commission. Our ports and skies are safer. Our first responders have better access to emergency communication. We are also recognizing very straightforward and directly that the cost of the war must include the cost of caring for the warrior, and that is why we have passed the largest increase in the veterans health care budget in the history of the Veterans Administration.

And finally, with cop-on-the-beat oversight, we have uncovered the scandal of tens of billions of dollars of waste, fraud and abuse by companies like Blackwater and Halliburton that have benefited enormously from our appropriations.

□ 1015

QUIT PLAYING POLITICS WITH OUR VETERANS

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Madam Speaker, as all Members rise to salute our veterans just 5 days from now, I'm appalled that the Democratic majority is holding these veterans hostage by combining a bill that we passed in this House 5 months ago to increase funding for our veterans, as they pointed out in regard particularly to health care, $6 billion, and the President is ready to sign that bill. But, no, the Democratic majority wants to hold that bill and our veterans hostage so they can pass a bloated-up, pork-laden, Health and Human Services-Labor bill that increases spending over the President's request by $9 billion.

I think this is a deplorable thing, and I have called for the end of it in House Resolution 786, which would change the rules of the House so that no House could ever combine our MilCon-Veterans Administration budget again with any other appropriations bill. It would have to pass as a stand-alone bill.

Let's quit playing politics with our veterans.

DEMOCRATS HAVE PRIORITIZED THE NEEDS OF OUR VETERANS SINCE DAY ONE

(Mr. PERLMUTTER asked and was given permission to address the House for 1 minute.)

Mr. PERLMUTTER. Madam Speaker, this weekend and next Monday we will honor those who have served this Nation on the front line of freedom and democracy.

This Veterans Day, the Democratic-led Congress is working to honor our troops, military families, and veterans with quality-health care.

Today, the House will give final approval to a veterans funding bill that provides the largest increase for veterans in the 77-year history of the VA, and I hear our friends on the other side of the aisle complaining that that's 8 weeks overdue. Well, they had 12 years to do this and they chose not to.

Over the last decade, while the number of veterans has doubled, our Nation's investment in their health care needs has simply not been enough. Unlike the President, this new Democratic Congress vowed to fulfill our promise to our veterans; and, today, we will pass a final veterans funding bill that has been endorsed by all major veterans groups.

This new Democratic Congress has also made major strides in addressing the military health care crisis and the inadequacies of the disability system brought to light by the Walter Reed scandal.

Madam Speaker, as Veterans Day approaches, our Nation's veterans and military families should know that the promises that have been made to them will be fulfilled.

WE SHOULDN'T PLAY THESE POLITICAL GAMES

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Madam Speaker, next Monday is Veterans Day, and I think all of us in America owe those who have fought for our country, given their lives, given their service to our country, we all owe them a great deal of gratitude.

But how is this Congress today, this House, going to give and show our veterans our gratitude? We're going to pass a military quality of life veterans bill, and we're going to attach a pork-laden, overstuffed Labor-Health and Human Services bill on the backs of this bill.

The Senate's not going to take this bill up in this form. They're going to split the two bills. The President's made clear he's not going to sign this bill combining these two appropriations bills. This is one of the most cynical and most political things I've seen in the 17 years that I've been here in Congress.

To know that the President is not going to sign this bill, to know that the Senate is not going to allow this two-bill pile-up to be considered in the Senate, and yet we're going to force the Members of the House today in a position where they shouldn't be.

We shouldn't play these political games on the backs of our veterans and our soldiers. I think that we should split this bill and do it the right way and show our veterans on Veterans Day that we really do appreciate their sacrifice and their service.

WATERBOARDING IS A CRIME

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDERMOTT. Madam Speaker, it's not as hard as the President would like us to believe. Someone reminded me over the weekend of something. Here's what he said.

When the Japanese Army subjected American prisoners of war to waterboarding, it was a crime, and those responsible were severely punished. After World War II, several Japanese soldiers were convicted for waterboarding American and Allied prisoners of war.

At the trial of his captors, Lieutenant Chase Nielson, one of the 1942 Army Air Force officers who flew the Doolittle raid over Tokyo, was captured by the Japanese, said, "I was given several types of torture. I was given what they call the water cure."

He was asked what it felt like when the Japanese soldiers poured the water. "Well, I felt more or less like I was drowning," he replied.

And yet we have an administration complete with Attorneys General and designees who aren't sure if waterboarding is a crime. They can check the record of war tribunals after World War II, because the rest of the world is sure. It was a crime then, and it is a crime today.

Over the weekend I saw "Rendition." It ought to be required viewing for this body.

MILCON-VA APPROPRIATIONS BILL NEEDS TO STAND ALONE

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Madam Speaker, our veterans and our troops have protected us from enemies, foreign and domestic, in the past decades and currently today.

When has it become a part of our congressional activity to not fully protect their interests? Our VA appropriations bill passed the House over 140 days ago with strong bipartisan support. However, the House majority party never appointed conferees for the bill, where the Senate immediately appointed them.

The military and veterans appropriations bill is now back on the floor with an additional bill attached. Our servicemembers, veterans and our troops, deserve the best that Congress can deliver to them. The MilCon-VA appropriations bill should not be an accessory for massive labor spending.

Has politics blocked our activities in Washington where we cannot pass a military funding bill for our soldiers?

I stand here today with so many others who join me in saying, our MilCon-VA appropriations bill needs to stand alone, unattached to another bill.

ON SCHIP GOP DOES NOT SHARE DEMOCRATS' LEGISLATIVE GOALS

(Ms. RICHARDSON asked and was given permission to address the House for 1 minute.)

Ms. RICHARDSON. Madam Speaker, House Democrats and some of our Republican friends continue to fight for a much-needed health care system that we need for our children. Unfortunately, though, the President and too many Republicans in this body still refuse to support a plan that has already received tremendous bipartisan support in the Senate and from the public.

Last month, after meeting with Republican Members and our Democratic leadership, once again we brought forward a bill that would cover 10 million children, 10 million American children who live in this country who deserve to be covered.

But Republicans, my colleagues, have avoided taking this vote. We need to make sure that our children are covered. Instead, they proposed a program that would provide health care for 1.7 million fewer children in America.

Madam Speaker, 81 percent of Americans support a bipartisan effort to provide health care for 10 million children. I hope our Republican colleagues will join us.

SLIDING GREASY PORK THROUGH WASHINGTON IS THE WRONG THING FOR THE DEMOCRATS TO BE DOING

(Mr. AKIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AKIN. Madam Speaker, it's been 144 days since the House passed the Veterans Affairs appropriations bill. This is a bill which does research on prosthetic kinds of devices. It helps to rebuild veterans facilities. It helps to treat things like traumatic stress disorder. That's the purpose for the money that has been waiting now since we passed it 144 days ago.

Unfortunately, that bill has been held up in order to connect it with other legislation ladened with pork on the HHS bill.

Now, it's been many years since I was a combat engineer in the Army, but my son is freshly back from Fallujah, and to hold our veterans hostage in order to try to slide greasy pork through Washington is the wrong thing for the Democrats to be doing.

They need to allow the bill to stand on its own base, let the people take a vote, and respect the veterans that we want to respect.

PRESIDENT ATTEMPTS TO USE VETO PEN AS DISTRACTION FROM HIS FISCAL MISMANAGEMENT

(Ms. WATSON asked and was given permission to address the House for 1 minute.)

Ms. WATSON. Madam Speaker, last week President Bush tried to label this new Democratic Congress a "do-nothing" Congress. Is he serious? Or did he simply forget that he signed bills into law that were written and passed by this Congress that increased the minimum wage, made college more affordable for millions of children, and made our Nation safer by fully instituting the nonpartisan 9/11 Commission recommendations?

The President is also ignoring the fact that he's vetoed legislation that had strong bipartisan support. We sent him a bill that would insure 10 million children to have quality health care, but he vetoed it.

We sent him another bill that would have allowed for Federal funding of stem cell research so that we can discover cures for diseases like Alzheimer's and Parkinson's; but, again, the President vetoed it.

We also overwhelmingly approved a bill that protects our communities by building and repairing critical flood walls and levies; but, again, last week, the President said no.

This Congress is proud of its accomplishments, but there would be more if the President stopped saying no to progress. Fortunately, today we will override his veto of the water resources bill.

OUR VETERANS DESERVE BETTER

(Ms. GRANGER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GRANGER. Madam Speaker, it's been over 140 days since the House passed the MilCon-VA appropriations bill. Already a month into the new fiscal year and we have yet to send a single appropriations bill to the President, including the bill that funds our veterans.

We should have sent the President the MilCon-VA appropriations bill weeks ago when the Senate appointed their conferees, but the Democrat House leadership consistently refused to do so. Our veterans deserve better, and the actions of the majority are completely unacceptable.

House Republicans have been asking for weeks, and we're standing united today, asking the MilCon-VA appropriations bill be sent to the President, standing alone, and not attached to the expensive Labor-HHS appropriations bill. The Labor-HHS bill is $9.8 billion over the President's request, and the President's been waiting to veto it since it passed the House.

Our veterans deserve better. They shouldn't be used as a political tool for the majority.

Those who have sacrificed so much for their country deserve to be Congress' first priority.

THE TROOPS COME FIRST

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Madam Speaker, I had the opportunity about a month ago to visit Iraq. When I did, I traveled on a C-130 with troops into Baghdad and drove in a Humvee through the city with our troops.

While there, I made the decision that I would do everything I could to support the troops. The troops are giving all they can; and because of that, whichever side of the aisle you sit on, you need to support the troops and support the veterans funding bill that's coming before this House, in whatever manner it comes, because the troops come first.

This veterans bill gives veterans the increases in medical care, in benefits for veterans and increases in their pay and increases for the soldiers' salaries that they need. This veterans bill is important.

When we were in Qatar, the general there, General North, said, Do one thing when you go home, don't forget the troops, don't forget the veterans who have been injured, and fund them and fund their veterans bill.

No matter how it is presented, we should support the veterans and vote for the bill.

VETERANS FUNDING

(Mr. CARTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER. Madam Speaker, we've had a lot of talk about the veterans, and of course, it's coming up on Veterans Day so we're all going to be talking about the veterans.

We've got an opportunity to do something great. In a bipartisan manner, the MilCon-VA appropriations subcommittee passed out a bill that does great things for our veterans, as our colleagues have said here today.

But now a good bill, and I am blessed to serve on that subcommittee, a good bill is now going to be loaded down with spending pork and we're going to ask our soldiers, once again, to lug extra weight on behalf of the American citizens, and that's just flat wrong.

We need to have a clean bill, by itself, so we can fund the veterans. We're already a month late on doing this process. It's time to get ready, do our job, have a clean, non-loaded-down veterans bill pass out of this House. It's important for our soldiers. They deserve this blessing.

☐ 1030

FUNDS FOR OUR VETERANS

(Mr. PATRICK J. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, 4 years ago I served in Baghdad, Iraq, with the 82nd Airborne Division, and I am proud of my service.

In 2006, the election was about change: change in Iraq, change here at home, change how we treat our veterans. Well, these are the problems that we addressed in this Congress:

One, the Walter Reed tragedy. Our answer? We passed the Wounded Warrior Act.

Two, underfunding of veterans in past Congresses. Our answer? We passed the largest increase in Veterans Administration history.

Three, the two signature injuries in Iraq and Afghanistan are PTSD, posttraumatic stress disorder and TBI, traumatic brain injury. Our solution in Congress, $600 million more than the President asked for to address these two injuries.

Later today, this House will take up our bill with Congressman WALTER JONES to give our troops a 3.5 percent pay increase. Don't listen to the rhetoric. The President says that increase is unnecessary. I think it is exactly what this Congress should be addressing.

NEVER PLAY POLITICS WITH FUNDING FOR VETERANS SERVICES

(Mr. SALI asked and was given permission to address the House for 1 minute.)

Mr. SALI. Madam Speaker, as we approach Veterans Day, it would seem that the funding for the men and women who have served our country faithfully should be a no-brainer; yet, under a new majority of this Congress, the President has yet to send a single appropriations bill, including funding for our veterans.

We shouldn't be on our floor asking that the funds for our veterans be considered on their own merits. That should just be the way that it's done. It is inexcusable to tie the funding for our veterans with a Labor-HHS appropriations bill which can best be described as wasteful.

This Congress has drifted far from the priorities of the American people. We should never play politics with funding for veterans services. On Veterans Day, it is fitting that we remember the sacrifices of the brave men and women in uniform and their families and their loved ones.

Our country was founded by courageous patriots. It is sustained by the same kind of people today. Our veterans have done their duty to their country, and it's time that we do ours by providing them with the benefits they are owed.

HEALTH CARE SYSTEM FOR VETERANS

(Mr. ALTMIRE asked and was given permission to address the House for 1 minute.)

Mr. ALTMIRE. Madam Speaker, as we listen to the politicized rhetoric we are hearing from the other side today, let's keep one thing in mind; there is no group that will stand ahead of our Nation's veterans when it comes time for this Congress to make Federal funding decisions.

This Congress, after years and years of underfunding the VA, this Congress added $13 billion of increased funding to the Veterans Affairs health care system. It's the largest increase in the 77-year history of the VA health care system. We are going to send that bill to the President, and if he chooses to veto it, we have the opportunity to override it. I can guarantee you that the Democrats in this House are going to vote to override it.

Madam Speaker, you tell me who is responsible if the veterans don't receive their funding on time.

POLITICS AND PASSPORTS

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Madam Speaker, with all the discussion about protecting our vulnerable borders from illegal intrusion by smugglers, criminals and fortune hunters, Homeland Security is missing the obvious.

Legal ports of entry are as easy for illegals to cross as the remote areas of America's porous borders. Media sources report that the Government Accountability Office did a study that showed at least 10 percent of the illegals who try to unlawfully enter the U.S. at ports of entry are successful.

These failures to detect include drug and weapons smugglers and one individual who had an incurable type of TB who was allowed to illegally enter the United States 76 times. Homeland Security doesn't argue with the results of the GAO but simply makes excuses.

One solution, however, is to require all people entering the United States at ports of entry to have a valid passport where the U.S. can record who enters and who leaves our country. The 9/11 Commission recommended the passport, but politics and the governments of Mexico and Canada and the open borders crowd seem to keep this common sense idea from becoming a reality. The security of this Nation deserves better. We need to use passports.

And that's just the way it is.

SUPPORT OUR TROOPS AND VETERANS

(Ms. SHEA-PORTER asked and was given permission to address the House for 1 minute.)

Ms. SHEA-PORTER. Madam Speaker, I was a military spouse, and I am the proud wife of a veteran now.

Of course, I support the veterans. I am also on the Armed Services Committee, and it is in that capacity that I have had the sad task of listening to what the administration has done to our servicemen and women and to our veterans.

We just need to say a name of a couple of hospitals to understand that the President has not honored the commitments to our troops. This democratically led Congress is honoring commitments. We have passed the greatest budget in history for our veterans.

But we have another problem with the President right now. The President wants to give our brave troops only a 3 percent pay increase, and the Democrats are leading the fight for 3.5 percent pay increase.

Why is the President refusing to give our soldiers, who are fighting for us, an increase in pay? Only the President and this administration can answer that question.

I want America to know that I am the proud wife of a veteran. I am here, along with my colleagues, to fight for veterans, and that's what we are doing every day.

OUR VETERANS DESERVE OUR SUPPORT, NOT CHEAP PARTISAN POLITICS

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Madam Speaker, on October 8, 1954, President Dwight Eisenhower signed a proclamation urging all Americans to observe each November 11 as Veterans Day. That proclamation said the following:

"On that day, let us solemnly remember the sacrifices of all those who fought so valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage of freedom . . ."

There is broad bipartisan support for the Military Construction and Veterans Affairs appropriations bill in both Houses of Congress. The President has indicated that he will sign the bill.

I call on the leadership of this House to bring that bill to the floor, by itself on its own, this week, so that it can be signed into law before Veterans Day. During this time of war, we need to show our veterans and those on active duty that we honor the service and the sacrifice of those who have answered freedom's call.

Please let us rise above the politics and do what is right to honor our veterans.

FINANCIAL SUPPORT FOR THE TROOPS

(Mrs. GILLIBRAND asked and was given permission to address the House for 1 minute.)

Mrs. GILLIBRAND. Madam Speaker, I rise today in support of Mr. MURPHY's resolution to strongly urge the President to give our soldiers, sailors, airmen and marines the pay raise that they deserve.

The military families in my district have sacrificed more than any of us could ever imagine, for mothers and fathers who have to run households while their spouses are deployed over and over again, to parents and grandparents that watch the news every night with dismay, to returning soldiers that have to piece together their lives upon the return from a war zone.

These families deserve more than just the cost-of-living adjustment proposed by the President. They deserve a raise. While the 3.5 percent increase that we are able to add to the defense authorization bill is a good start, there is much more that we can and should do. Yet the President may still veto this raise.

I urge my colleagues to vote for this resolution, to tell the President to lift his objection to this well-deserved raise for the brave men and women who serve in our military.

OUR VETERANS DESERVE BETTER

(Mr. DAVIS of Kentucky asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Kentucky. Madam Speaker, I rise today in strong support of our Nation's veterans who have fought hard to protect our freedoms and preserve our liberties.

It has been over 140 days, more than 4 months since the House passed the MilCon-VA appropriations bill and nearly 8 weeks since the Senate passed it. My colleagues on both sides of the aisle joined together to craft and pass this important legislation, and the President is standing by, waiting to sign it into law.

Yet it was only last week the Democratic leadership announced that they were finally going to take action, not to pass the bill, but, instead, to use funding of our veterans as a political tool to help ensure passage of a massive increase in spending in the Labor-HHS appropriations bill.

I stand here today in support of our Nation's veterans, in support of MilCon-VA appropriations, and staunchly oppose the Democratic leadership's attempt to use veterans as human shields to pass this bad Labor-HHS bill.

Our veterans deserve better and Congress must deliver.

DEMOCRATS HAVE PRIORITIZED THE NEEDS OF OUR VETERANS SINCE DAY ONE

(Mr. LYNCH asked and was given permission to address the House for 1 minute.)

Mr. LYNCH. Madam Speaker, I do want to encourage my colleagues across the aisle to remember the history here.

It was not long ago that the previous VA Secretary, Mr. Nicholson, came before this House and complained that the VA was $1.1 billion in the red. That was under a House Leadership that was Republican, and that left short many of the needs of our veterans.

It was when the Democrats in January took over that we pushed this largest single appropriations bill in the history of the VA to address all of those unmet needs, and I just asked my colleagues across the aisle to work with us. No one is complaining here today about the content of that bill or the process that brought it to this floor.

Many of the ideas in that bill are part and parcel of what my colleagues on the other side of the aisle would hope for. We just need to work together today to get this bill to the floor, get it done, and get it to the President for his signature.

COUPLING APPROPRIATIONS BILLS

(Mr. GOODLATTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOODLATTE. Madam Speaker, I rise today to oppose the majority's plan to combine two unrelated appropriations bills, the Department of Labor, Health and Human Services and Department of Education and the funding for Veterans and Military Construction.

I oppose this combined approach because, in doing so, the Democrat majority is using political maneuvering to avoid tough spending choices in the controversial Labor-HHS and Education bill.

I hope we all agree that we need to keep our commitment to veterans by supporting veterans benefits and military construction provisions. But the majority should not use the popularity of veterans funding to build a legislative Christmas tree by including labor and health spending at $10 billion above the President's request.

No one is fooled by this craven manipulation of benefits for our Nation's veterans. Let's debate these bills individually, rather than holding funding for veterans military care and military facilities hostage with a controversial bill.

MAKING HISTORIC INVESTMENT IN OUR VETERAN CARE

(Mrs. BOYDA of Kansas asked and was given permission to address the House for 1 minute.)

Mrs. BOYDA of Kansas. Madam Speaker, veterans are a number one issue in the State of Kansas. We found it just appalling how shameful the lack of funding for our veterans had become.

When I came to this Congress, I can't tell you how pleased I was that we put $5.2 billion of emergency spending into our veterans funding, and a lot of that came right into the good hospitals of Kansas. That $5.2 billion of emergency funding was also called "pork." How somebody could call funding our veterans "pork" was just beyond me.

Today, we are making a historic investment in our veteran care. I am hoping that we can come together across the aisle in a bipartisan manner and stand up for our veterans and insist that our President sign this bill and start to take care of our veterans as they should have been.

CONCERN OVER DELAY IN FUNDING FOR VETERANS

(Mr. KLINE of Minnesota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLINE of Minnesota. Madam Speaker, I rise today to join my colleagues in asking the leadership of this House to bring the Military Construction and VA funding bill to the floor for a stand-alone vote.

Earlier this year, many of us felt the pain when a young marine in my district committed suicide after honorably serving in Iraq after he visited 2 VA hospitals. We recognize, as a body here, that we need to provide the funding for our VA. We passed the bill in this House, 409–2. This is a bill with bipartisan support.

We have heard rhetoric from the other side of the floor that says this is so important that we should pass this legislation no matter what pork-laden legislation it's tied to. That's what is the trouble here, my colleagues, is that the leadership of this House has taken a cynical action to attach an important bill that has strong bipartisan support to a piece of legislation they know that many of us did not support and the President has promised a veto.

I ask the leadership to reach out, as one of my colleagues said, and work in a bipartisan way, which is easily done by separating this legislation. Let's get it done today.

OUR COMMITMENT TO THE BRAVE MEN AND WOMEN WHO SERVE OVERSEAS

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Madam Speaker, war has changed, but our commitment to the brave men and women who serve overseas remains the same. This Democratic Congress today is passing a veterans bill prioritizing veterans by fully funding the Veterans Administration. We recognize the changing needs of our new veterans by allocating funding to address conditions like PTSD, and we supported a pay raise for military families that this President, who has no trouble sending our troops and billions of dollars into Iraq, called unnecessary.

Now, today, we are going to finally pass this Veterans appropriations bill. We are going to keep the promise we made to service men and women when they volunteered to serve our Nation overseas by taking care of them when they come home. This is the largest veterans increase for health care in history. This is the commitment of the Democratic prompt of the Democratic Congress, and we are going to make sure it happens today, regardless of what the President decides to do, if he vetoes it or not.

We will just come back again and again and again regardless of his veto. We are tired of the fact that this President gets up and says that he supports these initiatives but then vetoes them.

□ 1045

TRICK OR TREATING IN CONGRESS

(Mrs. BACHMANN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BACHMANN. Madam Speaker, Halloween was last week, but trick or treating may be a part of the House of Representatives this week if the Democrats have their way on the veterans funding bill.

It was over 140 days ago that this Congress passed a veterans funding bill. It was a good bill. So why hasn't this bill made its way to the President's desk? The President has said he will sign this bill. Our veterans need this funding. They deserve this funding that the bill would provide.

Instead, the Democrats are preempting Thanksgiving holiday by serving up a turkey of a funding bill, a turkey that is filled with pork-based stuffing.

The business of national defense and the business of taking care of the very real needs of our veterans is just too important just to satisfy the urge to spend extra money that we just don't have in order to fund pet projects.

I want to say thank you to America's veterans, to those veterans who go to our veterans health care center in St. Cloud, Minnesota. I want to thank you for what you have done, for your sacrifice for this country.

Let's pass this bill.

MOMENT OF SILENCE HONORING THE SACRIFICE OF SERGEANT LOUIS GRIESE

(Mr. KAGEN asked and was given permission to address the House for 1 minute.)

Mr. KAGEN. Madam Speaker, Louis Griese served with honor, with courage and skill; and last week on October 31, he lost his life while serving his third tour of duty in Iraq.

Please join me in honoring his memory. He leaves behind a wife, Stephany, and 4-month-old daughter, Skylar.

Sergeant Louis Griese of Sturgeon Bay, Wisconsin, was killed as a result of wounds incurred from a roadside bomb. His family believes in service to one's Nation. A true believer in service, Sergeant Griese followed in the footsteps of his father who fought in the Korean War.

Sergeant Griese's mother, Susan Frihart, described her son, saying, "He was very proud to be a soldier. He didn't want to leave his newborn baby, but he left because that was his duty."

Every Member of Congress and every American owes a debt of gratitude to Louis Griese and his family for his dedicated and honorable service. Sergeant Griese made the ultimate sacrifice, and his service shall not be forgotten.

I ask all of you to join me in a moment of silence on his behalf.

DR. OSCAR ELIAS BISCET

(Mr. MARIO DIAZ-BALART of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, yesterday the President of the United States, President Bush, honored eight outstanding individuals with the Presidential Medal of Freedom. One of those individuals was Dr. Oscar Elias Biscet, a political prisoner in Cuba.

Dr. Biscet is a 46-year-old physician and peaceful advocate of freedom and democracy. Dr. Biscet is an honest and decent man of principle who cites Martin Luther King, Jr., Gandhi and the Dalai Lama as his role models. He has dedicated his entire life to defending human rights and advancing the cause of democracy in Cuba.

And for that, Madam Speaker, in 2003 Dr. Biscet was sentenced to 25 years in prison and today sits in solitary confinement in a totally darkened 3-foot by 6-foot cell commonly known there as "The Tomb."

Dr. Biscet and hundreds of other individuals just like him keep the hope for democracy alive for the Cuban people. He's a true patriot, Madam Speaker. He's a patriot for the Cuban people, a true hero and an example for everyone who loves freedom.

I want to thank President Bush for once again standing with the Cuban people and making a strong statement for freedom.

I am in awe of Dr. Biscet's bravery, and I look forward to the day that he can walk in freedom along with his people in his honor.

HONORING THOSE VETERANS WHO PROTECTED US

(Mr. BOUSTANY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOUSTANY. Madam Speaker, today my colleagues will enumerate the importance of funding bills that this Congress has yet to pass. One of these bills, the veterans appropriations bill, is particularly important, and the lack of progress for political purposes is simply atrocious.

This past weekend, I met with veterans from Louisiana who had come to visit the beautiful World War II Memorial. One man had stormed Omaha Beach on D-Day. Another was a member of the famed Buffalo Soldiers, an original member of the famed Buffalo Soldiers. These men are heroes.

I heard firsthand their needs, the increased attention that's needed for mental health purposes and other better VA services.

Madam Speaker, as we approach Veterans Day, let us in Congress demonstrate our appreciation. Let us pass a veterans appropriations bill as promised without unrelated pork-laden spending bills attached. Let us pass it to honor those who have protected us so bravely and for those who continue to serve valiantly to protect us today.

MILCON-VA APPROPRIATIONS

(Mrs. SCHMIDT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHMIDT. Madam Speaker, I rise today to protest the majority's decision to tie the funding of our veterans to the Labor, Health and Human Services appropriation bill.

The facts of this case are simple. The House had passed a bill on June 15, followed by the Senate on September 6, that supports our veterans and the pay raises and the funding that they need. The differences in these bills are miniscule. The Senate has appointed their conferees. Our House has yet to do the same. What's the hold-up? Politics. Rather than bringing the MilCon-VA conference report to the floor as a stand-alone measure, a measure that will be supported by both parties, supported by the President and signed into law, the other side has decided to tie it to a controversial bill that the President has said time and time again he will veto.

Madam Speaker, our veterans have risked their lives for us without regard to political affiliation. We have to stop the politics. We have to work for our veterans.

I ask that we use this time in a bipartisan fashion and pass the MilCon-VA bill as a stand-alone bill.

MILCON-VA APPROPRIATIONS CONFERENCE REPORT

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Madam Speaker, we celebrate Veterans Day on November 11. Every day in this country should be Veterans Day, that is, we should highlight veterans and thank them for their service to our country.

Yet, it's been over 140 days since the House passed the MilCon-VA appropriations bill and 8 weeks since the Senate passed it. The bill has strong bipartisan support and the President is ready to sign it. Yet Democrats have delayed bringing this bill to the floor.

The Democrats finally announced they're bringing it to the floor this week, but instead of voting on a stand-alone bill which would ensure quick passage and provide funding for our troops and veterans, they're using it as a political tool by attaching it to the Labor-HHS bill.

The American people hate this kind of political posturing. They know that when bills are combined like that, that it's a political and cynical ploy. That's the only way the Democrats can get their pork-barrel spending passed is by attaching it to the military bill.

By using it as a political tool instead of an urgent spending priority, the Democratic leadership illustrates where their priorities are, and they aren't with our troops and veterans.

SUPPORTING OUR AMERICAN HEROES

(Mr. DAVID DAVIS of Tennessee asked and was given permission to address the House for 1 minute.)

Mr. DAVID DAVIS of Tennessee. Madam Speaker, I rise today in support of our American heroes, the men and women who have served this great Nation, our veterans.

On June 15, the House passed the Military Construction and Veterans Affairs appropriations and did not appoint conferees. The Senate passed the same in September, on September 6, over 60 days ago; and they immediately appointed conferees.

This tactic of holding veterans funding hostage creates a dangerous precedent. The House is now faced with unrelated policies being forced into this bill.

Veterans funding is not a means of playing politics. Using our veterans and funding our next year's election is unconscionable.

Fund the veterans, and let's move on to the next piece of legislation. Our focus should be on keeping our promises to our veterans and those who have served so bravely.

Madam Speaker, separate these bills.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS BILL

(Mr. LAMBORN asked and was given permission to address the House for 1 minute.)

Mr. LAMBORN. Madam Speaker, almost 5 months ago the House passed the Military Construction and Veterans Affairs appropriations bill. Eight weeks ago it passed the Senate.

I'm a member of both the Armed Services Committee and the Veterans' Affairs Committee; and I, like most Members of Congress, voted for the bill. It will provide funding to ensure our veterans receive their benefits in a timely fashion and will provide our troops with the resources necessary to keep America safe.

However, the Democrat leadership has failed to get this bill to the President's desk despite tremendous bipartisan support. It is sad that they are choosing to abuse their leadership position by playing politics with the needs of our veterans and our servicemen and women.

This bill, were it to stand alone, would enjoy overwhelming bipartisan support in both the House and the Senate. Yet, the Democrat leaders have failed, to this day, to appoint conferees to a conference on this bill. Instead, they joined it to a bloated Labor bill. These are the kinds of political games that disgust the American people.

UNTIE MILITARY CONSTRUCTION AND VETERANS FUNDING

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Madam Speaker, let us suppose that I went out to buy a new car today, and I went to the dealer and I made a deal, saw exactly what I wanted, made an agreement on the price, and I called him up tomorrow and asked when it would be available, and I called him up the day after that, and I called him up the day after that, and after 140 days he finally said, you can come in and pick up your car. And when I went in to pick up the car he said, oh, by the way, we have this used car in the back that no one will buy, this clunker, this thing that won't work, and that's part of the deal. Now, you have to not only pay what it's worth, but you have to pay $9.7 thousand additional dollars for it.

Would you consider that fair? Would that be considered fair dealing? Would you really be concerned about the purchaser and what they're purchasing, or would it look like sharp practices? Would it look like kind of rope-a-dope? Would it look like a bait-and-switch?

What do we have here?

We have a bill that's been waiting for 140 days for us to vote on that we have almost unanimous agreement on, and what are they doing? They're tying a clunker to it.

Untie this, Madam Speaker, and allow us to get our business done.

OUR VETERANS DESERVE BETTER THAN POLITICS

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of Georgia. Madam Speaker, it used to be that there were just some things you simply didn't play partisan games with: Our military, our kids, and especially our veterans.

But not in this Congress. In this House of politics, no matter is safe from political posturing and exploitation. From playing class warfare with every proposal, to using children as political props, politics has trumped policy from day one.

Now the new majority has sunk to a new low, holding our Nation's proud veterans hostage. And for what, Madam Speaker? Pork.

Though the veterans spending bill passed this House months ago with 409 votes, the new majority has refused to allow the legislation to move forward, and veterans demand action.

This is a clear demonstration of where the majority's priorities lie. It's shameful and sad that the loony left in this House are willing to exploit our veterans as a political tool so that they can get their hands on ever more hard-earned American tax dollars.

Madam Speaker, bring up the veterans bill free from pork and free from politics.

MINI-BUS APPROPRIATIONS BILL

(Mr. SHUSTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHUSTER. Madam Speaker, I rise today to call out to the American people to ask them to take notice of what's happening here on the floor. When the majority party took control in January, they promised a new direction. But the only direction they've received is to go backwards. Here it is November, and the President has not received one appropriations bill on his desk.

The Congress has not moved this slowly in 20 years, and the reason is purely political. They want to drastically increase social spending, and they can't get a bill passed on social spending without coupling it and holding hostage our veterans bill.

Our veterans deserve better. Our veterans deserve the funding that they need.

I hope every veteran in America is listening to this debate today. I hope they realize that the veterans funding is being held hostage.

The President will veto the social spending the Democrats propose and thus delay the funds needed to go to our veterans around this country.

I urge the majority party to stop this charade, give the veterans a straight up-or-down vote, and it'll pass this House overwhelmingly.

I thank the Congress for listening. I thank the American people for listening to me.

FUNDING FOR OUR VETERANS

(Mr. SHADEGG asked and was given permission to address the House for 1 minute.)

Mr. SHADEGG. Madam Speaker, I rise today to express my disappointment and sadness at the majority's politicization of funding for our veterans.

This is a sad day. Today, the majority is tying Veterans Affairs funding to outrageous overspending in a completely separate bill to pork. That is a sad day. It's using our veterans for political gain.

America's veterans deserve better than that. They deserve the support of the American people, and they certainly deserve the support of this Congress.

Yet, as you've heard, the Veterans Affairs appropriations act passed this Congress months ago. It should have gone to the President. But here we stand today fighting the leadership of the Democratic Party who has decided to attach that bill to a separate, contentious, already bloated spending measure, essentially to blackmail our veterans.

Madam Speaker, next week is Veterans Day, and this is how we're honoring our veterans who have served our country and fought for our freedom.

Our veterans deserve the money in this legislation. They deserve to have the appropriation passed as a stand-alone. I call on the Congress to do that now, today, and not to punish our Nation's veterans.

□ 1100

STILL WAITING FOR VETERANS FUNDING

(Mr. PEARCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEARCE. Madam Speaker, 40 years ago I won the lottery. That was the draft lottery and I was able to serve in Vietnam because I did win that. An entire generation of young men and women did the same; yet today the majority is playing games with our veterans, who sacrificed so much back then.

Today marks the 37th day past the fiscal year that Congress has failed to pass veterans funding. We are losing $18.5 million a day.

I hold two copies that I will insert into the RECORD. These letters were signed by 89 Members and asked the Speaker and majority leader in the Senate to put aside partisan gamesmanship and bring a stand-alone veterans bill to the floor. Since I wrote these letters, weeks have passed, a fiscal year has run out, and our veterans are still waiting on us to finalize a bill to provide the funding for their benefit.

Madam Speaker, it is time for us to do our job. Let's fulfill the promises we made to our veterans. Let's remember those who have served honorably, and let's treat them honorably.

CALLING FOR A CLEAN VETERANS FUNDING BILL

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Madam Speaker, 2 months ago today, our colleagues in the other body passed this very important bill designed to provide assistance to our veterans. And here we are 2 months later, and there is a desperate need to ensure that our Nation's veterans have exactly what they deserve.

Yesterday afternoon I followed the example of our colleague, the gentleman from Florida (Mr. YOUNG), and his wife, Beverly, who regularly go out and visit our wounded troops, and I went out to the Walter Reed Army Hospital. I had the opportunity to see a number of these courageous men who have sacrificed and have been wounded. And I couldn't help but think of it, as I came back and went to the Rules Committee last night and saw this attempt being made, which they have done, to tie the Labor, Health and Human Services appropriations bill to the Veterans bill, as nothing but pure politics which undermine the ability for us to get what these brave men and women who have fought on behalf of the cause of freedom need.

This is wrong. We have got to end it right now. Bring a clean bill to this floor.

SAY "THANK YOU" TO OUR VETERANS BY ADOPTING A STAND-ALONE VETERANS FUNDING BILL

(Mr. GOODE asked and was given permission to address the House for 1 minute.)

Mr. GOODE. Madam Speaker, I rise to thank the men and women in the United States Army, Navy, Air Force, Marine Corps, and Coast Guard for serving our Nation in Iraq and Afghanistan and around the world. They are honorably and bravely fighting terrorists overseas in order to protect American families at home.

One way we can say "thank you" to these brave men and women is to adopt a Veterans appropriations bill, stand-alone, with a unanimous or near unanimous vote. It does not need to be wrapped up into something else. We need to send a loud and clear "thank you" to our veterans in a veterans-only bill. Let's do it. Let's vote it up and say a great "thank you" before Veterans Day to our veterans.

HOLDING VETERANS FUNDING HOSTAGE CREATES A DANGEROUS PRECEDENT

(Mr. BLUNT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUNT. Madam Speaker, the House passed the Military Construction-Veterans bill on June 15, over 140 days ago. The Senate passed a bill on September 6, sent it over to the House, and immediately appointed conferees.

The minority appointed their conferees. But up to now, we have never had conferees appointed on this bill, which means this bill that the President has announced he would sign could have become law before October 1. It means that military families, veterans, and retirees could be receiving the benefits of up to $18.5 million every single day since October 1.

This tactic of holding veterans funding hostage creates a dangerous precedent. What controversial, unrelated policies could go on this bill in the future?

Madam Speaker, let's stop this practice today before it starts.

STOP THE POLITICAL GAMES; PROVIDE FUNDING FOR OUR TROOPS AND OUR VETERANS

(Mr. MICA asked and was given permission. to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICA. Madam Speaker and my colleagues, this is the first time I have come out for a 1-minute address, and I think it is necessary that I also voice my disapproval with what is happening.

Right now the Congress of the United States is at an 11 percent approval rating. And, unfortunately, the actions dealing with our veterans and military appropriations measures is going to, I think, further erode public confidence in this body.

Right now in what is going to play out in the next number of hours, our military and our veterans, unfortunately, will be held hostage. Unfortunately, too, our veterans and our military are going to suffer from this, all in an attempt to try to, I guess, embarrass the President of the United States. But in turn we will be embarrassing, and further eroding confidence in, this House.

We need to work together to pass in a bipartisan effort the funding for our troops and our veterans and stop the political games.

EARMARKS IN THE LABOR-HHS-VETERANS FUNDING APPROPRIATIONS CONFERENCE REPORT

(Mr. FLAKE asked and was given permission to address the House for 1 minute.)

Mr. FLAKE. Madam Speaker, people may wonder why we are doing this, combining these two bills, the Veterans bill and also Labor-HHS. It is easy to see when you look at it.

There are some 150 pages of earmarks in this conference report, including nine air-dropped earmarks. Now, these are earmarks that weren't considered by either the House or the Senate. They were simply air-dropped into the bill that we have no opportunity to amend out. We have violated our own rules. We are violating our own rules to do this: $1 million for the Thomas Daschle Center for Public Service and Representative Democracy. We are spending $1 million in this bill, air-dropped into the bill, with no opportunity to amend it out, a center for public service and representative democracy at a university somewhere named for a former Member of Congress.

This simply isn't right. This isn't right. We shouldn't be doing this. This institution deserves far better than we are giving it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. LORETTA SANCHEZ of California). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

EXPRESSING THE SENSE OF CONGRESS THAT BASIC PAY FOR MEMBERS OF ARMED FORCES SHOULD BE INCREASED

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 162) expressing the sense of Congress that Congress and the President should increase basic pay for members of the Armed Forces, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 162

Whereas the United States continues to rely extensively upon the members of the Army, Navy, Marine Corps, Air Force, and Coast Guard who are deployed overseas and stationed at military support installations within the United States;

Whereas members of the Armed Forces, regardless of branch of service or whether serving in an active or a reserve component, have carried out their mission objectives with valor, distinction, and steadfast dedication to the cause of liberty and democracy;

Whereas more than 1,600,000 members of the Armed Forces have deployed to Iraq or Afghanistan, and many of these members have served multiple deployments;

Whereas there are more than 3,000,000 family members and other dependents of the members of the Armed Forces serving on active duty and in reserve components;

Whereas nearly 50 percent of the members of the Armed Forces, who are deployed away from their permanent duty stations, have left families with children behind;

Whereas over 50 percent of the members of the Armed Forces who are currently deployed in Iraq are married;

Whereas military families have persevered in the face of challenges and continue to provide critically important comfort and care and numerous other contributions to their loved ones deployed overseas or stationed within the United States;

Whereas there currently is a 4 percent gap between the pay increases provided to members of the Armed Forces and the pay increases provided to private sector employees; and

Whereas it is in the national interest of the United States to offer to the members of the Armed Forces comparable pay to that which the civilian sector provides in order to retain highly qualified men and women in uniform and to faithfully reward their valiant service to the United States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) Congress and the President should increase basic pay for members of all components of the Army, Navy, Air Force, Marine Corps, and Coast Guard by 3.5 percent, effective January 1, 2008; and

(2) Congress and the President should increase the basic pay for members of all components of the Army, Navy, Air Force, Marine Corps, and Coast Guard during fiscal years 2009 through 2012 by at least ½ of 1 percent more than the raise calculated under the Employment Cost Index (ECI).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PATRICK J. MURPHY) and the gentleman from North Carolina (Mr. JONES) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the concurrent resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today for a simple yet important purpose. I rise alongside my colleagues on both sides of the aisle to say that we support a 3.5 percent pay increase for the brave men and women of our Armed Forces.

Madam Speaker, when I was serving in Baghdad, I fought alongside Specialist Juan Arevalo, or "RV" to his friends and fellow paratroopers. RV is a quick-witted and fearless Texan who had the trust of everyone in our brigade and would say things to make us laugh or make us think, even during war.

We used to joke that RV signed up for active duty in the Army without even knowing that soldiers got paid. The joke was that he was so innocent, he thought the only compensation he received was training, housing, and three square meals a day. Serving in Iraq and making just over $15,000 a year, RV told everybody he was the richest man in Iraq.

Even though RV would have worked for free in our military, he shouldn't have to, and neither should the families who depend on their loved ones overseas.

More than 1.6 million soldiers, sailors, airmen, and marines have been deployed to Iraq and Afghanistan. Many of them multiple times. These are the brave men and women whose pay we seek to raise today, a pay raise that is long overdue.

Madam Speaker, there are more than 3 million family members who count on someone serving on active duty in the wars in Iraq and Afghanistan. Today we fight not just for those soldiers but for their families as well.

Our resolution points out that there is currently a 4 percent pay gap between members of the Armed Forces and those in civilian life. At a time when our Armed Forces are stretched so thin, we need to offer more comparable pay to the private sector to retain the most qualified service men and women. Our resolution also gives thanks for their valiant service to our Nation.

Madam Speaker, this is a commonsense measure. But, unfortunately, our President has called this pay increase "unnecessary." And yet 2 weeks ago President Bush said, "America should do what it takes to support our troops." The President criticizes the spending priorities of this Congress but stands in the way of a pay increase for our troops.

I say the President should do what it takes to support our troops. This pay raise is long overdue and it is necessary, and President Bush's opposition to it is simply unconscionable.

Madam Speaker, with a 3.5 percent pay increase, we aren't talking about a lot of money. But for a private in Iraq making less than $16,000 a year in basic pay, that small increase would make all the difference in the world. For enlisted men with bills to pay and young children to support, several hundred dollars a year more is a big deal.

Madam Speaker, I want to thank the gentleman from North Carolina (Mr. JONES) for his courageous support, Chairman MURTHA, Chairman OBEY, Chairman SNYDER, as well as Chairwoman DAVIS and Chairman SKELTON for their leadership on this issue.

Madam Speaker, I reserve the balance of my time.

Mr. JONES of North Carolina. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to thank Mr. MURPHY for his service to this Nation and for introducing H. Con. Res. 162.

Throughout the history of this great Nation, men and women have chosen to put on the uniform and defend the principles upon which this country was built. The dedication of our men and women to our Nation should never be overlooked, and we, as a Congress, should encourage the next generation of Americans to do the same.

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However, there exists an inequity in pay between those who serve in our Armed Forces and those in the civilian sector.

For several years, the civilian pay increase rate has remained 4 percent, which Congressman MURPHY mentioned, above that of the military. It is time to end this inequity. H. Con. Res. 162 will help bring this inequity to a close by calling on Congress to voice their support for our servicemembers.

This Nation relies on our military to defend its citizens against enemies both foreign and domestic, and have done so with honor and integrity; but they do not fight these battles alone. Our military families provide them much-needed support in these difficult times. As was said earlier, nearly 40 percent of the members of the Armed Forces who are deployed leave their families and children behind them. There are more than 3 million family members and dependents of those serving on active duty and in the Reserve.

For far too long, Congress has not made this a top priority. That is why I join with my colleague, Representative PATRICK MURPHY, and all of those in both parties who want this to be a number one issue for those in uniform and their families. Matching the increase is not sufficient. We must close the gap.

Madam Speaker, I reserve the balance of my time.

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I yield 3 minutes to my friend and colleague, the gentlelady from New Hampshire. There is no greater advocate in the House of Representatives than Ms. SHEA-PORTER, a proud Member, and a fellow member of the House Armed Services Committee.

Ms. SHEA-PORTER. Madam Speaker, I rise today in strong support of House Concurrent Resolution 162. By doing this, I rise in strong support of our men and women who deserve a pay raise.

As part of the Defense authorization, the House passed a 3.5 percent pay increase for our troops, half a percent larger than the President's budget. This means an E-4 would earn $200 a year difference in this, just $200 a year difference, but the President opposed this increase, calling it unnecessary. I don't think it's unnecessary to provide a decent wage for the brave men and women who sacrifice for our country. I once lived on military pay, and I can assure you that a decent wage is a requirement for military men and women and their families.

I find it ironic that the President thinks a pay raise for our troops is unnecessary, but he thinks it is necessary to pay contractors billions of dollars with no accountability at all. The President keeps sending our troops back again and again, and the President should at least be willing to give them a decent paycheck to do this job.

Madam Speaker, standing up for our troops must also mean standing up for their families. More than half of all servicemembers who are deployed to Iraq are married, and more than 40 percent of them have left children behind. While a half percent increase may seem small, when you're caring for a family, every little bit of support helps. This is not only the right thing to do for our troops; it's the right thing to do for our national security.

There is currently a 4 percent pay gap in pay between the military and the private sector. If we want to make sure that our armed services can recruit and retain the best, most talented, most highly qualified people, we need to provide them with comparable pay. This is especially critical now when we face new and emerging threats from around the world. And the Army began this year with the lowest number of recruits signed up for basic training since the end of the draft in 1973.

I urge my colleagues to join me in supporting this resolution, supporting our national security, and supporting our troops and their families by giving them the pay increase they have earned.

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I now yield 3 minutes to my friend and colleague, the gentleman from Wisconsin (Mr. KAGEN).

Mr. KAGEN. Madam Speaker, as a cosponsor of this resolution, I rise in strong support of its passage.

Next week, on Veterans Day, our Nation will pause to honor the many sacrifices made by veterans who have served in the defense of our country. And I appreciate the attention of our House leadership that they have given to this resolution and to our veterans who have served with incredible honor, with incredible skill and courage.

H. Con. Res. 162 recognizes the value of their dedicated service and begins to address the economic sacrifice of veterans as they endure their economic pain.

Because we rely on a voluntary citizen Army, we are now more indebted to those who have foregone higher pay elsewhere in civilian employment, especially as the value of our United States dollar continues to decline.

As Congressman MURPHY personally understands, our military has historically been underpaid. Service men and service women receive much less than they could earn in the private sector. And like my colleagues, I believe their pay must reflect their sacrifices.

This resolution calls upon Congress to fairly increase basic pay by 3.5 percent. We all understand that we must begin to pay all of our Nation's debts, and this resolution is a good first step in doing so.

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, this is the last speaker on our side. And I now yield 3 minutes to my friend and colleague, a fellow Blue Dog, the gentleman from Indiana, Mr. JOE DONNELLY.

Mr. DONNELLY. Madam Speaker, I rise today in strong support of House Resolution 162, which reemphasizes our support for giving a pay raise for our Armed Forces this year.

This administration insisted in its defense budget request that military servicemembers should get no more than a 3 percent increase. However, in May, the House passed a needed 3.5 percent across-the-board increase in pay for our brave men and women. Unfortunately, the administration has deemed this extra half point unnecessary.

I strongly disagree with this assessment. And I can tell you that our servicemembers who defend this country both at home and abroad don't find this increase unnecessary. For a young soldier who may be earning $20,000 a year, that extra half percent totals $100, but that $100 could make all the difference in the world when that soldier has bills to pay and a family to take care of.

I believe America's servicemembers deserve this extra half percent increase. They put their lives on the line for us daily, for which we can never fully repay them for their service, but a 3.5 percent salary increase is a good start; and it is a small token of this Nation's gratitude.

Passing this resolution sends a strong message that this increase is not only the necessary thing to do, but it's the right thing to do as well.

Mr. JONES of North Carolina. Madam Speaker, again, I want to thank Congressman MURPHY.

The stress of war on our men and women and their families is enormous. We cannot do much to help with the stress of war, but Mr. MURPHY's resolution can help the military family as they try to balance their own budget. So thank you, Mr. MURPHY, for this legislation, this resolution.

And with that, Madam Speaker, I hope that each and every Member will vote in support of this resolution.

Madam Speaker, I yield back the balance of my time.

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I yield myself such time as I may consume.

Thank you to my colleague, Mr. WALTER JONES. I appreciate that. I appreciate the gentleman's service for the citizens of our country and the citizens in North Carolina.

We owe it to those protecting our Nation and fighting for our rights to make sure that we support them and their families who are waiting at home.

This pay raise may mean less than $1,000 for some enlisted men and women, but for those with bills to pay and young children to feed, several hundred dollars is a big deal.

Madam Speaker, I strongly support this pay raise, and I urge my colleagues to do the same. By passing this bill, we tell our troops that we support them, and send a message to the President that this pay raise is not only necessary, it's our responsibility.

Mr. LOEBSACK. Madam Speaker, I rise today to echo the vital message of this resolution.

Earlier this year, the House of Representatives passed the Fiscal Year 2008 Defense Authorization bill with overwhelming bipartisan support. Included in that bill is a 3.5 percent pay raise for the men and women who wear our country's uniform.

While we will never be able to fully repay the debt we owe to our troops and their families for their service and sacrifice on behalf of our Nation, this pay raise is the very least that we can do in recognition of their commitment to our country.

Today our servicemembers and our military families are answering their call to duty with dedication and honor, despite lengthy deployments and little time at home. I recently returned from visiting our troops in Iraq—including the Iowa National Guard 833rd Engineer Battalion based in my District. What I heard overwhelmingly from our servicemembers is that they take pride in serving their country but are concerned about the hardship placed on their families at home. The 833rd was redeployed to Iraq after only 14 months at home. These citizen soldiers have paid a high price in their civilian and family lives in order to serve their country. The pay raise provided by the Defense Authorization bill is well deserved and a token of the appreciation of a grateful Nation.

Unfortunately the Administration has deemed the .5 percent added by Congress to its request for a 3 percent raise to be "unnecessary." I, and many others in this Congress, say it is necessary. I am a cosponsor of this resolution because I strongly believe we have a responsibility to provide for our servicemembers both on the battlefield and throughout their lives.

This resolution also highlights the importance of a provision in the Defense Authorization bill that provides the families of fallen soldiers with a $40 per month special survivor indemnity allowance in relief of the "Military Families Tax." The Administration also opposes this provision. Its opposition is once again misplaced. This tax is unfairly placed on more than 60,000 survivors of those who have paid the ultimate sacrifice for our country.

I am proud that as a Freshman Member of the House Armed Services Committee, I helped shape a Defense Authorization bill that recognizes the dedication and honor of our troops. I urge my colleagues to support this resolution and to send a strong message that the United States Congress recognizes the sacrifices made by our men and women in uniform and is committed to providing lifelong support to our servicemembers and our military families.

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, at this time I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PATRICK J. MURPHY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 162, as amended.

The question was taken.

The Speaker pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PATRICK J. MURPHY. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

HEROES EARNINGS ASSISTANCE AND RELIEF TAX ACT OF 2007

Mr. McDERMOTT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3997) to amend the Internal Revenue Code of 1986 to provide earnings assistance and tax relief to members of the uniformed services, volunteer firefighters, and Peace Corps volunteers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3997

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the "Heroes Earnings Assistance and Relief Tax Act of 2007".

(b) REFERENCE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title, etc.

TITLE I—BENEFITS FOR MILITARY AND VOLUNTEER FIREFIGHTERS

Sec. 101. Election to include combat pay as earned income for purposes of earned income tax credit.
Sec. 102. Modification of mortgage revenue bonds for veterans.
Sec. 103. Survivor and disability payments with respect to qualified military service.
Sec. 104. Treatment of differential military pay as wages.
Sec. 105. Exclusion from income for benefits provided to volunteer firefighters and emergency medical responders.
Sec. 106. Special period of limitation when uniformed services retired pay is reduced as a result of award of disability compensation.
Sec. 107. Distributions from retirement plans to individuals called to active duty.
Sec. 108. Disclosure of return information relating to veterans programs made permanent.
Sec. 109. Contributions of military death gratuities to Roth IRAs and Education Savings Accounts.
Sec. 110. Suspension of 5-year period during service with the Peace Corps.

TITLE II—IMPROVEMENTS IN SUPPLEMENTAL SECURITY INCOME

Sec. 201. Treatment of uniformed service cash remuneration as earned income.
Sec. 202. State annuities for certain veterans to be disregarded in determining supplemental security income benefits.
Sec. 203. Exclusion of AmeriCorps benefits for purposes of determining supplemental security income eligibility and benefit amounts.
Sec. 204. Effective date.

TITLE III—REVENUE PROVISIONS

Sec. 301. Modification of penalty for failure to file partnership returns.
Sec. 302. Penalty for failure to file S corporation returns.
Sec. 303. Increase in information return penalties.
Sec. 304. Increase in minimum penalty on failure to file a return of tax.

TITLE I—BENEFITS FOR MILITARY AND VOLUNTEER FIREFIGHTERS

SEC. 101. ELECTION TO INCLUDE COMBAT PAY AS EARNED INCOME FOR PURPOSES OF EARNED INCOME TAX CREDIT.

(a) IN GENERAL.—Clause (vi) of section 32(c)(2)(B) (defining earned income) is amended to read as follows:

"(vi) a taxpayer may elect to treat amounts excluded from gross income by reason of section 112 as earned income.".

(b) SUNSET NOT APPLICABLE.—Section 105 of the Working Families Tax Relief Act of 2004 (relating to application of EGTRRA sunset to this title) shall not apply to section 104(b) of such Act.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after December 31, 2007.

SEC. 102. MODIFICATION OF MORTGAGE REVENUE BONDS FOR VETERANS.

(a) QUALIFIED MORTGAGE BONDS USED TO FINANCE RESIDENCES FOR VETERANS WITHOUT REGARD TO FIRST-TIME HOMEBUYER REQUIREMENT.—Subparagraph (D) of section 143(d)(2) (relating to exceptions) is amended by striking "and before January 1, 2008".

(b) INCREASE IN BOND LIMITATION FOR ALASKA, OREGON, AND WISCONSIN.—Clause (ii) of section 143(l)(3)(B) (relating to State veterans limit) is amended by striking "$25,000,000" each place it appears and inserting "$100,000,000".

(c) DEFINITION OF QUALIFIED VETERAN.—Paragraph (4) of section 143(l) (defining qualified veteran) is amended to read as follows:

"(4) QUALIFIED VETERAN.—For purposes of this subsection, the term 'qualified veteran' means any veteran who—

"(A) served on active duty, and

"(B) applied for the financing before the date 25 years after the last date on which such veteran left active service.".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after December 31, 2007.

SEC. 103. SURVIVOR AND DISABILITY PAYMENTS WITH RESPECT TO QUALIFIED MILITARY SERVICE.

(a) PLAN QUALIFICATION REQUIREMENT FOR DEATH BENEFITS UNDER USERRA-QUALIFIED ACTIVE MILITARY SERVICE.—Subsection (a) of section 401 (relating to requirements for qualification) is amended by inserting after paragraph (36) the following new paragraph:

"(37) DEATH BENEFITS UNDER USERRA-QUALIFIED ACTIVE MILITARY SERVICE.—A trust shall not constitute a qualified trust unless the plan provides that, in the case of a participant who dies while performing qualified military service (as defined in section 414(u)), the survivors of the participant are entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) provided under the plan had the participant resumed and then terminated employment on account of death.".

(b) TREATMENT IN THE CASE OF DEATH OR DISABILITY RESULTING FROM ACTIVE MILITARY SERVICE FOR BENEFIT ACCRUAL PURPOSES.—Subsection (u) of section 414 (relating to special rules relating to veterans' reemployment rights under USERRA) is amended by redesignating paragraphs (9) and (10) as paragraphs (10) and (11), respectively, and by inserting after paragraph (8) the following new paragraph:

"(9) TREATMENT IN THE CASE OF DEATH OR DISABILITY RESULTING FROM ACTIVE MILITARY SERVICE.—

"(A) IN GENERAL.—For benefit accrual purposes, an employer sponsoring a retirement plan may treat an individual who dies or becomes disabled (as defined under the terms of the plan) while performing qualified military service with respect to the employer maintaining the plan as if the individual has resumed employment in accordance with the individual's reemployment rights under chapter 43 of title 38, United States Code, on the day preceding death or disability (as the case may be) and terminated employment on the actual date of death or disability. In the case of any such treatment, and subject to subparagraphs (B) and (C), any full or partial compliance by such plan with respect to the benefit accrual requirements of paragraph (8) with respect to such individual shall be treated for purposes of paragraph (1) as if such compliance were required under such chapter 43.

"(B) NONDISCRIMINATION REQUIREMENT.—Subparagraph (A) shall apply only if all individuals performing qualified military service with respect to the employer maintaining the plan (as determined under subsections (b), (c), (m), and (o)) who die or became disabled as a result of performing qualified military service prior to reemployment by the employer are credited with service and benefits on reasonably equivalent terms.

"(C) DETERMINATION OF BENEFITS.—The amount of employee contributions and the amount of elective deferrals of an individual treated as reemployed under subparagraph (A) for purposes of applying paragraph (8)(C) shall be determined on the basis of the individual's average actual employee contributions or elective deferrals for the lesser of—

"(i) the 12-month period of service with the employer immediately prior to qualified military service, or “(ii) if service with the employer is less than such 12-month period, the actual length of continuous service with the employer.”.

(c) CONFORMING AMENDMENTS.—

(1) Section 404(a)(2) is amended by striking “and (31)” and inserting “(31), and (37)”.

(2) Section 403(b) is amended by adding at the end the following new paragraph:

“(14) DEATH BENEFITS UNDER USERRA-QUALIFIED ACTIVE MILITARY SERVICE.—This subsection shall not apply to an annuity contract unless such contract meets the requirements of section 401(a)(37).”.

(3) Section 457(g) is amended by adding at the end the following new paragraph:

“(4) DEATH BENEFITS UNDER USERRA-QUALIFIED ACTIVE MILITARY SERVICE.—A plan described in paragraph (1) shall not be treated as an eligible deferred compensation plan unless such plan meets the requirements of section 401(a)(37).”.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply with respect to deaths and disabilities occurring on or after January 1, 2007.

(2) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(A) IN GENERAL.—If this subparagraph applies to any plan or contract amendment, such plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in subparagraph (B)(iii).

(B) AMENDMENTS TO WHICH SUBPARAGRAPH (A) APPLIES.—

(i) IN GENERAL.—Subparagraph (A) shall apply to any amendment to any plan or annuity contract which is made—

(I) pursuant to the amendments made by subsection (a) or pursuant to any regulation issued by the Secretary of the Treasury under subsection (a), and

(II) on or before the last day of the first plan year beginning on or after January 1, 2009.

In the case of a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986), this clause shall be applied by substituting “2011” for “2009” in subclause (II).

(ii) CONDITIONS.—This paragraph shall not apply to any amendment unless—

(I) the plan or contract is operated as if such plan or contract amendment were in effect for the period described in clause (iii), and

(II) such plan or contract amendment applies retroactively for such period.

(iii) PERIOD DESCRIBED.—The period described in this clause is the period—

(I) beginning on the effective date specified by the plan, and

(II) ending on the date described in clause (i)(II) (or, if earlier, the date the plan or contract amendment is adopted).

SEC. 104. TREATMENT OF DIFFERENTIAL MILITARY PAY AS WAGES.

(a) INCOME TAX WITHHOLDING ON DIFFERENTIAL WAGE PAYMENTS.—

(1) IN GENERAL.—Section 3401 (relating to definitions) is amended by adding at the end the following new subsection:

“(h) DIFFERENTIAL WAGE PAYMENTS TO ACTIVE DUTY MEMBERS OF THE UNIFORMED SERVICES.—

“(1) IN GENERAL.—For purposes of subsection (a), any differential wage payment shall be treated as a payment of wages by the employer to the employee.

“(2) DIFFERENTIAL WAGE PAYMENT.—For purposes of paragraph (1), the term ‘differential wage payment’ means any payment which—

“(A) is made by an employer to an individual with respect to any period during which the individual is performing service in the uniformed services (as defined in chapter 43 of title 38, United States Code) while on active duty for a period of more than 30 days, and

“(B) represents all or a portion of the wages the individual would have received from the employer if the individual were performing service for the employer.”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to remuneration paid after December 31, 2007.

(b) TREATMENT OF DIFFERENTIAL WAGE PAYMENTS FOR RETIREMENT PLAN PURPOSES.—

(1) PENSION PLANS.—

(A) IN GENERAL.—Section 414(u) (relating to special rules relating to veterans' reemployment rights under USERRA), as amended by section 103(b), is amended by adding at the end the following new paragraph:

“(12) TREATMENT OF DIFFERENTIAL WAGE PAYMENTS.—

“(A) IN GENERAL.—Except as provided in this paragraph, for purposes of applying this title to a retirement plan to which this subsection applies—

“(i) an individual receiving a differential wage payment shall be treated as an employee of the employer making the payment,

“(ii) the differential wage payment shall be treated as compensation, and

“(iii) the plan shall not be treated as failing to meet the requirements of any provision described in paragraph (1)(C) by reason of any contribution or benefit which is based on the differential wage payment.

“(B) SPECIAL RULE FOR DISTRIBUTIONS.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A)(i), for purposes of section 401(k)(2)(B)(i)(I), 403(b)(7)(A)(ii), 403(b)(11)(A), or 457(d)(1)(A)(ii), an individual shall be treated as having been severed from employment during any period the individual is performing service in the uniformed services described in section 3401(h)(2)(A).

“(ii) LIMITATION.—If an individual elects to receive a distribution by reason of clause (i), the plan shall provide that the individual may not make an elective deferral or employee contribution during the 6-month period beginning on the date of the distribution.

“(C) NONDISCRIMINATION REQUIREMENT.—Subparagraph (A)(iii) shall apply only if all employees of an employer (as determined under subsections (b), (c), (m), and (o)) performing service in the uniformed services described in section 3401(h)(2)(A) are entitled to receive differential wage payments on reasonably equivalent terms and, if eligible to participate in a retirement plan maintained by the employer, to make contributions based on the payments on reasonably equivalent terms. For purposes of applying this subparagraph, the provisions of paragraphs (3), (4), and (5) of section 410(b) shall apply.

“(D) DIFFERENTIAL WAGE PAYMENT.—For purposes of this paragraph, the term ‘differential wage payment’ has the meaning given such term by section 3401(h)(2).”.

(B) CONFORMING AMENDMENT.—The heading for section 414(u) is amended by inserting “AND TO DIFFERENTIAL WAGE PAYMENTS TO MEMBERS ON ACTIVE DUTY” after “USERRA”.

(2) DIFFERENTIAL WAGE PAYMENTS TREATED AS COMPENSATION FOR INDIVIDUAL RETIREMENT PLANS.—Section 219(f)(1) (defining compensation) is amended by adding at the end the following new sentence: “The term compensation includes any differential wage payment (as defined in section 3401(h)(2)).”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to years beginning after December 31, 2007.

(c) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(1) IN GENERAL.—If this subsection applies to any plan or annuity contract amendment, such plan or contract shall be treated as being operated in accordance with the terms of the plan or contract during the period described in paragraph (2)(B)(i).

(2) AMENDMENTS TO WHICH SECTION APPLIES.—

(A) IN GENERAL.—This subsection shall apply to any amendment to any plan or annuity contract which is made—

(i) pursuant to any amendment made by subsection (b)(1), and

(ii) on or before the last day of the first plan year beginning on or after January 1, 2009.

In the case of a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986), this subparagraph shall be applied by substituting “2011” for “2009” in clause (ii).

(B) CONDITIONS.—This subsection shall not apply to any plan or annuity contract amendment unless—

(i) during the period beginning on the date the amendment described in subparagraph (A)(i) takes effect and ending on the date described in subparagraph (A)(ii) (or, if earlier, the date the plan or contract amendment is adopted), the plan or contract is operated as if such plan or contract amendment were in effect, and

(ii) such plan or contract amendment applies retroactively for such period.

SEC. 105. EXCLUSION FROM INCOME FOR BENEFITS PROVIDED TO VOLUNTEER FIREFIGHTERS AND EMERGENCY MEDICAL RESPONDERS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 (relating to items specifically excluded from gross income) is amended by inserting after section 139A the following new section:

“SEC. 139B. BENEFITS PROVIDED TO VOLUNTEER FIREFIGHTERS AND EMERGENCY MEDICAL RESPONDERS.

“(a) IN GENERAL.—In the case of any member of a qualified volunteer emergency response organization, gross income shall not include—

“(1) any qualified State and local tax benefit, and

“(2) any qualified payment.

“(b) DENIAL OF DOUBLE BENEFITS.—In the case of any member of a qualified volunteer emergency response organization—

“(1) the deduction under 164 shall be determined with regard to any qualified State and local tax benefit, and

“(2) expenses paid or incurred by the taxpayer in connection with the performance of services as such a member shall be taken into account under section 170 only to the extent such expenses exceed the amount of any qualified payment excluded from gross income under subsection (a).

“(c) DEFINITIONS.—For purposes of this section—

“(1) QUALIFIED STATE AND LOCAL TAX BENEFIT.—The term ‘qualified state and local tax benefit’ means any reduction or rebate of a tax described in paragraph (1), (2), or (3) of section 164(a) provided by a State or political division thereof on account of services performed as a member of a qualified volunteer emergency response organization.

“(2) QUALIFIED PAYMENT.—

“(A) IN GENERAL.—The term ‘qualified payment’ means any payment (whether reimbursement or otherwise) provided by a State or political division thereof on account of the performance of services as a member of a qualified volunteer emergency response organization.

"(B) APPLICABLE DOLLAR LIMITATION.—The amount determined under subparagraph (A) for any taxable year shall not exceed $30 multiplied by the number of months during such year that the taxpayer performs such services.

"(3) QUALIFIED VOLUNTEER EMERGENCY RESPONSE ORGANIZATION.—The term 'qualified volunteer emergency response organization' means any volunteer organization—

"(A) which is organized and operated to provide firefighting or emergency medical services for persons in the State or political subdivision, as the case may be, and

"(B) which is required (by written agreement) by the State or political subdivision to furnish firefighting or emergency medical services in such State or political subdivision.".

(b) CLERICAL AMENDMENT.—The table of sections for such part is amended by inserting after the item relating to section 139A the following new item:

"Sec. 139B. Benefits provided to volunteer firefighters and emergency medical responders.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 106. SPECIAL PERIOD OF LIMITATION WHEN UNIFORMED SERVICES RETIRED PAY IS REDUCED AS A RESULT OF AWARD OF DISABILITY COMPENSATION.

(a) IN GENERAL.—Subsection (d) of section 6511 (relating to special rules applicable to income taxes) is amended by adding at the end the following new paragraph:

"(8) SPECIAL RULES WHEN UNIFORMED SERVICES RETIRED PAY IS REDUCED AS A RESULT OF AWARD OF DISABILITY COMPENSATION.—

"(A) PERIOD OF LIMITATION ON FILING CLAIM.—If the claim for credit or refund relates to an overpayment of tax imposed by subtitle A on account of—

"(i) the reduction of uniformed services retired pay computed under section 1406 or 1407 of title 10, United States Code, or

"(ii) the waiver of such pay under section 5305 of title 38 of such Code,

as a result of an award of compensation under title 38 of such Code pursuant to a determination by the Secretary of Veterans Affairs, the 3-year period of limitation prescribed in subsection (a) shall be extended, for purposes of permitting a credit or refund based upon the amount of such reduction or waiver, until the end of the 1-year period beginning on the date of such determination.

"(B) LIMITATION TO 5 TAXABLE YEARS.—Subparagraph (A) shall not apply with respect to any taxable year which began more than 5 years before the date of such determination.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to claims for credit or refund filed after the date of the enactment of this Act.

(c) TRANSITION RULES.—In the case of a determination described in paragraph (8) of section 6511(d) of the Internal Revenue Code of 1986 (as added by this section) which is made by the Secretary of Veterans Affairs after December 31, 2000, and before the date of the enactment of this Act, such paragraph—

(1) shall not apply with respect to any taxable year which began before January 1, 2001, and

(2) shall be applied by substituting for "the date of such determination" in subparagraph (A) thereof.

SEC. 107. DISTRIBUTIONS FROM RETIREMENT PLANS TO INDIVIDUALS CALLED TO ACTIVE DUTY.

(a) IN GENERAL.—Clause (iv) of section 72(t)(2)(G) is amended by striking ", and before December 31, 2007".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to individuals ordered or called to active duty on or after December 31, 2007.

SEC. 108. DISCLOSURE OF RETURN INFORMATION RELATING TO VETERANS PROGRAMS MADE PERMANENT.

(a) IN GENERAL.—Subparagraph (D) of section 6103(l)(7) (relating to disclosure of return information to Federal, State, and local agencies administering certain programs under the Social Security Act, the Food Stamp Act of 1977, or title 38, United States Code or certain housing assistance programs) is amended by striking the last sentence.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to requests made after September 30, 2008.

SEC. 109. CONTRIBUTIONS OF MILITARY DEATH GRATUITIES TO ROTH IRAS AND EDUCATION SAVINGS ACCOUNTS.

(a) PROVISION IN EFFECT BEFORE PENSION PROTECTION ACT.—Subsection (e) of section 408A (relating to qualified rollover contribution), as in effect before the amendments made by section 824 of the Pension Protection Act of 2006, is amended to read as follows:

"(e) QUALIFIED ROLLOVER CONTRIBUTION.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified rollover contribution' means a rollover contribution to a Roth IRA from another such account, or from an individual retirement plan, but only if such rollover contribution meets the requirements of section 408(d)(3). Such term includes a rollover contribution described in section 402A(c)(3)(A). For purposes of section 408(d)(3)(B), there shall be disregarded any qualified rollover contribution from an individual retirement plan (other than a Roth IRA) to a Roth IRA.

"(2) MILITARY DEATH GRATUITY.—

"(A) IN GENERAL.—The term 'qualified rollover contribution' includes a contribution to a Roth IRA maintained for the benefit of an individual made before the end of the 1-year period beginning on the date on which such individual receives an amount under section 1477 of title 10, United States Code, or section 1967 of title 38 of such Code, with respect to a person, to the extent that such contribution does not exceed—

"(i) the sum of the amounts received during such period by such individual under such sections with respect to such person, reduced by

"(ii) the amounts so received which were contributed to a Coverdell education savings account under section 530(d)(9).

"(B) ANNUAL LIMIT ON NUMBER OF ROLLOVERS NOT TO APPLY.—Section 408(d)(3)(B) shall not apply with respect to amounts treated as a rollover by subparagraph (A).

"(C) APPLICATION OF SECTION 72.—For purposes of applying section 72 in the case of a distribution which is not a qualified distribution, the amount treated as a rollover by reason of subparagraph (A) shall be treated as investment in the contract.".

(b) PROVISION IN EFFECT AFTER PENSION PROTECTION ACT.—Subsection (e) of section 408A, as in effect after the amendments made by section 824 of the Pension Protection Act of 2006, is amended to read as follows:

"(e) QUALIFIED ROLLOVER CONTRIBUTION.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified rollover contribution' means a rollover contribution—

"(A) to a Roth IRA from another such account,

"(B) from an eligible retirement plan, but only if—

"(i) in the case of an individual retirement plan, such rollover contribution meets the requirements of section 408(d)(3), and

"(ii) in the case of any eligible retirement plan (as defined in section 402(c)(8)(B) other than clauses (i) and (ii) thereof), such rollover contribution meets the requirements of section 402(c), 403(b)(8), or 457(e)(16), as applicable.

For purposes of section 408(d)(3)(B), there shall be disregarded any qualified rollover contribution from an individual retirement plan (other than a Roth IRA) to a Roth IRA.

"(2) MILITARY DEATH GRATUITY.—

"(A) IN GENERAL.—The term 'qualified rollover contribution' includes a contribution to a Roth IRA maintained for the benefit of an individual made before the end of the 1-year period beginning on the date on which such individual receives an amount under section 1477 of title 10, United States Code, or section 1967 of title 38 of such Code, with respect to a person, to the extent that such contribution does not exceed—

"(i) the sum of the amounts received during such period by such individual under such sections with respect to such person, reduced by

"(ii) the amounts so received which were contributed to a Coverdell education savings account under section 530(d)(9).

"(B) ANNUAL LIMIT ON NUMBER OF ROLLOVERS NOT TO APPLY.—Section 408(d)(3)(B) shall not apply with respect to amounts treated as a rollover by the subparagraph (A).

"(C) APPLICATION OF SECTION 72.—For purposes of applying section 72 in the case of a distribution which is not a qualified distribution, the amount treated as a rollover by reason of subparagraph (A) shall be treated as investment in the contract.".

(c) EDUCATION SAVINGS ACCOUNTS.—Subsection (d) of section 530 is amended by adding at the end the following new paragraph:

"(9) MILITARY DEATH GRATUITY.—

"(A) IN GENERAL.—For purposes of this section, the term 'rollover contribution' includes a contribution to a Coverdell education savings account made before the end of the 1-year period beginning on the date on which the contributor receives an amount under section 1477 of title 10, United States Code, or section 1967 of title 38 of such Code, with respect to a person, to the extent that such contribution does not exceed—

"(i) the sum of the amounts received during such period by such contributor under such sections with respect to such person, reduced by

"(ii) the amounts so received which were contributed to a Roth IRA under section 408A(e)(2) or to another Coverdell education savings account.

"(B) ANNUAL LIMIT ON NUMBER OF ROLLOVERS NOT TO APPLY.—The last sentence of paragraph (5) shall not apply with respect to amounts treated as a rollover by the subparagraph (A).

"(C) APPLICATION OF SECTION 72.—For purposes of applying section 72 in the case of a distribution which is includible in gross income under paragraph (1), the amount treated as a rollover by reason of subparagraph

(A) shall be treated as investment in the contract.”.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided by paragraphs (2) and (3), the amendments made by this section shall apply with respect to deaths from injuries occurring on or after the date of the enactment of this Act.

(2) APPLICATION OF AMENDMENTS TO DEATHS FROM INJURIES OCCURRING ON OR AFTER OCTOBER 7, 2001, AND BEFORE ENACTMENT.—The amendments made by this section shall apply to any contribution made pursuant to section 408A(e)(2) or 530(d)(5) of the Internal Revenue Code of 1986, as amended by this Act, with respect to amounts received under section 1477 of title 10, United States Code, or under section 1967 of title 38 of such Code, for deaths from injuries occurring on or after October 7, 2001, and before the date of the enactment of this Act if such contribution is made not later than 1 year after the date of the enactment of this Act.

(3) PENSION PROTECTION ACT CHANGES.—Section 408A(e)(1) of the Internal Revenue Code of 1986 (as in effect after the amendments made by subsection (b)) shall apply to taxable years beginning after December 31, 2007.

SEC. 110. SUSPENSION OF 5-YEAR PERIOD DURING SERVICE WITH THE PEACE CORPS.

(a) IN GENERAL.—Subsection (d) of section 121 (relating to special rules) is amended by adding at the end the following new paragraph:

“(12) PEACE CORPS.—

“(A) IN GENERAL.—At the election of an individual with respect to a property, the running of the 5-year period described in subsections (a) and (c)(1)(B) and paragraph (7) of this subsection with respect to such property shall be suspended during any period that such individual or such individual's spouse is serving outside the United States—

“(i) on qualified official extended duty (as defined in paragraph (9)(C)) as an employee of the Peace Corps, or

“(ii) as an enrolled volunteer or volunteer leader under section 5 or 6 (as the case may be) of the Peace Corps Act (22 U.S.C. 2504, 2505).

“(B) APPLICABLE RULES.—For purposes of subparagraph (A), rules similar to the rules of subparagraphs (B) and (D) shall apply.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2007.

TITLE II—IMPROVEMENTS IN SUPPLEMENTAL SECURITY INCOME

SEC. 201. TREATMENT OF UNIFORMED SERVICE CASH REMUNERATION AS EARNED INCOME.

(a) IN GENERAL.—Section 1612(a)(1)(A) of the Social Security Act (42 U.S.C. 1382a(a)(1)(A)) is amended by inserting “(and, in the case of cash remuneration paid for service as a member of a uniformed service (other than payments described in paragraph (2)(H) of this subsection or subsection (b)(20)), without regard to the limitations contained in section 209(d))” before the semicolon.

(b) CERTAIN HOUSING PAYMENTS TREATED AS IN-KIND SUPPORT AND MAINTENANCE.—Section 1612(a)(2) of such Act (42 U.S.C. 1382a(a)(2)) is amended—

(1) by striking “and” at the end of subparagraph (F);

(2) by striking the period at the end of subparagraph (G) and inserting “; and”; and

(3) by adding at the end the following:

“(H) payments to or on behalf of a member of a uniformed service for housing of the member (and his or her dependents, if any) on a facility of a uniformed service, including payments provided under section 403 of title 37, United States Code, for housing that is acquired or constructed under subchapter IV of chapter 169 of title 10 of such Code, or any related provision of law, and any such payments shall be treated as support and maintenance in kind subject to subparagraph (A) of this paragraph.”.

SEC. 202. STATE ANNUITIES FOR CERTAIN VETERANS TO BE DISREGARDED IN DETERMINING SUPPLEMENTAL SECURITY INCOME BENEFITS.

(a) INCOME DISREGARD.—Section 1612(b) of the Social Security Act (42 U.S.C. 1382a(b)) is amended—

(1) by striking “and” at the end of paragraph (22);

(2) by striking the period at the end of paragraph (23) and inserting “; and”; and

(3) by adding at the end the following:

“(24) any annuity paid by a State to the individual (or such spouse) on the basis of the individual's being a veteran (as defined in section 101 of title 38, United States Code), and blind, disabled, or aged.”.

(b) RESOURCE DISREGARD.—Section 1613(a) of such Act (42 U.S.C. 1382b(a)) is amended—

(1) by striking “and” at the end of paragraph (14);

(2) by striking the period at the end of paragraph (15) and inserting “; and”; and

(3) by inserting after paragraph (15) the following:

“(16) for the month of receipt and every month thereafter, any annuity paid by a State to the individual (or such spouse) on the basis of the individual's being a veteran (as defined in section 101 of title 38, United States Code), and blind, disabled, or aged.”.

SEC. 203. EXCLUSION OF AMERICORPS BENEFITS FOR PURPOSES OF DETERMINING SUPPLEMENTAL SECURITY INCOME ELIGIBILITY AND BENEFIT AMOUNTS.

Section 1612(b) of the Social Security Act (42 U.S.C. 1382a(b)), as amended by section 202(a) of this Act, is amended—

(1) in paragraph (23), by striking “and” at the end;

(2) in paragraph (24), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(25) any benefit (whether cash or in-kind) conferred upon (or paid on behalf of) a participant in an AmeriCorps position approved by the Corporation for National and Community Service under section 123 of the National and Community Service Act of 1990 (42 U.S.C. 12573).”.

SEC. 204. EFFECTIVE DATE.

The amendments made by this title shall be effective with respect to benefits payable for months beginning after 60 days after the date of the enactment of this Act.

TITLE III—REVENUE PROVISIONS

SEC. 301. MODIFICATION OF PENALTY FOR FAILURE TO FILE PARTNERSHIP RETURNS.

(a) EXTENSION OF TIME LIMITATION.—Subsection (a) of section 6698 (relating to general rule) is amended by striking “5 months” and inserting “12 months”.

(b) INCREASE IN PENALTY AMOUNT.—Paragraph (1) of section 6698(b) is amended by striking “$50” and inserting “$100”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed after the date of the enactment of this Act.

SEC. 302. PENALTY FOR FAILURE TO FILE S CORPORATION RETURNS.

(a) IN GENERAL.—Part I of subchapter B of chapter 68 (relating to assessable penalties) is amended by adding at the end the following new section:

“SEC. 6699. FAILURE TO FILE S CORPORATION RETURN.

“(a) GENERAL RULE.—In addition to the penalty imposed by section 7203 (relating to willful failure to file return, supply information, or pay tax), if any S corporation required to file a return under section 6037 for any taxable year—

“(1) fails to file such return at the time prescribed therefor (determined with regard to any extension of time for filing), or

“(2) files a return which fails to show the information required under section 6037,

such S corporation shall be liable for a penalty determined under subsection (b) for each month (or fraction thereof) during which such failure continues (but not to exceed 12 months), unless it is shown that such failure is due to reasonable cause.

“(b) AMOUNT PER MONTH.—For purposes of subsection (a), the amount determined under this subsection for any month is the product of—

“(1) $100, multiplied by

“(2) the number of persons who were shareholders in the S corporation during any part of the taxable year.

“(c) ASSESSMENT OF PENALTY.—The penalty imposed by subsection (a) shall be assessed against the S corporation.

“(d) DEFICIENCY PROCEDURES NOT TO APPLY.—Subchapter B of chapter 63 (relating to deficiency procedures for income, estate, gift, and certain excise taxes) shall not apply in respect of the assessment or collection of any penalty imposed by subsection (a).”.

(b) CLERICAL AMENDMENT.—The table of sections for part I of subchapter B of chapter 68 is amended by adding at the end the following new item:

“Sec. 6699. Failure to file S corporation return.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed after the date of the enactment of this Act.

SEC. 303. INCREASE IN INFORMATION RETURN PENALTIES.

(a) FAILURE TO FILE CORRECT INFORMATION RETURNS.—

(1) IN GENERAL.—Subsections (a)(1), (b)(1)(A), and (b)(2)(A) of section 6721 are each amended by striking “$50” and inserting “$100”.

(2) AGGREGATE ANNUAL LIMITATION.—Subsections (a)(1), (d)(1)(A), and (e)(3)(A) of section 6721 are each amended by striking “$250,000” and inserting “$600,000”.

(b) REDUCTION WHERE CORRECTION WITHIN 30 DAYS.—

(1) IN GENERAL.—Subparagraph (A) of section 6721(b)(1) is amended by striking “$15” and inserting “$25”.

(2) AGGREGATE ANNUAL LIMITATION.—Subsections (b)(1)(B) and (d)(1)(B) of section 6721 are each amended by striking “$75,000” and inserting “$200,000”.

(c) REDUCTION WHERE CORRECTION ON OR BEFORE AUGUST 1.—

(1) IN GENERAL.—Subparagraph (A) of section 6721(b)(2) is amended by striking “$30” and inserting “$60”.

(2) AGGREGATE ANNUAL LIMITATION.—Subsections (b)(2)(B) and (d)(1)(C) of section 6721 are each amended by striking “$150,000” and inserting “$400,000”.

(d) AGGREGATE ANNUAL LIMITATIONS FOR PERSONS WITH GROSS RECEIPTS OF NOT MORE THAN $5,000,000.—Paragraph (1) of section 6721(d) is amended—

(1) by striking “$100,000” in subparagraph (A) and inserting “$250,000”,

(2) by striking "$25,000" in subparagraph (B) and inserting "$75,000", and

(3) by striking "$50,000" in subparagraph (C) and inserting "$150,000".

(e) PENALTY IN CASE OF INTENTIONAL DISREGARD.—Paragraph (2) of section 6721(e) is amended by striking "$100" and inserting "$250".

(f) FAILURE TO FURNISH CORRECT PAYEE STATEMENTS.—

(1) IN GENERAL.—Subsection (a) of section 6722 is amended by striking "$50" and inserting "$100".

(2) AGGREGATE ANNUAL LIMITATION.—Subsections (a) and (c)(2)(A) of section 6722 are each amended by striking "$100,000" and inserting "$600,000".

(3) PENALTY IN CASE OF INTENTIONAL DISREGARD.—Paragraph (1) of section 6722(c) is amended by striking "$100" and inserting "$250".

(g) FAILURE TO COMPLY WITH OTHER INFORMATION REPORTING REQUIREMENTS.—Section 6723 is amended—

(1) by striking "$50" and inserting "$100", and

(2) by striking "$100,000" and inserting "$600,000".

(h) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to information returns required to be filed on or after January 1, 2008.

SEC. 304. INCREASE IN MINIMUM PENALTY ON FAILURE TO FILE A RETURN OF TAX.

(a) IN GENERAL.—Subsection (a) of section 6651 is amended by striking "$100" in the last sentence and inserting "$225".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns the due date for the filing of which (including extensions) is after December 31, 2007.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. MCDERMOTT) and the gentleman from Pennsylvania (Mr. ENGLISH) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

Mr. MCDERMOTT. Madam Speaker, Martin Luther King said, "Everybody can be great because anybody can serve. You only need a heart full of grace and a soul generated by love."

Those that volunteer to serve our country deserve our thanks and our support. Members of our Armed Forces make tremendous sacrifices as they honorably perform their duties and deserve so much in return for their service.

The Heroes Earnings Assistance and Relief Act is an important piece of legislation that would eliminate many inequities that presently exist in Federal statutes affecting those performing service to our country.

The bill makes several improvements in the Tax Code for servicemembers and their families. It includes a provision to remove obstacles for Americans who wish to serve our Nation overseas through the Peace Corps by providing relief from capital gains taxes on the sale of a home.

Additionally, the bill makes several important changes to the Supplemental Security Income program, known as SSI. The SSI program provides critical benefits for servicemembers who are caring for a severely disabled spouse or child. This bill would change SSI's treatment of certain forms of military compensation when determining SSI eligibility and benefit amounts for military families. As a result, more military families will be able to benefit from this important safety net. This bill would remove penalties that presently exist for blind, disabled, and elderly veterans under the SSI program.

And, finally, the bill would end the disparate treatment of compensation that is paid to some AmeriCorps volunteers but not to others under the SSI program. This modest change would enable disabled Americans to serve their country and their community despite their disability. For some Americans, AmeriCorps can provide a pathway for the disabled to gain the skills to reenter the workforce.

At this time, I would like to enter into the RECORD the following documents.

STORIES OF AMERICANS WITH DISABILITIES IN NATIONAL SERVICE

People with disabilities volunteer for the same reasons that anyone else does—to give back to their communities, to improve their surroundings, and to be active and engaged in life. Some national service participants who have disabilities volunteer with organizations that serve other people with disabilities, while others focus their efforts on helping to meet a wide range of critical community needs. The individuals profiled here represent a small sampling of the many people with disabilities involved in the Corporation for National and Community Service's Senior Corps, AmeriCorps, and Learn and Serve America programs.

AMERICORPS*STATE AND NATIONAL

Steve Hoad, AmeriCorps Alumnus 2001, AmeriCorps*VISTA Alumnus 2003 Augusta, Maine; disability: blind.

Steve Hoad served with the Maine Conservation Corps in Augusta as a coordinator of volunteers on a statewide basis. The program, called SERVE—Maine (State Environmental Resource Volunteer Effort for Maine), identifies volunteers for outdoor or natural resource projects sponsored by government agencies or nonprofit groups. As a person who is blind, Steve thinks it's important for lots of organizations, including the Corporation for National and Community Service, to address inclusion. Steve feels his contributions are important for the additional reason that, in his opinion, ". . . people with disabilities have been left on the sidelines and pushed into isolation by a couple of different ideas that people seem to have. One is that because maybe someone looks different or acts differently or speaks differently, that they're not as smart; and the other is that because someone is disabled, they can't contribute anything, they need to be helped. Those two ideas become very exclusionary."

AMERICORPS*VISTA

Dawn Facka, AmeriCorps*VISTA Alumna 2001, Anchorage, Alaska; current location: Charleston, South Carolina; disability: hearing impaired.

Dawn Facka, a service-learning coordinator with AmeriCorps*VISTA, advocates for people with disabilities and serves as a role model for young men and women with disabilities that come to serve in AmeriCorps Programs. In addition, she teaches others about the importance of inclusion and facilitates disability awareness and diversity training to AmeriCorps*NCCC members. She strives to create a work environment that is welcoming and understanding to those individuals with disabilities by advocating for community involvement and supporting organizations that support and help individuals with disabilities. She says that "If AmeriCorps, had not opened the doors of opportunity to me, I most likely would still be ashamed and embarrassed of who I am and [how] society has labeled me. I would still be apologizing to people who did not tolerate or accept my hearing loss. I can't begin to show my gratitude . . . to AmeriCorps for showing me another world."

AMERICORPS*NCCC

Joe Tierney, AmeriCorps*NCCC Alumnus 2001 and 2002, Charleston, South Carolina; current location: Boston, Massachusetts; disability: traumatic brain injury.

Joe Tierney dedicated two years of his life to service with Americorps*NCCC. During these years he tutored children, built houses, designed and built wheelchair ramps, surveyed and mapped a historical graveyard, blazed trails, worked at a camp for children and adults with disabilities, and much more. Of his time there he writes, "Throughout my service I met some amazing individuals, traveled to some fascinating locations, and learned a variety of skills, but most importantly my service gave me the opportunity to recover, the ability to experience life with a smile. I made the decision to join AmeriCorps because I felt an obligation to give back, I understood that I was very fortunate to have recovered and that I would have never done it without the help of many thoughtful, committed, competent individuals."

LEARN AND SERVE AMERICA

Jared (not his real name), Learn and Serve America Alumnus 2002, Hampshire, Massachusetts; current location: Hampshire, Massachusetts; disability: significant disabilities.

Jared (not his real name), a high school student with significant disabilities, participated fully in a water quality testing initiative though a school-based service-learning project in Western Massachusetts. During the project, Jared spoke of all that he learned about water quality and the effects on the environment. His family and teachers were impressed with the project because it provided Jared with a meaningful experience to give back to his community as well as taught him vital life skills. His mother speaks of the project as being one of the few opportunities Jared has had to mingle with other students outside of special education.

RSVP

Dean Homerick, RSVP Volunteer, current location: Lexington, Ohio; disability: debilitating arthritis.

Dean Homerick began service as an RSVP volunteer as soon as he became eligible—the day he turned 55. He is involved in environmental issues and emergency operations. He volunteers regularly at the Columbus Zoo, participating in education programs to teach children about animals, as well as volunteering at a local nature center and at the Ohio Bird Sanctuary, where he edits a monthly newsletter. He also volunteers for the American Red Cross and is the volunteer coordinator for the Richland County Emergency Operations Center, charged with alerting volunteers in the event of an emergency.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

The Corporation for National and Community Service provides opportunities for Americans of all ages and backgrounds to serve their communities and country through three programs: Senior Corps, AmeriCorps, and Learn and Serve America. This year, more than 1.6 million individuals will participate in the Corporation's programs, helping thousands of nonprofit organizations, faith- based groups, schools, and government agencies build their capacity to meet critical local needs in education, the environment, public safety, disaster relief, and other areas. Together with the USA Freedom Corps, the Corporation is working to build a culture of citizenship, service, and responsibility in America.

Delaware Man Honored With President's Volunteer Service Award at National Disability Inclusion and National Service Conference

On December 9, Claude Allen, Assistant to the President for Domestic Policy, spoke at the National Disability Inclusion and National Service Conference. At the conclusion of his remarks, Allen honored outstanding volunteer Emmanuel Jenkins with the President's Volunteer Service Award.

Jenkins, who suffers from Cerebral Palsy, has volunteered for nearly ten years and recently graduated from his second term as an AmeriCorps member. His primary reason for participation in AmeriCorps was to help people. Emmanuel, now 21, started volunteering with children when he was only 11 years old. He ran a computer lab for the Boys and Girls Club as well as a program called Ticket to the Future, which taught students how to set and attain life goals. As a junior staff member, he assisted with a program called Family Day and tutored children in math. Emmanuel talks about the importance of encouraging students and always tells them, "You can do that because a winner never stops trying."

Emmanuel currently lives in Dover, Delaware and volunteers with his local school district mentoring a local at-risk youth. His motivation stems from a public service announcement he saw on TV that said, "You can be part of the problem or part of the solution." He strives to be part of the solution. Emmanuel is also a certified motivational speaker and his message is to challenge others with the quote, "When you give, you get!"

The President's Volunteer Service Award was created at the President's direction by the President's Council on Service and Civic Participation. The Award is available to youth ages 14 and under who have completed 50 or more hours of volunteer service; to individuals 15 and older who have completed 100 or more hours; and to families or groups who have completed 200 or more hours. For more information about the Award, please visit http://www.presidentialserviceawards.gov.

The 2005 National Conference on Disability Inclusion and National Service provided a forum for the national service and disability communities to come together and identify, develop, and share, new innovations that ensure a meaningful opportunity for all Americans to engage in volunteer service. The conference, sponsored by the Corporation for National and Community Service, brought together some 350 leaders from the disability and national service communities across the country to develop strategies for engaging more people with disabilities in volunteering and service.

I thank Mr. RANGEL for being a champion for those that unselfishly serve our Nation.

Madam Speaker, I reserve the balance of my time.

☐ 1130

Mr. ENGLISH of Pennsylvania. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we cannot express enough the tremendous debt of gratitude we owe the brave men and women who defend our freedoms every day. It is with great honor that I join my colleagues on the House floor today and help lead the debate on H.R. 3997, the Heroes Earnings Assistance and Relief Tax Act. This legislation is more than a simple cleanup of some of the disincentives, distortions and oversights that have disadvantaged our active duty military and veterans in the Tax Code.

This legislation is significant because it sends a clear message that even as many of our best and brightest are currently in harm's way in theaters where they are facing hostile fire, this Congress is prepared to work on a bipartisan basis to consider every option and every opportunity to improve the lives of their families and their predecessors.

The $2.3 billion tax package which was reported out of the House Ways and Means Committee last week will bolster tax and Social Security benefits for military servicemembers, veterans and volunteers. This important measure will allow our active military men and women to benefit from the earned income tax credit by allowing them to pair their nontaxable combat pay with their earned income.

H.R. 3997 will ease the financial burden of losing a loved one by allowing survivors to put military death benefits into Roth IRAs without limitations. Furthermore, this legislation will ensure military Reservists will have the opportunity to make penalty-free withdrawals from their retirement plans, including 401(k) and IRA accounts. If deployed, these men and women will be able to provide the financial footing their families may depend on during their absence.

I am also pleased that the majority, in bringing this bill to the floor today, included in it an amendment I offered and withdrew in committee. I appreciate the bipartisan support displayed on this critical issue. Specifically, my provision will expand Social Security income benefits to our aged, disabled and blind veterans.

Under current law, the Social Security Administration counts annuities paid by State governments to veterans who are blind, disabled or aged as earned income. As a result, veterans in certain States like Pennsylvania, which provides paralyzed vets with an $1,800-per-year annuity, may be denied Federal benefits or receive a lower amount than veterans in States that do not provide such annuities. H.R. 3997 will correct this inequity in the law and ensure that annuities awarded by States to vets with certain disabilities are disregarded when determining SSI benefits.

Madam Speaker, the dedication and bravery made by American soldiers have allowed us to exercise our everyday freedoms. Many have made the ultimate sacrifice, and it is our duty in Congress to make sure that veterans rights and interests are protected and served. As many of us prepare for this upcoming Veterans Day, this legislation reaches our Chamber at the proper time and includes the right incentives to help our men and women in uniform. Overall, this legislation is a bundle of commonsense changes to help those who have contributed to the defense of our country and the protection of our freedoms. I am proud to be a supporter of this initiative, and I retain the balance of my time.

Mr. McDERMOTT. Madam Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL of Massachusetts. Madam Speaker, I am delighted that this bipartisan legislation to assist our veterans is before the House today. It also is certainly of great assistance to our active duty military and Reservists and indeed their families. The bill we are considering today is the product of a joint hearing held last month by the Select Revenue Measures Subcommittee led by myself and the Ranking Member ENGLISH and the Income Security Subcommittee led by Chairman McDERMOTT and Ranking Member WELLER. We heard from a number of veterans advocates, military families groups, the Social Security Administration, Members of Congress and others who discussed their proposals to either enhance tax provisions or reduce burdens on those who serve or volunteer for America.

The bill we are considering today, which passed out of the full committee last week, is a product of those deliberations and will go far to assist those serving this country, again, emphasizing support for their families. This country is fortunate that so many soldiers and sailors have been willing to sacrifice for our defense. We must remember, once again, that this is a shared sacrifice. The families of someone serving this country can suffer financially, as well as emotionally, during extended tours. Congress has a responsibility to ensure that the Tax Code and other income security provisions do not create problems but, rather, solve them for military families. That is exactly what this bill will allow us to do.

Mr. McDERMOTT. Madam Speaker, I ask unanimous consent to allow Mr. NEAL to handle the rest of the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ENGLISH of Pennsylvania. Madam Speaker, at this point, I would like to yield 2 minutes to a leader on our committee, the distinguished gentleman from Illinois (Mr. WELLER).

Mr. WELLER of Illinois. Madam Speaker, last month the members of the Ways and Means Committee heard compassionate testimony on several of the tax and benefit provisions for veterans, military families and volunteers in the bill we are considering on the floor today. Several provisions amend the Supplemental Security Income program that operates under the jurisdiction of the Ways and Means Subcommittee on Income Security and Family Support, which I have the privilege of serving as ranking member. These would effectively expand eligibility for and increase SSI benefit payments to certain military families, veterans and AmeriCorps participants. The bill also includes provisions offered by my friends and colleagues, PHIL ENGLISH of Pennsylvania and TOM REYNOLDS of New York, that would ensure comparable treatment under the SSI program when it comes to State annuities for blind and other disabled veterans.

It is important that we look for ways to ensure that those in the military and their families who make sacrifices receive appropriate and timely support. The bill before us today will provide more help to our veterans, to our military families and to others who volunteer in service to our Nation. That is something I support, and I urge all my colleagues to join me in supporting our soldiers, our families and others who volunteer to help America by voting "yes" for this legislation.

Mr. NEAL of Massachusetts. Madam Speaker, I yield 1 minute to the gentleman from Texas, a member of the Ways and Means Committee, Mr. DOGGETT.

Mr. DOGGETT. Madam Speaker, support for our troops does not begin on the battlefield and it must not end there. With approval of this legislation, Texas veterans will be eligible for below-market home loans of up to $325,000. Under the previous law, this benefit was restricted to veterans who had served prior to 1977. Today, we close the gap for the many who have been our heroes in the last 30 years who are not currently eligible. Those who have served to keep us safe in our homes deserve a chance of a home of their own. That is what this bill does.

We know that Veterans Day is approaching, but every day that we enjoy freedom bestowed by the sacrifices of those in uniform is a day that we should honor them. It is often said that we should honor our vets not only with our words but also with our deeds. Well, today we expand the opportunity for each vet to obtain a deed for their home. As veterans paid the price to build our great democracy, we can afford the price of building a foundation for their home ownership.

Mr. ENGLISH of Pennsylvania. Madam Speaker, it is now my privilege to yield 2 minutes to another member of our committee and a strong advocate of the cause of veterans, the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Madam Speaker, I rise in support of this bill on the floor today that will provide additional tax relief to our Nation's veterans, especially those who are seeking to purchase a home. This bill updates current law to ensure that veterans who served after 1977 can qualify for low-interest home loans financed by the Qualified Veterans Mortgage Bonds.

Back home in Texas, this bill is going to enable Texas' Veterans Land Board to expand its existing low-interest loan program to several thousand more Texas veterans, several thousand, helping a new generation of veterans own a piece of the American Dream. Our land commissioner, Jerry Patterson, a Marine veteran himself, does an excellent job supervising this program and reaching out to veterans. This bill is going to allow him, and our State, to help more veterans get into a home they can afford. My thought is for all the sacrifice our veterans make to defend our country, it is only right that we help them upon their return home.

Mr. NEAL of Massachusetts. Madam Speaker, I would like to yield 1½ minutes to the gentleman from North Dakota and member of the Ways and Means Committee, Mr. POMEROY.

Mr. POMEROY. This is a photograph of Major Alan Johnson, his wife, Tori, and his daughter, Megan. This beautiful family suffered the tragedy of losing Major Johnson in Iraq. Last winter, we buried Major Johnson at Arlington Cemetery. His widow contacted me 2 weeks later to tell me that what had happened in the State of Washington is the pension plan there had simply given the money back that Alan Johnson had paid in as if he had terminated his employment at the time he was called to duty, called to deployment in his status as a Reserve officer.

It brought to light a gap in the law that protects our deployed Reservists and Guardsmen. When they come back, this law seamlessly reintegrates them into the pension plan of their employer, but there was no provision if we tragically lose our soldiers under deployment. Included in this bill is the HEROES Act, introduced by DOC HASTINGS and myself, that allows for survivor benefits to be paid in this situation. It is a very important addition. It is terribly important that survivors of our soldiers who paid the ultimate price have survivors benefits under the pension. This law will afford that.

Madam Speaker, I include for the RECORD a letter to this effect from Mrs. Tori Johnson.

NOVEMBER 5, 2007.

Hon. CHARLES RANGEL,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN RANGEL: I am writing to thank you for introducing the Heroes Earnings Assistance and Relief Tax (HEART) Act, H.R. 3997. Your bill makes many important changes to the tax law that will be of great help to the men and women who serve in the Reserve and the National Guard and their families.

My husband, Major Alan R. Johnson, who was killed in Iraq earlier this year, was a public servant both in the Reserve and in his full time job. In his civilian life, he worked for fifteen years with the Yakima County Department of Corrections. We were a team. He was a strong leader and he depended on the strength of his family. We needed to be strong so he did not need to worry about us when he was serving his county in the Reserves.

Dealing with the problems and technicalities our family had to face after we learned that Alan was killed has not been easy. My husband was 44 and we were planning on his retirement for our future. Because his employer considered Alan as an employee who had voluntarily terminated when he left for his deployment, the survivor benefit under his pension that we would be paid was less than the amount we would have received if he was still an active employee. When I asked why, I found out that in order to have his pension protected under existing law he had to return to work.

The HEART Act corrects the gap in the Uniform Services Employment and Reemployment Right Act's pension protections for survivors of National Guard and Reserve soldiers who are killed in action and can not return to work. Our Guard and Reservists should know that the families that they leave behind will be able to rely on the survivor benefits that they have earned in their civilian employment.

Over 81,000 Reservist and National Guard members have responded to our Nation's call to duty. They believe in our country and are willing to make that ultimate sacrifice. When they cannot return to their former jobs your bill will make sure that their families will get the full survivor benefits that they earned from their jobs at home.

Again, I thank you for your leadership and that of Congressman Pomeroy and Congressman Hastings in making sure that the country that Reservists, like my husband, have sacrificed everything for will take care of their families. I hope that your bill, H.R. 3997, will become law soon.

Sincerely,

VICTORIA C. JOHNSON.

Mr. ENGLISH of Pennsylvania. Madam Speaker, may I inquire how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from Pennsylvania has 14½ minutes remaining. The gentleman from Massachusetts has 13½ minutes remaining.

Mr. ENGLISH of Pennsylvania. Madam Speaker, at this point, it would be my honor to yield 4 minutes to a leader in our committee who made a seminal contribution to the SSI component of this legislation, the gentleman from New York (Mr. REYNOLDS).

Mr. REYNOLDS. I thank the gentleman from Pennsylvania.

I want to thank both Chairman RANGEL and Ranking Member MCCRERY, as well as Chairman NEAL and Chairman MCDERMOTT and Ranking Members ENGLISH and WELLER, for their outstanding leadership in crafting this legislation.

Madam Speaker, we come together today not as Democrats and Republicans but as Americans. We are united in our respect for those who wear the uniform of the United States armed services. We are united in our desire to ensure that Federal programs within the Ways and Means Committee's jurisdiction, from the Tax Code to the SSI program, work effectively for members of the military, veterans, first responders and their families. I strongly urge the passage of this legislation.

I would like to highlight two specific provisions in the bill that have been of particular interest to me during my time in Congress. The first provision, section 202, is modeled on legislation, the Blind Veterans Fairness Act, that I first introduced in the year 2000. My legislation would correct a problem in the Federal SSI rules that affects blind veterans in four States, New York, New Jersey, Pennsylvania and Massachusetts, that provide these veterans modest annuities in recognition of the substantial sacrifice they have made in service to our country.

Regrettably, under current Federal law, these State annuities actually reduce any SSI payments for which blind veterans would otherwise be eligible. As we heard from Michelle LaRock of New York's Division of Veterans' Affairs at our Ways and Means Committee hearing 3 weeks ago, this quirk in the Federal SSI rules creates a hardship not only for the affected veterans themselves, but for the States that administer these annuity programs as well.

As in years past, the bill I have introduced in the 110th Congress, H.R. 649, has enjoyed bipartisan support. It has been strongly endorsed by the Blinded Veterans Association. I would also like to publicly thank Chairman RANGEL, not just the Chair of our committee but the dean of my State's congressional delegation, for his cosponsorship of prior versions of this bill, and I look forward to working closely with him to see the proposal finally enacted into law.

Let me turn briefly to a separate provision, section 107 of the bill, which will permanently allow penalty-free withdrawals from IRAs, 401(k)'s and other retirement funds for Reservists and National Guardsmen called to active duty. As we all know, when Guardsmen and Reservists are called up, they often face significant reductions in pay compared to their civilian salaries, putting an economic strain on their families.

To lessen this economic hardship, many of them chose to draw down on their retirement funds. Unfortunately, under prior law, they faced a 10 percent early withdrawal tax when they did so, and they faced restrictions on making repayments to their retirement funds upon returning from active duty.

□ 1145

Last year's Pension Protection Act provided relief from this penalty tax and permitted unlimited repayments within 2 years after leaving active duty, but only for Guardsmen or Reservists called to active duty before December 31, 2007.

To ensure that this important relief remains available on a permanent basis going forward, I introduced H.R. 867, the Guardsmen and Reservist Tax Fairness Act, on February 7 of this year. This legislation has also attracted a bipartisan group of cosponsors, as well as endorsements from several leading veteran service organizations. I look forward to seeing these commonsense changes enacted into law over the coming weeks.

I urge a "yes" vote.

BLINDED VETERANS ASSOCIATION,
Washington, DC, February 9, 2007.

Hon. THOMAS REYNOLDS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE REYNOLDS: On behalf of the Blinded Veterans Association (BVA), the only congressionally chartered Veterans Service Organization exclusively dedicated to serving the needs of our Nation's blinded veterans and their families we commend you for the introduction of H.R. 649 "Blind Veterans Fairness Act." BVA is grateful to you for sponsoring this bill for those blind veterans who have their state annuities counted against the income levels by Social Security. Cornell University Disability Statistics research has found that the poverty rates for the disabled working age population in 2004, ages 21-64, has risen to 3.33 times the rate of poverty for the non-disabled population. They also found that the poverty rate for those with a sensory disability in this age group was 24.6% in 2005 as compared to 9.3% for the non-disability population.

These annuities from the states are clearly meant as a "gift" to help prevent these veterans from falling into these terrible statistics and in appreciation for their service to our nation. BVA appreciates that you not only understand this issue, but are willing to take action to correct the problems blinded veterans have had with these annuities from some states being provided to them. These should not be considered additional income by Social Security, but instead a special disability benefit for their service to our grateful nation. This penalty should be removed and the annuities excluded from all income for purposes of SSI for purposes of pension benefits.

BVA strongly supports H.R. 649, and we appreciate all your strong efforts in regards to this issue for blinded veterans.

Sincerely,

THOMAS ZAMPIERI,
Director, Government Relations.

MILITARY OFFICERS
ASSOCIATION OF AMERICA,
Alexandria, VA, March 29, 2007.

Representative TOM REYNOLDS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE REYNOLDS: I am writing on behalf of the 362,000 members of the Military Officers Association of America (MOAA) to thank you for your leadership in sponsoring H.R. 867, the Guardsmen and Reservists' Tax Fairness Act of 2007.

Your bill would make permanent a provision in law for reservists to make penalty-free withdrawals from IRAs, 401ks and similar retirement funds while they are on active duty of at least 6 months. It would also permit them to make unlimited repayments to their retirement plans within two years after leaving active duty. The existing authority will sunset on December 31, 2007.

Under our nation's "operational reserve" policy, National Guard and Reserve forces are integrated in all military missions worldwide and are expected to serve on active duty tours one year out of every five or six years. This policy is expected to remain in place for the indefinite future. While Guard and Reserve retention remains strong, it is unrealistic to expect that families and employers can be expected to remain committed to reserve service for the long term without additional support from Congress. One simple way to help Guard and Reserve service men and women is to allow them to withdraw funds from their civilian retirement plans during an activation and to repay those accounts on an unlimited basis following deactivation for up to two years. Making the existing authority permanent will help reserve families make ends meet, support their future financial security, and reduce the enormous stress and strain they endure in service to our nation.

MOAA strongly endorses H.R. 867 and we pledge our full support for its early enactment.

Thank you for your leadership!

Sincerely,

NORBERT R. RYAN, Jr.,
President.

ASSOCIATION OF THE
UNITED STATES ARMY,
Arlington, VA, February 12, 2007.

Hon. TOM REYNOLDS,
House of Representatives,
Washington, DC.

DEAR MR. REYNOLDS: On behalf of the more than 100,000 members of the Association of the United States Army, I write to thank you for your leadership in sponsoring H.R. 867, the Guardsmen and Reservists' Tax Fairness Act of 2007. This bill would make permanent a provision in law for reservists to make penalty-free withdrawals from IRAs, 401-ks, and similar retirement funds while they are on active duty for at least 6 months. It would also permit them to make unlimited repayments to their retirement plans within two years after leaving active duty. The existing authority authorizing these provisions will end on 31 December 2007.

Under our nation's "operational reserve" policy, National Guard and Reserve forces are integrated in all military missions worldwide and are expected to serve on active duty tours one year out of every five or six years. This policy is expected to remain in place for the indefinite future. While Guard and Reserve retention remains strong, it is unrealistic to expect that families and employers will remain committed to reserve service for the long term without additional support from Congress.

Making the existing authority permanent will help Reserve Component families make ends meet, support their future financial security, and reduce the enormous stress and strain they endure serving our nation.

The Association of the United States Army strongly endorses H.R. 867, and we pledge our full support for its early enactment.

Sincerely,

GORDON R. SULLIVAN,
General, USA, Retired,
President.

NAVAL RESERVE ASSOCIATION,
Alexandria, VA, February 12, 2007.

Hon. THOMAS M. REYNOLDS,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN REYNOLDS: I am writing on behalf of the membership of the Naval Reserve Association to thank you for your leadership in sponsoring H.R. 867, the Guardsmen and Reservists' Tax Fairness Act of 2007. Your bill would make permanent a provision in law for reservists to make penalty-free withdrawals from IRAs, 401ks and similar retirement funds while they are on active duty of at least 6 months. It would also permit them to make unlimited repayments to their retirement plans within two years after leaving active duty. The existing authority will sunset on December 31, 2007.

Under our nation's "operational reserve" policy, National Guard and Reserve forces are integrated in all military missions worldwide and are expected to serve on active duty tours one year out of every five or six years. This policy is expected to remain in place for the indefinite future. While Guard and Reserve retention remains strong, it is unrealistic to assume that families and employers can be expected to remain committed to reserve service for the long term without additional support from Congress.

One simple way to help Guard and Reserve service men and women is to allow them to withdraw funds from their civilian retirement plans during an activation and to repay those accounts on an unlimited basis following deactivation for up to two years. Making the existing authority permanent will help reserve families make ends meet, support their future financial security, and reduce the enormous stress and strain they endure in service to our nation.

The Naval Reserve Association strongly endorses H.R. 867, and we pledge our full support for its early enactment.

Sincerely,

C. WILLIAMS COANE,
RADM, USNR (Ret),
Executive Director.

ENLISTED ASSOCIATION
OF THE NATIONAL GUARD,
Alexandria, VA, February 12, 2007.

Hon. TOM REYNOLDS,
House of Representatives,
Washington, DC.

The Enlisted Association of the National Guard of the United States (EANGUS) is the only military service association that represents the interests of every enlisted soldier and airmen in the Army and Air National Guard. With a constituency base of over 414,000 soldiers and airmen, their families, and a large retiree membership, EANGUS engages Capitol Hill on behalf of courageous Guard persons across this nation.

On behalf of EANGUS, and the soldiers and airmen it represents, I am writing on behalf of our membership to thank you for your leadership in sponsoring H.R. 867, the Guardsmen and Reservists' Tax Fairness Act of 2007. Your bill would make permanent a provision in law for reservists to make penalty-free withdrawals from IRA, 401k and similar retirement funds while they are on active duty of at least 6 months. It would also permit them to make unlimited repayments to their retirement plans within two years after leaving active duty. The existing authority will sunset on December 31, 2007.

Under our nation's "operational reserve" policy, National Guard and Reserve forces are integrated in all military missions worldwide and are expected to serve on active duty tours one year out of every five or six years. This policy is expected to remain in place for the indefinite future. While Guard and Reserve retention remains strong, it is unrealistic to expect that families and employers can be expected to remain committed to reserve service for the long term without additional support from Congress. One simple way to help Guard and Reserve service men and women is to allow them to withdraw funds from their civilian retirement plans during activation and to repay those accounts on an unlimited basis following deactivation for up to two years. Making the existing authority permanent will help reserve families make ends meet, support their future financial security, and reduce the enormous stress and strain they endure in service to our nation.

EANGUS strongly endorses H.R. 867 and we pledge our full support for its early enactment.

Working for America's Best!

MICHAEL P. CLINE,
Executive Director.

Mr. NEAL of Massachusetts. Madam Speaker, at this time I yield 2 minutes to the gentleman from Connecticut (Mr. LARSON), a member of the Ways and Means Committee.

Mr. LARSON of Connecticut. Madam Speaker, I want to extend as well and compliment Chairman RANGEL, Chairman MCDERMOTT, and especially Chairman NEAL, for the timely manner in which they have handled very important legislation that addresses veterans, but specifically to Mr. NEAL because it was not lost on him in this piece of legislation that we also needed to address an important segment of our society, our volunteer firefighters.

It wasn't lost on Mr. NEAL that volunteer firefighters protect approximately 38 percent of America's population and more than 70 percent of our land. It wasn't lost on Mr. NEAL that volunteer firefighters save taxpayers nearly $37 billion annually with their efforts.

Two-thirds of the 1.2 million firefighters in this country are in fact volunteers. More importantly, it wasn't lost on anyone in this body that it wasn't the FBI, the CIA or the Department of Defense, it was our front line defenders, first responders that were there at the World Trade Center, at the Pentagon and in the fields of Pennsylvania. It's to them, of course, that we owe this debt of gratitude.

It was lost, however, on the IRS that when States like mine in Connecticut moved to provide a rebate on their local property taxes, that they sought to tax it and make it ordinary income on behalf of these brave volunteers. This legislation corrects that. I want to commend the Mitchell brothers, both John and Billy, from South Windsor, Connecticut, John McAuliffe of Whethersfield, and Chief Phil Crombie, who are the genesis of this idea and concept and brought it to my attention.

Madam Speaker, I again thank Chairman NEAL for making it all happen.

Mr. ENGLISH of Pennsylvania. Madam Speaker, it is now my privilege to yield 3 minutes to the gentleman from North Carolina (Mr. JONES), a strong advocate of the cause of veterans.

Mr. JONES of North Carolina. Madam Speaker, first, I would like to thank Chairman RANGEL and Ranking Member MCCRERY for including H.R. 418 into the Heroes Earnings Assistance and Relief Tax Act of 2007. For several years I have tried to get this measure to the House floor. So thank you, Mr. NEAL, Mr. MCDERMOTT, and Mr. ENGLISH.

H.R. 418 is a bill that would permit military families who receive the death gratuity to invest the full amount into certain tax-favored accounts. As you may know, a death gratuity is a $100,000 payment paid to survivors of servicemembers whose death resulted from combat-related circumstances. Current tax law limits the amount that recipients of the death gratuity can place in tax-preferred accounts, such as a Roth IRA or a Coverdell Educational Savings Account. This legislation would change that to allow recipients to contribute up to the full amount of the gratuity payment to any of those two accounts.

As the families of our fallen heroes try to put their lives back together, they need help. The death of a loved one is difficult enough, without having to worry about saving the death gratuity to pay for retirement, college or other expenses and then have the government come in and tax the interest on that savings.

Madam Speaker, the need for this assistance was brought to my attention by Captain Michael Ceres, a constituent stationed at Marine Corps Air Station New River. Captain Ceres, who just returned from serving in Iraq and will soon be redeployed, contacted my office and suggested that Congress institute this change to ease the burden on grieving military families. We owe it to our fallen military heroes to expand the options to the families who receive the death gratuity, families who have paid the ultimate cost with the loss of their loved one.

Today, I call on all my colleagues in the House to support this major piece of legislation, known as the Heroes Earnings Assistance and Relief Tax Act of 2007. With that, I want to thank the leadership on the Democratic side, the leadership on the Republican side for this comprehensive bill to help our military and their families.

Mr. NEAL of Massachusetts. Madam Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER), a member of the Ways and Means Committee.

Mr. BLUMENAUER. Madam Speaker, I appreciate the gentleman's courtesy in recognizing me and in working with us.

For over 60 years, Oregonians have provided a benefit to our returning veterans of home loans that were below market rate to be able to help them reestablish themselves in the community and as a small gesture of our appreciation for their sacrifice. Unfortunately, with the recent flood of returning veterans from Iraq and Afghanistan, we found that that program has been stretched to the limit and we were faced with denying them access.

Working with Mr. NEAL, Chairman RANGEL, the committee and subcommittee, we were able to make an important adjustment, a 400 percent increase in the loan cap, so that we will be able to fully meet the needs of returning Oregon veterans, and along the way it will help people in Alaska, Wisconsin, Texas, and California. In this time of uncertainty in the housing market, giving these important loans to our veterans is an important gesture. I appreciate the work that the committee has done to make this a reality.

Mr. ENGLISH of Pennsylvania. Madam Speaker, it is now my privilege to yield 4 minutes to the distinguished gentleman from Kansas (Mr. MORAN), a true advocate of the veterans, as well as all of the military facilities in his district.

Mr. MORAN of Kansas. I thank the gentleman from Pennsylvania for recognizing me.

This, as you can hear, is an important piece of legislation that is widely supported and praised here on the House floor today, but I am disappointed that the majority in the committee rejected an amendment that the gentleman from Pennsylvania (Mr. ENGLISH) offered.

This amendment was a commonsense, bipartisan fix to the Tax Code to prevent lower-income military personnel and their families from being discriminated against when applying to live in affordable housing built under the Low Income Housing Tax Credit Program.

A number of military installations across the country are experiencing housing shortages as a result of the 2005 BRAC. One of those facilities, Fort Riley, an Army post located in the State of Kansas, is nearly doubling in size and is now seeing an influx of 30,000 soldiers, civilian workers, and others.

When the new soldiers live off base, they receive a military housing allowance from the government that they use for payment of rent. Though the Tax Code does not treat the housing allowance as taxable income, it is considered income when determining a military family's eligibility to live in facilities financed with low-income housing tax credits. The result is that some servicemembers, particularly our enlisted men and women, are considered to earn too much income and are thus disqualified from living in affordable housing.

However, comparatively low-income civilians receiving section 8 housing vouchers from the Federal Government are more likely to qualify for this housing. This is because, unlike the military housing subsidy, the Tax Code exempts section 8 assistance from being considered income.

Our Nation's military families deserve access to safe, decent, and affordable housing; and they should be given a fair opportunity to qualify for it. The House acted in May to exempt military housing allowance from income eligibility requirements when qualifying for the Head Start program. The USDA's WIC nutrition program for Women, Infants and Children also provides for this exemption. Unfortunately, the discrimination persists when military families apply to live in affordable housing and enlisted servicemembers and their families continue to be treated unfairly in communities across the country.

I had hoped to offer amendment here today on the House floor to address this issue, but the procedure by which this bill is brought to the floor does not allow me that opportunity. I would urge and encourage my colleagues to join me in cosponsoring H.R. 1481, The Military Access to Housing Act, to correct this inequality, and to encourage the leadership of this House to bring this measure to the floor for a vote.

Mr. NEAL of Massachusetts. Madam Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL), also a member of the Ways and Means Committee.

Mr. PASCRELL. Madam Speaker, I rise today in strong support of H.R. 3997, and I want to commend Chairman RANGEL, Congressman NEAL, and Congressman ENGLISH for their persistence.

Tax changes, if done wrong, can exacerbate existing inequalities, hurt our moral fabric, and slow the economy; so I am glad today with this bill we will take up a tax measure that is not geared towards increasing the fortunes of the already fortunate, but instead we will provide a measure of relief for those brave men and women serving in the military and as first responders.

In particular, I am glad to see that this bill excludes from income certain reimbursable expenses incurred in the line of duty by volunteer firefighters; and I commend my friend, Congressman LARSON from Connecticut, who has worked on this issue for some time.

I am truly heartened we are permanently extending combat pay in the calculations of the earned income tax credit. Recent law allowed members of the Armed Forces to exclude combat pay, which is generally nontaxable, for purposes of computing the earned income credit. But this will only last through the 2006 tax year. Many of us have worked for some time to make this proposal permanent. I am tremendously pleased that this provision has made it into the broader package that we are discussing today. There is no reason a member of the Armed Forces should lose their earned income tax credit when they are mobilized serving their country.

Again, I thank the chairman and I thank Mr. NEAL and Mr. ENGLISH for their work and diligence on this critical issue.

Mr. ENGLISH of Pennsylvania. Madam Speaker, I reserve the balance of my time.

Mr. NEAL of Massachusetts. Madam Speaker, I yield 1 minute to the gentlewoman from Nevada (Ms. BERKLEY), a distinguished member of the Ways and Means Committee.

Ms. BERKLEY. Madam Speaker, as Veterans Day approaches, the timing could not be more appropriate for Congress to be considering the HEART Act. This legislation will help veterans and their families, and it will also show them that their fellow citizens appreciate their service and honor their sacrifices for our country.

Nevada has one of the fastest growing veterans populations in the country, and I have seen firsthand the economic hardship that extended military deployment in Iraq and Afghanistan have caused. The HEART Act will allow more families to qualify for the earned income tax credit or to make penalty-free withdrawals from retirement plans in time of true economic need to help ease the burden of deployment.

Nevada has suffered 59 deaths during the global war on terror, including 46 in Iraq. I support the provisions of this bill that will allow the spouses of those who sacrificed their lives to be better able to plan for their futures and those of their children.

As a member of both the Ways and Means Committee and the Veterans' Affairs Committee, I strongly support this bill. I urge my colleagues to vote for this bipartisan legislation.

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Mr. NEAL of Massachusetts. Madam Speaker, I yield Mr. ALTMIRE from Pennsylvania, a good friend of the veteran, 1 minute.

Mr. ALTMIRE. I thank the chairman for including in this bill legislation I introduced to assist our brave men and women in uniform.

My bill, H.R. 3827, the Active Duty Military Tax Relief Act, ensures that active duty military personnel will be able to treat combat pay as earned income when computing the earned income tax credit.

My bill also allows Reservists called to active duty to make penalty-free withdrawals from their retirement plans. And servicemembers who receive differential pay from their civilian employer will be able to contribute those wages to their retirement plan.

Finally, family members of those killed in the line of duty will be able to contribute up to $100,000 of the military death gratuity into tax-favored accounts, such as Roth IRAs and education savings accounts.

I thank the chairman for working with me to ensure that all of these provisions from my bill have been included in full in this legislation which I strongly support.

Mr. NEAL of Massachusetts. Madam Speaker, I recognize a great friend of the veteran, the gentlewoman from Kansas (Mrs. BOYDA) for 1 minute.

Mrs. BOYDA of Kansas. Madam Speaker, unless we act now, over 150,000 of our American troops and their families will pay sharply higher taxes. Unless Congress extends the military eligibility for the earned income tax credit, we will, through inaction, slash the EITC for hundreds of thousands of troops. It would be a tax borne solely by our soldiers and our military families. We call it a soldier tax.

Our military continues to serve our country with honor and distinction. The last thing we need is for our soldiers and their families to have to worry about paying higher taxes next year. That is why I authored the Tax Relief for Armed Combat Families Act for 2007. It will permanently end the soldier tax. Our military families should not have to worry from year to year what funds are going to be available to take care of their families.

I thank Chairman RANGEL and Chairman NEAL for working my language into today's legislation, and I call on my colleagues to pass this important legislation. Let's permanently end the soldier tax.

Mr. NEAL of Massachusetts. I yield 1 minute to the gentlewoman from Arizona (Ms. GIFFORDS), a friend of the veteran.

Ms. GIFFORDS. Madam Speaker, I rise today in support of tax cuts for true American heroes: our combat troops, our veterans, and our firefighters.

Last month I introduced H.R. 3808, the Combat Troops Tax Relief Act. I am very pleased that the first provision in the HEART Act is taken from my tax bill.

This bill honors the patriotic commitment of military families such as the Heberts in southern Arizona. Army Specialist Adam Hebert is currently serving at Fort Huachuca. He is married with two children, and soon will be deployed abroad for combat service. This bill will give the Heberts concrete tax relief. It will permanently protect their eligibility for the Earned Income Tax Credit.

In southern Arizona and across the United States, we must honor our heroes with true tax relief. I urge my colleagues on both sides of the aisle to join with me to pass H.R. 3997, the HEART Act.

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to recognize the gentlewoman from California (Mrs. DAVIS), a good friend of the American veteran as well, for 1 minute.

Mrs. DAVIS of California. Mr. Speaker, I want to thank my colleagues from the Ways and Means Committee for including provisions from H.R. 337 and H.R. 551 in the HEART Act. These are two important bills that I have been championing since I came to Congress.

The first bill addresses a glitch in the SSI program. Because eligibility for SSI benefits is based on a family's income, military families lose benefits when additional pay is added to their income. A military family struggling to make ends meet loses benefits for their children if they receive jump pay, hazardous duty pay or a number of other pays considered "unearned income." I think I speak for my colleagues when I say these pays are not unearned but hard earned.

The second bill addresses qualified veterans mortgage bonds. And as a Californian, I join with other colleagues in the desire to provide veterans who signed up for service after 1977 with a better opportunity to achieve homeownership. Why should a veteran who served in Iraq be treated any differently than somebody who signed up before 1977? Correcting this flaw in current law will allow those returning from Iraq and Afghanistan to have great opportunities towards owning a home in California's high-cost real estate market.

Mr. NEAL of Massachusetts. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. FARR), a friend of the American veteran as well.

Mr. FARR. Mr. Speaker, I would like to thank the leadership of the Ways and Means Committee and the members because I think this bill takes a commonsense approach of having, as you have heard, the stories told about people who have had problems that just don't make sense. This is sort of fix the dumb-dumb in the tax law, and that is what this bill does for military veterans, volunteer firefighters, and eligible Peace Corps volunteers and others.

I am pleased that the committee included my legislation I authorized to provide tax relief for thousands of military retirees whose VA disability claims have been delayed by dysfunctional VA claims backlog.

The issue was brought to my attention by a constituent, Michael St. Germain, whose VA claim took over 8 years to process. Imagine, 8 years to process one VA claim. I am proud in the MilCon-VA appropriations bill that we have appropriated $124 million to provide 1,800 new claims processors to work on the 400,000 backlog of claims. I thank the committee for extending for another 2 years the claims adjustment.

Mr. NEAL of Massachusetts. Mr. Speaker, I reserve the balance of my time.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, may I inquire of the other gentleman, does he have just one more speaker?

Mr. NEAL of Massachusetts. I believe we have concluded the speakers who have asked for time on our side.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I yield myself the balance of my time.

In conclusion, I believe the case has been made compellingly that this legislation consists of many components, but they have been developed within the Ways and Means Committee as a benefit for our veterans and our active duty military.

I don't believe there is a great controversy here. What I do believe is there is a lesson. When Republicans and Democrats work together on a bipartisan basis, when they put aside political posturing, when they put aside ideological poses, when they insist on procedural fairness, then I think we can find common ground to move forward on things that are genuinely important.

I want to particularly credit the chairman of our committee, Mr. RANGEL, and the gentleman from Massachusetts, the chairman of our Select Revenue Subcommittee, for having moved this legislation forward and having set a very high standard. And I would like to take credit for the fact that there has been substantial Republican participation in the development of this bill.

This bill, I think, is important to move forward now, but not only for what it consists of, but for what it symbolizes, and that is what this Chamber can achieve when both parties work together.

Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE

Mr. NEAL of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3997, as amended.

The SPEAKER pro tempore (Mr. SERRANO). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. NEAL of Massachusetts. Mr. Speaker, I yield myself the balance of my time.

First of all, I thank the gentleman from Pennsylvania (Mr. ENGLISH) for the usual courtesy that he extends to all Members of this body, and particularly those of us who are on the Ways and Means Committee. I also wish to acknowledge Chairman RANGEL and Mr. McCRERY who worked to accommodate suggestions from several Members of the House. We thank those Members, both Republicans and Democrats, for generating many of the good ideas contained in this bipartisan bill.

Let me describe some of the provisions in this bill. The bill makes permanent the current provision waiving the 10 percent withdrawal penalty for those called up to active duty who need to tap into retirement accounts.

The bill allows families to roll over amounts received as death gratuity benefits into Roth IRAs or education savings accounts.

The bill makes a number of changes related to supplemental security income or SSI eligibility and military service.

And the bill makes permanent the special rule treating combat pay as earned income for the purposes of the earned income tax credit, or EITC.

The bill also provides a number of changes to allow employers the flexibility to extend benefits to workers called up to duty and will expand certain provisions that provide mortgage assistance to veterans through qualified bond programs.

The bill also includes incentives for those who volunteer their services Stateside, such as firefighters and emergency responders.

And for those who had an opportunity to attend our hearing and listen to the moving testimony by the widow of a Reservist whose pension was cut in half because he did not "return to work" after being killed in action, you will be pleased to know, as all Members of the body will, that this bill we are considering today fixes that problem for good.

The British leader Benjamin Disraeli noted, "The legacy of heroes is the memory of a great name and the inheritance of a great example." Let us set our own example today of a Congress that responds to families in need. Let us show our heroes and their families that we acknowledge and appreciate their service.

Not only do I encourage support for this bipartisan bill, I want to reiterate what was stated a few moments ago by my friend, Mr. ENGLISH. This is a very firm example of what happens in this House of Representatives when Members put aside differences and proceed with the common principle that American veterans deserve help. So let us show our support for this legislation. I urge adoption of this bill.

Mr. KIND. Mr. Speaker, I rise today in strong support of H.R. 3997, the Heroes Earnings Assistance and Relief Tax, HEART Act of 2007. This bill provides a number of much-needed and deserved tax benefits to members of the military, their families, and veterans. Specifically, I am proud that the Qualified Veterans' Mortgage Bonds, QVMB, program, which impacts my home State of Wisconsin, was renewed and reformed so that the dream of home-ownership will continue to be a reality for thousands of veterans.

Under the HEART Act, the QVMB program will be expanded to allow $100 million annually in tax-exempt bonding for the Wisconsin Department of Veterans Affairs, WDVA, State veterans home loan program—enough funding to aid about 600 State veterans in obtaining low-interest rate home loans. This program is more important now than ever before with the ongoing credit crisis in this country, and I am proud we were able to expand this crucial program. In Wisconsin alone, the WDVA has made over 54,000 home loans to veterans through this program.

Our military servicemen and women have sacrificed a great deal to protect the freedoms that we so deeply cherish in this country. Their sacrifices and extended tours of duty in Iraq and Afghanistan, however, have placed greater economic hardships on their families here at home. The bill before us today will help alleviate some of those hardships by giving military families much needed and deserved tax relief and making permanent some of the temporary provisions that Congress has previously enacted.

The HEART Act is one simple but significant way we can thank our troops for their service to our country. I thank Chairman RANGEL and Ranking Member McCRERY for their bipartisan leadership on this legislation and I urge my colleagues to support our men and women in the military by passing this legislation.

Mr. BRALEY of Iowa. Mr. Speaker, I rise today in support of H.R. 3997, the Heroes Earnings Assistance and Relief Tax Act. I am especially pleased that this bill includes a crucial provision from H.R. 3736, the Combat Pay Tax Flexibility Act, which I recently introduced to permanently allow members of the Armed Forces to treat combat pay as earned income in calculating their Earned Income Tax Credit (EITC).

Because income earned while serving in a combat zone is exempt from income taxes, many low-income military families recently faced the loss or reduction of their EITC, as deployments to Iraq and Afghanistan shifted their income to nontaxable combat pay. While Congress acted to fix this problem by providing troops the option of calculating combat pay for the EITC, without further Congressional action this tax credit will expire at the end of the year.

I introduced the Combat Pay Tax Flexibility Act to ensure that this tax savings provision is always there for the military families that need it. Soldiers who serve in hostile places make a great sacrifice for our country, and the least we can do is help them make the most of the tax savings available to them.

I would like to thank Chairman RANGEL for working with me to incorporate the Combat Pay Tax Flexibility Act into the legislation before us today, and for moving this legislation swiftly. I urge all of my colleagues to vote in favor of H.R. 3997 today to ensure that our troops have the financial resources they need throughout the cycle of deployment.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased this bill, H.R. 3997, is being considered by the House today and specifically that it includes language similar to the legislation, H.R. 2540, introduced by myself and Congressman POMEROY.

Our legislation was written to assist the families of members of our military and National Guard who are killed while on active duty. It was developed after Congressman POMEROY and I each met with Mrs. Victoria Johnson from my central Washington district.

While grieving the loss of her husband, Major Alan Johnson, Victoria discovered that State law treated her husband as a retiree rather than a brave servicemember. Victoria worked to change State law, and with her support, Congressman POMEROY and I introduced legislation to ensure that servicemembers who die protecting our Nation will have their time on active military duty counted into their employer's retirement benefits.

This simple change ensures that the survivors of our brave servicemembers, like Major Johnson, receive the maximum amount of their loved ones' pension benefits, and are not penalized for their family members' volunteering to serve their country.

This is the right thing to do and I encourage my colleagues to support this bill.

Mr. NEAL of Massachusetts. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. McDERMOTT) that the House suspend the rules and pass the bill, H.R. 3997, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. NEAL of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXPRESSING SYMPATHY FOR VICTIMS OF OCTOBER 28, 2007, FIRE IN OCEAN ISLE BEACH, NORTH CAROLINA

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 787) expressing the support and sympathy of the House of Representatives and the people of the United States for the victims of the tragic fire that occurred in Ocean Isle Beach, North Carolina, on October 28, 2007.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 787

Whereas in the early morning of October 28, 2007, flames broke out at a beach house in Ocean Isle Beach, North Carolina;

Whereas the fire spread quickly and took the lives of seven college students, six attended the University of South Carolina and one went to Clemson University: Lauren Mahon of Simpsonville, South Carolina; Allison Walden of Chagrin Falls, Ohio; Travis Cale, Justin Anderson and Emily Yelton of Greenville, South Carolina; William Rhea of Florence, South Carolina, and Cassidy Pendley of Chapin, South Carolina;

Whereas 6 University of South Carolina students were injured while escaping the flames and were treated at Brunswick Community Hospital;

Whereas local community members rushed to alert and assist emergency personnel to support the students and their families in the aftermath of the tragedy;

Whereas firefighters, paramedics, police officers, and other emergency personnel from the surrounding communities responded quickly and worked bravely to rescue the injured and extinguish the fire;

Whereas the State of North Carolina and local government officials responded to the fire and its aftermath quickly, effectively, and compassionately;

Whereas the immediate outpouring of support, assistance and compassion from the Nation and South Carolinians is greatly appreciated; and

Whereas the students, faculty, staff, and officials at Clemson University and University of South Carolina have come together as a university community to remember the fallen students and provide strength and support to its respective campuses through this difficult time: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses its deepest condolences to the families and friends of Lauren Mahon, Allison Walden, Travis Cale, Justin Anderson, Emily Yelton, William Rhea, and Cassidy Pendley; and offers its hope for the quick and full recovery of those students who were injured in the fire;

(2) expresses immense gratitude for the efforts of countless emergency response personnel, local, State, and Federal officials, health care providers, volunteers, and citizens who have been part of the response; and

(3) expresses its support for all of the students, faculty, administration, and staff at the University of South Carolina and Clemson University as they heal from this tragedy.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. JORDAN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of H. Res. 787 which expresses the support and sympathy of the House of Representatives of the people of the United States for the victims of the tragic fire recently that occurred in Ocean Isle Beach, North Carolina. House Resolution 787, which has 66 cosponsors, was introduced by my friend and colleague Mr. JAMES CLYBURN.

Mr. Speaker, on Sunday, October 28, 2007, 7 college students perished in a fire in Ocean Isle Beach, North Carolina. They were victims of an early morning fire that engulfed a 2-story house. There were also 6 survivors who were hospitalized but later released.

Of the 7 students who perished, 6 were from the University of South Carolina, and 1 was from Clemson University.

We in this Congress express our heartfelt sympathy for the victims, their families and the campus communities that have been affected.

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These students were among our best and brightest. Their striving, their aspirations, and the hope and support of their families, especially their parents, for their future embodies a shining example of what is best about America.

The Ocean Isle Beach's fire claimed the precious lives of 7 young people who had so much to live for and so much to give. We express our deepest sympathy to the victims and their families.

Mr. Speaker, I commend my colleague Representative JIM CLYBURN for seeking to express the deepest sympathy of the House of Representatives on this sad occasion, and I urge the swift passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN of Ohio. Mr. Speaker, I rise to mourn the passing of 7 of this Nation's young students. On the morning of October 28, 2007, a fire quickly swept through the beach house in Ocean Isle Beach, North Carolina, where they were spending a weekend.

Six of the 7 were students at the University of South Carolina. The seventh attended Clemson. All were filled with much promise.

With this in mind, I express my deepest condolences to the friends and families of the 7. Rest assured that you are in all of our thoughts and prayers.

I would also like to take this opportunity to commend the entire community of Ocean Isle Beach, North Carolina, for its response to this tragedy. From the very onset of the flames, local citizens rushed to alert and assist emergency responders. These responders then worked bravely to rescue those trapped inside, aid the injured, and extinguish the fire.

Unfortunately, the blaze was too powerful and claimed 7 young lives. However, without the adept response of all involved, the tragic toll of this blaze would have surely been higher. It is with all this in mind that I would like to take this opportunity to commend those involved in the response. Our sincere gratitude goes out to all of you.

Mr. Speaker, I reserve the balance of our time.

Mr. LYNCH. Mr. Speaker, I yield such time as he may consume to my friend and colleague, Mr. JAMES CLYBURN, of South Carolina.

Mr. CLYBURN. I thank my colleague for yielding me the time.

Mr. Speaker, this resolution memorializes and commemorates the lives of 7 students from the University of South Carolina and Clemson University who perished in last week's tragic beach house fire in Ocean Isle Beach, North Carolina.

I proudly represent the University of South Carolina, and I rise to thank the House Committee on Oversight and Government Reform for its prompt action on this resolution and to once again extend my deepest condolences to the families, friends, and loved ones of those University of South Carolina and Clemson students who we lost in this unfortunate event. They should all know that we will continue to keep them and their loved ones in our prayers as they mourn their tremendous loss.

There's little that we cherish more than seeing our children and grandchildren go off to school seeking to acquire the knowledge and skills that they will need to pursue their dreams and aspirations. It is an incredible feeling. And to have that promise cut short in such a dramatic and tragic way is probably more than anyone who has not had the experience can possibly imagine.

As we mourn with the University of South Carolina and Clemson University communities at this solemn time, we should all take some solace in knowing that these young people represented the best of our hopes and dreams for the future. Through their extracurricular activities and academic successes, they served as strong role models for future generations and as sources of pride for their families and friends. It is only fitting that we honor them for being the bright beacons of light that they were and that their loved ones will always remember them as being.

No words or sympathetic sentiments will ever undo the tragic loss endured by the University of South Carolina and Clemson communities. However, by passing this resolution, it is my hope that these communities understand that this congressional body stands in unison in offering our prayers and condolences.

May God bless all those affected by this tragedy.

Mr. JORDAN of Ohio. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from South Carolina (Mr. BARRETT).

Mr. BARRETT of South Carolina. I thank the gentleman for yielding.

Mr. Speaker, on October 28, 2007, a tragic and accidental fire in Ocean Isle Beach, North Carolina, claimed 7 very young lives. Six of the victims were students at the University of South Carolina: Cassidy Fae Pendley, Lauren Astrid Kristiana Mahon, Justin Michael Anderson, Travis Lane Cale, Allison Walden, William Rhea. One of the victims, Emily Lauren Yelton, was a sophomore at Clemson University, a graduate of J.L. Mann High School in Greenville, a member of the Delta Zeta sorority and a member of Young Life of Greenville.

These brilliant young college students were sisters, brothers, devoted sons and daughters, athletes, instructors, friends, volunteers, coaches, and leaders. Family members and friends have recounted how each one has given support, made a difference and brightened people's lives.

I stand here today to support H. Res. 787, which is a resolution sponsored by Congressman JIM CLYBURN to express much-needed support for those fire victims.

I would also like to recognize and offer sympathy to the victims' families and let them know that South Carolina and the people of this Nation, Mr. Speaker, will always honor those names that we loved and lost.

Mr. LYNCH. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. MCINTYRE).

Mr. MCINTYRE. I thank the gentleman.

I rise today in strong support of H. Res. 787, which my friend and colleague Representative JIM CLYBURN of South Carolina has filed and which expresses the support and sympathy of the House of Representatives and the people of the United States for the victims of the tragic fire that occurred in Ocean Isle Beach, North Carolina, about 10 days ago on October 28.

As you may know, I represent the town of Ocean Isle Beach; and like all of my constituents, I was saddened by the events that took place just a few days ago.

Ocean Isle Beach is a family community, a place many do love to come and spend time with friends, and the loss of 7 college students and injuries by 6 more indeed was a tragic turn of events that brought this small beach town, the State of North Carolina, and our neighbor, the State of South Carolina where the students were in school, and this Nation to its knees.

I'm honored to support this essential and timely measure which also expresses gratitude for the efforts of all the emergency personnel, law enforcement, fire and rescue that were involved in this horrific situation, and our gratitude to Mayor Debbie Smith and the other local officials in that community, as well as to the Brunswick County officials and other community members and private citizens that responded to the fire and that reached out to help those in need and the families that were affected by this tragic situation.

As we gather today to express our condolences to the families and friends of the students that perished and as we offer our hope for the full recovery of the students that were injured, I urge all of us to reflect on the importance of these individuals' lives and express our sympathies to those families who will carry this loss with them.

Mr. Speaker, we're a strong Nation. Ocean Isle Beach is a strong community. And I know that events like the fire on October 28 will demonstrate even more our strength and our unity in times of tragedy.

May we all stand here in this body today, indeed may we all stand as a Nation together, in remembrance of these students and pledge our commitment to their families and friends. We pray for God's comfort, His peace and His strength to be with them always.

Mr. JORDAN of Ohio. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Speaker, I want to thank Mr. CLYBURN and my colleagues for bringing this resolution to the floor.

I'm deeply saddened by the circumstances we're addressing today. As we have all learned, 7 students were killed in a house fire that took place at Ocean Isle Beach, North Carolina, over a week ago. This tragic accident reminds us all how precious life is, and I want to express my condolences to the families and friends of these students.

As a University of South Carolina Law School graduate and a parent of a current Clemson student, I've grown to know the strength and character of these communities. I have had the privilege of getting to know many of their students, faculty, and administrators all my life. Under the leadership of USC president Andrew Sorensen and Clemson president Jim Barker, the students and families of these 2 universities have found comfort and kinship during this difficult time.

I also want to extend my heartfelt condolences to the Sigma Alpha Epsilon fraternity and the Delta Delta Delta sorority who lost members in this tragic fire. My father and my mother were members of these 2 USC organizations respectively; and as a member of a fraternity, with three sons in a fraternity, I know the bond that these students and alumni feel for one another and the grief they are experiencing.

South Carolina's media have been very thoughtful, respectful, and helpful in providing tributes to the students.

Today, we offer our support and comfort to the students who were injured in this terrible accident. We will continue to pray for their full and speedy recovery.

Additionally, we must recognize the brave members of the local fire departments and emergency personnel, as well as the Ocean Isle Beach citizens who responded to the fire and called for help.

Again, I want to thank my colleague and long-time friend Congressman JIM CLYBURN for bringing this resolution to the floor.

Mr. LATOURETTE. Mr. Speaker, this past weekend, more than 600 people gathered at Federated Church in Chagrin Falls OH, to mourn the loss of Allison Walden, 19, a 2006 graduate of Chagrin Falls High School and the daughter of Terry and Diane Walden of Chagrin Falls.

Allison was one of seven students to die in the tragic beach house fire in North Carolina.

Her father, Terry, said she was a wonderful girl and full of life. She had a scholarship to University of South Carolina, where she was a sophomore studymg pre-med and a member of the Delta Delta Delta sorority. She had planned to return to her beloved Chagrin Falls after graduation and study anesthesiology at Case Western Reserve University.

This senseless fire that took the lives of seven wonderful young people capped a very difficult year for the Walden family.

Their son, Greg, a 2005 Chagrin Falls graduate, is a student at Virginia Tech and was there in April when a deranged student shot up the campus, killing 33 people Fortunately, Greg, an honors engineering student, was unharmed in that horrific attack. I can't imagine as a parent going through that, and then losing your only daughter just five months later in another tragedy. It is just unspeakably cruel.

As their father said, "What is the chance that out of all the schools in the country that our children would go where tragic events unfold?"

On behalf of the 14th Congressional District, my sympathies go to the Walden family on their horrible loss, and may they find comfort in their family, friends, faith and community.

Mr. INGLIS of South Carolina. Mr. Speaker, our deepest sympathies go out to the families and friends who lost loved ones in the fire that took seven young lives on October 28, 2008.

As parents, we grieve with the parents who grieve. As siblings, we mourn with those who mourn the loss of sisters and brothers. As friends, we weep with those friends who weep.

In the midst of grief, we point to hope. We hope that our words bring some comfort, and we pray that these everlasting words will bring peace to the family, friends and loved ones of Cassidy, Lauren, Justin, Travis, Allison, William, and Emily:

> "Surely he took up our infirmities and carried our sorrows, yet we considered him stricken by God, smitten by him, and afflicted. But he was pierced for our transgressions, he was crushed for our iniquities; the punishment that brought us peace was upon him, and by his wounds we are healed (Isaiah 53: 4-5)."

Thank you, Representative CLYBURN, for offering this resolution. South Carolina and the nation unite in our sympathy and support for those affected by this tragedy.

Mr. JORDAN of Ohio. Mr. Speaker, I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 787.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING SUPPORT AND SYMPATHY FOR VICTIMS OF DEVASTATING FLOODING THAT OCCURRED IN OHIO

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 728) expressing the support and sympathy of the House of Representatives and the people of the United States for the victims of the devastating flooding that occurred across many parts of Ohio in August 2007 and commending the communities, volunteer organizations, churches and emergency response agencies for their continuing work to restore the affected areas across the state.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 728

Whereas heavy rainstorms brought severe flooding to Ohio and the upper Midwest over the week of August 19, 2007;

Whereas, in many parts of Ohio, this was the worst flood since 1913 with nearly 15 inches of rain in some areas;

Whereas the record storms and flooding were responsible for up to 18 deaths across parts of the upper Midwest—some of these in Ohio;

Whereas over 500 citizens were forced to flee their homes and businesses and many hundreds of homes and businesses were damaged;

Whereas, on August 21, 2007, Allen, Crawford, Hancock, Hardin, Paulding, Putnam, Richland, Seneca, Van Wert and Wyandot counties made initial local emergency declaration;

Whereas, on August 22, 2007, Governor Ted Strickland issued a State disaster declaration for Allen, Crawford, Hancock, Hardin, Putnam, Richland, Seneca, Wyandot and Van Wert Counties;

Whereas, on August 27, 2007, President George W. Bush issued a Federal disaster declaration for Allen, Crawford, Hancock, Putnam, Richland and Wyandot Counties and later added Hardin and Seneca Counties; and

Whereas Michigan, Minnesota, Wisconsin, Illinois, Iowa and Indiana also experienced serious, storms, flooding and tornadoes: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses its support and profoundest sympathy for the victims of the devastating flooding that occurred across much of Ohio and the surrounding region in August 2007;

(2) conveys its gratitude to the local, State and Federal officials and emergency personnel who responded to this emergency and continue working to restore normalcy in the affected counties;

(3) thanks the many volunteers, charitable organizations, business and individual donors, churches and religious organizations for their generosity in responding to this crisis; and

(4) commends the people of Ohio for their indomitable spirit and for the grace and magnanimity with which they have supported one another during the flooding and continuing recovery.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. JORDAN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I'm pleased to join my colleagues in the consideration of H. Res. 728, which is a bill that expresses the support and sympathy of the House of Representatives and the people of the United States for the victims of the devastating floods that swept across Ohio in August of 2007.

H. Res. 728, which has 51 cosponsors, was introduced by my friend, Representative JIM JORDAN, on October 10, 2007. H. Res. 728 was reported from the Oversight Committee on October 23, 2007, by voice vote.

Mr. Speaker, during the week of August 19, 2007, Ohio received over 15 inches of rain in a violent storm that swept across the State. Firefighters and volunteers from that State performed great acts of heroism in rescuing people from life-threatening conditions.

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The storm caused major flooding that damaged many homes and businesses, and the water forced at least 500 families from their homes in several northern Ohio towns.

Governor Ted Strickland of Ohio declared states of emergency in 9 counties in northwest and north central Ohio. This was, indeed, the worst flooding for Ohio since 1913.

I now rise in support of the victims in this disaster and to commend the State, local and Federal officials and emergency personnel for their response to this crisis situation.

I commend my colleague, Representative JORDAN, for seeking to express support and sympathy for the Ohio flood victims.

Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN of Ohio. Mr. Speaker, I too rise in support of this resolution. Obviously, as a result of these devastating floods this summer, we had eight counties that were declared disaster counties in our State, 4½ of those counties I had the privilege of representing. The other 3½ counties were represented by our late friend, Congressman Paul Gillmor.

I want to commend Congressman Gillmor's staff for the help of Paul, of course, when he was with us, and then his staff for the great assistance they provided our office and others as we worked through this.

I also just want to take a moment to thank those local leaders, both our police, our fire, our EMS people, our local public officials and our State public officials who did just an outstanding job and also commend our Federal officials. FEMA was there in Ohio, the leaders were there, Director Paulison, as well as Mr. Preston with the SBA, and then they have been in Ohio for several months serving families and individuals and local governments who were devastated by these floods.

The thing, I guess, that really stands out for me, in the midst of this devastation, it was so neat to see how communities come together, how people work together and all kinds of acts of kindness from family member to family member and from neighbor to neighbor and community to community. It was amazing to see what takes place when devastation hits an area.

The resolution just expresses our commendation for those individuals, those local officials, those families, those people in west central and north central Ohio who did such an outstanding job dealing with the devastation that took place.

Mr. Speaker, I reserve the balance of our time.

Mr. LYNCH. Mr. Speaker, I yield to my friend and colleague, Ms. MARCY KAPTUR from Ohio, for as much time as she may consume.

Ms. KAPTUR. I thank the gentleman for yielding. Thank you distinguished Chairman LYNCH, and my dear friend from our delegation Congressman JIM JORDAN.

Mr. Speaker, I am very pleased to rise in support of House Resolution 728, which speaks to the issue of the flooding throughout Ohio in August of this year.

Congressman JORDAN and I stood shoulder to shoulder with the late Congressman Paul Gillmor in Findlay to survey the devastating 100-year flood level. This flooding ripped through the heart of many small towns in northwest Ohio, burying our communities in feet of mud and water while washing away the dreams of so many today.

We know there are probably over $100 million worth of damages. We owe so much to all the emergency workers—to the fire, to the police, to the local officials like Mayor Iriti, who I thought, did an outstanding job—for trying to address this situation, which wasn't any of their fault or our fault. You had 15 inches of rain within 24 hours; and this flood truly was different.

Instead of simply devastating our community, the flood also sent a shock wave through all of us on the challenge of fresh water management that our region, our very flat region, faces.

It is ironic that in Ohio we were talking about too much water at a time when, now, Georgia and the southeastern States are experiencing record droughts. We know in our region the status quo is not acceptable. We were very pleased that Secretary Chertoff joined us and offered the continuing help of FEMA to address the damage from these floods in August. We knew that our region had potential water management problems. But we never thought they would come now so quickly. We had launched a watershed management partnership in the Western Lake Erie Basin to handle the growing levels of storm water runoff.

The Army Corps of Engineers and the U.S. Department of Agriculture have driven forward a remarkable partnership that is unique in its scope anywhere in the country for what it is trying to accomplish. At the center of this assessment is the understanding that we must better manage our fresh water asset for the future.

It is our competitive advantage, without question, in the Great Lakes States. We have been buffeted in our region by globalization, but we will not give up our greatest asset. We know we must manage it with a comprehensive basinwide solution.

I think this flooding was a real clarion call to people in our region. We saw the levels of damage and now having to remediate after the fact. But had we had in place structures and systems to handle this level of water, we would not have had the level of damage that we experienced. We know that the level of rainfall was extraordinarily large, but the point is, we were not properly prepared for it, and we have now had this clarion call.

We were very fortunate that the loss of life was minimized, but, nonetheless, people are still digging out. I think this resolution is a very important step forward as we try to handle this precious global asset of fresh water in our region in a much, much wiser way so that we can avoid the flooding of the future.

Even Marathon Oil had eight feet of water in its corporate headquarters in Findlay, Ohio. Business leaders, the chamber, a broad band of public officials and private sector leadership across the region recognize we can't go through this again. We have to think about dry dams. We have to think of reservoirs. We have to think of ways to avoid hundreds of millions of dollars worth of damage and put those dollars to work avoiding that kind of disaster in the future.

In recognizing all of those who helped to handle this enormous tragedy that befell our area, we also look to the future and the fact that we have the Western Lake Erie Basin partnership as a building block toward the future in order to make the future better than the past and to learn the lessons that history has now taught us.

I am very pleased to join my colleagues here today, Congressman LYNCH, who has taken such great leadership on this measure. We, in Ohio, appreciate the response of all the emergency personnel who did so very much, and to the people who suffered, and also to Congressman JIM JORDAN for bringing this to the floor today. We are joined hand in hand as we move forward together in northern Ohio to better manage our fresh water asset for future generations.

Mr. JORDAN of Ohio. Let me, too, just thank Congressman LYNCH and Congresswoman KAPTUR. Congresswoman KAPTUR has been right at the front of looking at this in a comprehensive way, and we appreciate that. She talked about our mayors both in Findlay and Shelby, Ohio, who have done so much work and who are looking at this overall approach.

Also, we talked about our local officials. I don't know if we mentioned our two U.S. Senators who have been very helpful in this effort as well, looking at this in a broad way.

Mr. Speaker, I yield back the balance of our time.

Mr. LYNCH. Mr. Speaker, I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 728.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

BOSTON RED SOX VICTORY IN 2007 MAJOR LEAGUE BASEBALL WORLD SERIES

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 782) expressing the sense of the House with respect to the Boston Red Sox victory in the 2007 Major League Baseball World Series.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 782

Whereas in the early moments of October 29, 2007, the Boston Red Sox won their second World Series title in four seasons by besting the Colorado Rockies in just four games;

Whereas the Red Sox won their seventh world title in the 107-year history of the storied franchise;

Whereas the 2007 Red Sox World Champion team epitomized sportsmanship, selfless play, team spirit, determination, and heart in the course of winning 96 games in the regular season, winning the American League East Division Championship;

Whereas Josh Beckett, the major league's only 20-game winner in the 2007 regular season, cemented his place as one of the greatest post-season pitchers of all time, winning four games in the playoffs, including a dominating performance in Game One of the World Series, and keeping the hopes of Red Sox Nation alive by overpowering the Cleveland Indians in Game 5 of the American League Championship series when the team was down 3 games to 1;

Whereas Curt Schilling proved once again his greatness as a post-season pitcher by winning Game 2 of the World Series;

Whereas rookie sensation Daisuke Matsuzaka followed with a win in Game 3, tossing his famed gyroball on baseball's biggest stage;

Whereas left-hander Jon Lester completed a storybook comeback by overcoming adversity and leading his team to victory from the mound by pitching 5 and two-thirds scoreless innings, winning Game Four and completing the sweep;

Whereas Mike Lowell was named the Most Valuable Player of the World Series after batting .400 while scoring six runs and batting in four more, capping off a stellar regular season with an equally impressive post-season and capturing a richly deserved honor;

Whereas Jonathan Papelbon demonstrated complete dominance as the team's closer, saving three of the four World Series games for the Red Sox and not allowing a run in the 10 and two thirds post-season innings he pitched;

Whereas team captain Jason Varitek once again exemplified the qualities that make him a great team's great captain, guiding his pitching staff with patience and determination, and making one of the toughest positions in baseball seem effortless;

Whereas the 2007 post-season produced many memorable moments from young players and veterans alike, including emerging talents like Dustin Pedroia, Jacoby Ellsbury, and Hideki Okajima and more seasoned players like Kevin Youkilis, J.D. Drew, Bobby Kielty, Coco Crisp, Julio Lugo, and Mike Timlin;

Whereas David Ortiz and Manny Ramirez further enhanced their legendary status as two of the game's greatest hitters ever throughout the regular season and beyond;

Whereas the 2007 Red Sox also included the longest serving member of the Red Sox franchise, Tim Wakefield, along with other integral players Manny Delcarmen, Julian Tavarez, Eric Gagne, Javier Lopez, Kyle Snyder, Doug Mirabelli, Alex Cora, and Eric Hinske;

Whereas the 2007 season brought fans many magical moments, including rookie Clay Buchholz's September no-hitter in just his second major league start;

Whereas Red Sox Manager Terry Francona continued to lead his team with grace and a steady hand, transforming them into one of the greatest Red Sox teams of all time and capturing his second World Series title in just 4 short years;

Whereas Red Sox owners John Henry and Tom Werner and Red Sox President and Chief Executive Officer Larry Lucchino continued their quest to field the best team in baseball, culminating in another World Series celebration for Red Sox Nation;

Whereas Red Sox Executive Vice President/General Manager Theo Epstein assembled all the parts for a winning team that featured the major league's best pitching staff, a dominant offense, and most important, the hearts and souls of true champions;

Whereas the entire Red Sox organization maintains a strong commitment to charitable causes in New England, demonstrated by the team's decades-long support of the Dana-Farber Cancer Institute's Jimmy Fund in the fight against childhood cancers;

Whereas Red Sox fans are everywhere, in the ball parks of opposing teams, in every State in the Union and in many foreign lands; and

Whereas a grateful Red Sox Nation thanks the team for an unforgettable season and for bringing another World Championship home to Boston: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates—

(A) the Boston Red Sox for winning the 2007 Major League Baseball World Series and for all of their accomplishments during a stellar 2007 regular season; and

(B) the eight Major League Baseball teams that played in the postseason;

(2) recognizes the achievements of the Boston Red Sox players, manager, coaches, and support staff whose hard work, dedication, and spirit made this all possible;

(3) commends—

(A) the Colorado Rockies for a solid year, including an impressive late season surge that brought them to their first World Series; and

(B) the fans and management of the Colorado Rockies for their hospitality towards all the Red Sox fans who traveled to Denver for the World Series; and

(4) directs the Clerk of the House of Representatives to transmit an enrolled copy of this resolution to—

(A) the 2007 Boston Red Sox team;

(B) Red Sox Manager Terry Francona;

(C) Red Sox General Manager Theo Epstein;

(D) Red Sox President and Chief Executive Officer Larry Lucchino;

(E) Red Sox Principal Owner John Henry; and

(F) Red Sox Chairman Tom Werner.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. JORDAN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members have 5 days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the House and in the Senate and my mom and dad and the entire Red Sox Nation in consideration of House Resolution 782, a bill that congratulates the Boston Red Sox baseball team, our beloved Boston Red Sox baseball team, for winning the 2007 Major League Baseball World Series.

House Resolution 782 was introduced by my friend and colleague, Representative MICHAEL CAPUANO. The Boston Red Sox baseball team did indeed win their second World Series in four seasons, defeating the Colorado Rockies 4–3 in game four at Coors Field in Denver, Colorado, on Sunday, October 28, 2007.

The Red Sox are the first team in this century to win multiple championships since the year 2000. Kevin Youkilis, the first baseman for the Red Sox said, "Pitching will lead you all the way," and that was it, great pitching and timely hitting. This team is now rightfully the best team in baseball.

The Red Sox won the 2004 and 2007 World Series under the great management of Terry Francona. We in Red Sox Nation wish to congratulate the management of the Boston Red Sox baseball team, the players, the coaches, the fans and the entire Red Sox community.

I commend my colleague, Representative CAPUANO, and Fenway Park is actually in his district. I want to thank him for congratulating the Boston Red Sox for winning the 2007 Major League Baseball World Series. From all the members of the delegation, we appreciate his hard work on this matter.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Ohio.

Mr. JORDAN of Ohio. Mr. Speaker, like the Speaker, growing up a Big Red Machine fan, I still remember those teams with Johnny Bench, Joe Morgan, Tony Perez, in sixth grade, watching that series.

I rise to recognize the most recent achievements of the Boston Red Sox and commend their victory in the 2007 Major League Baseball World Series. In the last few years, the Red Sox have distinguished themselves as one of the most dominant teams in baseball. Of course, this was not always the case.

After winning their fifth World Series in 1918, their regular season successes were often met by postseason disappointment. Those were the old Red Sox.

In this century, we have the new Red Sox, the team that entered the 2004 playoffs as a wild card and then proceeded to mount one of the most memorable comebacks in baseball history down 3 games to zero against their arch rival, the New York Yankees.

They came back to win the American League Championship Series and ultimately went on to break the Curse of the Bambino, winning the 2004 World Series in 4 straight games against the St. Louis Cardinals. In 2007, after winning the American League East Division, the Red Sox again faced adversity in the American League Championship Series down 3–1 to that other great team in Ohio, the Cleveland Indians. They persevered, winning three games in a row to once again represent the American League in the World Series.

The Red Sox went on to win this series again in 4 games, sweeping the red-hot Colorado Rockies behind the leadership of Manager Terry Francona. The 2007 Red Sox did it all. I congratulate them and their team and the entire Red Sox community.

Mr. Speaker, I reserve the balance of our time.

Mr. LYNCH. Mr. Speaker, I yield to my colleague and friend, MICHAEL CAPUANO, for as much time as he may consume.

Mr. CAPUANO. Mr. Speaker, I would like to apologize to you for some of the pain that this moment may be inflicting. I didn't expect you to be in the chair. I just want to express my personal regrets that you have to suffer through this as a lifelong Yankee fan.

The SPEAKER pro tempore. The gentleman doesn't know the half of it.

Mr. CAPUANO. Mr. Speaker, I rise to add my voice and congratulations to the Red Sox on behalf of the entire Red Sox Nation, which has always been strong but now growing across the country. Every road game they played, they filled up stadiums, and they filled it up both with supporters of the opponents, because they came to see good baseball and with Red Sox fans they found everywhere across this country.

I will tell you they epitomized, on behalf of all of us, what is good about sports and what is good about America. Baseball is still America's game; it's still America's pastime. We all love watching it, but I will tell you, I will admit that, as a lifelong Red Sox fan, I always had my doubts until the last play of the last game.

I always figured we could find a way to blow it like we did for 86 years. They are slowly turning me around, and one by one, one game at a time, now two in the last 4 years, maybe I will get over the initial years of my Red Sox days always figuring, come late in the season, the Yankees would sneak up on us and clobber us from behind.

I will tell you that it is nice to begin the new century this way, but I also remember that we started off the last century pretty well too, but then we hit a wall. I don't expect that will happen, I expect this will continue on and on for the Red Sox. As you have probably noted, the Red Sox didn't just keep it all to themselves. They have now handed it off to the Patriots and the Boston College Eagles, and hopefully the Celtics will be able to gain the same type of traction that the Red Sox did.

I end my remarks by simply saying congratulations to the Red Sox. Thank you for a wonderful year on behalf of all of my constituents.

Mr. JORDAN of Ohio. Mr. Speaker, I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I yield 3 minutes to another friend of Red Sox Nation, part of Red Sox Nation from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Thank you, Congressman LYNCH, for letting me join in on today's resolution.

I come from the southern end of Red Sox Nation in eastern Connecticut. We are still closer to Fenway Park than we are to Yankee Stadium or Shea Stadium, so it's still safe for me to publicly speak out on this resolution.

As someone from a multigenerational Red Sox family like Mr. CAPUANO, we suffered and worried and have terrible memories, but obviously this is not our fathers' Red Sox any more.

□ 1245

This is a great team that combined a lot of new players, Dustin Pedroia, "Jake" Jacoby Ellsbury, Daisuke Matzusaka, along with the 2004 veterans of the last World Series, to again have another great exciting season, particularly the ALCS where they came back down 3–1.

As Mr. CAPUANO said, Red Sox Nation extends far and wide. Last March I was on board the USS *Alexandria*, a nuclear submarine out of Groton, Connecticut, under the ice in Alaska. I spent a day driving around with a great crew, professional and just so impressive in the work they do for our Nation. Sat down for breakfast after sleeping onboard the ship and was immediately confronted by the sailors who said they had only one question for me. I figured it was the war on Iraq, health care. And the one question was, Yankees or Red Sox? I was able to reassure them that I was a Red Sox fan, since they all were as well.

But one of the sailors indicated to me that he was coming up for re-enlistment and his dream was to do it in Fenway Park in front of the Green Monster. When I came back to Washington, we contacted President Lucchino of the Red Sox, who bent over backwards for this sailor and his family, his fiance, and they did, in fact, stage a re-enlistment ceremony in front of the Green Monster, wearing the 2004 ring as he signed the papers, committing himself again to our Nation. And I just want to read from the Boston Globe the comment of Petty Officer Vecchione who said, "It's a sacred place. I had the ring on my finger as if I was married to the Red Sox for a few minutes."

And I think really what that incident showed, though, is that we have a management who sees that it's a two-way street in Red Sox Nation. We love our players, but they love their fans; and that's why we have such a great fan base who are so passionate about this incredible team that goes back to the early days of baseball.

And I appreciate again the bipartisan support and even the support from some Members who root for other teams in this resolution and urge its passage.

Mr. LYNCH. Mr. Speaker, before I yield additional time, I just want to relate anecdotally how the extent of the Red Sox Nation is expanding.

About a month ago I happened to visit Afghanistan and Pakistan. And while in Afghanistan, I traveled with the 173rd Airborne up in a little place called Nahre. It's about 8,000 feet up into the mountains of Afghanistan. And while I was there, the helicopter, it was not pressurized so it only took us up so far, and then we had to walk up a little ways to the outpost where the 173rd was conducting operations on the Pakistani border, and when we were approaching the camp, there were a group of Afghani villagers off to the righthand side digging a ditch. And while most of them had the traditional headdress of the Afghans at that time on in their project, I did notice one gentleman, an Afghani, probably about 30 years old. And on close inspection, there he was, 8,000 feet in the mountains of Afghanistan, an Afghani villager wearing a Boston Red Sox baseball cap. And that is an indication of how widespread and popular the movement behind the Red Sox has become.

And in closing, I would just like to thank the Red Sox organization. As a corporate citizen, its owners, its managers, its players, coaches, there is no shortage of kindness that they have shown to every cause. From Curt Schilling's support of ALS and the efforts against that disease, David Ortiz and his efforts to help alleviate the effect of the hurricanes in the Dominican Republic, there's no shortage of kindness and good citizenship that has been exhibited by this organization. We recognize them for their excellence.

Mr. Speaker, at this point, in a moment of questionable wisdom, I am actually going to yield to a Mets fan, the gentleman from New York (Mr. WEINER), for 1 minute, because I am not quite sure what he might say.

Mr. WEINER. Look, I rise without any compunction to offer some level of congratulations to the Red Sox. As the Speaker knows, and you know I'm a Mets fan, so when we played you in 1986, it wasn't that big of a problem. And as bad as our collapse was this year, we have a great deal of empathy for the fans of the Boston Red Sox.

And I must admit there are some genuinely likable players on the Red Sox. This guy, Kevin Youkilis, whom you know, Mr. LYNCH, his great grandfather was named Weiner. So perhaps way back when, there was some baseball talent in the Weiner family, although none has been displayed recently in the congressional baseball game.

And it's no doubt about it that Manny Ramirez from Washington Heights, the New York connection, and Mike Lowell, the MVP, it's hard not to root for that guy.

But I have to say I'm a little surprised there isn't language in this resolution in reference to the MVT, the most valuable traitor. I seem to recall reading that Rudolph Giuliani, that vaunted Yankee fan, who for years and years would put the Yankee pin stripes on, and even has World Series rings, I understand, in his collection, stood up and said that he too was pulling for the Boston Red Sox.

Now, I think there should be some kind of a——

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LYNCH. Thank God. Mr. Speaker, I have been remiss, and I would like to at this time yield to my great friend and colleague from Rhode Island, Representative JAMES LANGEVIN, who is a die-hard Red Sox fan and a leader of Red Sox Nation, for whatever time he may consume.

Mr. LANGEVIN. I thank the gentleman for yielding on this historic occasion and for the purpose of a great celebration and recognizing the great victory of the Boston Red Sox in this year's World Series.

Mr. Speaker, I rise in strong support of House Resolution 782, a resolution that congratulates the Boston Red Sox on winning the World Series on October 28, 2007. As a life-long Red Sox fan, I am so pleased to be here with the rest of the New England delegation to show our appreciation for the Red Sox players, coaches, front office, and the rest of the Red Sox Nation.

The 2007 Red Sox were dominant from the beginning of the season, which is not easy when you have 162 regular season games in a year. In the World Series, the Red Sox faced the Colorado Rockies, a team that had won 21 of their last 22 games, leading up to the last showdown. That statistic didn't faze the Red Sox at all, though; and whether it was in Boston or Denver, the pitchers made their pitches and the batters showed how hard it was to get an out in their lineup.

With a sense of inevitability, the Red Sox swept the Rockies in four games to win their second World Series in 4 years.

Every player on the team made a contribution. From veterans like Curt Schilling to rookies like Jacoby Ellsbury, Mike Lowell, who helped to keep the Red Sox on top during the regular season and rightfully won the World Series Most Valuable Player.

The 2007 Red Sox not only worked hard; they enjoyed themselves as well and kept the fans entertained, which is easy to do when you love what you do and you're good at it.

We watched Jonathan Papelbon strike out batters, and then we waited for a celebratory dance at the end of the game. It's not often in professional sports that you see a team full of players that has such a strong bond.

It's always a good year when you can follow your baseball team all the way from the beginning of April to the end of October. It's an even better year when they can take the World Series trophy on a parade through Boston.

The 2007 Red Sox played this year with confidence and class and showed us the true definition of team. I look forward to 2008 and adding on to two World Series trophies that we've already won this century.

Again, my congratulations to a great team. Congratulations Boston Red Sox and Red Sox Nation.

I thank my colleague from Massachusetts for yielding, along with his great comments.

Mr. LYNCH. Mr. Speaker, seeing no further speakers on this matter, I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 782.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

PURPLE HEART FAMILY EQUITY ACT OF 2007

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1119) to amend title 36, United States Code, to revise the congressional charter of the Military Order of the Purple Heart of the United States of America, Incorporated, to authorize associate membership in the corporation for the spouse of a recipient of the Purple Heart medal, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1119

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Purple Heart Family Equity Act of 2007".

SEC. 2. ASSOCIATE MEMBERSHIP IN THE MILITARY ORDER OF THE PURPLE HEART OF THE UNITED STATES OF AMERICA, INCORPORATED.

Section 140503(b) of title 36, United States Code, is amended by striking "parents and lineal descendants" and inserting "the parents, spouse, siblings, and lineal descendants".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1119, the Purple Heart Family Equity Act of 2007, provides an excellent opportunity for us to recognize and honor the brave women as well as brave men who served our Nation in the armed services.

As many of you know, the Purple Heart is awarded to Armed Forces members who are wounded by an instrument of war in the hands of the enemy, and posthumously to the next of kin for those who are killed in action or who die of wounds received in action. It is specifically a combat decoration first conceived in 1782 by General George Washington.

Seventy-five years ago, an organization now known as the Military Order of the Purple Heart was formed for the purposes of protecting the mutual interests of all those who have received the decoration. Composed exclusively of Purple Heart recipients, it is the only veterans service organization comprised strictly of combat veterans.

When the order was federally chartered in 1958, however, very few women had received the Purple Heart. And to this day, women recipients of the Purple Heart do not have the same benefits as their male counterparts.

Under the current law, male members can invite their wives to join the Ladies Auxiliary of the Purple Heart, but there is no place in the order for husbands of Purple Heart recipients. The order has identified at least 97 female purple heart recipients who have joined and who are not enjoying the full benefits of membership that they deserve.

H.R. 1119 seeks to fully honor the women of the Armed Forces who have been awarded the Purple Heart defending our Nation. Specifically, the bill amends the order's Federal charter to allow members to invite their spouses to join as associate members, both for male and female recipients of the Purple Heart. With this minor revision to the Federal charter, the husbands of female members could join the organization.

This bill also allows members to invite their siblings to join as associate members so that they too can take part in the full honor of their brothers and sisters who fought so bravely for our country and received a Purple Heart. It is only right that we allow the members to include their siblings in this honor.

This bipartisan legislation is endorsed by the Military Order of the Purple Heart. It recognizes the important role women have played in defending our Nation in times of war.

□ 1300

We owe this long overdue recognition to these women and their families. I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. KING of Iowa. Mr. Speaker, I yield myself such time as I may consume. I thank the gentlewoman for her presentation of H.R. 1119.

The Military Order of the Purple Heart of the United States of America was founded in 1932. And as the gentlewoman stated, it goes back to George Washington. It's rich in our heritage, and it's precious in our reference to those who have bled for this Nation and for the freedom of the people here in the United States of America. It was recognized by the Veterans Administration and represents "veterans in the presentation of claims before the . . . administration," this is the Military Order of the Purple Heart, and also "its service officers are active in veterans hospitals." The organization was federally chartered in 1958.

Active members of the Military Order of the Purple Heart must be persons of good moral character who have received the Purple Heart for wounds received as a member of the U.S. Armed Forces or for those of any country during military combat against an armed enemy of the United States.

The Military Order of the Purple Heart is a sterling organization that provides services to those brave Americans who were wounded defending our country. The order also seeks to promote "patriotic allegiance to the United States, fidelity to the Constitution and laws of the United States, and the security of civil liberty and the permanence of free institutions." And that's all out of their mission. Its goals are "educational, fraternal, historical, and patriotic, perpetuating the principles of liberty and justice which have created the United States." In short, Mr. Speaker, the Military Order of the Purple Heart upholds many of the pillars of American exceptionalism.

Parents or lineal descendants of persons eligible to be active members can be associate members of the order. The order has requested that its charter be amended so that siblings and spouses of members can also become associate members.

I am pleased that H.R. 1119, the Purple Heart Family Equity Act of 2007, as amended by the Judiciary Committee, provides that spouses and siblings of persons eligible to be active members of the Military Order of the Purple Heart can become associate members.

If I just look at the bill for the sake of clarity, Mr. Speaker, the current law is parents and lineal descendants. This strikes parents and lineal descendants and replaces it with the parents, spouse, and lineal descendants. This is something that has been agreed to and promoted by the members of the Military Order of the Purple Heart, by Republicans and Democrats in the Judiciary Committee. I do not recall opposition to this. I believe one could say that it is clearly without opposition, perhaps unanimous on the Judiciary Committee.

I urge adoption of H.R. 1119.

Mr. Speaker, I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I would like to yield 4 minutes to the author of the bill, my colleague from California, Congresswoman DAVIS.

Mrs. DAVIS of California. Mr. Speaker, I want to thank my colleague from California as well.

Mr. Speaker, I was honored for the opportunity to introduce the Purple Heart Equity Act along with Representative VIRGINIA FOXX, Minority Whip ROY BLUNT, Chairman JOHN MURTHA, and a number of other bipartisan sponsors. We came together, and this is a unanimous bill because honoring the women who have won the Purple Heart is something that we can all stand behind.

As commander of the Continental Army, as has been mentioned, George Washington wanted to recognize soldiers whose sacrifices and distinction forwarded the cause of independence. As a result, he created the Military Merit. He also designed the award, shaped it like a heart in the color purple. And after the Revolutionary War, this award was actually abandoned. But in honor of the bicentennial of Washington's birth, President Herbert Hoover revived the award in 1932, and it maintained its original design and became more known today, of course, as the Purple Heart.

In that same year the Military Order of the Purple Heart formed with the mission of fostering a positive environment among wounded veterans as well as providing services to all veterans and their families. But when the organization was federally chartered in 1958, few women actually had won the Purple Heart. So, under the current law, male members today can invite their wives to join the Ladies Auxiliary of the Purple Heart, but there is no place in this organization for the husbands of female members.

So that's why H.R. 1119 is important today, because it adds the word "spouses" to the Federal Charter of the Military Order of the Purple Heart. And with this small update, the husbands of female members will have the option of joining the organization just as the wives do.

Just a little bit more history, Mr. Speaker. The first woman to be awarded the Purple Heart was Lieutenant Annie G. Fox after she was killed in the attack on Pearl Harbor. Since then, the Military Order of the Purple Heart has identified at least 97 female Purple Heart recipients who have joined the organization.

It has been 66 years since Lieutenant Fox earned the award, and now it is time, certainly time, that we act to fully honor the courageous women who are bestowed with the Purple Heart. H.R. 1119 honors and recognizes these brave women and future recipients of the Purple Heart. This is the least, certainly, we can do for the women who sacrifice for our country.

And, finally, H.R. 1119 will allow the siblings of all who belong to the organization to join as associate members.

By passing this legislation today, we certainly honor every family whose son or daughter or sister or brother has won the distinguished Purple Heart.

Ms. ZOE LOFGREN of California. Mr. Speaker, I urge support for this bipartisan bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 1119, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend title 36, United States Code, to revise the congressional charter of the Military Order of the Purple Heart of the United States of America, Incorporated, to authorize associate membership in the corporation for the spouse and siblings of a recipient of the Purple Heart medal.".

A motion to reconsider was laid on the table.

KENDELL FREDERICK CITIZENSHIP ASSISTANCE ACT

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2884) to assist members of the Armed Forces in obtaining United States citizenship, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2884

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Kendell Frederick Citizenship Assistance Act".

SEC. 2. FINGERPRINTS FOR MEMBERS OF ARMED FORCES.

(a) IN GENERAL.—Notwithstanding any other provision of law, including section 552a of title 5, United States Code (commonly referred to as the "Privacy Act of 1974"), the Secretary of Homeland Security shall use the fingerprints provided by an individual at the time the individual enlisted in the Armed Forces to satisfy any requirement for fingerprints that is part of an application for naturalization if—

(1) the individual may be naturalized pursuant to section 328 or 329 of the Immigration and Nationality Act (8 U.S.C. 1439–1440);

(2) the individual was fingerprinted in accordance with the requirements of the Department of Defense at the time the individual enlisted in the Armed Forces;

(3) the individual submits an application for naturalization not later than 24 months after the date on which the individual enlisted in the Armed Forces; and

(4) the Secretary of Homeland Security determines that the fingerprints are sufficient to adjudicate the applicant's naturalization application.

(b) MOST TIMELY AND EFFECTIVE ADJUDICATION.—Nothing in this section shall preclude an individual described in subsection (a) from submitting new fingerprints to the Secretary of Homeland Security. If the Secretary of Homeland Security determines that submitting new fingerprints would result in more timely and effective adjudication of the individual's naturalization application, the Secretary shall inform the individual that submitting new fingerprints would result in more timely and effective adjudication of the individual's naturalization application, along with a description of how to submit new fingerprints.

(c) COOPERATION.—The Secretary of Homeland Security, in consultation with the Secretary of Defense, shall determine the format of fingerprints acceptable for usage under subsection (a). The Secretary of Defense, or any other official having custody of the fingerprints referred to in subsection (a), shall make such prints available to the Secretary of Homeland Security for the purpose described in subsection (a) without charge and shall otherwise cooperate with the Secretary of Homeland Security in fulfilling the Secretary's satisfaction of the requirement under subsection (a).

SEC. 3. PROVISION OF INFORMATION ON MILITARY NATURALIZATION.

(a) IN GENERAL.—Not later than 30 days after the effective date of any modification to a regulation related to naturalization under section 328 or 329 of the Immigration and Nationality Act (8 U.S.C. 1439–1440), the Secretary of Homeland Security shall update as necessary the appropriate Internet site or sites maintained by the Secretary to reflect such modification.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Secretary of Homeland Security should update as necessary the appropriate application form or forms promulgated by the Secretary not later than 180 days after an effective date described in subsection (a).

SEC. 4. REPORTS.

(a) ADJUDICATION PROCESS.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the entire process for the adjudication of an application for naturalization filed pursuant to section 328 or 329 of the Immigration and Nationality Act (8 U.S.C. 1439–1440), including the process that begins at the time the application is mailed to, or received by, the Secretary of Homeland Security, regardless of whether the Secretary determines that such application is complete, through the final disposition of such application. Such report shall include a description of—

(1) the methods of the Secretary of Homeland Security and the Secretary of Defense to prepare, handle, and adjudicate such applications;

(2) the effectiveness of the chain of authority, supervision, and training of employees of the

Federal Government or of other entities, including contract employees, who have any role in such process or adjudication; and

(3) the ability of the Secretary of Homeland Security and the Secretary of Defense to use technology to facilitate or accomplish any aspect of such process or adjudication.

(b) IMPLEMENTATION.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study on the implementation of this Act by the Secretary of Homeland Security and the Secretary of Defense, including studying any technology that may be used to improve the efficiency of the naturalization process for members of the Armed Forces.

(2) REPORT.—Not later than 180 days after the date that the Comptroller General submits the report required by subsection (a), the Comptroller General shall submit to the appropriate congressional committees a report on the study required by paragraph (1). The report shall include any recommendations of the Comptroller General for improving the implementation of this Act by the Secretary of Homeland Security or the Secretary of Defense.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services and the Committee on the Judiciary of the Senate; and

(2) the Committee on Armed Services and the Committee on the Judiciary of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2884, the Kendell Frederick Citizenship Assistance Act, pays tribute to the memory of 21-year-old Army Reserve Specialist Kendell K. Frederick, who was killed in Iraq while attempting to become an American citizen.

Specialist Frederick was born in Trinidad and immigrated to the United States when he was 15 to join his mother, stepfather, and two sisters. He attended Randallstown Senior High in Baltimore County, Maryland, where he joined the school's ROTC program. Specialist Frederick enlisted in the Army Reserve in his senior year and was deployed to Iraq in December of 2004. As he was serving our country, Specialist Frederick sought to apply for U.S. citizenship; yet one bureaucratic hurdle after another delayed his application.

First, the U.S. Citizenship and Immigration Service failed to route his application to the unit that processed naturalization applications for members of the military. That agency then rejected his application for failure to pay an application filing fee, despite the fact that active military personnel applying for U.S. citizenship do not need to pay a filing fee.

Thereafter, this agency directed Specialist Frederick to get his fingerprints taken in Maryland, despite the obvious fact that he was deployed in Iraq at the time. Also, he had recently had his fingerprints taken and undergone a background check when he enlisted in the Army Reserve. When his mother called the agency's "help line," she was told that there was nothing that could be done.

After trying for more than a year to become a U.S. citizen and having his application rejected and delayed as a result of various bureaucratic failings, Specialist Frederick was forced to travel on a convoy to a base where he could get his fingerprints taken for his naturalization application. Tragically, he was killed en route by a roadside bomb. Specialist Frederick was posthumously granted U.S. citizenship a week after his death.

H.R. 2884 would remove unnecessary procedural hurdles like the one Specialist Frederick faced for naturalization applicants who are serving or who have recently served in the military. It would require the Department of Homeland Security to use the fingerprints provided by military naturalization applicants at the time of their enlistment in the Armed Forces if the applicants were fingerprinted in accordance with DOD requirements, if the naturalization applications are filed within 24 months of enlistment, and if the fingerprints are deemed sufficient by the Department of Homeland Security for naturalization purposes.

The bill would require DHS to inform a member of the armed services applying for naturalization when submitting new fingerprints would result in a more timely and effective adjudication of the naturalization application along with the description of how to submit the new fingerprints.

It would also ensure that the DOD complies with the requirements of this bill so that fingerprints they hold are sent to DHS. It would clarify the time frame in which DHS is required to publicize changes in regulations and forms regarding the naturalization of members of the Armed Forces. And, finally, it would promote accountability by requiring the GAO to report on the naturalization process for Armed Forces members.

Approximately 35,000 lawful permanent residents are currently serving in our Armed Forces. More than 13,000 noncitizen members of the military have applied for U.S. citizenship since 2002.

This is an excellent bill that will help ensure that from now on, American soldiers do not face the kinds of unnecessary and unreasonable hurdles to American citizenship that cost Specialist Frederick his life.

I urge my colleagues to support the bill and would note that this was passed unanimously out of the House Judiciary Committee. I urge my colleagues, again, to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. KING of Iowa. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Specialist Kendell Frederick was a 21-year-old U.S. Army soldier serving in Iraq. He dreamed of becoming an American citizen. He was born in Trinidad and came to this country when he was 15 years old. Specialist Frederick joined ROTC while in high school, and he joined the Army after he graduated.

I want to make the point about how important ROTC is in the recruitment of our military personnel and having that available at the high school and also at the college level. And I reflect, as mention was made in the previous debate about the Purple Heart and George Washington, the historians that I talk to point out to me that George Washington most likely received his commission to command the Continental Army outside the gates of Harvard near the commons. And it's interesting also that the ROTC recruiters aren't allowed on that campus. But they were allowed on the campus that recruited Specialist Kendell Frederick.

On October 19, 2005, very sadly, Kendell Frederick was killed by a roadside bomb while traveling in a convoy to a base. He was granted U.S. citizenship posthumously, but he never knew that he was an American citizen. Tragically, the very reason that he was in the convoy that day was to get fingerprinted in order to achieve his dream of citizenship.

He had been trying to become an American citizen for over a year, having started the process while he was in training. His mother and his sergeant in Iraq tried to help him, but they didn't know the rules. His efforts to become a citizen were thwarted by bureaucratic misinformation and other obstacles.

Although he was fighting for our country in Iraq, he was told that he had to have his fingerprints retaken in Maryland. When his mother called 1–800–IMMIGRATION, a USCIS, that is, U.S. Citizenship and Immigration Services, hotline for immigration assistance and tried to explain that he was fighting in the war and could not come home to Baltimore to be fingerprinted, she was told that there was nothing that they could do. Not a very good answer from a government that has people who put their lives on the line for our freedom.

This is wrong, Mr. Speaker. And it is intolerable that our soldiers are unable to get correct information, particularly with regard to the citizenship that they fight to defend. They should be given every possible assistance in applying for citizenship.

H.R. 2884 provides that a soldier who submits a naturalization application within 24 months of enlistment can have that application process using the fingerprints that were taken at the time of enlistment. This is a very simple, very commonsense solution, and it's too bad that Congress has to take action on this to get this kind of a thing done, but it is dealt with the kind of compassion for patriotism that I think reflects the Members of this Congress, both sides of the aisle, and the people of this country.

Mr. Speaker, I am pleased to support H.R. 2884 to honor Specialist Frederick and all of our permanent resident servicemembers who seek citizenship.

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I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I would like to recognize the author of this bill, the gentleman from Maryland (Mr. CUMMINGS), for 5 minutes.

Mr. CUMMINGS. To Chairwoman LOFGREN, I want to thank you for your leadership. And certainly to Chairman CONYERS and the ranking member and ranking member of the subcommittee, I want to thank all of you for getting this bill to the floor. Finally, I want to thank the professional staff on the Judiciary Subcommittee on Immigration for working so diligently with my staff to bring this legislation again to the floor of the House.

Mr. Speaker, the Kendell Frederick Citizenship Assistance Act truly is a step towards correcting and honoring our non-citizen servicemembers, many of whom continue to serve in Iraq and Afghanistan. It is appropriate, therefore, that we consider this legislation as we approach Veterans Day, honoring all who have risked their lives to protect our own.

I introduced the Kendell Frederick Citizenship Assistance Act to ensure that those who are willing to fight relentlessly on the battlefield to protect our great Nation do not have to also battle through a drawn-out citizenship process. Specifically, H.R. 2884 will assist our noncitizen servicemen and -women on the road to citizenship by making the following needed adjustments:

Requiring the United States Department of Homeland Security to use the fingerprints taken by the Defense Department at induction for citizen applications;

Requiring noncitizen military servicemembers to submit their citizenship applications within 24 hours of enlistment;

Requiring the Department of Defense and DHS to determine a single acceptable format for fingerprint submission;

Requiring DHS to update appropriate application forms for naturalization, the instruction and guidebook for obtaining naturalization, and the DHS Web site when naturalization procedures pertaining to members of the Armed Forces are changed; and

Ensuring efficiency and accountability to Congress by requiring the Government Accountability Office to report on DHS's training of personnel, methods and effectiveness in adjudicating applications by members of the Armed Forces.

Mr. Speaker, this legislation honors the memory of a young man from my district, 21-year-old Army Reserve Specialist Kendell K. Frederick. He was a resident of Baltimore County and a native of Trinidad who was stationed in Iraq and died while trying to journey to another post in order to meet the citizenship application fingerprinting requirement. In other words, if he didn't have to go through the changes that he went through, he probably would still be with us today. And one of the interesting things that was mentioned a little bit earlier, he was part of the ROTC process, but he was also a young man, when he entered the military, he entered and made agreement to serve in the military for 8 years. I mean, even knowing that there was a war going on, he bravely said, I want to serve my country. And he claimed this as his country and still went out there and fought, but he wasn't even a citizen yet of our country.

Namely, after trying for more than a year to become a citizen and having his application delayed at least five times due to miscommunication and misinformation in processing his fingerprints, keep in mind the reason why he was killed was he was on his way trying to get his fingerprints done over there in Iraq, Specialist Frederick had no choice but to travel with a convoy to a base to resolve this issue. Unfortunately, he was killed on the way by a roadside bomb, never realizing his dream of becoming an American citizen. And the interesting thing is that he was in the last vehicle of the convoy.

Mr. Speaker, Specialist Frederick embraced a Nation that had failed to fully embrace him by honoring him with citizenship during his lifetime. And it's interesting I think that it was a day or so after he died, then they gave him citizenship. That is why I urge my colleagues to vote in favor of H.R. 2884 to make certain that no other soldier who wants to be a citizen will have to jump through unnecessary bureaucratic hoops. These outstanding noncitizen soldiers such as Specialist Frederick have made the choice to give voluntarily to our Nation by fighting the terrorist groups that threaten us, putting their lives on the line, sacrificing their blood, their sweat, their tears, and their lives.

I urge my colleagues to please vote in favor of this legislation. I know his mother is watching, and I know that she will be very moved. This is something that has been a long journey for her. And with that, I thank the gentlelady for your courtesy.

Mr. KING of Iowa. Mr. Speaker I yield myself such time as I may consume just for a brief conclusion for this.

I want to thank my colleagues for their work on this. I thank the gentleman for coming to the floor to speak up and speak on behalf of Kendell Frederick and the memory and the legacy that he leaves here for us in this country; one of many who stepped forward to defend this country; one of, tragically, too many who lost their lives. And his life has contributed in a number of ways, one of them being the freedom that he helped to protect and the safety and security of the American people, and another, always this legacy of this bureaucratic snafu that will, I pray, forever be straightened out by this bill, the Kendell Frederick bill.

So I urge adoption of this bill, and I thank my colleagues.

Mr. Speaker, I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I would just close by noting that the mishandling of this application is just infuriating to read through what happened and to have lost this young man who volunteered for our service in such a way is so distressful. But I think we can take a stand by supporting this bill named in Kendell Frederick's honor to make sure this does not happen to another serviceman or servicewoman and also that his family can know that in addition to serving in Iraq, he served as a model for a change in the law and that they may take some comfort with that.

So I urge passage of the bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 2884, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SMALL BUSINESS PROGRAMS ACT OF 2007

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3866) to reauthorize certain programs under the Small Business Act for each of fiscal years 2008 and 2009, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3866

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Small Business Programs Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Reauthorization of small business programs.
Sec. 3. BusinessLINC grants reauthorization.
Sec. 4. Small Business Development Center Program reauthorization.
Sec. 5. Women's Business Center Program reauthorization.
Sec. 6. HUBZone reauthorization.
Sec. 7. Office of Veterans Business Development reauthorization.
Sec. 8. Advisory Committee on Veterans Business Affairs extension.
Sec. 9. National Women's Business Council reauthorization.

SEC. 2. REAUTHORIZATION OF SMALL BUSINESS PROGRAMS.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended—

(1) by striking subsections (b), (d), and (j);

(2) by redesignating subsections (c) and (e) as (b) and (c), respectively;

(3) in subsection (b) (as so redesignated; disaster mitigation pilot program) by striking "2005" and "2006" and inserting "2008" and "2009", respectively; and

(4) by inserting after subsection (c) (as so redesignated) the following:

"(d) FISCAL YEAR 2008.—

"(1) PROGRAM LEVELS.—The following program levels are authorized for fiscal year 2008:

"(A) For the programs authorized by this Act, the Administration is authorized to make—

"(i) $80,000,000 in technical assistance grants, as provided in section 7(m); and

"(ii) $110,000,000 in direct loans, as provided in 7(m).

"(B) For the programs authorized by this Act, the Administration is authorized to make $29,300,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

"(i) $20,000,000,000 in general business loans, as provided in section 7(a);

"(ii) $8,500,000,000 in certified development company financings, as provided in section 7(a)(13) and as provided in section 504 of the Small Business Investment Act of 1958;

"(iii) $750,000,000 in loans, as provided in section 7(a)(21); and

"(iv) $50,000,000 in loans, as provided in section 7(m).

"(C) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make $4,000,000,000 in guarantees of debentures.

"(D) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $6,000,000,000, of which not more than 50 percent may be in bonds approved pursuant to section 411(a)(3) of that Act.

"(E) The Administration is authorized to make grants or enter into cooperative agreements for a total amount of $7,000,000 for the Service Corps of Retired Executives program authorized by section 8(b)(1).

"(2) ADDITIONAL AUTHORIZATION.—There are authorized to be appropriated to the Administration for fiscal year 2008 $20,000,000 to carry out the PRIME program.

"(e) FISCAL YEAR 2009.—

"(1) PROGRAM LEVELS.—The following program levels are authorized for fiscal year 2009:

"(A) For the programs authorized by this Act, the Administration is authorized to make—

"(i) $90,000,000 in technical assistance grants, as provided in section 7(m); and

"(ii) $120,000,000 in direct loans, as provided in 7(m).

"(B) For the programs authorized by this Act, the Administration is authorized to make $29,800,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

"(i) $20,000,000,000 in general business loans, as provided in section 7(a);

"(ii) $9,000,000,000 in certified development company financings, as provided in section 7(a)(13) and as provided in section 504 of the Small Business Investment Act of 1958;

"(iii) $750,000,000 in loans, as provided in section 7(a)(21); and

"(iv) $50,000,000 in loans, as provided in section 7(m).

"(C) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make $4,000,000,000 in guarantees of debentures.

"(D) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $6,000,000,000, of which not more than 50 percent may be in bonds approved pursuant to section 411(a)(3) of that Act.

"(E) The Administration is authorized to make grants or enter into cooperative agreements for a total amount of $7,000,000 for the Service Corps of Retired Executives program authorized by section 8(b)(1).

"(2) ADDITIONAL AUTHORIZATION.—There are authorized to be appropriated to the Administration for fiscal year 2009 $20,000,000 to carry out the PRIME program.".

SEC. 3. BUSINESSLINC GRANTS REAUTHORIZATION.

Section 8(n) of the Small Business Act (15 U.S.C. 637(n)) is amended—

(1) by striking "$6,600,000" and inserting "$7,000,000"; and

(2) by striking "2001 through 2006" and inserting "2008 and 2009".

SEC. 4. SMALL BUSINESS DEVELOPMENT CENTER PROGRAM REAUTHORIZATION.

Section 21(a)(4)(C)(vii) of the Small Business Act (15 U.S.C. 648(a)(4)(C)(vii)) is amended by striking subclauses (I) and (II) and inserting the following:

"(I) $140,000,000 for fiscal year 2008; and

"(II) $145,000,000 for fiscal year 2009.".

SEC. 5. WOMEN'S BUSINESS CENTER PROGRAM REAUTHORIZATION.

Section 29(k) of the Small Business Act (15 U.S.C. 656(k)) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

"(A) $17,000,000 for fiscal year 2008; and

"(B) $17,500,000 for fiscal year 2009."; and

(2) in paragraph (2)(B), by striking clauses (i) through (iv) and inserting the following:

"(i) For fiscal year 2008, 1.5 percent.

"(ii) For fiscal year 2009, 1.5 percent.".

SEC. 6. HUBZONE REAUTHORIZATION.

Section 31(d) of the Small Business Act (15 U.S.C. 657a) is amended—

(1) by striking "$10,000,000" and inserting "$20,000,000"; and

(2) by striking "2004 through 2006" and inserting "2008 and 2009".

SEC. 7. OFFICE OF VETERANS BUSINESS DEVELOPMENT REAUTHORIZATION.

Section 32(c) of the Small Business Act (15 U.S.C. 657b(c)) is amended by striking paragraphs (1) and (2) and inserting the following:

"(1) $3,000,000 for fiscal year 2008; and

"(2) $4,000,000 for fiscal year 2009.".

SEC. 8. ADVISORY COMMITTEE ON VETERANS BUSINESS AFFAIRS EXTENSION.

(a) EXTENSION OF TERMINATION DATE.—Section 203(h) of the Veterans Entrepreneurship and Small Business Development Act of 1999 (Public Law 106–50; 15 U.S.C. 657b note) is amended by striking "September 30, 2006" and inserting "September 30, 2009".

(b) CONFORMING AMENDMENT.—Section 33(h) of the Small Business Act (15 U.S.C. 657c(h)) is amended by striking "October 1, 2006" and inserting "October 1, 2009".

SEC. 9. NATIONAL WOMEN'S BUSINESS COUNCIL REAUTHORIZATION.

Section 410(a) of the Women's Business Ownership Act of 1988 (Public Law 100–533; 15 U.S.C. 7110(a)) is amended by striking "2001 through 2003" and inserting "2008 and 2009".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, our economy is constantly evolving and changing. For this Nation's 27 million small firms to be successful, our economic policies must be adjusted accordingly.

While we have made great strides in this Congress to make sure the needs of small business owners are met, H.R. 3866 is the final step in reauthorizing small business assistance programs, ensuring the success and growth of small firms.

Today, entrepreneurs are faced with many challenges. They must compete in a global marketplace, deal with rising energy and health care costs, and find ways to access affordable capital. To alleviate many of these burdens, we have passed initiatives in this Congress that provide the overall tools for entrepreneurial success. We have passed legislation that lowers the cost of loans and gives minorities greater access to SBA programs.

Through H.R. 3567, SBA's investment programs were improved and a new source of equity capital was open to entrepreneurs through angel investment. Also, small business contracting programs has been modernized, accountability has been increased, and fraud has been reduced. This makes sure small firms have fair access to the Federal marketplace and allows them to continue growing their companies and creating jobs.

In the aftermath of Hurricane Katrina, entrepreneurs were faced with delays in disaster loans, overwhelming amounts of paperwork, and a lengthy application process leaving them frustrated and discouraged. The RECOVER Act ensures that the SBA is prepared, has a large, well-trained disaster response workforce, and that delays and poor service encountered by victims of hurricanes do not happen again.

While critical, these initiatives are just the first step. The Small Business Programs Act of 2007 provides the vehicle for SBA's small business assistance programs to run and meet the needs of entrepreneurs in our changing economy. Most importantly, it gives the SBA the necessary resources to continue helping small businesses start and expand.

H.R. 3866 extends SBA's small business assistance programs for the next 2 years. Also, this bill provides the necessary authority for the SBA to carry out its lending and venture capital programs, ensuring SBA's initiatives are the premier lending tools for entrepreneurs.

The SBA and its programs are vital to assisting small businesses across this country. Along with the Small Business Development Centers, Women Business Centers, and SCORE, the SBA has worked to meet the rising demand for services at a time when their budget continues to decrease.

These programs have a proven track record of success, but they require sufficient resources to be able to evolve and modernize. Clearly, in order for small firms to adapt to changing economic conditions, small business assistance programs must be adjusted. There is no larger job creator or greater impact on local communities in this country than small firms.

H.R. 3866 arms small business assistance programs with the tools that allow entrepreneurs to continue spurring economic growth.

I strongly urge my colleagues to vote for the Small Business Programs Act of 2007.

Mr. Speaker, I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Today, Mr. Speaker, I rise in support of the request to suspend the rules and pass H.R. 3866, the SBA Programs Act of 2007.

I would like to thank Chairwoman VELÁZQUEZ for working in a cooperative and bipartisan manner to bring this bill to the House floor today.

The bill we are considering today is a highly technical bill, but one of the Small Business Committee's legislative obligations.

The financing programs in the Small Business Act and the Small Business Investment Act of 1958 rely on lending by the private sector. Lenders are protected by guarantees issued by the SBA, promising repayment if the small business borrower fails. Congress must impose limits on the authority of the SBA to issue such guarantees. H.R. 3866 establishes limits that will enable the program to operate even if there is unexpected demand.

Given the current credit crunch, it is certainly possible that the SBA will have a spike in demand. The limits adopted in this bill will ensure that, unlike in some prior years, the program will not be the subject of operational restrictions.

I want to point out that supporting these limits will have no budgetary impact. The SBA's guaranteed loan, certified development company, and debenture small business investment company programs also operate at zero subsidy. That means the programs require no appropriation, and losses are covered by fees charged to lenders and borrowers. Maintaining this zero subsidy still enables Congress to provide for significant expansion of the authorization in order to meet demand, while protecting taxpayers.

The microloan programs, which helps entrepreneurs in many low-income areas and is a valuable job creation tool for a modest investment by the government, also receives an increase in lending authority.

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Given the value of the program, I believe that the modest increase more than pays for itself in providing jobs and developing the entrepreneurial culture that continues to maintain the economic viability of this Nation.

In addition, the committee must provide authorization levels for the Small Business Development Center program. The allocation of funds to various centers is based in part on a comparison of funds appropriated to funds authorized. Without an authorization level, the funding formula cannot work. It also is important to point out that the authorization level for the SBDCs is increased by around 3½ percent. This increase takes into account inflation and the administration's request that the centers provide even more counseling. The other major entrepreneurial outreach program of the SBA, the Women's Business Center program, receives an increase of around 17 percent. Now, while this may at first seem like a lot, the authorization in this bill represents the first time in nearly 8 years that the Women's Business Center authorization levels have been set thus representing an adjustment in align with inflation.

Similarly, the PRIME program, which provides additional technical assistance to microloan borrowers, has not received an authorization level since 1999. The authorization of $20 million in this bill represents an increase of $625,000 per year, or just enough, again, to keep up with inflation. I want to point out that the SBA requested a budget increase to cover inflation including the rapid rise in the cost of energy. It is only fair to authorize a similar modest increase for SBA's entrepreneurial outreach in education programs.

Other authorizations in this bill also represent either level funding, such as the SCORE program and the drug-free workplace program or represent very modest increases from prior authorization levels such as the $400,000 increase in funding for BusinessLINC, a valuable program that helps small businesses find contracts to supply large businesses with goods and services.

Two programs received significant boosts in authorization levels, the Office of Veterans Affairs and the HUBZone programs. In time of war, it is important that we provide assistance to our veterans. That includes ensuring that they have the tools necessary to integrate into civilian life through entrepreneurship. On a percentage basis, the authorization increase for the program is significant, but the dollar value is a modest $2 million. Given the sacrifices our veterans have made, this represents only a modest down payment on the debt we owe to them, our veterans.

As for the HUBZone program, the increase arises from the efforts of the committee to ensure that only firms eligible for participation in the program receive Federal Government contracts. This requires additional onsite verification and thus represents the committee's view to the appropriators to significantly increase funding in that area.

Again, I would like to thank Chairwoman VELÁZQUEZ. Although there are significant philosophical differences between Members, I think the past year has demonstrated what can happen when this body tries to work through those differences without acrimony or questioning of the motives of the other side. Much can be accomplished for the American public, and that is what the people elected us to do. So I want to, again, commend the chairwoman for her willingness to work in a bipartisan manner not only in this bill but many bills that we have dealt with in the past.

Mr. Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I have no further speakers, and I am prepared to close if the gentleman is prepared to close.

Mr. CHABOT. Mr. Speaker, I am prepared to close. I have no other speakers.

Ms. VELÁZQUEZ. Mr. Speaker, I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield back my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, there is no question that today's economic environment is increasingly difficult for small firms to thrive in. We have seen record highs in gas prices, unmanageable health care costs and barriers in the way of accessing affordable capital. Now, more than ever, small businesses need assistance programs they can rely on that are well-equipped to meet their needs. With the Small Business Programs Act of 2007 that is exactly what we are giving entrepreneurs.

This legislation ensures that our Nations's 27 million entrepreneurs have access to the business development assistance that they need and deserve. These firms employ one half of our workforce, spur economic development and revitalize our communities. When their businesses are growing and flourishing, the benefits are felt across the country.

With the passage of H.R. 3866, we set program levels for SBA's entrepreneurial assistance initiatives, updating and modernizing them. The primary role of the SBA is to help entrepreneurs who have the drive but need assistance. It is clear that small firms play a crucial role in our economy. By ensuring that these businesses have current and sufficient assistance, we are investing in our communities, helping to create jobs, and benefiting the Nation as a whole.

I would like to take this opportunity to thank Ranking Member CHABOT for your collaboration for us to work together in a responsible way, to follow regular order, and I am very proud that every time that we have considered legislation, we have done so in a very inclusive, open way and we can show results. With the passage of this bill, we have passed 15 bills through the House of Representatives. I am very proud of that product. It shows the things that can be done when we respect each other despite our differences. But we show the American public that we are willing to work together on their behalf.

I also would like to take an opportunity to thank the staff that worked on this legislation from the Small Business Committee majority staff, Tim Slattery and Michael Day, and from the minority staff, Barry Pineles, Kevin Fitzpatrick and Mike Smullen. I strongly urge my colleagues to vote for H.R. 3866, the Small Business Programs Act of 2007.

GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3866, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 3866, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. KUCINICH. Mr. Speaker, pursuant to clause 2(a)1 of rule IX, I rise to give notice of my intent to raise a question of the privilege of the House.

The form of the resolution is as follows:

Resolved, That Richard B. Cheney, Vice President of the United States, is impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the United States Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against Richard B. Cheney, Vice President of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I

In his conduct while Vice President of the United States, Richard B. Cheney, in violation of his constitutional oath to faithfully execute the office of Vice President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has purposely manipulated the intelligence process to deceive the citizens and Congress of the United States by fabricating a threat of Iraqi weapons of mass destruction to justify the use of the United States Armed Forces against the nation of Iraq in a manner damaging to our national security interests, to wit:

(1) Despite all evidence to the contrary, the Vice President actively and systematically sought to deceive the citizens and Congress of the United States about an alleged threat of Iraqi weapons of mass destruction:

(A) 'We know they have biological and chemical weapons.' March 17, 2002, Press Conference by Vice President Dick Cheney and His Highness Salman bin Hamad Al Khalifa, Crown Prince of Bahrain at Shaikh Hamad Palace.

(B) '. . . and we know they are pursuing nuclear weapons.' March 19, 2002, Press Briefing by Vice President Dick Cheney and Israeli Prime Minister Ariel Sharon in Jerusalem.

(C) 'And he is actively pursuing nuclear weapons at this time . . .' March 24, 2002, CNN Late Edition interview with Vice President Cheney.

(D) 'We know he's got chemicals and biological and we know he's working on nuclear.' May 19, 2002, NBC Meet the Press interview with Vice President Cheney.

(E) 'But we now know that Saddam has resumed his efforts to acquire nuclear weapons . . . Simply stated, there is no doubt that Saddam Hussein now has weapons of mass destruction. There is no doubt that he is amassing them to use against our friends, against our allies, and against us.' August 26, 2002, Speech of Vice President Cheney at VFW 103rd National Convention.

(F) 'Based on intelligence that's becoming available, some of it has been made public, more of it hopefully will be, that he has indeed stepped up his capacity to produce and deliver biological weapons, that he has reconstituted his nuclear program to develop a nuclear weapon, that there are efforts under way inside Iraq to significantly expand his capability.' September 8, 2002, NBC Meet the Press interview with Vice President Cheney.

(G) 'He is, in fact, actively and aggressively seeking to acquire nuclear weapons.' September 8, 2002, NBC Meet the Press interview with Vice President Cheney.

(H) 'And we believe he has, in fact, reconstituted nuclear weapons.' March 16, 2003, NBC Meet the Press interview with Vice President Cheney.

(2) Preceding the March 2003 invasion of Iraq the Vice President was fully informed that no legitimate evidence existed of weapons of mass destruction in Iraq. The Vice President pressured the intelligence community to change their findings to enable the deception of the citizens and Congress of the United States.

(A) Vice President Cheney and his Chief of Staff, Lewis Libby, made multiple trips to the CIA in 2002 to question analysts studying Iraq's weapons programs and alleged links to al Qaeda, creating an environment in which analysts felt they were being pressured to make their assessments fit with the Bush administration's policy objectives accounts.

(B) Vice President Cheney sought out unverified and ultimately inaccurate raw intelligence to prove his preconceived beliefs. This strategy of cherry picking was employed to influence the interpretation of the intelligence.

(3) The Vice President's actions corrupted or attempted to corrupt the 2002 National Intelligence Estimate, an intelligence document issued on October 1, 2002, and carefully considered by Congress prior to the October 10, 2002, vote to authorize the use of force. The Vice President's actions prevented the necessary reconciliation of facts for the National Intelligence Estimate which resulted in a high number of dissenting opinions from technical experts in two Federal agencies.

(A) The State Department's Bureau of Intelligence and Research dissenting view in the October 2002 National Intelligence Estimate stated 'Lacking persuasive evidence that Baghdad has launched a coherent effort to reconstitute it's nuclear weapons program INR is unwilling to speculate that such an effort began soon after the departure of UN inspectors or to project a timeline for the completion of activities it does not now see happening. As a result INR is unable to predict that Iraq could acquire a nuclear device or weapon.'.

(B) The State Department's Bureau of Intelligence and Research dissenting view in the October 2002 National Intelligence Estimate also stated that 'Finally, the claims of Iraqi pursuit of natural uranium in Africa are, in INR's assessment, highly dubious.'.

(C) The State Department's Bureau of Intelligence and Research dissenting view in the October 2002 National Intelligence Estimate references a Department of Energy opinion by stating that 'INR accepts the judgment of technical experts at the US Department of Energy (DOE) who have concluded that the tubes Iraq seeks to acquire are poorly suited for use in gas centrifuges to be used for uranium enrichment and finds unpersuasive the arguments advanced by others to make the case that they are intended for that purpose.'.

The Vice President subverted the national security interests of the United States by setting the stage for the loss of more than 3800 United States service members; the loss of more than 1 million innocent Iraqi citizens since the United States invasion; the loss of approximately $500 billion in war costs which has increased our Federal debt; the loss of military readiness within the United States Armed Services due to overextension, lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.

In all of this, Vice President Richard B. Cheney has acted in a manner contrary to his trust as Vice President, and subversive of constitutional government, to the prejudice of the cause of law and justice and the manifest injury of the people of the United States. Wherefore, Vice President Richard B. Cheney, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE II

In his conduct while Vice President of the United States, Richard B. Cheney, in violation of his constitutional oath to faithfully execute the office of Vice President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, purposely manipulated the intelligence process to deceive the citizens and Congress of the United States about an alleged relationship between Iraq and al Qaeda in order to justify the use of the United States Armed Forces against the nation of Iraq in a manner damaging to our national security interests, to wit:

(1) Despite all evidence to the contrary, the Vice President actively and systematically sought to deceive the citizens and the Congress of the United States about an alleged relationship between Iraq and al Qaeda:

(A) 'His regime has had high-level contacts with Al Qaeda going back a decade and has provided training to Al Qaeda terrorists.' December 2, 2002, Speech of Vice President Cheney at the Air National Guard Senior Leadership Conference.

(B) 'His regime aids and protects terrorists, including members of Al Qaeda. He could decide secretly to provide weapons of mass destruction to terrorists for use against us.' January 30, 2003, Speech of Vice President Cheney to 30th Political Action Conference in Arlington, Virginia.

(C) 'We know he's out trying once again to produce nuclear weapons and we know that he has a long-standing relationship with various terrorist groups, including the Al Qaeda organization.' March 16, 2003, NBC Meet the Press interview with Vice President Cheney.

(D) 'We learned more and more that there was a relationship between Iraq and Al Qaeda that stretched back through most of the decade of the '90s, that it involved training, for example, on biological weapons and chemical weapons . . .' September 14, 2003, NBC Meet the Press interview with Vice President Cheney.

(E) 'Al Qaeda had a base of operation there up in Northeastern Iraq where they ran a large poisons factory for attacks against Europeans and U.S. forces.' October 3, 2003, Speech of Vice President Cheney at Bush-Cheney '04 Fundraiser in Iowa.

(F) 'He also had an established relationship with Al Qaeda providing training to Al Qaeda members in areas of poisons, gases, and conventional bombs.' October 10, 2003, Speech of Vice President Cheney to the Heritage Foundation.

(G) 'Al Qaeda and the Iraqi intelligence services have worked together on a number of occasions.' January 9, 2004, Rocky Mountain News interview with Vice President Cheney.

(H) 'I think there's overwhelming evidence that there was a connection between Al Qaeda and the Iraqi government.' January 22, 2004, NPR: Morning Edition interview with Vice President Cheney.

(I) 'First of all, on the question of—of whether or not there was any kind of relationship, there clearly was a relationship. It's been testified to; the evidence is overwhelming.' June 17, 2004, CNBC: Capital Report interview with Vice President Cheney.

(2) Preceding the March 2003 invasion of Iraq the Vice President was fully informed that no credible evidence existed of a working relationship between Iraq and al Qaeda, a fact articulated in several official documents, including:

(A) A classified Presidential Daily Briefing ten days after the September 11, 2001, attacks indicating that the United States intelligence community had no evidence linking Saddam Hussein to the September 11th attacks and that there was 'scant credible evidence that Iraq had any significant collaborative ties with Al Qaeda'.

(B) Defense Intelligence Terrorism Summary No. 044-02, issued in February 2002 by the United States Defense Intelligence Agency, which challenged the credibility of information gleaned from captured al Qaeda leader al-Libi. The DIA report also cast significant doubt on the possibility of a Saddam Hussein-al-Qaeda conspiracy: 'Saddam's regime is intensely secular and is wary of Islamic revolutionary movements. Moreover, Baghdad is unlikely to provide assistance to a group it cannot control.'.

(C) A January 2003 British intelligence classified report on Iraq that concluded that 'there are no current links between the Iraqi regime and the al-Qaeda network'.

The Vice President subverted the national security interests of the United States by setting the stage for the loss of more than 3,800 United States service members; the loss of more than 1 million innocent Iraqi citizens since the United States invasion; the loss of approximately $500 billion in war costs which has increased our Federal debt; the loss of military readiness within the United States Armed Services due to overextension, lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.

In all of this, Vice President Richard B. Cheney has acted in a manner contrary to his trust as Vice President, and subversive of constitutional government, to the prejudice of the cause of law and justice and the manifest injury of the people of the United States. Wherefore, Vice President Richard B. Cheney, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE III

In his conduct while Vice President of the United States, Richard B. Cheney, in violation of his constitutional oath to faithfully execute the office of Vice President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has openly threatened aggression against the Republic of Iran absent any real threat to the United States, and done so with the United States proven capability to carry out such threats, thus undermining the national security of the United States, to wit:

(1) Despite no evidence that Iran has the intention or the capability of attacking the United States and despite the turmoil created by United States invasion of Iraq, the Vice President has openly threatened aggression against Iran as evidenced by the following:

(A) 'For our part, the United States is keeping all options on the table in addressing the irresponsible conduct of the regime. And we join other nations in sending that regime a clear message: We will not allow Iran to have a nuclear weapon.' March 7, 2006, Speech of Vice President Cheney to American Israel Public Affairs Committee 2006 Policy Conference.

(B) 'But we've also made it clear that all options are on the table.' January 24, 2007, CNN Situation Room interview with Vice President Cheney.

(C) 'When we—as the President did, for example, recently—deploy another aircraft carrier task force to the Gulf, that sends a very strong signal to everybody in the region that the United States is here to stay, that we clearly have significant capabilities, and that we are working with friends and allies as well as the international organizations to deal with the Iranian threat.' January 29, 2007, Newsweek interview with Vice President Cheney.

(D) 'But I've also made the point and the President has made the point that all options are still on the table.' February 24, 2007, Vice President Cheney at Press Briefing with Australian Prime Minister in Sydney, Australia.

(2) The Vice President, who repeatedly and falsely claimed to have had specific, detailed knowledge of Iraq's alleged weapons of mass destruction capabilities, is no doubt fully aware of evidence that demonstrates Iran poses no real threat to the United States as evidenced by the following:

(A) 'I know that what we see in Iran right now is not the industrial capacity you can [use to develop a] bomb.' Mohamed ElBaradei, Director General of International Atomic Energy Agency, February 19, 2007.

(B) Iran indicated its 'full readiness and willingness to negotiate on the modality for the resolution of the outstanding issues with the IAEA, subject to the assurances for dealing with the issues in the framework of the Agency, without the interference of the United Nations Security Council'. IAEA Board Report, February 22, 2007.

(C) '. . . so whatever they have, what we have seen today, is not the kind of capacity that would enable them to make bombs.' Mohamed El Baradei, Director General of International Atomic Energy Agency, February 19, 2007.

(3) The Vice President is fully aware of the actions taken by the United States towards Iran that are further destabilizing the world as evidenced by the following:

(A) The United States has refused to engage in meaningful diplomatic relations with Iran since 2002, rebuffing both bilateral and multilateral offers to dialogue.

(B) The United States is currently engaged in a military buildup in the Middle East that includes the increased presence of the United States Navy in the waters near Iran, significant United States Armed Forces in two nations neighboring to Iran, and the installation of anti-missile technology in the region.

(C) News accounts have indicated that military planners have considered the B61–11, a tactical nuclear weapon, as one of the options to strike underground bunkers in Iran.

(D) The United States has been linked to anti-Iranian organizations that are attempting to destabilize the Iranian government, in particular the Mujahideen-e Khalq (MEK), even though the state department has branded it a terrorist organization.

(E) News accounts indicate that United States troops have been ordered into Iran to collect data and establish contact with anti-government groups.

(4) In the last three years the Vice President has repeatedly threatened Iran. However, the Vice President is legally bound by the U.S. Constitution's adherence to international law that prohibits threats of use of force.

(A) Article VI of the United States Constitution states, 'This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land.' Any provision of an international treaty ratified by the United States becomes the law of the United States.

(B) The United States is a signatory to the United Nations Charter, a treaty among the nations of the world. Article II, Section 4 of the United Nations Charter states, 'All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.' The threat of force is illegal.

(C) Article 51 lays out the only exception, 'Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.' Iran has not attacked the United States; therefore any threat against Iran by the United States is illegal.

The Vice President's deception upon the citizens and Congress of the United States that enabled the failed United States invasion of Iraq forcibly altered the rules of diplomacy such that the Vice President's recent belligerent actions towards Iran are destabilizing and counterproductive to the national security of the United States.

In all of this, Vice President Richard B. Cheney has acted in a manner contrary to his trust as Vice President, and subversive of constitutional government, to the prejudice of the cause of law and justice and the manifest injury of the people of the United States. Wherefore Richard B. Cheney, by such conduct, warrants impeachment and trial, and removal from office.

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The SPEAKER pro tempore (Mr. SERRANO). Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Ohio will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

KIDS IN DISASTERS WELL-BEING, SAFETY, AND HEALTH ACT OF 2007

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3495) to establish a National Commission on Children and Disasters, a National Resource Center on Children and Disasters, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3495

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Kids in Disasters Well-being, Safety, and Health Act of 2007".

SEC. 2. DEFINITION.

In this Act, the terms "child" and "children" mean an individual or individuals, respectively, who have not attained 18 years of age.

SEC. 3. ESTABLISHMENT OF COMMISSION.

There is established a commission to be known as the "National Commission on Children and Disasters" (referred to in this Act as the "Commission").

SEC. 4. PURPOSES OF COMMISSION.

The purposes of the Commission are to—

(1) conduct a comprehensive study to examine and assess the needs of children as they relate to preparation for, response to, and recovery from all hazards, including major disasters and emergencies;

(2) build upon the investigations of other entities and avoid unnecessary duplication, by reviewing the findings, conclusions, and recommendations of other commissions, Federal, State, and local governments, or nongovernmental entities, relating to the needs of children as they relate to preparation for, response to, and recovery from all hazards, including major disasters and emergencies; and

(3) submit a report to the President and Congress on specific findings, conclusions, and recommendations to address the needs of children as they relate to preparation for, response to, and recovery from all hazards, including major disasters and emergencies.

SEC. 5. COMPOSITION OF COMMISSION.

(a) MEMBERS.—The Commission shall be composed of 10 members, of whom—

(1) 1 member shall be appointed by the President;

(2) 1 member, who is of a different political party than that of the member appointed under paragraph (1), shall be appointed by the President;

(3) 2 members shall be appointed by the majority leader of the Senate;

(4) 2 members shall be appointed by the minority leader of the Senate;

(5) 2 members shall be appointed by the Speaker of the House of Representatives; and

(6) 2 members shall be appointed by the minority leader of the House of Representatives.

(b) CHAIRPERSON AND VICE-CHAIRPERSON SELECTION.—The Chairperson and Vice Chairperson shall be elected from among members of the Commission.

(c) GOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be an official or employee of the Federal Government.

(d) COMMISSION REPRESENTATION.—The Commission shall include—

(1) representatives from private nonprofit entities with demonstrated expertise in addressing the needs of children as they relate to preparation for, response to, and recovery from all hazards, including major disasters and emergencies; and

(2) State emergency managers and local emergency managers.

(e) QUALIFICATIONS.—Members appointed under subsection (a) shall include—

(1) individuals involved with providing services to children, including health, education, housing, and other social services, including grant and entitlement programs;

(2) individuals with experience in emergency management, including coordination of resources and services among State and local governments, the Federal Government, and nongovernmental entities;

(3) individuals with philanthropic experience focused on the needs of children;

(4) individuals with experience in providing donated goods and services, including personnel services, to meet the needs of children and families as they relate to preparation for, response to, and recovery from all hazards, including major disasters and emergencies; and

(5) individuals who have conducted academic research into related issues.

(f) APPOINTMENTS.—All members of the Commission shall be appointed not later than 90 days after the date of enactment of this Act.

(g) INITIAL MEETING.—The Commission shall meet and begin the operations of the Commission not later than 120 days after the date of enactment of this Act.

(h) QUORUM AND VACANCY.—

(1) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(2) VACANCY.—Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner in which the original appointment was made.

SEC. 6. DUTIES OF COMMISSION.

The Commission shall—

(1) conduct a comprehensive study that examines and assesses the needs of children as they relate to preparation for, response to, and recovery from all hazards, including major disasters and emergencies, including specific findings relating to—

(A) children's physical and mental health;

(B) child care, including in private for-profit and nonprofit settings;

(C) child welfare;

(D) elementary and secondary education;

(E) sheltering, temporary housing, and affordable housing;

(F) transportation;

(G) entitlement and grant programs;

(H) juvenile justice;

(I) evacuation; and

(J) relevant activities in emergency management;

(2) identify, review, and evaluate existing law relevant to the needs of children as they relate to preparation for, response to, and recovery from all hazards, including major disasters and emergencies;

(3) identify, review, and evaluate the lessons learned from past disasters and emergencies relative to addressing the needs of children; and

(4) submit a report to the President and Congress on the Commission's specific findings, conclusions, and recommendations to address the needs of children as they relate to preparation for, response to, and recovery from all hazards, including major disasters and emergencies, including specific recommendations on the need

for planning and establishing a national resource center on children and disasters, coordination of resources and services, administrative actions, policies, regulations, financing, and legislative changes as the Commission considers appropriate.

SEC. 7. POWERS OF COMMISSION.

(a) HEARINGS.—The Commission may hold such hearings, meet and act at such times and places, and receive such evidence as may be necessary to carry out the functions of the Commission.

(b) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission may secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Federal Government such information, suggestions, estimates, and statistics as the Commission considers necessary to carry out this Act.

(2) PROVISION OF INFORMATION.—On request of the Chairperson of the Commission, each department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, provide the requested information to the Commission

(3) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive orders.

(c) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—On request of the Chairperson of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, administrative support and other services necessary for the Commission to carry out its duties.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance provided for under paragraph (1), departments and agencies of the United States may provide to the Commission such services as they may determine advisable and as authorized by law.

(d) CONTRACTING.—The Commission may enter into contracts to enable the Commission to discharge its duties under this Act.

(e) DONATIONS.—The Commission may accept, use, and dispose of donations of services or property.

(f) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as a department or agency of the United States.

SEC. 8. STAFF OF COMMISSION.

(a) IN GENERAL.—The Chairperson of the Commission, in consultation with the Vice Chairperson, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, in accordance with the provisions of title 5, United States Code, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) STAFF OF FEDERAL AGENCIES.—Upon request of the Chairperson of the Commission, the head of any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Federal Government may detail, without reimbursement, any of its personnel to the Commission to assist it in carrying out its duties under this Act. Any detail of an employee shall be without interruption or loss of civil service status or privilege.

(c) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

SEC. 9. TRAVEL EXPENSES.

Each member of the Commission shall serve without compensation, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

SEC. 10. FEDERAL ADVISORY COMMITTEE ACT APPLICABILITY.

The provisions of the Federal Advisory Committee Act shall apply to the Commission, including the staff of the Commission.

SEC. 11. REPORTS OF COMMISSION; TERMINATION.

(a) INTERIM REPORT.—Not later than December 31, 2008, the Commission shall submit to the President and Congress an interim report containing specific findings, conclusions, and recommendations required under this Act as have been agreed to by a majority of Commission members.

(b) FINAL REPORT.—Not later than 24 months after the date of the enactment of this Act, the Commission shall submit to the President and Congress a final report containing specific findings, conclusions, and recommendations required under this Act as have been agreed to by a majority of Commission members.

(c) TERMINATION.—

(1) IN GENERAL.—The Commission, and all the authorities of this Act, shall terminate 180 days after the date on which the final report is submitted under subsection (b).

(2) RECORDS.—Not later than the date of termination of the Commission under paragraph (1), all records and papers of the Commission shall be delivered to the Archivist of the United States for deposit in the National Archives.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act, $2,000,000 for each of fiscal years 2008 and 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3495.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as amended, H.R. 3495 is a bill to establish a national commission on children's needs as they relate to all hazards, including major disasters and emergencies. I strongly support the creation of this commission because there is no doubt that in dire circumstances the needs of children are different from the needs of adults. This realization is one of the many lessons learned from Hurricane Katrina. Almost 5200 children were reported missing or displaced to the National Center for Missing and Exploited Children after Hurricane Katrina. This bill is a step in the right direction in identifying the needs of children in such conditions and deserves our support.

Consistent with other commissions, this bill provides that the Chair and Vice Chair be chosen from commission members. The role of State and local emergency managers is acknowledged in commission membership along with private nonprofit organizations. The committee recognizes that State emergency managers and local emergency managers perform complementary but not identical functions and therefore recognize in a commission such as this it is important to have both groups represented. The commission will produce an interim report and a final report with specific recommendations which will be sent to Congress and the President. The commission member will serve without pay and be subject to the Federal Advisory Committee Act requirements. The amendment authorizes $2 million for fiscal years 2008 and 2009 for the commission work.

I commend my good friend and colleague, the gentlewoman from Florida (Ms. CORRINE BROWN), for her diligent work on this bill. I strongly support H.R. 3495 and urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3495, introduced by the gentlewoman from Florida (Ms. CORRINE BROWN), creates a National Commission on Children and Disasters. First, I thank Chairman OBERSTAR and Chairwoman NORTON for working with us to improve this legislation. I believe our bipartisan efforts were necessary to ensure a fair and balanced commission. I think it has resulted in a much better legislative product.

Mr. Speaker, H.R. 3495 establishes a 10-member commission to examine the needs of children and disasters. The commission is directed to report its findings and conclusions and recommendations to the President and the Congress, as Chairwoman NORTON pointed out.

The bill specifically directs the commission to build upon the investigations of other entities to avoid an unnecessary duplication of effort. For example, last Congress the House created the Select Committee to Investigate Hurricane Katrina. Former Subcommittee Chairman BILL SHUSTER served on the select committee.

In its final report, the select committee made a number of findings with respect to children. In response to this report, we passed the Post-Katrina Emergency Management Reform Act, which included provisions creating a national emergency child locator center and a national emergency family registry and locator center.

Finally, H.R. 3495 requires both State emergency managers and local emergency managers to be represented on the commission. This requirement ensures the representation on the commission of the people who may very well be responsible for implementing its recommendations.

Mr. Speaker, I support this legislation. I encourage my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I am pleased to yield to the gentlewoman from Florida (Ms. CORRINE BROWN), the author of the bill, for such time as she may consume.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I am pleased to rise in support of my bill, H.R. 3495, the KIDS WiSH Act.

Before I start, I would like to thank Chairman OBERSTAR and Chairwoman NORTON for their work in bringing this bill through the Transportation and Infrastructure Committee. I also would like to thank Ranking Member MICA and Ranking Member GRAVES for their bipartisan support. Their leadership and their staff have been instrumental in strengthening the merits of the bill and the concept of this commission. Finally, I would like to thank the House leadership for bringing this important bill to the floor so quickly.

The KIDS WiSH Act will establish a National Commission on Children and Disasters that will conduct a comprehensive study to examine and assess the needs of children to prepare for, respond to and recover from all major disasters and emergencies. The bipartisan commission will report to the President and Congress on their findings, conclusions and recommendations to address the needs of children and emergencies. In addition, the commission will consider the need for a permanent national resource center on children and disasters that will be a resource for emergency managers, schools, housing agencies, transportation entities and other relevant organizations.

Disaster and emergencies strike all over this country, and they affect children in small and large numbers. This spring, Greensburg, Kansas, which had a population of 1,389, experienced a horrible tornado. Children aged 0–17 make up 25 percent of the population of Kansas. That translates into about 347 children who were affected. This may be a small number compared to Hurricane Katrina, but each of those children's lives were utterly changed after that one tornado.

In the San Diego area, as a result of the recent wildfires, nearly 850,000 people were evacuated. In California, the population is about 26 percent children 0–17, so that translates to roughly 220,000 children who had to be evacuated. On October 24, 2007, FEMA reported that 13,000-plus individuals were housed in shelters. That translates to roughly 3,500 children.

Since Hurricane Katrina, many improvements to our emergency management system have been made, but there is still much work to be done. The basic tenet of disasters and emergencies is to "make a plan." You hear it in public service announcements all over Florida and the Gulf coast, and it is written on many of the materials distributed by FEMA. Make a plan, make a plan.

But, for all of that talk, we do not have a plan for children. Children are one of our most vulnerable populations, and their needs are unique and cannot be easily assumed from emergency plans for adults.

Earlier this year I met with the chief of the Division of Community Pediatrics from the University of Florida and he brought to my attention that emergency evacuation equipment is often brought for adults, but children cannot be transported in adult equipment, and often that type of equipment is missed. From needles and tubing to oxygen masks and ventilators, children need equipment that has been specifically designed for their size.

Do you know if the hospitals in your district are prepared for children in an emergency situation? Hospitals are just one of the many areas where improvements can be made for children in emergency situations and why the commission is needed.

More than 400,000 children under the age of 5 lived in and were evacuated from counties and parishes that were declared disaster areas by FEMA in response to Hurricane Katrina. In addition, 1,100 schools were closed immediately following Hurricane Katrina. Two years later, only 45 percent of New Orleans schools have reopened. Finally, the most startling statistic from Hurricane Katrina is that 5,192 children were missing or displaced and it took nearly 6½ months to unite each child with their parent. However, the effects of disasters on children are not limited to events of this magnitude.

□ 1415

Additionally, in this day and age we cannot keep thinking that children will not be harmed in a terrorist attack. In 1995, 19 children were killed and more than 80 children were injured at the Oklahoma City bombing.

More than 6,000 children were in the immediate area of Ground Zero during 9/11, and if the attacks were more widespread, it would have reached over 1.2 million public school students.

In the DC area we are painfully aware that during the sniper shooting, schools and children are not overlooked by terrorists. We must have a plan for children in the event of another terrorist attack.

I have been working hard to bring this issue to light. I led 23 other Members to call on FEMA to have an expert on children and disasters as a member of the National Advisory Council. I offered an amendment to the fiscal year 2008 Homeland Security appropriations bill that will add $1 million specifically for children and disasters.

Finally, I held an important forum with experts from emergency management, pediatrics and disaster recovery to discuss how to prepare, respond to, and recover from all hazards for children. Over 100 people attended this briefing to show their support for the legislation.

As adults, we may think this is unnecessary; but once again, we must think how children are different. I encourage the commission to think outside the box. Children are a diverse group and the commission should remember children in the context of private schools, preschools, after-school programs, day care facilities, pregnant women, foster children, and orphanages.

Last year, Congress passed the Pets Evacuation and Transportation Standards Act of 2006. Congress has recognized how pets can slip through the cracks during an emergency, but has yet to have a plan for children in an emergency.

Children should not be forced to suffer through another learning experience like Hurricane Katrina. Congress must look forward and discover a comprehensive strategy for children and emergencies that may happen such as pandemic flu or a terrorist attack or a major earthquake. A national commission is imperative to making progress.

This commission will solidify some of the already good work that other organizations are doing and provide recommendations for better coordination at the local, State, and Federal levels.

I also would like to thank organizations who have supported this bill. I want to recognize the crucial support of Mark Shriver from Save the Children who has led the coalition of children's advocate groups.

Mr. Speaker, I will insert the list of groups into the RECORD at this point, and I encourage my colleagues to support H.R. 3495, the KIDS WiSH Act.

Save the Children, Allergy and Asthma Network Mothers of Asthmatics, American Association of School Administrators, American Red Cross, Association of Maternal and Child Health Programs, Catholic Charities USA, Child Welfare League of America, Children's Health Fund, Habitat for Humanity, March of Dimes, The Midwives Alliance of North America, National Assembly on School-Based Healthcare, National Association of Children's Hospitals, National Association of Emergency Medical Technicians, National Association of Certified Professional Midwives, National Association of School Nurses, National Center for Disaster Preparedness at Columbia University, Safermaternity.org, and White Ribbon Alliance.

Mr. GRAVES. Mr. Speaker, might I inquire if Chairwoman NORTON has any other speakers.

Ms. NORTON. This side, I say to the Member, has no further speakers.

Mr. GRAVES. Mr. Speaker, I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I want to once again thank the gentlelady from Florida for this very important bill. The tragedy on the gulf coast was a human tragedy at every level, but the most unbearable scenes were those of hapless children, with and without parents. It's almost unimaginable to understand the trauma of a child who had lost her parents during that time.

The committee, our subcommittee, has indeed last year and this year, Mr. Speaker, passed two important bills: the Post-Katrina Management and Reform Act and, more recently, the Katrina and Rita Recovery Act.

But all of this legislation still leaves the gap that the gentlelady's bill would address, and there was probably good reason for it. In a real sense, we don't know what to do yet. We know what the problem is. We saw the problem with our own eyes.

Then the question becomes how do you put together what it takes to make sure it doesn't happen again, and the gentlelady has wisely decided that first we have to find out, with our bill, for a commission to provide us with the expertise to go further. She's done a real service to children of the United States of America because such a tragedy could happen everywhere.

Mr. ETHERIDGE. Mr. Speaker, I rise in support of H.R. 3495, "Kids in Disasters Well-Being, Safety, and Health Act of 2007." My life's work has been to provide for a better future for the next generation, and H.R. 3495 is in keeping with this purpose.

This bill ensures that children will be protected and prepared to respond to a disaster or other emergency by establishing a National Commission on Children and Disasters. This commission will provide a vital assessment of the needs of children before, during, and after all hazards, disasters, and emergencies. This bill addresses many—but not all—of the enhancements to preparedness for children that I have championed on the Committee on Homeland Security. Specifically, I have been exploring how to improve preparedness for children and schools since the committee's inception. I look forward to continuing the committee's work on school preparedness and working with my colleagues on the Committee on Transportation and Infrastructure on this critical homeland security issue.

Mr. Speaker, in August 2005, my colleagues and I on the Committee on Homeland Security requested that the Government Accountability Office, GAO, examine the programs at the Departments of Homeland Security, Education, and Health and Human Services that are designed to increase the emergency preparedness of primary and secondary public school officials, teachers, and students. In 2005, I released a report entitled "Reading, Writing, and Readiness: A Survey of School Emergency Plans in the 2nd Congressional District of North Carolina." The report highlighted the following three assessments: first, Federal efforts in school preparedness are uncoordinated and create confusion in the school community; secondly, there is a desire among schools for the Department of Homeland Security to take a leadership role in school preparedness; and finally, school administrators are feeling the squeeze of Federal budget cuts in emergency preparedness.

Although schools are among the safest places for our children, and school administrators do a great job of preparing for emergencies, we have evidence, both objective and anecdotal, suggesting that schools need more assistance to be fully prepared to respond to any serious crisis, including terrorism.

As the only Member of Congress that served as a school superintendent, I understand the burdens faced by administrators when implementing emergency preparedness plans with limited resources. We need to continue to work to ensure that the Federal Government engages our communities in an effective and efficient manner to mitigate such burden.

Earlier this year, I included language in H.R. 1684, the Fiscal Year 2008 Department of Homeland Security Authorization Act, that addresses this critical issue. Specifically, it tasks the DHS Under Secretary for Policy to ensure that all policies, programs and activities developed by the Department and its components appropriately take into consideration the needs of and impact on children. Additionally, the Assistant Secretary would then work with the Office of Grants and Training in FEMA to support emergency preparedness activities for schools. Like the current bill, my provision raises awareness in Congress and within Federal agencies to ensure that the needs of children, schools, and other child-centered facilities are sufficiently understood and incorporated into Federal, State, local, and tribal preparedness, response, and recovery plans and activities for natural disasters as well as acts of terrorism.

I am particularly pleased that H.R. 3495 establishes a National Resource Center on Children and Disasters, similar to the "one-stop" shop clearinghouse that Homeland Security Chairman Thompson and I requested from DHS Secretary Chertoff and Education Secretary Spellings. This resource center will be invaluable to school administrators as a single source for Federal grants and training available to develop emergency management plans at their schools and throughout their districts.

I commend my colleague, CORINNE BROWN, for introducing this bill and I am looking forward to working with her to ensure that the needs of children are properly assessed and addressed by the Federal Government. I urge my colleagues to join me in this cause, and in voting in favor of this legislation.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 3495, the "Kids in Disasters Well-Being, Safety and Health Act of 2007".

The importance of examining the special needs of children in preparing for, responding to, and recovering from emergencies and disasters cannot be overstated. Approximately one-fourth of the residents of areas damaged or flooded by Hurricane Katrina were under the age of 18. More than 400,000 children under the age of five lived in or were evacuated from counties or parishes declared as disaster areas by the Federal Emergency Management Agency ("FEMA").

Hurricane Katrina exposed sobering vulnerabilities in our Nation's ability to meet the needs of children during disasters. As a result of Hurricane Katrina, 5,192 children were reported missing or displaced to the National Center for Missing and Exploited Children. Stunningly, it took 6½ months to reunite the last child separated from her family. The impact of this prolonged separation on a child, compounded by the other hardships related to dealing with a tragedy, is indeed profound.

In addition, 1,100 schools were closed immediately following Hurricane Katrina. Today, more than two years later, only 45 percent of New Orleans schools have reopened.

H.R. 3495 establishes the National Commission on Children and Disasters ("Commission") to address the needs of children in disasters.

The purposes of the Commission are to: (1) conduct a comprehensive study to examine and assess the needs of children as they relate to preparing for, responding to, and recovering from all hazards, including major disasters and emergencies; (2) build upon and review the recommendations of other government and nongovernmental entities that work on issues relating to the needs of children in disasters; and (3) report to the President and Congress on its specific findings, conclusions, and recommendations.

The Commission will investigate special needs related to children's health, child welfare, elementary and secondary education, affordable housing, transportation, and relevant activities in emergency mitigation, preparedness, response, and recovery. The Commission is further charged with identifying, reviewing, and evaluating the lessons learned from past disasters and emergencies relative to addressing the needs of children.

I commend the gentlewoman from Florida (Ms. BROWN) for introducing this important bill. I also thank Mark Shriver, Vice President and Managing Director of Save the Children, and the many children's advocacy groups that strongly support this legislation and have worked with us to bring this bill to the Floor expeditiously.

Children are a symbol of promise and rebirth. Protecting their safety, well-being, and health in the wake of a disaster must be a critically important priority of emergency management and preparedness. This Commission will help advance that goal.

I urge my colleagues to join me in supporting H.R. 3495, as amended.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support or H.R. 3495, the Kids in Disasters Well-Being, Safety, and Health Act of 2007, introduced by my distinguished colleague from Florida, Representative CORRINE BROWN. This important legislation ensures the protection of our nations most valuable assets, our children, during times of disasters.

As the Chair of the Congressional Children's Caucus, I cannot stress enough the importance of this legislation. Children have specific needs in cases of emergency and this legislation is an important first step towards recognizing and addressing those needs. Special steps must be taken with regards to children before, after, and during all disasters and emergencies, including informing them what they should know in case of emergency and working to reunite them with their families. In the aftermath of the catastrophic events of Hurricane Katrina, some 5,192 children were missing or displaced and it was not until 6 months later that the final children were reunited with their families. This is simply unacceptable. Children are not merely small adults, they are children. They are much more vulnerable to the health and safety hazards that arise during states of emergency and disasters. The American Academy of Pediatric reports that in times of emergencies and disasters:

Children are particularly vulnerable to aerosolized biological or chemical agents because they normally breathe more times per minute than do adults, meaning they would be exposed to larger doses in the same period of time. Also, because such agents (e.g. sarin and chlorine) are heavier than air, they accumulate close to the ground—right in the breathing zone of children.

Children are more vulnerable to agents that act on or through the skin because their skin is thinner and they have a larger skin surface-to-body mass ratio than adults.

Children are more vulnerable to the effects of agents that produce vomiting or diarrhea because they have smaller body fluid reserves than adults, increasing the risk of rapid progression to dehydration or shock.

Children have much smaller circulating blood volumes than adults, so without timely intervention, relatively small amounts of blood loss can quickly tip the physiological scale from reversible shock to profound, irreversible shock or death.

Children have significant developmental vulnerabilities not shared by adults. Infants, toddlers and young children may not have the motor skills to escape from the site of a hazard or disaster. Even if they are able to walk, young children may not have the cognitive ability to know when to flee from danger, or when to follow directions from strangers such as in an evacuation, or to cooperate with decontamination.

This legislation is an important and timely first step in addressing the specific needs of children by establishing the legislative branch the National Commission of Children and Disasters. This commission will better address the needs of children by identifying the specific causes and needs of children before, after, and during disasters as well as evaluating, and if necessary redressing, existing laws relevant to such needs. It further will evaluate lessons learned from the disasters of September 11th, Hurricane Rita, Hurricane Katrina, and most recently the California wild fires and report back to the President and Congress. Furthermore, this legislation directs the Secretary of Health and Human Services to establish a National Resource Center on Children and Disasters that will be responsible for creating, maintaining, and coordinating a database to store information relating to the needs of children and disseminating relevant information on such issues to all necessary parties.

Mr. Speaker, there is no one more valuable and more vulnerable than our children. As Members of the Congress, mothers, fathers, sisters, and brothers, it is our responsibility to ensure the protection and well-being of our children. This legislation is an important first step in ensuring the safety and protection of our nation's children in times of disasters. I strongly urge my colleagues to join me in supporting this extremely important legislation.

Mr. STARK. Mr. Speaker, I rise today in strong support of legislation aimed at protecting children during and after disasters. Our current emergency management system is not prepared to meet the unique needs of children. The "Kids in Disasters Well-being, Safety, and Health Act" (H.R. 3495) represents major progress in fixing this unacceptable situation.

The most important role of government is protecting the health and welfare of families. This is a role that the government must not privatize, contract out, or provide only to the wealthy and well connected.

Unfortunately, as we all witnessed after Hurricane Katrina, the government failed miserably to protect the most vulnerable, particularly children. It is unclear to me whether this failure was the result negligence or incompetence. Perhaps it was the natural result of running a government using a radical ideology that believes government shouldn't work.

What is clear to me is that this body has an obligation to make sure government works and finds ways to help families get back on their feet after disasters. My home state of California is no stranger to disasters: earthquakes, fires, flooding, and mudslides—we've got it all. During the last several weeks, wildfires ravaged Southern California. Just after the worst of the fires, 1300 childcare centers were closed, affecting over 16,000 children. These are children of first responders, teachers, and others that have to get back to work to make sure that the community can rebuild.

We should know if we are doing enough to help these families. We should know if FEMA is doing a good job of assisting those childcare centers to reopen. We should know if we are doing a good job of helping missing children to locate their parents. Local communities and governments should have access to the information and resources they need to ensure that children's needs are taken care of.

This bill will help to fill an enormous gap in our disaster preparedness system. There is currently no agency charged with safeguarding children in the aftermath of a disaster or coordinating the efforts of various levels of government. This bill will begin to close this gap by establishing a National Resource Center for Federal, State, local, and tribal governments as well as NGOs to use to address the needs of children before, during, and after disasters. It will also establish a commission to examine our past failures and make specific recommendations on how to correct those.

Our children are looking to us to take action. I urge all of my colleagues to support this bill.

Ms. NORTON. With no further speakers, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 3495, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. NORTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXTENSION OF ESSENTIAL AIR SERVICE SUBSIDIES

Mr. COSTELLO. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2265) to extend the existing provisions regarding the eligibility for essential air service subsidies through fiscal year 2008, as amended.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2265

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ESSENTIAL AIR SERVICE.

(a) IN GENERAL.—Subsection (d) of section 409 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 41731 note) is amended by striking "September 30, 2007" and inserting "September 30, 2008".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on September 29, 2007, and shall apply with respect to any final order issued under subsection (c) of section 409 of such Act that was in effect on such date.

SEC. 2. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 48103 of title 49, United States Code, is amended—

(A) by striking "and" at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting "; and"; and

(C) by inserting after paragraph (4) the following:

"(5) $918,750,000 for the 3-month period beginning October 1, 2007.".

(2) OBLIGATION OF AMOUNTS.—Sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2008, and shall remain available until expended.

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of such title is amended by striking "September 30, 2007," and inserting "December 31, 2007,".

SEC. 3. EXTENSION OF AUTHORITY TO LIMIT THIRD PARTY LIABILITY OF AIR CARRIERS ARISING OUT OF ACTS OF TERRORISM.

Section 44303(b) of title 49, United States Code, is amended by striking "December 31, 2006" and inserting "December 31, 2007".

SEC. 4. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k)(1) of title 49, United States Code, is amended—

(1) by striking "and" at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting "; and"; and

(3) by inserting after subparagraph (D) the following:

"(E) such sums as may be necessary for the 3-month period beginning October 1, 2007.".

SEC. 5. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a) of title 49, United States Code, is amended—

(1) by striking "and" at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting "; and"; and

(3) by inserting after paragraph (4) the following:

"(5) such sums as may be necessary for the 3-month period beginning October 1, 2007.".

SEC. 6. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a) of title 49, United States Code, is amended—

(1) by striking "and" at the end of paragraph (11)(L);

(2) by striking the period at the end of paragraph (12)(L) and inserting "; and"; and

(3) by adding at the end the following:

"(13) such sums as may be necessary for the 3-month period beginning October 1, 2007.".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. COSTELLO) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on S. 2265.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 2265, as amended. As you know, the authorization for Federal Aviation Administration programs expired on September 30, 2007. Although the House overwhelmingly passed H.R. 2881, the FAA Reauthorization Act of 2007, on September 20, 2007, the Senate has yet to pass a long-term FAA authorization bill.

Instead, S. 2265, as passed by the Senate last week, extends a single provision of the expired Federal Aviation Administration Authorization Act. Specifically, S. 2265 extends section 409 of Public Law 108-176, the Vision 100—Century of Aviation Reauthorization Act, regarding the Essential Air Service program.

Rather than extend just this one provision, our amendment to S. 2265 extends each of the FAA's major programs, as well as section 409 of Vision 100. Without this legislation, the Airport Improvement Program will not be authorized after November 16.

Because the Airport Improvement Program is funded by contract authority, rather than discretionary budget authority, its funding is typically provided by an authorization act. S. 2265 provides $918.75 million in Airport Improvement Program contract authority to fund the program for the 3-month period from October 1, 2007, until December 31, 2007. This amount, when annualized, equals the fiscal year 2007 amount for the program. This provision will ensure that airport funding continues without interruption through the end of this calendar year.

S. 2265 also authorizes the appropriation of such sums as may be necessary for Federal Aviation Administration operations, facilities and equipment, and research and development programs through the end of the year.

In addition to these program reauthorizations, S. 2265 extends the Secretary of Transportation's authority to limit to $100 million the third-party liability exposure of airlines and aircraft manufacturers for any cause resulting from a terrorist event. This authority expired on September 30, 2007. S. 2265 extends this authority until the end of the year.

Finally, S. 2265 extends section 409 of Vision 100 for an additional year, through September 30, 2008. Section 409 directs the Secretary of Transportation to use the most commonly used route, rather than the shortest route, when measuring the distance of certain communities from the nearest hub airport to determine eligibility for the Essential Air Service program.

S. 2265 does not provide any additional funding for the EAS program. Rather, it simply allows communities to continue participating in the program for fiscal year 2008, within existing funding levels, on the same terms as were in effect during the previous authorization period.

In summary, Mr. Speaker, this bill simply continues aviation programs under the same terms and conditions as were in effect on September 30, 2007. It ensures that these important programs continue to operate without interruption.

Mr. Speaker, on behalf of Chairman OBERSTAR, I want to thank our committee colleagues, Ranking Member Mr. MICA and Subcommittee Ranking Member PETRI, for working together on this critical legislation.

I look forward to the Senate passing a long-term FAA reauthorization bill and sending a bill to the President in the near future.

With that, Mr. Speaker, I urge my colleagues to join me in supporting S. 2265, as amended.

Mr. Speaker, I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, in September the House considered and passed the FAA Reauthorization Act of 2007, and that legislation reauthorizes the FAA for the next 4 years. The following week, the House also passed a 3-month extension of the FAA programs. Unfortunately, the other body has taken no action on that extension bill, H.R. 3540; and, therefore, the authority for the FAA's essential programs and taxes were extended through November 16 as part of a continuing resolution. Regrettably, those FAA programs and authorities are not extended in the continuing resolution expired on September 30.

As it is unlikely that Congress will be able to send an FAA reauthorization bill to the President for consideration before this November 16, we have before us today S. 2265, as amended. The bill would extend eligibility for Essential Air Service subsidies, and in addition, as amended, would extend the funding and expenditure authority of the FAA through December 31, 2007.

The bill provides AIP contract authority at the budget year 2007 level through the end of this year; authorizes such sums as are necessary for the FAA facilities and equipment, research and development, and operations through December 31; and extends the authority to limit the third-party liability of air carriers arising out of acts of terrorism through December 31.

I regret that S. 2265 does not include a provision that would change the mandatory retirement age for pilots to age 65. However, this bill will ensure that our national aviation system continues to operate until a full reauthorization can be enacted.

There's much work yet to be done on the FAA reauthorization bill. We must work in a bipartisan and bicameral fashion to craft legislation that the President can sign.

I support this extension in order to allow us time to accomplish this important goal.

Mr. Speaker, with that, I yield back the balance of my time.

□ 1430

Mr. COSTELLO. Mr. Speaker, I yield 3 minutes to the gentlewoman from South Dakota (Ms. HERSETH SANDLIN).

Ms. HERSETH SANDLIN. Mr. Speaker, I rise today in support of S. 2265. I would like to thank Chairman OBERSTAR, the ranking member and committee staff for moving this resolution quickly to the floor, and the gentleman from Illinois (Mr. COSTELLO) for his leadership and for yielding me time.

I urge my colleagues to support this bipartisan bill introduced by my friend and colleague, the junior Senator from South Dakota, which extends funding for many critical programs administered under the Federal Aviation Authority, including the Essential Air Service and the Airport Improvement Program.

First, S. 2265, extends Vision 100-Century of Aviation Reauthorization Act, which allows State Governors to ascertain and certify the "most commonly used route" from an EAS airport to a major airport hub for the purpose of determining EAS eligibility. The Essential Air Service program is important for many small rural airports throughout the country. It helps smaller communities to connect with larger cities and their airports and facilitates economic development.

Additionally, S. 2265 extends several of the FAA's major programs, including the Airport Improvement Program, and provides appropriations for the Federal Aviation Administration Operations, Facilities and Equipment, and Research and Development programs through December 31, 2007. These programs were approved in the House in September of this year with overwhelming bipartisan support in the Federal Aviation Administration Reauthorization Act of 2007.

In closing, transportation infrastructure is a critically important priority, particularly in rural America. I urge my colleagues to support S. 2265 as it provides a necessary short-term extension of several key Federal Aviation Administration programs, while we continue to work toward a long-term resolution through the Federal Aviation Administration reauthorization bill.

Mr. COSTELLO. Mr. Speaker, I urge the adoption of S. 2265, as amended, and yield back the balance of our time.

The SPEAKER pro tempore (Mr. SERRANO). The question is on the motion offered by the gentleman from Illinois (Mr. COSTELLO) that the House suspend the rules and pass the Senate bill, S. 2265, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill, as amended, was passed.

The title was amended so as to read: "An Act to extend the existing provisions regarding the eligibility for essential air service subsidies through fiscal year 2008, and for other purposes.".

A motion to reconsider was laid on the table.

QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. KUCINICH. Mr. Speaker, I call up the question of the privileged resolution noticed earlier today.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 799

Resolved, That Richard B. Cheney, Vice President of the United States, is impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the United States Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against Richard B. Cheney, Vice President of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I

In his conduct while Vice President of the United States, Richard B. Cheney, in violation of his constitutional oath to faithfully execute the office of Vice President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has purposely manipulated the intelligence process to deceive the citizens and Congress of the United States by fabricating a threat of Iraqi weapons of mass destruction to justify the use of the United States Armed Forces against the nation of Iraq in a manner damaging to our national security interests, to wit:

(1) Despite all evidence to the contrary, the Vice President actively and systematically sought to deceive the citizens and Congress of the United States about an alleged threat of Iraqi weapons of mass destruction:

(A) 'We know they have biological and chemical weapons.' March 17, 2002, Press Conference by Vice President Dick Cheney and His Highness Salman bin Hamad Al Khalifa, Crown Prince of Bahrain at Shaikh Hamad Palace.

(B) '. . . and we know they are pursuing nuclear weapons.' March 19, 2002, Press Briefing by Vice President Dick Cheney and Israeli Prime Minister Ariel Sharon in Jerusalem.

(C) 'And he is actively pursuing nuclear weapons at this time . . .' March 24, 2002, CNN Late Edition interview with Vice President Cheney.

(D) 'We know he's got chemicals and biological and we know he's working on nuclear.' May 19, 2002, NBC Meet the Press interview with Vice President Cheney.

(E) 'But we now know that Saddam has resumed his efforts to acquire nuclear weapons . . . Simply stated, there is no doubt that Saddam Hussein now has weapons of mass destruction. There is no doubt that he is amassing them to use against our friends, against our allies, and against us.' August 26, 2002, Speech of Vice President Cheney at VFW 103rd National Convention.

(F) 'Based on intelligence that's becoming available, some of it has been made public, more of it hopefully will be, that he has indeed stepped up his capacity to produce and deliver biological weapons, that he has reconstituted his nuclear program to develop a nuclear weapon, that there are efforts under way inside Iraq to significantly expand his capability.' September 8, 2002, NBC Meet the Press interview with Vice President Cheney.

(G) 'He is, in fact, actively and aggressively seeking to acquire nuclear weapons.' September 8, 2002, NBC Meet the Press interview with Vice President Cheney.

(H) 'And we believe he has, in fact, reconstituted nuclear weapons.' March 16, 2003, NBC Meet the Press interview with Vice President Cheney.

(2) Preceding the March 2003 invasion of Iraq the Vice President was fully informed that no legitimate evidence existed of weapons of mass destruction in Iraq. The Vice President pressured the intelligence community to change their findings to enable the deception of the citizens and Congress of the United States.

(A) Vice President Cheney and his Chief of Staff, Lewis Libby, made multiple trips to the CIA in 2002 to question analysts studying Iraq's weapons programs and alleged links to al Qaeda, creating an environment in which analysts felt they were being pressured to make their assessments fit with the Bush administration's policy objectives accounts.

(B) Vice President Cheney sought out unverified and ultimately inaccurate raw intelligence to prove his preconceived beliefs. This strategy of cherry picking was employed to influence the interpretation of the intelligence.

(3) The Vice President's actions corrupted or attempted to corrupt the 2002 National Intelligence Estimate, an intelligence document issued on October 1, 2002, and carefully considered by Congress prior to the October 10, 2002, vote to authorize the use of force. The Vice President's actions prevented the necessary reconciliation of facts for the National Intelligence Estimate which resulted in a high number of dissenting opinions from technical experts in two Federal agencies.

(A) The State Department's Bureau of Intelligence and Research dissenting view in the October 2002 National Intelligence Estimate stated 'Lacking persuasive evidence that Baghdad has launched a coherent effort to reconstitute it's nuclear weapons program INR is unwilling to speculate that such an effort began soon after the departure of UN inspectors or to project a timeline for the completion of activities it does not now see happening. As a result INR is unable to predict that Iraq could acquire a nuclear device or weapon.'.

(B) The State Department's Bureau of Intelligence and Research dissenting view in the October 2002 National Intelligence Estimate also stated that 'Finally, the claims of Iraqi pursuit of natural uranium in Africa are, in INR's assessment, highly dubious.'.

(C) The State Department's Bureau of Intelligence and Research dissenting view in the October 2002 National Intelligence Estimate references a Department of Energy opinion by stating that 'INR accepts the judgment of technical experts at the US Department of Energy (DOE) who have concluded that the tubes Iraq seeks to acquire are poorly suited for use in gas centrifuges to be used for uranium enrichment and finds unpersuasive the arguments advanced by others to make the case that they are intended for that purpose.'.

The Vice President subverted the national security interests of the United States by setting the stage for the loss of more than 3800 United States servicemembers; the loss of more than 1 million innocent Iraqi citizens since the United States invasion; the loss of approximately $500 billion in war costs which has increased our Federal debt; the loss of military readiness within the United States Armed Services due to overextension, lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.

In all of this, Vice President Richard B. Cheney has acted in a manner contrary to his trust as Vice President, and subversive of constitutional government, to the prejudice of the cause of law and justice and the manifest injury of the people of the United States. Wherefore, Vice President Richard B. Cheney, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE II

In his conduct while Vice President of the United States, Richard B. Cheney, in violation of his constitutional oath to faithfully execute the office of Vice President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, purposely manipulated the intelligence process to deceive the citizens and Congress of the United States about an alleged relationship between Iraq and al Qaeda in order to justify the use of the United States Armed Forces against the nation of Iraq in a manner damaging to our national security interests, to wit:

(1) Despite all evidence to the contrary, the Vice President actively and systematically sought to deceive the citizens and the Congress of the United States about an alleged relationship between Iraq and al Qaeda:

(A) 'His regime has had high-level contacts with Al Qaeda going back a decade and has provided training to Al Qaeda terrorists.' December 2, 2002, Speech of Vice President Cheney at the Air National Guard Senior Leadership Conference.

(B) 'His regime aids and protects terrorists, including members of Al Qaeda. He could decide secretly to provide weapons of mass destruction to terrorists for use against us.' January 30, 2003, Speech of Vice President Cheney to 30th Political Action Conference in Arlington, Virginia.

(C) 'We know he's out trying once again to produce nuclear weapons and we know that he has a long-standing relationship with various terrorist groups, including the Al Qaeda organization.' March 16, 2003, NBC Meet the Press interview with Vice President Cheney.

(D) 'We learned more and more that there was a relationship between Iraq and Al Qaeda that stretched back through most of the decade of the '90s, that it involved training, for example, on biological weapons and chemical weapons . . .' September 14, 2003, NBC Meet the Press interview with Vice President Cheney.

(E) 'Al Qaeda had a base of operation there up in Northeastern Iraq where they ran a large poisons factory for attacks against Europeans and U.S. forces.' October 3, 2003, Speech of Vice President Cheney at Bush-Cheney '04 Fundraiser in Iowa.

(F) 'He also had an established relationship with Al Qaeda providing training to Al Qaeda members in areas of poisons, gases, and conventional bombs.' October 10, 2003, Speech of Vice President Cheney to the Heritage Foundation.

(G) 'Al Qaeda and the Iraqi intelligence services have worked together on a number of occasions.' January 9, 2004, Rocky Mountain News interview with Vice President Cheney.

(H) 'I think there's overwhelming evidence that there was a connection between Al Qaeda and the Iraqi government.' January 22, 2004, NPR: Morning Edition interview with Vice President Cheney.

(I) 'First of all, on the question of—of whether or not there was any kind of relationship, there clearly was a relationship. It's been testified to; the evidence is overwhelming.' June 17, 2004, CNBC: Capital Report interview with Vice President Cheney.

(2) Preceding the March 2003 invasion of Iraq the Vice President was fully informed that no credible evidence existed of a working relationship between Iraq and al Qaeda, a fact articulated in several official documents, including:

(A) A classified Presidential Daily Briefing ten days after the September 11, 2001, attacks indicating that the United States intelligence community had no evidence linking Saddam Hussein to the September 11th attacks and that there was 'scant credible evidence that Iraq had any significant collaborative ties with Al Qaeda'.

(B) Defense Intelligence Terrorism Summary No. 044-02, issued in February 2002 by the United States Defense Intelligence Agency, which challenged the credibility of information gleaned from captured al Qaeda leader al-Libi. The DIA report also cast significant doubt on the possibility of a Saddam Hussein-al-Qaeda conspiracy: 'Saddam's regime is intensely secular and is wary of Islamic revolutionary movements. Moreover, Baghdad is unlikely to provide assistance to a group it cannot control.'.

(C) A January 2003 British intelligence classified report on Iraq that concluded that 'there are no current links between the Iraqi regime and the al-Qaeda network'.

The Vice President subverted the national security interests of the United States by setting the stage for the loss of more than 3,800 United States service members; the loss of more than 1 million innocent Iraqi citizens since the United States invasion; the loss of approximately $500 billion in war costs which has increased our Federal debt; the loss of military readiness within the United States Armed Services due to overextension, lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.

In all of this, Vice President Richard B. Cheney has acted in a manner contrary to his trust as Vice President, and subversive of constitutional government, to the prejudice of the cause of law and justice and the manifest injury of the people of the United States. Wherefore, Vice President Richard B. Cheney, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE III

In his conduct while Vice President of the United States, Richard B. Cheney, in violation of his constitutional oath to faithfully execute the office of Vice President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has openly threatened aggression against the Republic of Iran absent any real threat to the United States, and done so with the United States' proven capability to carry out such threats, thus undermining the national security of the United States, to wit:

(1) Despite no evidence that Iran has the intention or the capability of attacking the United States and despite the turmoil created by United States' invasion of Iraq, the Vice President has openly threatened aggression against Iran as evidenced by the following:

(A) 'For our part, the United States is keeping all options on the table in addressing the irresponsible conduct of the regime. And we join other nations in sending that regime a clear message: We will not allow Iran to have a nuclear weapon.' March 7, 2006, Speech of Vice President Cheney to American Israel Public Affairs Committee 2006 Policy Conference.

(B) 'But we've also made it clear that all options are on the table.' January 24, 2007, CNN Situation Room interview with Vice President Cheney.

(C) 'When we—as the President did, for example, recently—deploy another aircraft carrier task force to the Gulf, that sends a very strong signal to everybody in the region that the United States is here to stay, that we clearly have significant capabilities, and that we are working with friends and allies as well as the international organizations to deal with the Iranian threat.' January 29, 2007, Newsweek interview with Vice President Cheney.

(D) 'But I've also made the point and the President has made the point that all options are still on the table.' February 24, 2007, Vice President Cheney at Press Briefing with Australian Prime Minister in Sydney, Australia.

(2) The Vice President, who repeatedly and falsely claimed to have had specific, detailed knowledge of Iraq's alleged weapons of mass destruction capabilities, is no doubt fully aware of evidence that demonstrates Iran poses no real threat to the United States as evidenced by the following:

(A) 'I know that what we see in Iran right now is not the industrial capacity you can [use to develop a] bomb.' Mohamed ElBaradei, Director General of International Atomic Energy Agency, February 19, 2007.

(B) Iran indicated its 'full readiness and willingness to negotiate on the modality for the resolution of the outstanding issues with the IAEA, subject to the assurances for dealing with the issues in the framework of the Agency, without the interference of the United Nations Security Council'. IAEA Board Report, February 22, 2007.

(C) '. . . so whatever they have, what we have seen today, is not the kind of capacity that would enable them to make bombs.' Mohamed El Baradei, Director General of International Atomic Energy Agency, February 19, 2007.

(3) The Vice President is fully aware of the actions taken by the United States towards Iran that are further destabilizing the world as evidenced by the following:

(A) The United States has refused to engage in meaningful diplomatic relations with Iran since 2002, rebuffing both bilateral and multilateral offers to dialogue.

(B) The United States is currently engaged in a military buildup in the Middle East that includes the increased presence of the United States Navy in the waters near Iran, significant United States Armed Forces in two nations neighboring to Iran, and the installation of anti-missile technology in the region.

(C) News accounts have indicated that military planners have considered the B61-11, a tactical nuclear weapon, as one of the options to strike underground bunkers in Iran.

(D) The United States has been linked to anti-Iranian organizations that are attempting to destabilize the Iranian government, in particular the Mujahideen-e Khalq (MEK), even though the state department has branded it a terrorist organization.

(E) News accounts indicate that United States troops have been ordered into Iran to collect data and establish contact with anti-government groups.

(4) In the last three years the Vice President has repeatedly threatened Iran. However, the Vice President is legally bound by the U.S. Constitution's adherence to international law that prohibits threats of use of force.

(A) Article VI of the United States Constitution states, 'This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land.' Any provision of an international treaty ratified by the United States becomes the law of the United States.

(B) The United States is a signatory to the United Nations Charter, a treaty among the nations of the world. Article II, Section 4 of the United Nations Charter states, 'All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.' The threat of force is illegal.

(C) Article 51 lays out the only exception, 'Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.' Iran has not attacked the United States; therefore any threat against Iran by the United States is illegal.

The Vice President's deception upon the citizens and Congress of the United States that enabled the failed United States invasion of Iraq forcibly altered the rules of diplomacy such that the Vice President's recent belligerent actions towards Iran are destabilizing and counterproductive to the national security of the United States.

In all of this, Vice President Richard B. Cheney has acted in a manner contrary to his trust as Vice President, and subversive of constitutional government, to the prejudice of the cause of law and justice and the manifest injury of the people of the United States. Wherefore Richard B. Cheney, by such conduct, warrants impeachment and trial, and removal from office.

The SPEAKER pro tempore. The resolution presents a question of privilege.

MOTION TO TABLE OFFERED BY MR. HOYER

Mr. HOYER. Mr. Speaker, I move that the resolution be laid on the table.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. KUCINICH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by 5-minute votes on motions to suspend the rules with regard to H. Con. Res. 162, by the yeas and nays; H.R. 3997, by the yeas and nays; and H.R. 3495, by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 162, nays 251, not voting 19, as follows:

[Roll No. 1037]

YEAS—162

Ackerman
Altmire
Andrews
Arcuri
Baird
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (TX)
Brown, Corrine
Brown-Waite, Ginny
Cardoza
Carnahan
Carney
Castle
Castor
Chabot
Clyburn
Coble
Cooper
Costa
Costello
Courtney
Cramer
Cuellar
Davis (AL)
Davis (CA)
Davis, Lincoln
DeGette
Delahunt
DeLauro
Dingell
Donnelly
Edwards
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Fattah
Frank (MA)
Giffords
Gilchrest
Gonzalez
Gordon
Hall (NY)
Hall (TX)
Harman
Hastert
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinojosa
Holden
Hoyer
Hunter
Israel
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kagen
Kennedy
Kildee
Kind
Kirk
Klein (FL)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Levin
Lipinski
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCrery
McIntyre
McNerney
Meek (FL)
Melancon
Miller, George
Mitchell
Mollohan
Moore (KS)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Neal (MA)
Obey
Olver
Paul
Peterson (MN)
Pomeroy
Porter
Rahall
Ramstad
Regula
Renzi
Reyes
Rodriguez
Rogers (MI)
Ross
Rothman
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schwartz
Scott (GA)
Sestak
Shuler
Sires
Skelton
Smith (NJ)
Smith (WA)
Snyder
Space
Spratt
Tanner
Tauscher
Taylor
Thompson (MS)
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Visclosky
Walz (MN)
Wamp
Wasserman Schultz
Waxman
Wilson (OH)
Wilson (SC)
Wolf
Young (AK)

NAYS—251

Abercrombie
Aderholt
Akin
Alexander
Allen
Baca
Bachmann
Bachus
Baker
Baldwin
Barrett (SC)
Bartlett (MD)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Braley (IA)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Carter
Clarke
Clay
Cleaver
Cohen
Cole (OK)
Conaway
Conyers
Crenshaw
Crowley
Culberson
Cummings
Davis (IL)
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Ellison
Emerson
English (PA)
Everett
Fallin
Farr
Feeney
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hare
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holt
Honda
Hooley
Hulshof
Inglis (SC)
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Jones (OH)
Jordan
Kanjorski
Kaptur
Keller
Kilpatrick
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Latham
LaTourette
Lee
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Loebsack
Lucas
Lungren, Daniel E.
Mack
Maloney (NY)
Manzullo
McCarthy (CA)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McHenry
McHugh
McKeon
McMorris Rodgers
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore (WI)
Moran (KS)
Moran (VA)
Murphy, Tim
Musgrave
Myrick
Napolitano
Neugebauer
Nunes
Ortiz
Pallone
Pascrell
Pearce
Pence
Perlmutter
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Price (GA)
Price (NC)
Putnam
Radanovich
Rangel
Rehberg
Reichert
Reynolds
Richardson
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Roybal-Allard
Royce
Rush
Ryan (WI)
Sali
Saxton
Schakowsky
Schmidt
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Slaughter
Smith (NE)
Smith (TX)
Solis
Souder
Stark
Stearns
Stupak
Sullivan
Sutton
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Upton
Velázquez
Walberg
Walden (OR)
Walsh (NY)
Waters
Watson
Watt
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—19

Brady (PA)
Butterfield
Buyer
Carson
Chandler
Cubin
Ferguson
Gillibrand
Jindal
Johnson, Sam
McGovern
McNulty
Oberstar
Pastor
Payne
Pryce (OH)
Tancredo
Westmoreland
Yarmuth

☐ 1602

Messrs. BOEHNER, ROGERS of Alabama, McKEON, CAMPBELL of California, BLUNT, BILBRAY, McCARTHY of California, KINGSTON, ROSKAM, FEENEY, GARRETT of New Jersey, ISSA, SALI, BONNER, FLAKE, DEAL of Georgia, CONAWAY, CRENSHAW, EHLERS, KLINE of Minnesota, PETERSON of Pennsylvania, CALVERT, BILIRAKIS, INGLIS of South Carolina, REHBERG, BROUN of Georgia, BISHOP of Utah, TIAHRT, LUCAS, DOOLITTLE, PEARCE, BARRETT of South Carolina, WELLER of Illinois, HASTINGS of Washington, DAVID DAVIS of Tennessee, WICKER, NUNES, LEWIS of Kentucky, ADERHOLT, SESSIONS, HERGER, LaHOOD, BACHUS, LINDER, FORBES, LaTOURETTE, DAVIS of Kentucky, PENCE, TIBERI, REYNOLDS, PUTNAM, HENSARLING, POE, MORAN of Kansas, McHUGH, LATHAM, CARTER, ALEXANDER, MACK, PLATTS, BOOZMAN, REICHERT, FORTENBERRY, HOEKSTRA, DANIEL E. LUNGREN of California, FRANKS of Arizona, GARY G. MILLER of California, HAYES, BOUSTANY, PICKERING, THORNBERRY, FOSSELLA, PETRI, GOODE, TIERNEY, WALDEN of Oregon, MICA, MARIO DIAZ-BALART of Florida, ROGERS of Kentucky, HONDA, SIMPSON, SAXTON, DREIER, YOUNG of Florida, SMITH of Texas, KUHL of New York, LINCOLN DIAZ-BALART of Florida, UPTON, BURGESS, GALLEGLY, CANTOR, SULLIVAN, RYAN of Wisconsin, KNOLLENBERG, SHIMKUS, GRAVES, CROWLEY, WHITFIELD, WALSH of New York, GOODLATTE, NEUGEBAUER, MILLER of Florida, EVERETT, CULBERSON, McCAUL of Texas, BROWN of South Carolina, COLE of Oklahoma, KELLER of Florida, FRELINGHUYSEN, BUCHANAN, LoBIONDO, BAKER, SENSENBRENNER, STEARNS, MANZULLO, CAMP of Michigan, TIM MURPHY of Pennsylvania, DENT, ROHRABACHER, HELLER of Nevada, JORDAN of Ohio, GERLACH, AKIN, BURTON of Indiana, SHERMAN, CLEAVER, DICKS, HOLT, PALLONE, RUSH, ALLEN, RANGEL, WATT, PRICE of North Carolina, PERLMUTTER, HODES, ORTIZ, GENE GREEN of Texas, MILLER of North Carolina, PITTS, GINGREY, CANNON, AL GREEN of Texas, DUNCAN, WALBERG, Mrs. SCHMIDT, Mrs. BLACKBURN, Mrs. BIGGERT, Mrs. MUSGRAVE, Mrs. DRAKE, Mrs. EMERSON, Mrs. BONO, Mrs. MYRICK, Mrs. CAPITO, Mrs. McMORRIS RODGERS, Mrs. WILSON of New Mexico, Mrs. MILLER of Michigan, Mrs. BACHMANN, Ms. FOXX, Ms. SHEA-PORTER, Ms. GRANGER, Ms. VELÁZQUEZ, Ms. McCOLLUM of Minnesota, Ms. ROYBAL-ALLARD, and Ms. MOORE of Wisconsin changed their vote from "yea" to "nay."

Messrs. COBLE, HASTINGS of Florida, WAXMAN, BOSWELL, FATTAH, McNERNEY, RAHALL, JONES of North Carolina, ISRAEL, Ms. CASTOR, and Ms. LINDA T. SÁNCHEZ of California changed their vote from "nay" to "yea."

So the motion to table was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO REFER OFFERED BY MR. HOYER

Mr. HOYER. Mr. Speaker, I move that the resolution be referred to the Committee on the Judiciary.

PARLIAMENTARY INQUIRY

Mr. KUCINICH. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Ohio may state his parliamentary inquiry.

Mr. KUCINICH. Mr. Speaker, if this motion to refer fails, does my privileged resolution remain on the floor for an hour of debate and a final vote?

The SPEAKER pro tempore. The resolution would remain pending.

Mr. KUCINICH. Would it be subject to a vote, then, on the floor?

The SPEAKER pro tempore. The resolution would remain pending.

Mr. KUCINICH. Mr. Speaker, I ask for a recorded vote on the motion to refer to committee.

Mr. HOYER. Mr. Speaker, I move the previous question.

I am sorry, I may have misunderstood the gentleman. You asked for a recorded vote on the motion to refer to committee?

I withdraw my motion. He wants to have a vote. I call the question.

The SPEAKER pro tempore. Does the gentleman ask that the motion to refer be withdrawn?

Mr. HOYER. No. I moved that the resolution be referred to the Judiciary Committee. The gentleman then posed a parliamentary inquiry. He then asked that the votes be tallied on the motion.

PARLIAMENTARY INQUIRY

Mr. BOEHNER. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The minority leader may state his parliamentary inquiry.

Mr. BOEHNER. Mr. Speaker, the gentleman from Maryland moved the previous question before he engaged in debate. Under the rules, I think there are 40 minutes to be divided by both sides.

The SPEAKER pro tempore. The previous question has not been ordered yet.

Does the gentleman from Maryland ask to withdraw the motion?

Mr. HOYER. No, I move to refer the bill to the committee. This matter is a matter of very serious import.

Mr. UDALL of Colorado. Mr. Speaker, I do not think the House should take up today the question of whether we will exercise our Constitutional authority to impeach the Vice President and to ask the Senate to try him on charges that, if proved, would result in his removal from office.

That does not mean I support the policies advocated by Vice President CHENEY or that I think his official conduct has been above reproach. On the contrary, I think that he has helped create many of the most serious problems our country now faces and that he is continuing to advocate policies that would make those problems worse and bring further difficulties upon us.

With President Bush, the vice president spearheaded the unfortunately successful effort to persuade Congress to authorize a rush to war in Iraq—which I opposed. He also was among those in the Bush Administration who refused to listen to the many well-informed people who argued that it was imperative that adequate measures be taken to prevent the disintegration of Iraq's social and governmental fabric that otherwise predictably would follow the equally predictable successful military action to remove the Saddam Hussein regime. And now he clearly is among those who seem to prefer again rushing to use military force—this time to respond to the potential danger of a nuclear-armed Iran—before other options have been exhausted. I strongly oppose that, and have introduced legislation—H.R. 3119—to prohibit funds from being obligated or expended for military operations or activities within or above Iran's territory or within Iran's territorial waters except pursuant to a new, specific congressional authorization.

But the question now before the House is not whether we think the vice president's actions have been helpful to the national interest, as his supporters presumably would contend, or whether they have had or could have adverse consequences—as I myself think. Instead, we are being asked whether we should now, today, proceed to charge that the vice president has violated his constitutional oath to faithfully execute the duties of his office and to defend the Constitution and thus should be impeached.

The resolution sets forth what its author says are the specific statements and actions of the vice president that constitute violations of his oath. I agree that those statements and actions are deeply troubling and raise serious questions about the way the vice president has used his position, both in communicating with the American people and in participating in the shaping of Bush Administration policies. But at this moment I am not prepared to say that there are adequate grounds to conclude that those statements and actions in fact constitute grounds for impeachment—and I do not think that Members of the House should be called upon to reach that conclusion today.

I think that before the House is asked to reach that conclusion, the vice president should have an opportunity to respond to the resolution's charges and the statements and actions it cites in support of those charges. I also think that before we are asked to vote on the resolution, we should have the benefit of hearing from appropriate legal experts and other qualified witnesses and that the Judiciary Committee should prepare a report that will provide the basis for any debate here on the floor of the House.

Impeachment is not entirely a legal question. It is partly political, which is why the Constitution entrusts it to Congress and not the courts. But I think it is essential that any decision to impeach any federal official should come only through a careful, thorough process that provides adequate due process for the accused and that will lay the proper foundation for a sound decision. I think to do otherwise, as the author of this resolution seeks to do, would further weaken the civility toward our colleagues and respect for those with whom we disagree that should be the basis for our service in Congress and would only add to the polarization and rancor that are all too prevalent in the Nation's political debates.

For these reasons, Mr. Speaker, I must oppose consideration of this resolution at this time.

Mr. UDALL of New Mexico. Mr. Speaker, the framers of our Constitution empowered the U.S. House of Representatives to impeach the President in cases of "treason, bribery, or other high crimes and misdemeanors." They gave Congress a sacred responsibility to check the power of the President in order to preserve the liberty of the American people. With this responsibility came an equally important obligation to use congressional power only to advance the interests of the Nation. I am not convinced that an impeachment proceeding is in America's best interests at this time. That is why I recently voted to give the House Judiciary Committee time to substantively consider the articles of impeachment before bringing them before the full House for debate and a vote. At a time when Congress has so much work to do to repair the damage caused by this administration, Congress will best serve the American people by focusing our efforts on ending the war in Iraq, protecting civil liberties from executive overreaching and passing needed legislation to move America in a new direction.

With a little over a year left in office, attempting to bring impeachment charges against President Bush, or Vice-President CHENEY, at this point, would prove counterproductive to the aggressive agenda our new majority in Congress has put forth. With many issues needing attention, Congress should focus on implementing the agenda the American people elected us to pursue.

As part of the new agenda, the 110th Congress has begun to do what the previous Congressional leadership would not do, and what many in this Congress still refuse to do: Stand up to this President. Under Representative HENRY WAXMAN, CA, the House Oversight and Government Reform Committee has launched more than two dozen investigations of Bush administration actions. The committee's 75 investigators have probed everything from the behavior of contractors in Iraq to the politicization of the Federal Government here at home. Congress's efforts have already led to needed reforms in a variety of executive branch programs.

You may recall that in late July, it became apparent to me that Attorney General Alberto Gonzales's contradictory statements and actions raised serious concerns about his integrity and his respect for civil liberties. At the same time, Bush administration stonewalling was making it impossible for Congress to fully investigate Gonzales and restore America's respect for the Justice Department. On July 31, 2007, I joined with other former prosecutors serving in the U.S. House in calling for an investigation to determine whether Gonzales should be impeached. At the time, I believed investigation and, potentially, impeachment by the Congress provided the only way to hold Gonzales accountable.

In August, Alberto Gonzales did something he should have done long before: He resigned. His resignation provided needed change at the Justice Department, but it did not provide the answers that the American people demand and deserve. Congress still has an obligation to determine the legality of Gonzales's confusing, conflicting and misleading actions and statements. Just this week, Representative JOHN CONYERS, MI, took another step towards getting the truth about the Justice Department's actions under Gonzales. CONYERS demanded the White House release key information regarding the Justice Department's firing of Federal prosecutors or face a congressional contempt citation. I and my colleagues will do everything in our power to compel the White House to cooperate with our investigation. I will continue to work with my colleagues to uncover the truth about the Gonzales Justice Department and its treatment of Americans' civil liberties, and I will fight to hold this administration accountable.

While Congress exercises its oversight role, we must also support a framework of laws that protects Americans from violations of our liberties and our right to privacy. I have always defended civil liberties. In 2001, I joined just 65 of my colleagues in standing up to post-9/11 fearmongering and voting against the USA PATRIOT ACT. I have cosponsored legislation to restore the right of habeas corpus and undo the Military Commissions Act. And, most recently, I opposed changes to the Foreign Intelligence Surveillance Act, FISA, that would have given this administration more power to spy on Americans.

The Bush administration has done real damage to the United States through its policies and its executive actions. Congress must respond in the manner that will most effectively protect the American people and promote the interests of our country. We have begun to rein in the president and restore integrity to the Federal Government. We will continue to do so.

Mr. PAUL. Mr. Speaker, I rise, reluctantly, in favor of the motion to table House Resolution 799, Impeaching Richard B. Cheney, Vice President of the United States, of high crimes and misdemeanors, and in favor of referring that resolution to the House Judiciary Committee for full consideration. I voted to table this resolution not because I do not share the gentleman from Ohio's desire to hold those responsible for the Iraqi debacle accountable; but rather, because I strongly believe that we must follow established protocol in matters of such importance. During my entire time in Congress, I have been outspoken in my opposition to war with Iraq and Iran. I have warned my colleagues and the administration against marching toward war in numerous speeches over the years, and I have voted against every appropriation to continue the war on Iraq.

I have always been strongly in favor of vigorous congressional oversight of the executive branch, and I have lamented our abrogation of these Constitutional obligations in recent times. I do believe, however, that this legislation should proceed through the House of Representatives following regular order, which would require investigation and hearings in the House Judiciary Committee before the resolution proceeds to the floor for a vote. This time-tested manner of moving impeachment legislation may slow the process, but in the long run it preserves liberty by ensuring that the House thoroughly deliberates on such weighty matters. In past impeachments of high officials, including those of Presidents Nixon and Clinton, the legislation had always gone through the proper committee with full investigation and accompanying committee report.

I noted with some dismay that many of my colleagues who have long supported the war changed their vote to oppose tabling the motion for purely political reasons. That move was a disrespectful to the Constitutional function of this body and I could not support such actions with my vote.

I was pleased that the House did vote in favor of sending this legislation to the Judiciary Committee, which essentially directs the committee to examine the issue more closely than it has done to this point.

Mr. HOYER. I move the previous question on the motion to refer.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. KUCINICH. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the motion.

The vote was taken by electronic device, and there were—ayes 218, noes 194, not voting 20, as follows:

[Roll No. 1038]

AYES—218

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Frank (MA)
Giffords
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Paul
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn

NOES—194

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Filner
Flake
Forbes
Fortenberry

Fossella
Foxx
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Jordan
Kaptur
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder

LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)

Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Waters
Watson
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—20

Brady (PA)
Butterfield
Buyer
Carson
Chandler
Cubin
Ferguson

Franks (AZ)
Gillibrand
Johnson, Sam
McGovern
McNulty
Oberstar
Pastor

Payne
Pryce (OH)
Tancredo
Thompson (MS)
Westmoreland
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes left on this vote.

☐ 1623

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the motion to refer.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. KUCINICH. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 194, not voting 20, as follows:

[Roll No. 1039]

AYES—218

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird

Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)

Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)

Brown, Corrine
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Frank (MA)
Giffords
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley

Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Paul
Perlmutter
Peterson (MN)

Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rogers (MI)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn

NOES—194

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess

Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers

Emerson
English (PA)
Everett
Fallin
Feeney
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller

Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Jordan
Kaptur
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery

McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Royce

Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Towns
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Waters
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—20

Brady (PA)
Butterfield
Buyer
Carson
Chandler
Cubin
Davis, Lincoln

Ferguson
Gillibrand
Johnson, Sam
McGovern
McNulty
Mollohan
Oberstar

Pastor
Payne
Pryce (OH)
Tancredo
Westmoreland
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes left on this vote.

☐ 1632

So the motion to refer was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. GILLIBRAND. Mr. Speaker, please let the RECORD show that I missed one series of votes on Tuesday, November 6, 2007, because I was in my home district voting on Election Day.

Had I been present, I would have voted in the following way:

Motion to Table H. Res. 799, the Kucinich Resolution—I would have voted "yea."

Motion ordering the Previous Question, the Kucinich Resolution—I would have voted "aye."

Motion to Refer to the House Judiciary Committee, the Kucinich Resolution—I would have voted "aye."

WATER RESOURCES DEVELOPMENT ACT OF 2007—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. DOYLE). The unfinished business is the further consideration of the veto message of the President on the bill (H.R. 1495) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

(For veto message, see proceedings of the House of November 5, 2007, at page 29383.)

The SPEAKER pro tempore. The gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) is recognized for 1 hour.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Florida (Mr. MICA).

GENERAL LEAVE

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the matter under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

PARLIAMENTARY INQUIRY

Mr. MICA. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentlewoman from Texas yield for a parliamentary inquiry?

Ms. EDDIE BERNICE JOHNSON of Texas. I will.

The SPEAKER pro tempore. The gentleman from Florida.

Mr. MICA. My only parliamentary inquiry is, in fact, that we are now in fact taking up the WRDA veto override, and that debate will take up 1 hour, and the time has been equally divided.

Is that the correct parliamentary procedure or order of business?

The SPEAKER pro tempore. The gentleman is correct.

Mr. MICA. Thank you.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it was a little over 2 years ago that Hurricanes Katrina and Rita tore through the gulf coast leaving a trail of tragedy and despair in their wake.

Endless news reports documented the disaster, the catastrophe, the misfortune and the heartbreak of the affected communities. Even some of our colleagues lost their homes. Many wondered how they could help these victims, whose homes, families, and livelihoods were destroyed in a matter of hours.

Washington may be geographically far from Mississippi, Louisiana, Alabama and Texas, but it gives us no excuse to dismiss the travails of those States. We cannot merely look at these events through protective glass, ruling on the fates of these communities from far away. We must be on the ground, planning recovery and reconstruction to ensure the devastation experienced never happens again.

Most of us have traveled to New Orleans since Hurricane Katrina to try and understand what needs to be done to help the region prepare for the future. I have seen firsthand the devastation faced by the citizens of New Orleans and the surrounding region.

On September 15, 2005, President Bush stood in New Orleans, Louisiana, in the dark of the night and stated, "Throughout the area hit by the hurricane, we will do what it takes, we will stay as long as it takes, to help citizens rebuild their communities and their lives."

How is vetoing the Water Resources Development Act consistent with this pledge? We need to change how we deal with these events.

Our Federal emergency planning should not consist of after-the-fact recovery. We must institute prevention. We cannot simply wait for tragedy after tragedy and then hastily truck in meals ready to eat or trucks of bottles of water. We need to truck in reform now.

Prior to the hurricanes, the gulf coast had but a patchwork of protection. The wetlands had disappeared. The buffer that could have reduced the wrath of the winds and storm surge of Katrina and Rita had been vanishing. This legislation authorizes the Army Corps of Engineers to begin to replenish the water coastline.

WRDA 2007 also closes the Mississippi River Gulf Outlet, commonly known as "Mr. Go," taking a proactive step to help the people and the businesses of Louisiana, Mississippi and the entire Gulf Coast States. The Mississippi River Gulf Outlet was authorized to provide a shorter shipping channel from the Gulf of Mexico to New Orleans; yet the projected traffic for this corridor never materialized. Unfortunately, the outlet may have substantially contributed to the severe flooding of the City of New Orleans and the lower Ninth Ward during Hurricane Katrina.

WRDA 2007 is also essential to fulfill the President's commitment to rebuild New Orleans even better and stronger than before the storm. Unfortunately, by vetoing this legislation, the President is turning his back on the commitment to rebuild this great city, vetoing the authorization for the Corps to raise enhanced flood protection levees surrounding the City of New Orleans and to achieve a 100-year level of protection.

Some may think that investment in our Nation's infrastructure should have a cost ceiling. We will never be able to contain this cost until we do some of the work. That investment in our Nation's future should only cost so much. Well, for those who make this argument concerning this bill, I urge them to study the recent past of this legislative body.

This bill is not new. As many times as we don't finish it, cost goes up. WRDA 2007 contains water resource projects that have been pending in the halls of this Chamber for far too long. Water resources legislation is most effective when authorized every 2 years. Even the executive branch department indicated that we need $19 billion every other year to bring this, all the infrastructure, up to par. This hasn't happened.

The last bill was signed in 2000 by President Clinton. This bill clears a 7-year logjam. A larger bill is necessary to carry a larger load.

When President Bush states that this bill is too costly, he is not considering the time lag. This debate is not about whether this legislation could cost $14 billion or $15 billion, but about whether this legislation authorizes projects that reinvest in the Nation's crumbling infrastructure.

We do right by this country when we invest in its infrastructure. Regrettably, we are falling miserably behind. China spends 9 percent of its gross domestic product on infrastructure. India spends 3.5 percent and the U.S. spends a meager .93 percent. We must do better.

We don't want a situation where our beaches remain contaminated with open sewage or other contaminants. We passed this particular conference report on August 1, 2007, the same day that the highway bridge I–35 collapsed in Minnesota. We stood on this floor considering investment in infrastructure at the same time that emergency personnel were working the wreckage of a structure that unexpectedly is unstable. Our country cannot continue to put an arbitrary cost ceiling on investment in our public works.

If we do this on a regular basis, we won't have to do that.

Simply put, this legislation is about meeting our commitments to the Nation on protecting lives and livelihoods, ensuring economic competitiveness in the global marketplace, and restoring the Nation's ecological treasures.

For example, WRDA 2007 authorizes the first three projects in the Comprehensive Everglades Restoration Plan, the Picayune Strand, Indian River Lagoon, and the Site 1 Impoundment Project.

Since 2000, all 15 components of the Comprehensive Everglades Restoration Plan have been delayed. Costs have decreased, and even in my paper this weekend, there was an article on how the Everglades were disappearing.

Florida's Big Cypress National Preserve and Everglades National Park continue to be listed in the directories of our country's most endangered parks. As the population of the State of Florida has boomed, land management has not kept pace. This bill begins the journey to a better Florida.

If safety and human protection are not good enough reasons to secure the passage of this legislation, I urge the President to consider our industry. WRDA 2007 seeks to improve our waters for our industry and our environment. This bill authorizes 7 locks and dams in the Upper Mississippi River, as well as the ecosystem restoration projects in the Midwest region.

□ 1645

This bill doesn't just address large water resources projects. Many smaller projects are contained within this legislation, seeking to improve cities and small towns across the Nation. We'd like very much for drinking bottled water to continue to be a selection and a choice, rather than a necessity.

These projects do not make national headlines, but they make a difference in the quality of life for those who live in these vicinities. Without these projects, many communities would be without necessary flood control, ecosystem restoration, and economic and public health necessities.

Lastly, Mr. Speaker, I'd be remiss if I failed to mention the flood control needs of my district in Dallas. The Dallas Floodway accepts 1,600 square miles of Trinity River watershed runoff and safely moves the flood waters through the City of Dallas by virtue of levees that form both sides of the 2,000 foot-wide floodway. The flooding has been projected to flood the downtown area where all of the basis of our economy is. The floodway levees protect the downtown Dallas vicinity from a potential flood damage loss to property and infrastructure of $8 billion or more.

The 23 miles of levees for the Dallas Floodway were originally constructed by local interests in 1932 and reconstructed by the Corps in 1960. Since 1960, the upstream watershed has experienced the exploding population growth, which has significantly increased run-off, overwhelmed our antiquated interior drainage pumps, and greatly reduced the flood protection afforded by the levee system.

My district's flood control needs are great; and like other communities across the Nation, they are anxiously anticipating the resumption of a predictable, consistent and 2-year WRDA cycle.

Mr. Speaker, it is imperative that this Congress send a message to the American people today that we intend to make our Nation's infrastructure a priority.

I urge my colleagues to join with me and vote "yes" in making our infrastructure a priority, vote "yes" for your districts, and vote "yes" to override the ill-advised veto.

I reserve the balance of my time.

Mr. MICA. Mr. Speaker, let me say at the outset, I have supported President Bush on many occasions. In fact, I pulled a list of some 43 measures on which I supported the President in an attempt to sustain a veto.

But today, my colleagues, I must respectfully disagree with President Bush's veto of this important and long overdue Water Resources Development Act. I believe it's far too important for both our Nation and for my State of Florida and, again, for all the projects that are in the backlog. I'm disappointed the President and the White House have decided to veto this legislation that includes many critically needed infrastructure and restoration projects.

For the first time, you've heard this since 2000, the year 2000, Congress will enact legislation authorizing, and this is authorizing, we are setting Congress's priorities for authorization. All of these projects in this bill must come back for approval for funding.

But this particular bill includes all of the water resource projects to restore our endangered ecosystems across the country, construct new levees, dams, rebuild our beaches, and work on other important water resources projects.

A significant portion of the bill, I might say, deals with Everglades restoration, something that we've been working on for years. And also another significant portion of this legislation deals with work and reconstruction of some of our water resources projects in the damaged gulf of the United States.

There's been, as you've heard, a water resources bill introduced in every Congress since 2000; however, controversies always dash the hopes of approving a measure.

After I assumed responsibility for ranking member of the House Republican leader on the Transportation and Infrastructure Committee, I met with the new chairman, Mr. OBERSTAR, and I sat down and we tried to decide what were our priorities. And this is a great example of how this body should work. This is a bipartisan measure. Mr. OBERSTAR, this was one of his priorities. He worked on it for a number of years. I came new to my leadership position, but pledged to work with him; and we did work together on this.

Let me say also, ironically, I feel sad today that Mr. OBERSTAR is not joining us. Our hearts, our thoughts and our prayers are with him. He's recovering from surgery yesterday which he had scheduled some time in advance.

But he served this House for 32 years before he became the chairman of T & I. He made a commitment, a bipartisan commitment to work together, and we did that. And when you do that in this House, you can achieve anything. And in a few minutes we will achieve an override of the President's veto because we worked together in a bipartisan manner to rebuild our Nation's water resources.

Let me say also that earmarks, and this contains a number of projects, earmarks have gotten a somewhat tainted reputation and were criticized. But what we did, and what I tried to do on the Republican side, was make certain that this was a transparent process. Every Republican House project was publicly submitted, publicly available for review, and very carefully vetted. In fact, Mr. OBERSTAR and I cut more than 100 projects from the 2005 proposed House-passed WRDA proposal that did not pass.

The 2007 WRDA bill addresses what I believe are the important needs of our Nation. Again, I think this is a good bill that represents investment in America. These investments will improve trade, protect our homes, our businesses from flood damages, and from other ravages of Mother Nature we've seen. They'll enhance our quality of life by restoring aquatic ecosystems like in the State of Florida with the Everglades restoration.

This legislation ensures our ports and waterways remain viable in the international marketplace by authorizing critical navigational deepening projects. Maritime commerce is absolutely essential to the future of our economy. Congestion at an outdated port or waterway is becoming a national economic issue, and this bill addresses that economic problem. Products moving into our waterways aid our environment and lessen highway and rail congestion.

Efficient waterways must be, in fact, an integral part of America's intermodal transportation system, and this bill helps do that.

To maintain our place in the global economy, the United States must have modern ports and waterways. Our ports and waterways need to be improved to handle additional traffic. And what's coming are mega-ships, a new class of larger liners and freighters that are coming. We have almost no ports that can handle that type of traffic. This conference report addresses these needs in several ways, including improvements to waterways in my State of Florida, as well as in Texas, Louisiana, Virginia, and other areas.

In addition, this bill authorizes seven new locks and other navigational improvements on the upper Mississippi River.

The WRDA conference report authorizes critical projects to provide flood protection to millions of Americans. And we've all seen that if we neglect our waterway infrastructure or our water protection system, you've heard that adage, we pay now or we pay later.

Well, I can tell you we'll pay much later if we don't protect ourselves from, again, reducing the potential flood damage that we've seen.

This bill includes many projects that protect our cities from floods and also from those coastal storms we've experienced.

The Corps of Engineers is the leader in planning and carrying out our environmental restoration projects. And this conference report that we will override a veto on in a few minutes is by far the greenest, most environmentally friendly Water Resources Development Act ever passed by Congress. This bill's major new focus is environmental restoration, and again, it contains the first work. In 2000 we authorized study of cleaning up the Everglades. This bill authorizes work on the Everglades.

Everglades restoration, as I said, has been talked about for years. And it is a national ecological treasure that must be protected for future generations of Americans.

I might say too that the restoration of the Everglades is in partnership with the State of Florida. And I have a message from a Republican Governor, Charlie Crist, was handed to me earlier: Greetings from Brazil, where he's now with 200 businessmen. And the Republican Governor of the State of Florida is urging that we override the President's veto, basically because of what I said about the Everglades and other critical water infrastructure projects in the State of Florida.

This bill does not, as I said, guarantee funding. Money will have to be appropriated to meet these authorization levels; but it represents a critical commitment by this Congress to restore, again, an ecological jewel in Florida and water resources projects throughout the United States.

Also addressed in the bill are policy issues that will improve how the Corps of Engineers actually conducts projects, and that's also important. There's a peer review process that I think is critical to monitoring and protecting whether the projects perform as designed.

I know the President is concerned that the conference report authorizes more projects than could actually be funded. All of those projects may not ultimately receive funding from Congress. They have to come back to Congress, even after this authorization. But it is important that we authorize, through this conference report, a good list of investments from which the Congress can later prioritize funding.

Finally, I know the White House has expressed concerns with this bill. However, again, the House bill in 2005 contained 784 projects. The House bill in 2007 that we worked to examine in a transparent manner the projects, contains 682. Over 100 projects were cut out of the previous House bill. Again, this was, I believe, an open and transparent and a bipartisan process that, hopefully, will restore some of the public's confidence in this process.

And, finally, we have to realize that this bill, since we haven't passed one since 2000, represents the equivalent of three WRDA bills. When we had a backup in 1986 we, in fact, funded $11 billion worth of projects back in 1986 because we hadn't passed a bill in a long time.

So while I wholeheartedly respect the President's veto, we, as Congress have a responsibility to provide for our Nation's resources and infrastructure, provide the leadership to get that job done. And I urge Members to support overriding the President's veto.

I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina, our majority whip, Mr. CLYBURN.

Mr. CLYBURN. Mr. Speaker, I rise in strong support of the Water Resources Development Act. The benefits that this bill provides are not only long overdue, but much needed by communities all across our great Nation.

The importance of this bill is highlighted throughout my congressional district and this country. Part of my district has been labeled by some as a "corridor of shame," communities bisected by Interstate 95. This region of South Carolina has some of the most serious health problems to be found anywhere in this country.

I have consulted the experts trying to ascertain why these health disparities exist in my district.

□ 1700

And they have said that the problems originate in the water that my constituents are drinking. In fact, they tell me that at the turn of the last century, the life expectancy in this country was less than 50 years. At the turn of this century, life expectancy has reached over 70 years. They say that this extension of life is directly attributed to the water that my constituents or the people in this country drink.

And beyond the health issue, this is also a safety and natural disaster issue. This bill authorizes funds for our coastal communities throughout the country that are susceptible to hurricanes and flooding. This legislation also reaffirms this Congress's commitment to helping our brothers and sisters who had their lives shattered by Hurricanes Katrina and Rita. This bill authorizes close to $2 billion for coastal restoration initiatives along the gulf coast.

So I encourage my colleagues to vote to override this veto because in doing so, you are safeguarding the health and physical well-being of millions of Americans.

Mr. MICA. Mr. Speaker, I am pleased to yield 2½ minutes to one of the leaders in the Transportation and Infrastructure Committee, the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I certainly thank the gentleman for yielding and I appreciate his very hard work on this bill, as well as the chairperson of T & I, who, unfortunately, as has been mentioned, has not been able to be with us today. But we have got great leadership, and to the chairperson of the Water Resources Subcommittee as well.

Mr. Speaker, I rise to express my incredible disappointment of the President's veto of the Water Resources Development Act because there was an enormous amount of bipartisan work that went into crafting this bill, as was demonstrated actually by the overwhelming support it received in both Chambers for final passage.

The President says this bill spends too much. Well, fair enough, until you consider that this bill actually spends nothing; it simply authorizes, and the actual appropriations for every project will have plenty of time for discussion on the merits before approval.

The Congress has not passed a WRDA bill since 1999. It is long overdue, and it addresses critical water projects and related infrastructure throughout our Nation that I believe we need to invest in to keep America strong and healthy.

Members are talking today about various projects in their part of the country, so let me just mention a few in my area. The great State of Michigan, also known as the Great Lakes State, not just because our magnificent Great Lakes are a huge economic impetus for us or because our quality of life is predicated on them, but, in fact, because they are our very identity.

Keep in mind that the Great Lakes actually comprise 20 percent, or one-fifth, of the fresh water supply on the entire planet and that they are facing historic low water levels, that they are being inundated with invasive species, and that they are suffering from chemical spills and billions of gallons of raw sewage that are being dumped into them.

This bill authorizes funding for the Lake St. Clair-St. Clair River Management Plan. It authorizes building an electronic barrier at the Chicago Diversionary Canal to keep the Asian carp from coming in to Lake Michigan from the Mississippi River. It authorizes funding to stop the spread of VHS, which is an Ebola-like virus that is infecting some of the fish in the Great Lakes. And it authorizes studies on how water diversions may be contributing to the historic low lake levels.

Mr. Speaker, I like to think of myself as a fiscal conservative, but part of that, I believe, means being able to clearly make choices about priority spending. In my mind these types of projects are priorities for our Nation.

I urge a "yes" vote to override the President's veto.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. COSTELLO), senior member of the committee.

Mr. COSTELLO. I thank the gentlewoman, the Chair of the subcommittee, for yielding time to me, and I thank her for all of her hard work on this legislation, as well as Chairman OBERSTAR, Ranking Member MICA, and the ranking member of the subcommittee.

Mr. Speaker, I rise today in strong support of the resolution to override the President's veto of the Water Resources Development Act.

Overriding the President's veto is extremely important, as this legislation addresses what the Congress and administration failed to do in previous years: enact a WRDA bill that addresses the critical infrastructure needs of our country.

WRDA authorizes projects from major flood control, navigation, environmental restoration, and other water resource projects, as well as includes authorizations of several important projects to restore and enhance the Nation's environmental infrastructure.

The United States transportation system has an extensive system of highways, ports, locks and dams, and airports; yet we continue to neglect upgrading and modernizing our infrastructure. We shouldn't build our infrastructure and then walk away without maintaining and modernizing it as it becomes antiquated, like we have done with the upper Mississippi and the Illinois Waterways lock and dam system.

In this WRDA bill, we are authorizing the Upper Mississippi and Illinois Waterway System. The bill authorizes the replacement of 600-foot navigation locks with seven new 1,200-foot locks to bring more efficiency and effectiveness to our water transportation system.

Our current system looses about 10 percent of its capacity due to the system failure and breakdowns because it has exceeded its life expectancy by over 20 years. It can't handle the traffic in an efficient and cost-effective manner, and it's costing taxpayers tens of millions of dollars to patch it together every year, let alone the cost in time and money to its users.

At a time when we continue to spend $12 billion of the U.S. taxpayers' money every month in Iraq, I can't understand why the President would veto this important legislation. You have to ask the question, how can we afford to spend billions of U.S. taxpayer dollars to rebuild the infrastructure in Iraq but can't afford to invest in our own infrastructure right here at home?

This bill is 7 years overdue. Our infrastructure needs are growing. The President's veto message talks about priorities. I believe that the future of the U.S. economy and the living standards of our people should be our top priorities. This bill will help our farmers get their crops to market, protect critical habitat, and provide flood protection for our people.

Modernizing our infrastructure is the right thing to do. It is a necessity for our economy and commerce, and we, therefore, must override the President's veto today.

Mr. Speaker, I strongly support overriding the President's veto of WRDA and urge my colleagues to do the same.

Mr. MICA. Mr. Speaker, I am pleased to yield 2 minutes to another leader on the Transportation and Infrastructure Committee on the Republican side, the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this Water Resources Development Act and urge all Members of this Chamber to vote to override the Presidential veto.

When Benjamin Franklin stated "An ounce of prevention is worth a pound of cure," he very well could have been speaking about the Louisiana coastline. For years, years, we have been losing acres of coastline.

Now, why is this important? The Louisiana coastline is critical for our energy infrastructure in this country. It's critical to support the maritime industry that supports this energy infrastructure. And without a Water Resources Development Act, which is 7 years overdue, we are seeing our coastline disappear.

This bill is a start. It's a start to help us to ensure that we can protect our coastline from future storm surges, to protect this coastline and energy infrastructure that is so necessary for this country.

Some have said that the bill is too expensive. Well, it is a 7-year bill and it's an authorization. It helps Congress set priorities, working with our States, working with local officials and the scientific community particularly in my State of Louisiana who set these priorities so as to preserve our coastline and valuable water infrastructure throughout the country.

I am very much pleased as well to see that the bill has peer review measures in it to make sure that we have independent peer review of major Corps projects. The threshold, I think, was set at $45 million. But it also allows the chief to have certain flexibilities so as to not create unnecessary delays to these very valuable projects.

This is a critically important bill. I urge all colleagues to support this bill, support an override of the Presidential veto.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I rise today to express my strong support for the Water Resources Development Act of 2007 and to encourage all of my colleagues to vote to override the President's veto for this long overdue legislation.

We have not had a WRDA bill in over 7 years. If Hurricane Katrina taught us anything, it is that investing in our infrastructure is a crucial component of preparing for emergencies. Seven years is perilously close to an entire generation without a national overarching water policy.

In my hometown of Sacramento, we are all too aware of the importance of investing in water projects. We live at the confluence of two great rivers: the American and Sacramento.

Sacramento is the most at-risk river city in the Nation, and we know that we must be vigilant in our efforts to increase our flood protection. This bill marks a significant step in our efforts to increasing the security of our Nation for generations to come. To be clear, Mr. Speaker, we need this bill in Sacramento and the Nation needs this bill.

After years of inaction, the bipartisan WRDA bill we have passed comes not a moment too soon. There should be a WRDA bill coming out of Congress and signed by the President every 2 years. Unfortunately, the President has turned his back on assuring the safety and security of the American people. This strong, bipartisan legislation will take significant steps to improve our flood protection and invest in the future health of our communities.

In Sacramento we know exactly how important this bill is to our safety, and I look forward to voting to override the President's veto today.

I want to commend Chairman JIM OBERSTAR, Ranking Member MICA, Subcommittee Chairwoman JOHNSON, and Ranking Member BAKER for their strong bipartisan leadership in making WRDA 2007 a reality.

Mr. MICA. Mr. Speaker, I am pleased to yield 1½ minutes to one of the true fiscal conservatives of the House, the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, I thank the gentleman for yielding.

And I want to thank the President for vetoing this bill. We Republicans promised a new era of fiscal responsibility, and I don't think it is very fiscally responsible to add $750 million in earmarks in the conference report alone.

The Senate passed a $14 billion WRDA bill. The House passed a $15 billion WRDA bill. And when the conference came back, you would think that they would split the difference, maybe 14.5. But, no, it came back at $23 billion. So $14 billion, $15 billion, you compromise and you get $23 billion. There is something wrong with this picture.

So I think we should sustain the President's veto. We need to be fiscally responsible not just with appropriations but with authorizations as well.

We simply can't continue to add to the backlog of projects that are already out there. It will simply mean that more will go unfinished and priorities will be diverted off into doing studies that will never be done.

So I applaud the President for vetoing this bill, and I urge my colleagues to sustain that veto.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 2½ minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentlewoman for yielding, and I also thank her for her leadership on this very important bill.

Mr. Speaker, a congressional override of this Presidential veto is absolutely imperative to ensure the safety and viability of our Nation's water infrastructure.

For the President to veto this legislation under the guise of fiscal responsibility is hypocritical at best. The tab for the President's endless war in Iraq is now in excess of $600 billion and counting. Just the interest on the amount we have borrowed to fund the war is $25 billion per year, an amount that exceeds the authorized level of this legislation. This veto is a stark reminder that the hundreds of billions of dollars spent on the war in Iraq has been at the expense of pressing priorities here at home.

In the 5 years since the war began, over $45 billion has been spent on restoring the infrastructure in Iraq. This is double the $23 billion price tag a bipartisan majority of Congress seeks now to address a 7-year backlog of much-needed projects.

□ 1715

When it comes to domestic priorities, the President has decided against investing in America. He has vetoed expanding health care for children, he has vetoed research for life-threatening diseases, he has vetoed benchmarks for Iraq, and has threatened vetoes on investments ranging from education to law enforcement. Are these vetoes the priorities of America, or are they the misplaced priorities of an administration hopelessly out of step with the American people?

Mr. Speaker, the Water Resources Development Act benefits all Americans and their families who use and enjoy our Nation's waterways. My district benefits from the good work that the Army Corps of Engineers does for coastal communities by helping small towns deal with multiple concerns ranging from erosion to longstanding environmental challenges.

Mr. Speaker, H.R. 1495 will go a long way towards supplying the Corps with the resources it needs to protect coastal communities by modernizing project planning and approval. We simply cannot afford to let another year go by without passing this legislation.

I urge my colleagues to override the President's veto.

Mr. MICA. Mr. Speaker, I am pleased to yield 1½ minutes to another fiscal watchdog in the House, a leader in the Republican Study Group, the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. I thank the distinguished gentleman for yielding and for his courtesy.

Mr. Speaker, in 2006, the American people looked at a sea of debt and deficit spending and said, Enough is enough, and President Bush got the message.

In using his veto pen in the Water Resources Development Act, the President is exercising the fiscal discipline that the American people demand of this Congress. But the question today is, did the Congress get the message? Even The Washington Post said, and I quote, this last Sunday: "Mr. Bush is a bit late in trying to recover his party's reputation for fiscal conservatism." But they go on to say: "And he's right: after all, the Senate and House versions of the legislation tipped the scales at $14 billion and $15 billion, respectively." And the compromise that lawmakers came together with is $23 billion.

The American people long for a Congress and a national government that will embrace fiscal discipline and reform.

I urge my colleagues, respectively, support the President's veto. Say "yes" to a renewed commitment to fiscal discipline and reform.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I now yield 1 minute to our majority leader from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentlewoman for yielding.

The previous speaker I have great respect for; I think he's one of the very conscientious, very able Members of this House, and I think he is one of the fiscal conservatives that follows a consistent policy. I don't think that's true of all his colleagues. I think they talk a fiscally conservative game sometimes, but don't play a fiscally conservative game. But let me tell my friend this: expenditures are both domestic and non-domestic. And my friend is leaving, Mr. FLAKE. I guess I'm not going to talk to him about it. But the previous speaker spoke about fiscally conservative actions. This President has sent down to us a request for $196.4 billion in expenditures, not in Anchorage, not in Baltimore and not in Mississippi or California, $196.4 billion for Baghdad and Kabul. But, he says, water resources development is too much for America. He doesn't pay for a single cent of that $196.4 billion, not a cent, but he says in order to develop the levees to save New Orleans, it has cost us billions of dollars because they weren't adequate; or to build bridges that don't fall down in Minnesota, he says this is too much money. And I understand that WDRA doesn't cover bridges. But the point is it covers investment in our country.

Mr. Speaker, like most of our House colleagues, I am deeply disappointed that the President has chosen to veto the Water Resources Development Act. It is critical to the health of our people, to economic development in this country, and the safety of our communities.

The WDRA conference report, which passed the House and Senate by overwhelming bipartisan votes, 381 Members of this House said this investment is good for America, and in the Senate, 81 Senators said this investment is good for America, because it makes critical investments in our Nation's water resources and infrastructure.

In short, this conference report will enable the Army Corps of Engineers to maintain our Federal shipping channels, preserving jobs and bolstering the economy. It will allow the Corps to work with States and local communities on necessary environmental restoration projects, and it will permit the Corps to ensure the safety of our citizens by shoring up our aging levees, dams, and reducing the possibility of flooding.

Furthermore, this conference report makes specific investments in the gulf coast, which was so damaged by Hurricanes Katrina and Rita. I see my friend, Mr. MELANCON, on the floor of this House. He knows how critical this funding is for his region and for America. For example, it would restore Louisiana's coastal wetlands, which provide increased hurricane and storm damage protection which ultimately will save us billions of dollars. It would raise and enhance flood protection levees surrounding the City of New Orleans, and it would make improvements to the drainage canals that significantly contributed to the flooding of New Orleans during Hurricane Katrina. Many of us have been there and have seen that damage.

Unfortunately, despite the beneficial investments called for in this conference report, the President has chosen to stand in the way of this bipartisan legislation, this overwhelmingly bipartisan legislation, in an attempt to claim the mantle of fiscal responsibility. Fiscally responsible people invest in their future. Fiscally responsible people maintain their infrastructure. Fiscally responsible people know that clean water and safe harbors aid our commerce and the health of our people. That is conservative investment. Let us be clear, the President wants to make a stand on fiscal responsibility. This is the wrong bill to have done so.

The WRDA conference report is a multi-year authorization through which Congress would appropriate about $2 billion a year for the Corps to undertake important projects. Furthermore, this conference report reflects a backlog of 7 years of project requests because the 107th, 108th and 109th Congresses failed to enact a water resources bill.

Ladies and gentlemen of this House, let us fulfill our promise to communities all across this Nation, not to Baghdad, not to Kabul, but to the cities and States that I've mentioned. Let us meet our responsibility, the vital fiscally responsible investments in projects that facilitate commerce and economic development, provide ecosystem restoration, and protect human life and property.

Let us exercise the responsibility that the Constitution of the United States gives to us, and that is to set policy and invest the resources of our public in a better future for our country.

Vote to override this mistaken veto.

Mr. MICA. Mr. Speaker, I am pleased to yield 3 minutes at this time to the senior member of the Transportation and Infrastructure Committee and the former immediate past chair of the committee, the distinguished gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. I want to thank the ranking member, Mr. MICA, and congratulate him on his good work on this legislation.

This is a good bill. I want to thank Mr. OBERSTAR and Ms. JOHNSON for the work that you've done on this bill.

This bill has been passed out of this House approximately three times, two times while I was chairman, and now Mr. MICA and Mr. OBERSTAR have got the bill to the President's desk. All the previous speakers are not here to beat up the President. I am here to say this bill should be passed; we should override the President's veto because it's right for America.

It is an investment, and we are way behind in this investment. Some have said, well, we started out with a certain amount of money on the House side, the Senate had a certain amount, and we came out with more. Frankly, I think it should be about $40 billion. And I say this from a little bit of experience. We did the same thing in the Highway bill, it should have been $375 billion, not $285 billion, because it is an investment in the future and the infrastructure to provide the economy for this country that creates the jobs and makes us competitive worldwide.

Without this bill, we will lose. Without this bill, we will not be able to achieve those goals. We will not save people's lives. But more than that, the next crisis we will face in this country is our water, the use of our water, the water to be used correctly, for transportation, for recreation and for the good of man.

This bill is right. Let's override the President. Let's do something for America.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I now yield 2 minutes to the distinguished senior member of the committee from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. I want to thank Chairman OBERSTAR and my friend, Chairwoman JOHNSON, as well as Mr. MICA and Mr. DUNCAN, for their hard work in completing this long-awaited bill.

These water projects are extremely important to my home State of Florida and for the Nation as a whole and have been held hostage for far too long.

Like all transportation projects, Mr. OBERSTAR always said that our committee, the Committee on Infrastructure, is the committee that actually put America to work. And this bill will put America back to work, improve our communities, and create economic activity.

This legislation will also ensure that workers are paid a fair rate for their hard work. It is these workers' taxes that pay for these projects, and they deserve a fair wage that allows them to adequately provide for their families.

By delaying the passage of this much-needed legislation any further, we are doing a disservice to the people we represent.

Like so many Americans, it is hard for me to understand how President Bush can spend $600 billion on his never-ending war, but yet veto $23 billion in vital water and civil work projects for the cities and towns right here in America. This is just one more example of how out of touch this administration is. They live in a bubble.

I encourage my colleagues to support this veto override and let's move forward and work on the next WRDA bill so we don't have to wait 6 more years.

Mr. MICA. Mr. Speaker, I am pleased at this time to yield to a gentleman for whom I have the greatest respect; he is also the ranking member of the Water Resources Committee, has done an excellent job on this bill working in a bipartisan effort. It is my honor to yield 5 minutes to our ranking member, the gentleman from Louisiana (Mr. BAKER).

Mr. BAKER. I thank the gentleman for his courtesy in yielding time. And I certainly want to express appreciation to my chairman of the subcommittee for her good work and her bipartisan work in this and many other subjects, as well as extending our best wishes to Chairman OBERSTAR and his speedy recovery.

I am particularly pleased to have the opportunity to speak on this matter as a Member from Louisiana. In fact, it reminds me of a circumstance where a fellow went to the lumberyard to buy some 2 by 4s, and when the vendor at the lumberyard asked, How long do you need them? The fellow said, Well, I'm going to need them for a long time, I'm building a house. That's the way we feel about the WRDA bill, we've been wanting this for a very, very long time.

There are many Members whose handiwork is evident in this bill preceding me, many members of our delegation, but I certainly want to acknowledge the work of Mr. BOUSTANY from southwest Louisiana who has been so adversely impacted by the storm many have forgotten called Rita. He has worked mightily to make sure his constituents' needs are met.

I wish to put a different face on the adoption of this bill than perhaps others have characterized. There will be many in the aftermath to say, Well, if you throw pork in front of a Congressman, you know what's going to happen. And that's unfortunate.

In the case of Louisiana, this is not a matter of political convenience. Many people who will benefit from the $7 billion or so that is in this bill would never be able to vote for me anyway.

The bill provides for construction of 16 different hurricane and coastal reclamation projects which have literally been vetted for over decades.

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So these have been subject to public discussion, local governments, State government, Corps of Engineers examination, and we have been ready to go for many, many years. This is not about a matter of political convenience or economic development. This is really about preservation of a culture in our country that is so vital in our oil and gas and natural resources development. From the Rockies to the Appalachians, every drop of water runs through the Mississippi system and runs right through the Bayou of Louisiana out into the open waters of the gulf. In order to protect people from the ravages of the river's annual flooding, the Corps constructed enormous levees which throw all that sediment now out into the deep waters of the gulf. The result of man's own engineering is that we are now subject to the ravages of coastal destruction, particularly in the heights of the hurricane season. One storm does more damage in a few hours than a decade long of natural forces. We are at our rope's end. Some estimate we have less than 10 years to act.

The bill before us, although merely an authorization, will make available to us a wide scope of projects which will take decades to complete. But I, for one, and I am sure other members of the Louisiana delegation will state to this Congress, we are deeply indebted to this Congress for taking this action. And as to the disagreement with the President, I have had many disagreements with my President. I have had disagreements with other Presidents. That is nothing new for us. This is just a difference of opinion. I am sure we will all have differences of opinion as we move forward through the legislative process. I am glad that in this instance we have found a way to act from committee to floor to the United States Senate in a bipartisan manner and produce a product that is beneficial to the entire country.

I hope you will join with me in overriding this veto and sending this important measure on to the Corps of Engineers and to the States for implementation as soon as is practical.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 2½ minutes to the gentleman from Louisiana (Mr. MELANCON).

Mr. MELANCON. Mr. Speaker, I would like to associate myself with the words of my colleague from Louisiana (Mr. BAKER), and I thank you for that because he, like the people that have not been affected by Katrina and Rita have been supportive of Louisiana.

Today I ask everyone to join in supporting one of the most critical bills for Louisiana's recovery in the future. The Water Resources and Development Act contains several critical authorizations for hurricane protections throughout south Louisiana. WRDA authorizes the closure of the Mississippi River-Gulf outlet, also known as the hurricane corridor after Katrina, which funneled deadly waters into the heart of New Orleans and St. Bernard Parish, destroying thousands upon thousands of homes and businesses.

Also authorized in WRDA is the comprehensive hurricane protection system known as Morganza to the Gulf, a 64-mile system of levees, locks, floodgates, and they are all planned to help the people of this region. Morganza would offer hurricane protection to about 120,000 people in south Louisiana who currently have no defense against storms and are like sitting ducks in the path of the next hurricane.

This hurricane protection system is so critical and the local communities have been taxing themselves for years to build this system. It is eminent that we get this bill passed. But they need the Federal Government to be a partner in this project and have anxiously followed the progress of WRDA for years, hoping for full authorization for Morganza.

WRDA also authorizes funding to bring the Federal levees in South Lafourche Levee District up to the 100-year protection level, creating better hurricane protection to residents in Lafourche Parish, which is home to one of the largest energy corridors in this country. This area has also been taxing itself for years.

In addition to these vital hurricane protection projects, WRDA includes a comprehensive coastal restoration plan that will authorize projects to rebuild protective wetlands along Louisiana's coast. When I travel across south Louisiana, I see with my own eyes how our rich marshes and wetlands are disappearing. Louisiana loses a football field-sized piece of land to the sea every 35 minutes. During hurricane season and Katrina and Rita, we lost over 200 miles. Our State is literally washing away into the Gulf of Mexico.

Let me close, because I have more, and I will put the words into the RECORD, but let me just close by saying that I am appreciative for everything that the Members of Congress who have supported our needs in south Louisiana and the gulf coast of the United States. I ask for one big favor today, and please vote to override the veto of this all-important piece of legislation.

In addition to these vital hurricane protection projects, WRDA includes a comprehensive coastal restoration plan that will authorize projects to rebuild the protective wetlands along Louisiana's coast.

When I travel across south Louisiana, I see with my own eyes how our rich marshes and wetlands are disappearing. Louisiana loses a football field-sized piece of land to the sea every 35 minutes. During Hurricanes Katrina and Rita, we lost over 200 square miles of coastline. Our state is literally washing away into the Gulf of Mexico.

The Louisiana Coastal Area (LCA) authorized by WRDA is a responsible plan that ensures the marshes and wetlands that buffer our coast from storms are protected, as well as the infrastructure that provides over 30% of the nation's oil and gas supply and the habitat for marine species that supplies 30% of the seafood consumed in the United States.

This Congress must override the President's veto today.

Every day WRDA is delayed is another day that 120,000 Americans in south Louisiana remain unprotected from storms because we haven't broken ground on Morganza-to-the-Gulf.

Every year that we don't pass a WRDA bill is another year that Louisiana's coastal wetlands wash away, even further, because we haven't begun work on the LCA (LA Coastal Area) comprehensive coastal restoration plan.

And every hurricane season that goes by without WRDA becoming law is another season that the citizens of St. Bernard/Plaquemines, Jefferson, New Orleans remain and all of S. LA remain more vulnerable to deadly storm surges.

We can't wait any longer.

Congress has come up short in finishing a WRDA bill for 7 years now, and today we are so close we can't allow it to be stopped.

Louisiana's hurricane protection and coastal restoration needs must not be pushed aside any longer.

Finally, I would like to thank the committee members and staff for their steadfast dedication to this legislation and I urge my colleagues to support the successful recovery of Louisiana and the rest of the Gulf Coast by voting to override the President's veto and passing WRDA with an overwhelming bipartisan vote.

Mr. MICA. Mr. Speaker, first, I want to yield myself one-half minute for the purpose of an introduction, and then I am going to yield 3 minutes to the individual I want to introduce.

Mr. Speaker, and my colleagues, it is now one of the greatest pleasures I have had to introduce a gentleman who I got to know for a brief period of time. He came into this House, and he has done an incredible job of representation in a difficult time for his State of Louisiana. I had the chance to go down with him and look at infrastructure projects after the damage. I think the people of Louisiana recognized, in an unprecedented historic fashion, his leadership, in electing him Governor in a tide that was historic in proportions.

So, Mr. Speaker, my colleagues, the gentleman and future Governor of the State of Louisiana, our colleague, Mr. JINDAL, the gentleman from Louisiana, again, I recognize for 3 minutes.

Mr. JINDAL. Mr. Speaker, I thank my colleague from Florida for that generous introduction, for yielding time as well.

Mr. Speaker, we have heard now from I think every member of Louisiana's delegation. We have heard from both parties telling you how important this bill is for Louisiana's future. So many of us saw after the disastrous storms of 2005 Hurricanes Rita and Katrina, both storms, so many people wondered wouldn't it have been more effective to have prevented, to have defended against that damage in the first place? Indeed, we heard and recited numbers that are familiar to residents of Louisiana; for example, knowing that every couple of miles of healthy wetlands reduces tidal surges by a foot. We heard, for example, for years there have been projects in the works to raise the levees around New Orleans. We heard, for example, that for years there have been studies after studies on the Morganza-Gulf and other hurricane protection projects. And what we saw that awful year was incredible destruction, incredible loss of life. We also have learned, and we have seen, that every year Louisiana loses 30 miles a year off our coast. That year alone we lost 200 miles off our coast. Many of the Nation's best environmental scientists say that now is the time to act, not just for Louisiana but for America.

Louisiana is home to 30 percent of the Nation's fisheries. Thirty percent of the Nation's energy production comes off of Louisiana's coast. Investing in restoring Louisiana's coast is important for the people of Louisiana. But it is also important for the people of the entire country all over the United States.

Now, as we rebuild from the storms, I certainly want to thank my colleagues on both sides for their continued support, for their generosity. But that is the reason I stand today, to ask for your continued support by voting to override this veto of this very important piece of legislation.

In terms of Louisiana's ongoing recovery, passing the WRDA bill is one of our three top priorities, in addition to full funding of the Road Home program, as well as continued support of offshore revenue sharing so that we can repair our coast, repair our levees, make our people safe. I have heard several colleagues on this House floor, Democrat and Republican, talk about the need to encourage people to come back to south Louisiana and talk about the need to help businesses come back, help hospitals and medical offices open their doors, help schools reopen. Again, we are thankful for the help that has already been provided to make those things possible. More help is needed.

But all of that is dependent on making people safe. All of that is dependent on guaranteeing to the people of south Louisiana that they can be safe living and working in their communities. The WRDA bill takes a huge step forward, whether it is the 100-year flood protection authorization for the greater New Orleans area, whether it is the Morganza-Gulf project, whether it is the port projects. These are incredibly important hurricane and flood protection projects.

This is a bill long overdue. This House is accustomed to passing a WRDA bill every couple of years. This bill is over 7 years overdue. I would encourage my colleagues to vote to override the veto of this very important legislation.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, how much time do we have left?

The SPEAKER pro tempore. The gentlewoman from Texas has 5 minutes remaining. The gentleman from Florida has 4 minutes remaining.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 2 minutes to Mrs. TUBBS JONES from the State of Ohio.

Mrs. JONES of Ohio. Mr. Speaker, I want to thank the gentlewoman for yielding the time.

Usually I stay within the subject matter of my committee. But 30 years ago, I used to work for something called the Cleveland Regional Sewer District. It was actually water development. I thought I was going to be an environmental lawyer. I saw how much money and how much help was brought to the City of Cleveland by the Federal Water Pollution Control Act where we were able to build sewage treatment plants to treat water all across northeast Ohio.

This is a comparable bill. It gives communities an opportunity to make better what is not in such good shape. At a point back in those days, we had a river that was suffering, a lot of things that were going on. The money that came into northeast Ohio made a real change about how water, how Lake Erie was given an opportunity.

So I rise today to encourage my colleagues across the aisle, all of my colleagues, to support this important legislation and override the veto. Not only in Louisiana do we need this help, but we need it in northeast Ohio where we have erosion occurring on properties and small communities. We need it in Michigan. We need it all across the country. What better way to do this job and also put America back to work? Let's invest in our infrastructure. Ladies and gentlemen, all my colleagues, I encourage you to vote to override the veto and support this Water Resources Development Act.

Mr. MICA. I will continue to reserve until the last speaker.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I now yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I ask my colleagues to vote against the President's veto and therefore override the veto. As I call the roll, Cedar Bayou, Texas, Port of Galveston, Houston Ship Channel, Bayport Cruise Channel, Jacinto Port, the Upper White Oak Bayou, Buffalo Bayou, and Halls Bayou, all impacting people's lives, all of them impacting residential areas and all are covered by their water bill. And in particular, we need to vote to override the veto because 1,500 homes in my congressional district are now being required, in essence, to leave their homes because they are in a floodplain, and part of the work that this water bill will do is to help to save the homes of these hardworking Houstonians and Americans.

This is a good bill. This is a bill to give people back their lives and their property. This bill will contribute to improving America's failing water infrastructure and flood prone areas like Houston, Texas. I ask my colleagues to vote to override the President's veto.

Mr. MICA. Understanding that Ms. JOHNSON will close, I yield myself the balance of our time.

Now, Mr. Speaker and my colleagues, we come to the close of the debate on overriding the Presidential veto. Today, indeed, has been a strange day. That is the interesting thing about politics and government in the United States of America. Look at the people who have spoken here; a future Governor. We have heard people who have had their homes destroyed, their property. We had a strange day here today. My side of the aisle ended up voting not to end a particular debate on a possible impeachment resolution of the Vice President. Here I am, a staunch supporter of the President's effort to maintain fiscal responsibility, supporting override of his veto.

But this is a very difficult job. It is a difficult job for me. It is a difficult job for the President. I think we like to do everything we can. I think it is in the heart of the other side of the aisle, and I know in the heart of my fellow Republican Members to do as good a job as we can in representing people. I know the President has had to make some difficult choices coming into office with the events of September 11 and the terrorist threat that we face and the line drawn in the sand by al Qaeda and Iraq. And national security is our primary responsibility, but we also have responsibility to our infrastructure.

So we have tried to sort out those priorities in this process. We do need an investment in our infrastructure.

The President is right in, probably, his stance. I think we are right in our stance. This is an authorization bill. This is not a spending bill. It does prioritize for the Congress bills that have been carefully considered and projects that have been considered by Members, and Members make very sincere requests based on the conditions of their particular districts.

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It is a great system and it does work. I understand the President's commitment to fiscal responsibility, and I think we have tried to act in a responsible and good-steward fashion.

In closing, I again want to thank Mr. OBERSTAR. Unfortunately, he is not with us today, on this day that he worked so hard for. I thank Ms. JOHNSON. I want to thank Mr. BAKER, our ranking member, and all of those who have worked, particularly the staff: Jim Coon, our staff director; David Heymsfeld on the Democrat staff side; John Anderson and Ryan Seiger; all of the staff, those named and others, who have worked to bring this bill together, all with the same intent, to improve the lives, the resources and the condition of our Nation.

Mr. Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further requests for time, so I rise to close.

I would like to thank Mr. OBERSTAR for his tremendous leadership, Mr. YOUNG, Mr. DUNCAN, Mr. BAKER, and, of course, Mr. MICA. We have worked together for the last 6 years, actually, a little longer, 7 years, on a bill to try to address these infrastructure problems throughout our Nation. This is the first opportunity that we have really had to begin to address the many massive problems that we do have.

It gives no one pleasure to override any President because I was always taught to listen to both sides. This time, Mr. Speaker, I believe it's a necessity. We simply must begin to address these many, many problems that we are facing. If we had done what the executive branch had recommended, we would have had at least $19 billion in 2001; another $19 billion in 2003; and another $19 billion in 2005; then the $19 billion due this year. As it is, $23 billion is short $55 billion.

So we are not addressing every problem, but we are trying our best to prioritize; and hopefully we can get back on schedule and address these problems every 2 years so that we won't have to deal with more floods like Katrina and Rita; we won't have to do without our Everglades as they begin to disappear.

So thank you very much to the staff, to all of the Members, both minority and majority, because we have all been one or the other. We have been majority and we have been minority. We still work together. This bill hasn't changed that much, no matter who was in the majority or no matter who was in the minority, because we know that problems of this sort are really simply not Democrat or Republican; these are people's problems and we simply have the responsibility to address them.

Mr. Speaker, I would ask everyone to vote to override this veto.

Mr. GENE GREEN of Texas. Mr. Speaker, it's unfortunate we have to be here today to override the president's veto of H.R. 1495 (WRDA), a bill which has such overwhelming support in our districts across the country.

Now is not the time for inaction on our nation's infrastructure and environment. The previous three Congresses have failed to do so, and because of that, much needed flood control projects in Houston, Texas have been delayed.

WRDA includes language for the Halls Bayou Federal Flood Control Project in Houston which will allow the Harris County Flood Control District (HCFCD) to start work on this project in the near future.

Historic flooding along Halls Bayou has been severe and frequent in some neighborhoods. During Tropical Storm Allison in June 2001, Halls Bayou was hit very hard, with more than 8,000 homes flooding within the watershed. No project can keep all homes from flooding but a project can help reduce the risk of flooding for a significant number of families, reducing the need for federal assistance, property damage, and loss of life.

The purpose of section 5157 of this legislation which pertains to Halls Bayou is to allow the HCFCD to conduct the General Reevaluation Review (GRR) and any subsequent federal interest project on Halls Bayou. The Corps is limited in its staff, resources, and time with the many projects in the Galveston District and the Southwest Division. Local project sponsors with the necessary expertise, like Harris County, can provide efficiency by becoming more involved.

Halls Bayou, a major tributary of Greens Bayou, was authorized in WRDA 1990 as part of the Buffalo Bayou and Tributaries Project. The original Halls Bayou authorization assumed the Greens Bayou project in place, which is now finishing a GRR. Results indicate that the work on Greens Bayou downstream of Halls Bayou will not have federal work although it will have significant local projects. Therefore, a GRR is now needed for Halls Bayou as well.

While conducting the GRR to find a possible federal interest, Harris County can begin project implementation in order to reduce future flood damage as soon as possible. Adding Halls Bayou to Section 211(f) allows Harris County to be reimbursed if the project is later approved by the Secretary. I want to thank the Chairman of the Transportation and Infrastructure Committee, Chairman OBEY, and my good friend from Texas, Subcommittee Chairwoman EDDIE BERNICE JOHNSON, for including this and other meritorious projects for Harris County.

I support this bill and the balance that it strikes between the need to improve water resources for human purposes and to preserve our water uses for the environment and future generations. The projects in this bill are much needed, and I hope the Senate will also soon vote to override the President's veto so these projects can become law.

Mr. OBERSTAR. Mr. Speaker, the President's veto of the Water Resources Development Act was pointless and unnecessary.

This legislation, which authorizes project authorizations, modifications, and studies for the breadth of authorities for the United States Army Corps of Engineers and for the entirety of the United States, represents a culmination of seven years of bipartisan, bicameral consensus to invest in our nation's future.

The Water Resources Development Act is vital for our nation's economic growth.

It is essential to maintaining the nation's competitiveness in the international marketplace.

It is necessary for the lives of our families, our neighbors, and our nation through the authorization of flood control structures, and hurricane and storm damage reduction projects throughout the country—but most notably for those living in the Gulf Coast region.

It is necessary for crucial navigation projects and studies, including the modernization of a portion of the largest inland waterway system in the United States—the Upper Mississippi River and Illinois Waterway System.

It is prudent for sustaining economic growth in our nation's industries—such as the revitalized iron ore and steel industries of the Great Lakes.

Finally, it is critical for the long-term, environmental health of the nation's ecosystems, including fulfilling our commitment to restore the Florida Everglades.

Enactment of the Water Resources Development Act is also significant because it represents the culmination of many years of debate on programmatic changes to the economic and environmental policies of the Corps of Engineers.

These changes, which have colloquially been referred to as "Corps reform", are noteworthy because they signify what can be accomplished when industry and the environmental community sit down, talk through their concerns, and mutually agree upon a set of changes to the way the Corps of Engineers formulates and carries out projects and studies within its missions. These programmatic changes will result in better studies, better projects, and hopefully, less controversy over the final recommendations of the Chief of Engineers.

Mr. Speaker, the Water Resources Development Act of 2007 was approved by both bodies of Congress—the U.S. House of Representatives and the United States Senate—with overwhelming, bipartisan consensus. How can this legislation merit a Presidential veto?

For six years, this administration has done nothing to assist in the passage of a water resources bill.

For six years, there have been no draft administration proposals for a water resources bill.

For six years, this administration has done nothing to advance of the cause of investment in our nation's water related infrastructure—its navigation projects, its flood damage reduction projects, and its environmental restoration projects.

For six years, this administration has been entirely disengaged from the water resources development process. Yet, at this late hour, and espoused to a newfound, self-ordained fiscal conservatism, the President comes to Congress to veto this legislation? This veto is an affront to the needs of the American people.

During the years of consensus building in Congress, there has been no participation by this administration to craft legislation to address the water resources needs of the nation.

The President says "[This] bill lacks fiscal discipline." Yet, the administration will have an opportunity to influence future funding of projects and studies contained in this legislation through the annual President's budget request to Congress.

The President says "[This] bill does not set priorities." Yet, the conference report to accompany H.R. 1495 authorizes several, high-priority projects for investment and restoration of the nation's water resources needs.

First, for farmers and other agricultural industries, internationally disadvantaged by aging and inferior locks and dams on the Upper Mississippi River and Illinois Waterway System, this legislation authorizes the construction of seven new, 1,200-foot locks and other navigational improvements that will help move grains and other agricultural commodities to market faster and at a reduced cost.

For the environment, this legislation realizes the decades-long dream of restoring the Florida Everglades ecosystem by taking the first steps toward undoing the mistakes of the past and ensuring the vitality of this internationally recognized environmental treasure for generations to come.

For the communities devastated by Hurricanes Katrina and Rita, this legislation is essential to fulfilling the President's commitment to rebuild the Gulf Coast communities "even better and stronger than before the storm." The Water Resources Development Act of 2007 authorizes the reconstruction of the flood walls and improvements to the interior drainage of the City of New Orleans, the closure of the Mississippi River Gulf Outlet ("MRGO"), and the initial steps to restore the coastal wetlands surrounding the Gulf Coast region.

For the Great Lakes region, this legislation is crucial to sustain and improve the movement of ores from the Iron Range of Minnesota through the Great Lakes to international markets. In addition, this legislation authorizes the construction of two barriers to halt the northward movement of the Asian Carp—one at the Chicago Sanitary and Ship Canal, and the other at Lock and Dam 11 on the Upper Mississippi River System. These two barriers will help control the movements of this voracious fish, and sustain the fisheries of the Great Lakes communities.

This legislation also creates a rapid response authority for the Corps and other Federal agencies to control and prevent further spreading of viral hemorrhagic septicemia, or the VHS virus in the Great Lakes. VHS is an infectious viral disease of fish that has been linked to a multiplicity of fish kills. The virus has been a prolonged problem in Europe and Japan, and has now been confirmed in Lake Ontario, Lake St. Clair, Lake Erie, and the St. Lawrence River. Just this past January, it was detected in Lake Huron. With four different strains, the VHS virus spreads rapidly. However, it is unclear exactly how it spreads. We must study and attack this threat immediately, or else we face fish kills in the Great Lakes, a decline in the fishing industry, and economic repercussions.

Mr. Speaker, there are many national priorities in this legislation, as well as countless priorities for our local towns, communities, and constituents. Yet, why has the President chosen to veto this bill?

I can only surmise that the President has so far distanced himself from the water resources needs of this nation that he fails to recognize the importance of this legislation to the American people.

I urge my colleagues to quickly vote in support of this legislation, notwithstanding the Presidential veto, so that we may fulfill the commitments that the Federal Government has made to so many, and ensure the economic, environmental, and public health of this nation.

Mr. UDALL of Colorado. Mr. Speaker, I supported this legislation when the House considered it originally, and supported it again in the revised form resulting from the conference with the Senate.

And I will support it again today because I think the president's veto was misguided.

Enactment of H.R. 1495, the "Water Recourses Development Act," will ensure that important work to protect our lands and water will move forward while improving operations of the Corps of Engineers.

State and local governments in Colorado desperately need the funding authorized in this bill for environmental restoration, flood control, water supply studies and environmental infrastructure. Unless it is overridden, the president's veto will delay or prevent progress on important projects including environmental restoration on the South Platte River, development of water supply infrastructure in Boulder County and the watershed study of Fountain Creek, near Pueblo.

For the record, I am including a list of all the Colorado projects included in the conference report.

Mr. Speaker, Congress failed to pass a reauthorization of WRDA in the 107th, 108th, and 109th Congresses. Congress needs to pass this vital legislation so we can invest in the necessary long term resources to create jobs and address the critical water infrastructure and environmental challenges facing Colorado and the nation. I urge my colleagues to join me in supporting this legislation and overriding the veto of this bill.

Colorado Projects Threatened by President's Veto: Environmental restoration South Platte River in Denver, Colorado; Expedited completion of the Watershed study, Fountain Creek, north of Pueblo, Colorado; $10,000,000 for the Arkansas Valley Conduit, Colorado; $10,000,000 for water supply infrastructure, Boulder County, Colorado; $1,000,000 for water and wastewater related infrastructure for the Ute Mountain project, Montezuma and La Plata Counties, Colorado; $35,000,000 for water transmission infrastructure in Otero, Bent, Crowley, Kiowa, and Prowers Counties, Colorado; $34,000,000 for water transmission infrastructure, Pueblo and Otero Counties, Colorado.

A requirement for the United States Geological Survey, in consultation with State water quality and resource and conservation agencies, to conduct regional and watershed-wide studies to address selenium concentrations in the State of Colorado, including studies—(1) to measure selenium on specific sites; and (2) to determine whether specific selenium measures studied should be recommended for use in demonstration projects.

Mr. SKELTON. Mr. Speaker, farmers in Missouri and throughout the Midwest depend upon our rivers for the transportation of agricultural goods and other products important to their businesses. Rivers afford producers greater market access, so it is essential that our river transportation system runs smoothly and efficiently.

Earlier this year, the House and Senate approved the Water Resources Development Act, a bipartisan bill to authorize funding for America's navigation, flood control, and environmental restoration projects. Important for Missouri's agricultural community, this long-overdue measure would modernize outdated locks and dams along the Mississippi River in order to facilitate the movement of commodities to the domestic and global marketplace.

On Friday, the President vetoed the Water Resources Development Act. I was extremely disappointed that the President chose to veto this bill, which is an investment in rural Missouri and in the sound water infrastructure of our entire country.

On behalf of the Show-Me State farmers I am privileged to represent, I am pleased to cast my vote in support of overriding the President's veto. I am hopeful it will garner the necessary two-thirds vote and that the Other Body will act swiftly so that Congress will enact; the water infrastructure bill despite the President's objections to it.

Mr. BACA. Mr. Speaker, I rise today to voice my strong support for overriding the President's misguided veto of the Water Resources Development Act.

This bill is long overdue. The projects funded in this bill are critical to the health, safety and quality of life in our communities around the country. This bill is necessary to better protect Americans against severe weather and flooding—and also ensure all Americans have access to clean, safe drinking water.

The President's veto of WRDA is another example of misplaced priorities. We continue to spend $10 billion in Iraq, but won't spend the money necessary to make sure we never have another Katrina. This bill is about saving lives. In my district we have perchlorate contamination in much of the drinking water. H.R. 1495 invests money in researching and solving this problem—because no parent should ever have to worry that their child is going to get sick from drinking tap water.

I urge my colleagues to cast a vote to keep America safe and healthy—and override this mistaken veto.

Mr. TIAHRT. Mr. Speaker, we must help ensure our communities are protected during times of severe flooding that can lead to loss of life and destroyed homes and businesses. This summer we have witnessed devastating floods all across America, including in central and eastern Kansas. Thousands of my constituents lost their homes and their businesses, many of which have not yet fully recovered.

The Water Resources Development Act of 2007 (H.R. 1495) authorizes many new projects that will afford our communities protection from catastrophic flooding for generations to come. It will also help ensure that existing flood control structures are properly cared for so our economy can continue thriving in areas currently protected from floods. We must prepare for the future rather than merely respond to disasters after they occur. Prevention is much better than responding to a natural disaster, especially when loss of life occurs.

A WRDA bill has not been enacted for the past 7 years, which helps explain why the price tag is so significant. While I would have preferred to see a less expensive authorization bill, I believe it is time we move forward with many of the needed flood control projects included in H.R. 1495.

Having witnessed the severe flooding in my district this year, I am reminded of the critical need for flood prevention that saves lives and protects communities. I have seen first-hand what a flooded community looks like when adequate flood control is not provided. And I have seen how well Corps of Engineers levees have worked to keep high floodwaters out of homes and businesses.

This is why I support overriding the President's veto. I would have preferred for a compromise to be reached with the Administration; but in this instance, we need to move forward without further delay in the process. Protecting our homes and businesses from flood waters is a bi-partisan priority that trumps Washington politics.

Mr. CRENSHAW. Mr. Speaker, I rise today to question the new majority's earmark reform for the 110th Congress.

On July 31, 2007, I supported and the House of Representatives passed S. 1, the Honest Leadership and Open Government Act of 2007, which provides for greater transparency in the legislative process. It is with great disappointment that I take this time to recognize the lack of this same transparency in the conference report for H.R. 1495, the Water Resources Development Act of 2007. This legislation authorizes Federal funding for local water and civil works projects that are extremely important to the State of Florida, and the Nation as a whole.

At the start of the 110th Congress the new Democratic majority made repeated promises to the American public about their goals for this newly led Congress, ensuring "accountability, honesty, and openness at all levels of government." It is now November and the unfortunate reality is that these promises are not being kept.

In accordance with House Rules, I submitted a written request letter for the authorization of Federal funding for several local water and civil works projects in my district to the House Transportation and Infrastructure Committee. The intent of the new earmark disclosure rules was to make all earmark requests transparent and accessible to the American public. In addition, these new rules require the committee to "identify, on a publicly accessible congressional Web site each congressionally directed spending request through lists, charts, or other similar means, including the name of each requesting Member or Senator."

In a recent review of the conference report for H.R. 1495, the Water Resources Development Act of 2007, it came to my attention that one of the projects authorized in the report, which I requested, Sec. 5158 (125) the Jacksonville Septic Tank Replacement, did not include my name with it, as required. I do not bring this to your attention today seeking recognition for doing the job I was sent here to do. However, I do bring it to your attention to express my disappointment that the new earmark disclosure rules are not being followed properly.

The American public deserves the accountability, honesty, and openness promised to them. Let's ensure that all of our bills conform to this standard.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, the vote must be by the yeas and nays.

Pursuant to clause 8 of rule XX, this 15-minute vote on passing H.R. 1495, the objections of the President to the contrary notwithstanding, will be followed by 5-minute votes on motions to suspend the rules with regard to H. Con. Res. 162, by the yeas and nays; H.R. 3997, by the yeas and nays; and H.R. 3495, by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 361, nays 54, not voting 17, as follows:

[Roll No. 1040]

YEAS—361

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Calvert
Camp (MI)
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Filner
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Young (AK)

NAYS—54

Bachus
Barrett (SC)
Bilbray
Blackburn
Blunt
Boehner
Brady (TX)
Broun (GA)
Burton (IN)
Campbell (CA)
Cantor
Chabot
Davis (KY)
Deal (GA)
Feeney
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Hensarling
Hobson
Inglis (SC)
Issa
Jordan
Kingston
Lamborn
Lewis (CA)
Linder
Marchant
McHenry
McKeon
Miller (FL)
Myrick
Neugebauer
Nunes
Paul
Pence
Pitts
Platts
Putnam
Radanovich
Royce
Sensenbrenner
Shadegg
Stearns
Tiberi
Walsh (NY)
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—17

Brady (PA)
Butterfield
Buyer
Carson
Chandler
Cubin
Ferguson
Fossella
Johnson, Sam
McNulty
Oberstar
Pastor
Payne
Pryce (OH)
Tancredo
Westmoreland
Yarmuth

☐ 1812

Mr. KINGSTON changed his vote from "yea" to "nay."

Mr. RAMSTAD and Mr. BARTON of Texas changed their vote from "nay" to "yea."

So (two-thirds being in the affirmative) the bill was passed, the objections of the President to the contrary notwithstanding.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. DOYLE). The Clerk will notify the Senate of the action of the House.

EXPRESSING THE SENSE OF CONGRESS THAT BASIC PAY FOR MEMBERS OF ARMED FORCES SHOULD BE INCREASED

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 162, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PATRICK J. MURPHY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 162, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 23, as follows:

[Roll No. 1041]

YEAS—409

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra

Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Clarke
Clay
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Flake
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pascrell
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—23

Brady (PA)
Butterfield
Buyer
Cannon
Carson
Chandler
Cleaver
Cubin
Ferguson
Fossella
Garrett (NJ)
Johnson, Sam
LaHood
McNulty
Meek (FL)
Oberstar
Pastor
Payne
Pryce (OH)
Slaughter
Tancredo
Westmoreland
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

☐ 1818

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HEROES EARNINGS ASSISTANCE AND RELIEF TAX ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3997, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. MCDERMOTT) that the House suspend the rules and pass the bill, H.R. 3997, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 0, not voting 22, as follows:

[Roll No. 1042]

YEAS—410

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Flake
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pascrell
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri

Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—22

Blunt
Brady (PA)
Butterfield
Buyer
Carson
Chandler
Cubin
Ferguson
Fossella
Jindal
Johnson, Sam
LaHood
McNulty
Oberstar
Pastor
Paul
Payne
Pryce (OH)
Tancredo
Westmoreland
Wilson (SC)
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

☐ 1826

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

KIDS IN DISASTERS WELL-BEING, SAFETY, AND HEALTH ACT OF 2007

The SPEAKER pro tempore (Mr. WEINER). The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3495, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 3495, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 8, not voting 22, as follows:

[Roll No. 1043]

YEAS—402

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pascrell
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—8

Broun (GA)
Campbell (CA)
Conaway
Deal (GA)
Doolittle
Flake
Gohmert
McHenry

NOT VOTING—22

Brady (PA)
Butterfield
Buyer
Carson
Chandler
Cubin
Ellison
Ferguson
Fossella
Jindal
Johnson, Sam
LaHood
Marshall
McNulty
Oberstar
Pastor
Paul
Payne
Pryce (OH)
Tancredo
Westmoreland
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

☐ 1833

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to establish a National Commission on Children and Disasters, and for other purposes.".

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 1429, IMPROVING HEAD START ACT OF 2007

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1429) to reauthorize the Head Start Act, to improve program quality, to expand access, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. CASTLE

Mr. CASTLE. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Castle moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the House bill (H.R. 1429) be instructed—

(1) to insist on subsection (b) of section 653 of the Head Start Act as added by section 21 of the House bill, restricting the use of Federal funds to pay the salary of any Head Start employee at a rate in excess of level II of the Executive Schedule;

(2) to disagree to subsection (b) of section 653 of the Head Start Act as added by section 22 of the Senate amendment, relating to wages and compensation for individuals employed by a Head Start agency compensated at a rate in excess of level II of the Executive Schedule; and

(3) insist that the differences between the two Houses on wages and compensation of Head Start employees be open to discussion at any meeting of the conference and, that all meetings thereon be conducted under circumstances in which every manager on the part of the House has notice of the meeting and a reasonable opportunity to attend, pursuant to House Rule XXII, clause 12.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Delaware (Mr. CASTLE) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from Delaware.

Mr. CASTLE. Mr. Speaker, at this time I yield to the distinguished ranking member of the full Education and Labor Committee from the State of California (Mr. MCKEON) for such time as he may consume.

Mr. MCKEON. I thank the gentleman for yielding.

Mr. Speaker, since 1965, the Head Start program has provided comprehensive health, developmental and educational services to disadvantaged, 4- and 5-year-olds. Head Start involves parents and communities in helping to prepare needy children to succeed in school and beyond.

Because this program served such an important purpose, the notion that it could be abused to enrich the lifestyles of individuals rather than the lives of children is particularly shocking to the conscience. It's hard to imagine that any individual would seek to divert precious resources away from disadvantaged children in order to finance lavish cars, homes and travel; yet that's exactly what has happened.

I would like to share 2 examples of these reported abuses which began coming to light almost 5 years ago. The head of a large organization of child care centers that operates Head Start programs in Ohio received pay that amounted to about a quarter of the public money that the centers receive each year. She owned a house in Aurora and another in Arizona. A Mercedes Benz and a Hummer were registered in the name of her centers. A portion of her salary came from Federal Head Start funds.

The executive in charge of the Kansas City Head Start operation was revealed to have been earning a salary in excess of $300,000 annually and driving a Mercedes luxury sport utility vehicle leased, in part, with Federal Head Start funds meant for disadvantaged children.

The executive resigned after questions were raised about his salary, which totaled more than $814,000 in fiscal years 2000, 2001 and 2002. The Improving Head Start Act takes steps to clamp down on financial abuses. Included in the bill is a reform Republicans have championed since these financial abuses were revealed; establishment of a cap on the amount Head Start executives can earn.

We believe the compensation paid to a Head Start program director should be no higher than that paid to an assistant secretary at a Federal agency. Put another way, we do not believe local Head Start executives should be paid more than the Federal official confirmed by the Senate to oversee the entire program. The average Head Start teacher earns approximately $25,000 annually.

The Head Start program can serve a disadvantaged child for just a few thousand dollars per year. Allowing these programs to divert resources from children and teachers in order to inflate the salaries of top executives is unconscionable.

Head Start is a program intended to help disadvantaged children prepare for school. The House has already voted to protect Head Start children and teachers by explicitly prohibiting salaries in excess of that earned by Federal agencies' assistant secretaries.

I urge my colleagues to join me in voting "yes" on this motion to instruct conferees to maintain this commonsense proposal.

Mr. CASTLE. Mr. Speaker, I reserve the balance of our time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I might consume.

I want to begin by thanking Mr. KILDEE, Mr. MCKEON and Mr. CASTLE and all of the members of the Education and Labor Committee for their hard work on this legislation, for all of their input and their suggestions.

Mr. Speaker, this bill has been a very long time coming. It has been coming to the floor of this House since 2003, and we have an opportunity tonight to begin the final part of that process, which is to go to conference on this legislation. This is an important piece of legislation, and this is an important program. In fact, it's this Nation's premier program with respect to the early education and the development of our children in this country, and it has been for more than 40 years. It has served more than 20 million children and their families in that time.

Head Start has remained during that time, and continues to remain today, as the cornerstone of this country's efforts to close the achievement gap, to combat poverty, to provide all of its citizens with an opportunity to thrive and to get parents more involved in the education of their children and to show them ways in which they can help in the development and the educational skills necessary for their children.

Head Start's design has always been a science-based program, and this reauthorization builds on the strong foundation by, again, turning to the best science to renew and improve the Head Start program. Both Head Start and Early Head Start programs prepare our country's most disadvantaged children to succeed in school and in life by addressing the needs of the whole child by providing services such as health and nutrition, in addition to the educational curriculum, because Head Start knows and discovered, and based upon fact, that the health and the nutritional well-being of these children determines the outcomes in the schools that they attend and the programs that they attend and in their participation.

Recent findings from the congressionally mandated impact study found that in less than a school year, Head Start narrowed the achievement gap by 45 percent in the prereading skills and by 28 percent in prewriting skills of the children that attended the program.

Head Start also works closely with parents, as I pointed out, empowering them to understand what their involvement can mean to the success of their child and to the long-term educational outcomes of that child. This reauthorization will help more children arrive in kindergarten ready to succeed by improving program quality and expanding the access to more children. We will improve teacher and classroom quality by strengthening the Head Start standards and supporting the best practices in the classroom.

We will end the inappropriate testing of 4-year-olds that has been undertaken by the administration in 2003 over the objections of hundreds of experts in child development and early education and over the bipartisan objection of many Members of Congress.

We will better target available funds to the underserved communities and prioritize the expansion of early Head Start so that more of our Nation's youngest children, will receive this program during the years when their brains are growing the fastest. We will strengthen program accountability at the Federal, regional, and local levels due to the changes made by the members of this committee and the operations of this program to assure that taxpayer dollars are being used wisely. In fact, in the example that was cited by Mr. McKEON, the senior Republican in the committee, is an example that was dealt with a number of years ago, hopefully by the administration but also in this legislation. Amendments that were offered in earlier iterations of this legislation are reoffered again as part of this bill as introduced by Mr. KILDEE.

We have, I think, been very diligent in looking after that effort. I would hope that the administration, who has full authority on the oversight of the use of these funds, I wish they had been more diligent at that time.

As the GAO found, they failed in their oversight responsibility of the disbursements of this fund. But that is the past. We are assuming that the administration takes the wise use of these funds, the proper use of these funds very seriously, and that they pursue those who choose to do otherwise with these funds. Head Start dollars are very precious in the budget of this Nation. They are very precious to the families of these children, to these children and to those who dedicated their lives to the educational improvement, to the healthy child development of each and every one of these children. We are not to be frivolous with those dollars.

The minority has offered a motion to instruct. We agree with that motion. We think if there are differences, those differences are very narrow. They will be discussed; they will be voted upon in the conference committee, and that is our intent. We think that is consistent with the wording of the motion to instruct. When the proper time comes, we will urge Members to support that legislation.

Given the scarcity of these dollars, the importance of these dollars and the effectiveness of these dollars, we have no alternative but to be very tough on the accountability sections for this program. This is a trust not only of the children in the care of the Head Start program for the children of this Nation, it is a trust, too, for the taxpayer dollars, because this is a program that we have seen now over these 40 years has continued to receive bipartisan support, not only in the Congress but from every President of the United States. That's why this legislation is so important.

Hopefully, with this conference committee, we will be able to report back to the House and to the Senate legislation that can be sent to the President's desk hopefully in the next week or 10 days. That is our goal, and I thank the gentleman for his motion to instruct.

Mr. Speaker, I reserve the balance of my time.

☐ 1845

Mr. CASTLE. Mr. Speaker, I yield myself such time as I may consume.

And let me just start by saying that I'm in total agreement with the gentleman from California (Mr. GEORGE MILLER). I'm also in total agreement with Mr. McKEON. I think we all here who've worked in this area understand the importance of Head Start and understand how it can give young children an opportunity to be able to advance enough in school to be able to succeed in school. And maybe early Head Start could do even more. But we also all agree that we need to be very careful about our dollars and how we manage them. And that is the whole purpose of this motion to instruct conferees.

We have, as Mr. MILLER has well indicated, made important reforms for the children who are served in the program. I'm delighted the Senate bill is very similar to the House bill, and I have high hopes that we are going to be able to pass legislation that we can all agree on in the House and the Senate ultimately.

Here, basically, we're instructing conferees to adhere to the House provisions for a reasonable salary cap prohibiting Head Start executives from collecting a salary higher than an assistant secretary of a Federal agency, which is currently $168,000.

Although the House language contained in H.R. 1429, the Improving Head Start Act of 2007, effectively prohibits any official from receiving compensation above that of an assistant secretary, legislation approved by the Senate leaves open a glaring, lavish salary loophole by allowing programs to divert their own non-federal resources away from other uses in order to pay Head Start programs operators more than top officials. We think that's wrong. We think that money should be used for the kids, for the recruiting and development of the kids, for the students who are going to be in the Head Start program to pay their teachers.

So for all those reasons I think we all agree that executive salaries and other benefits which are out of the ordinary should not be allowed in the Head Start programs; that we should obviously compensate people as well as possible, but make sure that after that is done, that the money that is there, be it State money or local money, is channeled in the direction of helping these young children who need so much help in order to prepare them to get ready for school. And that is something I think we all agree on.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Just quickly, I yield myself 30 seconds to say that, as I said, this bill has been a long time coming to where we think we can get it to the President's desk. I certainly want to thank the staffs on both sides of the aisle for all of their expertise, experience, and knowledge about this program. And we've been working together to get to this point in the conference committee.

I would urge passage of the motion to instruct.

I reserve my time.

Mr. CASTLE. Mr. Speaker, I yield the balance of my time to the gentleman from Utah (Mr. BISHOP), and I ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Speaker, I rise today to offer my support for this motion to instruct conferees which will cap the amount Head Start employees may be paid at the executive schedule level to an amount currently equal to $168,000.

I want to thank my colleague, Congressman MIKE CASTLE, the former Governor of Delaware, who is a champion for education, for offering this motion. This is a commonsense motion. It is fiscally responsible for us to use taxpayers' money, and it is a fair compromise for the Head Start employees.

If this cap is not adopted, a Head Start employee could be paid up to $186,000, an $18,000 difference and a substantial amount of money that would be better spent on Head Start classroom teachers and other aspects of this program.

Fiscal responsibility means not just being cautious in how much we spend. It is just as important to be responsible in where we spend.

When you have Head Start classroom teachers making an average of $25,000 annually, it is disrespectful to divert more money and give it to employees already making well over six figures.

As the husband of a teacher, I hope my colleagues will join me in being effective about how we spend the taxpayers' money for the children.

Again, I want to thank my colleague, MIKE CASTLE, for bringing this motion to the floor.

Mr. BISHOP of Utah. Could I ask the gentleman from California if he has other speakers.

Mr. GEORGE MILLER of California. No, I have none.

Mr. BISHOP of Utah. Then I'll be the last speaker, and I think we're ready to move on with that.

Mr. Speaker, I yield myself such time as I may consume at this time.

I think in closing on this particular issue, I would like to speak also in favor of the motion to instruct of the gentleman from Delaware (Mr. CASTLE). It's a wise motion. I don't think

I or anyone else here objects to any administrator making an adequate compensation. But I also think that six figures is an adequate compensation, especially when the teachers in Head Start are averaging 25 grand a year.

In 2005, the independent General Accountability Office did issue a report that warned that their financial control system in the Head Start program is flawed, failing, and it did fail to prevent multi-million-dollar financial abuses that do cheat children in this particular program.

It is important that the resources that we have go to increasing teacher salaries, hiring more teachers or supplies that directly go to help the kids in the Head Start program. And it's important that in conference we make it very clear that our resources should be targeted to those who are simply in need.

Sparky Anderson was once asked why he was such a successful manager, and he simply responded that baseball is a simple game. You have good players you keep in the right positions, and then the manager is a success.

Even Earl Weaver once said that if you do the dull things right, extraordinary things won't be required. This motion to instruct may be one of those dull things, that if we do it right and do it right in this bill, we won't have to come back here and do the extraordinary things. The extraordinary things will be done by the teachers in the classrooms who are helping these kids who need this help in the Head Start program so desperately.

I urge a favorable vote on the motion to instruct.

I yield back the balance of my time.

Mr. GEORGE MILLER of California. I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 3043, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 794 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 794

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3043) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

SEC. 2. A motion to proceed to consideration of H.R. 3688 pursuant to section 151 of the Trade Act of 1974 shall be in order only if offered by the Majority Leader or his designee.

SEC. 3. Upon receipt of a message from the Senate transmitting H.R. 3043, with a Senate amendment thereto, it shall be in order to take the same from the Speaker's table and to consider in the House, without intervention of any point of order, a motion offered by the chairman of the Committee on Appropriations or his designee that the House concur in such amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

POINT OF ORDER

Mr. FLAKE. Mr. Speaker, I raise a point of order against H. Res. 794 under section 2 of H. Res. 491, because the resolution contains a waiver of all points of order against the conference report and its consideration.

The SPEAKER pro tempore (Mr. PASCRELL). The gentleman from Arizona makes a point of order that the resolution violates section 2 of House Resolution 491.

Such a point of order made under that resolution shall be disposed of by the question of consideration under the same terms as specified in clause 9(b) of rule XXI.

The gentleman from Arizona and a Member opposed, the gentleman from Florida, each will control 10 minutes of debate on the question of consideration.

After that debate the Chair will put the question of consideration, to wit: Will the House now consider the resolution?

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Speaker, I yield myself such time as I may consume.

H. Res. 491 says that it shall not be in order to consider a conference report unless the joint explanatory statement includes a list of congressional earmarks that were air-dropped into it or that were not committed to the conference committee by either Chamber.

Mr. Speaker, it's unfortunate that, on the first general appropriations bill since the adoption of H. Res. 491 and its improvements to the earmarks rules, that the majority has reported a rule that waives all points of order.

I object to using veterans spending to grease the skids for a pork-laden Labor-HHS spending bill. A cursory look through the more than 150 pages of earmarks in the conference report reveals such earmarks as $320,000 for the American Jazz Museum in Kansas City, Missouri; $130,000 for the First Ladies Museum in Canton, Ohio; $85,000 for the Los Angeles Craft and Folk Art Museum in Los Angeles, California.

But beyond taking exception to the bill, I raise this point of order as the only means available to highlight the alarming trend toward opaqueness rather than transparency. Rather than allow for a full debate on whether this conference report complies with the earmark rule, this rule actually prevents it.

Mr. Speaker, I have a little experience challenging earmarks on the floor. It's not been a pleasant experience at times. We don't know much of what are in these bills that get to the conference. And then when you have a conference report that comes with earmarks air-dropped into it after that, and you only get that bill just a few hours before you vote on it, then I think it behooves us to slow down a bit and say what are we doing here.

I should note that when I challenged earmarks in the House version of the bill, on one occasion we had an earmark withdrawn before the earmark amendment could be offered because there was a problem with the earmark.

□ 1900

In other cases we had the Committee on Appropriations go to the Rules Committee and actually withdraw some of the amendments before they could be challenged. So it is obvious that these earmarks have not been vetted through the process very well, and those are the earmarks that actually went through the House process.

We have here at least 9, 9 that are identified, 9 earmarks that were air-dropped that were not either part of the House or the Senate version. Mr. Speaker, this just is not a good practice.

One example of the air-dropped earmarks that we just found out about just hours ago, $1 million for the Thomas Daschle Center for Public Service and Representative Democracy. Now, if we are air-dropping amendments like that into this bill, what else is in the bill? We really haven't had time to go through it. Outside groups are trying to go through this bill and simply haven't had the time. And you are going to have problems; we are going to be learning for weeks or months what's in this bill unless we slow down a bit here.

With that, Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I yield myself such time as I may consume.

I would have the gentleman know that the earmarks that he refers to are clearly delineated in this conference report.

This point of order is about whether or not to consider this rule and ultimately the funding of vital education, health, and veterans programs. In fact, I would say that it is simply an effort to try to kill this conference report and, in my view, on a faulty premise at that.

Every single earmark in this conference report has been properly disclosed in conformance with House rules. This parliamentary ruse won't work because these programs are too important to the health and vitality of the Nation.

With this conference we keep our commitment to our veterans with the largest single increase in the 77-year history of the Department of Veterans Affairs. It also invests in critical domestic priorities in the Labor, Health, and Education bill with major investments in K–12 education, college affordability, increasing access to quality health care, medical research, worker protection, and job training programs. Voting "no" on this question of consideration will prevent consideration of this package, which has strong House and Senate bipartisan support.

Furthermore, the parliamentary maneuver that my good friend chooses to use today to stop this legislation is completely transparent. Just so that we keep the record straight, Madam Speaker, the changes proposed in the Boehner discharge petition that our Republican counterparts seem so eager to have adopted would not cover any measure not now covered by our earmark rule, clause 9 of rule XXI. As a matter of fact, Mr. BOEHNER's resolution does not even include the projects that are covered by House Resolution 491, which was introduced by our majority leader, Representative HOYER, and is now in effect.

So despite whatever roadblock the other side tries to use to stop this bill, we will stand up for America's hardworking families and America's veterans. We must consider this rule and we must pass this conference report today.

Madam Speaker, I have the right to close, but in the end I am just going to urge my colleagues to vote "yes" to consider the rule.

Madam Speaker, I reserve the balance of my time.

Mr. FLAKE. Madam Speaker, I think it begs the question, if there was total transparency here, why did we waive all points of order against this rule? I would have liked to have challenged the conference report itself, but I couldn't because the Rules Committee had decided to waive all points of order. Now, you have to ask why. If everything is transparent and everything is known, why did we waive all points of order? Why am I forced to bring a point of order against the rule itself rather than the conference report?

And I would submit that I would like to believe that it is a transparency, but when you have air-dropped earmarks dropped at the last minute, again, if we are working so hard for America's hardworking taxpayers, as was just said, then why are we air-dropping an earmark for $1 million for the Thomas Daschle Center for Public Service? Naming a center after a former Member, why is that so urgent that we have to break all the rules that we have laid out and sneak it into a bill at the last minute, with less than 24 hours, in fact, less than 12 hours to actually review it? That's not proper vetting.

I should mention that there have been statements made by the majority, and I have liked what I have heard about what we are going to do this year in terms of earmarks transparency.

The Speaker of the House said back in June that Members need to have time to read through these reports and that every earmark should have to be defended.

These nine air-dropped earmarks into this bill today don't have to be defended. They are untouchable. We can't even go at them. We can't offer an amendment to strike them out because they are air-dropped into a conference report where you have no ability to strike them.

Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Madam Speaker, I appreciate the gentleman from Arizona's yielding, and I appreciate the gentleman bringing up a point of order against the rule. And to take away that opportunity to raise a point of order against the conference report, Madam Speaker, where there are air-dropped earmarks, in this case I think the gentleman said nine, I still remember the calls from the Democratic leadership, led, of course, by Madam Speaker, Speaker PELOSI, when the Democrats won control of the House by virtue of the elections almost exactly a year ago, that this would be the most open, honest, and transparent Congress in history.

Madam Speaker, I just want to give you a quote from Speaker PELOSI promising fiscal restraint if Democrats win. And here's the quote:

"Breaking with many Democrats, Ms. PELOSI also spoke out against earmarking billions of dollars for home-State projects, a practice she calls a 'monster' that hurts Congress." And here is what she said: "'I'd get rid of all of them. None of them is worth the skepticism, the cynicism the public has . . . and the fiscal irresponsibility of it.'" And that was in the Wall Street Journal, July 13, 2006.

Another quote from Madam Speaker PELOSI: "We will bring transparency and openness to the budget process and to the use of earmarks and will give the American people the leadership they deserve," NANCY PELOSI, press release, December 12, 2006.

Madam Speaker, this is absurd. And, again, I commend the gentleman from Arizona for calling attention to this. Where is the openness? Where is the transparency? What good do we have in regard to a point of order so that we can look at these conference reports? Where are the 2 days that we are supposed to have to look at them? So it is taken away from us. What good does it do if the Rules Committee waives all points of order?

So I commend the gentleman. He's absolutely right. We need to have some true transparency in this body.

Mr. HASTINGS of Florida. Madam Speaker, the spirit and the letter of the law has been complied with in this matter. I will just reference one aspect of compliance with clause 9 of rule XXI and with the rules in the Senate. This is what it says:

"The following list is also submitted in compliance with House Resolution 491, which requires a listing of congressional earmarks in the conference report or joint statement of managers that were not committed to the committee of conference by either house, not in a report on a bill committed to conference, and not in a Senate committee report on a companion measure. Such earmarks are marked with an 'X' in the list below."

If that ain't transparency, I don't know what is. All of them have the "X" mark, the asterisk, and are clearly following the spirit of the law.

When the Republicans were in charge, they had 14,000 earmarks, and nobody knew where they were, where they came from, when they came. And now we have them in this bill.

Madam Speaker, I yield back the balance of my time.

Mr. FLAKE. Madam Speaker, I am not here to defend the Republican record on earmarks. It's abysmal, frankly. I think that's one of the main reasons we are here squarely in the minority today.

But I took great heart, as did many of us, at the promises that were made with the new Congress, that we would have real transparency, real accountability. And, unfortunately, what we are seeing today is a move away from that.

Let me read a statement that I mentioned. In June of this year, the Speaker of the House, in a press conference, said, "Before Members vote on a bill, there should be an appropriate time for people to be able to read it, that it should be a matter of public record. And if there's an earmark that can stand the scrutiny, then that transparency will give the opportunity for it to be there."

When you have 9, at least, that we have been able to find, and when the gentleman says that they are all marked with an asterisk, how do we know? We have 150 pages of earmarks that we were given just this morning. We only got the hard copy of this this morning. We simply don't know. So it behooves us to move a little slower here.

If we really believe in transparency, if we really believe that these earmarks need to be there, then let's have a rule that actually allows for a point of order to be lodged against the conference report, not just against the rule.

Again, I have to say if there was complete transparency here and we didn't have anything to worry about, I think we would have had a rule that did not waive points of order against the bill. And that's why we are here today.

We need to do far better. This is a wonderful institution. There are wonderful people here. It has a great history. We need to do better by it. And I would submit that this legislation before us today with 150 pages of earmarks and 9 air-dropped earmarks at the last minute does not do this institution the good that it deserves.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. TAUSCHER). The question is, Will the House now consider the resolution?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FLAKE. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on the question of consideration will be followed by 5-minute votes on the motion to instruct conferees on H.R. 1429 and the motion to suspend the rules and agree to House Resolution 379.

The vote was taken by electronic device, and there were—yeas 203, nays 178, not voting 51, as follows:

· [Roll No. 1044]

YEAS—203

Abercrombie
Ackerman
Allen
Altmire
Andrews
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brown, Corrine
Capps
Capuano
Cardoza
Carnahan
Carney
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Marshall
Matheson
McCarthy (NY)
McCollum (MN)
McDermott
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Wexler
Wilson (OH)
Woolsey
Wu
Wynn

NAYS—178

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson (IL)
Jordan
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Porter
Price (GA)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—51

Arcuri
Baird
Blunt
Brady (PA)
Braley (IA)
Brown-Waite, Ginny
Butterfield
Buyer
Carson
Carter
Castor
Chandler
Cubin
Culberson
Delahunt
Diaz-Balart, L.
Ellison
Ferguson
Fossella
Gordon
Hare
Hunter
Israel
Jindal
Johnson, Sam
Jones (NC)
Kaptur
Keller
LaHood
Markey
Matsui
McGovern
McNulty
Michaud
Oberstar
Pastor
Paul
Payne
Poe
Pryce (OH)
Radanovich
Ryan (OH)
Sánchez, Linda T.
Saxton
Slaughter
Sutton
Tancredo
Waxman
Welch (VT)
Westmoreland
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there 2 minutes remaining on this vote.

□ 1934

Messrs. TERRY, PEARCE, REICHERT, MACK, and Mrs. BACHMANN changed their vote from "yea" to "nay."

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ELLISON. Madam Speaker, on November 6, 2007, I inadvertently failed to vote on rollcall No. 1044. Had I voted, I would have voted "yea."

Stated against:

Mr. POE. Madam Speaker, on rollcall No. 1044, I was unavoidably detained. Had I been present, I would have voted "nay."

APPOINTMENT OF CONFEREES ON H.R. 1429, IMPROVING HEAD START ACT OF 2007

MOTION TO INSTRUCT OFFERED BY MR. CASTLE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 1429 offered by the gentleman from Delaware (Mr. CASTLE) on which the yeas and nays were ordered.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 0, not voting 32, as follows:

[Roll No. 1045]

YEAS—400

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Castle
Castor
Chabot
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Flake
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Ortiz
Pallone
Pascrell
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—32

Baird
Blunt
Brady (PA)
Braley (IA)
Butterfield
Buyer
Carson
Carter
Chandler
Cubin
Culberson
Ferguson
Fossella
Gordon
Hastert
Jindal
Johnson, Sam
Keller
LaHood
McNulty
Melancon
Oberstar
Olver
Pastor
Paul
Payne
Pryce (OH)
Radanovich
Saxton
Tancredo
Westmoreland
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1941

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WELCOMING FRENCH PRESIDENT NICOLAS SARKOZY TO THE UNITED STATES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 379, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the resolution, H. Res. 379, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 395, nays 0, not voting 37, as follows:

[Roll No. 1046]

YEAS—395

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Clarke
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
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English (PA)
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Forbes
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Foxx
Frank (MA)
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Murphy, Patrick
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Murtha

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Rogers (AL)
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Ryan (OH)
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McMorris Rodgers
McNulty
Oberstar
Pastor
Paul
Payne
Pryce (OH)
Royce
Saxton
Tancredo
Westmoreland
Yarmuth

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So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A resolution congratulating Nicolas Sarkozy on his election to the presidency of France and welcoming President Sarkozy on the occasion of his appearance before a Joint Meeting of Congress.".

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 3043, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. HASTINGS of Florida. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, the distinguished gentleman from Pasco, Washington (Mr. HASTINGS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. HASTINGS of Florida. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 794.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, House Resolution 794 provides for consideration of the conference report to accompany H.R. 3043, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act. The rule waives all points of order against the conference report and against its consideration. The conference report also includes the House and Senate compromise on the Military Construction and Veterans Affairs Appropriations Act.

The rule includes 2 additional provisions. The first provides that only the majority leader or his designee can move to proceed to consider H.R. 3688, the United States-Peru Trade Promotion Agreement Implementation Act. It addresses a procedural motion under the trade act and is often adopted by the House, including three times during the last Congress alone. The second ensures that in the event that the Senate on a point of order strips out the Military Construction and Veterans Affairs provisions from this conference report, that the Labor, Health and Human Services, and Education portion of the report will not be further delayed and, instead, sent immediately to the President for his signature.

Madam Speaker, I rise today in strong support of this rule and the underlying conference report. Of all the conference reports which Congress will consider, the vote on this one will be the most telling. It will be the most telling because Members will have an opportunity tonight to take an up-or-down vote on the needs of our children and Congress's commitment to America's veterans. Members are either for $5.1 billion in mandatory increased funding for veterans military benefits or they are not. They either support $1.1 billion in increased funding for Pell Grants or they don't. We are either for restoring the President's $287 million cut in job-training programs for the unemployed or we are not.

Do you support $530 million in increased funding for VA hospitals and other medical facilities, or do you oppose the funding increase? What about Head Start? The conference report includes $154 million in increases in funding for this critical early childhood education program. Low-income energy assistance programs? There's a $250 million increase in funding for these programs, which ensure that millions of Americans are warm in the winter and cool in the summer.

How about the National Institutes of Health? The conference report increases funding for this vital agency by $1.1 billion so that America will continue to be the global leader in medical research and technology. Or Ryan White AIDS programs? There's an $85 million increase for them. I am especially appreciative of this increase because of the continued epidemic that HIV/AIDS poses throughout south Florida and particularly in the district that I am privileged to represent. All of these priorities and many more are funded in the underlying conference report on which Members will have an opportunity to cast a simple "yes" or "no" vote if this rule is approved.

Democrats promised, Madam Speaker, that we would govern differently than the previous majority, that our legislation would reflect not the ideological views of a few, but the priorities of the many. Moreover, we vowed to work in a bipartisan fashion. This is exactly what we did with this conference report, as indicated by the numerous Republican Senators spanning the ideological spectrum who signed the conference report.

Finally, we promised earmark reform, and that is what is done in this report. After Republicans spent 12 years increasing the number of earmarks to more than 14,000, Democrats cut the number of earmarks nearly in half in this conference report. Perhaps most importantly, we have made available for public viewing earmark disclosure statements, and any new earmarks placed in this conference report are clearly marked and in full accordance not only with the letter of the law but also its spirit. I am proud that we kept our promise for transparency and reform.

Madam Speaker, the importance of this conference report transcends partisan politics to address the disparities that exist in the competition to meet our human needs. The programs in the underlying legislation prioritize the livelihood of citizens from all walks of life and helps those individuals live at a standard that should be expected in the greatest Nation on Earth.

I urge my colleagues to support this rule and the underlying conference report.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to thank my good friend and namesake, the gentleman from Florida, for yielding me the customary 30 minutes. Sadly, the Democrat leaders today are not taking care of the business of this country. They've failed to get their work done because, in my view, they would rather play political games than do the job that Congress and all of us are elected to do.

The new fiscal year, Madam Speaker, began 37 days ago, on October 1. Yet not one of the annual funding bills to fund the Federal Government has been signed into law. You have to go back 20 years to find a record this bad.

This rule would provide for the consideration of 2 separate appropriation bills that have been combined together by the Democrat leaders. The Veterans funding bill and funding for the Departments of Labor, Health and Education have been forced together in this conference report. These bills have nothing in common, or I should say the only thing they have in common is the fact that they are appropriation bills.

They do have one very, very important difference, the difference being callously exploited by the Democrat leaders. The difference is, Madam Speaker, the Veterans funding bill has the votes to pass this Congress and be signed into law, while the Labor, Health and Education spending bill will be vetoed because it increases spending by $10 billion over the President's request.

Democrat leaders are using the veterans to try and force through their plan of higher spending. Veterans benefits and veterans health care should not be held hostage. More than 400 of the 435 House Members and over 90 of 100 Senators voted for the veterans spending bill. Yet, Democrat leaders have blocked passage of this bill to be sent to the President since September. For 2 months they have kept the veterans waiting.

Madam Speaker, the Democrat leaders know full well this combined spending bill won't be signed into law, but they have chosen to waste our time by having the Congress vote on it anyway. The American people have had enough of this Congress not completing its work and not being serious about the business of this country. The Democrat leaders, in my view, need to stop posturing, stop the game-playing and get serious about doing its job in Congress.

Our veterans, Madam Speaker, have already carried a heavy burden for our country. They shouldn't be used by the new majority to carry the burden of passing this agenda of higher spending.

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Separate these 2 bills. Let Congress pass a clean funding bill for our veterans.

I urge my colleagues to vote against this rule that provides for the consideration of a combined conference report destined to be vetoed and sustained.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I am pleased to yield 3 minutes to the gentlewoman from California (Ms. LEE) from the Appropriations Committee.

Ms. LEE. Madam Speaker, let me thank the gentleman for yielding me this time and for his diligent and fair leadership on the Rules Committee. Let me also thank Chairman OBEY for this bill and for your tireless efforts in crafting this legislation.

Our spending priorities do reflect our values as a country, and during this week, which some of you heard last night, this is National Bible Week. I think it is very important as we debate this bill to remember some of the statements and speeches that were made last night with regard to caring for the least of these.

I am pleased we were able to fund critical programs under the Department of Health and Human Services, programs like nurses education and the Ryan White CARE Act and the Minority AIDS Initiative. I look forward to working with our colleagues to try to increase funding for all of our AIDS initiatives in the coming year.

I also want to thank the committee for funding critical education programs. What are we saying to the American people when we pass legislation that funds education, like the 21st Century Community Learning Centers, TRIO, GEAR UP, Upward Bound, and programs that strengthen Historically Black Colleges and Universities and Hispanic-serving universities. We are saying these are our priorities. These are the programs that we care about and want to see implemented which invest in our children's future.

Madam Speaker, much has been said and reported about the President's veto threat. What does this senseless veto threat say to the American people? It says that the President's priority is funding an occupation in Iraq as opposed to investing in the future of our country.

We are now spending $12 billion a month in Iraq. For the price of 1 month of our occupation in Iraq, we could be paying for 1.5 million children to go to Head Start for a whole year. We could hire 200,000 new school teachers for a year, and we could even insure 7 million of the 8.7 million children living in this country that do not have health care insurance for a whole year.

This is a fundamental question where we should spend our priorities. We actually could continue to spend our tax dollars on a war without end, or we could use our tax dollars to spend on our children, our schools, our communities and on our veterans who have valiantly sacrificed so much. They deserve an "aye" vote on this rule and the underlying conference report.

Let's remember this is National Bible Week and let us do what the Scriptures would dictate on this bill and support the rule and the bill for the least of these.

Mr. HASTINGS of Washington. Madam Speaker, I yield 8 minutes to the gentleman from Mississippi (Mr. WICKER), a valuable member of the Appropriations Committee.

Mr. WICKER. Madam Speaker, I thank my distinguished friend from Washington.

Madam Speaker, my friend from Florida says that this new Democratic majority was determined to govern differently than previous majorities. He has succeeded in this regard, Madam Speaker: This is the latest the Congress has gone without sending a single appropriation bill to the President for his signature since 1987. I don't think that is what the Democratic majority had in mind when they said they would govern differently, but they have certainly done so.

So I rise to express my opposition to the rule and to the conference report that will serve no purpose other than to delay funding for veterans, for our troops and for their families.

The conference report before us includes both the Labor-HHS Education appropriation bill and the Military Construction and Veterans Affairs appropriation bill. The President stands ready to sign the MilCon-VA bill into law. He could have done so already and made funding available for key veterans health and benefit programs and much-needed military construction projects.

But the majority has chosen to link that bill with a bloated Labor-HHS, Education bill, a measure which the President will veto. So this exercise today amounts to a waste of time and sends the wrong message to veterans and military personnel. Instead of honoring these men and women for their sacrifices and providing assistance to them today on the eve of Veterans Day, we are short-changing our veterans in the interest of political gamesmanship.

The majority's strategy was to couple these bills with the expectation that many Members of Congress would not have the political will to oppose funding for veterans even temporarily. We should not use our veterans as pawns and we should not insult their intelligence. Give our Nation's heroes more credit than that. Our veterans can see through this ruse. So can the

American people, and they should be rightly outraged by it.

I have in my hand a statement taken from the Web page of the American Legion, our Nation's largest veterans organization. The American Legion says, "Here we are again, the start of a new fiscal year and Congress still has not passed the Military Construction-Veterans Affairs and Related Agencies Appropriations Bill." The American Legion goes on to ask the question: "So what is the problem?" And their answer is accurate: "Politics."

The American Legion goes on to denounce Congress' plans to hold VA funding hostage.

Another veterans organization, VetsForFreedom.org identifies this process for what it is: "A cynical attempt to use veterans as a political shield for further wasteful government spending." VetsforFreedom goes on to say they call on Congress to pass clean bills for the Veterans Administration and the Department of Defense as quickly as possible.

Madam Speaker, we should be moving this legislation under regular order. It is true that Congresses in the past have used omnibus bills, but always as a last resort after first trying to follow regular established procedure. In this instance, the Democratic leadership did not even attempt to follow regular order. Instead, their first attempt to bring these conference reports to the floor amounts to an unprecedented departure from established procedure.

I very much regret the decision of the majority to link these 2 bills. The House passed its version of the MilCon bill in June by a vote of 409–2. The Senate passed its bill on September 6, 2 months ago, with a vote of 92–1 in favor of the bill. For 8 weeks, Chairman EDWARDS and I stood ready to conference these bills. We could have brought a bill to the floor weeks ago that would have passed overwhelmingly and been signed into law by the President.

Instead, after waiting 8 weeks, when we were finally given the green light to move forward with a conference, the members of our subcommittee were not appointed as conferees as is normally the case. The majority decided that the Labor-HHS conferees, most of whom did not attend MilCon-VA hearings or participate in our bill's creation, would be involved in deliberations on VA-specific provisions.

Mr. EDWARDS and I, as chairman and ranking member, have worked along with our Senate counterparts and our staffs to craft a compromise between the two versions of the MilCon-VA bill. The compromise before the House includes funding for numerous military construction projects that are vital to support the working environment and quality of life of our soldiers and their families.

We have included funding for base realignment and closure. We have included funding for initiatives to restation 70,000 troops and their families to Europe and Korea; projects necessary for increasing the active duty Army by 65,000 and the Marine Corps by 27,000; relocation of Marines from Okinawa to Japan; consolidating U.S. forces in South Korea; establishing enduring bases in Afghanistan and Djibouti; barracks and family housing projects; new medical facilities; and needed support facilities for our Guard and Reserve. And all of this on a bipartisan basis.

I was especially pleased to join Chairman EDWARDS in a very important quality of life initiative, funding much-needed child development centers.

With regard to the VA portions of the bill, the department is receiving the largest increase in the department's history, an increase of $4.8 billion over fiscal year 2007. This increase even exceeds the independent budget request submitted by the various veterans service organizations. The bulk of this increase is going to boost medical services at VA hospitals and clinics. In fiscal year 2008, it is estimated that the VA will treat 5.8 million patients, including 263,000 Iraq and Afghanistan veterans.

The conferees have produced a bipartisan conference report. It is a good work product. It continues the longstanding tradition of support and commitment for the men and women and their families who are serving our country and those who have served our country in the past.

It is unfortunate that these worthy projects are now joined with a bill that includes $10 billion in excessive spending on domestic programs.

Included in the Labor-HHS portion of the bill is a new duplicative program for the CDC for comprehensive sex education; a new grant-making initiative at the Department of Education targeting the creation of full-service community schools.

The only office at the Department of Labor the majority has seen fit to cut is the one responsible for union oversight. Apparently union accountability is unimportant to the majority, so they cut the labor management standards budget by 20 percent.

In conclusion, Madam Speaker, I mention these things to point out that there are legitimate differences surrounding the Labor-HHS bill. There are good reasons the President will veto Labor-HHS. But there are no good reasons for this bill to be linked with MilCon-VA. Vital funding for the VA and infrastructure for our troops could be in the pipeline within a matter of days, but the majority will simply not allow that. Instead, we are sacrificing veterans for the sake of a cheap, cheap political stunt. Our Nation's veterans deserve better. The American people deserve better.

Vote "no" on the rule and vote "no" on the conference report.

Mr. HASTINGS of Florida. Madam Speaker, sometimes I think I am living here in la-la land. These people were in charge of the House; they were in charge of the Senate, and they were in charge of the White House. And they left us 11 appropriation measures that Mr. OBEY and his committee have had to deal with in trying to clean up their mess.

I would like to yield 3½ minutes to the distinguished gentleman from Texas (Mr. EDWARDS), the chairman of Military Construction and the VA Subcommittee.

Mr. EDWARDS. Madam Speaker, there is a clear difference between the Republican leadership's approach to veterans and the new Democratic Congress' leadership.

In the old Congress led by Republicans for 12 years, the Republican leadership fired the Republican chairman of the VA Committee in the House. Why? Because he put the interest of veterans above political loyalty, partisan loyalty, to the leadership that didn't want to fund our veterans adequately.

What is the difference? In the new Democratic Congress, Speaker PELOSI and our leadership have said that supporting veterans, honoring those who have honored us with their service in uniform, will be the highest of priorities in this Congress, and that is exactly what we have done and that is exactly what we are doing here tonight.

Let me respond to some of the comments of my Republican colleagues. The gentleman from Washington (Mr. HASTINGS) said for 2 months Democrats have kept veterans waiting. I don't know where my colleague has been, but that is the last thing we have done. Perhaps my colleague would remember that the first thing we did was pass a continuing resolution for veterans funding for 2007 because the previously led Republican Congress last year failed completely to ever pass a VA-Military Construction appropriations bill.

In that bill, we increased veterans discretionary health care spending by $3.4 billion. But that wasn't enough, we did more.

In the Iraq war supplemental bill, we didn't keep veterans waiting; we worked hard to add an additional $1.8 billion to veterans discretionary spending. So $3.4 billion and $1.8 billion, that adds up to a $5.2 billion increase in VA discretionary and health care funding this year alone before this bill comes to the floor. That is a larger increase than any Republican House-led conference has ever reported under Republican leadership.

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Now, some would say saying one thing and doing another is hypocrisy. Others might call it a double standard. I will be polite and respectful tonight.

I'm going to call it politically convenient memory.

Our Republican colleagues are chastising us about being one month late in passing a VA appropriation bill, although they ignored the $5.2 billion we've already added for our veterans. They seem to forget, you know when the last time was under their leadership we passed a VA appropriation bill on time? Anybody remember? It was a long time ago. 1996. That was the last time, under Republican leadership, in this House we passed a VA appropriation bill on time.

Politically convenient memory. They're chastising us for being 1 month late this year? Seems that they forget, Madam Speaker, that in 2006 they didn't pass a bill at all.

They say we should separate the two bills, VA from Labor-HHS. Another problem of politically convenient memory loss. Out of the last 5 years, Madam Speaker, only once, only once under Republican leadership did they pass the VA appropriations bill as a freestanding bill. Saying one thing, doing another.

What Democrats are doing with this bill and what we've done this year is to work with our veterans service organizations to pass the largest increase in VA health care funding in the history of the veterans administration. That's a record we can be proud of and we can remember.

Mr. HASTINGS of Washington. Madam Speaker, I'm pleased to yield as much time as he may consume to the distinguished ranking member on the Rules Committee, the gentleman from California (Mr. DREIER).

Mr. DREIER. Madam Speaker, as I listened to the very distinguished chairman of the Military Quality of Life Subcommittee of the Appropriations Committee, I've got to say that I was somewhat saddened at this constant finger-pointing: the Republicans did this in 1996 and we didn't know how to run the place and we didn't provide the funding that was necessary for veterans and all of this sort of stuff and we were late in doing these things.

The fascinating thing about this is that there's this brilliant document that came forward during last fall's campaign, and it was unveiled by the new Speaker of the House. It was called "A New Direction for America." And in it, it talked about this new spirit of openness, the fact that we would have transparency and disclosure and accountability, the likes of which we had not seen in a long time, if ever.

Madam Speaker, I will tell you that we all know that we've gotten the exact opposite of that. I unveiled a few weeks ago, along with my colleagues Mr. HASTINGS, Mr. DIAZ-BALART and Mr. SESSIONS, an outline of what has happened in this year.

Well, this process that we're dealing with at this very moment is an example of the kind of arrogance that we have seen in trying to utilize veterans as a political pawn.

Now, the distinguished ranking member, the gentleman from Mississippi (Mr. WICKER), quoted the veterans publication in which they said very clearly, we can do something that will ensure that the resources necessary for our Nation's veterans are there. We can pass in a bipartisan way a military quality of life appropriations conference report. We can get it through both Houses of Congress, and we can get it to the President of the United States. And then we will have, albeit late, we will have been able to get the funding that is necessary.

Now, Madam Speaker, I don't believe that there are Members of this institution who actually want to deprive our Nation's courageous veterans from having access to the quality health care and the other items that they need to have to address their concerns. I don't believe that anybody sincerely wants to do that.

But I will tell you this, we know full well that there has been game-playing in this process. In fact, all one needs to do is look at the rule. We know that rule XVIII in the Senate basically says that you cannot link up two appropriation bills. It's a scope violation, and it can't be done.

Madam Speaker, on October 31, 44 Members of the United States Senate signed a letter, and I'd like to include this letter in the RECORD at this point.

U.S. SENATE,
Washington, DC, October 31, 2007.

Speaker NANCY PELOSI,
House of Representatives,
Washington, DC.
Majority Leader HARRY REID,
U.S. Senate,
Washington, DC.

DEAR SPEAKER PELOSI AND MAJORITY LEADER REID: We write this letter to request that federal funding for our nation's troops and veterans not be further delayed and held hostage for partisan purposes. Congress must promptly complete its work on the Fiscal Year (FY) 2008 Military Construction-Veterans Affairs (MilCon-VA) and Defense appropriations bills, and they should be sent to the President's desk as freestanding measures by Veterans Day.

It has been nearly two months since both Houses passed their respective FY 2008 MilCon-VA appropriations bills, and nearly one month has gone by since both chambers approved their FY 2008 Defense appropriations bills. Plenty of time has passed for these measures to go through conference and get signed into law. Yet to date, this Congress has still not sent a single appropriations bill to the President—a failure of accomplishment that has not happened in decades. Meanwhile, our brave soldiers are defending us overseas, taking the fight to the terrorists, and keeping our nation safe. Veterans continue waiting for increased funding, which the President already has signaled that he would approve and will lead to improved medical care and other benefits.

Swift action on the MilCon-VA and Defense appropriations bills is not only fitting with Veterans Day coming in less than two weeks, but it also is one of our highest responsibilities as lawmakers. Our soldiers and veterans already have done so much for our country. The Democratic Congressional Leadership should not now cynically use them to shoulder a bloated "minibus" funding bill up Pennsylvania Avenue and wrest billions in excessive spending. Leading veterans groups have expressed strong concerns about such an approach. For months, the President has said that he would oppose it.

Our troops and veterans cannot afford unnecessary delay, and they rightfully expect Congress to put their interests ahead of politics. It therefore is irresponsible to attach VA and military funding measures onto a domestic spending bill which we know will get vetoed. Instead, we urge you to work with us in a bipartisan manner so we can quickly advance freestanding MilCon-VA and Defense appropriations bills for the President's signature.

It was addressed to Speaker PELOSI and Majority Leader REID, and in it they said that they were not going to stand for this attempt to play politics, partisan politics, with funding for our Nation's veterans.

And so we all know what is going to happen if this measure passes out of this House. The Senate has the ability and 44 Members have signed this letter saying that they are going to, in fact, raise a point of order to prevent it from proceeding.

Now, it was 2 months ago today, Madam Speaker, 2 months ago today that the Senate passed this appropriation bill; and, unfortunately, the attempt to get the resources necessary for our veterans is, in fact, being denied. I think that it is absolutely reprehensible that we would use them to try and pass a bill that we know the President of the United States has said he's going to veto.

So I suspect that just as we went through this debate on the State Children's Health Insurance Program measure, there will be some that say Republicans are voting against providing resources for our Nation's veterans, and it's the power of the majority here in the House. They can fashion things in such a way that that, in fact, can be described. They can characterize the vote that way.

The veterans of this country aren't going to buy it. The American people aren't going to buy it. They know that games are being played with this very important funding measure.

Madam Speaker, it is essential that we defeat this rule, make sure that we get a clean appropriation bill for our veterans to the President's desk just as expeditiously as possible.

Mr. HASTINGS of Florida. Madam Speaker, it's awfully difficult to listen to lectures from people who left 11 appropriations measures on the table before the Democrats achieved the majority.

I'm very pleased to yield 2 minutes to the distinguished gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. Madam Speaker, I thank the gentleman from Florida, and

I'm going to speak not to what was, but what is today and what should be in the future.

I rise today in strong support of this conference agreement and the rule, especially the agreement's increased funding for both the NIH and the veterans health care system.

I have seen firsthand the amazing advancements in research that are brought about through NIH funding. The University of Iowa's per capita NIH research productivity is ranked sixth among public universities in this Nation. Their important work benefits both Iowa and the Nation.

Unfortunately, over the past 5 years funding for the NIH has fallen behind biomedical inflation, and we all suffer from these setbacks as advancements in treatment and cures for cancer, diabetes, Alzheimer's and many other diseases are jeopardized. That's why I strongly support the increased funding for the NIH and other health care programs in this conference report today.

In recent years, important veterans health care funding has also fallen behind. I could not be more proud that this conference report also includes the single largest increase in veterans funding in the VA's 77-year history.

By providing $37.2 billion for VA hospitals and clinics, we will ensure that the VA has the resources and oversight necessary to ensure that veterans receive excellent health care, rehabilitation services, and system-wide support. This funding will also provide research into the treatment of traumatic brain injuries and post-traumatic stress disorder, two devastating conditions that Iraq and Afghanistan veterans face all too frequently and will into the future.

I strongly believe that bold action such as this conference report is necessary to address our Nation's and our veterans' health care needs. Today, we are taking an important step forward. We are telling America that we have our priorities right, and I urge my colleagues to support this rule and the conference report.

Mr. HASTINGS of Washington. Madam Speaker, I'm pleased to yield 2 minutes to the gentleman from California (Mr. DREIER), the ranking member of the Rules Committee.

Mr. DREIER. Madam Speaker, I thank my friend for yielding, and I was very sorry that my friend from Fort Lauderdale wouldn't yield to me, and I would be happy to yield to him in a moment as I respond to the statement that he made just when I completed mine.

He said that I was responsible for leaving 11 appropriations bills on the floor. He said that he got a lecture.

Mr. HASTINGS of Florida. Madam Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. Madam Speaker, I thank the gentleman for yielding.

What I said was it was difficult to have lectures from people who left 11 appropriations measures. I did not refer to you.

Mr. DREIER. Well, I had just completed my statement, Madam Speaker, and the gentleman said getting lectures from people, and I'd given a 5- or 6-minute statement. So I don't know, maybe it was an exaggeration for me to infer that the gentleman was referring to what I said when, in fact, I had served on the Rules Committee in a leadership position in the past several Congresses. So maybe I was wrong in interpreting that he was referring to my statement.

But, Madam Speaker, let me say this: we know that the House of Representatives did, in fact, pass out those appropriations bills. We worked in a bipartisan way to make that happen. We had a friendly exchange with the distinguished Chair of the Committee on Appropriations in which we characterized the Senate as the enemy and the other party as merely the opposition.

The fact of the matter is we've had a real challenge in dealing with the Senate. We know that as we look at this measure we, in past Congresses, have, in fact, been successful at passing measures out of the House of Representatives.

And I will say again that my friend referred to these lectures when, in fact, I began my remarks by pointing to the fact that we were promised a new day, and the fact is we're getting much, much worse. We're getting much worse than the behavior and the performance that my friend complained about of the past.

So, Madam Speaker, I've got to say that playing politics with our Nation's veterans is exactly what we're going through right now, and I think it's a very sad commentary. And I am gratified, I'm very gratified, that our Nation's veterans organizations are recognizing exactly what's happening, and I thank my friend for yielding.

Mr. HASTINGS of Florida. Talk about a big day, a big day is the day that veterans get an additional $7 billion and don't have to stand in VA lines for months in order to receive their benefits.

Madam Speaker, I yield 3 minutes to the distinguished gentleman from Vermont, a member of the Rules Committee (Mr. WELCH).

Mr. WELCH of Vermont. Madam Speaker, I thank my colleague from the Rules Committee.

If a gentle breeze were to come into this room and dispel the fog of rhetoric that we've been listening to, we'd understand and return to the basic proposition that's quite simple, and that is, the budget of the United States Congress reflects the priorities of the United States Congress.

And what will be debated and the substance before the House is whether on the Labor-HHS budget we will appropriate and spend 2 percent more than was recommended by the President of the United States. What will be debated and decided by this House of Representatives is whether we will approve and spend 4 percent more for military construction in overdue services to our veterans. It comes to you from Chairs of subcommittees who are operating under the tight restrictions of pay-as-you-go budgeting that has been adopted by this new Congress after it had been abandoned by the previous Congresses.

So what do the American people have to judge us by what we do? It's this: first, we will pay for everything on a pay-as-you-go basis; second, when the President says that we're spending more than he recommended on Labor-HHS and for our veterans, we plead guilty. We're paying for it, but we're doing it because we believe it's overdue and it's right.

Think about the lack of investment that has occurred as a result of the clear priorities of the administration approved by previous Congresses: all Iraq all of the time and impoverishing our domestic programs, even as Americans are struggling to make ends meet.

The Labor-HHS budget does a couple of things that are very straightforward. It makes a fundamental commitment in the National Institutes of Health. It increases LIHEAP funding, Low Income Heating Assistance Program. Is it needed? Oil is at $93 a gallon on a barrel.

And on the veterans budget, this Congress has made a fundamental decision, and it's very simple again. The cost of the war must include the cost of caring for the warrior.

□ 2030

Yes, it's true, this VA budget is the highest increase that we have had in the history of the VA. Why? It's because it is absolutely necessary to meet the obligation we have to the men and women in uniform.

We will have an opportunity to vote yes or no. We will have an opportunity to state explicitly and be judged by the American people as to what our priorities are, and the priorities we have are to begin to renew our commitment to our veterans and to renew our commitment to basic science and investment in the people of this country.

Mr. HASTINGS of Washington. Madam Speaker, how much time on both sides?

The SPEAKER pro tempore. Both sides have 12 minutes remaining.

Mr. HASTINGS of Washington. Madam Speaker, I yield myself 1 minute.

My friend from Vermont raised an issue on the issue of combining these bills and suggesting that they are paid for. If the pay-for that they are talking about is what was reflected in the budget document, then that will result over time in the largest tax increase on American citizens in the history of this country. If it is not the largest, it is the second largest.

We will reserve the debate on that, because we are talking about appropriation process tonight, but we will reserve that debate for later on this week when there will be a tax extender bill coming to the floor. We can more fully debate how these pay-fors work.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I yield 1½ minutes to the gentleman from California, a member of the Appropriations Committee, Mr. FARR.

Mr. FARR. Madam Speaker, I rise in strong support of this rule and in strong support of the underlying bills. I can't believe what I am hearing here tonight, that people are talking about this being a bloated bill, that it's a bill that games are being played. They talk about how much we love the veterans side of it, but we don't like the Health and Human Services side.

Ladies and gentlemen, you cannot have a veteran without having a family, without having a home.

This bill puts more money into the areas where the President cuts it. In an area where the oil is going to $100 a barrel, they oppose this bill because we give more money to LIHEAP for elderly people and people who have low incomes to heat their homes in this winter that is coming.

They cut the budget for special ed, the President cut. We put it back in. We put in money for autism. We put in money for people for research, for strokes, for cancer, for Parkinson's Disease. These things are related to veterans.

You can't stand a veteran alone. A veteran has a family. If that veteran's family needs some help, by God, it's the government's responsibility to provide for that good public education and that great institute of health. That's in this bill, education, health, labor, the essence of America, essential to having good veterans.

Vote for the rule and for the bill.

Mr. HASTINGS of Washington. Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I yield 1½ minutes to the distinguished gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE of Wisconsin. Madam Speaker, I was compelled to come to the well of the House here because I have listened very carefully to how we are sacrificing our troops for political stunts. We have been told that this bill, somehow, is unclean. I would submit that our troops have fought for an American quality of life that is reflected in this bill.

As has been indicated, the National Institutes of Health is funded, Centers for Disease Control, substance abuse and mental health, Ryan White AIDS Programs, low-income heating energy programs, Healthy Start, Head Start, the Community Services Block Grant program, the Social Services Block Grant program, Child Care and Development Block Grant, all of these unclean programs like foster care and adoption assistance, the TRIO program, Historically Black Colleges and Universities, reading programs, school reform programs, programs that help our disabled and physically handicapped students, English language acquisition programs, Safe and Drug-Free Schools, Supplemental Educational Opportunity Grants, Perkins Loans, Pell Grants.

I would submit to you that those Marines and the Army, our soldiers are out there fighting for precisely these kinds of programs. This is a brilliant, brilliant joining of priorities.

Mr. HASTINGS of Washington. Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I yield 2½ minutes to CHET EDWARDS from Texas.

Mr. EDWARDS. Madam Speaker, some of my Republican colleagues now say this bill is about politics.

Let me respond, not with my words, let me respond using the words of the Disabled American Veterans, the DAV, in their press release issued today. The Disabled American Veterans, DAV, is commending lawmakers for approving a conference report that will provide the largest increase in funding for the Department of Veterans Affairs in its history.

DAV now calls on Congress and the administration to support this important legislation and to enact it by Veterans Day. David Gorman, the Washington D.C. Headquarters executive director of DAV went on to say, and I quote, "This increase in veterans health care and other programs is especially welcome news at a time when our Nation is at war."

My Republican colleagues said we promised a new day under Democratic leadership. We have done that. We did promise a new day for veterans. After years of veterans health care and other programs struggling just to try to come close to keeping up with inflation, we have authored the largest increase in VA discretionary budget funding and health care funding in history.

The most important step we took in that journey and in that new direction was on March 29 of this year. We passed the 2008 budget resolution which authorized that largest increase in history for veterans health care and other benefits programs.

Unfortunately, not 1 Republican, not 1 Republican in this House voted for that historic budget resolution that is now doing so much for our Nation's veterans.

The same Republicans who railed tonight about our being 30 days late seem to fail to point out we have already increased veterans health care and other funding levels by $5.2 billion. A lot better record. It is certainly a new direction compared to last year, and the same colleagues who are complaining tonight didn't pass the veterans bill.

One last point, Republican colleagues are saying, because the President threatened to veto this bill that includes such great funding, important funding for our veterans, we ought to stop in our tracks. If I had done that as chairman of the VA Military Construction Subcommittee several months ago, our veterans would have lost $3.7 billion, because at that time, and as late as August 27, the same administration wanted to veto this bill, said they didn't need a dime more than the President asked for. That would have taken $3.7 billion out of VA health care, VA benefits, adding new VA caseworkers. We are in a new direction. That direction is good for our Nation's veterans.

Mr. HASTINGS of Washington. Madam Speaker, I yield myself 1 minute.

The distinguished gentleman of the subcommittee, the gentleman from Texas, made precisely my point, and he made the point that we have been saying on this side. He made the point that my friend from Mississippi (Mr. WICKER) said. He talked about the benefits of the veterans funding bill.

Mr. WICKER spent a great deal of time as ranking member saying how he worked hand in hand in a bipartisan basis, and all we are saying is that we know that bill has the votes to pass the Congress and be signed into law. I thank the gentleman for making the point, because that's the point we are making.

All we are saying is by linking these two bills together, you are going to prolong it because it's going to be vetoed. I will be offering later on a motion to defeat the previous question so we can separate that. I hope the gentleman will vote with us because now we can pass this bill that he extolled in such a very good way.

Madam Speaker, I yield 1 minute to my friend from Mississippi (Mr. WICKER).

Mr. WICKER. Madam Speaker, my friend from Texas, with whom I have worked closely and for whom I have the greatest regard, mentions proudly and properly this, the largest increase in veterans spending in history.

I have to say that it does come on top of record spending increases for veterans over the past 12 years. So, I take a second place to no one in my support and in defending our stewardship of the Veterans Administration over the past 12 years.

My friend quoted the DAV organization. I am sure they support this bill. I am also sure, just like the American Legion and the Vets for Freedom, that they don't want it delayed as this process will do, and that's why I urge a defeat of the previous question and of the rule.

My friend says that not one Republican Member voted for the budget resolution. The budget resolution provided great funding for the veterans, but it also included the largest tax increase in the history of this country, and that's why Republicans voted against the budget resolution.

Mr. HASTINGS of Florida. Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I yield myself the balance of my time.

I have to say that I am disappointed, as I mentioned and others have mentioned, that the Democrat leadership refuses to let the House consider the veterans spending bill, funding bill, separate from funding from the Department of Labor, Health and Human Services and Education.

This rule provides for the consideration of one conference report that combines two separate spending bills that will be vetoed by the President, and that veto will be sustained. I believe Members of this House should have an opportunity to vote separately on these two distinct measures.

Therefore, I will be asking my colleagues to vote "no" on the previous question so that I can amend the rule and allow a separate vote on each of the spending measures.

Madam Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted in the RECORD prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. Madam Speaker, I urge my colleagues to vote "no" on the previous question so we can separate this issue and vote "no" on the rule if we do not prevail on our previous question so that the Congress can pass a clean funding bill for our veterans.

Madam Speaker, I yield back the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I yield myself the balance of my time.

What we have heard from members of the minority regarding their opposition to American priorities is nothing new. After all, it was their manufactured obstructionism in this body and the other that delayed this bill and has continued to delay the remaining appropriations bills from being signed into law.

Many of our colleagues on the other side of the aisle announced that they would oppose this conference report long before it was ever written. The President, using his misdirected, ill-conceived and ideologically driven policies as justification, has been threatening to veto this bill for literally months.

Shame on them. Shame on them for refusing to support the malnourished and the sick. Shame on them for voting against providing energy assistance or for low-income families. Shame on them for voting against making it more affordable for kids to attend college and obtain an early childhood education. Shame on them for not supporting increased funding for military housing.

Shame on them for passing measures and not funding them. Shame on them for opposing increased funding for veterans health care. Shame on them for voting to send our troops into harm's way but refusing to take care of them and their families when they got home. There is no smoke and mirrors here; there is no required reading between the lines and nuancing. This is a vote about priorities. Today's vote on this conference report will be the most telling of them all.

I ask my colleagues and vigorously urge them to support this rule and the underlying conference report.

Ms. MATSUI. Madam Speaker, the bill under consideration today represents the core of what the American people send us here to do. It invests in children's health and encourages our young people to serve their communities. It helps people train for the workplace and provides funding for crucial education programs. It represents the best of what government by the people can do.

That is why I am pleased to support the rule and the underlying legislation, Madam Speaker. I am particularly encouraged by the investments it makes in children's health and in national service.

Today's appropriations package fully funds the National Children's Study. This Study is a perfect example of the kinds of long-term health initiatives that the government is perfectly positioned to lead.

It will examine 100,000 children from before birth to age 21. The data generated by the Children's Study will help us develop cures for diseases like autism, asthma, childhood obesity, and diabetes.

The Children's Study is the first of its kind, Madam Speaker. But we do not have to wait decades for the Study to change lives. In just a few short years, it will begin generating useful data on premature birth, common birth defects, and prenatal links to autism.

I am pleased that today's appropriations package invests so wisely in the National Children's Study, and I urge all my colleagues to support it as a result.

Madam Speaker, the conferees also recognized the importance of our National Service Programs. Over the last few years, service members have provided humanitarian and educational assistance to the victims of Hurricanes Katrina, Rita, and Wilma. More recently, they have offered their services to help calm the wildfires that have devastated my home State of California.

I am pleased that the conferees appropriated high funding levels to help sustain and grow our service programs. National Civilian Community Corps received over $24 million in funding. Currently, there are only three of these campuses in our Nation, and I am glad that this funding will help build two new campuses.

I am also pleased to see that the other important programs—like Learn and Serve America, Volunteers in Service to America and AmeriCorps State and National programs—all received high levels of funding. These National Service Programs are essential to the health of our communities and Nation.

Madam Speaker, today's legislation is about making our priorities clear. Protecting children's health and encouraging national service are not choices we have as Members of Congress. They are responsibilities. I am pleased that today's legislation fulfills our collective responsibilities as representatives of the people.

I urge my colleagues to support the rule and the underlying legislation.

The material previously referred to by Mr. HASTINGS of Washington is as follows:

AMENDMENT TO H. RES. 794

OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of section 1, insert "It shall be in order for a separate vote to be had upon demand on that portion of the conference report consisting of Division B.".

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. HASTINGS of Florida. Madam Speaker, I yield back the balance of my time and move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. HASTINGS of Florida. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 218, nays 183, not voting 31, as follows:

[Roll No. 1047]

YEAS—218

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn

NAYS—183

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—31

Baird
Blunt
Boozman
Brady (PA)
Butterfield
Buyer
Carson
Chandler
Cubin
Feeney
Ferguson
Fossella
Gordon
Gutierrez
Jindal
Johnson, E. B.
Johnson, Sam
LaHood
McCrery
McNulty
Oberstar
Pastor
Paul
Payne
Pryce (OH)
Rogers (MI)
Tancredo
Westmoreland
Wilson (OH)
Yarmuth
Young (AK)

□ 2108

Mr. TIAHRT and Mr. CHABOT changed their vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 216, nays 182, not voting 34, as follows:

[Roll No. 1048]

YEAS—216

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
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Blumenauer
Boren
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Boyd (FL)
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Brown, Corrine
Capps
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Cardoza
Carnahan
Carney
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Clarke
Clay
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Costa
Costello
Courtney
Cramer
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Cummings
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DeFazio
DeGette
Delahunt
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Ellison
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Frank (MA)
Gillibrand
Gonzalez
Green, Al
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Harman
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Herseth Sandlin
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Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
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Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
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Langevin
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Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
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Lofgren, Zoe
Lowey
Lynch
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Markey
Marshall
Matheson
Matsui
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McDermott
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McIntyre
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Meek (FL)
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Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
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Moran (VA)
Murphy (CT)
Murphy, Patrick
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Sanchez, Loretta
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Schakowsky
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Schwartz
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Sestak
Shea-Porter
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Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
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Bishop (UT)
Blackburn
Boehner
Bonner
Bono
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Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
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Culberson
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Davis, David
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Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
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Fallin
Flake
Forbes
Fortenberry
Foxx
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Gerlach
Gilchrest
Gingrey
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Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
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Issa
Johnson (IL)
Jones (NC)
Jordan
Keller
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Kingston
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LoBiondo
Lucas
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Myrick
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Pitts
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Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
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Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
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Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
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Wicker
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Wilson (SC)
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Young (FL)

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Jindal
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Johnson, Sam
LaHood
McCrery
McNulty
Oberstar
Pastor
Paul
Payne
Pryce (OH)
Rogers (MI)
Rush
Tancredo
Tiberi
Westmoreland
Wilson (OH)
Yarmuth
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

☐ 2115

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, on Tuesday, November 6, 2007, I could not be present for rollcall votes 1047 and 1048 due to a previous commitment to district related business.

Had I been present, I would have cast the following votes: "yea" on rollcall vote 1047 and "yea" on rollcall vote 1048.

APPOINTMENT OF CONFEREES ON H.R. 1429, IMPROVING HEAD START ACT OF 2007

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Sanches

Mr. GEORGE MILLER of California, Mr. KILDEE, Ms. WOOLSEY, Mr. DAVIS of Illinois, Mr. GRIJALVA, Ms. LINDA T. SÁNCHEZ of California, Messrs. SARBANES, SESTAK, LOEBSACK, Ms. HIRONO, Ms. SHEA-PORTER, Messrs. MCKEON, CASTLE, FORTUO, BISHOP of Utah, KELLER of Florida, WILSON of South Carolina, BOUSTANY, and HELLER of Nevada.

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3688, UNITED STATES-PERU TRADE PROMOTION AGREEMENT IMPLEMENTATION ACT

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110–432) on the resolution (H. Res. 801) providing for consideration of the bill (H.R. 3688) to implement the United States-Peru Trade Promotion Agreement, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3355, HOMEOWNERS' DEFENSE ACT OF 2007

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110–433) on the resolution (H. Res. 802) providing for consideration of the bill (H.R. 3355) to ensure the availability and affordability of homeowners' insurance coverage for catastrophic events, which was referred to the House Calendar and ordered to be printed.

CONFERENCE REPORT ON H.R. 3222, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2008

Mr. MURTHA submitted the following conference report and statement on the bill (H.R. 3222) making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes:

CONFERENCE REPORT (H. REPT. 110–434)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3222) "making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

SECTION 1. TABLE OF CONTENTS

The table of contents for this Act is as follows:

Sec. 1. Table of contents.
Sec. 2. References.

DIVISION A—DEPARTMENT OF DEFENSE, 2008

Title I—Military Personnel
Title II—Operation and Maintenance
Title III—Procurement
Title IV—Research, Development, Test and Evaluation
Title V—Revolving and Management Funds
Title VI—Other Department of Defense Programs
Title VII—Related Agencies
Title VIII—General Provisions

DIVISION B—FURTHER CONTINUING APPROPRIATIONS, 2008

SEC. 2. REFERENCES.

Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referencing only to the provisions of that division.

DIVISION A—DEPARTMENT OF DEFENSE

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September

30, 2008, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $31,535,016,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $31,535,016,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $23,318,476,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $10,280,180,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $24,194,914,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,684,610,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,790,136,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $583,108,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,363,779,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $5,924,699,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $2,617,319,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $11,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $27,361,574,000: Provided, That, notwithstanding any other provision of law, up to $12,500,000 may be transferred to "U.S. Army Corps of Engineers, Operation and Maintenance" for expenses related to the dredging of the Hudson River Channel and its adjacent areas, to be merged with and to be available for the same time period as the appropriations to which transferred: Provided further, That the transfer authority provided in this paragraph shall be in addition to any other transfer authority elsewhere provided in this Act.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $6,257,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $33,087,650,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $4,792,211,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $32,176,162,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $22,693,617,000: Provided, That not more than $25,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: Provided further, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided further, That of the funds provided under this heading, not less than $27,380,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): Provided further, That of the funds provided under this heading, not *less than $582,643,000 shall be available only for the Combatant Commander's Exercise Engagement and Training Transformation program: Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: Provided further, That, notwithstanding section 130(a) of title 10, United States Code, not less than $41,293,000 shall be available for the Office of the Undersecretary of Defense, Comptroller and Chief Financial Officer: Provided further, That $4,000,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: Provided further, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: Provided further, That of the funds provided under this heading, $247,000,000 shall be available for National Guard support to the Department of Homeland Security, including operating surveillance systems, analyzing intelligence, installing fences and vehicle barriers, building patrol roads, and providing training: Provided further, That the Secretary of Defense may transfer the funds described in the preceding proviso to appropriations for military personnel, operation and maintenance, and procurement to be available for the same purposes as the appropriation or fund to which transferred, and that upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation, to be merged with and made available for the same purposes and for the time period provided under this heading: Provided further, That the Secretary of Defense shall, not more than five days after making transfers from this appropriation for the purpose of support to the Department of Homeland Security, notify the congressional defense committees in writing of any such transfer: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.*

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,510,022,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,148,083,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $208,637,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,815,417,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $5,764,858,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $5,468,710,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $11,971,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $439,879,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $300,591,000, to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $458,428,000, to remain available until transferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $12,751,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $280,249,000, to remain available until transferred: Provided, *That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.*

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $103,300,000, of which $63,300,000 shall remain available until September 30, 2009, and of which $40,000,000 shall be available solely for foreign disaster relief and response activities and shall remain available until September 30, 2010.

FORMER SOVIET UNION THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $428,048,000, to remain available until September 30, 2010: Provided, That of the amounts provided under this heading, $12,000,000 shall be available only to support the dismantling and disposal of nuclear submarines, submarine reactor components, and security enhancements for transport and storage of nuclear warheads in the Russian Far East.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $4,185,778,000, to remain available for obligation until September 30, 2010.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,911,979,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $3,021,889,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $2,223,176,000, to remain available for obligation until September 30, 2010.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; and the purchase of 3 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $11,428,027,000, to remain available for obligation until September 30, 2010.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $12,464,284,000, to remain available for obligation until September 30, 2010.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,113,987,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,064,432,000, to remain available for obligation until September 30, 2010.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $2,703,953,000;

Carrier Replacement Program (AP), $124,401,000;

NSSN, $1,796,191,000;

NSSN (AP), $1,290,710,000;

CVN Refuelings (AP), $297,344,000;

SSBN Submarine Refuelings, $187,652,000;

SSBN Submarine Refuelings (AP), $42,744,000;

DDG–1000 Program, $2,776,477,000;

DDG–1000 Program (AP), $150,886,000;

DDG–51 Destroyer, $48,078,000;

Littoral Combat Ship, $339,482,000;

LPD–17, $1,391,922,000;

LPD–17 (AP), $50,000,000;

LHA–R, $1,375,414,000;

LCAC Service Life Extension Program, $98,518,000;

Prior year shipbuilding costs, $511,474,000;

Service Craft, $32,903,000; and

For outfitting, post delivery, conversions, and first destination transportation, $379,811,000.

In all: $13,597,960,000, to remain available for obligation until September 30, 2012: Provided, That additional obligations may be incurred after September 30, 2012, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: Provided further, That *none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.*

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only, and the purchase of 10 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $5,317,570,000, to remain available for obligation until September 30, 2010.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $2,326,619,000, to remain available for obligation until September 30, 2010.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $12,021,900,000, to remain available for obligation until September 30, 2010.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $4,985,459,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $754,117,000, to remain available for obligation until September 30, 2010.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only, and the purchase of 2 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $15,440,594,000, to remain available for obligation until September 30, 2010.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only, and the purchase of 5 vehicles required for physical security of personnel, notwithstanding prior limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $3,269,035,000, to remain available for obligation until September 30, 2010.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces, $980,000,000, to remain available for obligation until September 30, 2010: Provided, That the Chiefs of the Reserve and National Guard components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective Reserve or National Guard component.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $94,792,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $12,126,591,000, to remain available for obligation until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $17,918,522,000, to remain available for obligation until September 30, 2009: Provided, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: Provided further, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $26,255,471,000, to remain available for obligation until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $20,790,634,000, to remain available for obligation until September 30, 2009.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $180,264,000, to remain available for obligation until September 30, 2009.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,352,746,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $1,349,094,000, to remain available until expended: Provided, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (that is, engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: Provided further, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: Provided further, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law, $23,458,692,000, of which $22,559,501,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available until September 30, 2009, and of which up to $11,424,799,000 may be available for contracts entered into under the TRICARE program; of which $362,861,000, to remain available for obligation until September 30, 2010, shall be for procurement; and of which $536,330,000, to remain available for obligation until September 30, 2009, shall be for research, development, test and evaluation: Provided, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $8,000,000 shall be available for HIV prevention educational activities undertaken in connection with U.S. military training, exercises, and humanitarian assistance activities conducted primarily in African nations.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions, to include construction of facilities, in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,512,724,000, of which $1,181,500,000 shall be for operation and maintenance; $18,424,000 shall be for procurement, to remain available until September 30, 2010; $312,800,000 shall be for research, development, test and evaluation, of which $302,900,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program, to remain available until September 30, 2009; and no less than $124,618,000 shall be for the Chemical Stockpile Emergency Preparedness Program, of which $36,373,000 shall be for activities on military installations and of which $88,245,000, to remain available until September 30, 2009, shall be to assist State and local governments.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $984,779,000: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund", $120,000,000: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: Provided further, That within 60 days of the enactment of this Act, a plan for the intended management and use of the amounts provided under this heading shall be submitted to the congressional defense committees: Provided further, That the Secretary of Defense shall submit a report not later than 30 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices, and details on the execution of this Fund: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That amounts transferred shall be merged with and available for the same purposes and time period as the appropriations to which transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $239,995,000, of which $238,995,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $1,000,000, to remain available until September 30, 2010, shall be for procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $262,500,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Intelligence Community Management Account, $725,526,000: Provided, That of the funds appropriated under this heading, $39,000,000 shall be transferred to the Department of Justice for the National Drug Intelligence Center to support the Department of Defense's counter-drug intelligence responsibilities, and of the said amount, $1,500,000 for procurement shall remain available until September 30, 2010 and $1,000,000 for research, development, test and evaluation shall remain available until September 30, 2009: Provided further, That the National Drug Intelligence Center shall maintain the personnel and technical resources to provide timely support to law enforcement authorities and the intelligence community by conducting document and computer exploitation of materials collected in Federal, State, and local law enforcement activity associated with counter-drug, counter-terrorism, and national security investigations and operations.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $3,700,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section must be made prior to June 30, 2008: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section: Provided further, That no obligation of funds may be made pursuant to section 1206 of Public Law 109–163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

SEC. 8006. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2008: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8007. The Secretaries of the Air Force and the Army are authorized, using funds available under the headings "Operation and Maintenance, Air Force" and "Operation and Maintenance, Army", to complete facility conversions and phased repair projects in support of Red Flag Alaska exercises, which may include upgrades and additions to Alaskan range infrastructure and training areas, and improved access to these ranges.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds: Provided further, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any 1 year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any 1 year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: Provided further, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

Army CH–47 Chinook Helicopter; M1A2 Abrams System Enhancement Package upgrades; M2A3/M3A3 Bradley upgrades; and SSN Virginia Class Submarine.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2008, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2009 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2009 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2009.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this section applies only to active components of the Army.

SEC. 8015. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by more than 10 Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (41 U.S.C. 47);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(TRANSFER OF FUNDS)

SEC. 8016. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8017. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: Provided, That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8018. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols.

SEC. 8019. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8020. In addition to the funds provided elsewhere in this Act, $15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: Provided further, That notwithstanding section 430 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8021. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A–76 if the study being performed exceeds a period of 24 months after initiation of such study with respect to a single function activity or 30 months after initiation of such study for a multi-function activity.

SEC. 8022. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8023. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8024. (a) Of the funds made available in this Act, not less than $33,705,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $26,553,000 shall be available from "Operation and Maintenance, Air Force" to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) $6,277,000 shall be available from "Aircraft Procurement, Air Force"; and

(3) $875,000 shall be available from "Other Procurement, Air Force" for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8025. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other non-profit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2008 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2008, not more than 5,517 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided, That of the specific amount referred to previously in this subsection, not more than 1,060 staff years may be funded for the defense studies and analysis FFRDCs: Provided further, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2009 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $57,725,000.

SEC. 8026. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying *in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.*

SEC. 8027. For the purposes of this Act, the term "congressional defense committees" means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8028. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8029. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2008. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8030. Notwithstanding any other provision of law, funds available during the current fiscal year and hereafter for "Drug Interdiction and Counter-Drug Activities, Defense" may be obligated for the Young Marines program.

SEC. 8031. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8032. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of North Dakota, South Dakota, Montana, and Minnesota relocatable military housing units located at Grand Forks Air Force Base and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of North Dakota, South Dakota, Montana, and Minnesota.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term "Indian tribe" means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8033. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8034. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2009 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2009 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2009 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8035. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2009: Provided, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: Provided further, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2009.

SEC. 8036. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8037. Of the funds made available in this Act under the heading "Defense Production Act Purchases", not less than $18,400,000 shall be made available for the competitive, domestic expansion of essential vacuum induction melting furnace capacity and vacuum arc remelting furnace capacity for military aerospace and other defense applications: Provided, That the facility must be owned and operated by an approved supplier to the military departments and to defense industry original equipment manufacturers.

SEC. 8038. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-Wide", not less than $10,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8039. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality-competitive, and available in a timely fashion.

SEC. 8040. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8041. (a) Except as provided in subsection (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program; or

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats.

SEC. 8042. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading "Operation and Maintenance, Defense-Wide" to make grants and supplement other Federal funds in accordance with the guidance provided in the Joint Explanatory Statement of the Committee of Conference to accompany the conference report accompanying this Act.

(RESCISSIONS)

SEC. 8043. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

Procurement, Marine Corps, 2006/2008, $15,000,000;

Aircraft Procurement, Air Force, 2006/2008, $25,786,000;

Procurement of Weapons and Tracked Combat Vehicles, Army, 2007/2009, $2,600,000;

Shipbuilding and Conversion, Navy, 2007/2011, $81,000,000;

Aircraft Procurement, Air Force, 2007/2009, $51,000,000;

Procurement, Defense-Wide, 2007/2009, $15,913,000;

Research, Development, Test and Evaluation, Army, 2007/2008, $13,300,000;

Research, Development, Test and Evaluation, Navy, 2007/2008, $24,000,000;

Research, Development, Test and Evaluation, Air Force, 2007/2008, $167,000,000;

Research, Development, Test and Evaluation, Defense-Wide, 2007/2008, $144,000,000.

SEC. 8044. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8045. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8046. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8047. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: Provided, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8048. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8049. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That this restriction shall not apply to the purchase of "commercial items", as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8050. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8051. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: Provided, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8052. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on International Relations of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8053. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8054. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8055. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subsequent review or investigation

discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: Provided further, That the total amount charged to a current appropriation under this section may not exceed an amount equal to one percent of the total appropriation for that account.

SEC. 8056. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8057. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: Provided, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: Provided further, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8058. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs funded within the National Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8059. Notwithstanding any other provision of law, funds available to the Department of Defense in this Act shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to American Samoa, and funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to the Indian Health Service when it is in conjunction with a civil-military project.

SEC. 8060. None of the funds made available in this Act may be used to approve or license the sale of the F–22A advanced tactical fighter to any foreign government.

SEC. 8061. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8062. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8063. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop, lease or procure the T–AKE class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States by a domestically operated entity: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8064. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8065. Notwithstanding any other provision of law, funds appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide" for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 30 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8066. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8067. Beginning in the current fiscal year and hereafter, refunds attributable to the use of the Government travel card, refunds attributable to the use of the Government Purchase Card and refunds attributable to official Government travel arranged by Government Contracted Travel Management Centers may be credited to operation and maintenance, and research, development, test and evaluation accounts of the Department of Defense which are current when the refunds are received.

SEC. 8068. (a) None of the funds appropriated in this Act may be used for a mission critical or mission essential financial management information technology system (including a system funded by the defense working capital fund) that is not registered with the Chief Information Officer of the Department of Defense. A system shall be considered to be registered with that officer upon the furnishing to that officer of notice of the system, together with such information concerning the system as the Secretary of Defense may prescribe. A financial management information technology system shall be considered a mission critical or mission essential information technology system as defined by the Under Secretary of Defense (Comptroller).

(b)(1) During the current fiscal year, a financial management automated information system, a mixed information system supporting financial and non-financial systems, or a system improvement of more than $1,000,000 may not receive Milestone A approval, Milestone B approval, or full rate production, or their equivalent, within the Department of Defense until the Under Secretary of Defense (Comptroller) certifies, with respect to that milestone, that the system is being developed and managed in accordance with the Department's Financial Management Modernization Plan. The Under Secretary of Defense (Comptroller) may require additional certifications, as appropriate, with respect to any such system.

(2) The Chief Information Officer shall provide the congressional defense committees timely notification of certifications under paragraph (1).

(c)(1) During the current fiscal year, a major automated information system may not receive Milestone A approval, Milestone B approval, or full rate production approval, or their equivalent, within the Department of Defense until the Chief Information Officer certifies, with respect to that milestone, that the system is being developed in accordance with the Clinger-Cohen Act of 1996 (40 U.S.C. 1401 et seq.). The Chief Information Officer may require additional certifications, as appropriate, with respect to any such system.

(2) The Chief Information Officer shall provide the congressional defense committees timely notification of certifications under paragraph

(1). Each such notification shall include a statement confirming that the following steps have been taken with respect to the system:

(A) Business process reengineering.

(B) An analysis of alternatives.

(C) An economic analysis that includes a calculation of the return on investment.

(D) Performance measures.

(E) An information assurance strategy consistent with the Department's Global Information Grid.

(d) For purposes of this section:

(1) The term "Chief Information Officer" means the senior official of the Department of Defense designated by the Secretary of Defense pursuant to section 3506 of title 44, United States Code.

(2) The term "information technology system" has the meaning given the term "information technology" in section 5002 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

SEC. 8069. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: Provided, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8070. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8071. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (AP)", "armor piercing incendiary (API)", or "armor-piercing incendiary-tracer (API–T)", except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8072. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of one year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal non-profit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8073. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State and Guam: Provided further, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8074. Funds available to the Department of Defense for the Global Positioning System during the current fiscal year may be used to fund civil requirements associated with the satellite and ground control segments of such system's modernization program.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8075. Of the amounts appropriated in this Act under the heading "Operation and Maintenance, Army", $34,500,000 shall remain available until expended: Provided, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8076. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2008.

SEC. 8077. In addition to amounts provided elsewhere in this Act, $10,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: Provided, That notwithstanding any other provision of law, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

SEC. 8078. The Secretary of the Air Force is authorized, using funds available under the heading "Operation and Maintenance, Air Force", to complete phased electrical infrastructure upgrades at Hickam Air Force Base.

SEC. 8079. (a) The Secretary of Defense, in coordination with the Secretary of Health and Human Services, may carry out a program to distribute surplus dental and medical equipment of the Department of Defense, at no cost to the Department of Defense, to Indian Health Service facilities and to federally-qualified health centers (within the meaning of section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

(b) In carrying out this provision, the Secretary of Defense shall give the Indian Health Service a property disposal priority equal to the priority given to the Department of Defense and its twelve special screening programs in distribution of surplus dental and medical supplies and equipment.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8080. Of the amounts appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide", $155,572,000 shall be made available for the Arrow missile defense program: Provided, That of this amount, $37,383,000 shall be available for the purpose of producing Arrow missile components in the United States and Arrow missile components and missiles in Israel to meet Israel's defense requirements, consistent with each nation's laws, regulations and procedures, $20,000,000 shall be available for risk mitigation and preliminary design activities for an upper-tier component to the Israeli Missile Defense Architecture, and $37,000,000 shall be available for the Short Range Ballistic Missile Defense (SRBMD) program: Provided further, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: Provided further, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8081. Of the amounts appropriated in this Act under the heading "Shipbuilding and Conversion, Navy", $511,474,000 shall be available until September 30, 2008, to fund prior year shipbuilding cost increases: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer such funds to the following appropriations in the amounts specified: Provided further, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred:

To:

Under the heading "Shipbuilding and Conversion, Navy, 2001/2008":

Carrier Replacement Program, $336,475,000;

Under the heading "Shipbuilding and Conversion, Navy, 2002/2008":

New SSN, $45,000,000;

Under the heading "Shipbuilding and Conversion, Navy, 2003/2008":

New SSN, $40,000,000;

Under the heading "Shipbuilding and Conversion, Navy, 2004/2008":

New SSN, $24,000,000; and

Under the heading "Shipbuilding and Conversion, Navy, 2005/2009":

LPD–17 Amphibious Transport Dock Ship Program, $65,999,000.

SEC. 8082. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific fleet: Provided, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act.

SEC. 8083. Notwithstanding any other provision of law or regulation, the Secretary of Defense may exercise the provisions of section 7403(g) of title 38, United States Code, for occupations listed in section 7403(a)(2) of title 38, United States Code, as well as the following:

Pharmacists, Audiologists, Psychologists, Social Workers, Othotists/Prosthetists, Occupational Therapists, Physical Therapists, Rehabilitation Therapists, Respiratory Therapists, Speech Pathologists, Dietitian/Nutritionists, Industrial Hygienists, Psychology Technicians, *Social Service Assistants, Practical Nurses, Nursing Assistants, and Dental Hygienists:*

(A) The requirements of section 7403(g)(1)(A) of title 38, United States Code, shall apply.

(B) The limitations of section 7403(g)(1)(B) of title 38, United States Code, shall not apply.

SEC. 8084. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2008 until the enactment of the Intelligence Authorization Act for fiscal year 2008.

SEC. 8085. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8086. (a) In addition to the amounts provided elsewhere in this Act, the amount of $990,000 is hereby appropriated to the Department of Defense for "Operation and Maintenance, Army National Guard". Such amount shall be made available to the Secretary of the Army only to make a grant in the amount of $990,000 to the entity specified in subsection (b) to facilitate access by veterans to opportunities for skilled employment in the construction industry.

(b) The entity referred to in subsection (a) is the Center for Military Recruitment, Assessment and Veterans Employment, a nonprofit labor-management co-operation committee provided for by section 302(c)(9) of the Labor-Management Relations Act, 1947 (29 U.S.C. 186(c)(9)), for the purposes set forth in section 6(b) of the Labor Management Cooperation Act of 1978 (29 U.S.C. 175a note).

SEC. 8087. In addition to funds made available elsewhere in this Act, $5,500,000 is hereby appropriated and shall remain available until expended to provide assistance, by grant or otherwise (such as, but not limited to, the provision of funds for repairs, maintenance, construction, and/or for the purchase of information technology, text books, teaching resources), to public schools that have unusually high concentrations of special needs military dependents enrolled: Provided, That in selecting school systems to receive such assistance, special consideration shall be given to school systems in States that are considered overseas assignments, and all schools within these school systems shall be eligible for assistance: Provided further, That up to 2 percent of the total appropriated funds under this section shall be available to support the administration and execution of the funds or program and/or events that promote the purpose of this appropriation (e.g. payment of travel and per diem of school teachers attending conferences or a meeting that promotes the purpose of this appropriation and/or consultant fees for on-site training of teachers, staff, or Joint Venture Education Forum (JVEF) Committee members): Provided further, That up to $2,000,000 shall be available for the Department of Defense to establish a non-profit trust fund to assist in the public-private funding of public school repair and maintenance projects, or provide directly to non-profit organizations who in return will use these monies to provide assistance in the form of repair, maintenance, or renovation to public school systems that have high concentrations of special needs military dependents and are located in States that are considered overseas assignments: Provided further, That to the extent a Federal agency provides this assistance, by contract, grant, or otherwise, it may accept and expend non-Federal funds in combination with these Federal funds to provide assistance for the authorized purpose, if the non-Federal entity requests such assistance and the non-Federal funds are provided on a reimbursable basis.

SEC. 8088. The Department of Defense and the Department of the Army shall make future budgetary and programming plans to fully finance the Non-Line of Sight Future Force cannon (NLOS–C) and a compatible large caliber ammunition resupply capability for this system supported by the Future Combat Systems (FCS) Brigade Combat Team (BCT) in order to field this system in fiscal year 2010: Provided, That the Army shall develop the NLOS–C independent of the broader FCS development timeline to achieve fielding by fiscal year 2010. In addition the Army will deliver eight combat operational pre-production NLOS–C systems by the end of calendar year 2008. These systems shall be in addition to those systems necessary for developmental and operational testing: Provided further, That the Army shall ensure that budgetary and programmatic plans will provide for no fewer than seven Stryker Brigade Combat Teams.

SEC. 8089. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $62,700,000 is hereby appropriated to the Department of Defense: Provided, That the Secretary of Defense shall make grants in the amounts specified as follows: $20,000,000 to the United Service Organizations; $20,000,000 to the Red Cross; $5,000,000 for the SOAR Virtual School District; $3,500,000 for Harnett County/Fort Bragg, North Carolina infrastructure improvements; $2,000,000 to The Presidio Trust; $1,200,000 to the National Bureau of Asian Research; $4,800,000 to the Jamaica Bay Unit of Gateway National Recreation Area; $5,000,000 to the Paralympics Military Program; and, $1,200,000 to the Red Cross Consolidated Blood Services Facility.

SEC. 8090. Up to $3,000,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" in this Act for the Pacific Missile Range Facility may be made available to contract for the repair, maintenance, and operation of adjacent off-base water, drainage, and flood control systems, electrical upgrade to support additional missions critical to base operations, and support for a range footprint expansion to further guard against encroachment.

SEC. 8091. The budget of the President for fiscal year 2009 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: Provided further, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8092. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8093. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: Provided, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8094. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8095. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8096. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: Provided, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: Provided further, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: Provided further, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8097. (a) The total amount appropriated or otherwise made available in titles II, III and IV of this Act is hereby reduced by $506,900,000 for contractor efficiencies.

(b) The Secretary of Defense shall allocate this reduction proportionately to each budget activity, activity group, subactivity group, and each program, project, and activity within each applicable appropriation account.

SEC. 8098. For purposes of section 612 of title 41, United States Code, any subdivision of appropriations made under the heading "Shipbuilding and Conversion, Navy" that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in the current fiscal year or any prior fiscal year.

SEC. 8099. Hereafter, the Secretary of Defense may present promotional materials, including a United States flag, to any member of an Active or Reserve component under the Secretary's jurisdiction who, as determined by the Secretary, participates in Operation Enduring Freedom or Operation Iraqi Freedom, along with other recognition items in conjunction with any week-long national observation and day of national celebration, if established by Presidential proclamation, for any such members returning from such operations.

SEC. 8100. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the Extended Range Multi-Purpose (ERMP) Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8101. Of the funds provided in this Act, $10,000,000 shall be available for the operations and development of training and technology for the Joint Interagency Training and Education Center and the affiliated Center for National Response at the Memorial Tunnel and for providing homeland defense/security and traditional warfighting training to the Department of Defense, other Federal agency, and State and local first responder personnel at the Joint Interagency Training and Education Center.

SEC. 8102. The authority to conduct a continuing cooperative program in the proviso in title II of Public Law 102–368 under the heading "Research, Development, Test and Evaluation, Defense Agencies" (106 Stat. 1121) shall be extended through September 30, 2009, in cooperation with NELHA.

SEC. 8103. Up to $12,000,000 of the funds appropriated under the heading, "Operation and Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: Provided, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: Provided further, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8104. Notwithstanding any other provision of this Act, to reflect savings from revised economic assumptions, the total amount appropriated in title II of this Act is hereby reduced by $470,000,000, the total amount appropriated in title III of this Act is hereby reduced by $506,000,000, the total amount appropriated in title IV of this Act is hereby reduced by $367,000,000, and the total amount appropriated in title V of this Act is hereby reduced by $10,000,000: Provided, That the Secretary of Defense shall allocate this reduction proportionally to each budget activity, activity group, subactivity group, and each program, project, and activity, within each appropriation account.

SEC. 8105. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) or TRICARE shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: Provided, That this limitation does not apply in the case of inpatient mental health services provided under the program for persons with disabilities under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8106. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8107. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, Afghanistan Security Forces Fund, or Iraq Security Forces Fund, and executed in direct support of the Global War on Terrorism only in Iraq and Afghanistan, may be obligated at the time a construction contract is awarded: Provided, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 8108. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2009.

SEC. 8109. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the one percent limitation shall apply to the total amount of the appropriation.

SEC. 8110. Notwithstanding any other provision of law, that not more than 35 percent of funds provided in this Act for environmental remediation may be obligated under indefinite delivery/indefinite quantity contracts with a total contract value of $130,000,000 or higher.

SEC. 8111. The Secretary of Defense shall create a major force program category for space for the Future Years Defense Program of the Department of Defense. The Secretary of Defense shall designate an official in the Office of the Secretary of Defense to provide overall supervision of the preparation and justification of program recommendations and budget proposals to be included in such major force program category.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8112. In addition to funds made available elsewhere in this Act, there is hereby appropriated $150,000,000, to remain available until transferred: Provided, That these funds are appropriated to the "Tanker Replacement Transfer Fund" (referred to as "the Fund" elsewhere in this section): Provided further, That the Secretary of the Air Force may transfer amounts in the Fund to "Operation and Maintenance, Air Force", "Aircraft Procurement, Air Force", and "Research, Development, Test and Evaluation, Air Force", only for the purposes of proceeding with a tanker acquisition program: Provided further, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation or fund to which transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of the Air Force shall, not fewer than 15 days prior to making transfers using funds provided in this section, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

SEC. 8113. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

SEC. 8114. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 8115. Notwithstanding any other provision of law, none of the funds made available in this Act may be used to pay negotiated indirect cost rates on a contract, grant, or cooperative agreement (or similar arrangement) entered into by the Department of Defense and an entity in excess of 35 percent of the total cost of the contract, grant, or agreement (or similar arrangement): Provided, That this limitation shall apply only to contracts, grants, or cooperative agreements entered into after the date of the enactment of this Act using funds made available in this Act for fiscal year 2008 for basic research.

SEC. 8116. Any request for funds for a fiscal year after fiscal year 2008 for an ongoing military operation overseas, including operations in Afghanistan and Iraq, shall be included in the annual budget of the President for such fiscal year as submitted to Congress under section 1105(a) of title 31, United States Code.

SEC. 8117. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to provide award fees to any defense contractor contrary to the provisions of section 814 of the National Defense Authorization Act, Fiscal Year 2007 (Public Law 109–364).

SEC. 8118. From amounts appropriated in this or previous Acts making appropriations for the Department of Defense which remain available for obligation, up to $20,000,000 may be transferred by the Secretary of the Navy to the Secretary of the Department of the Interior for any expenses associated with the construction of the USS ARIZONA Memorial Museum and Visitors Center.

SEC. 8119. (a) Notwithstanding any other provision of law, the Department of Defense shall complete work on the destruction of the United States stockpile of lethal chemical agents and munitions, including those stored at Blue Grass Army Depot, Kentucky, and Pueblo Chemical Depot, Colorado, by the deadline established by the Chemical Weapons Convention, and in no circumstances later than December 31, 2017.

(b) REPORT.—

(1) Not later than December 31, 2007, and every 180 days thereafter, the Secretary of Defense shall submit to the parties described in paragraph (2) a report on the progress of the

Department of Defense toward compliance with this section.

(2) The parties referred to in paragraph (1) are the Speaker of the House of Representatives, the Majority and Minority Leaders of the House of Representatives, the Majority and Minority Leaders of the Senate, and the congressional defense committees.

(3) Each report submitted under paragraph (1) shall include the updated and projected annual funding levels necessary to achieve full compliance with this section. The projected funding levels for each report shall include a detailed accounting of the complete life-cycle costs for each of the chemical disposal projects.

(c) In this section, the term "Chemical Weapons Convention" means the Convention on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, with annexes, done at Paris, January 13, 1993, and entered into force April 29, 1997 (T. Doc. 103–21).

SEC. 8120. Paragraph 1(b) of Rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following: "It is not a gift for a Member (or a Senate employee making a reservation for that Member) to make more than one reservation on scheduled flights with participating airlines when such action assists the Member in conducting official business.".

SEC. 8121. Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall establish and maintain on the homepage of the Internet website of the Department of Defense a direct link to the Internet website of the Office of Inspector General of the Department of Defense.

SEC. 8122. (a) Notwithstanding any other provision of law, and in addition to amounts otherwise made available by this Act, there is appropriated $11,630,000,000 for the "Mine Resistant Ambush Protected Vehicle Fund", to remain available until September 30, 2008.

(b) The funds provided by subsection (a) shall be available to the Secretary of Defense to continue technological research and development and upgrades, to procure Mine Resistant Ambush Protected vehicles and associated support equipment, and to sustain, transport, and field Mine Resistant Ambush Protected vehicles.

(c)(1) The Secretary of Defense shall transfer funds provided by subsection (a) to appropriations for operation and maintenance; procurement; and research, development, test and evaluation to accomplish the purposes specified in subsection (b). Such transferred funds shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred.

(2) The transfer authority provided by this subsection shall be in addition to any other transfer authority available to the Department of Defense.

(3) The Secretary of Defense shall, not less than 5 days prior to making any transfer under this subsection, notify the congressional defense committees in writing of the details of the transfer.

(d) The amount provided by this section is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

This division may be cited as the "Department of Defense Appropriations Act, 2008".

DIVISION B—FURTHER CONTINUING APPROPRIATIONS, 2008

SEC. 101. Public Law 110–92 is amended by striking the date specified in section 106(3) and inserting "December 14, 2007".

SEC. 102. Public Law 110–92 is amended by adding at the end the following new sections:

"SEC. 151. The authority provided by section 113(e) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(e)) shall continue in effect through the date specified in section 106(3) of this joint resolution.

"SEC. 152. Notwithstanding section 101, amounts are provided for 'Department of Commerce—Bureau of the Census—Periodic Censuses and Programs' at a rate for operations of $1,025,398,000.

"SEC. 153. Any obligation made pursuant to this joint resolution prior to the enactment of the Department of Defense Appropriations Act, 2008 that relates to an amount provided in title IX of division A of Public Law 109–289, but is not chargeable under section 107 of this joint resolution to an appropriation, fund, or authorization contained in such 2008 Act, is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

"SEC. 154. Notwithstanding any other provision of this joint resolution, there is appropriated for payment to Charles Davis, widower of Jo Ann Davis, a late Representative from the State of Virginia, $165,200.

"SEC. 155. Notwithstanding section 101, amounts are provided for the following accounts of the Department of Veterans Affairs at the following rates for operations: 'Veterans Health Administration—Medical Services', $27,167,671,000; 'Veterans Health Administration—Medical Administration', $3,442,000,000; 'Veterans Health Administration—Medical Facilities', $3,592,000,000; 'Veterans Health Administration—Medical and Prosthetic Research', $411,000,000; 'Departmental Administration—General Operating Expenses', $1,471,837,000; 'Departmental Administration—National Cemetery Administration', $166,809,000; 'Departmental Administration—Office of Inspector General', $72,599,000; 'Departmental Administration—Information Technology Systems', $1,859,217,000; 'Departmental Administration—Construction, Major Projects', $727,400,000; 'Departmental Administration—Construction, Minor Projects', $233,396,000; 'Departmental Administration—Grants for Construction of State Extended Care Facilities', $85,000,000; and 'Departmental Administration—Grants for Construction of State Veterans Cemeteries', $32,000,000.

"SEC. 156. Section 44303(b) of title 49, United States Code, shall be applied by substituting the date specified in section 106(3) of this joint resolution for 'December 31, 2006'.

"SEC. 157. (a) Notwithstanding any other provision of this joint resolution, and in addition to amounts otherwise available by this joint resolution, there is appropriated $329,000,000 for 'Department of Agriculture—Forest Service—Wildland Fire Management', to remain available until expended. Of such funds—

"(1) $110,000,000 shall be available for emergency wildfire suppression;

"(2) $100,000,000 shall be used within 15 days of the enactment of this section for repayment to other accounts from which such funds were transferred in fiscal year 2007 for wildfire suppression so that all such transfers for fiscal year 2007 are fully repaid;

"(3) $80,000,000 shall be available for hazardous fuels reduction and hazard mitigation activities, of which $30,000,000 is available for work on State and private lands using all the authorities available to the Forest Service;

"(4) $25,000,000 shall be available for rehabilitation and restoration of Federal lands; and

"(5) $14,000,000 shall be available for reconstruction and construction of Federal facilities and may be transferred to and merged with 'Forest Service—Capital Improvement and Maintenance'.

"(b) Notwithstanding any other provision of this joint resolution, and in addition to amounts otherwise available by this joint resolution, there is appropriated $171,000,000 for 'Department of the Interior—Bureau of Land Management—Wildland Fire Management', to remain available until expended. Of such funds—

"(1) $40,000,000 shall be available for emergency wildfire suppression;

"(2) $115,000,000 shall be used within 30 days of enactment of this section for repayment to other accounts from which such funds were transferred in fiscal year 2007 for wildfire suppression so that all such transfers for fiscal year 2007 are fully repaid;

"(3) $10,000,000 shall be available for hazardous fuels reduction activities; and

"(4) $6,000,000 shall be available for rehabilitation and restoration of Federal lands.

"(c) Each amount provided by this section is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

"SEC. 158. (a) Notwithstanding any other provision of this joint resolution, and in addition to amounts otherwise made available by this joint resolution, there is appropriated $2,900,000,000 for 'Department of Homeland Security—Federal Emergency Management Agency—Disaster Relief', to remain available until expended.

"(b) The amount provided by this section is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

"SEC. 159. (a) Notwithstanding any other provision of this joint resolution, and in addition to amounts otherwise made available by this joint resolution, there is appropriated $3,000,000,000 for 'Department of Housing and Urban Development—Community Planning and Development—Community Development Fund', to remain available until expended, to enable the Secretary of Housing and Urban Development to make a grant or grants to the State of Louisiana solely for the purpose of covering costs associated with otherwise uncompensated but eligible claims that were filed on or before July 31, 2007 under the Road Home program administered by the State in accordance with plans approved by the Secretary.

"(b) In allocating funds under this section, the Secretary of Housing and Urban Development shall ensure that such funds serve only to supplement and not supplant any other State or Federal resources committed to the Road Home program. No funds shall be drawn from the Treasury under this section beyond those necessary to fulfill the exclusive purpose of this section.

"(c) The amount provided by this section is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.".

And the Senate agree to the same.

JOHN P. MURTHA,
NORMAN D. DICKS,
PETER J. VISCLOSKY,
JAMES P. MORAN,
MARCY KAPTUR,
BUD CRAMER,
ALLEN BOYD,
STEVEN R. ROTHMAN,
SANFORD D. BISHOP, Jr.,
DAVID OBEY,
BILL YOUNG,
DAVE HOBSON,
R.P. FRELINGHUYSEN,
TODD TIAHRT,
ROGER F. WICKER,
Managers on the Part of the House.

Daniel K. Inouye,
Robert C. Byrd,
Patrick J. Leahy,
Tom Harkin,
Byron L. Dorgan,
Dick Durbin,
Dianne Feinstein,
Barbara A. Mikulski,
Herb Kohl,
Patty Murray,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT

DIVISION A—DEPARTMENT OF DEFENSE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3222), making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on the Department of Defense Appropriations Act, 2008, incorporates some of the provisions of both the House and Senate versions of the bill. The language and allocations set forth in House Report 110–279 and Senate Report 110–155 should be complied with unless specifically addressed to the contrary in the accompanying bill and statement of the managers.

The Senate amendment deleted the entire House bill after the enacting clause and inserted new language. The conference agreement includes revised language.

Definition of Program, Project, and Activity

The conferees agree that for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100–119) and by the Budget Enforcement Act of 1990 (Public Law 101–508), the term program, project, and activity for appropriations contained in this Act shall be defined as the most specific level of budget items identified in the Department of Defense Appropriations Act, 2008, the accompanying House and Senate Committee reports, the conference report and accompanying joint explanatory statement of the managers of the committee of conference, the related classified annexes and reports, and the P–1 and R–1 budget justification documents as subsequently modified by Congressional action. The following exception to the above definition shall apply: for the Military Personnel and the Operation and Maintenance accounts, for which the term 'program, project, and activity' is defined as the appropriations accounts contained in the Department of Defense Appropriations Act.

At the time the President submits his budget for fiscal year 2009, the conferees direct the Department of Defense to transmit to the congressional defense committees budget justification documents to be known as the 'M–1' and 'O–1' which shall identify, at the budget activity, activity group, and subactivity group level, the amounts requested by the President to be appropriated to the Department of Defense for military personnel and operation and maintenance in any budget request, or amended budget request, for fiscal year 2009.

Fiscal Management

The conferees are concerned that there has been an erosion of fiscal discipline within the Department of Defense and recommend that the Secretary of Defense re-establish a thorough and deliberative process for assessing and prioritizing resource requirements. With regard to budget execution, the conferees direct the Department to cease the reallocation of funds through a re-baselining procedure, and further direct the Department to comply fully with all reprogramming procedures. The conferees have retained and modified a general provision, as proposed by the House, which requires the Department to submit DD 1414 documents within 60 days after the enactment of this Act. In addition, the provision prohibits the Department from executing any reprogramming or transfer of funds for any purpose other than originally appropriated until the aforementioned report is submitted to the Committees on Appropriations of the Senate and the House of Representatives.

Beginning in fiscal year 2008, the conferees direct incremental changes to reprogramming guidelines in the operation and maintenance appropriations. The conferees believe that a revision is necessary given the unique nature of activities funded within these appropriations, continuing concerns about force readiness, and recent budget execution within these accounts. If there is no improvement in the execution of operation and maintenance funding as budgeted, further change to reprogramming thresholds and guidelines will be considered next year. The specific revisions to current reprogramming procedures are addressed later in this report in Title II, Operation and Maintenance.

Contracted Services and Acquisition Management

The Department lacks accountability and management of its contracted services. Over the past several years, DoD has increasingly relied on private sector contractors, but it has not provided sufficient management oversight of its contractors. To improve contract management oversight, the conferees direct the Department to provide more robust staffing of contractor management and oversight personnel, for which the following additional funding has been provided:

Defense Contract Audit Agency	+$10,000,000
Defense Contract Management Agency	+14,000,000
Defense Inspector General	+24,000,000

In addition, the conferees believe that the Department must improve its management of contract services by instituting clear accountability mechanisms; instituting unambiguous and short chains of command to the most-senior decision makers; and improving the tracking and reporting of contract service costs and management of contract service performance. The conferees encourage the Department of Defense to increase its use of GSA Acquisition Services for its contracting in appropriate instances. In order to track improvement in this area, the conferees direct the Director of Defense Procurement and Acquisition Policy for the Under Secretary of Acquisition, Technology and Logistics to submit biannual reports to the congressional defense committees regarding: the Department's efforts to increase its use of GSA for contracting and procurement activities; and, how the Department and GSA can further collaborate to decrease defense contracting costs and reliance on contract personnel for activities that are inherently governmental in nature. The conference agreement does not provide for the transfer of any GSA employees to the Department of Defense.

Minimum Standards for Contracted Security Service Personnel

The conferees direct the Secretary of Defense to develop, no later than 90 days after the enactment of this Act, uniform minimum personnel standards for all contract personnel operating under contracts, subcontracts or task orders performing private security functions. The standards, at a minimum, must include determinations about contractors using personnel with criminal histories; must determine the eligibility of all private contract personnel to possess and carry firearms; and determine what assessments of medical and mental fitness of contracted security personnel must be undertaken. The Secretary of Defense shall develop a mechanism for contract accountability that specifies consequences for noncompliance with the personnel standards, including fines, denial of contractual obligations or contract rescission. Finally, the Secretary is directed to establish a clear set of rules of engagement for all contracted security personnel operating in the Iraq and Afghanistan theaters of operations. The Secretary shall submit the prescribed standards to the congressional defense committees once the 90-day period referenced above is completed.

Classified Annex

Adjustments to classified programs are addressed in the classified annex accompanying this report.

TITLE I - MILITARY PERSONNEL

The conference agreement provides $105,292,237,000 in Title I, Military Personnel, instead of $105,017,776,000 as proposed by the House and $105,522,341,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
RECAPITULATION				
MILITARY PERSONNEL, ARMY	31,623,865	31,346,005	31,734,076	31,535,016
MILITARY PERSONNEL, NAVY	23,305,233	23,300,801	23,338,772	23,318,476
MILITARY PERSONNEL, MARINE CORPS	10,278,031	10,269,914	10,291,831	10,280,180
MILITARY PERSONNEL, AIR FORCE	24,097,354	24,379,214	24,155,054	24,194,914
RESERVE PERSONNEL, ARMY	3,734,620	3,629,620	3,672,440	3,684,610
RESERVE PERSONNEL, NAVY	1,797,685	1,776,885	1,801,985	1,790,136
RESERVE PERSONNEL, MARINE CORPS	594,872	513,472	595,372	583,108
RESERVE PERSONNEL, AIR FORCE	1,370,479	1,365,679	1,368,897	1,363,779
NATIONAL GUARD PERSONNEL, ARMY	5,959,149	5,815,017	5,947,354	5,924,699
NATIONAL GUARD PERSONNEL, AIR FORCE	2,642,410	2,621,169	2,616,560	2,617,319
GRAND TOTAL, MILITARY PERSONNEL	105,403,698	105,017,776	105,522,341	105,292,237

Summary of Military Personnel End Strength

	Fiscal Year 2008		
	Budget Request	Conference	Change from Request
Active Forces (End Strength)			
Army	489,400	489,400	-
Navy	328,400	328,400	-
Marine Corps	180,000	180,000	-
Air Force	328,600	328,600	-
Total, Active Forces	1,326,400	1,326,400	-
Selected Reserve (End Strength)			
Army Reserve	205,000	205,000	-
Navy Reserve	67,800	67,800	-
Marine Corps Reserve	39,600	39,600	-
Air Force Reserve	67,500	67,500	-
Army National Guard	351,300	351,300	-
Air National Guard	106,700	106,700	-
Total, Selected Reserve	837,900	837,900	-
Total, Military Personnel	2,164,300	2,164,300	-

Summary of Guard and Reserve Full-Time Support

	Fiscal Year 2008		
	Budget Request	Conference	Change from Request
Army Reserve:			
AGR	15,870	15,870	-
Technicians	8,844	8,844	-
Navy Reserve:			
AR	11,579	11,579	-
Marine Corps Reserve:			
AR	2,261	2,261	-
Air Force Reserve:			
AGR	2,721	2,721	-
Technicians	9,999	9,999	-
Army National Guard:			
AGR	29,204	29,204	-
Technicians	28,102	28,102	-
Air National Guard:			
AGR	13,936	13,936	-
Technicians	22,903	22,903	-
Totals:			
AGR/AR	75,571	75,571	-
Technicians	69,848	69,848	-
Total Full-Time Support	145,419	145,419	-

RESERVE COMPONENT BUDGET STRUCTURE

The conferees recognize the advantages of a consolidated budget activity (BA) in providing additional spending flexibility to the reserve components, particularly in light of the evolving mobilization and training needs resulting from operations in Iraq and Afghanistan. However, while notionally supportive of the concept, the conferees note with concern that many reserve components continue to realign significant amounts of funding within the single BA structure and, for this reason, have refrained from making the consolidated structure permanent. Accordingly, the conferees direct each of the reserve components to continue providing quarterly reports to the congressional defense committees showing transfers between line items within the military personnel appropriations. The reports will provide separate explanations for all transfers in and out of each appropriation line item that equal, exceed, or cumulate to $5,000,000. Reports will provide a beginning and ending total by line item and will be due 30 days following the end of each quarter. Reserve component fiscal year 2009 budget requests for military personnel may be submitted using the consolidated budget activity structure.

Further, the lack of transparency over total compensation costs for the reserve components remains a concern. The conferees reiterate their desire for the Department of Defense to develop an effective and substantive reporting mechanism to disseminate this information to the appropriate congressional committees.

PAID INACTIVE DUTY TRAINING (IDT) TRAVEL

The conferees support the selective use of paid Inactive Duty Training (IDT) travel to help mitigate critical skills shortages and to assist those members of the Selected Reserve who have been adversely impacted by the 2005 Base Realignment and Closure recommendations. Accordingly, the conferees encourage the Department of Defense to include in its fiscal year 2009 budget request funding for paid IDT travel as deemed necessary to meet personnel requirements.

TROOPS-TO-NURSES TEACHERS (TNT) PROGRAM

The conferees remain concerned over recruitment and retention levels for nurses in the military and believe that the national nursing shortage exacerbates the situation. Given our current wartime environment, additional efforts must be taken to attract and retain qualified personnel. The Military Medical Commands cannot afford to leave nursing billets vacant due to difficulties in recruiting and retention. In July 2007, the Department submitted the Report to Congress on the Impact of the Nursing Shortage on the Military Healthcare Delivery System. This report details incentives and recommendations to improve recruitment and retention of experienced nurses, including the Troops-to-Nurse Teachers (TNT) Program. The conferees direct the military services to utilize available resources for these programs in an attempt to reverse this trend in Military Treatment Facilities and provide a report to the congressional defense committees by February 29, 2008, on these efforts.

MILITARY PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
50 MILITARY PERSONNEL, ARMY				
100 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS				
150 BASIC PAY	5,137,031	5,117,031	5,137,031	5,127,031
200 RETIRED PAY ACCRUAL	1,489,739	1,489,739	1,489,739	1,489,739
300 BASIC ALLOWANCE FOR HOUSING	1,288,637	1,288,637	1,288,637	1,288,637
350 BASIC ALLOWANCE FOR SUBSISTENCE	197,500	197,500	197,500	197,500
400 INCENTIVE PAYS	99,510	99,510	99,510	99,510
450 SPECIAL PAYS	232,463	214,707	232,463	214,707
500 ALLOWANCES	143,196	143,196	143,196	143,196
550 SEPARATION PAY	77,884	77,884	77,884	77,884
600 SOCIAL SECURITY TAX	373,205	373,205	373,205	373,205
700 TOTAL, BUDGET ACTIVITY 1	9,039,165	9,001,409	9,039,165	9,011,409
750 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
800 BASIC PAY	10,859,600	10,855,600	10,859,600	10,859,600
850 RETIRED PAY ACCRUAL	3,149,284	3,149,284	3,149,284	3,149,284
950 BASIC ALLOWANCE FOR HOUSING	3,360,194	3,360,194	3,360,194	3,360,194
1000 INCENTIVE PAYS	95,106	95,106	95,106	95,106
1050 SPECIAL PAYS	700,337	629,033	700,337	629,033
1100 ALLOWANCES	633,920	633,920	633,920	633,920
1150 SEPARATION PAY	256,285	256,285	256,285	256,285
1250 SOCIAL SECURITY TAX	830,759	830,759	830,759	830,759
1350 TOTAL, BUDGET ACTIVITY 2	19,885,485	19,810,181	19,885,485	19,814,181
1400 ACTIVITY 3: PAY AND ALLOW OF CADETS				
1450 ACADEMY CADETS	56,113	56,113	56,113	56,113
1500 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL				
1550 BASIC ALLOWANCE FOR SUBSISTENCE	819,256	819,256	819,256	819,256
1600 SUBSISTENCE-IN-KIND	648,565	648,565	648,565	648,565
1650 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	625	625	625	625
1750 TOTAL, BUDGET ACTIVITY 4	1,468,446	1,468,446	1,468,446	1,468,446

(In thousands of dollars)

	Budget	House	Senate	Conference
1800 ACTIVITY 5: PERMANENT CHANGE OF STATION				
1850 ACCESSION TRAVEL	234,015	224,015	234,015	229,015
1900 TRAINING TRAVEL	77,168	57,168	77,168	67,168
1950 OPERATIONAL TRAVEL	253,529	233,529	253,529	243,529
2000 ROTATIONAL TRAVEL	420,469	420,469	420,469	420,469
2050 SEPARATION TRAVEL	143,336	143,336	143,336	143,336
2100 TRAVEL OF ORGANIZED UNITS	10,429	10,429	10,429	10,429
2150 NON-TEMPORARY STORAGE	23,029	23,029	23,029	23,029
2200 TEMPORARY LODGING EXPENSE	41,030	41,030	41,030	41,030
2300 TOTAL, BUDGET ACTIVITY 5	1,203,005	1,153,005	1,203,005	1,178,005
2350 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS				
2400 APPREHENSION OF MILITARY DESERTERS	845	845	845	845
2450 INTEREST ON UNIFORMED SERVICES SAVINGS	4,367	4,367	4,367	4,367
2500 DEATH GRATUITIES	42,609	42,609	42,609	42,609
2550 UNEMPLOYMENT BENEFITS	85,172	85,172	85,172	85,172
2650 EDUCATION BENEFITS	2,184	2,184	2,184	2,184
2700 ADOPTION EXPENSES	470	470	470	470
2800 TRANSPORTATION SUBSIDY	7,224	7,224	7,224	7,224
2850 PARTIAL DISLOCATION ALLOWANCE	2,284	2,284	2,284	2,284
2860 RESERVE OFFICERS TRAINING CORPS (ROTC)	111,567	111,567	111,567	111,567
2870 JUNIOR ROTC	30,027	30,027	30,027	30,027
2950 TOTAL, BUDGET ACTIVITY 6	286,749	286,749	286,749	286,749
3000 LESS REIMBURSABLES	-315,098	-315,098	-315,098	-315,098
3050 UNDISTRIBUTED ADJUSTMENT	---	-114,800	110,211	35,211
3300 TOTAL, ACTIVE FORCES, ARMY	31,623,865	31,346,005	31,734,076	31,535,016
6300 TOTAL, MILITARY PERSONNEL, ARMY	31,623,865	31,346,005	31,734,076	31,535,016

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Conference
MILITARY PERSONNEL, ARMY				
BA-1: PAY AND ALLOWANCES OF OFFICERS				
BASIC PAY	**5,137,031**	**5,117,031**	**5,137,031**	**5,127,031**
Excess to Need for "Grow-the-Force" Increase		-20,000		-10,000
SPECIAL PAYS	**232,463**	**214,707**	**232,463**	**214,707**
Hardship Duty Pay - Deferred Consideration to GWOT Supplemental		-7,560		-7,560
Foreign Language Proficiency Pay - Deferred Consideration to GWOT Supplemental		-10,196		-10,196
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
BASIC PAY	**10,859,600**	**10,855,600**	**10,859,600**	**10,859,600**
Excess to Need for "Grow-the-Force" Increase		-4,000		0
SPECIAL PAYS	**700,337**	**629,033**	**700,337**	**629,033**
Hardship Duty Pay - Deferred Consideration to GWOT Supplemental		-45,000		-45,000
Foreign Language Proficiency Pay - Deferred Consideration to GWOT Supplemental		-26,304		-26,304
BA-5: PERMANENT CHANGE OF STATION				
ACCESSION TRAVEL	**234,015**	**224,015**	**234,015**	**229,015**
Excessive Growth		-10,000		-5,000
TRAINING TRAVEL	**77,168**	**57,168**	**77,168**	**67,168**
Excessive Growth		-20,000		-10,000
OPERATIONAL TRAVEL	**253,529**	**233,529**	**253,529**	**243,529**
Excessive Growth		-20,000		-10,000
Authorized Basic Pay Increase		**110,200**	**110,211**	**110,211**
Prior Year Underexecution		**-150,000**		**-75,000**
Authorized Reduction: Flexible Management of Deployment of Members		**-75,000**		**0**

MILITARY PERSONNEL, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
6350 MILITARY PERSONNEL, NAVY				
6400 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS				
6450 BASIC PAY	3,316,590	3,307,290	3,316,590	3,316,590
6500 RETIRED PAY ACCRUAL	960,710	960,710	960,710	960,710
6600 BASIC ALLOWANCE FOR HOUSING	1,073,826	1,073,826	1,073,826	1,073,826
6650 BASIC ALLOWANCE FOR SUBSISTENCE	121,738	121,738	121,738	121,738
6700 INCENTIVE PAYS	176,341	176,341	176,341	176,341
6750 SPECIAL PAYS	344,512	340,512	344,512	340,512
6800 ALLOWANCES	114,796	114,796	114,796	114,796
6850 SEPARATION PAY	34,683	34,683	34,683	34,683
6900 SOCIAL SECURITY TAX	252,117	252,117	252,117	252,117
7000 TOTAL, BUDGET ACTIVITY 1	6,395,313	6,382,013	6,395,313	6,391,313
7050 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
7100 BASIC PAY	7,724,419	7,701,719	7,724,419	7,724,419
7150 RETIRED PAY ACCRUAL	2,237,935	2,237,935	2,237,935	2,237,935
7250 BASIC ALLOWANCE FOR HOUSING	3,127,841	3,127,841	3,127,841	3,127,841
7300 INCENTIVE PAYS	105,469	105,469	105,469	105,469
7350 SPECIAL PAYS	899,765	876,333	899,765	876,333
7400 ALLOWANCES	612,990	612,990	612,990	612,990
7450 SEPARATION PAY	149,962	149,962	149,962	149,962
7550 SOCIAL SECURITY TAX	585,990	585,990	585,990	585,990
7650 TOTAL, BUDGET ACTIVITY 2	15,444,371	15,398,239	15,444,371	15,420,939
7700 ACTIVITY 3: PAY AND ALLOWANCES OF MIDSHIPMEN				
7750 MIDSHIPMEN	61,472	61,472	61,472	61,472
7800 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL				
7850 BASIC ALLOWANCE FOR SUBSISTENCE	591,589	591,589	591,589	591,589
7900 SUBSISTENCE-IN-KIND	344,721	344,721	344,721	344,721
7950 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	22	22	22	22
8050 TOTAL, BUDGET ACTIVITY 4	936,332	936,332	936,332	936,332

(In thousands of dollars)

	Budget	House	Senate	Conference
8100 ACTIVITY 5: PERMANENT CHANGE OF STATION				
8150 ACCESSION TRAVEL	63,361	63,361	63,361	63,361
8200 TRAINING TRAVEL	60,933	60,933	60,933	60,933
8250 OPERATIONAL TRAVEL	183,330	183,330	183,330	183,330
8300 ROTATIONAL TRAVEL	269,742	269,742	269,742	269,742
8350 SEPARATION TRAVEL	99,129	99,129	99,129	99,129
8400 TRAVEL OF ORGANIZED UNITS	19,103	19,103	19,103	19,103
8450 NON-TEMPORARY STORAGE	7,243	7,243	7,243	7,243
8500 TEMPORARY LODGING EXPENSE	6,523	6,523	6,523	6,523
8550 OTHER	6,272	6,272	6,272	6,272
8650 TOTAL, BUDGET ACTIVITY 5	715,636	715,636	715,636	715,636
8700 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS				
8750 APPREHENSION OF MILITARY DESERTERS	741	741	741	741
8800 INTEREST ON UNIFORMED SERVICES SAVINGS	880	880	880	880
8850 DEATH GRATUITIES	25,400	25,400	25,400	25,400
8900 UNEMPLOYMENT BENEFITS	35,412	35,412	35,412	35,412
9000 EDUCATION BENEFITS	7,925	7,925	7,925	7,925
9050 ADOPTION EXPENSES	254	254	254	254
9150 TRANSPORTATION SUBSIDY	5,958	5,958	5,958	5,958
9202 PARTIAL DISLOCATION ALLOWANCE	1,065	1,065	1,065	1,065
9210 RESERVE OFFICERS TRAINING CORPS (ROTC)	20,050	20,050	20,050	20,050
9220 JUNIOR R.O.T.C.	13,217	13,217	13,217	13,217
9300 TOTAL, BUDGET ACTIVITY 6	110,902	110,902	110,902	110,902
9350 LESS REIMBURSABLES	-358,793	-358,793	-358,793	-358,793
9400 UNDISTRIBUTED ADJUSTMENT	---	55,000	57,300	57,175
9630 AUTHORIZED END STRENGTH	---	---	-23,761	-16,500
9650 TOTAL, ACTIVE FORCES, NAVY	23,305,233	23,300,801	23,338,772	23,318,476
11330 TOTAL, MILITARY PERSONNEL, NAVY	23,305,233	23,300,801	23,338,772	23,318,476

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Conference
MILITARY PERSONNEL, NAVY				
BA-1: PAY AND ALLOWANCES OF OFFICERS				
BASIC PAY	3,316,590	3,307,290	3,316,590	3,316,590
Underexecution of End Strength		-9,300		0
SPECIAL PAYS	344,512	340,512	344,512	340,512
Foreign Language Proficiency Pay - Deferred Consideration to GWOT Supplemental		-4,000		-4,000
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
BASIC PAY	7,724,419	7,701,719	7,724,419	7,724,419
Underexecution of End Strength		-22,700		0
SPECIAL PAYS	899,765	876,333	899,765	876,333
Hardship Duty Pay - Deferred Consideration to GWOT Supplemental		-7,432		-7,432
Foreign Language Proficiency Pay - Deferred Consideration to GWOT Supplemental		-16,000		-16,000
Authorized Basic Pay Increase		58,000	57,300	57,175
Authorized End Strength			-23,761	-16,500
Authorized Reduction: Flexible Management of Deployment of Members		-3,000		0

MILITARY PERSONNEL, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
11400 MILITARY PERSONNEL, MARINE CORPS				
11450 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS				
11500 BASIC PAY	1,194,344	1,194,344	1,194,344	1,194,344
11550 RETIRED PAY ACCRUAL	346,360	346,360	346,360	346,360
11650 BASIC ALLOWANCE FOR HOUSING	338,709	338,709	338,709	338,709
11700 BASIC ALLOWANCE FOR SUBSISTENCE	44,616	44,616	44,616	44,616
11750 INCENTIVE PAYS	49,440	49,440	49,440	49,440
11800 SPECIAL PAYS	8,923	5,821	8,923	5,821
11850 ALLOWANCES	24,451	24,451	24,451	24,451
11900 SEPARATION PAY	13,659	13,659	13,659	13,659
11950 SOCIAL SECURITY TAX	91,481	91,481	91,481	91,481
12050 TOTAL, BUDGET ACTIVITY 1	2,111,983	2,108,881	2,111,983	2,108,881
12100 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
12150 BASIC PAY	3,926,974	3,926,974	3,926,974	3,926,974
12200 RETIRED PAY ACCRUAL	1,138,720	1,138,720	1,138,720	1,138,720
12300 BASIC ALLOWANCE FOR HOUSING	1,109,129	1,109,129	1,109,129	1,109,129
12350 INCENTIVE PAYS	8,360	8,360	8,360	8,360
12400 SPECIAL PAYS	381,160	378,145	381,160	378,145
12450 ALLOWANCES	242,372	242,372	242,372	242,372
12500 SEPARATION PAY	77,200	77,200	77,200	77,200
12600 SOCIAL SECURITY TAX	300,414	300,414	300,414	300,414
12700 TOTAL, BUDGET ACTIVITY 2	7,184,329	7,181,314	7,184,329	7,181,314
12750 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL				
12800 BASIC ALLOWANCE FOR SUBSISTENCE	336,758	336,758	336,758	336,758
12850 SUBSISTENCE-IN-KIND	260,978	260,978	260,978	260,978
12900 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	750	750	750	750
13000 TOTAL, BUDGET ACTIVITY 4	598,486	598,486	598,486	598,486

(In thousands of dollars)

	Budget	House	Senate	Conference
13050 ACTIVITY 5: PERMANENT CHANGE OF STATION				
13100 ACCESSION TRAVEL	47,877	47,877	47,877	47,877
13150 TRAINING TRAVEL	9,798	9,798	9,798	9,798
13200 OPERATIONAL TRAVEL	91,399	91,399	91,399	91,399
13250 ROTATIONAL TRAVEL	126,787	126,787	126,787	126,787
13300 SEPARATION TRAVEL	53,545	53,545	53,545	53,545
13350 TRAVEL OF ORGANIZED UNITS	1,781	1,781	1,781	1,781
13400 NON-TEMPORARY STORAGE	5,430	5,430	5,430	5,430
13450 TEMPORARY LODGING EXPENSE	13,046	13,046	13,046	13,046
13500 OTHER	2,561	2,561	2,561	2,561
13600 TOTAL, BUDGET ACTIVITY 5	352,224	352,224	352,224	352,224
13650 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS				
13700 APPREHENSION OF MILITARY DESERTERS	1,710	1,710	1,710	1,710
13750 INTEREST ON UNIFORMED SERVICES SAVINGS	18	18	18	18
13800 DEATH GRATUITIES	16,800	16,800	16,800	16,800
13850 UNEMPLOYMENT BENEFITS	30,604	30,604	30,604	30,604
13950 EDUCATION BENEFITS	1,172	1,172	1,172	1,172
14000 ADOPTION EXPENSES	470	470	470	470
14100 TRANSPORTATION SUBSIDY	2,007	2,007	2,007	2,007
14155 PARTIAL DISLOCATION ALLOWANCE	713	713	713	713
14160 JUNIOR R.O.T.C.	4,184	4,184	4,184	4,184
14250 TOTAL, BUDGET ACTIVITY 6	57,678	57,678	57,678	57,678
14300 LESS REIMBURSABLES	-26,669	-26,669	-26,669	-26,669
14315 UNOBLIGATED BALANCES	---	---	-13,000	-20,000
14350 UNDISTRIBUTED ADJUSTMENT	---	-2,000	26,800	28,266
14600 TOTAL, ACTIVE FORCES, MARINE CORPS	10,278,031	10,269,914	10,291,831	10,280,180
16230 TOTAL, MILITARY PERSONNEL, MARINE CORPS	10,278,031	10,269,914	10,291,831	10,280,180

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Conference
MILITARY PERSONNEL, MARINE CORPS				
BA-1: PAY AND ALLOWANCES OF OFFICERS				
SPECIAL PAYS	8,923	5,821	8,923	5,821
Foreign Language Proficiency Pay - Deferred Consideration to GWOT Supplemental		-3,102		-3,102
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
SPECIAL PAYS	381,160	378,145	381,160	378,145
Foreign Language Proficiency Pay - Deferred Consideration to GWOT Supplemental		-3,015		-3,015
Authorized Basic Pay Increase		33,000	26,800	28,266
Prior Year Underexecution/Unobligated Balances		-20,000	-13,000	-20,000
Authorized Reduction: Flexible Management of Deployment of Members		-15,000		0

MILITARY PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
16300 MILITARY PERSONNEL, AIR FORCE				
16350 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS				
16400 BASIC PAY	4,265,227	4,234,227	4,265,227	4,234,227
16450 RETIRED PAY ACCRUAL	1,236,917	1,236,917	1,236,917	1,236,917
16550 BASIC ALLOWANCE FOR HOUSING	1,106,804	1,106,804	1,106,804	1,106,804
16600 BASIC ALLOWANCE FOR SUBSISTENCE	156,328	156,328	156,328	156,328
16650 INCENTIVE PAYS	293,725	293,725	293,725	293,725
16700 SPECIAL PAYS	214,947	202,352	213,647	202,352
16750 ALLOWANCES	122,307	122,307	122,307	122,307
16800 SEPARATION PAY	308,588	294,588	308,588	308,588
16850 SOCIAL SECURITY TAX	324,900	324,900	324,900	324,900
16950 TOTAL, BUDGET ACTIVITY 1	8,029,743	7,972,148	8,028,443	7,986,148
17000 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
17050 BASIC PAY	7,812,430	7,817,730	7,812,430	7,812,430
17100 RETIRED PAY ACCRUAL	2,265,606	2,265,606	2,265,606	2,265,606
17200 BASIC ALLOWANCE FOR HOUSING	2,528,554	2,528,554	2,528,554	2,528,554
17250 INCENTIVE PAYS	36,224	36,224	36,224	36,224
17300 SPECIAL PAYS	234,379	177,534	228,379	177,534
17350 ALLOWANCES	520,062	520,062	520,062	520,062
17450 SEPARATION PAY	123,691	93,691	123,691	123,691
17500 SOCIAL SECURITY TAX	597,651	597,651	597,651	597,651
17600 TOTAL, BUDGET ACTIVITY 2	14,118,597	14,037,052	14,112,597	14,061,752
17650 ACTIVITY 3: PAY AND ALLOWANCES OF CADETS				
17700 ACADEMY CADETS	59,942	59,942	59,942	59,942
17750 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERS				
17800 BASIC ALLOWANCE FOR SUBSISTENCE	750,602	750,602	750,602	750,602
17850 SUBSISTENCE-IN-KIND	152,792	152,792	152,792	152,792
17900 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	143	143	143	143
18000 TOTAL, BUDGET ACTIVITY 4	903,537	903,537	903,537	903,537

(In thousands of dollars)

	Budget	House	Senate	Conference
18050 ACTIVITY 5: PERMANENT CHANGE OF STATION				
18100 ACCESSION TRAVEL	89,590	89,590	89,590	89,590
18150 TRAINING TRAVEL	119,306	119,306	119,306	119,306
18200 OPERATIONAL TRAVEL	246,805	246,805	246,805	246,805
18250 ROTATIONAL TRAVEL	441,113	441,113	441,113	441,113
18300 SEPARATION TRAVEL	159,254	159,254	159,254	159,254
18350 TRAVEL OF ORGANIZED UNITS	35,046	35,046	35,046	35,046
18400 NON-TEMPORARY STORAGE	33,386	33,386	33,386	33,386
18450 TEMPORARY LODGING EXPENSE	50,330	50,330	50,330	50,330
18500 OTHER	---	364,000	---	132,000
18550 TOTAL, BUDGET ACTIVITY 5	1,174,830	1,538,830	1,174,830	1,306,830
18600 ACTIVITY 6: OTHER MILITARY PERS COSTS				
18650 APPREHENSION OF MILITARY DESERTERS	81	81	81	81
18700 INTEREST ON UNIFORMED SERVICES SAVINGS	1,724	1,724	1,724	1,724
18750 DEATH GRATUITIES	24,200	24,200	24,200	24,200
18800 UNEMPLOYMENT BENEFITS	24,369	24,369	24,369	24,369
18850 SURVIVOR BENEFITS	1,539	1,539	1,539	1,539
18900 EDUCATION BENEFITS	180	180	180	180
18950 ADOPTION EXPENSES	584	584	584	584
19050 TRANSPORTATION SUBSIDY	4,851	4,851	4,851	4,851
19060 PARTIAL DISLOCATION ALLOWANCE	2,169	2,169	2,169	2,169
19110 RESERVE OFFICERS TRAINING CORPS (ROTC)	46,754	46,754	46,754	46,754
19120 JUNIOR ROTC	22,588	22,588	22,588	22,588
19200 TOTAL, BUDGET ACTIVITY 6	129,039	129,039	129,039	129,039
19250 LESS REIMBURSABLES	-318,334	-318,334	-318,334	-318,334
19400 UNDISTRIBUTED ADJUSTMENT	---	57,000	65,000	66,000
19650 TOTAL, ACTIVE FORCES, AIR FORCE	24,097,354	24,379,214	24,155,054	24,194,914
22530 TOTAL, MILITARY PERSONNEL, AIR FORCE	24,097,354	24,379,214	24,155,054	24,194,914

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Conference
MILITARY PERSONNEL, AIR FORCE				
BA-1: PAY AND ALLOWANCES OF OFFICERS				
BASIC PAY	**4,265,227**	**4,234,227**	**4,265,227**	**4,234,227**
Excessive Program Growth		-31,000		-31,000
SPECIAL PAYS	**214,947**	**202,352**	**213,647**	**202,352**
Hostile Fire Pay - Deferred Consideration to GWOT Supplemental		-5,646		-5,646
Hardship Duty Pay - Deferred Consideration to GWOT Supplemental		-3,021	-1,300	-3,021
Foreign Language Proficiency Pay - Deferred Consideration to GWOT Supplemental		-3,928		-3,928
SEPARATION PAY	**308,588**	**294,588**	**308,588**	**308,588**
Adjustments for Estimated FY08 End Strength		-14,000		0
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
BASIC PAY	**7,812,430**	**7,817,730**	**7,812,430**	**7,812,430**
Authorized Manpower for B-52 Bomber Fleet		5,300		0
SPECIAL PAYS	**234,379**	**177,534**	**228,379**	**177,534**
Hostile Fire Pay - Deferred Consideration to GWOT Supplemental		-30,707		-30,707
Hardship Duty Pay - Deferred Consideration to GWOT Supplemental		-11,975	-6,000	-11,975
Foreign Language Proficiency Pay - Deferred Consideration to GWOT Supplemental		-14,163		-14,163
SEPARATION PAY	**123,691**	**93,691**	**123,691**	**123,691**
Adjustments for Estimated FY08 End Strength		-30,000		0
BA-5: PERMANENT CHANGE OF STATION	**1,174,830**	**1,538,830**	**1,174,830**	**1,306,830**
Transfer from Air Force, RDTE, Line 133		364,000		132,000
Authorized Basic Pay Increase		**66,000**	**65,000**	**65,000**
Authorized Reduction: Flexible Management of Deployment of Members		**-9,000**		**0**
JROTC Programs				**1,000**

REVIEW OF AIR FORCE END STRENGTH

The conferees direct the Secretary of the Air Force to conduct a thorough review of its total force end strength requirements and provide a report to the congressional defense committees in conjunction with the President's fiscal year 2009 budget request. The report should explain the capabilities that the current force structure provides, the nature of any shortfalls for new and emerging missions, and an explanation on how the Air Force could balance the budgetary demands necessary to implement any corrective policy action within its own budget.

RESERVE PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
22600 RESERVE PERSONNEL, ARMY				
22650 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
22700 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)........	1,179,447	1,179,447	1,179,447	1,179,447
22750 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY).........	65,377	65,377	65,377	65,377
22800 PAY GROUP F TRAINING (RECRUITS)......................	201,473	201,473	201,473	201,473
22910 MOBILIZATION TRAINING	13,396	13,396	13,396	13,396
22920 SCHOOL TRAINING.......................................	140,095	140,095	140,095	140,095
22930 SPECIAL TRAINING......................................	160,098	160,098	160,098	160,098
22940 ADMINISTRATION AND SUPPORT............................	1,747,116	1,747,116	1,747,116	1,747,116
22950 EDUCATION BENEFITS....................................	138,351	138,351	138,351	138,351
22970 HEALTH PROFESSION SCHOLARSHIP	34,245	34,245	34,245	34,245
22990 OTHER PROGRAMS	55,022	55,022	55,022	55,022
23050 TOTAL, BUDGET ACTIVITY 1............................	3,734,620	3,734,620	3,734,620	3,734,620
23600 UNOBLIGATED BALANCES..................................	---	---	-11,000	-19,000
23625 AUTHORIZED END STRENGTH...............................	---	---	-60,170	-30,000
23630 UNDISTRIBUTED ADJUSTMENT..............................	---	-105,000	8,990	-1,010
23980 TOTAL RESERVE PERSONNEL, ARMY.......................	3,734,620	3,629,620	3,672,440	3,684,610
24000 TOTAL RESERVE PERSONNEL, ARMY.......................	3,734,620	3,629,620	3,672,440	3,684,610

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Conference
RESERVE PERSONNEL, ARMY				
Authorized Basic Pay Increase		9,000	8,990	8,990
FY2008 GWOT Mobilization Assumptions		-65,000		-10,000
Underexecution of End Strength/Authorized End Strength		-30,000	-60,170	-30,000
Prior Year Underexecution/Unobligated Balances		-19,000	-11,000	-19,000

RESERVE PERSONNEL, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
24050 RESERVE PERSONNEL, NAVY				
24100 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
24150 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	611,478	611,478	588,478	588,478
24200 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY)	8,055	8,055	8,055	8,055
24250 PAY GROUP F TRAINING (RECRUITS)	43,599	43,599	43,599	43,599
24310 MOBILIZATION TRAINING	7,738	7,738	7,738	7,738
24320 SCHOOL TRAINING	30,547	30,547	30,547	30,547
24330 SPECIAL TRAINING	61,497	61,497	61,497	61,497
24340 ADMINISTRATION AND SUPPORT	995,162	995,162	1,018,162	1,018,162
24350 EDUCATION BENEFITS	6,473	6,473	6,473	6,473
24370 HEALTH PROFESSION SCHOLARSHIP	33,136	33,136	33,136	33,136
24450 TOTAL, BUDGET ACTIVITY 1	1,797,685	1,797,685	1,797,685	1,797,685
25390 UNDISTRIBUTED ADJUSTMENT	---	-20,800	4,300	-7,549
25450 TOTAL, RESERVE PERSONNEL, NAVY	1,797,685	1,776,885	1,801,985	1,790,136

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Conference
RESERVE PERSONNEL, NAVY				
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	611,478	611,478	588,478	588,478
Pay Group A Training			-23,000	-23,000
ADMINISTRATION AND SUPPORT	995,162	995,162	1,018,162	1,018,162
Recruiting and Retention			23,000	23,000
Authorized Basic Pay Increase		1,200	4,300	4,251
Underexecution of End Strength		-7,000		-4,300
Prior Year Underexecution		-15,000		-7,500

RESERVE PERSONNEL, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
25500 RESERVE PERSONNEL, MARINE CORPS				
25550 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
25600 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)........	176,227	176,227	176,227	176,227
25650 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY).........	39,689	39,689	39,689	39,689
25700 PAY GROUP F TRAINING (RECRUITS)......................	93,272	93,272	93,272	93,272
25810 MOBILIZATION TRAINING................................	2,811	2,811	2,811	2,811
25820 SCHOOL TRAINING......................................	14,245	14,245	14,245	14,245
25830 SPECIAL TRAINING.....................................	36,244	36,244	36,244	36,244
25840 ADMINISTRATION AND SUPPORT...........................	183,131	183,131	183,131	183,131
25850 PLATOON LEADER CLASS.................................	13,043	13,043	13,043	13,043
25860 EDUCATION BENEFITS...................................	36,210	36,210	36,210	36,210
25950 TOTAL, BUDGET ACTIVITY 1............................	594,872	594,872	594,872	594,872
26600 UNOBLIGATED BALANCES.................................	---	---	-2,500	-3,250
26660 UNDISTRIBUTED ADJUSTMENT.............................	---	-81,400	3,000	-8,514
26750 TOTAL, RESERVE PERSONNEL, MARINE CORPS.............	594,872	513,472	595,372	583,108

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Conference
RESERVE PERSONNEL, MARINE CORPS				
Authorized Basic Pay Increase		600	3,000	1,486
FY2008 GWOT Mobilization Assumptions		-78,000		-10,000
Prior Year Underexecution/Unobligated Balances		-4,000	-2,500	-3,250

RESERVE PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
26800 RESERVE PERSONNEL, AIR FORCE				
26850 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
26900 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)........	617,479	617,479	570,479	570,479
26950 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY).........	98,622	98,622	93,622	93,622
27000 PAY GROUP F TRAINING (RECRUITS)......................	53,082	53,082	53,082	53,082
27050 PAY GROUP P TRAINING (PIPELINE RECRUITS)..............	104	104	104	104
27110 MOBILIZATION TRAINING................................	1,800	1,800	1,800	1,800
27120 SCHOOL TRAINING......................................	109,475	109,475	121,475	121,475
27130 SPECIAL TRAINING.....................................	101,175	101,175	141,175	141,175
27140 ADMINISTRATION AND SUPPORT...........................	269,299	269,299	269,299	269,299
27150 EDUCATION BENEFITS...................................	40,222	40,222	40,222	40,222
27170 HEALTH PROFESSION SCHOLARSHIP........................	31,026	31,026	31,026	31,026
27190 OTHER PROGRAMS.......................................	48,195	48,195	48,195	48,195
27200 TOTAL, BUDGET ACTIVITY 1............................	1,370,479	1,370,479	1,370,479	1,370,479
27900 UNOBLIGATED BALANCES.................................	---	---	-4,800	-10,000
27950 UNDISTRIBUTED ADJUSTMENT.............................	---	-4,800	3,218	3,300
28150 TOTAL, RESERVE PERSONNEL, AIR FORCE................	1,370,479	1,365,679	1,368,897	1,363,779

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Conference
RESERVE PERSONNEL, AIR FORCE				
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	617,479	617,479	570,479	570,479
Pay Group A Training			-47,000	-47,000
PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY)	98,622	98,622	93,622	93,622
Pay Group B Training			-5,000	-5,000
SCHOOL TRAINING	109,475	109,475	121,475	121,475
School Training			12,000	12,000
SPECIAL TRAINING	101,175	101,175	141,175	141,175
Special Training			40,000	40,000
Authorized Basic Pay Increase		3,200	3,218	3,300
Prior Year Underexecution/Unobligated Balances		-10,000	-4,800	-10,000
931st Air Refueling Group - Transfer to OM,AFR		2,000		0

NATIONAL GUARD PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
28200 NATIONAL GUARD PERSONNEL, ARMY				
28250 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
28300 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	1,897,450	1,897,450	1,897,450	1,897,450
28350 PAY GROUP F TRAINING (RECRUITS)	342,659	342,659	342,659	342,659
28400 PAY GROUP P TRAINING (PIPELINE RECRUITS)	31,525	31,525	31,525	31,525
28500 SCHOOL TRAINING	344,586	344,586	344,586	344,586
28510 SPECIAL TRAINING	244,781	244,781	244,781	244,781
28520 ADMINISTRATION AND SUPPORT	2,909,995	2,909,995	2,909,995	2,909,995
28530 EDUCATION BENEFITS	188,153	188,153	188,153	188,153
28600 TOTAL, BUDGET ACTIVITY 1	5,959,149	5,959,149	5,959,149	5,959,149
29350 UNOBLIGATED BALANCES	---	---	-38,000	-37,000
29457 JOINT INTERAGENCY TRAINING AND EDUCATION CENTER	---	---	3,600	3,600
29458 UNDISTRIBUTED ADJUSTMENT	---	-144,132	22,605	-1,050
29500 TOTAL, NATIONAL GUARD PERSONNEL, ARMY	5,959,149	5,815,017	5,947,354	5,924,699

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Conference
NATIONAL GUARD PERSONNEL, ARMY				
Joint Interagency Training and Education Center			3,600	3,600
Authorized Basic Pay Increase		22,600	22,605	22,682
FY2008 GWOT Mobilization Assumptions		-134,000		-27,000
Prior Year Underexecution/Unobligated Balances		-36,000	-38,000	-37,000
WMD-Civil Support Team for Florida		1,300		1,300
WMD-Civil Support Team for New York		1,968		1,968

NATIONAL GUARD PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
29550 NATIONAL GUARD PERSONNEL, AIR FORCE				
29600 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
29650 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	962,871	962,871	896,271	896,271
29700 PAY GROUP F TRAINING (RECRUITS)	65,056	65,056	65,056	65,056
29750 PAY GROUP P TRAINING (PIPELINE RECRUITS)	456	456	456	456
29810 SCHOOL TRAINING	187,802	187,802	193,402	193,402
29820 SPECIAL TRAINING	87,831	87,831	87,831	87,831
29830 ADMINISTRATION AND SUPPORT	1,281,804	1,281,804	1,327,904	1,327,904
29840 EDUCATION BENEFITS	56,590	56,590	56,590	56,590
29950 TOTAL, BUDGET ACTIVITY 1	2,642,410	2,642,410	2,627,510	2,627,510
30550 UNOBLIGATED BALANCES	---	---	-21,000	-21,000
30607 JOINT INTERAGENCY TRAINING AND EDUCATION CENTER	---	---	650	650
30608 166TH NETWORK WARFARE SQUADRON	---	---	600	600
30609 CRYPTO-LINGUIST / INTELLIGENCE OFFICER INITIATIVE	---	---	1,600	1,600
30610 UNDISTRIBUTED ADJUSTMENT	---	-21,241	7,200	7,959
30750 TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	2,642,410	2,621,169	2,616,560	2,617,319

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Conference
NATIONAL GUARD PERSONNEL, AIR FORCE				
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	962,871	962,871	896,271	896,271
Pay Group A Training			-66,600	-66,600
SCHOOL TRAINING	187,802	187,802	193,402	193,402
School Training			5,600	5,600
ADMINISTRATION AND SUPPORT	1,281,804	1,281,804	1,327,904	1,327,904
Full Time Support			17,000	17,000
Recruiting and Retention			29,100	29,100
Joint Interagency Training and Education Center			650	650
166th Network Warfare Squadron			600	600
Crypto-Linguist/Intelligence Officer Initiative			1,600	1,600
Authorized Basic Pay Increase		6,000	7,200	7,200
Prior Year Underexecution/Unobligated Balances		-28,000	-21,000	-21,000
WMD-Civil Support Team for Florida		400		400
WMD-Civil Support Team for New York		359		359

TITLE II – OPERATION AND MAINTENANCE

The conference agreement provides $140,062,158,000 in Title II, Operation and Maintenance, instead of $137,135,127,000 as proposed by the House and $142,679,275,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
RECAPITULATION				
OPERATION & MAINTENANCE, ARMY	28,924,973	26,404,495	28,598,563	27,361,574
OPERATION & MAINTENANCE, NAVY	33,334,690	32,851,468	33,150,380	33,087,650
OPERATION & MAINTENANCE, MARINE CORPS	4,961,393	4,471,858	5,061,649	4,792,211
OPERATION & MAINTENANCE, AIR FORCE	33,655,633	31,613,981	32,599,333	32,178,162
OPERATION & MAINTENANCE, DEFENSE-WIDE	22,574,278	22,343,180	23,239,227	22,693,617
OPERATION & MAINTENANCE, ARMY RESERVE	2,508,062	2,510,890	2,610,288	2,510,022
OPERATION & MAINTENANCE, NAVY RESERVE	1,186,883	1,144,454	1,187,151	1,148,083
OPERATION & MAINTENANCE, MARINE CORPS RESERVE	208,637	207,087	208,888	208,637
OPERATION & MAINTENANCE, AIR FORCE RESERVE	2,692,077	2,684,577	2,816,103	2,815,417
OPERATION & MAINTENANCE, ARMY NATIONAL GUARD	5,840,209	5,893,843	5,800,933	5,764,858
OPERATION & MAINTENANCE, AIR NATIONAL GUARD	5,041,965	5,021,077	5,471,745	5,468,710
OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT	5,000	---	---	---
UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES	11,971	11,971	11,971	11,971
ENVIRONMENTAL RESTORATION, ARMY	434,879	434,879	444,879	439,879
ENVIRONMENTAL RESTORATION, NAVY	300,591	300,591	300,591	300,591
ENVIRONMENTAL RESTORATION, AIR FORCE	456,428	456,428	456,428	456,428
ENVIRONMENTAL RESTORATION, DEFENSE-WIDE	12,751	12,751	12,751	12,751
ENVIRONMENTAL RESTORATION, FORMERLY USED DEF. SITES	250,249	268,249	295,249	280,249
OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	103,300	103,300	63,300	103,300
FORMER SOVIET UNION THREAT REDUCTION ACCOUNT	348,048	398,048	448,048	428,048
GRAND TOTAL, OPERATION & MAINTENANCE	142,854,017	137,135,127	142,679,275	140,062,158

The conferees agree to impose new reprogramming guidelines within the operation and maintenance appropriations to ensure better accountability, as recommended by the House. The conferees believe that such revisions are necessary given the unique nature of activities funded within these appropriations, continuing concerns about force readiness, and recent budget execution within these accounts. Specifically, the conferees direct:

(1) with respect to service operation and maintenance accounts, that the Department shall submit prior approval reprogramming requests to the congressional defense committees for proposed transfers of funds in excess of $15,000,000, to or from the levels specified for budget activities.

In addition, the Department shall follow prior approval reprogramming procedures for transfers in excess of $15,000,000 out of the following budget subactivities:

Operation and Maintenance, Army

Land Forces Depot Maintenance

Operation and Maintenance, Navy

Navy Aircraft Depot Maintenance
Navy Ship Depot Maintenance

Operation and Maintenance, Marine Corps

Marine Corps Depot Maintenance

Operation and Maintenance, Air Force

Air Operations Depot Maintenance
Mobility Operations Depot Maintenance
Basic Skills/Training Depot Maintenance
Logistics Operations Depot Maintenance

Further, the Department shall provide written notifications of cumulative transfers in excess of $15,000,000 out of the following budget subactivities:

Operation and Maintenance, Army

Maneuver units
Modular support brigades
Land forces operations support
Force readiness operations support
Base operations support

Operation and Maintenance, Air Force

Primary combat forces
Combat enhancement forces
Combat communications

(2) with respect to Operation and Maintenance, Defense-Wide (O&M,DW), that proposed transfers of funds to or from the levels specified for defense agencies in excess of $15,000,000 shall be subject to prior approval reprogramming procedures. In addition, the Department shall provide written notification of cumulative transfers in excess of $15,000,000 or 20 percent, whichever is less, out of the following line items identified in the Operation and Maintenance, Defense-Wide project level table contained in the conference report:

Defense Legal Service Agency
Office of the Secretary of Defense

Acquisition, Technology, and Logistics programs
Personnel and Readiness
Comptroller and Chief Financial Officer
Under Secretary of Defense (Intelligence)
Under Secretary of Defense (Policy)
Director, Program Analysis and Evaluation
Assistant Secretary of Defense (Networks and Information Integration).

A congressional interest item contained in Operation and Maintenance, Defense-Wide is defined only as a specific increase provided by the conferees.

The conferees expect that these new guidelines will provide more effective oversight by the congressional defense committees and lead to better financial management within the Department.

JUSTIFICATION OF FUNDING FOR NAMED OPERATIONS

The conferees retain a general provision as proposed by the Senate requiring the President's budget request include separate budget justification documents for the costs of the Armed Forces participating in contingency operations. The conferees find that justification material provided in previous years has varied greatly and has not provided Congress with the level of detail required by this provision. The conferees direct the Department of Defense to abide by the requirements of the general provision and include this level of detail in one concise justification book for all operations, other than Operations Enduring Freedom and Iraqi Freedom. The conferees further direct that the justification book continue to provide data on operations identified for fiscal year 2008, but also identify existing or on-going named operations outside the Continental United States or in support of any global operation (including those led by other partner nations) where the cost of such named operation exceeds $100,000,000 or is staffed by more than 1,000 U.S. military personnel.

OPERATION AND MAINTENANCE, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
100 OPERATION AND MAINTENANCE, ARMY				
150 BUDGET ACTIVITY 1: OPERATING FORCES				
200 LAND FORCES				
250 MANEUVER UNITS	887,030	771,301	887,030	887,030
300 MODULAR SUPPORT BRIGADES	93,630	93,317	93,630	99,230
350 ECHELONS ABOVE BRIGADES	693,513	417,099	693,513	416,699
400 THEATER LEVEL ASSETS	771,074	587,584	771,074	771,074
450 LAND FORCES OPERATIONS SUPPORT	1,242,988	1,104,304	1,242,988	1,103,704
460 AVIATION ASSETS	848,171	850,171	848,171	850,171
500 LAND FORCES READINESS				
550 FORCE READINESS OPERATIONS SUPPORT	2,051,266	1,909,049	2,097,766	1,942,649
600 LAND FORCES SYSTEMS READINESS	555,405	480,077	559,905	483,677
650 LAND FORCES DEPOT MAINTENANCE	804,892	552,464	806,392	689,572
700 LAND FORCES READINESS SUPPORT				
750 BASE OPERATIONS SUPPORT	6,802,278	6,878,321	6,737,778	6,761,578
800 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,031,173	3,052,710	2,037,373	2,549,373
850 MANAGEMENT & OPERATIONAL HEADQUARTERS	285,198	267,698	285,198	267,698
900 UNIFIED COMMANDS	113,872	100,372	113,872	113,872
950 ADDITIONAL ACTIVITIES	233,035	233,035	233,035	233,035
1050 TOTAL, BUDGET ACTIVITY 1	17,413,525	17,297,502	17,407,725	17,149,362
1100 BUDGET ACTIVITY 2: MOBILIZATION				
1150 MOBILITY OPERATIONS				
1200 STRATEGIC MOBILITY	288,063	196,405	288,063	196,105
1250 ARMY PREPOSITIONED STOCKS	156,318	66,876	156,318	156,318
1300 INDUSTRIAL PREPAREDNESS	---	2,000	---	1,600
1400 TOTAL, BUDGET ACTIVITY 2	444,381	265,281	444,381	354,023

(In thousands of dollars)

	Budget	House	Senate	Conference
1450 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
1500 ACCESSION TRAINING				
1550 OFFICER ACQUISITION	116,804	116,804	116,804	116,804
1600 RECRUIT TRAINING	47,608	46,850	47,608	46,850
1650 ONE STATION UNIT TRAINING	50,796	50,314	50,796	50,314
1700 SENIOR RESERVE OFFICERS' TRAINING CORPS	364,863	335,483	366,863	366,863
1750 BASIC SKILL AND ADVANCED TRAINING				
1800 SPECIALIZED SKILL TRAINING	574,212	539,028	553,462	556,462
1850 FLIGHT TRAINING	695,377	609,325	695,377	695,377
1900 PROFESSIONAL DEVELOPMENT EDUCATION	113,769	99,794	114,269	100,294
1950 TRAINING SUPPORT	706,416	621,266	705,866	705,476
2000 RECRUITING AND OTHER TRAINING AND EDUCATION				
2050 RECRUITING AND ADVERTISING	603,498	568,807	603,498	568,807
2100 EXAMINING	152,793	138,799	152,793	138,799
2150 OFF-DUTY AND VOLUNTARY EDUCATION	238,457	209,128	238,457	209,128
2200 CIVILIAN EDUCATION AND TRAINING	199,956	173,032	201,956	201,556
2250 JUNIOR RESERVE OFFICERS' TRAINING CORPS	147,203	131,442	147,203	147,203
2300 TOTAL, BUDGET ACTIVITY 3	4,011,752	3,640,072	3,994,952	3,903,933
2350 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
2400 SECURITY PROGRAMS				
2450 SECURITY PROGRAMS	757,874	760,344	755,974	759,349
2500 LOGISTICS OPERATIONS				
2550 SERVICEWIDE TRANSPORTATION	686,899	520,685	628,435	575,235
2600 CENTRAL SUPPLY ACTIVITIES	642,906	452,470	613,970	534,270
2650 LOGISTICS SUPPORT ACTIVITIES	506,679	520,709	512,679	522,709
2700 AMMUNITION MANAGEMENT	476,807	334,719	446,977	391,977

(In thousands of dollars)

	Budget	House	Senate	Conference
2750 SERVICEWIDE SUPPORT				
2800 ADMINISTRATION..	775,819	619,571	742,339	667,984
2850 SERVICEWIDE COMMUNICATIONS............................	1,192,413	1,107,074	1,077,242	1,107,074
2900 MANPOWER MANAGEMENT...................................	269,420	263,065	269,420	269,420
2950 OTHER PERSONNEL SUPPORT...............................	217,872	205,704	217,872	218,872
3000 OTHER SERVICE SUPPORT.................................	841,825	774,144	843,825	844,545
3050 ARMY CLAIMS...	233,786	222,776	233,786	222,776
3100 REAL ESTATE MANAGEMENT................................	48,170	45,800	48,170	45,800
3150 SUPPORT OF OTHER NATIONS				
3200 SUPPORT OF NATO OPERATIONS............................	362,159	358,134	362,159	362,159
3250 MISC. SUPPORT OF OTHER NATIONS........................	42,686	42,095	42,686	42,686
3300 TOTAL, BUDGET ACTIVITY 4............................	7,055,315	6,225,290	6,795,534	6,564,856
3600 UNOBLIGATED BALANCES..................................	---	---	-95,300	---
3710 OVERSTATEMENT OF CIVILIAN PERSONNEL REQUIREMENTS......	---	-241,900	---	-190,600
3720 TRANSFER OF EXCESS WORKING CAPITAL FUND CASH..........	---	-420,000	---	-420,000
3730 CONTRACT EFFICIENCIES (5 PERCENT).....................	---	-374,250	---	---
3740 TRANSFER TO CORPS OF ENGINEERS........................	---	12,500	---	---
3750 CIVILIAN PAY RAISE FROM 3 PERCENT TO 3.5 PERCENT......	---	---	51,271	---
4200 TOTAL, OPERATION AND MAINTENANCE, ARMY.............	28,924,973	26,404,495	28,598,563	27,361,574

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	House	Senate	Conference
111 MANEUVER UNITS	**887,030**	**771,301**	**887,030**	**887,030**
Unjustified program growth		-115,729		0
112 MODULAR SUPPORT BRIGADES	**93,630**	**93,317**	**93,630**	**99,230**
Unjustified program growth		-6,313		0
Modular Command Post Tent		4,000		4,000
Air-Supported Temper Tent		2,000		1,600
113 ECHELONS ABOVE BRIGADES	**693,513**	**417,099**	**693,513**	**416,699**
Scanning Technology for Accelerating Reset		2,000		1,600
Unjustified program growth		-78,414		-78,414
Smooth growth in supply purchases		-200,000		-200,000
114 THEATER LEVEL ASSETS	**771,074**	**587,584**	**771,074**	**771,074**
Unjustified program growth		-183,490		0
115 LAND FORCES OPERATIONS SUPPORT	**1,242,988**	**1,104,304**	**1,242,988**	**1,103,704**
Unjustified program growth		-130,284		-130,284
Transfer of JNTC to CE2T2		-11,700		-11,700
A Second Civil Support Team for Weapons of Mass Destruction in Florida		300		300
Water Purification & Distribution Operating Systems		3,000		2,400
116 AVIATION ASSETS	**848,171**	**850,171**	**848,171**	**850,171**
UH-60 Leak Proof Transmission Drip Pans		2,000		2,000
121 FORCE READINESS OPERATIONS SUPPORT	**2,051,286**	**1,905,049**	**2,097,766**	**1,942,649**
Advanced Combat Helmet PLUS			4,000	4,000
Cognitive Air Defense Simulators			2,000	1,600
Fleece Insulating Liners for Extended Cold Weather Clothing System Generation III (ECWCS-GEN III)		3,000	4,000	3,200
Sawfly Combat Ballistic Protection Eyewear			2,000	1,600
U.S. Army Extended Cold Weather Clothing System (ECWCS) Hand Protection System		1,000	2,000	1,600
PARC/Multi-Brigade Training Requirements			17,500	15,100
USARPAC Deployable C4 System			4,000	3,200
USARPAC GCCS & CENTRIX Operations			2,600	2,080
USARPAC C4 Modularity			3,000	2,400
USARPAC Core Warfighting C4 Network Infrastructure			5,400	4,320
Unjustified program growth		-106,368		-106,968
Transfer of JCS exercise program to CE2T2		-49,949		-49,949
Fort Hood Training Lands Restoration and Maintenance		3,000		3,000
Extended Cold Weather Clothing System – Gen III		3,500		2,800
Operational/Technical Training Validation Testbed for Maneuver Units at Fort Bliss		2,600		2,600
Recapturing the Army's Training Ranges		1,000		800

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	House	Senate	Conference
122	**LAND FORCES SYSTEMS READINESS**	**555,405**	**480,077**	**559,905**	**483,677**
	Tracking Reusable Assets for Contingency and Emergency Response			4,500	3,600
	Unjustified program growth		-45,328		-45,328
	GSORTs operating costs		-30,000		-30,000
123	**LAND FORCES DEPOT MAINTENANCE**	**804,892**	**552,464**	**806,392**	**669,572**
	Anniston Army Depot Industrial Efficiencies			1,500	1,200
	Unjustified program growth		-259,028		-141,800
	GUARDRAIL		6,600		5,280
131	**BASE OPERATIONS SUPPORT**	**6,802,278**	**6,878,321**	**6,737,778**	**6,761,578**
	DFAS Overstatement			-70,000	-70,000
	Biosecurity Research for Soldier Food Safety			1,500	1,200
	Army Conservation and Ecosystem Management			4,000	3,500
	Childcare center operations		46,000	46,000	23,000
	Perimeter security force protection		28,043		0
	Roofing Restoration Program at Fort Stewart, GA		2,000		1,600
132	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**2,031,173**	**3,052,710**	**2,037,373**	**2,549,373**
	Rock Island Arsenal, Building 299 Roof Replacement Phase II			6,200	6,000
	Perimeter security force protection		2,037		0
	Fort Stewart Live Fire Ranges Modernization & Improvements		1,500		1,200
	Accelerate modernization of critical operational and support facilitates		1,018,000		509,000
	McAlester Army Ammunition Plant (transferred from Ammunition, Army)				2,000
133	**MANAGEMENT & OPERATIONAL HEADQUARTERS**	**285,198**	**267,698**	**285,198**	**267,698**
	HQ staff growth		-17,500		-17,500
134	**UNIFIED COMMANDS**	**113,872**	**100,372**	**113,872**	**113,872**
	HQ staff growth		-13,500		0
211	**STRATEGIC MOBILITY**	**288,063**	**196,405**	**288,063**	**196,105**
	Down-load of prepositioned sets		-93,158		-93,158
	Quadcons and Tricons for strategic mobility		1,500		1,200
212	**ARMY PROPOSITIONED STOCKS**	**156,318**	**66,876**	**156,318**	**156,318**
	Down-load of prepositioned sets		-89,442		0
213	**INDUSTRIAL PREPAREDNESS**	**0**	**2,000**	**0**	**1,600**
	NanoSensor StageGate Accelerator		2,000		1,600
311	**OFFICER ACQUISITION**	**116,804**	**116,804**	**116,804**	**116,804**
312	**RECRUIT TRAINING**	**47,608**	**46,850**	**47,608**	**46,850**

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	House	Senate	Conference
	Unjustified program growth		-758		-758
313	**ONE STATION UNIT TRAINING**	50,796	50,314	50,796	50,314
	Unjustified program growth		-482		-482
314	**SENIOR RESERVE OFFICERS' TRAINING CORPS**	364,863	335,483	366,863	366,863
	Air Battle Captain (ROTC Heli Flight Training Program)			2,000	2,000
	Unjustified program growth		-29,380		0
321	**SPECIALIZED SKILL TRAINING**	574,212	539,028	553,462	556,462
	BOLC Phase II Duplicate Funding			-20,750	-20,750
	Unjustified program growth		-38,184		0
	Critical Language Instruction for Military Personnel, Education, Training & Distance Learning		3,000		3,000
322	**FLIGHT TRAINING**	695,377	609,325	695,377	695,377
	Unjustified program growth		-86,052		0
323	**PROFESSIONAL DEVELOPMENT EDUCATION**	113,769	99,794	114,269	100,294
	Leadership for Leaders at CGSC and KSU			500	500
	Unjustified program growth		-13,975		-13,975
324	**TRAINING SUPPORT**	706,416	621,266	705,866	705,476
	Capstone Field Training Exercise Duplicate Funding			-2,500	-2,500
	Northern Nevada Special Operations Training Project			1,950	1,560
	Unjustified program growth		-86,150		0
	Air and Missile Defense Instrumentation System		1,000		0
331	**RECRUITING AND ADVERTISING**	603,498	568,807	603,498	568,807
	Unjustified program growth		-34,691		-34,691
332	**EXAMINING**	152,793	138,799	152,793	138,799
	Unjustified program growth		-13,994		-13,994
333	**OFF-DUTY AND VOLUNTARY EDUCATION**	238,457	209,128	238,457	209,128
	Unjustified program growth		-29,329		-29,329
334	**CIVILIAN EDUCATION AND TRAINING**	199,956	173,032	201,956	201,556
	Online Technology Training Program at Ft. Lewis			2,000	1,600
	Unjustified program growth		-26,924		0
335	**JUNIOR RESERVE OFFICERS' TRAINING CORPS**	147,203	131,442	147,203	147,203
	Unjustified program growth		-15,761		0
411	**SECURITY PROGRAMS**	757,874	760,344	755,974	759,349
	Security Programs Adjustment			-1,900	1,475

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	House	Senate	Conference
421 SERVICEWIDE TRANSPORTATION	**686,899**	**520,685**	**628,435**	**575,235**
Unjustified program growth		-58,464	-58,464	-58,464
Unwarranted equipment moves		-110,000		-55,000
Transformation of ISO containers to 'Smart Containers'		2,250		1,800
422 CENTRAL SUPPLY ACTIVITIES	**642,906**	**452,470**	**613,970**	**534,270**
Unjustified program growth		-28,936	-28,936	-28,936
Permit growth of sustainment systems techical support of 10 percent		-165,000		-82,500
US Army Battery Management Program Utilizing Pulse Technology		3,500		2,800
423 LOGISTICS SUPPORT ACTIVITIES	**506,679**	**520,709**	**512,679**	**522,709**
Retrograde Tracking, Monitoring and Security of U.S. Military Materiel			4,000	3,200
Army Condition Based Maintenance			2,000	1,600
Unjustified program growth		-970		-970
Nanotechnology Corrosion Support		1,000		1,000
Autonomics Logistics Demonstration		2,000		1,600
Mobile Battery Shops (MBS)		1,000		800
Army Strategic Logistics Initiatives - Asset Visibility		2,000		1,600
Common Logistics Operating Environment		4,000		3,200
Sense and Respond Logistics Capability		3,500		2,800
Low Profile Phased Array Antenna		1,500		1,200
424 AMMUNITION MANAGEMENT	**476,807**	**334,719**	**446,977**	**391,977**
Unjustified program growth		-32,088	-29,830	-29,830
Program growth in excess of requirement		-110,000		-55,000
431 ADMINISTRATION	**775,819**	**619,571**	**742,339**	**667,984**
Unjustified program growth		-48,413	-33,480	-33,480
Pentagon infrastructure costs		-107,835		*-74,355*
432 SERVICEWIDE COMMUNICATIONS	**1,192,413**	**1,107,074**	**1,077,242**	**1,107,074**
General Fund Enterprise Business System (GFEBS) realignment		-29,822	-29,822	-29,822
Unjustified program growth		-55,517	-85,349	-55,517
433 MANPOWER MANAGEMENT	**269,420**	**263,065**	**269,420**	**269,420**
Unjustified program growth		-6,355		0
434 OTHER PERSONNEL SUPPORT	**217,872**	**205,704**	**217,872**	**218,872**
Unjustified program growth		-12,168		0
Warrior Transition Unit Support for the 4/25th Brigade Combat Team (Airborne)				1,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	House	Senate	Conference
435 OTHER SERVICE SUPPORT	**841,825**	**774,144**	**843,825**	**844,545**
One Soul: Holocaust Education Exhibit			2,000	1,600
Unjustified program growth		-69,081		0
Memorial Day concert		1,400		1,120
436 ARMY CLAIMS	**233,786**	**222,776**	**233,786**	**222,776**
Unjustified program growth		-11,010		-11,010
437 REAL ESTATE MANAGEMENT	**48,170**	**45,800**	**48,170**	**45,800**
Unjustified program growth		-2,370		-2,370
441 SUPPORT OF NATO OPERATIONS	**362,159**	**356,134**	**362,159**	**362,159**
Unjustified program growth		-6,025		0
442 MISC. SUPPORT OF OTHER NATIONS	**42,686**	**42,095**	**42,686**	**42,686**
Unjustified program growth		-591		0
Civilian Pay Raise from 3.0% to 3.5%			51,271	0
Unobligated Balances			-95,300	0
Transfer to Army Corps of Engineers		12,500		0
Overstatement of civilian personnel requirements		-241,900		-190,600
Transfer of excess working capital fund cash		-420,000		-420,000
5% efficiencies in contracted services		-374,250		*0*

IMPACT OF REBASING

The conferees provide $615,700,000 to support the Army's efforts to address the impact of rebasing activities, particularly as large numbers of service members are re-stationed from overseas bases to bases in the United States. The Army is to allocate $615,700,000 on a prioritized project-by-project basis, as best determined by mission requirements from the projects identified in House Report 110-279. The Army is required to report the funding allocation to the House and Senate Committees on Appropriations prior to obligating funds.

WARRIOR TRANSITION UNIT SUPPORT FOR THE 4/25TH AIRBORNE BRIGADE COMBAT TEAM

The conferees agree to provide $3,000,000 for additional case workers, occupational therapists, and other health care specialists, as well as additional representatives from the Traumatic Service Members Group Life Insurance (TSGLI) Program and other programs to assist with compensation and other redeployment administrative requirements. The funding is intended to address concerns raised by returning and injured service members of the 4/25th Brigade Combat Team (Airborne) and their families.

OPERATION AND MAINTENANCE, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
4350 OPERATION AND MAINTENANCE, NAVY				
4400 BUDGET ACTIVITY 1: OPERATING FORCES				
4450 AIR OPERATIONS				
4500 MISSION AND OTHER FLIGHT OPERATIONS	3,607,384	3,407,384	3,607,384	3,507,384
4550 FLEET AIR TRAINING	937,648	937,648	937,648	937,648
4600 INTERMEDIATE MAINTENANCE	50,805	50,805	50,805	50,805
4650 AIR OPERATIONS AND SAFETY SUPPORT	127,578	127,578	127,578	127,578
4700 AIR SYSTEMS SUPPORT	479,941	479,941	479,941	479,941
4750 AIRCRAFT DEPOT MAINTENANCE	1,017,876	1,017,876	1,017,876	1,017,876
4800 AIRCRAFT DEPOT OPERATIONS SUPPORT	152,464	152,464	152,464	152,464
4850 SHIP OPERATIONS				
4900 MISSION AND OTHER SHIP OPERATIONS	3,463,690	3,463,690	3,463,690	3,463,690
4950 SHIP OPERATIONAL SUPPORT AND TRAINING	671,029	641,358	660,029	630,358
5000 SHIP DEPOT MAINTENANCE	4,416,438	4,416,438	4,366,438	4,366,438
5050 SHIP DEPOT OPERATIONS SUPPORT	1,081,734	1,081,734	1,071,734	1,071,734
5100 COMBAT COMMUNICATIONS/SUPPORT				
5150 COMBAT COMMUNICATIONS	564,929	564,929	549,929	558,229
5200 ELECTRONIC WARFARE	74,888	74,888	70,988	71,188
5250 SPACE SYSTEMS & SURVEILLANCE	159,521	159,521	159,521	159,521
5300 WARFARE TACTICS	390,335	381,935	390,335	381,935
5350 OPERATIONAL METEOROLOGY & OCEANOGRAPHY	260,736	260,736	273,236	283,516
5400 COMBAT SUPPORT FORCES	1,105,254	1,100,537	1,101,754	1,096,737
5450 EQUIPMENT MAINTENANCE	176,743	176,743	176,743	176,743
5500 DEPOT OPERATIONS SUPPORT	3,925	3,925	3,925	3,925
5550 WEAPONS SUPPORT				
5600 CRUISE MISSILE	138,447	138,447	138,447	138,447
5650 FLEET BALLISTIC MISSILE	974,235	974,235	974,235	974,235
5700 IN-SERVICE WEAPONS SYSTEMS SUPPORT	99,435	99,435	99,435	99,435
5750 WEAPONS MAINTENANCE	486,603	486,603	498,603	498,363
5800 OTHER WEAPON SYSTEMS SUPPORT	315,141	315,141	315,141	315,141

(In thousands of dollars)

	Budget	House	Senate	Conference
5850 BASE SUPPORT				
5900 ENTERPRISE INFORMATION TECHNOLOGY	610,899	610,899	610,899	610,899
5950 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,246,489	1,259,958	1,246,489	1,248,889
6000 BASE OPERATING SUPPORT	3,826,778	3,875,637	3,829,778	3,846,578
6050 TOTAL, BUDGET ACTIVITY 1	26,440,945	26,260,485	26,375,245	26,269,697
6100 BUDGET ACTIVITY 2: MOBILIZATION				
6150 READY RESERVE AND PREPOSITIONING FORCES				
6200 SHIP PREPOSITIONING AND SURGE	541,656	541,656	541,656	541,656
6250 ACTIVATIONS/INACTIVATIONS				
6300 AIRCRAFT ACTIVATIONS/INACTIVATIONS	7,166	5,648	7,166	7,166
6350 SHIP ACTIVATIONS/INACTIVATIONS	192,440	192,440	192,440	192,440
6400 MOBILIZATION PREPAREDNESS				
6450 FLEET HOSPITAL PROGRAM	29,880	29,880	29,880	29,880
6500 INDUSTRIAL READINESS	2,043	2,043	2,043	2,043
6550 COAST GUARD SUPPORT	21,538	21,538	21,538	21,538
6600 TOTAL, BUDGET ACTIVITY 2	794,723	793,205	794,723	794,723
6650 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
6700 ACCESSION TRAINING				
6750 OFFICER ACQUISITION	135,602	135,602	132,602	135,602
6800 RECRUIT TRAINING	11,308	11,308	11,308	11,308
6850 RESERVE OFFICERS TRAINING CORPS	112,185	112,185	112,185	112,185
6900 BASIC SKILLS AND ADVANCED TRAINING				
6950 SPECIALIZED SKILL TRAINING	486,138	487,638	486,138	487,338
7000 FLIGHT TRAINING	475,655	475,655	475,655	475,655
7050 PROFESSIONAL DEVELOPMENT EDUCATION	161,017	178,017	162,017	174,617
7100 TRAINING SUPPORT	161,647	162,647	161,647	162,647
7150 RECRUITING, AND OTHER TRAINING AND EDUCATION				
7200 RECRUITING AND ADVERTISING	264,309	264,609	264,309	264,609
7250 OFF-DUTY AND VOLUNTARY EDUCATION	144,828	146,328	144,828	146,028
7300 CIVILIAN EDUCATION AND TRAINING	74,991	74,991	75,291	74,991
7350 JUNIOR ROTC	47,515	47,515	47,515	47,515
7400 TOTAL, BUDGET ACTIVITY 3	2,075,195	2,096,495	2,073,495	2,092,495

(In thousands of dollars)

	Budget	House	Senate	Conference
7450 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
7500 SERVICEWIDE SUPPORT				
7550 ADMINISTRATION	759,691	726,020	757,691	742,171
7600 EXTERNAL RELATIONS	5,448	5,448	5,448	5,448
7650 CIVILIAN MANPOWER & PERSONNEL MGT	104,347	104,347	104,347	104,347
7700 MILITARY MANPOWER & PERSONNEL MGT	151,915	151,915	150,868	150,868
7750 OTHER PERSONNEL SUPPORT	275,033	276,033	275,033	276,033
7800 SERVICEWIDE COMMUNICATIONS	578,999	578,999	577,999	577,999
7850 LOGISTICS OPERATIONS AND TECHNICAL SUPPORT				
7900 SERVICEWIDE TRANSPORTATION	237,202	240,202	237,202	239,602
7950 PLANNING, ENGINEERING & DESIGN	243,861	245,861	239,861	245,461
8000 ACQUISITION AND PROGRAM MANAGEMENT	559,214	559,214	554,214	559,214
8050 HULL, MECHANICAL & ELECTRICAL SUPPORT	58,963	58,963	58,963	58,963
8100 COMBAT/WEAPONS SYSTEMS	17,205	17,205	17,205	17,205
8150 SPACE & ELECTRONIC WARFARE SYSTEMS	77,793	77,793	77,793	77,793
8200 SECURITY PROGRAMS				
8250 NAVAL INVESTIGATIVE SERVICE	421,887	421,887	421,887	421,887
8300 SUPPORT OF OTHER NATIONS				
8350 INTERNATIONAL HDQTRS & AGENCIES	11,290	11,290	11,290	11,290
8400 OTHER PROGRAMS				
8450 OTHER PROGRAMS	520,979	522,956	520,979	522,454
8500 TOTAL, BUDGET ACTIVITY 4	4,023,827	3,998,133	4,010,780	4,010,735
8700 UNOBLIGATED BALANCES	---	---	-60,800	---
8710 WORKING CAPITAL FUND EXCESS BALANCES	---	---	-80,000	-80,000
8760 OVERSTATEMENT OF CIVILIAN PERSONNEL REQUIREMENTS	---	-82,000	---	---
8770 CONTRACT EFFICIENCIES (5 PERCENT)	---	-214,850	---	---
8960 CIVILIAN PAY RAISE FROM 3.0% TO 3.5%	---	---	38,737	---
9100 TOTAL, OPERATION AND MAINTENANCE, NAVY	33,334,690	32,851,468	33,150,380	33,087,650

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	House	Senate	Conference
1A1A	**MISSION AND OTHER FLIGHT OPERATIONS**	3,607,384	3,407,384	3,607,384	3,507,384
	Unexecutable training hours due to deployments		-200,000		-100,000
1B2B	**SHIP OPERATIONAL SUPPORT AND TRAINING**	671,029	641,358	660,029	630,358
	Subsurface Support			-11,000	-11,000
	Unexecutable training days due to deployments		-29,671		-29,671
1B4B	**SHIP DEPOT MAINTENANCE**	4,416,438	4,416,438	4,366,438	4,366,438
	Non-Depot/Intermediate Level Maintenance			-50,000	-50,000
1B5B	**SHIP DEPOT OPERATIONS SUPPORT**	1,081,734	1,081,734	1,071,734	1,071,734
	Fleet Modernization Program			-10,000	-10,000
1C1C	**COMBAT COMMUNICATIONS**	564,929	564,929	549,929	558,229
	Unjustified Combat Communications Program Growth			-15,000	-6,700
1C2C	**ELECTRONIC WARFARE**	74,888	74,888	70,988	71,188
	Facility Maintenance by Contract			-3,900	-3,700
1C4C	**WARFARE TACTICS**	390,335	381,935	390,335	381,935
	Transfer of JNTC to CE2T2		-8,400		-8,400
1C5C	**OPERATIONAL METEOROLOGY & OCEANOGRAPHY**	260,736	260,736	273,236	283,516
	Naval Oceanographic Office Charting			3,900	3,900
	Navy Ocean/Surveillance Fleet Consolidation			8,600	6,880
	Asia Pacific Regional Initative (transferred from O&M DW)				12,000
1C6C	**COMBAT SUPPORT FORCES**	1,105,254	1,100,537	1,101,754	1,096,737
	Joint Forces Command			-5,000	-5,000
	Global Force Management Visibility Tool			1,500	1,200
	Transfer of JCS exercise program to CE2T2		-4,717		-4,717
1D4D	**WEAPONS MAINTENANCE**	486,603	486,603	498,803	498,363
	Mk 45 Mod 5" Gun Depot Overhauls			12,200	11,760
BSM1	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	1,246,489	1,259,958	1,246,489	1,248,889
	Modernization/Restoration of Naval Air Station Key West Facilities and Infrastructure		3,000		2,400
	Perimeter security force protection		10,469		0
BSS1	**BASE OPERATING SUPPORT**	3,826,778	3,875,637	3,829,778	3,846,578
	PMRF Flood Control			3,000	3,000
	Perimeter security force protection		18,859		0
	Childcare center operations		24,000		12,000
	Pierside Wireless Connection System		2,000		1,600
	Navy Shore Infrastructure Transformation (NSIT)		4,000		3,200

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	House	Senate	Conference
2A1F **SHIP PREPOSITIONING AND SURGE**	541,656	541,656	541,656	541,656
2B1G **AIRCRAFT ACTIVATIONS/INACTIVATIONS**	7,166	5,648	7,166	7,166
Unjustified growth		-1,518		0
3A1J **OFFICER ACQUISITION**	135,602	135,602	132,602	135,602
Civilian Personnel Compensation			-3,000	0
3B1K **SPECIALIZED SKILL TRAINING**	486,138	487,638	486,138	487,338
Joint Electronic Warfare Training		1,500		1,200
3B3K **PROFESSIONAL DEVELOPMENT EDUCATION**	161,017	178,017	162,017	174,617
Professional Development Education (transferred to line 3C3L)			1,000	0
Center for Defense Technology and Education for the Military Services		5,000		4,000
Naval Postgraduate School Laboratory modernization		10,000		8,000
Aircraft Rescue Firefighting (ARFF) Training		2,000		1,600
3B4K **TRAINING SUPPORT**	161,647	162,647	161,647	162,647
Military Physicians Combat Medical Training		1,000		1,000
3C1L **RECRUITING AND ADVERTISING**	264,309	264,609	264,309	264,609
Naval Sea Cadet Corps (transferred from line 3C4L)		300		300
3C3I **OFF-DUTY AND VOLUNTARY EDUCATION**	144,828	146,328	144,828	146,028
Continuing Education through Distance Learning - St. Leo University (transfer from line 3B3K)		1,500		1,200
3C4I **CIVILIAN EDUCATION AND TRAINING**	74,991	74,991	75,291	74,991
Naval Sea Cadet Corps (transferred to line 3C1L)			300	
4A1M **ADMINISTRATION**	759,691	726,020	757,691	742,171
Civilian Personnel Compensation			-2,000	0
DFAS support		-33,671		-17,520
4A4M **MILITARY MANPOWER & PERSONNEL MGT**	151,915	151,915	150,868	150,868
Joint Air Logistics Information System (JALIS)			-1,047	-1,047
4A5M **OTHER PERSONNEL SUPPORT**	275,033	276,033	275,033	276,033
Puget Sound Navy Museum		1,000		1,000
4A8M **SERVICEWIDE COMMUNICATIONS**	578,999	578,999	577,999	577,999
Removal of One-time Congressional Increases			-1,000	-1,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	House	Senate	Conference
4B1N SERVICEWIDE TRANSPORTATION	237,202	240,202	237,202	239,602
Radio Frequency Identification (RFID) SMART container passive tags dynamically updating active tag		3,000		2,400
4B2N PLANNING, ENGINEERING & DESIGN	243,861	245,861	239,861	245,461
Civilian Personnel Compensation			-4,000	0
Local Situational Awareness Systems, NAS Lemoore		2,000		1,600
4B3N ACQUISITION AND PROGRAM MANAGEMENT	559,214	559,214	554,214	559,214
Civilian Personnel Compensation			-5,000	0
OTHER PROGRAMS	520,979	522,956	520,979	522,454
Civilian Pay Raise from 3.0% to 3.5%			36,737	0
Unobligated Balances			-60,600	0
WCF Excess Balances			-80,000	-80,000
Overstatement of civilian personnel requirements		-82,000		0
5% efficiency in contracted services		-214,850		0

OPERATION AND MAINTENANCE, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
9250 OPERATION AND MAINTENANCE, MARINE CORPS				
9300 BUDGET ACTIVITY 1: OPERATING FORCES				
9350 EXPEDITIONARY FORCES				
9400 OPERATIONAL FORCES	867,734	686,021	733,207	698,114
9450 FIELD LOGISTICS	502,437	441,725	518,103	470,641
9500 DEPOT MAINTENANCE	71,240	88,298	71,240	71,240
9550 USMC PREPOSITIONING				
9600 MARITIME PREPOSITIONING	73,870	73,870	73,870	73,870
9650 NORWAY PREPOSITIONING	5,681	5,681	5,681	5,681
9700 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	517,701	451,672	533,856	596,772
9750 BASE OPERATING SUPPORT	1,742,906	1,673,287	1,884,071	1,655,483
9800 TOTAL, BUDGET ACTIVITY 1	3,781,569	3,420,554	3,820,028	3,571,801
9850 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
9900 ACCESSION TRAINING				
9950 RECRUIT TRAINING	13,242	18,974	18,974	18,974
10000 OFFICER ACQUISITION	520	399	399	399
10050 BASIC SKILLS AND ADVANCED TRAINING				
10100 SPECIALIZED SKILLS TRAINING	54,185	78,026	78,026	78,026
10150 FLIGHT TRAINING	318	318	318	318
10200 PROFESSIONAL DEVELOPMENT EDUCATION	16,751	18,805	18,805	18,805
10250 TRAINING SUPPORT	284,071	226,646	290,850	260,073

(In thousands of dollars)

	Budget	House	Senate	Conference
10300 RECRUITING AND OTHER TRAINING EDUCATION				
10350 RECRUITING AND ADVERTISING............................	141,378	135,090	235,090	235,090
10400 OFF-DUTY AND VOLUNTARY EDUCATION......................	57,523	57,989	57,989	57,989
10450 JUNIOR ROTC..	17,080	17,080	17,080	17,080
10500 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	56,590	56,590	56,590	56,590
10550 BASE OPERATING SUPPORT...............................	146,254	146,254	146,254	146,254
10600 TOTAL, BUDGET ACTIVITY 3............................	787,912	756,171	920,375	889,598
10650 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
10700 SERVICEWIDE SUPPORT				
10750 SPECIAL SUPPORT......................................	257,131	257,131	255,131	255,131
10800 SERVICEWIDE TRANSPORTATION...........................	81,548	13,658	13,658	13,658
10850 ADMINISTRATION.......................................	36,078	42,868	42,868	42,868
10900 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	3,039	3,039	3,039	3,039
10950 BASE OPERATING SUPPORT...............................	14,116	17,237	14,116	16,116
11000 TOTAL, BUDGET ACTIVITY 4............................	391,912	333,933	328,812	330,812
11100 UNOBLIGATED BALANCES.................................	---	---	-12,800	---
11110 CONTRACT EFFICIENCIES (5 PERCENT)....................	---	-38,800	---	---
11115 CIVILIAN PAY RAISE FROM 3.0% TO 3.5%.................	---	---	5,234	---
11400 TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS......	4,981,393	4,471,858	5,061,649	4,792,211

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

O-1		Budget Request	House	Senate	Conference
10	**OPERATIONAL FORCES**	**867,734**	**686,021**	**733,207**	**698,114**
	Resource realignment		-124,935	-124,935	-124,935
	Removal of One-time Congressional Increases			-18,775	-18,775
	Tank Company O&M Excess to Requirement			-4,817	-4,817
	Combat Desert Jacket			4,000	3,200
	Ultra Light Camouflage Net System (ULCANS) (transferred to line 20)			2,000	0
	USMC Shelters and Tents CP Large			3,000	2,400
	Intermediate and organizational maintenance		50,000		50,000
	Duplicative request		-116,288		-85,093
	Transfer of JNTC to CE2T2		-4,400		-4,400
	Perimeter security force protection		410		*0*
	Mountain Cold Weather Clothing and Equipment Program (MCWCEP)- Marine Corps Base Layers		1,500	3,000	2,400
	Acclimate Flame Resistant High Performance Base Layers		2,000		1,600
	Multi-Voltage EMI Hardened Fluorescent Stringable Tent Lighting System		2,000		1,600
	Combat Casualty Care Equipment Upgrade Program		2,000		1,600
	Marine Corps Merino Wool Cushion Boot Sock		1,000	2,000	1,600
	Self-Inflating MARPAD Sleep Pad		1,000		800
	Cold Weather Layering System		3,000		2,400
	Advanced Fire Resistant Protective Shirt Program		1,000		800
20	**FIELD LOGISTICS**	**502,437**	**441,725**	**518,103**	**470,641**
	Mobile Corrosion Protection and Abatement			2,000	1,800
	Removal of One-time Congressional Increases			-4,800	-4,800
	Civilian Compensation			-2,400	-2,400
	Resource realignment		20,866	20,866	20,866
	Duplicative request		-75,578		-49,662
	Aligns O&M growth with force structure		-9,000		0
	ULCANS – Ultra Lightweight Camouflage Net Systems (transferred from line 10)		3,000		2,400
30	**DEPOT MAINTENANCE**	**71,240**	**88,298**	**71,240**	**71,240**
	Program stabilization		17,058		0
70	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**517,701**	**451,672**	**533,856**	**596,772**
	Resource realignment		16,155	16,155	16,155
	Barracks initiative		10,000		7,000
	Duplicative request		-88,184		-5,884
	Aligns O&M growth with force structure growth		-4,000		0
	Residual funding left over from PMC transfer for SRM projects				61,800

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	House	Senate	Conference
80	**BASE OPERATING SUPPORT**	**1,742,906**	**1,673,287**	**1,884,071**	**1,655,483**
	Resource realignment		8,051	8,051	8,051
	Transfer from Procurement, Marine Corps for Grow the Force for Trailers (residual funding transferred to line 60)			147,388	11,800
	Performance Enhancements for Information Assurance and Information Systems - Operations			1,200	1,200
	Removal of One-time Congressional Increases			-15,474	-15,474
	Aligns O&M growth with force structure		-100,000		-100,000
	Childcare development center operations		6,000		3,000
	Perimeter security force protection		11,330		0
	MAGTFTC Range Transformation Initiative		5,000		4,000
90	**RECRUIT TRAINING**	**13,242**	**18,974**	**18,974**	**18,974**
	Resource realignment		5,732	5,732	5,732
100	**OFFICER ACQUISITION**	**520**	**399**	**399**	**399**
	Resource realignment		-121	-121	-121
110	**SPECIALIZED SKILLS TRAINING**	**54,185**	**78,026**	**78,026**	**78,026**
	Resource realignment		23,841	23,841	23,841
130	**PROFESSIONAL DEVELOPMENT EDUCATION**	**16,751**	**18,805**	**18,805**	**18,805**
	Resource realignment		2,054	2,054	2,054
140	**TRAINING SUPPORT**	**284,071**	**226,646**	**290,850**	**260,073**
	Unjustified Program Growth			-8,500	-8,500
	Resource realignment		15,279	15,279	15,279
	Duplicative request		-72,704		-30,777
150	**RECRUITING AND ADVERTISING**	**141,378**	**135,090**	**235,090**	**235,090**
	Resource realignment		93,712	93,712	93,712
	Aligns O&M growth with force structure		-100,000		0
160	**OFF-DUTY AND VOLUNTARY EDUCATION**	**57,523**	**57,989**	**57,989**	**57,989**
	Resource realignment		466	466	466
200	**SPECIAL SUPPORT**	**257,131**	**257,131**	**255,131**	**255,131**
	DFAS			-2,000	-2,000
210	**SERVICEWIDE TRANSPORTATION**	**81,548**	**13,658**	**13,658**	**13,658**
	resource realignment		-67,890	-67,890	-67,890
220	**ADMINISTRATION**	**36,078**	**42,868**	**42,868**	**42,868**
	Resource realignment		6,790	6,790	6,790
240	**BASE OPERATING SUPPORT**	**14,116**	**17,237**	**14,116**	**16,116**
	Environmental Cleanup of Pier Dump Site, Bellows Air Force Base, Kaneohe Mari		2,500		2,000
	Perimeter security force protection		621		0
	Civilian Pay Raise from 3.0% to 3.5%			5,234	0
	Unobligated Balances			-12,800	0
	5% efficiency in contracted services		-38,800		0

TRANSFER OF FUNDS FROM PROCUREMENT, MARINE CORPS

The Senate recommendation included a transfer of $147,388,000 into Operation and Maintenance, Marine Corps from Procurement, Marine Corps for trailers included in its Grow the Force initiative. However, the Marine Corps has since determined that half of the trailer requirement should be funded in Procurement, Marine Corps and half in Operation and Maintenance, Marine Corps. Further, of the amount remaining in Operation and Maintenance, Marine Corps, $11,800,000 is executable in fiscal year 2008. Therefore, the conference agreement includes $79,900,000, of which $11,800,000 fully funds the requirement for trailers in the Base Operations subactivity group and transfers the remaining $68,100,000 to the Facilities Sustainment, Restoration and Modernization subactivity group to help address unfunded needs.

OPERATION AND MAINTENANCE, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
11500 OPERATION AND MAINTENANCE, AIR FORCE				
11550 BUDGET ACTIVITY 1: OPERATING FORCES				
11600 AIR OPERATIONS				
11650 PRIMARY COMBAT FORCES	4,260,831	3,863,831	3,741,853	3,744,853
11700 PRIMARY COMBAT WEAPONS	279,759	279,759	279,759	279,759
11750 COMBAT ENHANCEMENT FORCES	673,384	673,384	626,014	626,014
11800 AIR OPERATIONS TRAINING	1,502,472	1,484,272	1,495,984	1,477,784
11850 COMBAT COMMUNICATIONS	1,839,006	1,839,006	1,689,617	1,688,817
11900 DEPOT MAINTENANCE	2,277,479	2,277,479	2,277,479	2,277,479
11950 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,041,719	984,841	1,051,719	1,052,719
12000 BASE OPERATING SUPPORT	2,202,105	2,210,806	2,224,805	2,225,206
12050 COMBAT RELATED OPERATIONS				
12100 GLOBAL C3I AND EARLY WARNING	1,318,235	1,318,235	1,318,235	1,318,235
12150 NAVIGATION/WEATHER SUPPORT	258,712	258,712	257,361	257,361
12200 OTHER COMBAT OPERATIONS SUPPORT PROGRAMS	776,893	786,893	763,310	771,310
12250 JCS EXERCISES	27,261	---	38,261	7,500
12300 MANAGEMENT/OPERATIONAL HEADQUARTERS	327,494	331,494	327,494	331,494
12350 TACTICAL INTELLIGENCE AND SPECIAL ACTIVITIES	485,784	485,784	485,784	482,784
12400 SPACE OPERATIONS				
12450 LAUNCH FACILITIES	321,465	321,465	321,465	321,465
12500 LAUNCH VEHICLES	51,072	51,072	51,072	51,072
12550 SPACE CONTROL SYSTEMS	233,190	233,190	233,190	233,190
12600 SATELLITE SYSTEMS	87,993	87,993	87,993	87,993
12650 OTHER SPACE OPERATIONS	329,184	329,184	332,484	331,824
12700 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	184,632	177,062	184,632	184,632
12750 BASE SUPPORT	645,518	645,518	645,518	645,518
12800 TOTAL, BUDGET ACTIVITY 1	19,124,188	18,639,980	18,434,029	18,397,008

(In thousands of dollars)

	Budget	House	Senate	Conference
12850 BUDGET ACTIVITY 2: MOBILIZATION				
12900 MOBILITY OPERATIONS				
12950 AIRLIFT OPERATIONS	2,932,076	2,932,076	2,707,262	2,707,262
13000 AIRLIFT OPERATIONS C3I	49,152	49,152	49,152	49,152
13050 MOBILIZATION PREPAREDNESS	190,395	190,395	190,395	190,395
13100 PAYMENTS TO TRANSPORTATION BUSINESS AREA	300,000	300,000	300,000	300,000
13150 DEPOT MAINTENANCE	337,741	337,741	337,741	337,741
13200 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	214,720	206,131	214,720	214,720
13250 BASE SUPPORT	656,828	644,789	656,828	644,789
13300 TOTAL, BUDGET ACTIVITY 2	4,680,912	4,660,284	4,456,098	4,444,059
13350 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
13400 ACCESSION TRAINING				
13450 OFFICER ACQUISITION	85,528	85,528	86,028	86,028
13500 RECRUIT TRAINING	11,704	11,704	11,704	11,704
13550 RESERVE OFFICER TRAINING CORPS (ROTC)	98,631	98,631	98,631	98,631
13600 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	69,047	65,595	69,047	69,047
13650 BASE SUPPORT (ACADEMIES ONLY)	92,671	83,609	92,671	83,609
13700 BASIC SKILLS AND ADVANCED TRAINING				
13750 SPECIALIZED SKILL TRAINING	378,009	380,009	378,009	378,009
13800 FLIGHT TRAINING	911,673	911,673	911,673	911,673
13850 PROFESSIONAL DEVELOPMENT EDUCATION	173,051	171,987	178,051	181,851
13900 TRAINING SUPPORT	96,679	96,679	96,679	96,679
13950 DEPOT MAINTENANCE	14,309	14,309	14,309	14,309
14000 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	182,756	171,242	182,756	182,756
14050 BASE OPERATING SUPPORT (OTHER TRAINING)	621,550	612,978	621,550	616,764
14100 RECRUITING, AND OTHER TRAINING AND EDUCATION				
14150 RECRUITING AND ADVERTISING	138,895	138,895	138,895	138,895
14200 EXAMINING	4,820	4,820	4,820	4,820
14250 OFF DUTY AND VOLUNTARY EDUCATION	189,568	189,568	189,568	189,568
14300 CIVILIAN EDUCATION AND TRAINING	133,167	136,167	133,167	135,567
14350 JUNIOR ROTC	70,798	70,798	70,798	72,798
14400 TOTAL, BUDGET ACTIVITY 3	3,272,856	3,244,192	3,278,356	3,272,708

(In thousands of dollars)

	Budget	House	Senate	Conference
14450 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
14500 LOGISTICS OPERATIONS				
14550 LOGISTICS OPERATIONS..................................	812,935	816,435	812,935	816,935
14600 TECHNICAL SUPPORT ACTIVITIES..........................	650,478	652,478	653,478	652,078
14650 SERVICEWIDE TRANSPORTATION............................	274,722	187,958	274,722	274,722
14700 DEPOT MAINTENANCE.....................................	66,246	66,246	66,246	66,246
14750 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	290,267	274,012	290,267	290,267
14800 BASE SUPPORT..	1,133,524	1,131,705	1,134,524	1,131,905
14850 SERVICEWIDE ACTIVITIES				
14900 ADMINISTRATION..	221,139	221,139	221,139	221,139
14950 SERVICEWIDE COMMUNICATIONS............................	578,644	578,644	578,644	578,644
15000 PERSONNEL PROGRAMS....................................	229,575	229,575	229,575	229,575
15050 ARMS CONTROL..	39,300	39,300	39,300	39,300
15100 OTHER SERVICEWIDE ACTIVITIES..........................	845,771	845,771	815,191	815,091
15150 OTHER PERSONNEL SUPPORT...............................	36,195	37,695	41,195	41,395
15200 CIVIL AIR PATROL CORPORATION..........................	23,753	23,753	26,553	26,553
15250 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	29,772	28,105	29,772	29,772
15300 BASE OPERATING SUPPORT................................	308,771	308,771	308,771	308,771
15350 SECURITY PROGRAMS				
15400 SECURITY PROGRAMS.....................................	1,001,198	1,003,051	1,000,598	1,002,545
15450 SUPPORT TO OTHER NATIONS				
15500 INTERNATIONAL SUPPORT.................................	35,387	35,387	18,599	18,599
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15550 TOTAL, BUDGET ACTIVITY 4............................	6,577,677	6,480,025	6,541,509	6,543,537
15600 UNOBLIGATED BALANCES..................................	---	---	-60,000	---
16455 CIVILIAN PAY RAISE FROM 3.0% TO 3.5%..................	---	---	37,341	---
16460 AIRCRAFT RETIREMENT (AUTHORIZATION PROVISION).........	---	-229,300	---	---
16470 OVERSTATEMENT OF CIVILIAN PERSONNEL REQUIREMENTS......	---	-186,300	---	-93,150
16480 EXCESS INVENTORY ON ORDER.............................	---	-650,000	---	-300,000
16490 TRANSFER OF EXCESS WORKING CAPITAL FUND CASH..........	---	-46,000	-88,000	-88,000
16500 CONTRACT EFFICIENCIES (5 PERCENT).....................	---	-298,900	---	---
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16600 TOTAL, OPERATION AND MAINTENANCE, AIR FORCE.........	33,655,633	31,613,981	32,599,333	32,176,162

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	House	Senate	Conference
011A PRIMARY COMBAT FORCES	**4,260,831**	**3,863,831**	**3,741,853**	**3,744,853**
Unexecutable training hours due to deployments		-400,000	-400,000	-400,000
CAM Transfer to O&M Air Force Reserves and Air National Guard			-118,978	-118,978
MBU-20/P Oxygen Mask and Mask Light		3,000		3,000
011C COMBAT ENHANCEMENT FORCES	**673,384**	**673,384**	**626,014**	**626,014**
CAM Transfer to O&M Air Force Reserves and Air National Guard			-47,370	-47,370
011D AIR OPERATIONS TRAINING	**1,502,472**	**1,484,272**	**1,495,984**	**1,477,784**
CAM Transfer to O&M Air Force Reserves and Air National Guard			-6,488	-6,488
Transfer of JNTC to CE2T2		-18,200		-18,200
011E COMBAT COMMUNICATIONS	**1,839,006**	**1,839,006**	**1,689,617**	**1,688,817**
CAM Transfer to O&M Air Force Reserves and Air National Guard			-148,189	-148,189
Joint Communications Support Element			-4,000	-4,000
NORTHCOM Duplicate Funding			-1,200	-1,200
Interoperable Communications/Enterprise Network for USNORTHCOM.			4,000	3,200
011R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	**1,041,719**	**984,841**	**1,051,719**	**1,052,719**
Eielson Utilidors			10,000	9,000
Overstatement of requirement		-59,378		0
Building 641 (AFIT)		2,500		2,000
011Z BASE OPERATING SUPPORT	**2,202,105**	**2,210,806**	**2,224,805**	**2,225,205**
Operational Upgrades, BLDG 9480			10,000	9,000
Alaska Land Mobile Radio (ALMR)			4,700	4,300
Electrical Distribution Upgrade at Hickam			8,000	7,000
Perimeter security force protection		3,101		0
Childcare center operations		5,600		2,800
012B NAVIGATION/WEATHER SUPPORT	**258,712**	**258,712**	**257,361**	**257,361**
CAM Transfer to O&M Air Force Reserves and Air National Guard			-1,351	-1,351
012C OTHER COMBAT OPERATIONS SUPPORT PROGRAMS	**776,893**	**786,893**	**763,310**	**771,310**
CAM Transfer to O&M Air Force Reserves and Air National Guard			-3,583	-3,583
National Homeland Security Plan Initiative			-10,000	-10,000
Portable Illumination System		10,000		8,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	House	Senate	Conference
012D	**JCS EXERCISES**	**27,261**	**0**	**38,261**	**7,500**
	Red Flag PARC Upgrades			11,000	7,500
	Transfer of JCS exercise program to CE2T2		-27,261		-27,261
012E	**MANAGEMENT/OPERATIONAL HEADQUARTERS**	**327,494**	**331,494**	**327,494**	**331,494**
	8th Air Force Cyberspace Innovation Center		4,000		4,000
012F	**TACTICAL INTELLIGENCE AND SPECIAL ACTIVITIES**	**485,784**	**485,784**	**485,784**	**482,784**
	Tactical Intel and Special Activities Adjustment (transfer to RDAF line 60)				-3,000
013E	**OTHER SPACE OPERATIONS**	**329,184**	**329,184**	**332,484**	**331,824**
	National Security Space Institute			3,300	2,640
013R	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**184,632**	**177,062**	**184,632**	**184,632**
	Overstatement of requirement		-7,570		0
021A	**AIRLIFT OPERATIONS**	**2,932,076**	**2,932,076**	**2,707,262**	**2,707,262**
	CAM Transfer to O&M Air Force Reserves and Air National Guard			-224,814	-224,814
021R	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**214,720**	**206,131**	**214,720**	**214,720**
	Overstatement of requirement		-8,589		0
021Z	**BASE SUPPORT**	**656,828**	**644,789**	**656,828**	**644,789**
	Price increase justified as program growth		-7,841		-7,841
	Duplicative repair cost		-4,198		-4,198
031A	**OFFICER ACQUISITION**	**85,528**	**85,528**	**86,028**	**86,028**
	Center for Space and Defense Studies			500	500
031R	**FACILITIES CONTAINMENT, RESTORATION & MODERNIZATION**	**69,047**	**65,595**	**69,047**	**69,047**
	Overstatement of requirement		-3,452		0
031Z	**BASE SUPPORT (ACADEMIES ONLY)**	**92,671**	**83,609**	**92,671**	**83,609**
	Unjustified growth		-9,062		-9,062
032A	**SPECIALIZED SKILL TRAINING**	**378,009**	**380,009**	**378,009**	**378,009**
	Engineering Training and Knowledge Preservation System (transferred to line 032C)		2,000		0
032C	**PROFESSIONAL DEVELOPMENT EDUCATION**	**173,051**	**171,987**	**178,051**	**181,851**
	Engineering Training & Knowledge Preservation System (transfer from line 032A)			1,000	1,600
	Naval Postgraduate School PhD in Homeland Defense			4,000	3,200
	Excessive cost to upgrade telephone system		-5,064		0
	Advanced Technical Intelligence Center (ATIC) - Human Capital Development (HCD)		4,000		4,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	House	Senate	Conference
032R	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**182,756**	**171,242**	**182,756**	**182,756**
	Overstatement of requirement		-11,514		0
032Z	**BASE OPERATING SUPPORT (OTHER TRAINING)**	**621,550**	**612,978**	**621,550**	**616,764**
	No growth in student thru-put is planned		-4,786		-4,786
	Civilian personnel program plans		-3,786		0
033D	**CIVILIAN EDUCATION AND TRAINING**	**133,167**	**136,167**	**133,167**	**135,567**
	MacDill AFB Online Technology Program		1,000		800
	Online Technology Training Program at Nellis AFB		2,000		1,600
033E	**JUNIOR ROTC**	**70,798**	**70,798**	**70,798**	**72,798**
	JROTC programs				2,000
041A	**LOGISTICS OPERATIONS**	**812,935**	**816,435**	**812,935**	**816,935**
	Lean Process Improvement		2,000		1,600
	Center for Parts Configuration Management (CPCM) (transfer from line 041B)		1,500		2,400
041B	**TECHNICAL SUPPORT ACTIVITIES**	**650,478**	**652,478**	**653,478**	**652,078**
	Engine Health Management Plus Data Repository Center		2,000		1,600
	Center for Parts Configuration Management (CPCM) (transfer to line 041A)			3,000	
041C	**SERVICE WIDE TRANSPORTATION**	**274,722**	**187,958**	**274,722**	**274,722**
	Planned shipments fall 10% -growth in program unjustified		-86,764		0
041R	**FACILITIES CONTAINMENT, RESTORATION & MODERNIZATION**	**290,267**	**274,012**	**290,267**	**290,267**
	Overstatement of requirement		-16,255		0
041Z	**BASE SUPPORT**	**1,133,524**	**1,131,705**	**1,134,524**	**1,131,905**
	Mission Critical Power System Reliability Surveys			1,000	800
	Consolidation of information system management		-4,819		-4,819
	Air Force Materiel Command's Net-centric Emergency Notification System		1,000		800
	Demonstration Project for Contractors Employing Persons with Disabilities		2,000		1,600
042G	**OTHER SERVICE WIDE ACTIVITIES**	**845,771**	**845,771**	**815,191**	**815,091**
	CAM Transfer to O&M Air Force Reserves and Air National Guard			-6,080	-6,080
	Unjustified Growth			-25,000	-25,000
	Mobile Shear			500	400
042H	**OTHER PERSONNEL SUPPORT**	**36,195**	**37,695**	**41,195**	**41,395**
	Military Legal Assistance Clinic			5,000	4,000
	Air Force Manufacturing Technical Assistance and Production Program		1,500		1,200

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

O-1		Budget Request	House	Senate	Conference
042I	**CIVIL AIR PATROL CORPORATION**	**23,753**	**23,753**	**26,553**	**26,553**
	Civil Air Patrol			2,300	2,300
	AK CAP Survival Equipment			500	500
042R	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**29,772**	**28,105**	**29,772**	**29,772**
	Overstatement of requirement		-1,667		0
043a	**SECURITY PROGRAMS**	**1,001,198**	**1,003,051**	**1,000,598**	**1,002,545**
	Security Programs Adjustment			-600	1,347
044a	**INTERNATIONAL SUPPORT**	**35,387**	**35,387**	**18,599**	**18,599**
	CENTCOM Forward-Deployed Headquarters Move Duplicate Funding			-16,788	-16,788
	Civilian Pay Raise from 3.0% to 3.5%			37,341	0
	Unobligated Balances			-60,000	0
	Overstatement of civilian personnel requirements		-186,300		-93,150
	Aircraft retirement (authorization provision)		-229,300		0
	Excess inventory on order		-650,000		-300,000
	Transfer of excess working capital fund cash		-46,000	-88,000	-88,000
	5% efficiency in contracted services		-298,900		0

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	House	Senate	Conference
032R	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	182,756	171,242	182,756	182,756
	Overstatement of requirement		-11,514		0
032Z	**BASE OPERATING SUPPORT (OTHER TRAINING)**	621,550	612,978	621,550	616,764
	No growth in student thru-put is planned		-4,786		-4,786
	Civilian personnel program plans		-3,786		0
033D	**CIVILIAN EDUCATION AND TRAINING**	133,167	136,167	133,167	135,567
	MacDill AFB Online Technology Program		1,000		800
	Online Technology Training Program at Nellis AFB		2,000		1,600
033E	**JUNIOR ROTC**	70,798	70,798	70,798	72,798
	JROTC programs				2,000
041A	**LOGISTICS OPERATIONS**	812,935	816,435	812,935	816,935
	Lean Process Improvement		2,000		1,600
	Center for Parts Configuration Management (CPCM) (transfer from line 041B)		1,500		2,400
041B	**TECHNICAL SUPPORT ACTIVITIES**	650,478	652,478	653,478	652,078
	Engine Health Management Plus Data Repository Center		2,000		1,600
	Center for Parts Configuration Management (CPCM) (transfer to line 041A)			3,000	
041C	**SERVICE WIDE TRANSPORTATION**	274,722	187,958	274,722	274,722
	Planned shipments fall 10% -growth in program unjustified		-86,764		0
041R	**FACILITIES CONTAINMENT, RESTORATION & MODERNIZATION**	290,267	274,012	290,267	290,267
	Overstatement of requirement		-16,255		0
041Z	**BASE SUPPORT**	1,133,524	1,131,705	1,134,524	1,131,905
	Mission Critical Power System Reliability Surveys			1,000	800
	Consolidation of information system management		-4,819		-4,819
	Air Force Materiel Command's Net-centric Emergency Notification System		1,000		800
	Demonstration Project for Contractors Employing Persons with Disabilities		2,000		1,600
042G	**OTHER SERVICE WIDE ACTIVITIES**	845,771	845,771	815,191	815,091
	CAM Transfer to O&M Air Force Reserves and Air National Guard			-6,080	-6,080
	Unjustified Growth			-25,000	-25,000
	Mobile Shear			500	400
042H	**OTHER PERSONNEL SUPPORT**	36,195	37,695	41,195	41,395
	Military Legal Assistance Clinic			5,000	4,000
	Air Force Manufacturing Technical Assistance and Production Program		1,500		1,200

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	House	Senate	Conference
042I	**CIVIL AIR PATROL CORPORATION**	**23,753**	**23,753**	**26,553**	**26,553**
	Civil Air Patrol			2,300	2,300
	AK CAP Survival Equipment			500	500
042R	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**29,772**	**28,105**	**29,772**	**29,772**
	Overstatement of requirement		-1,667		0
043a	**SECURITY PROGRAMS**	**1,001,198**	**1,003,051**	**1,000,598**	**1,002,545**
	Security Programs Adjustment			-600	1,347
044a	**INTERNATIONAL SUPPORT**	**35,387**	**35,387**	**18,599**	**18,599**
	CENTCOM Forward-Deployed Headquarters Move Duplicate Funding			-16,788	-16,788
	Civilian Pay Raise from 3.0% to 3.5%			37,341	0
	Unobligated Balances			-60,000	0
	Overstatement of civilian personnel requirements		-186,300		-93,150
	Aircraft retirement (authorization provision)		-229,300		0
	Excess inventory on order		-650,000		-300,000
	Transfer of excess working capital fund cash		-46,000	-88,000	-88,000
	5% efficiency in contracted services		-298,900		0

EXCESS ON-ORDER INVENTORY

The House recommended that the Air Force reduce excess on-order inventory by instituting measures to ensure Air Force inventory management specialists are following excess on-order termination procedures. The conferees commend the Air Force for taking immediate action to comply with this direction.

OVERSTATEMENT OF FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION REQUIREMENTS

The conferees recommend that the Deputy Under Secretary of Defense for Installations and Environment review the Air Force's computation of Facilities Sustainment, Restoration and Modernization (FSRM) requirements and ensure that the Air Force's FSRM request for fiscal year 2009 properly reflects plant replacement value and inflation.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
16750 OPERATION AND MAINTENANCE, DEFENSE-WIDE				
16800 BUDGET ACTIVITY 1: OPERATING FORCES				
16850 JOINT CHIEFS OF STAFF	312,518	88,189	312,518	88,189
16950 SPECIAL OPERATIONS COMMAND	3,277,640	3,237,640	3,250,850	3,254,440
17000 TOTAL, BUDGET ACTIVITY 1	3,590,158	3,325,829	3,563,368	3,342,629
17150 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
17200 DEFENSE ACQUISITION UNIVERSITY	104,596	104,596	104,596	104,596
17300 DEFENSE HUMAN RESOURCES ACTIVITY	56,836	58,336	57,836	59,036
17400 NATIONAL DEFENSE UNIVERSITY	91,099	101,349	91,099	99,099
17500 TOTAL, BUDGET ACTIVITY 3	252,531	264,281	253,531	262,731
17550 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
17600 AMERICAN FORCES INFORMATION SERVICE	149,631	149,631	149,631	149,631
17700 CIVIL MILITARY PROGRAMS	107,347	110,847	127,347	123,347
17750 DEFENSE BUSINESS TRANSFORMATION AGENCY	148,028	145,528	148,028	145,528
17800 DEFENSE CONTRACT AUDIT AGENCY	396,578	408,578	396,578	406,578
17850 DEFENSE FINANCE AND ACCOUNTING SERVICE	432	432	432	432
17900 DEFENSE INFORMATION SYSTEMS AGENCY	945,594	936,594	945,594	938,594
18000 DEFENSE LEGAL SERVICES AGENCY	36,350	31,730	36,350	31,730
18050 DEFENSE LOGISTICS AGENCY	299,778	308,778	306,778	308,378
18150 DEFENSE POW /MISSING PERSONS OFFICE	16,400	16,400	16,400	16,400
18200 DEFENSE TECHNOLOGY SECURITY AGENCY	23,671	23,671	23,671	23,671
18250 DEFENSE THREAT REDUCTION AGENCY	333,548	344,048	333,548	344,048
18350 DEPARTMENT OF DEFENSE DEPENDENTS EDUCATION	1,833,431	2,305,244	1,847,431	2,029,637
18450 DEFENSE HUMAN RESOURCES ACTIVITY	319,456	338,456	319,456	321,056
18500 DEFENSE CONTRACT MANAGEMENT AGENCY	1,044,139	1,061,139	1,044,139	1,058,139
18600 DEFENSE SECURITY COOPERATION AGENCY	673,400	155,900	481,000	176,900
18700 DEFENSE SECURITY SERVICE	372,457	422,457	372,457	422,457
18800 OFFICE OF ECONOMIC ADJUSTMENT	57,176	91,476	131,376	163,476

(In thousands of dollars)

	Budget	House	Senate	Conference
18850 OFFICE OF THE SECRETARY OF DEFENSE....................	1,093,742	1,419,760	1,117,142	1,448,660
18950 JOINT CHIEFS OF STAFF................................	284,791	271,842	277,191	271,842
19000 WASHINGTON HEADQUARTERS SERVICES......................	439,277	439,277	435,677	435,677
19100 TOTAL, BUDGET ACTIVITY 4............................	8,575,226	8,981,788	8,510,226	8,816,181
19150 IMPACT AID...	---	---	35,000	30,000
19200 IMPACT AID FOR CHILDREN WITH DISABILITIES............	---	---	5,000	5,000
19250 OTHER PROGRAMS.......................................	10,156,363	10,206,416	10,143,563	10,202,416
19300 UNOBLIGATED BALANCES.................................	---	-186,000	-54,000	-186,000
19320 WORKING CAPITAL FUND EXCESS BALANCES..................	---	---	-40,000	-40,000
19600 ARMED FORCES MEDICAL AND FOOD RESEARCH................	---	---	---	3,200
19905 CIVILIAN PAY RAISE FROM 3.0% TO 3.5%..................	---	---	28,539	---
19910 SOLDIER CENTER AT PATRIOT PARK, FT. BENNING.........	---	7,500	---	6,000
19920 MILITARY INTELLIGENCE SERVICE HISTORIC LEARNING CENTER	---	1,000	---	800
19930 GSA PERSONNEL DETAIL.................................	---	21,000	---	---
19940 CONTRACT EFFICIENCIES (5 PERCENT).....................	---	-282,700	---	---
19945 JOINT LOGISTICS EDUCATION TRAINING & EDUCATION TESTBED	---	1,000	---	1,000
19950 EMERGENCY AND EXTRAORDINARY EXPENSES..................	---	-7,000	---	-7,000
19960 PERIMETER SECURITY FORCE PROTECTION..................	---	9,066	---	---
19970 ENTERPRISE-WIDE DATA & KNOWLEDGE MGMT SYS FOR USSOCOM.	---	1,000	---	1,000
19975 OPERATION JUMP START.................................	---	---	794,000	247,000
19980 COMMERCIAL AIRBORNE IFSAR MAPPING.....................	---	---	---	4,160
19983 FIRST TEE..	---	---	---	3,000
19987 WMD COMMISSION	---	---	---	1,500
20050 TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE......	22,574,278	22,343,180	23,239,227	22,693,617

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

O-1	Budget Request	House	Senate	Conference
BUDGET ACTIVITY 1: OPERATING FORCES:				
JOINT CHIEFS OF STAFF	**312,518**	**88,189**	**312,518**	**88,189**
CJCS Joint Exercise Program	245,075	0	245,075	0
Transfer to CE2T2		-245,075		-245,075
CbT RIF	15,857	27,303	15,857	27,303
Transfer from FY 08 GWOT		11,446		11,446
Chem-bio management response force (C-CMRF)	15,700	25,000	15,700	25,000
Transfer from FY 08 GWOT		9,300		9,300
SPECIAL OPERATIONS COMMAND	**3,277,640**	**3,237,640**	**3,250,850**	**3,254,440**
Reduction based on prior obligation rates		-40,000		
Regional plan for prosecution of the global war on terror			-6,390	
MARSOC			-5,000	-5,000
Baseline contingency operations			-1,500	-1,500
Management and headquarters operations				-5,000
Civilian pay			-13,900	-13,900
Special Operations Forces Tele-Training Systems (SOFTS)				1,000
SOF Mission Training & Prep Systems Interoperability (transferred from R&D, DW)				1,200
BUDGET ACTIVITY 3: TRAINING AND RECRUITING:				
DEFENSE ACQUISITION UNIVERSITY	**104,596**	**104,596**	**104,596**	**104,596**
DEFENSE HUMAN RESOURCES ACTIVITY	**56,836**	**58,336**	**57,836**	**59,036**
Strategic Language Initiative		1,500		1,200
Defense Critical Languages and Cultures Program			1,000	1,000
NATIONAL DEFENSE UNIVERSITY	**91,099**	**101,349**	**91,099**	**99,099**
National Security Education Program		10,250		8,000
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES:				
AMERICAN FORCES INFORMATION SERVICE	**149,631**	**149,631**	**149,631**	**149,631**
CIVIL MILITARY PROGRAMS	**107,347**	**110,847**	**127,347**	**123,347**
National Guard Youth Challenge Program		3,500	15,000	12,000
STARBASE program			5,000	4,000
DEFENSE BUSINESS TRANSFORMATION AGENCY	**148,028**	**145,528**	**148,028**	**145,528**
FY 07 program reductions		-2,500		-2,500
DEFENSE CONTRACT AUDIT AGENCY	**396,578**	**408,578**	**396,578**	**406,578**
Contract service management oversight		12,000		10,000
DEFENSE FINANCE AND ACCOUNTING SERVICE	**432**	**432**	**432**	**432**
DEFENSE INFORMATION SYSTEMS AGENCY	**945,594**	**936,594**	**945,594**	**938,594**
Undistributed program reductions		-4,000		-7,000
White House Communications Agency program reductions		-5,000		
DEFENSE LEGAL SERVICES AGENCY	**36,350**	**31,730**	**36,350**	**31,730**
DLSA headquarters	10,826	10,826		10,826
Defense Office of Hearings and Appeals	20,904	20,904		20,904
Office of Military Commissions	4,620	0		0
Transfer to FY 08 GWOT		-4,620		-4,620
DEFENSE LOGISTICS AGENCY	**299,778**	**308,778**	**306,778**	**308,378**
Commercial Technologies for Maintenance Activities		2,000		1,600
Procurement technical assistance centers		7,000	7,000	7,000
DEFENSE POW/MISSING PERSONS OFFICE	**16,400**	**16,400**	**16,400**	**16,400**

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

O-1	Budget Request	House	Senate	Conference
DEFENSE TECHNOLOGY SECURITY AGENCY	**23,671**	**23,671**	**23,671**	**23,671**
DEFENSE THREAT REDUCTION AGENCY	**333,548**	**344,048**	**333,548**	**344,048**
NIMBLE ELDER and International Counterproliferation		9,500		9,500
Defense Threat Reduction University Consortium		1,000		1,000
DEFENSE DEPENDENTS EDUCATION:	**1,833,431**	**2,305,244**	**1,847,431**	**2,029,637**
Educational system enhancements		30,000		20,000
Family Advocacy Programs	232,587	671,400		399,993
Expanded service		438,813		167,406
Lewis Center for Education Research		3,000		2,400
Parents and Teachers Heroes			3,000	2,400
Project SOAR (section 8084)			6,000	
Military child education coalition			5,000	4,000
DEFENSE HUMAN RESOURCES ACTIVITY	**319,456**	**338,456**	**319,456**	**321,056**
Homeland security presidential directive - 12		17,000		
Translation and Interpretation Skills for DOD		2,000		1,600
DEFENSE CONTRACT MANAGEMENT AGENCY	**1,044,139**	**1,061,139**	**1,044,139**	**1,058,139**
Contract service management oversight		17,000		14,000
DEFENSE SECURITY COOPERATION AGENCY	**673,400**	**155,900**	**481,000**	**176,900**
Global train and equip	500,000	-500,000	-200,000	-500,000
Affordability adjustment		-10,000		-5,000
Stability operations fellowship program authorization adjustment	5,000	-5,000	-5,000	-5,000
Irregular Warfare/Reconstruction Center of Excellence	2,500	-2,500		-2,500
Center for International Issues Research			-7,400	
Regional Centers for Security Studies			20,000	16,000
DEFENSE SECURITY SERVICE	**372,457**	**422,457**	**372,457**	**422,457**
Restoration of baseline shortfalls		50,000		50,000
OFFICE OF ECONOMIC ADJUSTMENT	**57,176**	**91,476**	**131,376**	**163,476**
Thorium/Magnesium Excavation - Blue Island		1,500		1,200
Davids Island - Fort Slocum Remediation		10,000		8,000
McClellan AFB Infrastructure Improvements		3,000		2,400
Hunters Point Naval Shipyard		4,800	5,000	9,300
Port of San Francisco Site Investigation and Remedial Action		3,000		2,400
Charles E. Kelly Relocation Project		4,000	4,000	4,000
Delaware Valley Continuing Education Initiative for National Guard and Reserve		1,000		1,000
Frankford Arsenal Environmental Assessment & Remediation		2,000		1,600
Norton AFB - Infrastructure Improvements		5,000		4,000
Stabilization/Repair of the Ship Repair Facility at MOTBY			8,000	8,000
Access to Joint Tanana Training Complex			44,200	44,200
Intermodal Marine Facility - Port of Anchorage			11,000	11,000
Exhibit on Role of Arab Americans in the Defense of Our Country			2,000	2,000
Restoration of Naval Facility at Centerville Beach (transferred from Environmental Restoration, FUDS)				3,000
Lake Erie/Touissant River Remediation (transferred from Environmental Restoration, FUDS)				1,000
Spring Valley Remediation (transferred from Environmental Restoration, FUDS)				3,200
OFFICE OF THE SECRETARY OF DEFENSE	**1,093,742**	**1,419,760**	**1,117,142**	**1,448,660**

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	House	Senate	Conference
Core operating program	254,467	254,467		254,467
Other DOD programs and initiatives	184,276	180,276		180,276
Reductions to boards and commissions		-4,000		-4,000
Acquisition, technology and logistics programs:	124,707	118,217		118,217
Improve acquisition and logistics processes	53,217	46,727		46,727
Affordability reduction		-6,490		-6,490
Personnel and readiness:	267,338	622,838		616,338
Combatant commander's exercise engagement and training transformation	233,641	589,143		582,643
Joint exercise program costs transferred from TJS		245,075		245,075
Joint exercise program incremental costs transferred from services		81,827		81,827
Joint national training capability transferred from services		63,600		42,100
Reductions due to anticipated efficiencies/program savings		-35,000		-20,000
Comptroller and Chief Financial Officer:	20,934	20,934		20,934
Unjustified program growth			-5,600	
Under Secretary of Defense (Intelligence):	53,571	41,571		52,571
Undistributed reduction for unjustified growth and affordability		-12,000		-1,000
Under Secretary of Defense (Policy):	69,174	62,180		62,180
Policy operations	11,077	7,083		7,083
Unjustified growth		-3,994		-3,994
Strategic communication and integration	3,000	0		
Unsupported program initiation		-3,000	-3,000	-3,000
Director, Program analysis and evaluation:	25,076	25,076		25,076
Assistant Secretary of Defense (Networks and Information Integration:	94,201	94,201		94,201
Office of the Secretary, Undistributed:		5,000		24,400
Middle East Regional Security Issues Program		3,000		2,400
Critical Language Training, SDSU		1,000		1,000
Modeling & Simulation of Joint Logistics Command & Control Processes		1,000		1,000
Undistributed:				
Study on National Security Interagency System			3,000	2,400
Logistics and Material Readiness Unjustified Program Growth			-8,000	
Aircraft Logging and Recording for Training			2,000	1,600
Asia Pacific Regional Initiative (transfer to O&M, N)			15,000	
Readiness and Environmental Protection Initiative			20,000	16,000
JOINT CHIEFS OF STAFF	**284,791**	**271,842**	**277,191**	**271,842**
Headquarters management reduction		-8,000		-8,000
Hold growth in travel		-1,000		-1,000
Disallow new maintenance contracts		-3,949		-3,949
Removal of one-time congressional increases			-7,600	
WASHINGTON HEADQUARTERS SERVICES	**439,277**	**439,277**	**435,677**	**435,677**
Unjustified growth			-3,600	-3,600
UNDISTRIBUTED:				
GSA personnel detail		21,000		
Contract efficiencies		-282,700		

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	House	Senate	Conference
Emergency and extraordinary expenses		-7,000		-7,000
Other programs	10,156,363	10,206,416	10,139,563	10,202,416
Joint Logistics Education Training & Education Testbed (JLETT)		1,000		1,000
Soldier Center at Patriot Park, Ft. Benning		7,500		6,000
Perimeter security and force protection		9,066		
Enterprise-wide Data and Knowledge Management System to Enhance USSOCOM Mission		1,000		1,000
Military Intelligence Service Historic Learning Center		1,000		800
Unobligated balances		-186,000	-54,000	-186,000
Armed Forces Health and Food Supply Research			4,000	3,200
Impact Aid			35,000	30,000
Impact Aid for Children with Disabilities			5,000	5,000
Civilian pay raise from 3% to 3.5%			28,539	
Commercial Airborne IFSAR Mapping (transferred from the classified annex)				4,160
Operation Jump Start			794,000	247,000
Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism				1,500
First Tee				3,000
WCF excess balances			-40,000	-40,000

The conference agreement provides not less than $582,643,000 for the Combatant Commander's Exercise Engagement and Training Transformation program. In addition, the conferees agree to include not less than $3,600,000 for centers within the Procurement Technical Assistance Cooperative Agreement Program.

In order to ensure sufficient funds are available for the Department to enhance its efforts to improve fiscal management and oversight, the conferees agree to provide not less than $41,203,000 for the Office of the Undersecretary of Defense, Comptroller and Chief Financial Officer.

The conference agreement deletes a provision proposed by the House relating to rates and charges of the Defense Security Service.

OPERATION JUMP START

The conferees recognize National Guard contributions to improve border security as part of Operation Jump Start. The Guard undertook this mission as an interim operation until additional Department of Homeland Security personnel and resources could be deployed to secure the borders. The conferees understand that the National Guard mission will continue until July 2008 at force levels of about 3,000 guardsmen and have provided $247,000,000 to fund this requirement for the first six months of the fiscal year.

OFFICE OF THE SECRETARY OF DEFENSE

PERSONNEL AND READINESS

COMBATANT COMMANDER'S EXERCISE, ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)

The conferees adopt the House's proposed consolidation of various joint training programs, including the joint exercise program of the Joint Chiefs of Staff, the services' incremental costs associated with the joint exercise program and the services' joint national training capability. The conference agreement reflects the following adjustments to the budget request:

Budget request	$233,641,000
Recommended transfers: ...	
Joint exercise program, TJS	+245,075,000
Services joint national training capability (O&M)	+42,100,000
Services joint exercise program incremental costs	+81,827,000
Recommended adjustments:	
Anticipated efficiencies and program savings ...	−20,000,000
TOTAL, CE2T2	582,643,000

The conference agreement does not consolidate the research, development, test and evaluation and procurement activities of the joint national training capability that are funded within the services' budgets. The conferees expect, however, that such funds shall be expended in support of the consolidated Combatant Commander's Exercise, Engagement and Training Transformation Program and the Joint National Training Capability.

The conferees reiterate that the Department shall not increase administrative overhead costs or civilian or military positions associated with the operation and management of the joint training portfolio. The Department shall provide to the House and Senate Committees on Appropriations, within 60 days of enactment of this Act, an analysis of funds and personnel to be transferred to effect the consolidation.

FAMILY ADVOCACY PROGRAMS

The conferees agree to provide a total of $399,993,500 for family advocacy programs (FAP) in fiscal year 2008. The conferees believe that the additional funding provided will enhance the activities of FAP and provide for children and families managing the difficult challenges of military service. The conferees are cognizant of and concerned about the growing need for family members to have access to professional counseling to help alleviate the mental stresses associated with deployments. The conferees believe that programs such as FAP directly affect military retention and are essential to the health and welfare of our troops, their families, and the communities in which they live.

Due to the importance of family advocacy programs, the conferees provide additional funding to increase access to family support programs. With multiple deployments, it is important to continually reach out to multifaceted organizations that provide support services. Therefore, not later than 90 days after enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on mechanisms for expanding public-private partnerships with military and family organizations for the purpose of increasing access to family support, especially for the minor dependent children of deployed service members. Prior to submission of the report, the Secretary shall consult with military family advocacy organizations, and include the comments of such organizations within the required report to the congressional defense committees.

This report shall identify the following:

(A) the adjustment needs of minor children of deployed service personnel, including children whose parents or guardians have experienced multiple deployments;

(B) alternative support and recreational activities which have been shown to be effective in improving coping skills in young children of deployed service members;

(C) support networks beyond educational settings that have been effective in addressing the needs of children of deployed service members, to include summer and afterschool recreational, sports and cultural activities;

(D) programs which can be accessed without charge to military families;

(E) gaps in services for minor dependent children of deployed personnel; and,

(F) opportunities for expanding public and private partnerships in support of such programs.

Additionally, not later than 90 days after submission of the report described above, the Secretary shall submit a plan to the congressional defense committees to address the needs and gaps in services identified in the report. Such a plan shall also address the comments and recommendations of military family advocacy organizations.

NUCLEAR WEAPONS HANDLING PROCEDURES

The conferees direct that not later than 90 days after enactment of this Act, the Secretary of Defense and the Secretary of Energy shall jointly submit a classified report to the congressional defense committees and to the Subcommittees on Energy and Water Development of the Senate and House Committees on Appropriations on the policies and procedures governing the storage and logistic movement of U.S. nuclear weapons and nuclear components through all phases of the nuclear weapons cycle. The report shall include a review of all items listed in section 8106 of the Senate bill.

WESTERN HEMISPHERE INSTITUTE FOR SECURITY COOPERATION

The conferees support the mandate of the Western Hemisphere Institute for Security Cooperation (the Institute) to be a transparent and democratic institution. To promote such transparency and democratic values, the conferees direct the Institute to provide to the congressional defense committees in classified format the names of all students and instructors at the Institute for fiscal years 2005 and 2006. The list shall include all names, including but not limited to the first, middle, and maternal and paternal surnames, rank, country of origin, courses taken or taught, and years of attendance. In all future fiscal years, this same information shall be made available and provided to the congressional defense committees no later than 60 days after the end of each fiscal year.

OPERATION AND MAINTENANCE, ARMY RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
20200 OPERATION AND MAINTENANCE, ARMY RESERVE				
20250 BUDGET ACTIVITY 1: OPERATING FORCES				
20300 LAND FORCES				
20350 MANEUVER UNITS	4,465	4,465	4,465	4,465
20400 MODULAR SUPPORT BRIGADES	15,706	15,706	15,706	15,706
20450 ECHELONS ABOVE BRIGADES	443,577	443,577	439,677	439,677
20500 THEATER LEVEL ASSETS	154,575	154,575	154,575	154,575
20550 LAND FORCES OPERATIONS SUPPORT	514,510	518,510	514,510	518,510
20560 AVIATION ASSETS	63,133	63,133	63,133	63,133
20600 LAND FORCES READINESS				
20650 FORCES READINESS OPERATIONS SUPPORT	230,699	230,699	232,899	232,459
20700 LAND FORCES SYSTEM READINESS	84,725	84,725	86,725	86,525
20750 DEPOT MAINTENANCE	130,683	130,683	130,683	130,683
20800 LAND FORCES READINESS SUPPORT				
20850 BASE OPERATIONS SUPPORT	502,679	502,679	501,679	501,679
20900 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	222,856	246,456	222,856	234,656
20950 ADDITIONAL ACTIVITIES	11,367	11,367	11,367	11,367
20960 REDUCTIONS REFLECTING HISTORIC UNDER EXECUTION	---	-15,300	---	-15,300
21000 TOTAL, BUDGET ACTIVITY 1	2,378,975	2,391,275	2,378,275	2,378,135
21050 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
21100 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
21150 ADMINISTRATION	67,309	67,309	67,309	67,309
21200 SERVICEWIDE COMMUNICATIONS	10,427	10,427	10,427	10,427
21250 PERSONNEL/FINANCIAL ADMIN	8,321	8,321	8,321	8,321
21300 RECRUITING AND ADVERTISING	43,030	43,030	43,030	43,030
21350 TOTAL, BUDGET ACTIVITY 4	129,087	129,087	129,087	129,087

(In thousands of dollars)

	Budget	House	Senate	Conference
21550 TACTICAL OPERATIONS CENTER (ELAMS/MECCS)..............	---	2,000	---	1,600
21705 CIVILIAN PAY RAISE FROM 3.0% TO 3.5%..................	---	---	2,924	---
21710 CONTRACT EFFICIENCIES (5 PERCENT).....................	---	-18,300	---	---
21715 LEVEL APPLICATION SOFTWARE (RLAS) INTEGRATION.........	---	1,500	---	1,200
21720 PERIMETER SECURITY FORCE PROTECTION...................	---	5,328	---	---
	============	============	============	============
21850 TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE......	2,508,062	2,510,890	2,510,286	2,510,022

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

O-1		Budget Request	House	Senate	Conference
BUDGET ACTIVITY 1: OPERATING FORCES:					
	LAND FORCES:				
30	Echelons above brigades	443,577	443,577	439,677	439,677
	Removal of One-time Congressional Increases			-3,900	-3,900
50	Land forces operations support	514,510	518,510	514,510	518,510
	M-Gator		4,000		4,000
	LAND FORCES READINESS:				
70	Forces readiness operations support	230,699	230,699	232,899	232,459
	2nd Generation Extended Cold Weather Clothing Systems			2,200	1,760
80	Land forces system readiness	84,725	84,725	86,725	86,525
	Mobile Corrosion Protection and Abatement			2,000	1,800
	LAND FORCES READINESS SUPPORT:				
100	Base operating support	502,679	502,679	501,679	501,679
	Removal of One-time Congressional Increases			-1,000	-1,000
110	FSRM	222,856	246,456	222,856	234,656
	Accelerate modernization of critical operational and support facilities		23,600		11,800
	Reductions reflecting historic underexecution		-15,300		-15,300
UNIDISTRIBUTED:					
	Contract efficiencies		-18,300		
	Reserve Component Automation System (RCAS) Regional Level Application Software (RLAS) Integration Capability		1,500		1,200
	Tactical Operations Centers (ELAMS/ESAMS/MECCS)		2,000		1,600
	Perimeter security force protection		5,328		
	Civilian Pay Raise from 3% to 3.5%			2,924	

OPERATION AND MAINTENANCE, NAVY RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
22000 OPERATION AND MAINTENANCE, NAVY RESERVE				
22050 BUDGET ACTIVITY 1: OPERATING FORCES				
22100 RESERVE AIR OPERATIONS				
22150 MISSION AND OTHER FLIGHT OPERATIONS	561,550	561,550	561,550	561,550
22200 INTERMEDIATE MAINTENANCE	17,029	17,029	17,029	17,029
22250 AIR OPERATIONS AND SAFETY SUPPORT	3,169	3,169	3,169	3,169
22300 AIRCRAFT DEPOT MAINTENANCE	121,186	121,186	121,186	121,186
22350 AIRCRAFT DEPOT OPERATIONS SUPPORT	393	393	393	393
22400 RESERVE SHIP OPERATIONS				
22450 MISSION AND OTHER SHIP OPERATIONS	49,766	49,766	49,766	49,766
22500 SHIP OPERATIONAL SUPPORT AND TRAINING	573	573	573	573
22550 SHIP DEPOT MAINTENANCE	41,616	41,616	41,616	41,616
22600 SHIP DEPOT OPERATIONS SUPPORT	559	559	559	559
22650 RESERVE COMBAT OPERATIONS SUPPORT				
22700 COMBAT COMMUNICATIONS	15,344	15,344	15,344	15,344
22750 COMBAT SUPPORT FORCES	121,531	121,531	121,531	121,531
22800 RESERVE WEAPONS SUPPORT				
22850 WEAPONS MAINTENANCE	2,141	2,141	2,141	2,141
22900 ENTERPRISE INFORMATION TECHNOLOGY	90,262	90,262	90,262	90,262
22950 BASE OPERATING SUPPORT				
23000 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	52,000	52,000	52,000	52,000
23050 BASE OPERATING SUPPORT	94,642	94,642	94,642	94,642
23060 REDUCTIONS REFLECTING HISTORIC UNDER EXECUTION	---	-36,400	---	-36,400
23100 TOTAL, BUDGET ACTIVITY 1	1,171,761	1,135,361	1,171,761	1,135,361

(In thousands of dollars)

	Budget	House	Senate	Conference
23150 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
23200 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
23250 ADMINISTRATION	3,260	3,260	3,260	3,260
23300 MILITARY MANPOWER & PERSONNEL	8,509	8,509	8,509	8,509
23350 SERVICEWIDE COMMUNICATIONS	2,936	2,936	2,936	2,936
23450 OTHER SERVICEWIDE SUPPORT	417	417	417	417
23460 REDUCTIONS REFLECTING HISTORIC UNDER EXECUTION	---	-2,400	---	-2,400
23500 TOTAL, BUDGET ACTIVITY 4	15,122	12,722	15,122	12,722
23555 CIVILIAN PAY RAISE FROM 3.0% TO 3.5%	---	---	268	---
23560 CONTRACT EFFICIENCIES (5 PERCENT)	---	-4,900	---	---
23570 PERIMETER SECURITY FORCE PROTECTION	---	1,271	---	---
23700 TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	1,186,883	1,144,454	1,187,151	1,148,083

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	House	Senate	Conference
BUDGET ACTIVITY 1: OPERATING FORCES:				
Reductions reflecting historic underexecution		-36,400		-36,400
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES:				
Reductions reflecting historic underexecution		-2,400		-2,400
UNDISTRIBUTED:				
Contract efficiencies		-4,900		
Perimeter security force protection		1,271		
Civilian Pay Raise from 3% to 3.5%			268	

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
23850 OPERATION AND MAINTENANCE, MARINE CORPS RESERVE				
23900 BUDGET ACTIVITY 1: OPERATING FORCES				
23950 EXPEDITIONARY FORCES				
24000 OPERATING FORCES	49,487	49,487	49,487	49,487
24050 DEPOT MAINTENANCE	11,229	11,229	11,229	11,229
24100 TRAINING SUPPORT	27,131	27,131	27,131	27,131
24150 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	14,827	14,827	14,827	14,827
24200 BASE OPERATING SUPPORT	69,998	69,998	69,998	69,998
24250 TOTAL, BUDGET ACTIVITY 1	172,672	172,672	172,672	172,672
24300 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
24350 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
24400 SPECIAL SUPPORT	12,417	12,417	12,417	12,417
24450 SERVICEWIDE TRANSPORTATION	826	826	826	826
24500 ADMINISTRATION	9,422	9,422	9,422	9,422
24550 RECRUITING AND ADVERTISING	8,690	8,690	8,690	8,690
24600 BASE OPERATING SUPPORT	4,610	4,610	4,610	4,610
24650 TOTAL, BUDGET ACTIVITY 4	35,965	35,965	35,965	35,965
24755 CIVILIAN PAY RAISE FROM 3.0% TO 3.5%	---	---	51	---
24760 CONTRACT EFFICIENCIES (5 PERCENT)	---	-1,550	---	---
24900 TOTAL, OPERATION & MAINTENANCE, MARINE CORPS RESERVE	208,637	207,087	208,688	208,637

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

O-1	Budget Request	House	Senate	Conference
UNDISTRIBUTED:				
Contract efficiencies		-1,550		
Civilian Pay Raise from 3% to 3.5%			51	

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
25050 OPERATION AND MAINTENANCE, AIR FORCE RESERVE				
25100 BUDGET ACTIVITY 1: OPERATING FORCES				
25150 AIR OPERATIONS				
25200 PRIMARY COMBAT FORCES	1,709,952	1,709,952	1,825,291	1,825,291
25250 MISSION SUPPORT OPERATIONS	99,253	99,253	99,253	99,253
25300 DEPOT MAINTENANCE	399,573	399,573	395,973	395,973
25350 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	83,405	83,405	83,405	83,405
25400 BASE OPERATING SUPPORT	276,854	276,854	285,255	285,255
25450 TOTAL, BUDGET ACTIVITY 1	2,569,037	2,569,037	2,689,177	2,689,177
25500 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
25550 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
25600 ADMINISTRATION	70,152	70,152	70,152	70,152
25650 RECRUITING AND ADVERTISING	22,704	22,704	22,704	22,704
25700 MILITARY MANPOWER AND PERSONNEL MANAGEMENT	22,995	22,995	22,995	22,995
25750 OTHER PERSONNEL SUPPORT	6,505	6,505	6,505	6,505
25800 AUDIOVISUAL	684	684	684	684
25850 TOTAL, BUDGET ACTIVITY 4	123,040	123,040	123,040	123,040
26050 CONTRACT EFFICIENCIES (5 PERCENT)	---	-9,500	---	---
26105 CIVILIAN PAY RAISE FROM 3.0% TO 3.5%	---	---	3,886	---
26110 WHITEMAN CONVENTIONAL MUNITIONS STORAGE	---	2,000	---	1,600
26115 MCCONNELL RESERVE MAINTENANCE PERSONNEL	---	---	---	1,600
26250 TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE	2,692,077	2,684,577	2,816,103	2,815,417

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

O-1		Budget Request	House	Senate	Conference
	BUDGET ACTIVITY 1: OPERATING FORCES:				
	AIR OPERATIONS:				
10	Primary combat forces	1,709,952	1,709,952	1,825,291	1,825,291
	CAM Transfer from O&M Air Force			119,339	119,339
	Removal of One-time Congressional Increases			-4,000	-4,000
30	Depot maintenance	399,573	399,573	395,973	395,973
	Removal of One-time Congressional Increases			-3,600	-3,600
50	Base operating support	276,854	276,854	285,255	285,255
	CAM Transfer from O&M Air Force			10,401	10,401
	Removal of One-time Congressional Increases			-2,000	-2,000
	UNDISTRIBUTED:				
	Contract efficiencies		-9,500		
	McConnell Reserve Maintenance Personnel (transferred from AFR, MilPers)				1,600
	Whiteman Conventional Munitions Storage		2,000		1,600
	Civilian Pay Raise from 3% to 3.5%			3,886	

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
26400 OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD				
26450 BUDGET ACTIVITY 1: OPERATING FORCES				
26500 LAND FORCES				
26550 MANEUVER UNITS	638,508	870,317	866,317	866,317
26600 MODULAR SUPPORT BRIGADES	423,443	163,340	163,340	163,340
26650 ECHELONS ABOVE BRIGADE	555,457	582,763	580,763	582,363
26700 THEATER LEVEL ASSETS	627,343	212,304	211,004	210,404
26750 LAND FORCES OPERATIONS SUPPORT	34,721	35,653	34,789	35,789
26760 AVIATION ASSETS	361,885	812,568	812,568	812,568
26800 LAND FORCES READINESS				
26850 FORCE READINESS OPERATIONS SUPPORT	309,655	311,117	308,817	308,017
26900 LAND FORCES SYSTEMS READINESS	109,561	113,661	108,561	109,641
26950 LAND FORCES DEPOT MAINTENANCE	466,452	466,452	466,452	466,452
27000 LAND FORCES READINESS SUPPORT				
27050 BASE OPERATIONS SUPPORT	828,418	827,632	808,132	807,732
27100 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	486,341	676,141	486,341	581,241
27150 MANAGEMENT & OPERATIONAL HEADQUARTERS	551,675	516,977	516,977	516,977
27200 MISCELLANEOUS ACTIVITIES	92,517	92,517	74,317	72,437
27210 REDUCTIONS REFLECTING HISTORIC UNDER EXECUTION	---	-153,100	---	-153,100
27220 PEER REVIEWED STRATEGIC BIODEFENSE INITIATIVE	---	8,000	---	8,000
27250 TOTAL, BUDGET ACTIVITY 1	5,485,976	5,536,342	5,438,378	5,388,178
27300 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
27350 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
27400 ADMINISTRATION	119,227	120,273	120,273	120,273
27450 SERVICEWIDE COMMUNICATIONS	52,250	52,250	52,250	52,250
27500 MANPOWER MANAGEMENT	7,396	7,540	7,540	7,540
27550 RECRUITING AND ADVERTISING	175,360	175,360	175,468	175,468
27600 TOTAL, BUDGET ACTIVITY 4	354,233	355,423	355,531	355,531

(In thousands of dollars)

	Budget	House	Senate	Conference
27850 HOMELAND OPERATIONAL PLANNING SYSTEM	---	4,000	---	3,200
28550 ADV LAW ENFORCEMENT RAPID REPONSE TRAIN PROG (ALERRT).	---	2,000	---	---
28950 WMD-CIVIL SUPPORT TEAM FOR FLORIDA	---	1,200	---	1,200
29150 WMD-CIVIL SUPPORT TEAM FOR NEW YORK	---	1,239	---	1,239
29255 CIVILIAN PAY RAISE FROM 3.0% TO 3.5%	---	---	7,024	---
29260 JOINT BORDER OPERATIONS TRAINING CENTER	---	1,000	---	1,000
29270 BIODEGRADE SOIL PENETRANT DUST PALLIATIVE/LAND SURFACE	---	2,500	---	2,000
29280 WEAPONS SKILLS TRAINER	---	5,000	---	4,000
29290 PERS ARMOR SYS GR TROOPS (PASGT) HELMET RETRO PAD SETS	---	1,500	---	1,200
29300 FIELD MAINTENANCE SHOP (FMS) DIRECTED DESIGN	---	1,200	---	960
29310 ACQUISITION OF 17 M916A3	---	2,000	---	1,600
29320 BALLISTIC HELMET LINER KITS	---	1,000	---	1,000
29325 NATIONAL GUARD GLOBAL EDUCATION PROJECT	---	750	---	750
29330 CONTRACT EFFICIENCIES (5 PERCENT)	---	-43,200	---	---
29340 PERIMETER SECURITY FORCE PROTECTION	---	21,889	---	---
29345 NATIONAL SERVICE MEMBER OUTREACH	---	---	---	3,000
29400 TOTAL, OPERATION & MAINTENANCE, ARMY NATIONAL GUARD.	5,840,209	5,893,843	5,800,933	5,764,858

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

O-1		Budget Request	House	Senate	Conference
	BUDGET ACTIVITY 1: OPERATING FORCES:				
	LAND FORCES:				
10	Maneuver units	638,508	870,317	866,317	866,317
	Resource realignment		231,809	231,809	231,809
	Removal of one-time congressional increases			-4,000	-4,000
20	Modular support brigades	423,443	163,340	163,340	163,340
	Resource realignment		-260,103	-260,103	-260,103
30	Echelons above brigade	555,457	582,763	580,763	582,363
	Resource realignment		25,306	25,306	25,306
	UH-60 Leak Proof Transmission Pans		2,000		1,600
40	Theater level assets	627,343	212,304	211,004	210,404
	Resource realignment		-415,039	-415,039	-415,039
	Removal of one-time congressional increases			-4,300	-4,300
	Army National Guard Battery Modernization Program			3,000	2,400
50	Land forces operation support	34,721	35,653	34,789	35,789
	Resource realignment		-68	68	68
	Sustainment Training and Evaluation Program (STEP)		1,000		1000
60	Aviation assets	361,885	812,568	812,568	812,568
	Resource realignment		450,683	450,683	450,683
	LAND FORCES READINESS:				
70	Force readines operations support	309,655	313,117	308,817	308,017
	Resource realignment		1,462	1,462	1,462
	Removal of one-time congressional increases			-18,900	-18,900
	2nd Generation Extended Cold Weather Clothing System			4,000	3,200
	Advanced Law Enforcement Rapid Response Training		2,000	1,000	1,600
	Integrated Disaster Management System/RDMS			3,000	3,000
	Joint Interagency Training and Education Center			5,600	5,600
	Operator Driving Simulators			3,000	2,400
80	Land forces systems readiness	109,561	113,661	108,561	109,641
	Joint Forces Orientation Distance Learning		1,600		1,280
	Removal of one-time congressional increases			-5,000	-5,000
	Columbia Regional Geospatial Service Center System		2,500	2,000	2,000
	Mobile Corrosion Protection and Abatement			2,000	1,800
	LAND FORCES READINESS SUPPORT:				
100	Base oprations support	828,418	827,632	808,132	807,732
	Resource realignment		-786	-786	-786
	Removal of one-time congressional increases			-27,000	-27,000
	Pennsylvania National Guard Integration of the Joint CONUS Communications Support Environment (JCCSE)			2,500	2,500
	Vermont National Guard Family Counseling Demonstration			3,000	3,000
	Virginia National Guard Command and Control Interoperability Ungrades			1,000	800
	Virginia National Guard Humidity Protection			1,000	800
110	FSRM	486,341	676,141	486,341	581,241
	Accelerate modernization of critical operational and support facilities		189,800		94,900

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

O-1		Budget Request	House	Senate	Conference
120	Management & operational headquarters	551,675	516,977	516,977	516,977
	Resource realignment		-34,698	-34,698	-34,698
130	Miscellaneous activities	92,517	92,517	74,317	72,437
	Removal of one-time congressional increases			-27,600	-27,600
	Civil Support Team Trainer (CSTT)			5,000	4,000
	Minnesota National Guard Reintegration Program			4,400	3,520
	Reductions reflecting historic underexecution		-153,100		-153,100
	Strategic Biodefense Initiative		8,000		8,000
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES:				
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES:				
140	Administration	119,227	120,273	120,273	120,273
	Resource realignment		1,046	1,046	1,046
160	Manpower management	7,396	7,540	7,540	7,540
	Resource realignment		144	144	144
170	Recruiting and advertising	175,360	175,360	175,468	175,468
	Resource realignment			108	108
	UNDISTRIBUTED:				
	Contract efficiencies		-43,200		
	Perimeter security force protection		21,889		
	National Guard Global Education Project (transfer from O&M, ANG)		750		750
	Joint Border Operations Training Center		1,000		1,000
	Biodegradable Soil Penetrant Dust Palliative for Land Surfaces		2,500		2,000
	Weapons Skills Trainer (transfer from O&M, ANG)		5,000		4,000
	Personnel Armor System Ground Troops (PASGT) Helmet Retrofit Pad Sets		1,500		1,200
	Homeland Defense Operational Planning System (HOPS)		4,000		3,200
	Field Maintenance Shop (FMS) Directed Design, MN		1,200		960
	Acquisition of 17 M916A3		2,000		1,600
	WMD - Civil Support Team for Florida		1,200		1,200
	WMD - Civil Support Team for New York		1,239		1,239
	Ballistic Helmet Liner Kits		1,000		1,000
	National Service Member Outreach (from sec. 8103)				3,000
	Civilian Pay Raise from 3% to 3.5%			7,024	

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
29500 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD				
29550 BUDGET ACTIVITY 1: OPERATING FORCES				
29600 AIR OPERATIONS				
29650 AIRCRAFT OPERATIONS	3,049,334	3,049,599	3,403,942	3,404,207
29700 MISSION SUPPORT OPERATIONS	540,633	541,133	608,745	604,495
29750 DEPOT MAINTENANCE	587,485	587,485	587,485	587,485
29800 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	285,227	285,227	285,227	285,227
29850 BASE OPERATING SUPPORT	525,149	525,149	525,532	525,532
29900 TOTAL, BUDGET ACTIVITY 1	4,987,828	4,988,593	5,410,931	5,406,946
29950 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
30000 SERVICEWIDE ACTIVITIES				
30050 ADMINISTRATION	30,716	30,716	30,716	30,716
30100 RECRUITING AND ADVERTISING	23,421	23,421	23,421	23,421
30150 TOTAL, BUDGET ACTIVITY 4	54,137	54,137	54,137	54,137
30255 CIVILIAN PAY RAISE FROM 3.0% TO 3.5%	---	---	6,677	---
30260 J3/J6 NATIONAL MILITARY CYBER OPERATIONS	---	3,000	---	2,400
30270 SMOKY HILL RANGE OPERATIONS FACILITY REFURBISHMENT	---	1,100	---	1,100
30280 CONTRACT EFFICIENCIES (5 PERCENT)	---	-30,600	---	---
30290 JOINT TRAINING EXPERIMENTATION PROGRAM	---	2,000	---	1,600
30300 WMD-CIVIL SUPPPORT TEAM FOR NEW YORK	---	247	---	247
30305 UNMANNED AIR VEHICLE TECHNOLOGY EVALUATION PROGRAM	---	1,000	---	1,000
30310 GREAT PLAINS JOINT REGIONAL TRAINING CENTER	---	1,600	---	1,280
30400 TOTAL, OPERATION & MAINTENANCE, AIR NATIONAL GUARD	5,041,965	5,021,077	5,471,746	5,468,710

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

O-1		Budget Request	House	Senate	Conference
	BUDGET ACTIVITY 1: OPERATING FORCES:				
	AIR OPERATIONS:				
10	Aircraft operations	3,049,334	3,049,599	3,403,942	3,404,207
	139th Airlift Wing Mobility and Training		265		265
	CAM Transfer from O&M Air Force			353,608	353,608
	Flying hours			1,000	1,000
20	Mission support operations	540,633	541,133	608,745	604,495
	Atlantic Thunder - Quarterly Joint Training Events at Savannah Combat Readiness Training Center		500		500
	CAM Transfer from O&M Air Force			59,912	59,912
	166th Network Warfare Squadron			200	200
	Controlled Humidity Protection (CHP) SC ANG			2,700	2,700
	Crypto-Linguist/Intelligence Officer Initiative			400	400
	Joint Interagency Training and Education Center			150	150
	Weapons Skills Trainer (transfer to ARNG)			4,000	
	National Guard Global Education Program (transfer to O&M, ARNG)			750	
50	Base operating support	525,149	525,149	525,532	525,532
	CAM Transfer from O&M Air Force			383	383
	UNDISTRIBUTED:				
	Contract efficiencies		-30,600		
	J3/J6 National Military Cyber Operations		3,000		2,400
	Great Plains Joint Regional Training Center		1,600		1,280
	WMD - Civil Support Team for New York		247		247
	Unmanned Air Vehicle Technology Evaluation Program		1,000		1,000
	Joint Training Experimentation Program (JTEP)		2,000		1,600
	Smoky Hill Range Operations Facility Refurbishment		1,100		1,100
	Civilian Pay Raise from 3% to 3.5%			6,677	

UNITED STATES COURT OF APPEALS FOR THE ARMED SERVICES

The conference agreement provides $11,971,000 for the United States Court of Appeals for the Armed Services, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, ARMY

The conference agreement provides $439,879,000 for Environmental Restoration, Army, instead of $434,879,000 as proposed by the House and $444,879,000 as proposed by the Senate.

ENVIRONMENTAL RESTORATION, NAVY

The conference agreement provides $300,591,000 for Environmental Restoration, Navy, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, AIR FORCE

The conference agreement provides $458,428,000 for Environmental Restoration, Air Force, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

The conference agreement provides $12,751,000 for Environmental Restoration, Defense-Wide, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

The conference agreement provides $280,249,000 for Environmental Restoration, Formerly Used Defense Sites, instead of $268,249,000 as proposed by the House and $295,249,000 as proposed by the Senate.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

The conference agreement provides $103,300,000 for Overseas Humanitarian, Disaster, and Civic Aid, as proposed by the House, instead of $63,300,000 as proposed by the Senate. The conference agreement provides $40,000,000 solely for foreign disaster relief and response activities, which shall remain available until September 30, 2010, instead of until expended, as proposed by the House.

FORMER SOVIET UNION THREAT REDUCTION ACCOUNT

The conference agreement includes $428,048,000 for the Former Soviet Union Threat Reduction Account, or the Cooperative Threat Reduction Program, instead of $398,048,000 as proposed by the House and $448,048,000 as proposed by the Senate.

The following table details the conferees' funding determinations:

Major Program	Conference
Strategic offensive arms elimination (R)	$92,885,000
Nuclear weapons storage security (R)	47,640,000
Nuclear weapons transportation security (R)	37,700,000
Chemical weapons destruction	6,000,000
Biological threat reduction (FSU)	158,489,000
WMD proliferation prevention (FSU)	47,986,000
Defense and military contacts (FSU)	8,000,000
Other assessments/administrative costs	19,348,000
New initiatives	10,000,000
TOTAL	428,048,000

The Cooperative Threat Reduction (CTR) program has significantly expanded efforts to prevent biological weapons proliferation in Russia and the Former Soviet Union. Pursuant to section 1304 of the National Defense Authorization Act for Fiscal Year 2007, a National Academy of Sciences study was commissioned to review existing biological weapons proliferation prevention efforts and identify additional areas for cooperation. In order to ensure that resources are being allocated in the most effective manner to prevent the proliferation of biological weapons, the conferees direct the Department to closely review the recommendations of the National Academy of Sciences study and to submit a report to the congressional defense committees not later than February 1, 2008, outlining CTR's biological weapons proliferation prevention efforts. The report shall include a funding plan itemizing CTR's programmed biological threat reduction efforts through the Future Years Defense Program (FYDP) and a discussion of how these efforts correspond with the recommendations of the National Academy of Sciences study.

The conferees direct that $5,000,000 of the funds appropriated under chemical weapons destruction be made available as initial funding for a chemical weapons incinerator in Libya, pending authorization for such activity. The conferees encourage the committees of jurisdiction to respond to this urgent need in the coming year.

TITLE III – PROCUREMENT

The conference agreement provides $98,201,598,000 in Title III, Procurement, instead of $99,608,169,000 as proposed by the House and $98,224,583,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
SUMMARY				
ARMY				
AIRCRAFT	4,179,848	3,891,539	4,273,998	4,185,778
MISSILES	1,645,485	2,103,102	1,756,979	1,911,979
WEAPONS, TRACKED COMBAT VEHICLES	3,089,998	4,077,189	3,122,889	3,021,889
AMMUNITION	2,190,576	2,215,976	2,208,976	2,223,176
OTHER	12,647,099	11,217,945	11,697,265	11,428,027
TOTAL, ARMY	23,753,006	23,505,751	23,060,107	22,770,849
NAVY				
AIRCRAFT	12,747,767	12,470,280	12,599,744	12,464,284
WEAPONS	3,084,387	2,928,126	3,094,687	3,113,987
AMMUNITION	760,484	1,067,484	1,058,832	1,064,432
SHIPS	13,656,120	15,303,820	13,205,438	13,597,960
OTHER	5,470,412	5,298,238	5,376,530	5,317,570
MARINE CORPS	2,999,057	2,500,882	2,091,897	2,326,619
TOTAL, NAVY	38,718,227	39,568,830	37,427,128	37,884,852
AIR FORCE				
AIRCRAFT	12,393,270	11,690,220	12,133,900	12,021,900
MISSILES	5,131,002	4,920,959	4,920,219	4,985,459
AMMUNITION	868,917	342,494	854,167	754,117
OTHER	15,421,162	15,255,186	15,517,127	15,440,594
TOTAL, AIR FORCE	33,814,351	32,208,859	33,425,413	33,202,070
DEFENSE-WIDE				
DEFENSE-WIDE	3,318,834	3,335,637	3,246,843	3,269,035
NATIONAL GUARD AND RESERVE EQUIPMENT	---	925,000	1,000,000	980,000
DEFENSE PRODUCTION ACT PURCHASES	18,592	64,092	65,092	94,792
TOTAL PROCUREMENT	99,623,010	99,608,169	98,224,583	98,201,598

SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase "only for" or "only to" in this report are congressional interest items for the purpose of the Base for Reprogramming (DD 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, specifically addressed in the conference report. These items remain special interest items whether or not they are repeated in a subsequent conference report.

REPROGRAMMING GUIDANCE FOR ACQUISITION ACCOUNTS

The conferees direct the Department of Defense to continue to follow the reprogramming guidance specified in the report accompanying the House version of the fiscal year 2006 Department of Defense Appropriations bill (H.R. 109-119). Specifically, the dollar threshold for reprogramming funds will remain at $20,000,000 for procurement, and $10,000,000 for research, development, test and evaluation. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20% of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative. Therefore, if the combined value of transfers into or out of a procurement (P-1) or research, development, test and evaluation (R-1) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this report.

REPROGRAMMING REPORTING REQUIREMENTS

The conferees direct the Under Secretary of the Department of Defense, Comptroller, to continue to provide the congressional defense committees quarterly, spreadsheet-based DD1416 reports for service and defense-wide accounts in titles III and IV of this Act as required in the statement of the managers accompanying the conference report on the Department of Defense Appropriations Act, 2006.

FUNDING INCREASES

The conferees direct that the funding increases outlined in these tables shall be provided only for the specific purposes indicated in the table.

TACTICAL UNMANNED AIRCRAFT SYSTEMS

The conferees agree to retain for an additional year a general provision restricting the transfer of tactical Unmanned Aircraft Systems (UAS) authority from the Army, including the Extended Range Multi-Purpose (ERMP) Unmanned Aerial Vehicle. The conferees note that the Deputy Secretary of Defense has directed that a task force be convened to coordinate critical UAS issues and to develop a way ahead in future years that will enhance operations and streamline acquisition of UAS. The conferees do not believe this general provision should be interpreted as prohibiting the task force from proceeding.

MILITARY TIRES

The conferees concur with the Senate language regarding Military Tires.

AIRCRAFT PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	AIRCRAFT PROCUREMENT, ARMY				
	AIRCRAFT				
	FIXED WING				
1	UTILITY F/W CARGO AIRCRAFT	157,043	119,443	157,043	157,043
	ROTARY				
3	ARMED RECONNAISSANCE HELICOPTER	468,259	---	242,259	175,759
4	HELICOPTER, LIGHT UTILITY	230,491	230,491	230,491	230,491
5	UH-60 BLACKHAWK (MYP)	588,701	770,751	770,751	770,751
6	UH-60 BLACKHAWK (MYP) (AP-CY)	116,745	116,745	116,745	116,745
7	CH-47 HELICOPTER	157,908	157,908	157,908	157,908
8	CH-47 HELICOPTER (AP-CY)	32,982	32,982	32,982	32,982
	TOTAL, AIRCRAFT	1,752,129	1,428,320	1,708,179	1,641,679
	MODIFICATION OF AIRCRAFT				
9	GUARDRAIL MODS (TIARA)	149,062	149,062	149,062	149,062
10	ARL MODS (TIARA)	52,298	42,298	52,298	42,298
11	AH-64 MODS	670,704	672,204	673,704	673,104
12	AH-64 MODS (AP-CY)	40,957	40,957	40,957	40,957
13	CH-47 CARGO HELICOPTER MODS	540,658	540,658	540,658	540,658
14	CH-47 CARGO HELICOPTER MODS (AP-CY)	39,182	39,182	39,182	39,182
15	UTILITY/CARGO AIRPLANE MODS	17,175	17,175	17,675	17,675
16	AIRCRAFT LONG RANGE MODS	340	340	340	340
18	UH-60 MODS	13,035	24,035	16,635	24,915
19	KIOWA WARRIOR	20,807	51,807	51,807	51,807
20	AIRBORNE AVIONICS	179,565	179,565	179,565	179,565
21	GATM ROLLUP	53,071	53,071	53,071	53,071
22	SPARE PARTS (AIR)	9,304	9,304	9,304	9,304
	TOTAL, MODIFICATION OF AIRCRAFT	1,786,158	1,819,658	1,824,258	1,821,938

(In thousands of dollars)

		Budget	House	Senate	Conference
	SUPPORT EQUIPMENT AND FACILITIES				
	GROUND SUPPORT AVIONICS				
23	AIRCRAFT SURVIVABILITY EQUIPMENT	48,120	48,120	48,120	48,120
24	ASE INFRARED CM	365,472	365,472	465,472	445,472
	OTHER SUPPORT				
26	AVIONICS SUPPORT EQUIPMENT	5,065	5,065	5,065	5,065
27	COMMON GROUND EQUIPMENT	80,221	80,221	75,221	75,221
28	AIRCREW INTEGRATED SYSTEMS	42,727	44,727	43,727	45,127
29	AIR TRAFFIC CONTROL	95,203	95,203	99,203	98,403
30	INDUSTRIAL FACILITIES	2,377	2,377	2,377	2,377
31	LAUNCHER, 2.75 ROCKET	2,376	2,376	2,376	2,376
	TOTAL, SUPPORT EQUIPMENT AND FACILITIES	641,561	643,561	741,561	722,161
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	4,179,848	3,891,539	4,273,998	4,185,778

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
1	**UTILITY FIXED WING CARGO AIRCRAFT**	**157,043**	**119,443**	**157,043**	**157,043**
	Program Delay		-37,600		0
3	**ARMED RECONNAISSANCE HELICOPTER**	**468,259**	**0**	**242,259**	**175,759**
	Program Delay/Reduction to Quantity		-390,259	-95,000	-161,500
	Transfer to Research, Development, Test and Evaluation, Army Line 77		-47,000	-100,000	-100,000
	Transfer to Aircraft Procurement, Army Line 19		-31,000	-31,000	-31,000
5	**UH-60 BLACKHAWK (MYP)**	**588,701**	**770,751**	**770,751**	**770,751**
	Grow the Army		182,050	182,050	182,050
10	**AIRBORNE RECONNAISSANCE LOW MODS (TIARA)**	**52,298**	**42,298**	**52,298**	**42,298**
	Authorization Adjustment		-10,000		-10,000
11	**AH-64 MODS**	**670,704**	**672,204**	**673,704**	**673,104**
	Vibration Management Enhancement Program (VMEP)		1,500	3,000	2,400
15	**UTILITY/CARGO AIRPLANE MODS**	**17,175**	**17,175**	**17,675**	**17,675**
	TCAS/TAWS Collision Avoidance			500	500
18	**UH-60 MODS**	**13,035**	**24,035**	**16,635**	**24,915**
	UH-60A Re-Wiring Program		2,500		2,000
	FLIR Radar System for UH-60 Helicopter for New York ARNG		1,000		800
	UH-60A to UH-60L Upgrade		2,000		1,600
	Internal Extended Range Fuel System (Internal 200)		4,500		3,600
	UH-60 MEDEVAC and Search and Rescue Thermal Imaging Upgrades		1,000		1,000
	IVHMS System - Tennessee ARNG			3,600	2,880
19	**KIOWA WARRIOR**	**20,807**	**51,807**	**51,807**	**51,807**
	Sustainment - Transfer from Aircraft Procurement, Army, Line 3		31,000	31,000	31,000
24	**ASE INFRARED CM**	**365,472**	**365,472**	**465,472**	**445,472**
	Aircraft Survivability Equipment			100,000	80,000
27	**COMMON GROUND EQUIPMENT**	**80,221**	**80,221**	**75,221**	**75,221**
	Ahead of Need			-5,000	-5,000
28	**AIRCREW INTEGRATED SYSTEMS**	**42,727**	**44,727**	**43,727**	**45,127**
	Cockpit Air Bag System (CABS)		2,000		1,600
	Air Warrior			1,000	800
29	**AIR TRAFFIC CONTROL**	**95203**	**95,203**	**99,203**	**98,403**
	Fort Knox Godman Army Airfield ASR			4,000	3,200

ARMED RECONNAISSANCE HELICOPTER

The conference agreement includes $175,759,000 for procurement of 12 Armed Reconnaissance Helicopters, which is $292,500,000 below the budget request. At the request of the Department of the Army, the agreement transfers $31,000,000 to sustainment efforts for the Kiowa Warrior fleet, and transfers $100,000,000 in procurement funds to Research, Development, Test and Evaluation, Army. The agreement includes a reduction of $133,000,000 from procurement quantities and $8,900,000 from initial spares. The conferees continue to be concerned about unrealistic estimates for production and integration of the aircraft following the restructure of the program earlier this year. In order to further reduce risk to the program, which continues to be driven by schedule rather than maturity, the conferees agree to reduce funding for long-lead items for fiscal year 2008 procurements by $19,600,000.

MISSILE PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	MISSILE PROCUREMENT, ARMY				
	OTHER MISSILES				
	SURFACE-TO-AIR MISSILE SYSTEM				
1	GROW THE ARMY	243,251	---	---	---
2	PATRIOT SYSTEM SUMMARY	472,907	472,907	472,907	472,907
	AIR-TO-SURFACE MISSILE SYSTEM				
4	HELLFIRE SYS SUMMARY	46,000	46,000	46,000	46,000
	ANTI-TANK/ASSAULT MISSILE SYSTEM				
5	JAVELIN (AAWS-M) SYSTEM SUMMARY	103,799	180,713	167,913	167,913
6	TOW 2 SYSTEM SUMMARY	87,893	87,893	87,893	87,893
8	GUIDED MLRS ROCKET (GMLRS)	225,282	225,282	195,159	203,159
9	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	22,585	22,585	22,585	22,585
11	HIMARS LAUNCHER	235,865	235,865	226,665	226,665
	TOTAL, OTHER MISSILES	1,437,582	1,271,245	1,219,122	1,227,122
	MODIFICATION OF MISSILES				
	MODIFICATIONS				
13	PATRIOT MODS	67,479	569,993	275,993	422,993
15	ITAS/TOW MODS	92,330	213,770	213,770	213,770
16	MLRS MODS	5,578	5,578	5,578	5,578
17	HIMARS MODIFICATIONS: (NON AAO)	10,541	10,541	10,541	10,541
	TOTAL, MODIFICATION OF MISSILES	175,928	799,882	505,882	652,882
18	SPARES AND REPAIR PARTS	23,643	23,643	23,643	23,643
	SUPPORT EQUIPMENT AND FACILITIES				
19	AIR DEFENSE TARGETS	4,268	4,268	4,268	4,268
20	ITEMS LESS THAN $5.0M (MISSILES)	10	10	10	10
21	PRODUCTION BASE SUPPORT	4,054	4,054	4,054	4,054
	TOTAL, SUPPORT EQUIPMENT AND FACILITIES	8,332	8,332	8,332	8,332
	TOTAL, MISSILE PROCUREMENT, ARMY	1,645,485	2,103,102	1,756,979	1,911,979

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
1	**GROW THE ARMY**	**243,251**	**0**	**0**	**0**
	Distribute Grow the Army		-243,251	-243,251	-243,251
5	**JAVELIN (ADVANCED ANTITANK WEAPON SYSTEM - MEDIUM) SYSTEM SUMMARY**	**103,799**	**180,713**	**167,913**	**167,913**
	Grow the Army		76,914	64,114	64,114
8	**GUIDED MLRS ROCKET (GMLRS)**	**225,282**	**225,282**	**195,159**	**203,159**
	Facilitization			-20,912	-14,912
	Unit Cost Efficiencies			-9,211	-7,211
11	**HIGH MOBILITY ARTILLERY ROCKET SYSTEMS (HIMARS)**	**235,865**	**235,865**	**226,665**	**226,665**
	Excess to Requirement			-9,200	-9,200
13	**PATRIOT MODS**	**67,479**	**569,993**	**275,993**	**422,993**
	Grow the Army		502,514	208,514	355,514
15	**IMPROVED TARGET ACQUISITION SYSTEM/TOW MODS**	**92,330**	**213,770**	**213,770**	**213,770**
	Grow the Army		121,440	121,440	121,440

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conferenc
PROCUREMENT OF W&TCV, ARMY				
TRACKED COMBAT VEHICLES				
BRADLEY BASE SUSTAINMENT	140,314	140,314	140,314	140,314
BRADLEY FVS TRAINING DEVICES (MOD)	4,684	4,684	4,684	4,684
STRYKER VEHICLE	1,038,984	1,912,884	1,028,984	924,984
FUTURE COMBAT SYSTEMS (FCS)	79,483	81,983	79,483	81,483
FCS SPIN OUTS	20,123	20,123	20,123	20,123
MODIFICATION OF TRACKED COMBAT VEHICLES				
FIST VEHICLE (MOD)	---	35,400	35,400	35,400
BFVS SERIES (MOD)	37,611	37,611	37,611	37,611
HOWITZER, MED SP FT 155MM M109A6 (MOD)	36,924	36,924	22,624	22,624
IMPROVED RECOVERY VEHICLE (M88 MOD)	36,826	132,526	116,226	124,326
ARMORED BREACHER VEHICLE	41,500	41,500	41,500	41,500
JOINT ASSAULT BRIDGE	12,927	12,927	12,927	12,927
M1 ABRAMS TANK (MOD)	588,979	588,979	588,979	588,979
SYSTEM ENHANCEMENT PGM: SEP M1A2	52,928	---	---	---
SUPPORT EQUIPMENT AND FACILITIES				
PRODUCTION BASE SUPPORT (TCV-WTCV)	7,760	7,760	7,760	7,760
TOTAL, TRACKED COMBAT VEHICLES	2,099,043	3,053,615	2,136,615	2,042,715

(In thousands of dollars)

		Budget	House	Senate	Conference
	WEAPONS AND OTHER COMBAT VEHICLES				
22	HOWITZER, LIGHT, TOWED, 105MM, M119	48,902	101,702	101,702	101,702
23	GROW THE ARMY	331,729	---	---	---
24	M240 MEDIUM MACHINE GUN (7.62MM)	37,096	45,085	45,085	45,085
25	MACHINE GUN, CAL .50 M2 ROLL	19,000	32,317	32,317	32,317
26	M249 SAW MACHINE GUN (5.56MM)	35,335	44,576	44,576	44,576
27	MK-19 GRENADE MACHINE GUN (40MM)	21,000	36,448	36,448	36,448
28	MORTAR SYSTEMS	4,320	9,024	9,024	9,024
30	M107, CAL. 50, SNIPER RIFLE	417	417	417	417
31	XM320 GRENADE LAUNCHER MODULE (GLM)	21,620	27,125	27,125	27,125
32	XM110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS)	10,000	10,460	10,460	10,460
33	M4 CARBINE	97,550	105,824	105,824	105,824
34	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	7,000	7,906	7,906	7,906
35	COMMON REMOTELY OPERATED WEAPONS STATION	---	29,895	29,895	29,895
36	FUTURE HANDGUN SYSTEM (FHS)	3,500	3,500	---	---
37	HOWITZER LT WT 155MM (T)	270,251	470,569	409,769	413,769
	MOD OF WEAPONS AND OTHER COMBAT VEH				
38	MK-19 GRENADE MACHINE GUN MODS	6,264	6,264	6,264	6,264
39	M4 CARBINE MODS	13,696	17,714	17,714	17,714
40	M2 50 CAL MACHINE GUN MODS	17,173	17,173	17,173	17,173
41	M249 SAW MACHINE GUN MODS	12,361	12,361	12,361	12,361
42	M240 MEDIUM MACHINE GUN MODS	10,177	11,700	11,700	11,700
44	M119 MODIFICATIONS	1,794	1,794	1,794	1,794
45	M16 RIFLE MODS	3,900	4,088	4,088	4,088
46	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	2,791	2,791	2,791	2,791
	SUPPORT EQUIPMENT AND FACILITIES				
47	ITEMS LESS THAN $5.0M (WOCV-WTCV)	---	4,762	4,762	7,562
48	PRODUCTION BASE SUPPORT (WOCV-WTCV)	6,466	6,466	29,966	27,586
49	INDUSTRIAL PREPAREDNESS	3,189	8,189	12,689	1,189
50	SMALL ARMS (SOLDIER ENH PROG)	5,424	5,424	4,424	4,424
	TOTAL, WEAPONS AND OTHER COMBAT VEHICLES	990,955	1,023,574	986,274	979,174
	TOTAL, PROCUREMENT OF W&TCV, ARMY	3,089,998	4,077,189	3,122,889	3,021,889

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
5	**STRYKER VEHICLE**	**1,038,984**	**1,912,884**	**1,028,984**	**924,984**
	Mobile Gun System testing and fielding delay		-228,100		-114,000
	Eighth Stryker Brigade		1,102,000		0
	Excess Engineering Change Funding			-10,000	0
6	**FUTURE COMBAT SYSTEMS (FCS)**	**79,483**	**81,983**	**79,483**	**81,483**
	Combat Vehicle and Automotive Advanced Technology for the Antiballistic Windshield Armor Project		2,500		2,000
9	**FIRE SUPPORT VEHICLE (MOD)**	**0**	**35,400**	**35,400**	**35,400**
	Grow the Army		35,400	35,400	35,400
11	**HOWITZER, MED SP FT 155MM M109A6 (MOD)**	**36,924**	**36,924**	**22,624**	**22,624**
	Align kit buy with installation			-14,300	-14,300
13	**IMPROVED RECOVERY VEHICLE (M88 MOD)**	**36,826**	**132,526**	**116,226**	**124,326**
	Grow the Army		95,700	79,400	87,500
19	**SYSTEM ENHANCEMENT PGM: SEP M1A2**	**52,928**	**0**	**0**	**0**
	Funding no longer required/SEP requirement funded		-52,928	-52,928	-52,928
22	**HOWITZER, LIGHT, TOWED, 105MM, M119**	**48,902**	**101,702**	**101,702**	**101,702**
	Grow the Army		52,800	52,800	52,800
23	**GROW THE ARMY**	**331,729**	**0**	**0**	**0**
	Distribute Grow the Army		-331,729	-331,729	-331,729
24	**M240 MEDIUM MACHINE GUN (7.62MM)**	**37,096**	**45,085**	**45,085**	**45,085**
	Grow the Army		7,989	7,989	7,989
25	**MACHINE GUN, CAL .50 M2 ROLL**	**19,000**	**32,317**	**32,317**	**32,317**
	Grow the Army		13,317	13,317	13,317
26	**M249 SAW MACHINE GUN (5.56MM)**	**35,335**	**44,576**	**44,576**	**44,576**
	Grow the Army		9,241	9,241	9,241
27	**MK-19 GRENADE MACHINE GUN (40MM)**	**21,000**	**36,448**	**36,448**	**36,448**
	Grow the Army		15,448	15,448	15,448
28	**MORTAR SYSTEMS**	**4,320**	**9,024**	**9,024**	**9,024**
	Grow the Army		4,704	4,704	4,704
31	**XM320 GRENADE LAUNCHER MODULE (GLM)**	**21,620**	**27,125**	**27,125**	**27,125**
	Grow the Army		5,505	5,505	5,505

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
32	**XM110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS)**	10,000	10,460	10,460	10,460
	Grow the Army		460	460	460
33	**M4 CARBINE**	97,550	105,824	105,824	105,824
	Grow the Army		8,274	8,274	8,274
34	**SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)**	7,000	7,906	7,906	7,906
	Grow the Army		906	906	906
35	**COMMON REMOTELY OPERATED WEAPONS STATION**	0	29,895	29,895	29,895
	Grow the Army		29,895	29,895	29,895
36	**FUTURE HANDGUN SYSTEM (FHS)**	3,500	3,500	0	0
	Transfer to procure additional M-9s			-3,500	-3,500
37	**HOWITZER LT WT 155MM (T)**	270,251	470,569	409,769	413,769
	Grow the Army		192,318	139,518	139,518
	Additional Howitzers		8,000		4,000
39	**M4 CARBINE MODS**	13,696	17,714	17,714	17,714
	Grow the Army		4,018	4,018	4,018
42	**M240 MEDIUM MACHINE GUN MODS**	10,177	11,700	11,700	11,700
	Grow the Army		1,523	1,523	1,523
45	**M16 RIFLE MODS**	3,900	4,088	4,088	4,088
	Grow the Army		188	188	188
47	**ITEMS LESS THAN $5.0M (WOCV-WTCV)**	0	4,762	4,762	7,562
	Grow the Army		1,262	1,262	1,262
	Base Security System		2,000		1,600
	USASOC M-9 9mm Pistol		1,500		1,200
	Transfer to procure additional M-9s			3,500	3,500
48	**PRODUCTION BASE SUPPORT (WOCV-WTCV)**	6,466	6,466	29,966	27,566
	Rock Island Arsenal - Arsenal Support Program (Includes transfer from line 49)			11,500	11,500
	Watervliet - Arsenal Support Program			12,000	9,600
49	**INDUSTRIAL PREPAREDNESS**	3,189	8,189	12,689	1,189
	Arsenal Support Program Initiative (ASPI) for Rock Island Arsenal (Transfer to line 48)		5,000		0
	Rock Island Arsenal Industrial Preparedness			11,500	0
	Slow execution			-2,000	-2,000
50	**SMALL ARMS (SOLDIER ENHANCEMENT PROG)**	5,424	5,424	4,424	4,424
	Slow execution			-1,000	-1,000

STRYKER VEHICLES

The conferees commend the Army on the performance and reliability of the Stryker vehicles and the overall success of the program. The Army requested $1,038,984,000 for Strykers in the fiscal year 2008 budget; the conference agreement provides $924,984,000. The conferees are aware that the revised test plan for the Stryker Mobile Gun System is on track to support a full rate production decision in the second quarter of fiscal year 2008. Therefore, the conference agreement provides $342,246,000 to procure the Mobile Gun System variant.

The House recommended that the Army form an eighth Stryker Brigade and provided $1,102,000,000 for that purpose. The conferees concur that the Army has requirements for additional Strykers for unit sets, ready to fight fleets, maintenance replacements and to replace aging M113 troop carrier vehicles, and recommend addressing such requirements in fiscal year 2008 Global War on Terror emergency supplemental appropriations. The conferees direct the Secretary of the Army to provide a report to the congressional defense committees, not later than March 31, 2008, on the future force structure of the Army, including the Grow-the-Army combat and support units, and on the utility of converting at least one of the planned new Infantry Brigade Combat Teams under the Grow-the-Army initiative into a Stryker Brigade Combat Team. The report should also address future Stryker vehicle requirements, including the plan to replace M113 carrier vehicles.

PROCUREMENT OF AMMUNITION, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	PROCUREMENT OF AMMUNITION, ARMY				
	AMMUNITION				
	SMALL/MEDIUM CAL AMMUNITION				
1	CTG, 5.56MM, ALL TYPES	189,179	192,179	189,179	189,179
2	CTG, 7.62MM, ALL TYPES	68,045	70,045	68,045	68,045
3	CTG, 9MM, ALL TYPES	4,527	4,527	4,527	4,527
4	CTG, .50 CAL, ALL TYPES	179,466	179,466	179,466	179,466
6	CTG, 25MM, ALL TYPES	29,243	29,243	29,243	29,243
7	CTG, 30MM, ALL TYPES	21,759	21,759	21,759	21,759
8	CTG, 40MM, ALL TYPES	208,504	208,504	208,504	208,504
	MORTAR AMMUNITION				
9	60MM MORTAR, ALL TYPES	6,495	8,495	6,495	8,095
10	81MM MORTAR, ALL TYPES	53,798	53,798	53,798	53,798
11	CTG, MORTAR, 120MM, ALL TYPES	111,594	111,594	111,594	111,594
	TANK AMMUNITION				
12	CTG TANK 105MM: ALL TYPES	14,338	14,338	14,338	14,338
13	120MM TANK TRAINING, ALL TYPES	180,400	180,400	180,400	180,400
	ARTILLERY AMMUNITION				
14	CTG ARTY 75MM, ALL TYPES	2,699	2,699	2,699	2,699
15	CTG ARTY 105MM, ALL TYPES	41,965	41,965	41,965	41,965
16	CTG, ARTY, 155MM, ALL TYPES	88,049	88,049	88,049	88,049
17	PROJ, 155MM EXTENDED RANGE XM982	28,781	28,781	28,781	28,781
18	MODULAR ARTILLERY CHARGE SYSTEM (MACS)	60,076	60,076	60,076	60,076

(In thousands of dollars)

		Budget	House	Senate	Conference
	ARTILLERY FUZES				
19	ARTILLERY FUZES, ALL TYPES	4,251	4,251	4,251	4,251
	MINES				
20	MINE, TRAINING, ALL TYPES	4,791	4,791	4,791	4,791
21	MINE, CLEARING CHARGE, ALL TYPES	2,522	2,522	2,522	2,522
22	ANTIPERSONNEL LANDMINE ALTERNATIVES	51,876	51,876	51,876	51,876
	ROCKETS				
23	SHOULDER FIRED ROCKETS, ALL TYPES	29,453	32,453	29,453	31,853
24	ROCKET, HYDRA 70, ALL TYPES	137,861	137,861	137,861	137,861
	OTHER AMMUNITION				
25	DEMOLITION MUNITIONS, ALL TYPES	30,945	30,945	30,945	34,145
26	GRENADES, ALL TYPES	72,392	74,392	77,392	76,392
27	SIGNALS, ALL TYPES	181,787	181,787	181,787	181,787
28	SIMULATORS, ALL TYPES	21,608	21,608	21,608	21,608
	MISCELLANEOUS				
29	AMMO COMPONENTS, ALL TYPES	15,000	15,000	15,000	15,000
30	NON-LETHAL AMMUNITION, ALL TYPES	25,241	25,241	25,241	25,241
31	CAD/PAD ALL TYPES	2,748	2,748	2,748	2,748
32	ITEMS LESS THAN $5 MILLION	6,564	6,564	6,564	6,564
33	AMMUNITION PECULIAR EQUIPMENT	11,757	14,757	12,757	14,957
34	FIRST DESTINATION TRANSPORTATION (AMMO)	12,100	12,100	12,100	12,100
	TOTAL, AMMUNITION	1,899,814	1,914,814	1,905,814	1,914,214
	AMMUNITION PRODUCTION BASE SUPPORT PRODUCTION BASE SUPPORT				
36	PROVISION OF INDUSTRIAL FACILITIES	143,708	154,108	156,108	161,908
37	LAYAWAY OF INDUSTRIAL FACILITIES	3,436	3,436	3,436	3,436
38	MAINTENANCE OF INACTIVE FACILITIES	5,418	5,418	5,418	5,418
39	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL	135,256	135,256	135,256	135,256
40	ARMS INITIATIVE	2,944	2,944	2,944	2,944
	TOTAL, AMMUNITION PRODUCTION BASE SUPPORT	290,762	301,162	303,162	308,962
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	2,190,576	2,215,976	2,208,976	2,223,176

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
1	**CTG, 5.56MM, ALL TYPES**	189,179	192,179	189,179	189,179
	Lake City Army Ammunition Infrastruture Requirements (Transfer to line 36)		3,000		0
2	**CTG, 7.62MM, ALL TYPES**	68,045	70,045	68,045	68,045
	Polymer Small Arms Production (Transfer to RDTE,A line 49)		2,000		0
9	**60MM MORTAR, ALL TYPES**	6,495	8,495	6,495	8,095
	Procurement of the CTG, Mortar, 60mm, Practice, M769		2,000		1,600
23	**SHOULDER FIRED ROCKETS, ALL TYPES**	29,453	32,453	29,453	31,853
	Bunker Defeat Munition		3,000		2,400
25	**DEMOLITION MUNITIONS, ALL TYPES**	30,945	30,945	30,945	34,145
	Magneto Inductive Remote Activation Munition Systems MI-RAMS (Transfer from OP,A line 26)				3,200
26	**GRENADES, ALL TYPES**	72,392	74,392	77,392	76,392
	M18 Smoke Grenades		2,000	5,000	4,000
33	**AMMUNITION PECULIAR EQUIPMENT**	11,757	14,757	12,757	14,957
	Blue Grass Army Depot Supercritical Water Oxidation (SCWO)		3,000		2,400
	Ammunition Peculiar Equipment Outloading Module			1,000	800
36	**PROVISION OF INDUSTRIAL FACILITIES**	143,708	154,108	156,108	161,908
	McAlester Army Ammunition Plant Bomb Line Modernization (Transfer to OM,A SAG 132)		2,000		0
	Holston Army Ammunition Plant Thermobaric Extruder Facility		2,400	2,400	2,400
	Holston Army Ammunition Plant, Critical Reliability Upgrade		2,000		1,600
	Ammunition Production Base Support - Scranton Army Ammunition Plant - FY2008		4,000		3,200
	Radford Army Ammunition Plant - Solvent recovery System and Environmental Mitigation			10,000	8,000
	Lake City Army Ammunition Infrastructure Requirements (Transfer from line 1)				3,000

OTHER PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	OTHER PROCUREMENT, ARMY				
	TACTICAL AND SUPPORT VEHICLES				
	TACTICAL VEHICLES				
1	TACTICAL TRAILERS/DOLLY SETS	57,053	66,684	66,684	66,684
2	SEMITRAILERS, FLATBED	6,100	7,271	9,971	10,031
3	SEMITRAILERS, TANKERS	2,185	2,185	2,185	2,185
4	HI MOB MULTI-PURP WHLD VEH (HMMWV)	596,627	987,409	909,109	948,527
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	828,403	1,852,752	1,852,752	1,852,752
6	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMENT	36,011	36,011	36,011	36,011
7	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	483,023	563,664	563,664	563,664
8	ARMORED SECURITY VEHICLES (ASV)	155,124	283,912	284,912	284,212
9	MINE PROTECTION VEHICLE FAMILY	199,100	199,100	199,100	199,100
10	TRUCK, TRACTOR, LINE HAUL, M915/M916	83,897	83,897	83,897	83,897
11	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	197,499	107,499	197,499	107,499
12	GROW THE ARMY	1,925,867	---	---	---
13	HMMWV RECAPITALIZATION PROGRAM	---	5,000	---	4,000
14	MODIFICATION OF IN SVC EQUIP	32,725	32,725	32,725	32,725
16	TOWING DEVICE-FIFTH WHEEL	898	1,932	932	932
	NON-TACTICAL VEHICLES				
17	HEAVY ARMORED SEDAN	600	600	600	600
18	PASSENGER CARRYING VEHICLES	310	310	310	310
19	NONTACTICAL VEHICLES, OTHER	3,437	3,437	3,437	3,437
	TOTAL, TACTICAL AND SUPPORT VEHICLES	4,608,859	4,234,388	4,243,788	4,196,566

(In thousands of dollars)

		Budget	House	Senate	Conference
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT				
	COMM - JOINT COMMUNICATIONS				
20	COMBAT IDENTIFICATION PROGRAM	4,228	4,228	4,228	4,228
21	JCSE EQUIPMENT (USREDCOM)	2,071	2,071	2,071	2,071
	COMM - SATELLITE COMMUNICATIONS				
23	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	87,772	125,372	125,372	125,372
24	SHF TERM	8,790	13,964	13,964	13,964
25	SAT TERM, EMUT (SPACE)	812	812	812	812
26	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	86,877	104,290	102,290	101,290
27	SMART-T (SPACE)	50,412	50,412	50,412	50,412
28	SCAMP (SPACE)	1,300	1,300	1,300	1,300
29	GLOBAL BRDCST SVC - GBS	33,447	35,697	35,697	35,697
30	MOD OF IN-SVC EQUIP (TAC SAT)	6,042	6,042	6,042	6,042
	COMM - C3 SYSTEM				
31	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	25,512	25,912	25,912	25,912
	COMM - COMBAT COMMUNICATIONS				
32	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	7,893	9,491	9,491	9,491
33	RADIO TERMINAL SET, MIDS LVT(2)	3,021	32,016	32,016	32,016
34	SINCGARS FAMILY	137,080	150,143	148,643	149,643
35	AMC CRITICAL ITEMS - OPA2	8,000	8,000	8,000	8,000
36	MULTI-PURPOSE INFORMATION OPERATIONS SYSTEMS	8,653	8,653	8,653	8,653
37	GROW THE ARMY	1,248,884	---	---	---
38	BRIDGE TO FUTURE NETWORKS	433,526	368,088	365,088	365,088
39	COMMS-ELEC EQUIP FIELDING	7,902	7,902	10,902	10,902
40	SPIDER APLA REMOTE CONTROL UNIT	18,801	19,688	---	---
41	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	10,192	10,192	10,192	10,192
42	COMBAT SURVIVOR EVADER LOCATOR (CSEL)	12,072	12,072	12,072	12,072
43	RADIO, IMPROVED HF FAMILY	65,530	60,974	81,374	71,174
44	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	19,525	21,954	21,954	21,954
	COMM - INTELLIGENCE COMM				
45	CI AUTOMATION ARCHITECTURE	1,461	1,461	1,461	1,461
	INFORMATION SECURITY				
46	TSEC - ARMY KEY MGT SYS (AKMS)	23,225	27,793	27,793	27,793
47	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	60,301	61,832	62,832	64,032

(In thousands of dollars)

		Budget	House	Senate	Conference
	COMM - LONG HAUL COMMUNICATIONS				
48	TERRESTRIAL TRANSMISSION.............................	9,619	9,619	9,619	9,619
49	BASE SUPPORT COMMUNICATIONS..........................	34,520	34,520	34,520	34,520
50	ELECTROMAG COMP PROG (EMCP)..........................	511	511	511	511
51	WW TECH CON IMP PROG (WWTCIP)........................	27,880	27,880	27,880	27,880
	COMM - BASE COMMUNICATIONS				
52	INFORMATION SYSTEMS..................................	156,170	237,531	156,170	156,170
53	DEFENSE MESSAGE SYSTEM (DMS).........................	6,662	6,662	6,662	6,662
54	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM..........	217,298	217,298	218,998	218,998
55	PENTAGON INFORMATION MGT AND TELECOM..................	32,076	32,076	32,076	32,076
	ELECT EQUIP - NAT INT PROG (NIP)				
	ELECT EQUIP - NAT INTEL PROG (NIP)				
58	ALL SOURCE ANALYSIS SYS (ASAS) (MIP)..................	36,132	52,485	52,485	52,485
59	JTT/CIBS-M (MIP).....................................	3,560	7,566	7,566	7,566
60	PROPHET GROUND (MIP).................................	119,482	119,482	122,482	121,882
61	TACTICAL UNMANNED AERIAL SYS (TUAS)MIP................	196,419	232,079	237,079	239,079
62	SMALL UNMANNED AERIAL SYSTEM (SUAS)..................	20,682	33,480	33,480	33,480
64	DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP)..............	34,604	38,854	38,854	38,854
67	DCGS-A (MIP)...	114,842	147,630	147,630	147,630
69	TROJAN (MIP)...	13,418	13,418	13,418	13,418
70	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP).................	2,351	2,351	2,351	2,351
71	CI HUMINT INFO MANAGEMENT SYSTEM (CHIMS) (MIP)........	26,310	26,586	26,586	26,586
72	ITEMS LESS THAN $5.0M (MIP)..........................	17,903	23,422	33,022	31,102
	ELECT EQUIP - ELECTRONIC WARFARE (EW)				
73	LIGHTWEIGHT COUNTER MORTAR RADAR......................	43,893	49,197	49,197	49,197
74	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES..........	11,900	11,900	11,900	11,900
75	CI MODERNIZATION (MIP)...............................	1,278	1,278	1,278	1,278
	ELECT EQUIP - TACTICAL SURV. (TAC SURV)				
76	SENTINEL MODS..	20,885	20,885	20,885	20,885
77	NIGHT VISION DEVICES.................................	278,641	317,743	427,743	318,943
78	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM.........	129,951	159,489	159,489	159,489
79	NIGHT VISION, THERMAL WPN SIGHT......................	230,607	308,024	333,024	308,024
80	RADIATION MONITORING SYSTEMS.........................	3,518	3,518	3,518	3,518
81	ARTILLERY ACCURACY EQUIP.............................	---	300	300	300
83	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE...........	7,572	7,572	7,572	7,572

(In thousands of dollars)

		Budget	House	Senate	Conference
84	PROFILER	8,000	10,800	13,300	13,300
85	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	41,480	41,480	44,380	43,980
86	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)	175,975	250,135	250,135	250,135
87	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLD	93,986	137,386	137,386	137,386
88	COMPUTER BALLISTICS: LHMBC XM32	---	1,001	1,001	1,001
89	MORTAR FIRE CONTROL SYSTEM	14,000	14,000	14,000	14,000
	ELECT EQUIP - TACTICAL C2 SYSTEMS				
92	TACTICAL OPERATIONS CENTERS	393,883	197,883	393,883	295,883
93	FIRE SUPPORT C2 FAMILY	40,626	47,302	47,302	47,302
94	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	32,935	33,763	33,763	33,763
95	FAAD C2	9,000	9,000	13,200	12,360
96	AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD	19,611	40,362	40,362	40,362
97	KNIGHT FAMILY	68,280	94,280	94,280	94,280
98	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	2,070	2,070	2,070	2,070
99	AUTOMATIC IDENTIFICATION TECHNOLOGY	71,034	71,034	74,034	73,434
100	TC AIMS II	29,037	29,399	29,399	29,399
101	JOINT NETWORK MANAGEMENT SYSTEM (JNMS)	10,745	10,745	10,745	10,745
102	TACTICAL INTERNET MANAGER	9,215	10,268	10,268	10,268
103	DATA PRODUCTS	36,142	36,142	36,142	36,142
104	MANEUVER CONTROL SYSTEM (MCS)	120,767	122,489	122,489	122,489
105	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	53,563	151,105	151,605	151,205
106	MOUNTED BATTLE COMMAND ON THE MOVE (MBCOTM)	42,000	42,000	42,000	42,000

(In thousands of dollars)

		Budget	House	Senate	Conferenc
	ELECT EQUIP - AUTOMATION				
7	GENERAL FUND ENTERPRISE BUSINESS SYSTEM...............	39,353	10,134	10,153	10,134
8	ARMY TRAINING MODERNIZATION...........................	11,389	11,389	11,389	11,389
9	AUTOMATED DATA PROCESSING EQUIP.......................	120,732	120,732	113,732	113,732
0	CSS COMMUNICATIONS....................................	32,955	35,635	35,635	35,635
1	RESERVE COMPONENT AUTOMATION SYS (RCAS)...............	30,427	30,427	30,427	30,427
	ELECT EQUIP - AUDIO VISUAL SYS (A/V)				
2	AFRTS...	964	964	964	964
3	ITEMS LESS THAN $5.0M (A/V)...........................	6,306	6,306	6,306	6,306
4	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT).............	3,358	7,118	7,118	7,118
5	WEAPONIZATION OF UNMANNED AERIAL SYSTEM (UAS).........	15,207	15,207	15,207	15,207
	ELECT EQUIP - SUPPORT				
6	ITEMS UNDER $5M (SSE).................................	14,430	14,430	14,430	14,430
7	PRODUCTION BASE SUPPORT (C-E).........................	508	508	508	508
	TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT.....	5,719,991	4,919,209	5,192,479	4,948,900
	OTHER SUPPORT EQUIPMENT CHEMICAL DEFENSIVE EQUIPMENT				
8	RADIAC SET AN/PDR 77()................................	1,500	1,539	1,539	1,539
9	RECONNAISSANCE SYSTEM NUCLEAR - BIOLOGICAL CH.........	316	316	316	316
0	CBRN SOLDIER PROTECTION...............................	46,294	59,826	59,826	59,826
1	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)..........	7,700	9,079	9,079	9,079
	BRIDGING EQUIPMENT				
2	TACTICAL BRIDGING.....................................	50,443	50,443	50,443	50,443
3	TACTICAL BRIDGE, FLOAT-RIBBON.........................	74,785	74,785	74,785	74,785
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT				
4	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST.........	45,218	49,163	49,163	49,163
5	GROW THE ARMY...	334,068	---	---	---
6	GRND STANDOFF MINE DETECTION SYSTEM (GSTAMIDS.........	63,016	63,016	63,016	63,016
8	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT).........	33,283	33,283	36,283	36,283
9	ITEMS LESS THAN $5M, COUNTERMINE EQUIPMENT............	3,562	3,562	3,562	3,562
0	AERIAL DETECTION......................................	11,708	11,708	11,708	11,708
	COMBAT SERVICE SUPPORT EQUIPMENT				
1	HEATERS AND ECU'S.....................................	18,463	19,860	19,860	19,860
2	LAUNDRIES, SHOWERS AND LATRINES.......................	---	7,050	7,050	7,050
3	SOLDIER ENHANCEMENT...................................	13,540	19,803	19,803	20,803
4	LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)...............	---	2,000	5,000	4,000

(In thousands of dollars)

	Budget	House	Senate	Conference
138 FIELD FEEDING EQUIPMENT	26,123	56,145	56,145	56,145
139 CARGO AERIAL DELIVERY PROGRAM	43,842	43,842	43,842	43,842
140 MOBILE INTEGRATED REMAINS COLLECTION SYSTEM	9,941	9,941	9,941	9,941
141 ITEMS LESS THAN $5.0M (ENG SPT EQ)	20,099	24,084	21,084	23,484
PETROLEUM EQUIPMENT				
143 QUALITY SURVEILLANCE EQUIPMENT	1,293	1,293	1,293	1,293
144 DISTRIBUTION SYSTEMS, PETROLEUM & WATER	34,056	34,406	34,406	34,406
WATER EQUIPMENT				
145 WATER PURIFICATION SYSTEMS	41,981	42,417	44,417	44,017
MEDICAL EQUIPMENT				
146 COMBAT SUPPORT MEDICAL	85,490	76,611	86,361	91,361
MAINTENANCE EQUIPMENT				
147 MOBILE MAINTENANCE EQUIPMENT SYSTEMS	29,475	40,173	40,173	40,173
148 ITEMS LESS THAN $5.0M (MAINT EQ)	23,396	23,396	23,396	23,396
CONSTRUCTION EQUIPMENT				
149 GRADER, ROAD MTZD, HVY, 6X4 (CCE)	11,700	15,010	15,010	15,010
150 SKID LOADER (SSL) FAMILY OF SYSTEM	16,900	16,900	16,900	16,900
151 SCRAPERS, EARTHMOVING	19,440	26,019	26,019	26,019
152 DISTR, WATER, SP MIN 2500G SEC/NON-SEC	6,440	6,440	6,440	6,440
153 MISSION MODULES - ENGINEERING	4,219	4,219	4,219	4,219
154 LOADERS	18,842	19,886	19,886	19,886
155 HYDRAULIC EXCAVATOR	3,371	3,931	3,931	3,931
156 TRACTOR, FULL TRACKED	6,000	8,189	8,189	8,189
158 HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	37,800	40,087	40,087	40,087
159 CONST EQUIP ESP	42,984	42,984	42,984	42,984
160 ITEMS LESS THAN $5.0M (CONST EQUIP)	11,484	11,822	11,822	11,822
RAIL FLOAT CONTAINERIZATION EQUIPMENT				
162 JOINT HIGH SPEED VEHICLE (JHSV)	210,000	76,000	210,000	210,000
163 HARBORMASTER COMMAND & CONTROL CENTER (HCCC)	18,237	18,237	18,237	---
165 ITEMS LESS THAN $5.0M (FLOAT/RAIL)	4,300	4,300	4,300	4,300
GENERATORS				
166 GENERATORS AND ASSOCIATED EQUIP	92,863	111,475	111,475	111,475
167 ROUGH TERRAIN CONTAINER HANDLER (RTCH)	20,587	42,895	42,895	42,895
MATERIAL HANDLING EQUIPMENT				
168 ALL TERRAIN LIFTING ARMY SYSTEM	24,757	39,742	42,742	42,142
TRAINING EQUIPMENT				
169 COMBAT TRAINING CENTERS (CTC) SUPPORT	16,337	19,837	16,337	21,637

(In thousands of dollars)

	Budget	House	Senate	Conferenc
0 TRAINING DEVICES, NONSYSTEM	201,843	262,943	304,343	338,243
1 CLOSE COMBAT TACTICAL TRAINER	67,123	67,123	76,123	67,123
2 AVIATION COMBINED ARMS TACTICAL TRAINER (AVCA	67,386	67,386	67,386	67,386
TEST MEASURE AND DIG EQUIPMENT (TMD)				
3 CALIBRATION SETS EQUIPMENT	10,644	10,644	10,644	10,644
4 INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	36,516	36,516	36,516	36,516
5 TEST EQUIPMENT MODERNIZATION (TEMOD)	19,302	22,802	19,302	19,302
OTHER SUPPORT EQUIPMENT				
6 RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	48,704	48,704	48,704	52,204
8 PHYSICAL SECURITY SYSTEMS (OPA3)	103,018	104,656	106,156	105,856
9 BASE LEVEL COM'L EQUIPMENT	29,976	29,976	29,976	29,976
0 MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	58,223	58,223	58,223	58,223
1 PRODUCTION BASE SUPPORT (OTH)	3,061	3,061	3,061	3,061
3 SPECIAL EQUIPMENT FOR USER TESTING	23,968	23,968	23,968	23,968
4 AMC CRITICAL ITEMS OPA3	7,000	7,000	7,000	7,000
5 MA8975	2,499	2,499	2,499	2,499
TOTAL, OTHER SUPPORT EQUIPMENT	2,265,116	2,011,215	2,207,865	2,229,428
SPARE AND REPAIR PARTS				
6 INITIAL SPARES - C&E	44,497	44,497	44,497	44,497
TOTAL, SPARE AND REPAIR PARTS	44,497	44,497	44,497	44,497
CLASSIFIED PROGRAMS	8,636	8,636	8,636	8,636
TOTAL, OTHER PROCUREMENT, ARMY	12,647,099	11,217,945	11,697,265	11,428,027

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
1	**TACTICAL TRAILERS/DOLLY SETS**	57,053	66,684	66,684	66,684
	Grow the Army		9,631	9,631	9,631
2	**SEMITRAILERS, FLATBED**	6,100	7,271	9,971	10,031
	Grow the Army		171	171	171
	M871 Series Trailer Refurbishment Program		1,000		800
	M872A4 34T Flatbed Trailer			3,700	2,960
4	**HIGH MOBILITY MULTI-PURPOSE WHEELED VEHICLE (HMMWV)**	596,627	987,409	909,109	948,527
	Grow the Army		389,782	312,482	351,100
	Vehicle Emergency Escape Window		1,000		800
5	**FAMILY OF MEDIUM TACTICAL VEHICLES (FMTV) .**	828,403	1,852,752	1,852,752	1,852,752
	Grow the Army		1,024,349	1,024,349	1,024,349
7	**FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)**	483,023	563,664	563,664	563,664
	Grow the Army		80,641	80,641	80,641
8	**ARMORED SECURITY VEHICLES (ASV)**	155,124	283,912	284,912	284,212
	Grow the Army		126,288	126,288	126,288
	Armored Security Vehicle, M-1117 Guardian ASV Turret Upgrades		2,500	3,500	2,800
11	**HEAVY EXPANDED MOBILE TACTICAL TRUCK EXTENDED SERVICE**	197,499	107,499	197,499	107,499
	Defer consideration to GWOT Supplemental		-90,000		-90,000
12	**GROW THE ARMY**	1,925,867	0	0	0
	Distribute Grow the Army		-1,925,867	-1,925,867	-1,925,867
13	**HMMWV RECAPITALIZATION PROGRAM**	0	5,000	0	4,000
	HMMWV Restraint System		5,000		4,000
16	**TOWING DEVICE-FIFTH WHEEL**	898	1,932	932	932
	Grow the Army		34	34	34
	Microclimate Cooling Unit (MCU) for Military Tactical Vehicles (Transfer to line 133)		1,000		0
23	**DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS**	87,772	125,372	125,372	125,372
	Grow the Army		37,600	37,600	37,600

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
24	**SUPER HIGH FREQUENCY TERMINAL**	8,790	13,964	13,964	13,964
	Grow the Army		5,174	5,174	5,174
26	**NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)**	86,877	104,290	102,290	101,290
	Grow the Army		10,413	10,413	10,413
	Defense Advanced GPS Receiver (DAGR)		3,000	5,000	4,000
	Magneto Inductive Remote Activation Munition Systems MI-RAMS (Transfer to PA,A line 25)		4,000		0
29	**GLOBAL BROADCAST SERVICE - GBS**	33,447	35,697	35,697	35,697
	Grow the Army		2,250	2,250	2,250
31	**ARMY GLOBAL COMMAND & CONTROL SYSTEM (AGCCS)**	25,512	25,912	25,912	25,912
	Grow the Army		400	400	400
32	**ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)**	7,893	9,491	9,491	9,491
	Grow the Army		1,598	1,598	1,598
33	**RADIO TERMINAL SET, MULTIFUNCTIONAL INFORMATION DISTRIBUTION SYSTEM LOW VOLUME TERMINAL (2)**	3,021	32,016	32,016	32,016
	Grow the Army		28,995	28,995	28,995
34	**SINCGARS FAMILY**	137,080	150,143	148,643	149,643
	Grow the Army		10,563	10,563	10,563
	Radio Personality Modules for SINCGARS Test Sets		2,500	1,000	2,000
37	**GROW THE ARMY**	1,248,884	0	0	0
	Distribute Grow the Army		-1,248,884	-1,248,884	-1,248,884
38	**BRIDGE TO FUTURE NETWORKS**	433,526	368,088	365,088	365,088
	Grow the Army		65,562	65,562	65,562
	Transfer to Research, Development, Test and Evaluation, Army, Line 67		-134,000		-100,000
	Excess to Need			-134,000	-34,000
	Satellite Multi-Modal Collaborative Crisis and Training Network (Transfer to line 39)		3,000		0
39	**COMMS-ELEC EQUIP FIELDING**	7,902	7,902	10,902	10,902
	Satellite MultiModal Collaborative Crisis and Training Network for the Minnesota Army National Guard (Includes transfer from line 38)			3,000	3,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
40	**SPIDER ANTIPERSONNEL LANDMINES ALTERNATIVES REMOTE CONTROL UNIT**	18,801	19,688	0	0
	Grow the Army		887	887	887
	Transfer to RDT&E, Army line 112			-19,688	-19,688
43	**RADIO, IMPROVED HIGH FREQUENCY FAMILY**	65,530	60,974	81,374	71,174
	Grow the Army		15,844	15,844	15,844
	Authorization Adjustment		-20,400		-10,200
44	**MEDICAL COMMUNICATIONS FOR COMBAT CASUALTY CARE (MC4)**	19,525	21,954	21,954	21,954
	Grow the Army		2,429	2,429	2,429
46	**TRANSMISSIONS SECURITY - ARMY KEY MANAGEMENT SYSTEM (AKMS)**	23,225	27,793	27,793	27,793
	Grow the Army		4,568	4,568	4,568
47	**INFORMATION SYSTEM SECURITY PROGRAM-ISSP**	60,301	61,832	62,832	64,032
	Grow the Army		31	31	31
	Critical Army Systems – Cyber Attack Technology (CASCAT)		1,500		1,200
	Trunked Radio System			2,500	2,500
52	**INFORMATION SYSTEMS**	156,170	237,531	156,170	156,170
	Grow the Army		81,361		0
54	**INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM**	217,298	217,298	218,998	218,998
	Information Technology Upgrades for Detroit Arsenal			1,700	1,700
58	**ALL SOURCE ANALYSIS SYSTEM (ASAS) (MIP)**	36,132	52,485	52,485	52,485
	Grow the Army		16,353	16,353	16,353
59	**JOINT TACTICAL TERMINAL/COMMON INTEGRATED BROADCAST SERVICE MODULES (MIP)**	3,560	7,566	7,566	7,566
	Grow the Army		4,006	4,006	4,006
60	**PROPHET GROUND (MIP)**	119,482	119,482	122,482	121,882
	Handheld Phraselator System			3,000	2,400

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
61	**TACTICAL UNMANNED AERIAL SYSTEM (TUAS) (MIP)**	**196,419**	**232,079**	**237,079**	**239,079**
	Grow the Army		30,660	30,660	30,660
	Warrior Block 0 All-Weather, Hi-Fidelity Sensor Upgrades		5,000		4,000
	MQ-5B Hunter Tactical Unmanned Aircraft System			10,000	8,000
62	**SMALL UNMANNED AERIAL SYSTEM (SUAS)**	**20,682**	**33,480**	**33,480**	**33,480**
	Grow the Army		12,798	12,798	12,798
64	**DIGITAL TOPOGRAPHIC SUPPORT SYSTEM (DTSS) (MIP)**	**34,604**	**38,854**	**38,854**	**38,854**
	Grow the Army		4,250	4,250	4,250
67	**DISTRIBUTED COMMON GROUND SYSTEM - ARMY (MIP)**	**114,842**	**147,630**	**147,630**	**147,630**
	Grow the Army		32,788	32,788	32,788
71	**COUNTER INTELLIGENCE/HUMAN INTELLIGENCE INFORMATION MANAGEMENT SYSTEM (CHIMS) (MIP)**	**26,310**	**26,586**	**26,586**	**26,586**
	Grow the Army		276	276	276
72	**ITEMS LESS THAN $5.0M (MIP)**	**17,903**	**23,422**	**33,022**	**31,102**
	Grow the Army		5,519	5,519	5,519
	Wideband Imagery Dissemination Systems for the ARNG			9,600	7,680
73	**LIGHTWEIGHT COUNTER MORTAR RADAR**	**43,893**	**49,197**	**49,197**	**49,197**
	Grow the Army		5,304	5,304	5,304
77	**NIGHT VISION DEVICES**	**278,641**	**317,743**	**427,743**	**318,943**
	Grow the Army		147,102	147,102	147,102
	Defer consideration to GWOT Supplemental		-110,000		-110,000
	Modular Tactical LED Weapon Light with IR Illuminator		2,000		1,600
	MX - 2A Miniature Remote Thermal Imager			2,000	1,600
78	**LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM**	**129,951**	**159,489**	**159,489**	**159,489**
	Grow the Army		29,538	29,538	29,538
79	**NIGHT VISION, THERMAL WEAPONS SIGHT**	**230,607**	**308,024**	**333,024**	**308,024**
	Grow the Army		102,417	102,417	102,417
	Defer consideration to GWOT Supplemental		-25,000		-25,000
84	**PROFILER**	**8,000**	**10,800**	**13,300**	**13,300**
	Grow the Army		2,800	2,800	2,800
	Profiler - Meteorological Measuring Set			2,500	2,500

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
85	**MOD OF IN-SVC EQUIP (FIREFINDER RADARS)**	**41,480**	**41,480**	**44,380**	**43,980**
	AN/TPQ - 37 Firefinder Radar Reliability, Maintainability Improvements			2,900	2,500
86	**FORCE XXI BATTLE COMMAND BRIGADE AND BELOW (FBCB2)**	**175,975**	**250,135**	**250,135**	**250,135**
	Grow the Army		74,160	74,160	74,160
87	**LIGHTWEIGHT LASER DESIGNATOR/RANGE FINDER (LLD)**	**93,986**	**137,386**	**137,386**	**137,386**
	Grow the Army		43,400	43,400	43,400
88	**COMPUTER BALLISTICS: LIGHTWEIGHT HANDHELD MORTAR BALLISTIC COMPUTER XM32**	**0**	**1,001**	**1,001**	**1,001**
	Grow the Army		1,001	1,001	1,001
92	**TACTICAL OPERATIONS CENTERS**	**393,883**	**197,883**	**393,883**	**295,883**
	Authorization Adjustment		-196,000		-98,000
93	**FIRE SUPPORT C2 FAMILY**	**40,626**	**47,302**	**47,302**	**47,302**
	Grow the Army		6,676	6,676	6,676
94	**BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM**	**32,935**	**33,763**	**33,763**	**33,763**
	Grow the Army		828	828	828
95	**FAAD C2**	**9,000**	**9,000**	**13,200**	**12,360**
	Windows Based AFATDS for the TN National Guard			4,200	3,360
96	**AIR AND MISSILE DEFENSE PLANNING AND CONTROL SYSTEMS**	**19,611**	**40,362**	**40,362**	**40,362**
	Grow the Army		20,751	20,751	20,751
97	**KNIGHT FAMILY**	**68,280**	**94,280**	**94,280**	**94,280**
	Grow the Army		26,000	26,000	26,000
99	**AUTOMATIC IDENTIFICATION TECHNOLOGY**	**71,034**	**71,034**	**74,034**	**73,434**
	Automated ID Technology Life Cycle Asset Management for the 160th Special Operations Aviation Regiment			3,000	2,400
100	**TRANSPORTATION COORDINATORS - AUTOMATED INFORMATION FOR MOVEMENT SYSTEM II**	**29,037**	**29,399**	**29,399**	**29,399**
	Grow the Army		362	362	362

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
102	**TACTICAL INTERNET MANAGER**	**9,215**	**10,268**	**10,268**	**10,268**
	Grow the Army		1,053	1,053	1,053
104	**MANEUVER CONTROL SYSTEM (MCS)**	**120,767**	**122,489**	**122,489**	**122,489**
	Grow the Army		1,722	1,722	1,722
105	**SINGLE ARMY LOGISTICS ENTERPRISE (SALE)**	**53,563**	**151,105**	**151,605**	**151,205**
	Grow the Army		96,042	96,042	96,042
	Depot Automated Identification Technology (D-AIT) at Anniston Army Depot and Red River Army Depot		1,500	2,000	1,600
107	**GENERAL FUND ENTERPRISE BUSINESS SYSTEM**	**39,353**	**10,134**	**10,153**	**10,134**
	Transfer to Research, Development, Test and Evaluation, Army, line 118		-29,219	-29,200	-29,219
109	**AUTOMATED DATA PROCESSING EQUIP**	**120,732**	**120,732**	**113,732**	**113,732**
	Slow Execution			-7,000	-7,000
110	**COMBAT SERVICE SUPPORT COMMUNICATIONS**	**32,955**	**35,635**	**35,635**	**35,635**
	Grow the Army		2,680	2,680	2,680
114	**ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)**	**3,358**	**7,118**	**7,118**	**7,118**
	Grow the Army		3,760	3,760	3,760
118	**RADIAC SET AN/PDR 77**	**1,500**	**1,539**	**1,539**	**1,539**
	Grow the Army		39	39	39
120	**CBRN SOLDIER PROTECTION**	**46,294**	**59,826**	**59,826**	**59,826**
	Grow the Army		13,532	13,532	13,532
121	**SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)**	**7,700**	**9,079**	**9,079**	**9,079**
	Grow the Army		1,379	1,379	1,379
124	**HANDHELD STANDOFF MINEFIELD DETECTION SYSTEM-HSTAMIDS**	**45,218**	**49,163**	**49,163**	**49,163**
	Grow the Army		3,945	3,945	3,945
125	**GROW THE ARMY**	**334,068**	**0**	**0**	**0**
	Distribute Grow the Army		-334,068	-334,068	-334,068

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
128	**EXPLOSIVE ORDNANCE DISPOSAL EQUIPMENT**	33,283	33,283	36,283	36,283
	Fido Explosive Detector			3,000	3,000
131	**HEATERS AND ENVIRONMENTAL CONTROL UNITS**	18,463	19,860	19,860	19,860
	Grow the Army		1,397	1,397	1,397
132	**LAUNDRIES, SHOWERS AND LATRINES**	0	7,050	7,050	7,050
	Grow the Army		7,050	7,050	7,050
133	**SOLDIER ENHANCEMENT**	13,540	19,803	19,803	20,803
	Grow the Army		6,263	6,263	6,263
	Microclimate Cooling Unit (MCU) for Military Tactical Vehicles (Transfer from line 16)				1,000
134	**LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)**	0	2,000	5,000	4,000
	Lightweight Maintenance Enclosure (LME)		2,000	5,000	4,000
138	**FIELD FEEDING EQUIPMENT**	26,123	56,145	56,145	56,145
	Grow the Army		30,022	30,022	30,022
141	**ITEMS LESS THAN $5.0M (ENG SPT EQ)**	20,099	24,084	21,084	23,484
	Grow the Army		985	985	985
	Recon-Navigation System (RNAV) for Diver Propulsion Devices		3,000		2,400
144	**DISTRIBUTION SYSTEMS, PETROLEUM AND WATER**	34,056	34,406	34,406	34,406
	Grow the Army		350	350	350
145	**WATER PURIFICATION SYSTEMS**	41,981	42,417	44,417	44,017
	Grow the Army		436	436	436
	Lightweight Water Purifier			2,000	1,600
146	**COMBAT SUPPORT MEDICAL**	85,490	76,611	86,361	91,361
	Grow the Army		871	871	871
	Combat Support Hospital		4,000		3,200
	Cartledge Infuser		2,250		1,800
	Life Support for Trauma and Transport (LSTAT/LSTAT-Lite) (Transfer to RDTE,A Line 111)		4,000		0
	Army Modularity funding - Defer consideration to the GWOT supplemental		-20,000		0

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
147	**MOBILE MAINTENANCE EQUIPMENT SYSTEMS**	29,475	40,173	40,173	40,173
	Grow the Army		10,698	10,698	10,698
149	**GRADER, ROAD MOTORIZED, HEAVY, 6X4**	11,700	15,010	15,010	15,010
	Grow the Army		3,310	3,310	3,310
151	**SCRAPERS, EARTHMOVING**	19,440	26,019	26,019	26,019
	Grow the Army		6,579	6,579	6,579
154	**LOADERS**	18,842	19,886	19,886	19,886
	Grow the Army		1,044	1,044	1,044
155	**HYDRAULIC EXCAVATOR**	3,371	3,931	3,931	3,931
	Grow the Army		560	560	560
156	**TRACTOR, FULL TRACKED**	6,000	8,189	8,189	8,189
	Grow the Army		2,189	2,189	2,189
158	**HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)**	37,800	40,087	40,087	40,087
	Grow the Army		2,287	2,287	2,287
160	**ITEMS LESS THAN $5.0M (CONSTRUCTION EQUIPMENT)**	11,484	11,822	11,822	11,822
	Grow the Army		338	338	338
162	**JOINT HIGH SPEED VEHICLE (JHSV)**	210,000	76,000	210,000	210,000
	Funding ahead of need		-134,000		0
163	**HARBORMASTER COMMAND & CONTROL CENTER (HCCC)**	18,237	18,237	18,237	0
	Transfer to RDTE, A line 70				-10,737
	Program reduction				-7,500
166	**GENERATORS AND ASSOCIATED EQUIPMENT**	92,863	111,475	111,475	111,475
	Grow the Army		18,612	18,612	18,612
167	**ROUGH TERRAIN CONTAINER HANDLER (RTCH)**	20,587	42,895	42,895	42,895
	Grow the Army		22,308	22,308	22,308
168	**ALL TERRAIN LIFTING ARMY SYSTEM**	24,757	39,742	42,742	42,142
	Grow the Army		14,985	14,985	14,985
	All Terrain Lifter Army System II			3,000	2,400

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	House	Senate	Conference
169 COMBAT TRAINING CENTERS (CTC) SUPPORT	**16,337**	**19,837**	**16,337**	**21,637**
Mobile Virtual Training Capability (MVTC)		2,500		2,500
America's Future Soldier Trainer Acquisition Program				2,000
America's Army Live-Fire Shoot House Deployment		1,000		800
170 TRAINING DEVICES, NONSYSTEM	**201,843**	**262,943**	**304,343**	**338,243**
Call For Fire Trainer/Joint Fires and Effects Trainer System		3,000	4,000	3,200
Muscatatuck Urban Training Center (MUTC) Instrumentation		2,000		1,600
Call for Fire Trainer for the ARNG		4,000		3,200
Laser Marksmanship Training System (LMTS)		5,000		4,000
Virtual Warrior Interactive (VWI)		4,000		3,200
Air and Missile Defense Instrumentation System		1,600		1,600
Combat Arms Training System (CATS) for the ARNG		4,000	2,000	3,200
Combat Skills Simulation Systems, OH ARNG		1,000		1,000
Transfer to Operation and Maintenance, Defense-Wide for CE2T2		-500		0
FlexTrain eXportable Combat Training Capability (XCTC), Camp Ripley MN		2,000	2,500	2,000
FlexTrain eXportable Combat Training Capability (XCTC)			2,500	2,000
HMMWV and Tactical Truck Convoy Trainer		10,000		8,000
I-MILES and I-HITS for home station training		25,000		20,000
IHITS for Blue Force Tracking and Training			5,000	4,000
1/25 SIB Range Improvement			12,500	11,000
Combined Arms Virtual Trainers			6,000	4,800
Combined Army Virtual Trainers for TN ARNG			6,000	4,800
Immersive Group Simulation Training Demonstration for the HI ARNG			1,000	1,000
Laser Collective Combat Training System for the ARNG			5,000	4,000
Table Top Trainers			5,000	4,000
Table Top Trainers for the TN ARNG			5,000	4,000
Training Range Enhancements			40,000	32,000
Up-Armored HMMWV and Tactical Truck Crew Trainers for the TN ARNG (Transfer from line 171)				9,000
Virtual Door Gunner Trainer for the TN ARNG			6,000	4,800
171 CLOSE COMBAT TACTICAL TRAINER	**67,123**	**67,123**	**76,123**	**67,123**
Up-Armored HMMWV and Tactical Truck Crew Trainers for TN ARNG (Transfer to line 170)			9,000	0

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
175	**TEST EQUIPMENT MODERNIZATION (TEMOD)**	19,302	22,802	19,302	19,302
	Mobile Defense Fighting Positions (Transfer to line 176)		3,500		0
176	**RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT**	48,704	48,704	48,704	52,204
	Mobile Defense Fighting Positions (Transfer from line 175)				3,500
178	**PHYSICAL SECURITY SYSTEMS (OPA3)**	103,018	104,656	106,156	105,856
	Grow the Army		1,638	1,638	1,638
	Battlefield Anti-Intrusion System			1,500	1,200

AIRCRAFT PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	AIRCRAFT PROCUREMENT, NAVY				
	COMBAT AIRCRAFT				
1	AV-8B (V/STOL)HARRIER (MYP)	3,016	3,016	3,016	3,016
2	EA-18G	1,267,710	1,266,010	1,267,710	1,266,010
3	EA-18G (AP-CY)	51,117	51,117	51,117	51,117
4	F/A-18E/F (FIGHTER) HORNET (MYP)	2,057,149	2,042,249	2,057,149	2,042,249
5	F/A-18E/F (FIGHTER) HORNET (MYP) (AP-CY)	46,817	46,817	46,817	46,817
6	JOINT STRIKE FIGHTER	1,112,564	1,112,564	1,112,564	1,112,564
7	JOINT STRIKE FIGHTER ADVANCE PROCUREMENT (CY)	119,598	119,598	119,598	119,598
8	V-22 (MEDIUM LIFT)	1,758,661	1,758,661	1,758,661	1,758,661
9	V-22 (MEDIUM LIFT) (AP-CY)	200,690	200,690	200,690	200,690
10	UH-1Y/AH-1Z	518,475	414,475	440,875	418,475
11	MH-60S (MYP)	423,540	423,540	423,540	423,540
12	MH-60S (MYP) (AP-CY)	80,037	80,037	80,037	80,037
13	MH-60R	844,721	844,721	844,721	844,721
14	MH-60R (AP-CY)	152,841	152,841	152,841	152,841
16	E-2C (EARLY WARNING) HAWKEYE (MYP) (AP-CY)	57,275	52,575	38,475	52,575
	TOTAL, COMBAT AIRCRAFT	8,694,211	8,568,911	8,597,811	8,572,911

(In thousands of dollars)

		Budget	House	Senate	Conference
	TRAINER AIRCRAFT				
18	T-45TS (TRAINER) GOSHAWK	32,523	32,523	32,523	32,523
19	JPATS	295,272	295,272	295,272	295,272
	TOTAL, TRAINER AIRCRAFT	327,795	327,795	327,795	327,795
	OTHER AIRCRAFT				
20	KC-130J	222,543	219,643	222,543	219,643
21	KC-130J (AP-CY)	33,900	33,900	33,900	33,900
23	VTUAV	37,687	---	37,687	37,687
24	OTHER SUPPORT AIRCRAFT	---	8,300	3,100	8,300
	TOTAL, OTHER AIRCRAFT	294,130	261,843	297,230	299,530
	MODIFICATION OF AIRCRAFT				
25	EA-6 SERIES	30,602	30,602	30,602	30,602
26	AV-8 SERIES	37,549	36,249	37,549	36,249
27	ADVERSARY	3,523	3,523	---	---
28	F-18 SERIES	441,883	432,783	441,883	432,783
29	H-46 SERIES	22,125	22,125	24,125	23,725
30	AH-1W SERIES	7,404	7,404	1,404	1,404
31	H-53 SERIES	48,145	42,845	53,945	49,385
32	SH-60 SERIES	58,609	58,609	58,609	58,609
33	H-1 SERIES	6,489	6,489	6,489	6,489
34	EP-3 SERIES	46,862	46,862	46,862	46,862
35	P-3 SERIES	262,563	244,063	270,563	250,463
36	S-3 SERIES	470	470	470	470
37	E-2 SERIES	11,047	6,947	11,047	9,047
38	TRAINER A/C SERIES	20,227	20,227	20,227	20,227
39	C-2A	32,420	32,420	32,420	32,420
40	C-130 SERIES	1,208	2,208	1,208	2,208

(In thousands of dollars)

		Budget	House	Senate	Conference
41	FEWSG	651	651	651	651
42	CARGO/TRANSPORT A/C SERIES	20,903	20,903	20,903	20,903
43	E-6 SERIES	126,185	126,185	85,185	85,185
44	EXECUTIVE HELICOPTERS SERIES	55,823	47,223	55,823	47,223
45	SPECIAL PROJECT AIRCRAFT	13,707	18,707	13,707	17,707
46	T-45 SERIES	57,157	57,157	57,157	57,157
47	POWER PLANT CHANGES	22,454	22,454	22,454	22,454
48	JPATS SERIES	9,872	9,872	9,872	9,872
49	AVIATION LIFE SUPPORT MODS	8,389	8,389	8,389	8,389
50	COMMON ECM EQUIPMENT	65,774	70,774	65,774	69,774
51	COMMON AVIONICS CHANGES	148,785	148,785	148,785	148,785
52	COMMON DEFENSIVE WEAPON SYSTEM	6,454	6,454	6,454	6,454
53	ID SYSTEMS	10,283	10,283	10,283	10,283
54	V-22 (TILT/ROTOR ACFT) OSPREY	68,377	68,377	68,377	68,377
	TOTAL, MODIFICATION OF AIRCRAFT	1,645,940	1,610,040	1,611,217	1,574,157
	AIRCRAFT SPARES AND REPAIR PARTS				
55	SPARES AND REPAIR PARTS	1,158,051	1,073,051	1,134,051	1,057,651
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES				
56	COMMON GROUND EQUIPMENT	470,795	470,795	474,795	474,395
57	AIRCRAFT INDUSTRIAL FACILITIES	10,812	10,812	10,812	10,812
58	WAR CONSUMABLES	65,369	66,369	65,369	66,369
59	OTHER PRODUCTION CHARGES	20,630	20,630	20,630	20,630
60	SPECIAL SUPPORT EQUIPMENT	58,315	58,315	58,315	58,315
61	FIRST DESTINATION TRANSPORTATION	1,719	1,719	1,719	1,719
	TOTAL, AIRCRAFT SUPPORT EQUIPMENT & FACILITIES	627,640	628,640	631,640	632,240
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	12,747,767	12,470,280	12,599,744	12,464,284

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
(In thousands of dollars)

		Budget Request	House	Senate	Conference
2	**EA-18G**	1,267,710	1,266,010	1,267,710	1,266,010
	Support funding carryover		-1,700		-1,700
4	**F/A-18E/F (FIGHTER) HORNET (MYP)**	2,057,149	2,042,249	2,057,149	2,042,249
	Support funding carryover		-14,900		-14,900
10	**UH-1Y/AH-1Z**	518,475	414,475	440,875	418,475
	AH-1Z new build strategy		-104,000		0
	Production and delivery delays			-77,600	-100,000
16	**E-2C (EARLY WARNING) HAWKEYE (MYP) (AP-CY)**	57,275	52,575	38,475	52,575
	Items less than 36 month lead time		-4,700		-4,700
	Reduction of one LRIP aircraft			-18,800	0
20	**KC-130J**	222,543	219,643	222,543	219,643
	Support funding carryover		-2,900		-2,900
23	**VTUAV**	37,687	0	37,687	37,687
	VTUAV phasing due to Littoral Combat Ship restructure		-37,687		0
24	**OTHER SUPPORT AIRCRAFT**	0	8,300	3,100	8,300
	USMC UC-12 Replacement Aircraft (RA)		8,300	3,100	8,300
26	**AV-8 SERIES**	37,549	36,249	37,549	36,249
	Open System Avionics and Obsolescence phasing		-1,300		0
	Open System Avionics Phasing				-750
	Obsolesence Kit Phasing				-550
27	**ADVERSARY**	3,523	3,523	0	0
	Replanning program for future years			-3,523	-3,523
28	**F-18 SERIES**	441,883	432,783	441,883	432,783
	Structural Life Management Plan phasing		-9,100		-9,100
29	**H-46 SERIES**	22,125	22,125	24,125	23,725
	CH-46 Communications Enhancements			2,000	1,600
30	**AH-1W SERIES**	7,404	7,404	1,404	1,404
	AH-1 20MM Linkless Feed - Contract Award Delay			-6,000	-6,000
31	**H-53 SERIES**	48,145	42,845	53,945	49,385
	Advanced Helicopter Emergency Egress Lighting System (ADHEELS)		2,000		1,600
	Defer consideration of Integrated Mechanical Diagnostic System (IMDS) to GWOT Supplemental		-2,300		0
	Engine Reliability Improvement Program modification kits growth		-3,800		-3,800
	Aerospace Maintenance and Regeneration Center phasing		-1,200		-1,200
	Integrated Mechanical Diagnostics Health and Usage Management System (IMDS) for CH-53			5,800	4,640

		Budget Request	House	Senate	Conference
35	**P-3 SERIES**	**262,563**	**244,063**	**270,563**	**250,463**
	P-3C High Resolution Digital Recorder		1,500		1,500
	Special Structural Inspection Kits install phasing		-20,000		-20,000
	P-3 Command, Control, Communications and Computers (C4) for Anti-Submarine Warfare (ASW)			5,000	4,000
	P-3 AIP ESM Multi Platform Emitter Geolocation (MPEG) Upgrade			3,000	2,400
37	**E-2 SERIES**	**11,047**	**6,947**	**11,047**	**9,047**
	Technology refresh growth		-4,100		-2,000
40	**C-130 SERIES**	**1,208**	**2,208**	**1,208**	**2,208**
	C-130 Aircraft Health Monitoring System		1,000		1,000
43	**E-6 SERIES**	**126,185**	**126,185**	**85,185**	**85,185**
	Internet Protocol/Bandwidth Expansion program execution and contract award delay			-41,000	-41,000
44	**EXECUTIVE HELICOPTERS SERIES**	**55,823**	**47,223**	**55,823**	**47,223**
	Cockpit upgrade install phasing		-1,000		-1,000
	Communications upgrade support growth		-1,800		-1,800
	VH-60N Structural Enhancement install phasing		-5,800		-5,800
45	**SPECIAL PROJECT AIRCRAFT**	**13,707**	**18,707**	**13,707**	**17,707**
	C4ISR Operations & Training		5,000		4,000
50	**COMMON ECM EQUIPMENT**	**65,774**	**70,774**	**65,774**	**69,774**
	AN/AAR-47		5,000		4,000
55	**SPARES AND REPAIR PARTS**	**1,158,051**	**1,073,051**	**1,134,051**	**1,057,651**
	F-35 spares phasing		-85,000		-85,000
	Reduction for UH-1Y/AH-1Z (-5 Aircraft)			-24,000	-15,400
56	**COMMON GROUND EQUIPMENT**	**470,795**	**470,795**	**474,795**	**474,395**
	Direct Squadron Readiness Training			4,000	3,600
58	**WAR CONSUMABLES**	**65,369**	**66,369**	**65,369**	**66,369**
	LAU-7 Sidewinder Missile Launcher Replacement Program		1,000		1,000

WEAPONS PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	WEAPONS PROCUREMENT, NAVY				
	BALLISTIC MISSILES				
	MODIFICATION OF MISSILES				
1	TRIDENT II MODS	1,087,801	1,051,801	1,051,801	1,051,801
	SUPPORT EQUIPMENT AND FACILITIES				
2	MISSILE INDUSTRIAL FACILITIES	3,486	3,486	3,486	3,486
	TOTAL, BALLISTIC MISSILES	1,091,287	1,055,287	1,055,287	1,055,287
	OTHER MISSILES				
	STRATEGIC MISSILES				
3	TOMAHAWK	383,075	383,075	383,075	383,075
	TACTICAL MISSILES				
4	AMRAAM	87,460	87,460	87,460	87,460
5	SIDEWINDER	54,891	54,891	47,891	54,891
6	JSOW	131,324	131,324	131,324	131,324
8	STANDARD MISSILE	159,667	159,667	159,667	159,667
9	RAM	79,540	76,040	79,540	76,040
10	HELLFIRE	45,736	45,736	45,736	45,736
11	AERIAL TARGETS	66,311	67,311	66,311	67,311
13	OTHER MISSILE SUPPORT	9,279	9,279	9,279	9,279
	MODIFICATION OF MISSILES				
14	ESSM	83,275	83,275	83,275	83,275
15	HARM MODS	41,302	---	41,302	41,302
	SUPPORT EQUIPMENT AND FACILITIES				
17	WEAPONS INDUSTRIAL FACILITIES	3,675	3,675	63,675	57,675
18	FLEET SATELLITE COMM FOLLOW-ON	215,834	215,834	215,834	215,834
	ORDNANCE SUPPORT EQUIPMENT				
19	ORDNANCE SUPPORT EQUIPMENT	41,697	41,697	41,697	41,697
	TOTAL, OTHER MISSILES	1,403,066	1,359,264	1,456,066	1,454,566

(In thousands of dollars)

		Budget	House	Senate	Conference
	TORPEDOES AND RELATED EQUIPMENT				
	TORPEDOES AND RELATED EQUIP				
20	SSTD	13	13	13	13
21	ASW TARGETS	10,158	12,158	10,158	11,758
	MOD OF TORPEDOES AND RELATED EQUIP				
22	MK-46 TORPEDO MODS	83,902	85,902	83,902	85,502
23	MK-48 TORPEDO ADCAP MODS	63,754	75,754	63,754	73,354
24	QUICKSTRIKE MINE	3,236	3,236	3,236	3,236
	SUPPORT EQUIPMENT				
25	TORPEDO SUPPORT EQUIPMENT	35,919	35,919	35,919	35,919
26	ASW RANGE SUPPORT	9,496	9,496	9,496	9,496
	DESTINATION TRANSPORTATION				
27	FIRST DESTINATION TRANSPORTATION	3,395	3,395	3,395	3,395
	TOTAL, TORPEDOES AND RELATED EQUIPMENT	209,873	225,873	209,873	222,673
	OTHER WEAPONS				
	GUNS AND GUN MOUNTS				
28	SMALL ARMS AND WEAPONS	14,233	14,233	14,233	14,233
	MODIFICATION OF GUNS AND GUN MOUNTS				
29	CIWS MODS	182,314	182,314	182,314	182,314
30	COAST GUARD WEAPONS	20,516	20,516	5,816	13,816
31	GUN MOUNT MODS	8,365	8,365	16,365	16,365
	OTHER				
33	CRUISER MODERNIZATION WEAPONS	23,561	23,561	23,561	23,561
34	AIRBORNE MINE NEUTRALIZATION SYSTEMS	6,566	6,566	6,566	6,566
35	MARINE CORPS TACTIAL UNMANNED AERIAL SYSTEM	90,259	---	90,259	90,259
	TOTAL, OTHER WEAPONS	345,814	255,555	339,114	347,114
37	SPARES AND REPAIR PARTS	34,347	32,147	34,347	34,347
	TOTAL, WEAPONS PROCUREMENT, NAVY	3,084,387	2,928,126	3,094,687	3,113,987

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
(In thousands of dollars)

		Budget Request	House	Senate	Conference
1	**TRIDENT II MODS**	**1,087,801**	**1,051,801**	**1,051,801**	**1,051,801**
	Conventional Trident Modification		-36,000	-36,000	-36,000
5	**SIDEWINDER**	**54,891**	**54,891**	**47,891**	**54,891**
	Unit cost efficiencies			-7,000	0
9	**RAM**	**79,540**	**76,040**	**79,540**	**76,040**
	Engineering Change Proposal growth		-3,500		-3,500
11	**AERIAL TARGETS**	**66,311**	**67,311**	**66,311**	**67,311**
	Coyote GQM-163A Supersonic Sea-Skimming Target		1,000		1,000
15	**HARM MODS**	**41,302**	**0**	**41,302**	**41,302**
	Program concurrency		-41,302		0
17	**WEAPONS INDUSTRIAL FACILITIES**	**3,675**	**3,675**	**63,675**	**57,675**
	ABL Facility Restoration Program			60,000	54,000
21	**ASW TARGETS**	**10,158**	**12,158**	**10,158**	**11,758**
	MK-30 Mod2 Anti-Submarine Warfare Training System		2,000		1,600
22	**MK-46 TORPEDO MODS**	**83,902**	**85,902**	**83,902**	**85,502**
	MK-54 Torpedo Test Hardware		2,000		1,600
23	**MK-48 TORPEDO ADCAP MODS**	**63,754**	**75,754**	**63,754**	**73,354**
	MK-48 ADCAP Torpedo Critical Component Production Restart		4,000		3,200
	Anti-Submarine Warfare (ASW) Enhancements		8,000		6,400
30	**COAST GUARD WEAPONS**	**20,516**	**20,516**	**5,816**	**13,816**
	Funding ahead of need			-14,700	-6,700
31	**GUN MOUNT MODS**	**8,365**	**8,365**	**16,365**	**16,365**
	Destroyer Modernization Weapons			8,000	8,000
35	**MARINE CORPS TACTICAL UNMANNED AERIAL SYSTEM**	**90,259**	**0**	**90,259**	**90,259**
	Defer consideration to GWOT Supplemental		-90,259		0
37	**SPARES AND REPAIR PARTS**	**34,347**	**32,147**	**34,347**	**34,347**
	Advanced Anti-Radiation Guided Missile Spares		-2,200		0

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	PROCUREMENT OF AMMO, NAVY & MARINE CORPS				
	PROC AMMO, NAVY				
	NAVY AMMUNITION				
1	GENERAL PURPOSE BOMBS	113,493	113,493	113,493	113,493
2	JDAM	33,633	33,633	33,633	33,633
3	AIRBORNE ROCKETS, ALL TYPES	30,323	30,323	30,323	30,323
4	MACHINE GUN AMMUNITION	12,651	12,651	12,651	12,651
5	PRACTICE BOMBS	36,339	36,339	36,339	36,339
6	CARTRIDGES & CART ACTUATED DEVICES	44,255	44,255	44,255	44,255
8	AIR EXPENDABLE COUNTERMEASURES	78,546	78,546	78,546	78,546
9	JATOS	4,774	4,774	3,122	3,122
10	5 INCH/54 GUN AMMUNITION	26,619	29,619	26,619	29,019
11	INTERMEDIATE CALIBER GUN AMMUNITION	11,211	11,211	11,211	11,211
12	OTHER SHIP GUN AMMUNITION	21,696	21,696	21,696	21,696
13	SMALL ARMS & LANDING PARTY AMMO	45,375	45,375	45,375	45,375
14	PYROTECHNIC AND DEMOLITION	11,041	11,041	11,041	11,041
15	AMMUNITION LESS THAN $5 MILLION	3,229	3,229	3,229	3,229
	TOTAL, PROC AMMO, NAVY	473,185	476,185	471,533	473,933

(In thousands of dollars)

		Budget	House	Senate	Conference
	PROC AMMO, MC MARINE CORPS AMMUNITION				
16	SMALL ARMS AMMUNITION	37,116	150,610	150,610	150,610
17	MC GROUND FORCES AUGMENTATION	69,375	---	---	---
20	LINEAR CHARGES, ALL TYPES	19	8,846	8,846	8,846
22	40 MM, ALL TYPES	30,679	54,652	54,652	54,652
23	60MM, ALL TYPES	17,414	65,003	65,003	65,003
24	81MM, ALL TYPES	20,329	101,049	101,049	101,049
25	120MM, ALL TYPES	23,841	34,769	34,769	34,769
26	CTG 25MM, ALL TYPES	11,328	11,328	11,328	11,328
28	GRENADES, ALL TYPES	26,625	50,512	50,512	50,512
29	ROCKETS, ALL TYPES	2,146	32,915	28,915	32,115
30	ARTILLERY, ALL TYPES	36,604	58,878	58,878	58,878
31	EXPEDITIONARY FIGHTING VEHICLE	4	4	4	4
32	DEMOLITION MUNITIONS, ALL TYPES	34	8,804	8,804	8,804
33	FUZE, ALL TYPES	2,330	4,291	4,291	4,291
34	NON LETHALS	4,191	4,374	4,374	4,374
35	AMMO MODERNIZATION	5,264	5,264	5,264	5,264
	TOTAL, PROC AMMO, MC	287,299	591,299	587,299	590,499
	TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS	760,484	1,067,484	1,058,832	1,064,432

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
(In thousands of dollars)

		Budget Request	House	Senate	Conference
9	**JATOS**	4,774	4,774	3,122	3,122
	MK-125 lack of requirement			-1,652	-1,652
10	**5 INCH/54 GUN AMMUNITION**	26,619	29,619	26,619	29,019
	5 inch/54 Ammunition		3,000		2,400
16	**SMALL ARMS AMMUNITION**	37,116	150,610	150,610	150,610
	Grow the Force		113,494	113,494	113,494
17	**MC GROUND FORCES AUGMENTATION**	69,375	0	0	0
	Grow the Force		-69,375	-69,375	-69,375
20	**LINEAR CHARGES, ALL TYPES**	19	8,846	8,846	8,846
	Grow the Force		8,827	8,827	8,827
22	**40 MM, ALL TYPES**	30,679	54,652	54,652	54,652
	Grow the Force		23,973	23,973	23,973
23	**60MM, ALL TYPES**	17,414	65,003	65,003	65,003
	Grow the Force		47,589	47,589	47,589
24	**81MM, ALL TYPES**	20,329	101,049	101,049	101,049
	Grow the Force		80,720	80,720	80,720
25	**120MM, ALL TYPES**	23,841	34,769	34,769	34,769
	Grow the Force		10,928	10,928	10,928
28	**GRENADES, ALL TYPES**	26,625	50,512	50,512	50,512
	Grow the Force		23,887	23,887	23,887
29	**ROCKETS, ALL TYPES**	2,146	32,915	28,915	32,115
	Grow the Force		26,769	26,769	26,769
	M72 Lightweight Attack Weapon System (LAW)		4,000		3,200
30	**ARTILLERY, ALL TYPES**	36,604	58,878	58,878	58,878
	Grow the Force		22,274	22,274	22,274
32	**DEMOLITION MUNITIONS, ALL TYPES**	34	8,804	8,804	8,804
	Grow the Force		8,770	8,770	8,770
33	**FUZE, ALL TYPES**	2,330	4,291	4,291	4,291
	Grow the Force		1,961	1,961	1,961
34	**NON LETHALS**	4,191	4,374	4,374	4,374
	Grow the Force		183	183	183

SHIPBUILDING AND CONVERSION, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	SHIPBUILDING & CONVERSION, NAVY				
	OTHER WARSHIPS				
1	CARRIER REPLACEMENT PROGRAM	2,723,953	2,703,953	2,703,953	2,703,953
2	CARRIER REPLACEMENT PROGRAM (AP-CY)	124,401	124,401	124,401	124,401
3	VIRGINIA CLASS SUBMARINE	1,796,191	1,796,191	1,796,191	1,796,191
4	VIRGINIA CLASS SUBMARINE (AP-CY)	702,710	1,290,710	1,172,710	1,290,710
7	CVN REFUELING OVERHAULS (AP-CY)	297,344	297,344	297,344	297,344
9	SSBN ERO	187,652	187,652	187,652	187,652
10	SSBN ERO (AP-CY)	42,744	42,744	42,744	42,744
11	DDG 1000	2,802,637	2,772,637	2,807,437	2,776,477
12	DDG 1000 (AP-CY)	150,886	150,886	150,886	150,886
13	DDG-51	78,078	78,078	48,078	48,078
15	LITTORAL COMBAT SHIP	910,482	339,482	---	339,482
	LITTORAL COMBAT SHIP (AP-CY)	---	---	75,000	---
	TOTAL, OTHER WARSHIPS	9,817,078	9,784,078	9,406,396	9,757,918
	AMPHIBIOUS SHIPS				
17	LPD-17	1,398,922	3,091,922	1,398,922	1,391,922
18	LPD-17(AP-CY)	---	---	---	50,000
19	LHA REPLACEMENT	1,377,414	1,375,414	1,377,414	1,375,414
	TOTAL, AMPHIBIOUS SHIPS	2,776,336	4,467,336	2,776,336	2,817,336
	AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM COSTS				
21	SPECIAL PURPOSE	---	4,500	---	---
23	OUTFITTING	419,811	405,011	379,811	379,811
24	SERVICE CRAFT	32,903	32,903	32,903	32,903
25	LCAC SLEP	98,518	98,518	98,518	98,518
26	COMPLETION OF PY SHIPBUILDING PROGRAMS	511,474	511,474	511,474	511,474
	TOTAL, AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM	1,062,706	1,052,406	1,022,706	1,022,706
	TOTAL, SHIPBUILDING & CONVERSION, NAVY	13,656,120	15,303,820	13,205,438	13,597,960

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
(In thousands of dollars)

		Budget Request	House	Senate	Conference
1	**CARRIER REPLACEMENT PROGRAM**	**2,723,953**	**2,703,953**	**2,703,953**	**2,703,953**
	Ship Self Defense System		-20,000		0
	Authorization reduction			-20,000	0
	Program reduction				-20,000
4	**VIRGINIA CLASS SUBMARINE (AP-CY)**	**702,710**	**1,290,710**	**1,172,710**	**1,290,710**
	Accelerate second submarine procurement		588,000		588,000
	Economic order quantity			470,000	0
11	**DDG 1000**	**2,802,637**	**2,772,637**	**2,807,437**	**2,776,477**
	Dual Band Radar		-30,000		-30,000
	AGS Pallets			4,800	3,840
13	**DDG-51**	**78,078**	**78,078**	**48,078**	**48,078**
	Authorization reduction			-30,000	-30,000
15	**LITTORAL COMBAT SHIP**	**910,482**	**339,482**	**0**	**339,482**
	Fund one fiscal year 2008 ship		-571,000		-571,000
	Program restructure			-910,482	0
XX	**LITTORAL COMBAT SHIP (AP)**	**0**	**0**	**75,000**	**0**
	Advance Procurement			75,000	0
17	**LPD-17**	**1,398,922**	**3,091,922**	**1,398,922**	**1,391,922**
	C4ISR		-5,000		-5,000
	Guided Missile Launch System		-2,000		-2,000
	Tenth ship funding		1,700,000		0
18	**LPD-17(AP-CY)**	**0**	**0**	**0**	**50,000**
	Tenth Ship Advance Procurement				50,000
19	**LHA REPLACEMENT**	**1,377,414**	**1,375,414**	**1,377,414**	**1,375,414**
	Cooperative Engagement Capability system		-2,000		-2,000
21	**SPECIAL PURPOSE**	**0**	**4,500**	**0**	**0**
	CB 90 Riverine Craft (transfer to OPN line 24)		4,500		0
23	**OUTFITTING**	**419,811**	**405,011**	**379,811**	**379,811**
	Littoral Combat Ship restructure		-14,800		0
	Authorization reduction			-40,000	-40,000

SHIPBUILDING

The conferees agree that one of the common elements of the poor cost and schedule performance being realized in several of the Navy's shipbuilding programs is the fact that lead ship construction is initiated prior to the completion of the ship design. This practice has led to costly changes during the construction process as the design is modified or completed. In an effort to instill some discipline in the process, the conferees direct that the Secretary of the Navy certify to the congressional defense committees that the required research and development and detailed design are mature enough to allow for the initiation of construction with minimal risk of follow-on changes caused by the premature start of construction. This requirement applies to the lead ship of a new class, the first ship of a class constructed at a new shipyard, and the first ship constructed following a major design change.

Additionally, in light of the recent cost growth on shipbuilding programs, the conferees direct the Government Accountability Office to conduct a review of shipbuilding-specific best practices. This review should examine key decision points in Navy and commercial shipbuilding programs, compare benchmarks used by Navy and commercial shipbuilders to assess the readiness of programs to pass these decision points and move to the next phase, and other management and shipyard practices employed by commercial shipbuilders that could improve cost performance on Navy programs. The conferees expect this review to be completed prior to March 31, 2008.

LITTORAL COMBAT SHIP

The conferees are extremely concerned with the state of the Littoral Combat Ship (LCS) program. This program is a classic example of the way things can go wrong when construction is started prior to the design being complete. Since the program's inception, the Congress appropriated funding for the construction of six ships. Due to cost growth and technical problems, only two ships will be constructed with the funding that has been appropriated. Moreover, the Navy recently terminated the contracts for two more ships planned for construction. The conferees are disturbed with the way the Navy is managing the LCS program. These ships will eventually comprise a significant percentage of the 313-ship Navy. With the upheaval the program has experienced over the last several months, the conferees agree that changes need to be made to the current LCS acquisition strategy in order to develop a ship that meets future naval requirements and can be affordably procured. The conferees direct that this new acquisition strategy include a down-select of LCS designs no later than the end of fiscal year 2009. The conferees direct the Navy to then proceed with a full and open competition for future ships. The conferees expect the Navy to continue with its plan of providing "contract design packages" to industry when conducting this competition. The conferees further direct the Navy to include lead and follow shipyards and open this competition to shipyards not currently involved in the LCS program. The conferees also direct the Navy to use fixed priced incentive contracting for future ships.

Therefore, the conferees agree to provide $339,482,000 for the procurement of a single LCS in fiscal year 2008. This is a reduction of $571,000,000 to the budget request. This funding is to be combined with the materials purchased in prior years as well as the remaining funding for the ships whose contracts have been terminated by the Navy. This allows the Navy to obtain some benefit from the terminated ships. Materials and funding from prior years, when combined with the fiscal year 2008 funding allows sufficient funding to purchase a ship at the proposed cost cap value of approximately $460,000,000.

OTHER PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	OTHER PROCUREMENT, NAVY				
	SHIPS SUPPORT EQUIPMENT				
	SHIP PROPULSION EQUIPMENT				
1	LM-2500 GAS TURBINE	6,690	8,190	6,690	8,190
2	ALLISON 501K GAS TURBINE	9,468	9,468	9,468	9,468
	NAVIGATION EQUIPMENT				
3	OTHER NAVIGATION EQUIPMENT	29,503	31,303	29,503	30,703
	PERISCOPES				
5	SUB PERISCOPES & IMAGING EQUIP	69,753	34,253	69,753	48,253
	OTHER SHIPBOARD EQUIPMENT				
6	DDG MOD	50,008	53,908	50,008	53,128
7	FIREFIGHTING EQUIPMENT	9,139	9,139	9,139	9,139
8	COMMAND AND CONTROL SWITCHBOARD	2,192	2,192	2,192	2,192
9	POLLUTION CONTROL EQUIPMENT	25,219	22,119	25,219	22,119
10	SUBMARINE SUPPORT EQUIPMENT	31,178	29,378	31,178	29,378
11	VIRGINIA CLASS SUPPORT EQUIPMENT	146,787	146,787	146,787	146,787
12	SUBMARINE BATTERIES	40,837	40,837	40,837	40,837
13	STRATEGIC PLATFORM SUPPORT EQUIP	10,076	10,076	10,076	10,076
14	DSSP EQUIPMENT	6,159	6,159	6,159	6,159
15	CG-MODERNIZATION	267,809	217,909	267,809	217,909
16	LCAC	65	65	65	65
17	MINESWEEPING EQUIPMENT	14,127	14,127	10,193	10,193
18	ITEMS LESS THAN $5 MILLION	186,018	192,768	193,618	195,618
19	CHEMICAL WARFARE DETECTORS	3,968	3,968	3,968	3,968
20	SUBMARINE LIFE SUPPORT SYSTEM	16,128	14,128	16,128	14,128

(In thousands of dollars)

		Budget	House	Senate	Conference
	REACTOR PLANT EQUIPMENT				
21	REACTOR POWER UNITS	391,610	391,610	391,610	391,610
22	REACTOR COMPONENTS	234,245	234,245	234,245	234,245
	OCEAN ENGINEERING				
23	DIVING AND SALVAGE EQUIPMENT	6,840	6,840	6,840	6,840
	SMALL BOATS				
24	STANDARD BOATS	30,236	36,136	29,666	33,766
	TRAINING EQUIPMENT				
25	OTHER SHIPS TRAINING EQUIPMENT	9,239	9,239	9,239	9,239
	PRODUCTION FACILITIES EQUIPMENT				
26	OPERATING FORCES IPE	50,335	50,335	50,335	50,335
	OTHER SHIP SUPPORT				
27	NUCLEAR ALTERATIONS	70,101	70,101	70,101	70,101
28	LCS MODULES	80,324	---	15,000	---
29	TOTAL, SHIPS SUPPORT EQUIPMENT	1,798,054	1,645,280	1,735,826	1,654,446
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT				
	SHIP RADARS				
30	RADAR SUPPORT	---	17,000	---	13,800
31	SPQ-9B RADAR	14,480	18,280	14,480	17,080
	SHIP SONARS				
32	AN/SQQ-89 SURF ASW COMBAT SYSTEM	25,423	36,723	25,423	31,023
33	SSN ACOUSTICS	319,981	316,981	316,189	313,189
34	UNDERSEA WARFARE SUPPORT EQUIPMENT	14,929	14,929	14,929	14,929
35	SONAR SWITCHES AND TRANSDUCERS	13,357	12,357	13,357	12,857
	ASW ELECTRONIC EQUIPMENT				
36	SUBMARINE ACOUSTIC WARFARE SYSTEM	16,955	16,955	16,955	16,955
37	SSTD	2,924	2,924	2,924	7,324
38	FIXED SURVEILLANCE SYSTEM	60,745	60,745	60,745	60,745
39	SURTASS	10,484	10,484	1,284	1,284
40	TACTICAL SUPPORT CENTER	7,173	7,173	7,173	7,173
	ELECTRONIC WARFARE EQUIPMENT				
41	AN/SLQ-32	29,903	29,903	29,903	29,903
	RECONNAISSANCE EQUIPMENT				
43	SHIPBOARD IW EXPLOIT	51,375	51,375	51,375	51,375
	SUBMARINE SURVEILLANCE EQUIPMENT				
44	SUBMARINE SUPPORT EQUIPMENT PROG	105,015	81,815	105,015	89,215
	OTHER SHIP ELECTRONIC EQUIPMENT				
45	NAVY TACTICAL DATA SYSTEM	---	2,000	---	1,600
46	COOPERATIVE ENGAGEMENT CAPABILITY	26,562	28,862	26,562	27,862

(In thousands of dollars)

		Budget	House	Senate	Conference
47	GCCS-M EQUIPMENT	63,190	63,190	63,190	63,190
48	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	27,853	27,853	27,853	27,853
49	ATDLS	3,861	3,861	3,861	3,861
50	MINESWEEPING SYSTEM REPLACEMENT	48,399	39,399	48,399	49,699
51	SHALLOW WATER MCM	1,447	1,447	1,447	1,447
52	NAVSTAR GPS RECEIVERS (SPACE)	7,619	7,619	7,619	7,619
53	ARMED FORCES RADIO AND TV	4,252	4,252	4,252	4,252
54	STRATEGIC PLATFORM SUPPORT EQUIP	3,997	3,997	3,997	3,997
	TRAINING EQUIPMENT				
55	OTHER TRAINING EQUIPMENT	17,423	17,423	17,423	17,423
	AVIATION ELECTRONIC EQUIPMENT				
56	MATCALS	20,100	20,100	20,100	20,100
57	SHIPBOARD AIR TRAFFIC CONTROL	7,719	7,719	7,719	7,719
58	AUTOMATIC CARRIER LANDING SYSTEM	18,403	18,403	18,403	18,403
59	NATIONAL AIR SPACE SYSTEM	25,331	25,331	25,331	25,331
60	AIR STATION SUPPORT EQUIPMENT	7,935	7,935	7,935	7,935
61	MICROWAVE LANDING SYSTEM	9,384	9,384	9,384	9,384
63	ID SYSTEMS	29,835	29,835	29,835	29,835
64	TAC A/C MISSION PLANNING SYS(TAMPS)	8,959	8,959	8,959	8,959
	OTHER SHORE ELECTRONIC EQUIPMENT				
66	GCCS-M EQUIPMENT TACTICAL/MOBILE	3,983	3,983	3,983	3,983
67	COMMON IMAGERY GROUND SURFACE SYSTEMS	63,973	63,973	63,973	63,973
68	RADIAC	10,205	10,205	10,205	10,205
69	GPETE	7,042	9,042	7,042	8,642
70	INTEG COMBAT SYSTEM TEST FACILITY	4,466	4,466	4,466	4,466
71	EMI CONTROL INSTRUMENTATION	9,476	9,476	9,476	9,476
72	ITEMS LESS THAN $5 MILLION	40,843	40,843	40,843	40,843
	SHIPBOARD COMMUNICATIONS				
73	SHIPBOARD TACTICAL COMMUNICATIONS	185	185	185	185
75	SHIP COMMUNICATIONS AUTOMATION	301,868	301,868	301,868	301,868
76	COMMUNICATIONS ITEMS UNDER $5M	36,753	34,653	36,753	36,753

(In thousands of dollars)

		Budget	House	Senate	Conference
	SUBMARINE COMMUNICATIONS				
77	SUBMARINE BROADCAST SUPPORT	4,169	4,169	4,169	4,169
78	SUBMARINE COMMUNICATION EQUIPMENT	86,551	82,551	86,551	84,551
	SATELLITE COMMUNICATIONS				
79	SATELLITE COMMUNICATIONS SYSTEMS	74,677	64,077	74,677	64,077
	SHORE COMMUNICATIONS				
80	JCS COMMUNICATIONS EQUIPMENT	2,643	2,643	2,643	2,643
81	ELECTRICAL POWER SYSTEMS	1,179	1,179	1,179	1,179
83	NAVAL SHORE COMMUNICATIONS	10,672	10,672	10,672	10,672
	CRYPTOGRAPHIC EQUIPMENT				
84	INFO SYSTEMS SECURITY PROGRAM (ISSP)	107,609	107,609	107,609	107,609
	CRYPTOLOGIC EQUIPMENT				
85	CRYPTOLOGIC COMMUNICATIONS EQUIP	16,067	16,067	16,067	16,067
	OTHER ELECTRONIC SUPPORT				
86	COAST GUARD EQUIPMENT	27,298	27,298	27,298	27,298
	TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT	1,814,672	1,800,172	1,801,680	1,801,980
	AVIATION SUPPORT EQUIPMENT				
	SONOBUOYS				
88	SONOBUOYS - ALL TYPES	67,373	69,873	67,373	69,873
	AIRCRAFT SUPPORT EQUIPMENT				
89	WEAPONS RANGE SUPPORT EQUIPMENT	58,155	58,155	58,155	58,155
90	EXPEDITIONARY AIRFIELDS	8,281	8,281	8,281	8,281
91	AIRCRAFT REARMING EQUIPMENT	12,897	12,897	12,897	12,897
92	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	38,863	38,863	38,863	38,863
93	METEOROLOGICAL EQUIPMENT	12,248	12,248	12,248	12,248
94	OTHER PHOTOGRAPHIC EQUIPMENT	1,507	1,507	1,507	1,507
95	AVIATION LIFE SUPPORT	12,750	11,750	14,750	13,050
96	AIRBORNE MINE COUNTERMEASURES	79,536	79,536	79,536	83,336
97	LAMPS MK III SHIPBOARD EQUIPMENT	31,811	31,811	22,211	27,711
98	OTHER AVIATION SUPPORT EQUIPMENT	11,638	11,638	11,638	11,638
	TOTAL, AVIATION SUPPORT EQUIPMENT	335,059	336,559	327,459	337,559

(In thousands of dollars)

		Budget	House	Senate	Conference
	ORDNANCE SUPPORT EQUIPMENT				
	SHIP GUN SYSTEM EQUIPMENT				
99	NAVAL FIRES CONTROL SYSTEM	1,382	1,382	1,382	1,382
100	GUN FIRE CONTROL EQUIPMENT	5,567	5,567	5,567	5,567
	SHIP MISSILE SYSTEMS EQUIPMENT				
102	NATO SEASPARROW	28,765	28,765	28,765	28,765
103	RAM GMLS	3,990	3,990	3,990	3,990
104	SHIP SELF DEFENSE SYSTEM	31,642	31,642	31,642	31,642
105	AEGIS SUPPORT EQUIPMENT	93,783	95,783	93,783	95,383
106	TOMAHAWK SUPPORT EQUIPMENT	53,966	53,966	53,966	53,966
107	VERTICAL LAUNCH SYSTEMS	6,840	6,840	6,840	6,840
	FBM SUPPORT EQUIPMENT				
108	STRATEGIC MISSILE SYSTEMS EQUIP	150,918	137,918	137,918	137,918
	ASW SUPPORT EQUIPMENT				
109	SSN COMBAT CONTROL SYSTEMS	114,205	114,205	114,205	114,205
110	SUBMARINE ASW SUPPORT EQUIPMENT	5,191	5,191	5,191	5,191
111	SURFACE ASW SUPPORT EQUIPMENT	3,490	3,490	3,490	3,490
112	ASW RANGE SUPPORT EQUIPMENT	8,935	8,935	8,935	8,935
	OTHER ORDNANCE SUPPORT EQUIPMENT				
113	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	38,462	38,462	38,462	38,462
114	ITEMS LESS THAN $5 MILLION	3,422	7,422	3,422	6,622
	OTHER EXPENDABLE ORDNANCE				
115	ANTI-SHIP MISSILE DECOY SYSTEM	42,450	42,450	42,450	42,450
116	SURFACE TRAINING DEVICE MODS	9,950	9,950	9,950	9,950
117	SUBMARINE TRAINING DEVICE MODS	32,093	32,093	38,093	38,093
	TOTAL, ORDNANCE SUPPORT EQUIPMENT	635,051	628,051	628,051	632,851
	CIVIL ENGINEERING SUPPORT EQUIPMENT				
118	PASSENGER CARRYING VEHICLES	1,455	1,455	1,455	1,455
119	GENERAL PURPOSE TRUCKS	839	839	839	839
120	CONSTRUCTION & MAINTENANCE EQUIP	12,097	12,097	12,097	12,097
121	FIRE FIGHTING EQUIPMENT	17,648	17,648	17,648	17,648
122	TACTICAL VEHICLES	32,853	32,853	32,853	32,853
123	AMPHIBIOUS EQUIPMENT	138,485	138,485	105,085	105,085
124	COLLATERAL EQUIPMENT	5,434	5,434	5,434	5,434
125	POLLUTION CONTROL EQUIPMENT	5,778	5,778	5,778	5,778
126	ITEMS UNDER $5 MILLION	23,337	23,337	23,337	23,337

(In thousands of dollars)

		Budget	House	Senate	Conference
127	PHYSICAL SECURITY VEHICLES	2,047	2,047	2,047	2,047
	TOTAL, CIVIL ENGINEERING SUPPORT EQUIPMENT	239,973	239,973	206,573	206,573
	SUPPLY SUPPORT EQUIPMENT				
	SUPPLY SUPPORT EQUIPMENT				
128	MATERIALS HANDLING EQUIPMENT	13,037	13,037	13,037	13,037
129	OTHER SUPPLY SUPPORT EQUIPMENT	15,521	15,521	15,521	15,521
130	FIRST DESTINATION TRANSPORTATION	6,153	6,153	6,153	6,153
131	SPECIAL PURPOSE SUPPLY SYSTEMS	72,576	72,576	72,576	72,576
	TOTAL, SUPPLY SUPPORT EQUIPMENT	107,287	107,287	107,287	107,287
	PERSONNEL AND COMMAND SUPPORT EQUIPMENT				
	TRAINING DEVICES				
132	TRAINING SUPPORT EQUIPMENT	19,463	21,463	61,863	54,983
	COMMAND SUPPORT EQUIPMENT				
133	COMMAND SUPPORT EQUIPMENT	42,539	44,039	42,539	43,839
134	EDUCATION SUPPORT EQUIPMENT	1,983	1,983	1,983	1,983
135	MEDICAL SUPPORT EQUIPMENT	3,418	3,418	3,418	3,418
137	OPERATING FORCES SUPPORT EQUIPMENT	11,608	11,608	13,608	13,208
138	C4ISR EQUIPMENT	13,996	13,996	13,996	13,996
139	ENVIRONMENTAL SUPPORT EQUIPMENT	30,938	30,938	30,938	30,938
140	PHYSICAL SECURITY EQUIPMENT	137,366	137,366	123,766	137,366
141	ENTERPRISE INFORMATION TECHNOLOGY	49,572	49,572	51,572	51,172
	TOTAL, PERSONNEL AND COMMAND SUPPORT EQUIPMENT	310,883	314,383	343,683	350,903
145	SPARES AND REPAIR PARTS	218,071	215,171	214,609	214,609
	CLASSIFIED PROGRAMS	11,362	11,362	11,362	11,362
	TOTAL, OTHER PROCUREMENT, NAVY	5,470,412	5,298,238	5,376,530	5,317,570

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
(In thousands of dollars)

		Budget Request	House	Senate	Conference
1	**LM-2500 GAS TURBINE**	**6,690**	**8,190**	**6,690**	**8,190**
	Inspection Systems for Propulsion Equipment		1,500		1,500
3	**OTHER NAVIGATION EQUIPMENT**	**29,503**	**31,303**	**29,503**	**30,703**
	AN/WSN-7 Fiber Optic Gyro System Upgrades		3,000		2,400
	Electronic Chart Display and Information Systems		-1,200		-1,200
5	**SUB PERISCOPES & IMAGING EQUIPMENT**	**69,753**	**34,253**	**69,753**	**48,253**
	Integrated Submarine Imaging Systems		-35,500		-21,500
6	**DDG MODERNIZATION**	**50,008**	**53,908**	**50,008**	**53,128**
	Communications Upgrade for DDG Modernization		3,900		3,120
9	**POLLUTION CONTROL EQUIPMENT**	**25,219**	**22,119**	**25,219**	**22,119**
	R-114 Conversion Kits growth		-3,100		-3,100
10	**SUBMARINE SUPPORT EQUIPMENT**	**31,178**	**29,378**	**31,178**	**29,378**
	Ship Alteration 4351 phasing		-1,800		-1,800
15	**CG MODERNIZATION**	**267,809**	**217,909**	**267,809**	**217,909**
	SPQ-9B growth		-2,400		-2,400
	Vertical Launch System growth		-1,600		-1,600
	CG-57 Extended Selected Restricted Availability (ESRA) equipment procurement		-45,900		-45,900
17	**MINESWEEPING EQUIPMENT**	**14,127**	**14,127**	**10,193**	**10,193**
	Diver Hull Inspection - Ahead of Need			-3,934	-3,934
18	**ITEMS LESS THAN $5 MILLION**	**186,018**	**192,768**	**193,618**	**195,618**
	CVN Propeller Replacement Program		2,750	5,600	5,600
	JP-5 Manifold (Globe) Electric Valve Operator (EVOs)		2,000		1,600
	LSD-41/49 Diesel Engine Low Load Upgrade Kit		4,000		3,200
	Shipboard Network Protection System		2,000		1,600
	Forcenet upgrade		-1,400		-1,400
	AC voltage regulator phasing		-2,600		-2,600
	Canned Lube Pumps for LSD-41/49 Class			2,000	1,600
20	**SUBMARINE LIFE SUPPORT SYSTEM**	**16,128**	**14,128**	**16,128**	**14,128**
	Electrolytic Oxygen Generator growth		-2,000		-2,000
24	**STANDARD BOATS**	**30,236**	**36,136**	**29,666**	**33,766**
	Dive Boat Replacement and Modernization		3,000		2,400
	Life Raft Procurement		2,000		1,600
	Weapon Retriever Vehicle		2,000		1,600
	SSBN Transit Security contract savings		-1,100		-1,100
	Small Escort Vessels - Ahead of Need			-8,570	-8,570
	CB90 Riverine Craft (transfer from OPN line 21)			6,000	6,000
	Advanced Boat Lifts for Navy Small Boat Program			2,000	1,600

		Budget Request	House	Senate	Conference
28	**LCS MODULES**	**80,324**	**0**	**15,000**	**0**
	Littoral Combat Ship program restructure		-80,324		-66,024
	Authorization adjustment			-65,324	0
	Transfer to line 50 for Remote Multi Mission Vehicle				-10,500
	Transfer to line 96 for Airborne Laser Mine Detection System				-3,800
30	**RADAR SUPPORT**	**0**	**17,000**	**0**	**13,800**
	AN/SPY-1 Radar System Readiness Improvement		1,000		1,000
	AN/SPS-67 Back Fit Engineering Support		2,000		1,600
	Enhanced Detection Adjunct Processor		5,000		4,000
	Intelligent Interface with Intelligent Graphics for Shared Naval Radar Components		4,000		3,200
	Radar Distribution Open Architecture (OA) Refresh		5,000		4,000
31	**SPQ-9B RADAR**	**14,480**	**18,280**	**14,480**	**17,080**
	AN/SPQ-9B Radar for DDG 51 Modernization Program		6,000		4,800
	Antenna phasing		-2,200		-2,200
32	**AN/SQQ-89 SURF ASW COMBAT SYSTEM**	**25,423**	**36,723**	**25,423**	**31,023**
	Anti-Submarine Warfare (ASW) Enhancements		11,300		5,600
33	**SSN ACOUSTICS**	**319,981**	**316,981**	**316,189**	**313,189**
	Support funding carryover		-3,000		-3,000
	TB-34 Fatline array - contract delay			-3,792	-3,792
35	**SONAR SWITCHES AND TRANSDUCERS**	**13,357**	**12,357**	**13,357**	**12,857**
	Support funding carryover		-1,000		-500
37	**SSTD**	**2,924**	**2,924**	**2,924**	**7,324**
	Anti-Submarine Warfare (ASW) Enhancements (transfer from line 32)				4,400
39	**SURTASS**	**10,484**	**10,484**	**1,284**	**1,284**
	TB-29 Twinline arrays - ahead of need			-9,200	-9,200
44	**SUBMARINE SUPPORT EQUIPMENT PROGRAM**	**105,015**	**81,815**	**105,015**	**89,215**
	BLQ-10(V) growth		-6,200		-6,200
	Multi-function Modular Mast phasing		-17,000		-9,600
45	**NAVY TACTICAL DATA SYSTEM**	**0**	**2,000**	**0**	**1,600**
	Carrier/LHA Ship Self Defense System Open Architecture and Security Upgrades		2,000		1,600
46	**COOPERATIVE ENGAGEMENT CAPABILITY**	**26,562**	**28,862**	**26,562**	**27,862**
	Cooperative Engagement Capability		5,000		4,000
	Planar Antenna phasing		-2,700		-2,700
50	**MINESWEEPING SYSTEM REPLACEMENT**	**48,399**	**39,399**	**48,399**	**49,699**
	Support funding carryover		-10,000		-10,000
	Minesweeping System Replacement (MCM-1 Class Combat System Upgrade/Acoustic Generators)		1,000		800
	Remote Multi Mission Vehicle (transfer from line 28)				10,500

		Budget Request	House	Senate	Conference
69	**GPETE**	7,042	9,042	7,042	8,642
	Allen Telescope Array		2,000		1,600
76	**COMMUNICATIONS ITEMS UNDER $5 MILLION**	36,753	34,653	36,753	36,753
	Handheld radios growth		-2,100		0
78	**SUBMARINE COMMUNICATION EQUIPMENT**	86,551	82,551	86,551	84,551
	Real-time Identification and Total Asset Visibility (RITAV)		500		500
	Common Submarine Radio Room growth		-4,500		-2,500
79	**SATELLITE COMMUNICATIONS SYSTEMS**	74,677	64,077	74,677	64,077
	Super High Frequency (SHF) Terminal phasing		-4,100		-4,100
	Submarine High Data Rate (SUBHDR) modification kit phasing		-6,500		-6,500
88	**SONOBUOYS - ALL TYPES**	67,373	69,873	67,373	69,873
	Sonobuoys-All Types		2,500		2,500
95	**AVIATION LIFE SUPPORT**	12,750	11,750	14,750	13,050
	Multi Climate Protection System (MCPS)		2,500	2,000	2,000
	Support funding carryover		-3,500		-1,700
96	**AIRBORNE MINE COUNTERMEASURES**	79,536	79,536	79,536	83,336
	Airborne Laser Mine Detection System (transfer from line 28)				3,800
97	**LAMPS MK III SHIPBOARD EQUIPMENT**	31,811	31,811	22,211	27,711
	Reduction to growth			-9,600	-4,100
105	**AEGIS SUPPORT EQUIPMENT**	93,783	95,783	93,783	95,383
	Aegis Computer Center Upgrades		2,000		1,600
108	**STRATEGIC MISSILE SYSTEMS EQUIPMENT**	150,918	137,918	137,918	137,918
	Conventional Trident Modification		-13,000	-13,000	-13,000
114	**ITEMS LESS THAN $5 MILLION**	3,422	7,422	3,422	6,622
	Naval Industrial Reserve Ordnance Plant (NIROP) Industrial Facilities Materials Staging Area		4,000		3,200
117	**SUBMARINE TRAINING DEVICE MODS**	32,093	32,093	38,093	38,093
	Intelligraf Data Distribution Training			6,000	6,000
123	**AMPHIBIOUS EQUIPMENT**	138,485	138,485	105,085	105,085
	Reduction to growth			-33,400	-33,400
132	**TRAINING SUPPORT EQUIPMENT**	19,463	21,463	61,863	54,983
	Laser Marksmanship Training System (LMTS) for the Navy Reserve		2,000		1,600
	Training range enhancements			40,000	32,000
	MSAT Simulator for GWOT training			2,400	1,920
133	**COMMAND SUPPORT EQUIPMENT**	42,539	44,039	42,539	43,839
	High Performance Computing Cabability		500		500
	Man Overboard Identification (MOBI) System		1,000		800

	Budget Request	House	Senate	Conference
137 OPERATING FORCES SUPPORT EQUIPMENT	**11,608**	**11,608**	**13,608**	**13,208**
Envelop Protective Covers			2,000	1,600
140 PHYSICAL SECURITY EQUIPMENT	**137,366**	**137,366**	**123,766**	**137,366**
Harbor barriers			-13,600	0
141 ENTERPRISE INFORMATION TECHNOLOGY	**49,572**	**49,572**	**51,572**	**51,172**
NAVRES IT COOP			2,000	1,600
145 SPARES AND REPAIR PARTS	**218,071**	**215,171**	**214,609**	**214,609**
Littoral Combat Ship Modules		-2,900		0
Ahead of need			-3,462	-3,462

PROCUREMENT, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	PROCUREMENT, MARINE CORPS				
	WEAPONS AND COMBAT VEHICLES				
	TRACKED COMBAT VEHICLES				
1	MC GROUND FORCES AUGMENTATION	2,211,625	---	---	---
2	AAV7A1 PIP	3,050	4,102	4,102	4,102
5	LAV PIP	30,883	32,065	32,065	32,065
6	M1A1 FIREPOWER ENHANCEMENTS	14,716	14,716	14,716	14,716
	ARTILLERY AND OTHER WEAPONS				
7	EXPEDITIONARY FIRE SUPPORT SYSTEM	3,895	3,895	3,895	3,895
8	155MM LIGHTWEIGHT TOWED HOWITZER	93,379	179,879	174,479	174,479
9	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	30,650	30,650	30,650	30,650
10	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	15,779	51,463	51,463	51,463
	WEAPONS				
11	MODULAR WEAPON SYSTEM	---	12,471	12,471	12,471
	OTHER SUPPORT				
12	MODIFICATION KITS	4,429	116,432	4,429	104,429
13	WEAPONS ENHANCEMENT PROGRAM	14,994	15,009	15,009	15,009
	TOTAL, WEAPONS AND COMBAT VEHICLES	2,423,400	460,682	343,279	443,279
	GUIDED MISSILES AND EQUIPMENT				
	GUIDED MISSILES				
15	GROUND BASED AIR DEFENSE	1,988	1,988	1,988	1,988
	OTHER SUPPORT				
18	MODIFICATION KITS	641	47,311	47,311	47,311
	TOTAL, GUIDED MISSILES AND EQUIPMENT	2,629	49,299	49,299	49,299

(In thousands of dollars)

		Budget	House	Senate	Conference
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT				
	COMMAND AND CONTROL SYSTEMS				
19	UNIT OPERATIONS CENTER................................	19,493	59,943	56,943	59,343
	REPAIR AND TEST EQUIPMENT				
20	REPAIR AND TEST EQUIPMENT.............................	21,051	72,212	72,212	72,212
	OTHER SUPPORT (TEL)				
22	COMBAT SUPPORT SYSTEM.................................	18,669	19,093	19,093	20,693
23	MODIFICATION KITS.....................................	10,926	35,115	35,115	35,115
24	ITEMS UNDER $5 MILLION (COMM & ELEC)..................	6,374	6,383	6,384	6,384
25	AIR OPERATIONS C2 SYSTEMS.............................	40,664	70,681	30,435	43,635
	RADAR + EQUIPMENT (NON-TEL)				
27	RADAR SYSTEMS...	16,061	150,715	110,715	130,715
	INTELL/COMM EQUIPMENT (NON-TEL)				
28	FIRE SUPPORT SYSTEM...................................	1,438	25,227	25,227	25,227
29	INTELLIGENCE SUPPORT EQUIPMENT........................	28,902	148,935	148,935	148,935
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)				
30	NIGHT VISION EQUIPMENT................................	8,991	40,590	40,590	40,590
	OTHER SUPPORT (NON-TEL)				
31	COMMON COMPUTER RESOURCES.............................	75,101	97,106	99,106	98,706
32	COMMAND POST SYSTEMS..................................	20,535	29,986	29,986	29,986
33	RADIO SYSTEMS...	61,148	176,182	158,682	158,682
34	COMM SWITCHING & CONTROL SYSTEMS......................	27,019	102,744	102,744	102,744
35	COMM & ELEC INFRASTRUCTURE SUPPORT....................	20,090	22,393	22,393	22,393
	TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT.....	376,462	1,057,305	958,560	995,360

(In thousands of dollars)

		Budget	House	Senate	Conference
	SUPPORT VEHICLES				
	ADMINISTRATIVE VEHICLES				
36	COMMERCIAL PASSENGER VEHICLES	1,070	1,070	1,070	1,070
37	COMMERCIAL CARGO VEHICLES	13,366	13,366	19,366	18,166
	TACTICAL VEHICLES				
38	5/4T TRUCK HMMWV (MYP)	1,572	157,051	157,051	157,051
40	MEDIUM TACTICAL VEHICLE REPLACEMENT	660	91,730	76,730	76,730
42	LOGISTICS VEHICLE SYSTEM REP	26,763	31,802	18,263	37,463
43	FAMILY OF TACTICAL TRAILERS	9,002	35,996	22,550	22,550
	OTHER SUPPORT				
44	ITEMS LESS THAN $5 MILLION	3,947	6,862	6,862	6,862
	TOTAL, SUPPORT VEHICLES	56,380	337,877	301,892	319,892
	ENGINEER AND OTHER EQUIPMENT				
	ENGINEER AND OTHER EQUIPMENT				
45	ENVIRONMENTAL CONTROL EQUIP ASSORT	1,717	5,598	5,598	5,598
46	BULK LIQUID EQUIPMENT	3,662	5,680	5,680	5,680
47	TACTICAL FUEL SYSTEMS	5,187	16,705	16,705	16,705
48	POWER EQUIPMENT ASSORTED	4,188	11,085	11,085	11,085
49	AMPHIBIOUS SUPPORT EQUIPMENT	10,523	12,399	12,399	12,399
50	EOD SYSTEMS	14,656	41,972	47,081	46,481
	MATERIALS HANDLING EQUIPMENT				
51	PHYSICAL SECURITY EQUIPMENT	12,388	12,349	12,388	12,388
52	GARRISON MOBILE ENGR EQUIP	12,439	12,439	12,439	12,439
53	MATERIAL HANDLING EQUIP	3,157	25,085	25,085	25,085
54	FIRST DESTINATION TRANSPORTATION	6,613	6,613	6,613	6,613

(In thousands of dollars)

		Budget	House	Senate	Conference
	GENERAL PROPERTY				
55	FIELD MEDICAL EQUIPMENT	2,236	17,988	17,988	17,988
56	TRAINING DEVICES	31,074	82,149	72,149	80,149
57	CONTAINER FAMILY	878	9,185	8,795	8,795
58	FAMILY OF CONSTRUCTION EQUIPMENT	8,585	87,871	87,871	87,871
59	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	2,472	2,472	2,472	2,472
60	BRIDGE BOATS	---	43,903	43,903	43,903
61	RAPID DEPLOYABLE KITCHEN	1,109	18,971	18,971	18,971
	OTHER SUPPORT				
63	ITEMS LESS THAN $5 MILLION	6,508	22,073	22,073	22,073
	TOTAL, ENGINEER AND OTHER EQUIPMENT	127,392	434,537	429,295	436,695
64	SPARES AND REPAIR PARTS	12,794	13,794	9,572	12,094
64	TRAILERS	---	147,388	---	70,000
	TOTAL, PROCUREMENT, MARINE CORPS	2,999,057	2,500,882	2,091,897	2,326,619

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
1	**MC GROUND FORCES AUGMENTATION**	**2,211,625**	**0**	**0**	**0**
	Grow the Force (Note: Distributed within Procurement, Marine Corps per USMC direction for execution)		-1,911,579	-2,211,625	-2,211,625
	Grow the Force (Note: Distributed within Procurement of Ammunition, Navy and Marine Corps per USMC direction for execution)		-300,000		0
	Excess to Requirement		-46		0
2	**AAV7A1 PIP**	**3,050**	**4,102**	**4,102**	**4,102**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		1,329	1,052	1,052
	Reduction due to decreased Tank Company Requirement		-277		0
5	**LAV PIP**	**30,883**	**32,065**	**32,065**	**32,065**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		1,182	1,182	1,182
6	**M1A1 FIREPOWER ENHANCEMENTS**	**14,716**	**14,716**	**14,716**	**14,716**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		113	0	0
	Reduction due to decreased Tank Company Requirement		-113		0
8	**155MM LIGHTWEIGHT TOWED HOWITZER**	**93,379**	**179,879**	**174,479**	**174,479**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		107,500	81,100	81,100
	Reduction of 6 units		-21,000		0
10	**WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION**	**15,779**	**51,463**	**51,463**	**51,463**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		39,655	35,684	35,684
	Reduction due to decreased Tank Company Requirement		-3,971		0
11	**MODULAR WEAPON SYSTEM**	**0**	**12,471**	**12,471**	**12,471**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		12,735	12,471	12,471
	Reduction due to decreased Tank Company Requirement		-264		0
12	**MODIFICATION KITS**	**4,429**	**116,432**	**4,429**	**104,429**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		190,430	0	100,000
	Reduction due to decreased Tank Company Requirement		-78,427		0
13	**WEAPONS ENHANCEMENT PROGRAM**	**14,994**	**15,009**	**15,009**	**15,009**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		15	15	15
16	**JAVELIN**	**0**	**0**	**0**	**0**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		9,240		0
	Defer consideration to GWOT supplemental		-9,240		0

P-1		Budget Request	House	Senate	Conference
18	**MODIFICATION KITS**	**641**	**47,311**	**47,311**	**47,311**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		80,020	46,670	46,670
	Reduction due to decreased Tank Company Requirement		-33,350		0
19	**UNIT OPERATIONS CENTER**	**19,493**	**59,943**	**56,943**	**59,343**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		37,450	37,450	37,450
	Combat Operations Center		3,000		2,400
20	**REPAIR AND TEST EQUIPMENT**	**21,051**	**72,212**	**72,212**	**72,212**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		53,468	51,161	51,161
	Reduction due to decreased Tank Company Requirement		-2,307		0
22	**COMBAT SUPPORT SYSTEM**	**18,669**	**19,093**	**19,093**	**20,693**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		443	424	424
	Reduction due to decreased Tank Company Requirement		-19		0
	Requirement Objective for Lightweight Maintenance Enclosure (LME) for USMC		2,000		1,600
23	**MODIFICATION KITS**	**10,926**	**35,115**	**35,115**	**35,115**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		24,232	24,189	24,189
	Reduction due to decreased Tank Company Requirement		-43		0
24	**ITEMS UNDER $5 MILLION (COMM & ELEC)**	**6,374**	**6,383**	**6,384**	**6,384**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		25	10	10
	Reduction due to decreased Tank Company Requirement		-16		0
25	**AIR OPERATIONS C2 SYSTEMS**	**40,664**	**70,681**	**30,435**	**43,635**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		26,017	26,017	26,017
	Mobile Optical Sensor Suite (MOSS)		4,000		3,200
	CAC2S Program Delay			-36,246	-26,246
27	**RADAR SYSTEMS**	**16,061**	**150,715**	**110,715**	**130,715**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		134,654	94,654	114,654
28	**FIRE SUPPORT SYSTEM**	**1,438**	**25,227**	**25,227**	**25,227**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		25,584	23,789	23,789
	Reduction due to decreased Tank Company Requirement		-1,795		0
29	**INTELLIGENCE SUPPORT EQUIPMENT**	**28,902**	**148,935**	**148,935**	**148,935**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		120,745	120,033	120,033
	Reduction due to decreased Tank Company Requirement		-712		0
30	**NIGHT VISION EQUIPMENT**	**8,991**	**40,590**	**40,590**	**40,590**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		33,553	31,599	31,599
	Reduction due to decreased Tank Company Requirement		-1,954		0

P-1		Budget Request	House	Senate	Conference
31	**COMMON COMPUTER RESOURCES**	**75,101**	**97,106**	**99,106**	**98,706**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		22,147	22,005	22,005
	Reduction due to decreased Tank Company Requirement		-142		0
	Marine Corps Enterprise Information Technology Systems			2,000	1,600
32	**COMMAND POST SYSTEMS**	**20,535**	**29,986**	**29,986**	**29,986**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		11,044	9,451	9,451
	Reduction due to decreased Tank Company Requirement		-1,593		0
33	**RADIO SYSTEMS**	**61,148**	**176,182**	**158,682**	**158,682**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		118,670	115,034	115,034
	Reduction due to decreased Tank Company Requirement		-3,636		0
	DTC Program Delays			-17,500	-17,500
34	**COMM SWITCHING & CONTROL SYSTEMS**	**27,019**	**102,744**	**102,744**	**102,744**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		76,555	75,725	75,725
	Reduction due to decreased Tank Company Requirement		-830		0
35	**COMM& ELECTRONIC INFRASTRUCTURE SUPPORT**	**20,090**	**22,393**	**22,393**	**22,393**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		2,303	2,303	2,303
37	**COMMERCIAL CARGO VEHICLES**	**13,366**	**13,366**	**19,366**	**18,166**
	Tactical Support Structures for AN/TPS-58 Radar System			6,000	4,800
38	**5/4T TRUCK HMMWV (MYP)**	**1,572**	**157,051**	**157,051**	**157,051**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		179,083	155,479	155,479
	Reduction due to decreased Tank Company Requirement		-23,604		0
40	**MEDIUM TACTICAL VEHICLE REPLACEMENT**	**660**	**91,730**	**76,730**	**76,730**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		106,095	76,070	76,070
	Reduction due to decreased Tank Company Requirement		-15,025		0
42	**LOGISTICS VEHICLE SYSTEM REP**	**26,763**	**31,802**	**18,263**	**37,463**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		8,300		8,300
	Reduction due to decreased Tank Company Requirement		-6,261		0
	Marine Corps Flat-Rack		3,000		2,400
	Unexecutable Forward Funding			-8,500	0
43	**FAMILY OF TACTICAL TRAILERS**	**9,002**	**35,996**	**22,550**	**22,550**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		29,680	13,548	13,548
	Reduction due to decreased Tank Company Requirement		-2,686		0
44	**ITEMS LESS THAN $5 MILLION**	**3,947**	**6,862**	**6,862**	**6,862**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		2,920	2,915	2,915
	Reduction due to decreased Tank Company Requirement		-5		0

P-1		Budget Request	House	Senate	Conference
45	**ENVIRONMENTAL CONTROL EQUIP ASSORT**	**1,717**	**5,598**	**5,598**	**5,598**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		4,064	3,881	3,881
	Reduction due to decreased Tank Company Requirement		-183		0
46	**BULK LIQUID EQUIPMENT**	**3,662**	**5,680**	**5,680**	**5,680**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		2,402	2,018	2,018
	Reduction due to decreased Tank Company Requirement		-384		0
47	**TACTICAL FUEL SYSTEMS**	**5,187**	**16,705**	**16,705**	**16,705**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		12,365	11,518	11,518
	Reduction due to decreased Tank Company Requirement		-847		0
48	**POWER EQUIPMENT ASSORTED**	**4,188**	**11,085**	**11,085**	**11,085**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		7,233	6,897	6,897
	Reduction due to decreased Tank Company Requirement		-336		0
49	**AMPHIBIOUS SUPPORT EQUIPMENT**	**10,523**	**12,399**	**12,399**	**12,399**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		1,876	1,876	1,876
50	**EOD SYSTEMS**	**14,656**	**41,972**	**47,081**	**46,481**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		31,555	29,425	29,425
	Reduction due to decreased Tank Company Requirement		-4,239		0
	Light Vehicle Intercom System			3,000	2,400
51	**PHYSICAL SECURITY EQUIPMENT**	**12,388**	**12,349**	**12,388**	**12,388**
	Reduction due to decreased Tank Company Requirement		-39		0
53	**MATERIAL HANDLING EQUIP**	**3,157**	**25,085**	**25,085**	**25,085**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		22,333	21,928	21,928
	Reduction due to decreased Tank Company Requirement		-405		0
55	**FIELD MEDICAL EQUIPMENT**	**2,236**	**17,988**	**17,988**	**17,988**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		16,050	15,752	15,752
	Reduction due to decreased Tank Company Requirement		-298		0
56	**TRAINING DEVICES**	**31,074**	**82,149**	**72,149**	**80,149**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		41,075	41,075	41,075
	Praetorian		5,000		4,000
	Range Transformation Initiative		5,000		4,000
57	**CONTAINER FAMILY**	**878**	**9,185**	**8,795**	**8,795**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		8,307	7,917	7,917
	Reduction due to decreased Tank Company Requirement		-390		0

P-1		Budget Request	House	Senate	Conference
58	**FAMILY OF CONSTRUCTION EQUIPMENT**	**8,585**	**87,871**	**87,871**	**87,871**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		79,406	79,286	79,286
	Reduction due to decreased Tank Company Requirement		-120		0
60	**BRIDGE BOATS**	**0**	**43,903**	**43,903**	**43,903**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		43,903	43,903	43,903
61	**RAPID DEPLOYABLE KITCHEN**	**1,109**	**18,971**	**18,971**	**18,971**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		21,982	17,862	17,862
	Reduction due to decreased Tank Company Requirement		-4,120		0
63	**ITEMS LESS THAN $5 MILLION**	**6,508**	**22,073**	**22,073**	**22,073**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		16,453	15,565	15,565
	Reduction due to decreased Tank Company Requirement		-888		0
64	**SPARES AND REPAIR PARTS**	**12,794**	**13,794**	**9,572**	**12,094**
	Joint Precision AirDrop System – Mission Planner Rapid Fielding Initiative		1,000		800
	Excess to need			-3,222	-1,500
XX	**TRAILERS**		**147,388**	**0**	**70,000**
	Grow the Force (Note: Transferred from Line 1 per USMC direction for execution)		147,388		70,000

AIRCRAFT PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	AIRCRAFT PROCUREMENT, AIR FORCE				
	COMBAT AIRCRAFT TACTICAL FORCES				
1	F-35	1,298,167	1,298,167	1,298,167	1,298,167
2	F-35 (AP-CY)	123,539	123,539	123,539	123,539
3	F-22A	3,152,713	3,152,713	3,152,713	3,152,713
4	F-22A (AP-CY)	426,666	426,666	426,666	426,666
	TOTAL, COMBAT AIRCRAFT	5,001,085	5,001,085	5,001,085	5,001,085
	AIRLIFT AIRCRAFT TACTICAL AIRLIFT				
6	C-17A (MYP)	260,601	260,601	260,601	260,601
	OTHER AIRLIFT				
8	C-130J	686,069	686,069	686,069	686,069
10	HC-130 RECAP (AP-CY)	9,990	25,190	25,190	25,190
11	MC-130 RECAP (AP-CY)	65,742	50,542	50,542	50,542
	TOTAL, AIRLIFT AIRCRAFT	1,022,402	1,022,402	1,022,402	1,022,402
	TRAINER AIRCRAFT OPERATIONAL TRAINERS				
12	JPATS	245,889	245,889	245,889	245,889
	OTHER AIRCRAFT HELICOPTERS				
13	V-22 OSPREY	453,797	453,797	453,797	453,797
14	V-22 OSPREY (AP-CY)	41,245	41,245	41,245	41,245
	MISSION SUPPORT AIRCRAFT				
15	C-40	48,615	48,615	48,615	48,615
16	CIVIL AIR PATROL A/C	4,477	6,727	4,477	6,277
	OTHER AIRCRAFT				
17	TARGET DRONES	85,604	85,604	77,604	77,604
19	GLOBAL HAWK	514,005	403,005	514,005	514,005
20	GLOBAL HAWK (AP-CY)	63,841	63,841	63,841	63,841
21	MQ-1	277,999	277,999	277,999	277,999
22	MQ-9	58,470	58,470	58,470	58,470
	TOTAL, OTHER AIRCRAFT	1,548,053	1,439,303	1,540,053	1,541,853

(In thousands of dollars)

		Budget	House	Senate	Conference
	MODIFICATION OF INSERVICE AIRCRAFT				
	STRATEGIC AIRCRAFT				
23	B-2A	316,055	216,055	202,585	213,585
24	B-1B	53,125	42,681	40,325	34,625
25	B-52	18,091	18,091	37,091	33,291
	TACTICAL AIRCRAFT				
27	A-10	167,107	129,407	169,607	169,107
28	F-15	19,165	19,165	19,165	19,165
29	F-16	329,370	335,370	336,870	335,170
30	F-22A	281,905	256,905	281,905	256,905
	AIRLIFT AIRCRAFT				
31	C-5	332,016	277,716	274,316	244,316
32	C-5 (AP-CY)	66,700	66,700	66,700	66,700
33	C-17A	211,206	115,206	211,206	181,206
34	C-21	13,920	952	952	952
35	C-32A	1,646	1,646	1,646	1,646
36	C-37A	420	420	420	420
	TRAINER AIRCRAFT				
37	GLIDER MODS	118	118	118	118
38	T6	17,089	7,940	17,089	17,089
39	T-1	24	12,992	12,992	12,992
40	T-38	130,803	130,803	130,803	130,803
41	T-43	2,230	2,230	2,230	2,230
	OTHER AIRCRAFT				
42	KC-10A (ATCA)	1,924	1,924	1,924	1,924
43	C-12	459	459	459	459
44	C-20 MODS	535	535	535	535
45	VC-25A MOD	28,416	28,416	28,416	28,416
46	C-40	209	209	209	209
47	C-130	384,386	194,386	275,086	214,086
48	C130J MODS	62,259	62,259	62,259	62,259
49	C-135	118,561	118,561	127,561	125,761

(In thousands of dollars)

		Budget	House	Senate	Conference
50	COMPASS CALL MODS	45,293	45,293	45,293	45,293
52	DARP	106,108	106,108	106,108	106,108
53	E-3	54,286	54,286	54,286	54,286
54	E-4	19,745	19,745	19,745	19,745
55	E-8	79,689	79,689	79,689	79,689
56	H-1	22,112	22,112	22,112	22,112
57	H-60	19,565	19,565	19,565	118,565
58	GLOBAL HAWK MODS	24,332	26,332	24,332	25,932
59	OTHER AIRCRAFT	109,496	113,496	84,896	95,396
60	MQ-1 MODS	74,692	74,692	74,692	74,692
61	MQ-9 MODS	20,578	20,578	20,578	20,578
62	CV-22 MODS	16,523	16,523	16,523	16,523
	OTHER MODIFICATIONS				
	TOTAL, MODIFICATION OF INSERVICE AIRCRAFT	3,150,158	2,639,565	2,870,288	2,832,888
	AIRCRAFT SPARES AND REPAIR PARTS				
63	INITIAL SPARES/REPAIR PARTS	267,386	267,386	256,386	256,386
	TOTAL, AIRCRAFT SPARES AND REPAIR PARTS	267,386	267,386	256,386	256,386
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES				
	COMMON SUPPORT EQUIPMENT				
64	COMMON SUPPORT EQUIPMENT	111,136	111,136	101,136	101,136
	POST PRODUCTION SUPPORT				
67	B-2A	34,780	34,780	34,780	34,780
69	C-5	18,277	18,277	18,277	18,277
70	C-21	14,904	14,904	---	---
	T-1 POST PRODUCTION SUPPORT	---	---	14,904	14,904
71	C-130	16,929	19,929	16,929	19,329
72	EC-130J	5,348	5,348	5,348	5,348
73	F-15 POST PRODUCTION SUPPORT	5,615	5,615	5,615	5,615
74	F-16 POST PRODUCTION SUPPORT	19,454	19,454	19,454	19,454
75	OTHER AIRCRAFT	101,896	101,896	101,896	101,896
76	INDUSTRIAL PREPAREDNESS	23,942	23,942	23,942	23,942

(In thousands of dollars)

		Budget	House	Senate	Conference
	WAR CONSUMABLES				
77	WAR CONSUMABLES	86,707	---	86,707	17,807
	OTHER PRODUCTION CHARGES				
78	OTHER PRODUCTION CHARGES	683,080	683,080	732,580	722,680
	DARP				
84	DARP	27,881	27,881	27,881	27,881
	TOTAL, AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES	1,149,949	1,066,242	1,189,449	1,113,049
	CLASSIFIED PROGRAMS	8,348	8,348	8,348	8,348
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	12,393,270	11,690,220	12,133,900	12,021,900

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
10	**HC-130 RECAP ADVANCE PROCUREMENT (CY)**	**9,990**	**25,190**	**25,190**	**25,190**
	Air Force requested transfer from Line 11		15,200	15,200	15,200
11	**MC-130 RECAP ADVANCE PROCUREMENT (CY)**	**65,742**	**50,542**	**50,542**	**50,542**
	Air Force requested transfer to Line 10		-15,200	-15,200	-15,200
16	**CIVIL AIR PATROL A/C**	**4,477**	**6,727**	**4,477**	**6,277**
	Civil Air Patrol AC		2,250		1,800
17	**TARGET DRONES**	**85,604**	**85,604**	**77,604**	**77,604**
	Slow execution			-8,000	-8,000
19	**GLOBAL HAWK**	**514,005**	**403,005**	**514,005**	**514,005**
	LRIP Reduction		-111,000		0
23	**B-2A**	**316,055**	**216,055**	**202,585**	**213,585**
	Radar Modernization Program		-100,000		-62,000
	Transferred to RDT&E, Air Force, Line 70, for radar modernization			-38,000	-38,000
	Delay in radar modernization program			-73,000	0
	Funding ahead of need			-2,470	-2,470
24	**B-1B**	**53,125**	**42,681**	**40,325**	**34,625**
	INS/GSS		-10,444		0
	Funding ahead of need			-18,500	-18,500
	Smart-Bomb Rack Unit (S-BRU) Upgrade (Transfer to RDT&E, Air Force, Line 67)			5,700	0
25	**B-52**	**18,091**	**18,091**	**37,091**	**33,291**
	Upgrades for 76-aircraft B-52 fleet			19,000	15,200
27	**A-10**	**167,107**	**129,407**	**169,607**	**169,107**
	Precision Engagement - Funds were provided in the FY 2007 GWOT Supplemental		-37,700		0
	ARC 210 Improved Communications for A-10			2,500	2,000
29	**F-16**	**329,370**	**335,370**	**336,870**	**335,170**
	Modular Mission Computer Concurrency		-8,000		-8,000
	Embedded GPS/INS Concurrency		-17,000		-17,000
	ANG Block 42 Engine Upgrade		29,000		23,200
	F-16 On-Board Oxygen Generation Systems (OBOGS) Retrofit		2,000		1,600
	ARC 210 Improved Communications for F-16			7,500	6,000
30	**F-22A**	**281,905**	**256,905**	**281,905**	**256,905**
	Program growth		-25,000		-25,000
31	**C-5**	**332,016**	**277,716**	**274,316**	**244,316**
	AMP kit installation delay		-5,600		-5,600
	LAIRCM - Funds were provided in the FY 2007 GWOT Supplemental		-48,700		-30,000
	Align AMP kit purchase with installations			-5,600	0
	Excess change order, support equipment funding			-52,100	-52,100

P-1		Budget Request	House	Senate	Conference
33	**C-17A**	**211,206**	**115,206**	**211,206**	**181,206**
	LAIRCM - Defer consideration to FY 2008 GWOT Supplemental		-50,000		0
	LAIRCM - Funds were provided in the FY 2007 GWOT Supplemental		-46,000		-30,000
34	**C-21**	**13,920**	**952**	**952**	**952**
	Air Force requested transfer to Line 39		-12,968	-12,968	-12,968
38	**T6**	**17,089**	**7,940**	**17,089**	**17,089**
	Traffic Alert and Collision Avoidance System		-9,149		0
39	**T-1**	**24**	**12,992**	**12,992**	**12,992**
	Air Force requested transfer from Line 34		12,968	12,968	12,968
47	**C-130**	**384,386**	**194,386**	**275,086**	**214,086**
	LAIRCM - Defer consideration to FY 2008 GWOT Supplemental		-37,700		0
	Center Wing Box - Defer consideration to FY 2008 GWOT Supplemental		-59,300		-59,300
	LAIRCM - Funds were provided in the 2007 GWOT Supplemental		-36,000		-30,000
	Air Force requested transfer to RDTE, AF, Line 217		-60,000	-60,000	-60,000
	Senior Scout Integrated Mission Trainer		1,000		1,000
	C-130 Active Noise Cancellation		2,000		1,500
	Delay in C-130 AMP			-53,300	-26,700
	AN/APN-241 Radar for ANG C-130			4,000	3,200
49	**C-135**	**118,561**	**118,561**	**127,561**	**125,761**
	Global Air Traffic Management for KC-135			9,000	7,200
57	**H-60**	**19,565**	**19,565**		**118,565**
	Transfer from Line 71, RDT&E Air Force, only for H-60 upgrades				99,000
58	**GLOBAL HAWK MODS**	**24,332**	**26,332**	**24,332**	**25,932**
	Communications Special Test Equipment (STE) for Global Hawk		2,000		1,600
59	**OTHER AIRCRAFT**	**109,496**	**113,496**	**84,896**	**95,396**
	RC-26B Modernization Program		4,000		3,200
	Slow execution			-10,000	-10,000
	Funding ahead of need			-14,600	-7,300
63	**INITIAL SPARES/REPAIR PARTS**	**267,386**	**267,386**	**256,386**	**256,386**
	Slow execution			-18,000	-18,000
	Transfer from RDT&E, Air Force, Line 206, for Global Hawk spares			7,000	7,000
64	**COMMON SUPPORT EQUIPMENT**	**111,136**	**111,136**	**101,136**	**101,136**
	Slow execution			-10,000	-10,000
70	**C-21**	**14,904**	**14,904**	**0**	**0**
	USAF decision to procure T-1 instead of C-21			-14,904	-14,904
NEW	**T-1 POST PRODUCTION SUPPORT**	**0**	**0**	**14,904**	**14,904**
	USAF decision to procure T-1 instead of C-21			14,904	14,904

P-1	Budget Request	House	Senate	Conference
71 C-130	**16,929**	**19,929**	**16,929**	**19,329**
RAINCOAT		3,000		2,400
77 WAR CONSUMABLES	**86,707**	**0**	**86,707**	**17,807**
Defer consideration to FY 2008 GWOT Supplemental		-86,707		-68,900
78 OTHER PRODUCTION CHARGES	**683,080**	**683,080**	**732,580**	**722,680**
LITENING Targeting Pods for F-16s and A-10s			49,500	39,600

HH-60 MODIFICATIONS

The conferees provide an additional $99,000,000 for modifications to Air Force HH-60 Pave Hawks which perform the combat search and rescue mission for the Air Force. These low density, high demand platforms first entered service 25 years ago and have been continuously deployed in support of operations throughout the world. The much-needed replacement for the HH-60 is the new Combat Search and Rescue-X (CSAR-X) aircraft. However, the CSAR-X program is facing delays. The conferees agree that the HH-60 must be upgraded to safely and effectively perform the mission until CSAR-X is operational, and accordingly provide funding for modifications. The conferees direct that the Air Force provide a status report to the congressional defense committees on the execution of these funds and the modification of aircraft within six months of enactment of this Act and every six months thereafter until the modifications are completed.

F-22A MULTIYEAR PROCUREMENT EXTENSION

The conferees believe the Air Force should consider extending the current F-22A multiyear procurement contract. The conferees note that $526,000,000 is available within the F-22A fiscal year 2009 budget for line shutdown and that these funds could be redirected towards advance procurement items to support procurement of an additional 20 aircraft.

As such, the conferees encourage the Air Force to consider procuring long lead specialty metal items from within available funds to preserve the option of continued production of the F-22A. Should the multiyear procurement extension or a follow-on multiyear procurement not be ultimately approved, these key specialty metals shall be made available for the F-35 program.

MISSILE PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	MISSILE PROCUREMENT, AIR FORCE				
	BALLISTIC MISSILES				
	MISSILE REPLACEMENT EQUIPMENT - BALLISTIC				
1	MISSILE REPLACEMENT EQ-BALLISTIC	26,446	26,446	26,446	26,446
	OTHER MISSILES				
	TACTICAL				
2	JASSM	201,125	167,125	133,425	161,125
3	SIDEWINDER (AIM-9X)	52,690	52,690	45,690	52,690
4	AMRAAM	224,577	224,577	170,677	194,577
5	PREDATOR HELLFIRE MISSILE	65,143	---	65,143	---
6	SMALL DIAMETER BOMB	95,297	95,297	95,297	95,297
	INDUSTRIAL FACILITIES				
7	INDUSTRIAL PREPAREDNESS/POLLUTION PREVENTION	2,382	2,382	2,382	2,382
	TOTAL, OTHER MISSILES	641,214	542,071	512,614	506,071
	MODIFICATION OF INSERVICE MISSILES				
	CLASS IV				
8	ADVANCED CRUISE MISSILE	31	31	31	31
9	MM III MODIFICATIONS	505,395	505,395	518,895	515,895
10	AGM-65D MAVERICK	252	252	252	252
11	AIR LAUNCH CRUISE MISSILE	10,111	10,111	10,111	10,111
	TOTAL, MODIFICATION OF INSERVICE MISSILES	515,789	515,789	529,289	526,289

(In thousands of dollars)

		Budget	House	Senate	Conference
	SPARES AND REPAIR PARTS				
12	INITIAL SPARES/REPAIR PARTS	46,675	46,675	46,675	46,675
	OTHER SUPPORT				
	SPACE PROGRAMS				
13	ADVANCED EHF	744	744	744	744
	ADVANCED EHF (AP-CY)	---	125,000	125,000	125,000
14	WIDEBAND GAPFILLER SATELLITES	325,183	325,183	325,183	325,183
16	SPACEBORNE EQUIP (COMSEC)	18,242	18,242	18,242	18,242
17	GLOBAL POSITIONING (SPACE)	200,161	200,161	200,161	200,161
18	GLOBAL POSITIONING (SPACE) (AP-CY)	10,100	10,100	10,100	10,100
19	DEF METEOROLOGICAL SAT PROG (SPACE)	127,350	127,350	127,350	127,350
21	TITAN SPACE BOOSTERS (SPACE)	36,457	36,457	36,457	36,457
22	EVOLVED EXPENDABLE LAUNCH VEH (SPACE)	1,166,591	1,101,691	1,166,591	1,101,691
23	MEDIUM LAUNCH VEHICLE (SPACE)	117,740	117,740	117,740	117,740
24	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH	479,000	479,000	398,000	398,000
	SPECIAL PROGRAMS				
25	DEFENSE SPACE RECONN PROGRAM	184,314	184,314	184,314	184,314
29	SPECIAL UPDATE PROGRAMS	148,581	148,581	148,581	148,581
	TOTAL, OTHER SUPPORT	2,814,463	2,874,563	2,858,463	2,793,563
	CLASSIFIED PROGRAMS	1,086,415	915,415	946,732	1,086,415
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	5,131,002	4,920,959	4,920,219	4,985,459

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1.		Budget Request	House	Senate	Conference
2	**JASSM**	**201,125**	**167,125**	**133,425**	**161,125**
	Fund at FY07 level		-34,000		0
	Program adjustment			-67,700	-40,000
3	**SIDEWINDER (AIM-9X)**	**52,690**	**52,690**	**45,690**	**52,690**
	Unit cost efficiencies			-7,000	0
4	**AMRAAM**	**224,577**	**224,577**	**170,677**	**194,577**
	Smooth production ramp up			-53,900	-30,000
5	**PREDATOR HELLFIRE MISSILE**	**65,143**	**0**	**65,143**	**0**
	Defer consideration to GWOT Supplemental		-65,143		-65,143
9	**MM III MODIFICATIONS**	**505,395**	**505,395**	**518,895**	**515,895**
	ICBM Remote Visual Assessment			13,500	10,500
NEW	**ADVANCED EHF (AP-CY)**	**0**	**125,000**	**125,000**	**125,000**
	ADVANCED EHF (AP-CY)		125,000	125,000	125,000
22	**EVOLVED EXPENDABLE LAUNCH VEHICLE (SPACE)**	**1,166,591**	**1,101,691**	**116,591**	**1,101,691**
	EELV Launch Service (deferred consideration to future appropriation)		-64,900		-64,900
24	**SPACE BASED INFRARED SYSTEM (SBIRS) HIGH**	**479,000**	**479,000**	**398,000**	**398,000**
	HEO-4 AP - premature request			-81,000	-81,000

JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)

The fiscal year 2008 budget request includes $201,125,000 for the procurement of JASSMs. The conferees agree to reduce the request by $40,000,000 for missiles funded ahead of need. The funding provided will allow production to continue without a production break until a fiscal year 2009 contract award.

ADVANCED EXTREMELY HIGH FREQUENCY SATELLITE-4

The conference agreement provides $125,000,000 for advance procurement of the fourth Advanced Extremely High Frequency (AEHF) satellite. The conferees are concerned that the Air Force is examining ways to circumvent Congressional direction to fully fund the fourth AEHF satellite in fiscal year 2009. The conferees, therefore, agree with and re-state the Senate language that directs the Air Force to fully fund AEHF-4 in the fiscal year 2009 budget and encourages the Air Force to include an option for a fifth AEHF satellite in the follow-on contract in order to obtain the best pricing should it determine another AEHF satellite is required.

PROCUREMENT OF AMMUNITION, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	PROCUREMENT OF AMMUNITION, AIR FORCE				
	PROCUREMENT OF AMMO, AIR FORCE				
1	ROCKETS	18,188	18,188	18,188	18,188
2	CARTRIDGES	165,343	---	165,343	165,343
	BOMBS				
3	PRACTICE BOMBS	26,080	26,080	26,080	26,080
4	GENERAL PURPOSE BOMBS	150,247	8,000	135,497	141,497
6	JOINT DIRECT ATTACK MUNITION	112,783	---	112,783	112,783
	FLARE, IR MJU-7B				
8	CAD/PAD	33,867	33,867	33,867	33,867
9	EXPLOSIVE ORDINANCE DISPOSAL (EOD)	3,198	3,198	3,198	3,198
10	SPARES AND REPAIR PARTS	4,726	4,726	4,726	4,726
11	MODIFICATIONS	935	935	935	935
12	ITEMS LESS THAN $5,000,000	4,169	4,169	4,169	4,169
	FUZES				
13	FLARES	274,921	168,871	274,921	168,871
14	FUZES	70,808	70,808	70,808	70,808
	TOTAL, PROCUREMENT OF AMMO, AIR FORCE	865,265	338,842	850,515	750,465
	WEAPONS				
15	SMALL ARMS	3,652	3,652	3,652	3,652
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	868,917	342.494	854,167	754,117

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
2	**CARTRIDGES**	**165,343**	**0**	**165,343**	**165,343**
	Defer consideration to GWOT Supplemental		-165,343		0
4	**GENERAL PURPOSE BOMBS**	**150,247**	**6,000**	**135,497**	**141,497**
	Defer consideration to GWOT Supplemental		-150,247		0
	GBU-49		6,000		6,000
	BLU-122 termination			-14,750	-14,750
6	**JOINT DIRECT ATTACK MUNITION**	**112,783**	**0**	**112,783**	**112,783**
	Defer consideration to GWOT Supplemental		-112,783		0
13	**FLARES**	**274,921**	**168,871**	**274,921**	**168,871**
	Defer consideration of fiscal year 2008 increase to GWOT Supplemental		-106,050		-106,050

OTHER PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	OTHER PROCUREMENT, AIR FORCE				
	VEHICULAR EQUIPMENT				
	PASSENGER CARRYING VEHICLES				
2	PASSENGER CARRYING VEHICLE	19,254	19,254	19,254	19,254
	CARGO + UTILITY VEHICLES				
3	FAMILY MEDIUM TACTICAL VEHICLE	32,737	---	32,737	5,370
5	CAP VEHICLES	875	875	875	875
	SPECIAL PURPOSE VEHICLES				
7	SECURITY AND TACTICAL VEHICLES	38,939	---	38,939	---
	FIRE FIGHTING EQUIPMENT				
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	27,016	27,416	27,016	27,016
	MATERIALS HANDLING EQUIPMENT				
	BASE MAINTENANCE SUPPORT				
10	RUNWAY SNOW REMOVAL & CLEANING EQUIP	25,919	25,919	25,919	25,919
11	ITEMS LESS THAN $5M	47,351	47,351	47,351	47,351
35	TOTAL, VEHICULAR EQUIPMENT	192,091	120,815	192,091	125,785
	ELECTRONICS AND TELECOMMUNICATIONS EQUIP				
	COMM SECURITY EQUIPMENT(COMSEC)				
13	COMSEC EQUIPMENT	180,186	119,186	180,186	119,186
14	MODIFICATIONS (COMSEC)	1,526	1,526	1,526	1,526
	INTELLIGENCE PROGRAMS				
15	INTELLIGENCE TRAINING EQUIPMENT	3,057	3,057	3,057	3,057
16	INTELLIGENCE COMM EQUIP	24,139	24,139	24,139	24,139
	ELECTRONICS PROGRAMS				
17	TRAFFIC CONTROL/LANDING	12,821	12,821	8,821	8,821
18	NATIONAL AIRSPACE SYSTEM	50,429	50,429	50,429	50,429
19	THEATER AIR CONTROL SYS IMPRO	61,769	61,769	35,114	53,269
20	WEATHER OBSERVATION FORECAST	23,650	23,650	27,650	27,650
21	STRATEGIC COMMAND AND CONTROL	41,216	41,216	41,216	41,216
22	CHEYENNE MOUNTAIN COMPLEX	18,612	18,612	18,612	18,612
23	DRUG INTERDICTION SUPPORT	446	446	446	446

(In thousands of dollars)

		Budget	House	Senate	Conference
	SPECIAL COMM-ELECTRONICS PROJECTS				
24	GENERAL INFORMATION TECHNOLOGY	113,348	120,348	113,348	118,948
25	AF GLOBAL COMMAND & CONTROL SYSTEM	14,319	14,319	14,319	14,319
26	MOBILITY COMMAND AND CONTROL	10,420	10,420	10,420	10,420
27	AIR FORCE PHYSICAL SECURITY SYSTEM	78,189	80,689	74,909	76,609
28	COMBAT TRAINING RANGES	33,423	28,623	99,923	91,823
29	MINIMUM ESSENTIAL EMERGENCY COM	10,700	10,700	10,700	10,700
30	C3 COUNTERMEASURES	7,421	7,421	7,421	7,421
31	GCSS-AF FOS	27,798	27,798	27,798	27,798
32	THEATER BATTLE MGT C2 SYS	22,702	24,702	22,702	24,302
33	AIR OPERATIONS CENTER (AOC)	43,659	43,659	43,659	43,659
	AIR FORCE COMMUNICATIONS				
34	BASE INFORMATION INFRASTRUCTURE	323,347	325,347	329,147	331,147
35	USCENTCOM	113,553	113,553	70,553	113,553
	DISA PROGRAMS				
36	SPACE BASED IR SENSOR PROG SPACE	3,979	3,979	3,979	3,979
37	NAVSTAR GPS SPACE	14,077	14,077	14,077	14,077
38	NUDET DETECTION SYS (NDS) SPACE	16,459	16,459	16,459	16,459
39	AF SATELLITE CONTROL NETWORK SPACE	50,268	50,268	50,268	50,268
40	SPACELIFT RANGE SYSTEM SPACE	122,559	122,559	122,559	122,559
41	MILSATCOM SPACE	116,902	118,902	116,902	118,502
42	SPACE MODS SPACE	26,490	26,490	26,490	26,490
43	COUNTERSPACE SYSTEM	22,846	22,846	22,846	22,846
	ORGANIZATION AND BASE				
44	TACTICAL C-E EQUIPMENT	208,863	215,363	194,563	199,963
45	COMBAT SURVIVOR EVADER LOCATER	27,174	27,174	27,174	27,174
46	RADIO EQUIPMENT	12,235	12,235	12,235	12,235
47	TV EQUIPMENT (AFRTV)	3,110	3,110	3,110	3,110
48	CCTV/AUDIOVISUAL EQUIPMENT	9,839	9,839	9,839	9,839
49	BASE COMM INFRASTRUCTURE	115,606	119,606	126,106	128,774
50	ITEMS LESS THAN $2M	---	3,000	---	2,400
	MODIFICATIONS				
51	COMM ELECT MODS	35,460	35,460	35,460	35,460
	TOTAL, ELECTRONICS AND TELECOMMUNICATIONS EQUIP	2,002,597	1,965,797	1,998,162	2,013,185

(In thousands of dollars)

		Budget	House	Senate	Conference
	OTHER BASE MAINTENANCE AND SUPPORT EQUIP				
	PERSONAL SAFETY AND RESCUE EQUIP				
52	NIGHT VISION GOGGLES	21,251	23,251	21,251	22,851
53	ITEMS LESS THAN $2M (SAFETY)	---	1,500	1,500	---
	DEPOT PLANT + MATERIALS HANDLING EQ				
54	MECHANIZED MATERIAL HANDLING	22,177	22,177	22,177	22,177
	BASE SUPPORT EQUIPMENT				
55	BASE PROCURED EQUIPMENT	17,360	24,360	22,360	28,080
57	AIR BASE OPERABILITY	6,221	6,221	6,221	6,221
58	PRODUCTIVITY CAPITAL INVESTMENT	3,035	3,035	3,035	3,035
59	MOBILITY EQUIPMENT	36,932	36,932	36,932	36,932
60	ITEMS LESS THAN $5M (BASE SUPPORT)	53,876	56,376	39,976	43,176
	SPECIAL SUPPORT PROJECTS				
62	DARP RC135	22,532	22,532	22,532	22,532
63	DARP, MRIGS	197,806	199,806	197,806	199,406
65	SPECIAL UPDATE PROGRAM	532,214	532,214	532,214	525,114
66	DEFENSE SPACE RECONNAISSANCE PROGRAM	15,573	15,573	15,573	15,573
	TOTAL, OTHER BASE MAINTENANCE AND SUPPORT EQUIP	928,977	943,977	921,577	925,097
	SPARE AND REPAIR PARTS				
67	SPARES AND REPAIR PARTS	27,935	27,935	22,135	22,135
	CLASSIFIED PROGRAMS	12,269,562	12,196,662	12,383,162	12,354,392
	TOTAL, OTHER PROCUREMENT, AIR FORCE	15,421,162	15,255,186	15,517,127	15,440,594

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
3	**FAMILY MEDIUM TACTICAL VEHICLE**	**32,737**	**0**	**32,737**	**5,370**
	Defer consideration to GWOT Supplemental		-32,737		-27,367
7	**SECURITY AND TACTICAL VEHICLES**	**38,939**	**0**	**38,939**	**0**
	Defer consideration to GWOT Supplemental		-38,939		-38,939
8	**FIRE FIGHTING/CRASH RESCUE VEHICLES**	**27,016**	**27,416**	**27,016**	**27,016**
	Great Plains Joint Regional Training Center Safety Equipment (Transferred to Line 55)		400		0
13	**COMSEC EQUIPMENT**	**180,186**	**119,186**	**180,186**	**119,186**
	Unjustified request		-61,000		-61,000
17	**TRAFFIC CONTROL/LANDING**	**12,821**	**12,821**	**8,821**	**8,821**
	MACS Readiness			-4,000	-4,000
19	**THEATER AIR CONTROL SYS IMPRO**	**61,769**	**61,769**	**35,114**	**53,269**
	BCS-Mobile - Transfer to RDAF, Line 146			-8,500	-8,500
	BCS-Mobile - Program Delay			-18,155	0
20	**WEATHER OBSERVATION FORECAST**	**23,650**	**23,650**	**27,650**	**27,650**
	Fixed Base Weather Observation Systems			4,000	4,000
24	**GENERAL INFORMATION TECHNOLOGY**	**113,348**	**120,348**	**113,348**	**118,948**
	SELDI (Science, Engineering, and Laboratory Data Integration)		2,000		1,600
	Pocket J for NORAD Immediate Warfighter Need		3,000		2,400
	IMPACT (Information Modernization for Processing with Advanced Coating Technologies)		2,000		1,600
27	**AIR FORCE PHYSICAL SECURITY SYSTEM**	**78,189**	**80,689**	**74,909**	**76,609**
	AVT234 – Target Motion Cueing (TMC) Integration Kits		500		500
	IBDSS for Moody Air Force Base		2,000		1,600
	Non-Strategic Security Systems - Reduction to Growth			-5,280	-5,280
	Ground Space Electronic Security System, Schriever AFB			2,000	1,600
28	**COMBAT TRAINING RANGES**	**33,423**	**28,623**	**99,923**	**91,823**
	Transfer to O&M, Defense-Wide for CE2T2		-12,800		0
	Unmanned Threat Emitter Modernization		3,000		2,400
	Air National Guard (ANG) Joint Threat Emitter (JTE) Savannah Combat Readiness Training Centers (CRTC)		5,000		4,000
	Training Range Enhancements			40,000	32,000
	Red Flag PARC Upgrades			26,500	20,000
32	**THEATER BATTLE MANAGEMENT C2 SYSTEMS**	**22,702**	**24,702**	**22,702**	**24,302**
	Mobile Common Data Link Gateway		2,000		1,600
34	**BASE INFORMATION INFRASTRUCTURE**	**323,347**	**325,347**	**329,147**	**331,147**
	Secure Wireless LAN, 183rd Fighter Wing (ILANG)		2,000		2,000
	Integrated Imagery Network - Nevada National Guard			5,800	5,800
35	**USCENTCOM**	**113,553**	**113,553**	**70,553**	**113,553**
	Construction Delays			-43,000	0

P-1		Budget Request	House	Senate	Conference
41	**MILSATCOM SPACE**	**116,902**	**118,902**	**116,902**	**118,502**
	Ground Multiband Terminal (GMT)		2,000		1,600
44	**TACTICAL C-E EQUIPMENT**	**208,863**	**215,363**	**194,563**	**199,963**
	Joint Helmet Mounted Cueing System		3,500		3,500
	ROVER III Receiver		3,000	500	2,400
	Theater Deployable Communications			-14,800	-14,800
49	**BASE COMMUNICATION INFRASTRUCTURE**	**115,606**	**119,606**	**126,106**	**128,774**
	Digital Deployed Training Campus (DDTC) for the Air National Guard		4,000		3,200
	Alaska Land Mobile Radio (ALMR)			2,000	2,000
	Great Plains Joint Regional Training Center			500	500
	AK NORAD Comm Survivability and Diversity			8,000	7,468
50	**ITEMS LESS THAN $5M**	**0**	**3,000**	**0**	**2,400**
	Smoky Hill Range Urban Operations / Disaster City Training Site		3,000		2,400
52	**NIGHT VISION GOGGLES**	**21,251**	**23,251**	**21,251**	**22,851**
	QUADEYE Night Vision Goggles for HH-60 Aircraft		2,000		1,600
53	**ITEMS LESS THAN $2M (SAFETY)**	**0**	**1,500**	**1,500**	**0**
	Rescue Streamer Distress Signal Kit (ANG Aircrew Life Support) (Transferred to Line 60)		1,500	1,500	0
55	**BASE PROCURED EQUIPMENT**	**17,360**	**24,360**	**22,360**	**28,080**
	Inertia Reel Restraint System Retrofit		3,000		2,400
	Machine Gun Training System (MGTS) for the Air National Guard		4,000		4,000
	Laser Marksmanship Training System (LMTS)			5,000	4,000
	Great Plains Joint Regional Training Center Safety Equipment (Transferred from Line 8)				320
60	**ITEMS LESS THAN $5M (BASE SUPPORT)**	**53,876**	**56,376**	**39,976**	**43,176**
	Joint Combined Aircrew Systems Tester (JCAST)		2,500		2,000
	Reduction to Growth			-15,400	-15,400
	Life Support Radio Test Sets			1,500	1,200
	Rescue Streamer Distress Signal Kit (ANG Aircrew Life Support) (Transferred from Line 53)				1,500
63	**DARP, MRIGS**	**197,806**	**199,806**	**197,806**	**199,406**
	Distributed Ground Station - Work Station Equipment Sets		2,000		1,600
65	**SPECIAL UPDATE PROGRAM**	**532,214**	**532,214**		**525,114**
	Air Force Requested Transfer				-7,100
67	**SPARES AND REPAIR PARTS**	**27,935**	**27,935**	**22,135**	**22,135**
	Ahead of Need			-5,800	-5,800

PROCUREMENT, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	PROCUREMENT, DEFENSE-WIDE				
	MAJOR EQUIPMENT				
	MAJOR EQUIPMENT, OSD				
1	MAJOR EQUIPMENT, OSD	98,063	99,163	98,063	98,063
	MAJOR EQUIPMENT, NSA				
4	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	8,145	8,145	8,145	8,145
	MAJOR EQUIPMENT, WHS				
8	WHS MOTOR VEHICLES	175	175	175	175
9	MAJOR EQUIPMENT, WHS	22,393	22,393	22,393	22,393
	MAJOR EQUIPMENT, DISA				
11	INFORMATION SYSTEMS SECURITY	45,564	45,564	38,564	42,064
13	GLOBAL COMMAND AND CONTROL SYS	10,779	10,779	10,779	10,779
14	GLOBAL COMBAT SUPPORT SYSTEM	2,596	2,596	2,596	2,596
15	TELEPORT PROGRAM	39,082	39,082	39,082	39,082
16	ITEMS LESS THAN $5M	127,177	127,177	127,177	127,177
17	NET CENTRIC ENTERPRISE SERVICES (NCES)	10,836	10,836	10,836	10,836
18	DEFENSE INFORMATION SYSTEMS NETWORK	48,946	48,946	48,946	48,946
19	PUBLIC KEY INFRASTRUCTURE	1,909	1,909	1,909	1,909
	MAJOR EQUIPMENT, DLA				
26	MAJOR EQUIPMENT	8,971	8,971	8,971	8,971
	MAJOR EQUIPMENT, DCAA				
27	MAJOR EQUIPMENT ITEMS LESS THAN $5M	1,522	1,522	1,522	1,522
	MAJOR EQUIPMENT, TJS				
28	MAJOR EQUIPMENT, TJS	24,234	26,234	24,234	25,834
	MAJOR EQUIPMENT, DHRA				
29	PERSONNEL ADMINISTRATION	7,013	7,013	7,013	7,013

(In thousands of dollars)

		Budget	House	Senate	Conference
	DEFENSE THREAT REDUCTION AGENCY				
32	OTHER MAJOR EQUIPMENT	4,624	4,624	4,624	4,624
	DEFENSE SECURITY COOPERATION AGENCY				
	MAJOR EQUIPMENT, AFIS				
34	MAJOR EQUIPMENT, AFIS	2,361	2,361	2,361	2,361
	MAJOR EQUIPMENT, DODDE				
35	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,500	1,500	1,500	1,500
	MAJOR EQUIPMENT, DCMA				
36	MAJOR EQUIPMENT	2,092	2,092	2,092	2,092
	MAJOR EQUIPMENT, BTA				
39	MAJOR EQUIPMENT, BTA	7,330	7,330	7,330	7,330
	TOTAL, MAJOR EQUIPMENT	475,312	478,412	468,312	473,412
	SPECIAL OPERATIONS COMMAND				
	AVIATION PROGRAMS				
40	SOF ROTARY WING UPGRADES AND SUSTAINMENT	74,414	74,164	74,164	74,164
43	MH-47 SLEP	61,254	61,254	61,254	61,254
44	MH-60 SOF MODERNIZATION PROGRAM	76,756	76,756	76,756	76,756
45	NON-STANDARD AVIATION	22,513	22,513	22,513	22,513
46	SOF TANKER RECAPITALIZATION	18,565	18,565	18,565	18,565
47	MC-130H COMBAT TALON II	38,302	38,302	38,302	38,302
48	CV-22 SOF MODIFICATION	238,636	238,636	215,214	215,214
50	C-130 MODIFICATIONS	133,477	133,477	101,477	108,477
51	AIRCRAFT SUPPORT	1,322	1,322	1,322	1,322
	SHIPBUILDING				
52	ADVANCED SEAL DELIVERY SYS (ASDS)	10,621	10,621	10,621	10,621
53	MK VIII MOD 1 - SEAL DELIVERY VEH	8,080	8,080	8,080	8,080
	AMMUNITION PROGRAMS				
54	SOF ORDNANCE REPLENISHMENT	51,837	51,837	51,837	51,837
55	SOF ORDNANCE ACQUISITION	26,509	26,509	23,409	26,509

(In thousands of dollars)

		Budget	House	Senate	Conference
	OTHER PROCUREMENT PROGRAMS				
56	COMM EQUIPMENT & ELECTRONICS	175,073	175,073	175,073	177,073
57	SOF INTELLIGENCE SYSTEMS	70,943	73,443	70,943	72,943
58	SMALL ARMS & WEAPONS	160,087	164,459	170,587	172,979
60	MARITIME EQUIPMENT MODS	2,952	2,952	2,952	2,952
61	SPECIAL APPLICATIONS FOR CONTINGENCIES	12,047	12,047	12,047	12,047
62	SOF COMBATANT CRAFT SYSTEMS	17,038	17,038	21,538	20,638
63	SPARES AND REPAIR PARTS	3,651	3,651	3,651	3,651
65	TACTICAL VEHICLES	10,612	10,612	10,612	10,612
66	MISSION TRAINING AND PREPARATIONS SYSTEMS	70,014	70,014	70,014	70,014
67	COMBAT MISSION REQUIREMENTS	20,000	20,000	20,000	20,000
68	MILCON COLLATERAL EQUIPMENT	12,500	12,500	12,500	12,500
69	UNMANNED VEHICLES	37,107	29,307	29,307	29,307
71	SOF MARITIME EQUIPMENT	6,973	6,973	6,973	6,973
73	MISCELLANEOUS EQUIPMENT	17,644	25,144	17,644	17,644
74	SOF OPERATIONAL ENHANCEMENTS	366,024	366,024	370,024	369,224
75	PSYOP EQUIPMENT	76,198	67,579	58,579	58,579
	TOTAL, SPECIAL OPERATIONS COMMAND	1,821,149	1,818,852	1,755,958	1,770,750
	CHEMICAL/BIOLOGICAL DEFENSE CBDP				
76	INSTALLATION FORCE PROTECTION	86,418	96,418	87,418	87,218
77	INDIVIDUAL PROTECTION	127,537	127,537	127,537	127,537
78	DECONTAMINATION	28,639	28,639	42,139	41,039
79	JOINT BIOLOGICAL DEFENSE PROGRAM	55,991	55,991	55,991	55,991
80	COLLECTIVE PROTECTION	38,857	39,857	39,857	39,857
81	CONTAMINATION AVOIDANCE	211,311	211,311	196,011	199,611
	TOTAL, CHEMICAL/BIOLOGICAL DEFENSE	548,753	559,753	548,953	551,253
	CLASSIFIED PROGRAMS	473,620	478,620	473,620	473,620
	TOTAL, PROCUREMENT, DEFENSE-WIDE	3,318,834	3,335,637	3,246,843	3,269,035

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

		Budget Request	House	Senate	Conference
1	**MAJOR EQUIPMENT, OSD**	**98,063**	**99,163**	**98,063**	**98,063**
	Lithium Ion Battery Cell Production (Note: transferred to Defense Production Act)		1,100		0
11	**INFORMATION SYSTEMS SECURITY**	**45,564**	**45,564**	**38,564**	**42,064**
	Insider Threat - Program delays			-7,000	-3,500
28	**MAJOR EQUIPMENT, TJS**	**24,234**	**26,234**	**24,234**	**25,834**
	Expansion of Mobile Forensic Labs and Technical Assistance and Training Support		2,000		1,600
40	**SOF ROTARY WING UPGRADES AND SUSTAINMENT**	**74,414**	**74,164**	**74,164**	**74,164**
	MH-53		-250	-250	-250
48	**CV-22 SOF MODIFICATION**	**238,636**	**238,636**	**215,214**	**215,214**
	Ahead of Need			-23,422	-23,422
50	**C-130 MODIFICATIONS**	**133,477**	**133,477**	**101,477**	**108,477**
	Center Wing NRE - Unjustified Request			-13,000	-6,000
	30mm Modification - Risk Reduction			-19,000	-19,000
55	**SOF ORDNANCE ACQUISITION**	**26,509**	**26,509**	**23,409**	**26,509**
	MAAWS - Unjustified Request			-3,100	0
56	**COMM EQUIPMENT & ELECTRONICS**	**175,073**	**175,073**	**175,073**	**177,073**
	Tactical Local Area Network (TACLAN) for SOCOM				2,000
57	**SOF INTELLIGENCE SYSTEMS**	**70,943**	**73,443**	**70,943**	**72,943**
	Optimal Placement of Unattended Sensors (OPUS)		2,500		2,000
58	**SMALL ARMS & WEAPONS**	**160,087**	**164,459**	**170,587**	**172,979**
	SPEAR maritime		-12,360		-12,360
	LTI		-368		-368
	UFR Body Army/SPEAR		12,100		12,100
	UFR Eye Protection/SPEAR		5,000		5,000
	PLTD - Unjustified Growth			-8,400	-8,400
	MK47 Mod 0 Striker 40			6,000	4,800
	SOVAS Handheld Imager			6,000	6,000
	Fusion Goggle System (FGS)			3,900	3,120
	SU-232 Thermal Sight			3,000	3,000
62	**SOF COMBATANT CRAFT SYSTEMS**	**17,038**	**17,038**	**21,538**	**20,638**
	Special Operations Craft - Riverine			4,500	3,600
69	**UNMANNED VEHICLES**	**37,107**	**29,307**	**29,307**	**29,307**
	Program acceleration		-7,800		-7,800
	UAV Sensors			-7,800	0
73	**MISCELLANEOUS EQUIPMENT**	**17,644**	**25,144**	**17,644**	**17,644**
	UFR/LAW/ASM Heat Rocket Confined Spaces (Note: transferred to RDTE,DW Line 234)		7,500		0
74	**SOF OPERATIONAL ENHANCEMENTS**	**366,024**	**366,024**	**370,024**	**369,224**
	Mission Helmet Recording System			4,000	3,200

		Budget Request	House	Senate	Conference
75	**PSYOP EQUIPMENT**	**76,198**	**67,579**	**58,579**	**58,579**
	LDS program cancelled		-8,619	-8,619	-8,619
	SOMS-B - Risk Reduction			-9,000	-9,000
76	**INSTALLATION FORCE PROTECTION**	**86,418**	**96,418**	**87,418**	**87,218**
	Joint Service Transportable Decontamination System-Small Scale (JSTDS-SS) (Transferred to Line 78)		3,000		0
	M291/M295 Skin/Equipment Chemical Decontamination (Transferred to Line 78)		7,000		0
	First Responders Integrated Communications Device - Louisiana National Guard WMD-CST			1,000	800
78	**DECONTAMINATION**	**28,639**	**28,639**	**42,139**	**41,039**
	Joint Transportable Decontamination System - Small Scale (Transferred from Line 76)			8,500	6,800
	M291/M295 Skin Decontamination (Transferred from Line 76)			5,000	5,600
80	**COLLECTIVE PROTECTION**	**38,857**	**39,857**	**39,857**	**39,857**
	Chemical Biological Protective Shelter		1,000	1,000	1,000
81	**CONTAMINATION AVOIDANCE**	**211,311**	**211,311**	**196,011**	**199,611**
	JNBCRS -- HMMWV Cancellation			-22,800	-18,400
	Joint Biological Point Detection System (JBPDS)			3,500	3,500
	Joint Biological Stand-off Detection System (JBSDS)			4,000	3,200

SPECIAL OPERATIONS COMMAND

The conference agreement provides $215,214,000 for CV–22 Special Operations Forces modifications as recommended by the Senate. This amount, which provides funding for four of the proposed five CV–22s for the Special Operations Command, is recommended based on current production schedules for these aircraft. The conferees are concerned that slips in integration efforts are beginning to impact CV–22 deliveries. The conferees will continue to review production schedules and will provide additional funding in subsequent appropriations bills as warranted to ensure that the Special Operations Command has the equipment needed to perform its mission.

M291/M295 SKIN/EQUIPMENT DECONTAMINATION KITS

The conference agreement provides $5,600,000 above the President's request for the M291/M295 Skin/Equipment Decontamination Kits. The conferees understand that the Department of Defense decided not to procure the active ingredient used in the M291/M295 Skin/Equipment Decontamination Kits with funding provided in fiscal year 2007. This decision may jeopardize the U.S. industrial base for chemical skin decontamination technology. The funds provided in fiscal year 2008 shall be used both for the purchase of raw materials and the packaging of the kits. Additionally, the Secretary of Defense is directed to provide the congressional defense committees within 90 days of enactment of this Act, a report outlining the current and future plans for personal decontamination technologies for use on skin and individual equipment.

NATIONAL GUARD AND RESERVE EQUIPMENT

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	NATIONAL GUARD & RESERVE EQUIPMENT				
1	NATIONAL GUARD AND RESERVE EQUIPMENT	---	925,000	---	---
	RESERVE EQUIPMENT				
	ARMY RESERVE				
1	MISCELLANEOUS EQUIPMENT	---	---	50,000	45,000
	NAVY RESERVE				
2	MISCELLANEOUS EQUIPMENT	---	---	50,000	45,000
	MARINE CORPS RESERVE				
3	MISCELLANEOUS EQUIPMENT	---	---	50,000	45,000
	AIR FORCE RESERVE				
4	MISCELLANEOUS EQUIPMENT	---	---	50,000	45,000
	TOTAL, RESERVE EQUIPMENT	---	---	200,000	180,000
	NATIONAL GUARD EQUIPMENT				
	ARMY NATIONAL GUARD				
5	MISCELLANEOUS EQUIPMENT	---	---	600,000	650,000
	AIR NATIONAL GUARD				
6	MISCELLANEOUS EQUIPMENT	---	---	200,000	150,000
	TOTAL, NATIONAL GUARD EQUIPMENT	---	---	800,000	800,000
	TOTAL, NATIONAL GUARD & RESERVE EQUIPMENT	---	925,000	1,000,000	980,000

The conference agreement provides $980,000,000 for National Guard and Reserve Equipment, instead of $925,000,000 as proposed by the House and $1,000,000,000 as proposed by the Senate.

ITEMS OF SPECIAL INTEREST

The conferees agree that the National Guard and Reserve equipment program shall be executed by the heads of the Guard and Reserve components with priority consideration for miscellaneous equipment given to items listed in the "Essential 10 Equipment Requirements for the Global War on Terror" as identified by the Chief, National Guard Bureau and to the following items:

AESA Radar for F–15 C/D, Advanced Mission Extender Device (AMXD), Advanced Situational Awareness System, AN/AA Q–24 Large Aircraft Infrared Countermeasure System, Combat Arms Training System, Combined Arms Virtual Trainers (CAVT), Command Post Node, F Series SINCGAR Radios, F–16 Full Mission Combat Trainer (FCMT), Flex Train Exportable Combat Training Capability (XCTC), Improved Chemical Agent Monitor (ICAM), Integrated Health Management System (IHMS), Joint Helmet Mounted Cueing System (Quad-Eye), Warfighter Information Network Program—Tactical, Joint Transportable Decontamination System—Small Scale (JSTDS–SS), Light Tactical Vehicles, Litening Pods, Merino Wool Cushion Boot Socks, M–Gator, M1078A1 LMTV Cargo Truck, M1151 HMMWV Utility Truck, M22 Automatic Chemical Agent Alarm, PVS–7D Night Vision Goggles, RC–26B, Tabletop Full-fidelity Trainers (TFT), Tabletop Gunnery Trainers (TGT), Tabletop Maneuver Trainers (TMT), Space Support Battalion Equipment Reset, TAS–8 Long Range Acquisition Scout Surveillance System, Thunder Radar Pod, TRC 190 Line of Sight Communication, TTC–56 Single Shelter Switch, C–21 Fleet Upgrades, Virtual Door Gunner Trainer (VDGT), Virtual Warrior Interactive (VWI), ALQ–213 Countermeasures System, AN/TMQ–52 Meteorological Measuring Set—Profiler, Call for Fire Trainers, Digital Deployed Training Campus (DDTC), F–16 Block 42 engine upgrades, Global Air Traffic Management Program (GATM), Joint Threat Emitter (JTE), Laser Marksmanship Training System, M777A1/A2 Lightweight 155mm Howitzer, RVSM (Reduced Vertical Separation Monitoring), Sniper Advance Targeting Pods, UH–60 Medevac Helicopters, UH–60 MEDEVAC Thermal Imaging Upgrades, UH–60A to UH–60L Upgrade, GL–1800 AP Deicers, and Up-Armored HMMWV and Tactical Truck Convoy Trainers.

DEFENSE PRODUCTION ACT PURCHASES

The conference agreement provides $94,792,000 for Defense Production Act Purchases, instead of $64,092,000 as proposed by the House and $65,092,000 as proposed by the Senate.

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
(in thousands of dollars)

Project	House	Senate	Conference
Beryllium Supply Industrial Base	11,500,000	7,500,000	10,700,000
Lithium Ion Battery Production Initiative ($1 million transfer from Procurement, Defense Wide line #1)	1,089,000	1,089,000	2,089,000
Blue Force Tracking Production Initiative	2,000,000	2,000,000	2,000,000
Power and Energy Systems Production Initiative	4,000,000	4,000,000	4,000,000
Rare Earth Magnets Production Initiative	1,986,000	1,986,000	1,986,000
Traveling Wave Tube Amplifiers for Space	2,017,000	2,017,000	2,017,000
ALON and Spinel Optical Ceramics	3,500,000		2,800,000
Production of Affordable Direct Methanol Fuel Cells	2,000,000		1,600,000
SWORDS Safety Confirmation Testing for Accelerated Fielding and Production	2,000,000		1,600,000
Photovoltaic Solar Cell Encapsulent Domestic Production Center	1,500,000	3,000,000	2,400,000
Global Personal Recovery System Single Card Solution	1,500,000		1,200,000
Flexible Aerogel Material Supplier Initiative	2,000,000	5,000,000	5,000,000
Low Cost Military GPS	2,000,000		1,600,000
Life Cycle Support Center for Unmanned Systems	3,000,000		2,400,000
Vacuum Induction Melting and Vacuum Arc Re-melting Furnace Capacity	23,000,000		18,400,000
Production of Miniature Compressors for Electronics and Personal Cooling	1,000,000		1,000,000
Automated Composite Technologies and Manufacturing Center		10,000,000	10,000,000
Domestic Armstrong Titanium Production		5,000,000	5,000,000
Read Out Integrated Circuit Manufacturing Improvement		3,000,000	2,400,000
Reactive Plastic CO2 Absorbent Production Capacity		2,000,000	1,600,000
POSS Nanotechnology Engineering Scale-Up Initiative		3,000,000	2,400,000
Lightweight Ammunition and Armor Initiative		3,500,000	3,000,000
Microclimate Cooling Systems		2,000,000	1,600,000
Titanium Metal Matrix Nano Enhanced Titanium		10,000,000	8,000,000
TOTAL, Defense Production Act Purchases	64,092,000	65,092,000	94,792,000

TITLE IV - RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement provides $77,271,482,000 in Title IV, Research, Development, Test and Evaluation, instead of $76,231,440,000 as proposed by the House and $75,382,046,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
RECAPITULATION				
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY......	10,589,604	11,509,540	11,355,005	12,126,591
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY......	17,075,536	17,718,624	17,472,210	17,918,522
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE.	26,711,940	26,163,917	26,070,841	26,255,471
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE..	20,559,850	20,659,095	20,303,726	20,790,634
OPERATIONAL TEST AND EVALUATION, DEFENSE.............	180,264	180,264	180,264	180,264
GRAND TOTAL, RDT&E..............................	75,117,194	76,231,440	75,382,046	77,271,482

SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase "only for" or "only to" in this report are congressional interest items for the purpose of the Base for Reprogramming (DD 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, specifically addressed in the conference report. These items remain special interest items whether or not they are repeated in a subsequent conference report.

REPROGRAMMING GUIDANCE FOR ACQUISITION ACCOUNTS

The conferees direct the Department of Defense to continue to follow the reprogramming guidance specified in the report accompanying the House version of the fiscal year 2006 Department of Defense Appropriations bill (H.R. 109-119). Specifically, the dollar threshold for reprogramming funds will remain at $20,000,000 for procurement, and $10,000,000 for research, development, test and evaluation. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20% of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative. Therefore, if the combined value of transfers into or out of a procurement (P-1) or research, development, test and evaluation (R-1) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this report.

CRUISE MISSILE DEFENSE

The conferees concur with requirements stated by the House with regard to cruise missile defense. The conferees direct that the required report on this matter be provided in classified and unclassified format.

PROMPT GLOBAL STRIKE

The conferees agree to provide no funding for testing, fabrication or deployment of a Conventional Trident Modification (CTM) program. As an alternative, the conferees have provided $100,000,000 in a new Prompt Global Strike program element within the Research, Development, Test and Evaluation, Defense-Wide appropriation only for development of promising conventional prompt global strike technologies. This alternative consolidates funding for conventional prompt global strike efforts under the cognizance of the Under Secretary of Defense (Acquisition, Technology, and Logistics) by shifting funding from the Navy CTM program and the Air Force Common Aero Vehicle program. Funding for the FALCON program remains within the Defense Advanced Research Projects Agency. Funds in the new conventional prompt global strike program element shall be applied to propulsion and guidance systems, mission planning, re-entry vehicle design, modeling and simulation efforts, command and control, and launch system infrastructure. Additionally, funding may be applied towards efforts such as strategic policy compliance, intermediate range missile concepts, advanced non-nuclear warheads, and other mission enabling capabilities.

The conferees direct that the Department submit a report to the congressional defense committees within 90 days of enactment of this Act that discusses the technology thrusts and investment objectives for the conventional prompt global strike effort. The report shall provide details on the test programs and platforms; specific activities to be undertaken in fiscal year 2008; and the mid- and long-term science and technology strategic plans. In addition, the report shall clearly address the prospective allocation of funds, both near and long-term, among the technology thrust areas and platforms.

FUNDING INCREASES

The conferees direct that the funding increases outlined in these tables shall be provided only for the specific purposes indicated in the table.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
	BASIC RESEARCH				
1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH.............	19,266	19,266	22,266	21,666
2	DEFENSE RESEARCH SCIENCES............................	137,676	161,176	147,176	166,076
3	UNIVERSITY RESEARCH INITIATIVES......................	64,843	74,743	80,843	82,943
4	UNIVERSITY AND INDUSTRY RESEARCH CENTERS.............	84,034	96,784	104,834	110,804
	TOTAL, BASIC RESEARCH..............................	305,819	351,969	355,119	381,489
	APPLIED RESEARCH				
5	MATERIALS TECHNOLOGY.................................	18,614	47,989	52,264	64,944
6	SENSORS AND ELECTRONIC SURVIVABILITY.................	39,826	62,826	44,026	63,326
7	TRACTOR HIP..	4,367	4,367	4,367	4,367
8	AVIATION TECHNOLOGY..................................	42,567	46,567	41,567	43,567
9	ELECTRONIC WARFARE TECHNOLOGY........................	16,411	25,411	26,411	30,211
10	MISSILE TECHNOLOGY...................................	53,038	60,538	59,038	61,338
11	ADVANCED WEAPONS TECHNOLOGY..........................	19,342	21,342	32,342	32,942
12	ADVANCED CONCEPTS AND SIMULATION.....................	16,654	19,654	20,654	23,054
13	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY.............	53,342	93,842	66,342	94,242
14	BALLISTICS TECHNOLOGY................................	55,014	64,014	59,814	69,354
15	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY....	2,235	7,735	5,235	9,035
16	JOINT SERVICE SMALL ARMS PROGRAM.....................	7,008	7,008	7,008	7,008
17	WEAPONS AND MUNITIONS TECHNOLOGY.....................	40,469	87,669	75,169	103,389
18	ELECTRONICS AND ELECTRONIC DEVICES...................	43,391	88,791	78,491	106,191
19	NIGHT VISION TECHNOLOGY..............................	24,391	40,391	26,391	35,191
20	COUNTERMINE SYSTEMS..................................	21,795	21,795	25,795	30,495
21	HUMAN FACTORS ENGINEERING TECHNOLOGY.................	17,426	44,426	17,426	40,026
22	ENVIRONMENTAL QUALITY TECHNOLOGY.....................	15,809	25,309	17,009	20,209
23	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY...........	22,215	38,465	23,715	37,215
24	COMPUTER AND SOFTWARE TECHNOLOGY.....................	5,368	11,368	5,368	9,868
25	MILITARY ENGINEERING TECHNOLOGY......................	51,120	54,620	56,720	59,200
26	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY...............	16,208	16,208	16,208	16,208

(In thousands of dollars)

		Budget	House	Senate	Conference
27	WARFIGHTER TECHNOLOGY	23,083	33,583	33,583	36,483
28	MEDICAL TECHNOLOGY	76,544	183,334	106,544	185,434
	TOTAL, APPLIED RESEARCH	686,237	1,107,252	901,487	1,183,297
	ADVANCED TECHNOLOGY DEVELOPMENT				
29	WARFIGHTER ADVANCED TECHNOLOGY	47,065	57,495	75,765	86,709
30	MEDICAL ADVANCED TECHNOLOGY	53,274	287,474	134,924	301,584
31	AVIATION ADVANCED TECHNOLOGY	53,890	77,390	93,190	99,530
32	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	59,389	85,889	62,189	86,529
33	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	131,438	197,386	193,321	247,216
34	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	12,255	14,255	12,255	14,255
35	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	6,783	6,783	6,783	6,783
36	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	49,199	58,449	49,199	57,099
37	TRACTOR HIKE	12,633	12,633	12,633	12,633
38	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	18,723	22,223	21,723	22,523
39	TRACTOR ROSE	6,526	6,528	6,526	6,526
40	IED DEFEAT TECHNOLOGY DEVELOPMENT (0603100A)	---	3,000	---	2,400
41	EXPLOSIVES DEMILITARIZATION TECHNOLOGY	10,349	13,349	19,849	21,649
42	MILITARY HIV RESEARCH	6,998	16,998	6,998	14,998
43	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	13,061	13,061	13,061	13,061
45	ELECTRONIC WARFARE TECHNOLOGY	17,419	44,919	23,419	42,219
46	MISSILE AND ROCKET ADVANCED TECHNOLOGY	60,353	72,353	69,353	77,753
47	TRACTOR CAGE	18,448	18,448	18,448	18,448
48	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	25,315	27,315	29,315	30,915
49	JOINT SERVICE SMALL ARMS PROGRAM	8,097	9,347	8,097	10,697
50	NIGHT VISION ADVANCED TECHNOLOGY	35,892	44,892	47,892	54,292
51	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	14,982	14,982	14,982	14,982
52	MILITARY ENGINEERING ADVANCED TECHNOLOGY	6,837	22,037	15,037	28,537
53	ADVANCED TACTICAL COMPUTER SCIENCE & SENSOR TECHNOLOGY	67,011	78,511	67,631	74,611
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	735,935	1,205,715	1,002,590	1,345,949

(In thousands of dollars)

		Budget	House	Senate	Conference
	DEMONSTRATION & VALIDATION				
54	UNIQUE ITEM IDENTIFICATION (UID)......................	668	668	668	668
55	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION.............	14,389	59,389	112,389	128,229
56	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)......	17,421	29,321	39,621	49,601
57	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING...........	176,142	178,142	170,142	171,542
58	JOINT AIR-TO-GROUND MISSILE (JAGM)....................	53,500	53,500	53,500	53,500
59	LANDMINE WARFARE AND BARRIER - ADV DEV................	24,737	24,737	24,737	24,737
60	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV.....	19,449	19,449	6,449	9,449
61	TANK AND MEDIUM CALIBER AMMUNITION....................	44,578	44,578	48,578	47,778
62	ADVANCED TANK ARMAMENT SYSTEM (ATAS)..................	142,486	144,986	142,486	144,486
63	SOLDIER SUPPORT AND SURVIVABILITY.....................	4,787	4,787	5,787	5,787
65	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT.............	3,454	3,454	3,454	3,454
66	ENVIRONMENTAL QUALITY TECHNOLOGY......................	6,149	20,799	20,149	18,699
67	WARFIGHTER INFORMATION NETWORK-TACTICAL...............	222,296	356,296	222,296	322,296
68	NATO RESEARCH AND DEVELOPMENT.........................	4,959	4,959	4,959	4,959
69	AVIATION - ADV DEV....................................	6,481	6,481	6,481	6,481
70	LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV............	27,499	27,499	27,499	38,236
71	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION......	19,054	19,054	13,554	15,054
72	MEDICAL SYSTEMS - ADV DEV.............................	12,479	23,479	22,979	29,879
73	SOLDIER SYSTEMS - ADVANCED DEVELOPMENT................	18,178	22,478	16,778	20,218
	TOTAL, DEMONSTRATION & VALIDATION..................	818,706	1,044,056	942,506	1,095,053
	ENGINEERING & MANUFACTURING DEVELOPMENT				
76	AIRCRAFT AVIONICS.....................................	57,786	57,786	57,786	57,786
77	ARMED, DEPLOYABLE OH-58D..............................	82,310	129,310	182,310	182,310
78	ELECTRONIC WARFARE DEVELOPMENT........................	55,716	55,716	58,016	57,556
81	TRACTOR CAGE..	17,821	17,821	17,821	17,821
83	INFANTRY SUPPORT WEAPONS..............................	45,229	53,229	57,229	63,429
84	MEDIUM TACTICAL VEHICLES..............................	1,994	4,794	4,494	6,394
85	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-SDD.........	1,347	1,347	1,347	1,347
86	FAMILY OF HEAVY TACTICAL VEHICLES.....................	1,947	2,947	11,947	12,747

(In thousands of dollars)

	Budget	House	Senate	Conference
87 AIR TRAFFIC CONTROL	8,956	8,956	8,956	8,956
88 LIGHT TACTICAL WHEELED VEHICLES	82,300	55,300	38,800	38,500
90 NON-LIGHT OF SIGHT LAUNCH SYSTEM	253,410	253,410	255,010	254,690
91 NON-LINE OF SIGHT CANNON	137,802	137,802	137,802	137,802
92 FCS MANNED GRD VEHICLES & COMMON GRD VEHICLE	696,333	506,033	696,333	596,033
93 FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT	1,589,466	1,422,466	1,589,466	1,507,466
94 FCS RECONNAISSANCE (UAV) PLATFORMS	41,164	42,264	41,164	43,664
95 FCS UNMANNED GROUND VEHICLES	90,667	87,567	90,667	90,667
96 FCS UNATTENDED GROUND SENSORS	10,999	10,999	10,999	10,999
97 FCS SUSTAINMENT & TRAINING R&D	678,781	631,781	678,781	651,781
98 MODULAR BRIGADE ENHANCEMENT	64,796	64,796	64,796	64,796
99 NIGHT VISION SYSTEMS - SDD	44,619	44,619	47,619	47,619
100 COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,501	2,501	2,501	2,501
101 NON-SYSTEM TRAINING DEVICES - SDD	35,992	35,992	35,992	35,992
102 AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE -SDD	21,513	21,513	21,513	21,513
103 CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	31,962	31,962	31,962	31,962
104 AUTOMATIC TEST EQUIPMENT DEVELOPMENT	18,025	18,025	8,025	10,025
105 DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - SDD	16,594	18,744	16,594	18,314
106 COMBINED ARMS TACTICAL TRAINER (CATT) CORE	37,035	37,035	37,035	37,035
107 JOINT NETWORK MANAGEMENT SYSTEM	2,786	2,786	2,786	2,786
108 WEAPONS AND MUNITIONS - SDD	55,368	68,368	57,368	65,668
109 LOGISTICS AND ENGINEER EQUIPMENT - SDD	45,009	48,009	45,009	47,409
110 COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - SDD	10,047	10,047	10,047	10,047
111 MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT	15,823	22,323	22,323	27,923
112 LANDMINE WARFARE/BARRIER - SDD	142,315	146,315	157,958	161,158
114 ARTILLERY MUNITIONS	63,039	65,039	7,089	64,639
115 COMBAT IDENTIFICATION	11,362	11,362	11,362	11,362
116 ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	99,202	99,202	101,302	100,882
117 RADAR DEVELOPMENT	7,067	7,067	7,067	7,067

(In thousands of dollars)

	Budget	House	Senate	Conference
118 GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS).......	53,559	112,600	112,600	112,600
119 FIREFINDER...	77,279	77,279	77,279	77,279
120 SOLDIER SYSTEMS - WARRIOR DEM/VAL....................	---	2,000	---	1,600
121 ARTILLERY SYSTEMS	24,221	24,221	24,221	24,221
122 PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)........	372,146	372,146	372,146	372,146
123 NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK........	7,300	7,300	7,300	7,300
124 INFORMATION TECHNOLOGY DEVELOPMENT....................	103,485	106,485	104,485	106,785
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT......	5,217,073	4,937,264	5,325,307	5,210,577
RDT&E MANAGEMENT SUPPORT				
126 THREAT SIMULATOR DEVELOPMENT..........................	21,887	23,887	21,887	23,487
127 TARGET SYSTEMS DEVELOPMENT............................	13,499	15,999	18,499	17,899
128 MAJOR T&E INVESTMENT..................................	66,921	66,921	66,921	66,921
130 RAND ARROYO CENTER....................................	16,342	18,342	20,342	20,342
131 ARMY KWAJALEIN ATOLL..................................	182,136	182,138	182,136	182,136
132 CONCEPTS EXPERIMENTATION PROGRAM......................	34,004	38,004	29,466	29,866
133 SMALL BUSINESS INNOVATIVE RESEARCH (0605502A).........	---	3,000	---	2,400
134 ARMY TEST RANGES AND FACILITIES.......................	357,964	357,964	357,964	357,964
135 ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS.......	74,391	76,391	86,991	86,431
136 SURVIVABILITY/LETHALITY ANALYSIS......................	40,343	41,843	42,343	41,943
137 DOD HIGH ENERGY LASER TEST FACILITY...................	2,801	2,801	2,801	8,801
138 AIRCRAFT CERTIFICATION................................	4,688	4,688	4,688	4,688
139 METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES............	8,346	8,346	8,346	8,346
141 MATERIEL SYSTEMS ANALYSIS.............................	16,526	16,526	16,526	16,526
142 SUPPORT OF OPERATIONAL TESTING........................	75,293	77,293	78,293	79,293
143 ARMY EVALUATION CENTER................................	61,694	61,694	61,694	61,694
144 SIMULATION & MODELING FOR ACQ, RQTS, & TNG (SMART)....	5,342	6,342	5,342	6,342
145 PROGRAMWIDE ACTIVITIES................................	73,718	73,718	73,718	73,718
146 TECHNICAL INFORMATION ACTIVITIES......................	41,607	41,607	40,607	43,007
147 MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY...	19,606	29,606	38,406	41,206
148 ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT.........	4,958	4,958	4,958	4,958

(In thousands of dollars)

	Budget	House	Senate	Conference
149 MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)....	14,889	14,889	14,889	14,889
TOTAL, RDT&E MANAGEMENT SUPPORT.....................	1,136,955	1,166,955	1,176,817	1,192,857
OPERATIONAL SYSTEMS DEVELOPMENT				
151 MLRS PRODUCT IMPROVEMENT PROGRAM.....................	54,055	54,055	54,055	54,055
152 WEAPONS CAPABILITY MODIFICATIONS UAV.................	3,900	3,900	3,900	3,900
153 AEROSTAT JOINT PROJECT OFFICE.......................	481,251	481,251	481,251	481,251
154 ADV FIELD ARTILLERY TACTICAL DATA SYSTEM.............	16,837	16,837	16,837	16,837
155 COMBAT VEHICLE IMPROVEMENT PROGRAMS..................	27,615	35,115	36,415	41,455
156 MANEUVER CONTROL SYSTEM..............................	43,961	45,961	43,961	45,561
157 AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS...	325,643	330,143	324,143	330,643
158 AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.........	476	1,476	476	1,476
159 DIGITIZATION...	9,737	9,737	9,737	9,737
160 FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2)...	32,446	32,446	32,446	32,446
162 MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM.......	30,219	30,219	30,219	30,219
163 OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS...........	1,897	1,897	1,897	1,897
164 TRACTOR CARD...	16,573	16,573	16,573	16,573
165 JOINT TACTICAL COMMUNICATIONS PROGRAM (TRI-TAC).......	1,536	1,536	1,536	1,536
166 JOINT TACTICAL GROUND SYSTEM.........................	23,462	23,462	23,462	23,462
167 JOINT HIGH SPEED VESSEL (JHSV).......................	5,148	5,148	5,148	5,148
169 SECURITY AND INTELLIGENCE ACTIVITIES.................	---	5,500	---	4,600
170 INFORMATION SYSTEMS SECURITY PROGRAM.................	28,332	32,282	28,332	31,682
171 GLOBAL COMBAT SUPPORT SYSTEM.........................	129,689	94,689	59,689	94,689
172 SATCOM GROUND ENVIRONMENT (SPACE)....................	107,849	107,849	107,849	107,849
173 WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM.............	24,836	24,836	24,836	24,836
174 JOINT COMMAND AND CONTROL PROGRAM (JC2)..............	10,415	10,415	10,415	10,415
175 TACTICAL UNMANNED AERIAL VEHICLES....................	97,947	97,947	97,947	101,947
177 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS............	---	6,000	7,000	9,100

(In thousands of dollars)

	Budget	House	Senate	Conference
178 AVIONICS COMPONENT IMPROVEMENT PROGRAM................	1,024	1,024	1,024	1,024
179 END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES...........	66,869	78,869	84,869	87,869
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT..............	1,541,717	1,549,167	1,504,017	1,570,207
999 CLASSIFIED PROGRAMS.................................	147,162	147,162	147,162	147,162
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.....	10,589,604	11,509,540	11,355,005	12,126,591

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
1	**IN-HOUSE LABORATORY INDEPENDENT RESEARCH**	**19,266**	**19,266**	**22,266**	**21,666**
	Silicon Carbide Armor Manufacturing Initiative			3,000	2,400
2	**DEFENSE RESEARCH SCIENCES**	**137,676**	**161,176**	**147,176**	**166,076**
	Perpetually Available and Secure Information Systems (PASIS)		5,000		4,000
	Functionally Integrated Reactive Surface Technologies (FIRST) Program		3,000		2,400
	UT-Tyler Organic Semiconductor Modeling and Simulation		1,000	1,000	1,000
	John H. Hopps, Jr. Defense Research Scholars Program		2,000		2,000
	Innovative, Computational Water-borne Pathogen Research for Chemical/Biological Detection		1,000		1,000
	Direct Methanol Fuel Cell – Battery Recharger Program		2,000		1,600
	Combat Mental Health Initiative		3,500		2,800
	Technology Commercialization and Management Network		2,000		1,600
	Cyber Threat Analytics		3,000		2,400
	Activated Nanostructures for De-icing		1,000	1,500	1,200
	Document Exploitation for Handwriting Recognition			1,000	1,000
	Flexible Electronics Research Initiative			1,000	1,000
	Global Military Operating Environments			2,000	1,600
	Integrated nanosensors for NBC threat detection			2,000	1,600
	Semiconductor-based Nanotechnology Applications			1,000	800
	Secure Open Systems Institute (Transfer from RDTE,D-W line 11)				2,400
3	**UNIVERSITY RESEARCH INITIATIVES**	**64,843**	**74,743**	**80,843**	**82,943**
	University and Industry Research Centers, Automotive Research Center (Transfer to line 4)		2,000		0
	Laboratory for Engineered Human Protection (LEHP)		2,000		1,600
	Massively Broadband Wireless Integrated Circuits		1,500		1,200
	Consortium for Bone and Tissue Repair and Regeneration		1,000		1,000
	Nanomedical Technologies Research		2,500	2,000	2,000
	Imaging Research Center		900		900
	Burn and Shock Trauma Institute			2,000	1,600
	Hi-tech Eyes for the Battlefield			1,000	1,000
	Low Temperature Vehicle Performance Research			1,000	800
	University Research Initiatives			10,000	8,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
4	**UNIVERSITY AND INDUSTRY RESEARCH CENTERS**	**84,034**	**96,784**	**104,834**	**110,804**
	NAC University Automotive Research Coalitions		2,000		1,600
	Florida Collaborative Development of Advanced Materials for Strategic Applications		950		950
	Transparent Nanocomposite Armor		300	300	300
	Development of Enabling Chemical Technologies for Power from Green Sources		2,000		1,600
	Center of Excellence in Industrial Metrology & 3D Imaging Research		2,000		1,600
	Research Support for Nanoscale Sciences and Technologies		1,000		1,000
	Nanotubes Optimized for Lightweight Exceptional Strength Composite Materials		3,500	2,000	2,800
	Manufacturing and Industrial Technology Center		1,000		1,000
	H54 program adjustment			-1,400	-1,400
	Center for Information Assurance			1,000	800
	Detecting and Eradicating Corrosion in Army Vehicles			1,500	1,200
	Electron Microprobe Research			1,500	1,500
	Infotonics Research			3,000	2,400
	Integrated Systems in Sensing, Imaging and Communications			1,000	800
	MEMS Antenna for wireless comms/UAVs			3,000	2,400
	Modeling and Analysis of the Response of Structures			1,000	1,000
	Nanoscale Biosensor Research			2,500	2,500
	National Network Security test bed			2,000	1,600
	University-based Automotive Research (Includes transfer from line 3)			2,000	2,000
	Visualization for Training and Simulation in urban terrains			1,400	1,120

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
5	**MATERIALS TECHNOLOGY**	**18,614**	**47,989**	**52,264**	**64,944**
	Ultra Lightweight Metallic Armor		1,000	2,000	1,600
	Enhanced Holographic Imaging Program		2,000		1,600
	Control System for Laser Powder Deposition		350	400	400
	Improvised Explosive Device Simulation in Different Soils		425	400	400
	Next Generation Lightweight Drive System for Army Weapon Systems		2,000	2,000	2,000
	Novel Extremity Body Armor		600		480
	Advanced Materials Development and Manufacturing of Body Armor		2,500		2,000
	Nickel Boron Coating Technology for Army Weapons		3,000		2,400
	Lightweight Motors for the Future Combat System		2,000		1,600
	Project Kryptolite		1,500		1,200
	Advanced Lightweight Transparent Armor for Tactical Wheeled Vehicles and Force Protection		1,000		800
	Future Affordable Multi-Utility Materials for the Army Future Combat Systems		5,000	8,000	6,400
	Cold Spray Wear Coating for FCS		1,000		1,000
	Polymer Center of Excellence for Blast-Ballistic Protective Armor		2,500		2,000
	Cutting Tools for Aerospace Materials		1,500		1,200
	Ultra-Endurance Coating		3,000		2,400
	3D Woven Ballistic Materials for Future Combat Systems			2,000	2,000
	Advanced Ceramic Surface Engineering for helicopter compressor blades			3,000	2,400
	Complex-shaped armor for soldier torso and extremity protection			2,000	2,000
	Multi-scale modeling of impact resistant materials for body armor			1,500	1,500
	Nanomanufacturing of multifunctional sensors			2,000	1,600
	Nanotechnologies Initiative			5,000	4,000
	Protection against Improvised Explosive Devices			4,000	4,000
	Titanium Fabrication for Military/Industrial equipment			1,350	1,350

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
6	**SENSORS AND ELECTRONIC SURVIVABILITY**	**39,826**	**62,826**	**44,026**	**63,326**
	High Brightness Diode-pumped Fiber Laser (HiBriD-FL)		2,000		1,600
	Electromagnetic Geolocation		1,000		1,000
	Urban Warfare Analysis Center (UWAC)		2,500		2,000
	Urban Warfare Knowledge Base		1,000		1,000
	Single Crystal Chemical Vapor Deposition Diamond Thermal Management Elements for high-energy lasers		1,000		1,000
	Terahertz Spectrometer Technology		2,000		1,600
	Network Enabled Combat Identification (CID)		3,000		2,400
	Wearable Video Capture System		1,000		800
	Land and Sea Special Operations (LASSO)		1,000		1,000
	One-Step JP-8 Bio Diesel Fuel		5,000		4,500
	Advanced Detection of Explosives Program		1,000		1,000
	Advanced Bonded Diamond for optical applications		2,500		2,000
	H16 unjustified growth			-1,800	-1,800
	SA2 program adjustment			-1,000	-1,000
	Center for Advanced Microelectronics Manufacturing (CAMM) (includes transfer from RDTE,D-W line 47)			2,000	2,000
	Integrated Multi-Target Remote-Sensing Technology and Its Applications			2,000	2,000
	Nanophotonic devices			2,000	1,600
	S31 Technology			1,000	800
8	**AVIATION TECHNOLOGY**	**42,567**	**46,567**	**41,567**	**43,567**
	Aircraft Structural Condition Monitoring (ASCM) for Diagnostics and Prognostics		3,000		2,400
	Composite Small Main Rotor Blades		1,000	2,000	1,600
	Program adjustment			-3,000	-3,000
9	**ELECTRONIC WARFARE TECHNOLOGY**	**16,411**	**25,411**	**26,411**	**30,211**
	Silver Fox and Manta UAS		3,000	4,000	3,200
	Electromagnetic Gun Initiative		2,000		2,000
	Integrated Information Technology Policy Analyses Research		2,000		1,600
	Battlefield Connectivity, Multi-Level Secure Networks		2,000		1,600
	Dominant Military operations on urbanized Terrain			3,000	2,400
	Knowledge Integration and Management			3,000	3,000
10	**MISSILE TECHNOLOGY**	**53,038**	**60,538**	**59,038**	**61,338**
	Materials Application Research Center		1,000		1,000
	LENS XX Hypervelocity Ground Testing		1,000		800
	Mariah II Hypersonic Wind Tunnel Development		3,500	5,000	4,000
	Jam Resistent Technology for INS/GPS Precision		2,000		1,500
	Novel Lightweight Armor Material for Insensitive Munitions Protection of Tactical Missiles			1,000	1,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
11	**ADVANCED WEAPONS TECHNOLOGY**	**19,342**	**21,342**	**32,342**	**32,942**
	Remote Video Weapon Sight, USSOCOM Phase III		1,000		1,000
	Missile Aero-propulsion Computer System (MACS) Modernization		1,000	6,000	6,000
	Army Missile and Space Technology Initiative			5,000	5,000
	Unmanned Systems Technology Development			2,000	1,600
12	**ADVANCED CONCEPTS AND SIMULATION**	**16,654**	**19,654**	**20,654**	**23,054**
	Development and Simulation for Advanced Troop Protection Concepts in Urban Warfare		1,000		800
	Mobile Medic Training Program		2,000		1,600
	Boston University Photonic Center			4,000	4,000
13	**COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY**	**53,342**	**93,842**	**66,342**	**94,242**
	Development of Logistical Fuel Processors to Meet Army/TARDEC/TACOM Needs		3,500		2,800
	Tactical Metal Fabrication System (TacFab)		3,000		2,400
	Light Utility Vehicle		1,000		1,000
	Institute for Advanced Materials and Manufacturing Strategies (IAMMS)		3,000		2,400
	Quick Reaction Advanced Tactical Vehicle Technology		3,000		2,800
	Globally Accessible Manufacturing and Maintenance Activity (GAMMA)		3,000		2,400
	DoD Hydrogen PEM Fuel Cell Medium/Heavy Duty Vehicle Demonstration Program		4,000	3,000	3,200
	Extreme-Condition Vehicle Tribology for Military Vehicle Technology at Northwestern University		1,000		1,000
	Secure Mobile MANET System		1,500		1,200
	Digital Engine/Hydraulic Valve Actuation Technology		1,000		800
	Advanced Digital Hydraulic Hybrid Drive System (Includes transfer from line 33)		2,500		2,000
	Center for Advanced Vehicle Design and Simulations (Includes transfer from line 33 for Vehicle Design Optimization Tools)		2,000	1,000	1,600
	Hydraulic Hybrids, Advanced Materials, and Multi-fuel Engine Research (HAMMER) program		5,000		4,000
	Spring-Suspended Airless Tires for Convoy Protection		5,000		4,500
	Rapid Up-Armor Synthesis and Crashworthiness Design for Improved Soldier Survivability		2,000		1,600
	Advanced Manufacture of Lightweight Materials and Components			2,000	1,600
	Automotive Research Equipment Purchase			2,000	1,600
	Military Fuels Research Program			2,000	1,600
	Nano-Engineered Multi-Functional Transparent Armor			1,000	800
	SkyPure - Water from Air			2,000	1,600

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
14	**BALLISTICS TECHNOLOGY**	**55,014**	**64,014**	**59,814**	**69,354**
	Small Unmanned Aerial Vehicles (UAVs) and Sensors		500	500	500
	Multi Mission Armored Watercraft (MMAW) Project		1,500		1,200
	Advanced Composite Materials Research for Air and Ground Vehicles		2,000		1,600
	Advanced Composite Armor for Force Protection				3,000
	Beneficial Infrastructure for Rotorcraft Risk Reduction Demonstrations (BIRRRD)		1,000		800
	Super High Accuracy Range Kit - 105mm Artillery Technology		4,000		3,200
	Flexible Solar Cell for Man-Portable Power Generator			2,300	1,840
	Laser-based Explosives & Chem/bio Standoff and Point Detector			4,000	3,200
	Program adjustment			-2,000	-1,000
15	**CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY**	**2,235**	**7,735**	**5,235**	**9,035**
	Paint Shield for Protecting People from Microbial Threats		2,000		1,600
	Systems Biology Biomarker Molecular Toxicology Initiative		2,000		1,600
	Rapid and Accurate Pathogen Identification/Detection (RAPID) Program		1,500		1,200
	Enhanced Vapor Aeration Capabilities (EVAC)			3,000	2,400
17	**WEAPONS AND MUNITIONS TECHNOLOGY**	**40,469**	**87,669**	**75,169**	**103,389**
	CZT-Based Liquid Explosives Detection Systems		1,700		1,360
	SLEUTH Tungsten Heavy Alloy Penetrator and Warhead Development		2,000		1,600
	Effects Based Operations Decision Support Services (EBODSS)		1,000		800
	Renewable Energy Testing Center		2,500		2,000
	Long Range Initiator		2,000		1,400
	Hospital Emergency Planning and Integration (HEPI) Letterkenny Army Depot and Chambersburg Hospital		2,000		1,600
	Advanced Materials & Process for Armament Structures (AMPAS)		7,000		5,600
	Remotely Operated Weapons and Sensor Technology		4,000		3,200
	Energetic Formulation and Fabrication		5,000		4,000
	Developmental Mission Integration		5,000		4,000
	Mitigation of Energetics Single Point Failures		3,000		2,400
	Strategic Technololgy Development and Integration for the Joint Munitions and Lethality Life Cycle Management Command		1,000		1,000
	Green Armaments/RangeSafe		2,000	3,000	2,400
	Armament System Engineering and Integration Initiative (ASEI2)		3,000		2,400
	Advanced Rarefaction Weapon Engineered System		2,000		1,600
	Rapid Response Force Protection System (Remote Weapons Platform)		4,000		3,200

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
	MEFP termination			-5,000	-3,000
	Army Center of Excellence in Acoustics			4,100	3,280
	Center for Borane Technology			2,000	2,000
	Development and Demonstration of Multi-use/Urban Operations Joint Training System at Fort Dix			3,000	2,400
	Electroconversion of Energetic Materials			6,000	5,800
	Electrolytic Super-Capacitor			3,000	2,400
	Engineered Surfaces for Weapons Life Extension			3,000	3,000
	Exploding Foils Initiators with Nanomaterial-based			3,000	2,400
	Fatigue Odometer for Vehicle Components and Gun Barrels Project Cannon Systems			3,300	2,640
	Lightweight Munitions and Surveillance for Unmanned Air and Ground Vehicles (Transfer to line 32)			5,000	0
	Research for Army Cannon Systems			2,300	1,840
	Ripsaw Unmanned Ground Vehicle Weaponization			2,000	1,600
18	**ELECTRONICS AND ELECTRONIC DEVICES**	**43,391**	**88,791**	**78,491**	**106,191**
	Non-Flammable, High Energy Density, Low temperature Warrior Battery		1,000		800
	ONAMI Miniature Tactical Energy Systems Development		3,000	2,500	2,500
	Advanced Portable Power Institute (APPI)		2,000		1,600
	Miniature Cooling Unit for Electronic Devices		1,000		1,000
	Revolutionary Self-Sealing Plastic Enclosure for Military Batteries		2,000		1,600
	Defense Modernization and Sustainment Initiative, Rochester Institute of Technology (Includes transfer from RDTE,N line 18)		2,000		2,000
	Roll-to-Roll Microelectronics Manufacturing in Support of the Flexible Display Initiative		2,000		1,600
	Low Signature Portable Fuel Cell Power Systems		3,000		2,800
	Mega-Capacity Hybrid Chemistry Lithium Primary Portable Batteries		1,000	2,000	1,600
	Manufacturing Technology Development of Advanced Components for High Power Solid-State Lasers		2,000		1,600
	Micromachined Switches in Support of Transformational Communications Architecture		2,000		1,600
	Lithium Air Metal Battery		2,000		4,000
	Soldier Portable Solid Fuel Hydrogen Generator Cartridge		3,000	5,000	4,000
	Silicon Carbide MOSFETs for Electric Power Systems (Includes transfer from RDTE,N line 10)		2,000		1,600
	High-Frequency, High-Power Electronic and Optoelectronic Devices on Aluminum Nitride (AlN)		2,000	3,000	2,400
	Novel Zinc Air Power Sources for Military Applications		2,500		2,000
	Ceramic Membrane - 10(X) More Energy for Battery Systems		1,000		1,000
	Advanced Lithium-Carbon Monoflouride Combat Portable Batteries		4,900		3,920
	Advanced Wearable Microcell Power System Process Development		2,500		2,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
	Bio-Battery		1,500		1,200
	Soldier Fuel Cell System		1,000		800
	Blast Risk Analysis and Mitigation Application (BRAMA)		2,000		1,600
	Advanced, Integrated Portable Power Generation and Charging System			3,100	2,480
	Cogeneration for Enhanced Cooling and Heating of Advanced Tactical Vehicles			3,000	2,400
	Enzyme Biofuel Cell (SEBC)			1,000	1,000
	Improved Energy Density Battery			1,000	800
	Large Format Li-Ion Battery			1,000	800
	PEM Fuel Cell Tactical Generators			5,000	5,000
	Portable Hydrogen Generator and Hybrid Power Source			2,000	1,600
	Renewable Energy for Military Applications			1,500	1,500
	Self-powered, lightweight, flexible display unit on a plastic substrate			2,000	1,600
	Thin Lithium-Iron Disulfide Primary Batteries			3,000	2,400
19	**NIGHT VISION TECHNOLOGY**	**24,391**	**40,391**	**26,391**	**35,191**
	Next Generation Communications System		1,000		1,000
	Standoff Improvised Explosive Device Detection Program (SIEDP) (Transfer to line 20)		3,000		0
	Enhanced Micro-Image Display Technology		2,000		1,600
	Power Efficient Microdisplay Development for US Army Night Vision		3,000		2,400
	Personal Miniature Thermal Viewer (PMTV)		1,000		800
	Hyperspectral Sensor for UAV Surveillance/Targeting		2,000		1,600
	Miniaturized Sensors for Small and Tactical Unmanned Aerial Vehicles (MINISENS)		1,000		1,000
	Robotics Workforce and Military Curriculum		1,000		800
	Next Generation FPA Development (Transfer to line 50)		2,000		0
	Small Business Infrared Materials Manufacturing - Silicon Alternatives			2,000	1,600
20	**COUNTERMINE SYSTEMS**	**21,795**	**21,795**	**25,795**	**30,495**
	Standoff Improvised Explosive Device Protection Program (Includes transfer from line 19)			4,000	3,200
	Hawaii Undersea Military Munitions Assessment (Transfer from Hawaii Undersea Chemical Weapons Assessment Program in lines 22 and 66)				5,500

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
21	HUMAN FACTORS ENGINEERING TECHNOLOGY	17,426	44,426	17,426	40,026
	High Optempo Performance Soldier Training		2,000		1,600
	LWI Training-Based Collaborative Research		25,000		21,000
22	ENVIRONMENTAL QUALITY TECHNOLOGY	15,809	25,309	17,009	20,209
	Hawaii Undersea Chemical Weapons Assessment Program (Transfer to line 20)		5,500		0
	Biowaste to Bioenergy: Phase Two		2,000		1,600
	Vanadium Technology Program		2,000		1,600
	Propelling Agent for Slurry Gel			1,200	1,200
23	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	22,215	38,465	23,715	37,215
	Integrated Lightweight Electronics Shelter		1,750		1,400
	Dynamically Managed Data Dissemination		1,000		1,000
	Advanced 3-D Locator (A3DL) Technology		4,000		3,200
	C4ISR Integrated Digital Environment Service Model (IDESM)		2,000		2,000
	Development of a High Performance Computing System Based on a Modern High Speed Switch Fabric		1,000		1,000
	Research of Advanced Communications Technologies for enhanced secure, mobile, networked communications		1,000		800
	Lightweight Theater Transportable TOC		3,000		2,400
	Intelligent Distributed Command & Control (IDC2)		2,500		2,000
	Portable Flexible Communication Display Devices			1,500	1,200
24	COMPUTER AND SOFTWARE TECHNOLOGY	5,368	11,368	5,368	9,868
	Biologically Inspired Security Infrastructure for Tactical Environments (Transfer to line 25)		1,000		0
	Ruggedized Cylinders for Expandable Mobile Shelters		5,000		4,500
25	MILITARY ENGINEERING TECHNOLOGY	51,120	54,620	56,720	59,200
	C-RAM Armor Development		1,500		1,200
	Nano-Crystalline Cement for High Strength, Rapid Curing Concrete with Improved Blast Resistance		2,000		1,600
	Airborne Threats			1,600	1,280
	Biologically Inspired Security Infrastructure for Tactical Environments (Includes transfer from line 24)			2,000	2,000
	Geosciences/Atmospheric Research (Includes transfer from line 27)			2,000	2,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
27	**WARFIGHTER TECHNOLOGY**	**23,083**	**33,583**	**33,583**	**36,483**
	Chemical And Biological-Protective Hangars (CAB-PH)		2,000		1,600
	Modular Ballistic System for Force Protection		4,000	5,000	4,000
	Nano-enabled Ultra High Storage Density Non-volatile Memory for Next Generation Commander's Digital Assistant				1,000
	Active and Smart Packaging for Combat Feeding		1,000		1,000
	Advanced Fabric Treatment for Flame Resistant Uniforms		1,000		1,000
	Injection Molded Ceramic Body Armor		500		400
	Center for Geosciences/Atmospheric Research (CG/AR) (Transfer to line 25)		2,000		0
	Biosecurity Research for Soldier Food Safety			2,500	2,000
	Carbon Nanotube Armor Protection System			2,000	1,600
	Protective Textile Fabric			1,000	800
28	**MEDICAL TECHNOLOGY**	**76,544**	**183,334**	**106,544**	**185,434**
	Advanced Bio-engineering for Enhancement of Soldier Survivability		2,000	1,500	1,600
	Armed Services Gynecological Cancer Health Program		2,000		1,600
	BioFoam Protein Hydrogel for Battlefield Trauma		2,500	2,000	2,000
	Bone Health and Military Medical Readiness Program		1,000		800
	Cancer Prevention through Remote Biological Sensing		2,000		1,600
	Cedars-Sinai Core Imaging Center		3,000		2,400
	Center for Advanced Surgical and Interventional Technology (CASIT)		1,000		1,000
	Center for Vaccine Scale-Up Process Research (Phase I)		1,000		800
	Center for Injury Biomechanics		4,000	2,000	3,200
	Center for Ophthalmic Innovation		2,000		2,000
	Center for Research on Integrative Medicine for the Military (CRIMM)		1,000		1,000
	Center for Resuscitation Research		3,000		3,000
	Cold Spring Harbor Laboratory Women's Cancer Genomics Center		4,000		3,200
	Cone Beam CT Scanners		4,000		3,200
	Copper Air Quality Program		2,000		1,600
	Defense Against Viral Infection (DAVI)		2,000		1,600
	Disposable Unit Dose Drug Pumps for Anethesia and Antibiotics		2500		2,000
	Electronic Technology Infrastructure in Support of Military Missions		2,000		1,600
	Epigenetic Disease Research		2,000		1,600
	Fibrin Adhesive Stat (FAST) Dressing		2,000	2,000	2,000
	Impact of Intensive Lifestyle Modification on Chronic Medical Conditions		2,500		2,000
	Improving Musculoskeletal Health & Function		1,500		1,200
	Injury Research Center-Ryder Trauma Center		3,500		2,800
	Integrated Medicine, Communications, Compassion, Chronic Care Program		2,000		1,600

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1	Budget Request	House	Senate	Conference
Mass Decontamination and Biosecurity Initiative		350		350
Medical Image Database Holographic Archiving Library System (MIDHALS)		1,000		1,000
Medical Resources Conservation Technology Pilot Energy Cost Control Evaluation (PECCE)		1,500		1,200
Military Interoperable Digital Hospital Testbed		5,000		4,000
Molecular Switch Vaccines for Biodefense and Cancer		2,000		1,600
Nanofabricated Bioartifical Kidney and Bioterrorism		1,000		1,000
Neuroscience Research Consortium to Study Spinal Cord Injury		1,000		800
Neutron/Hadron Particle Therapy		2,000		1,600
Orthopedic Implant Design and Manufacturing for Traumatic Injuries		2,000		1,600
Oxygen Diffusion Dressings for the Accelerated Healing of Battlefield Wounds and Burns		500		500
Pain and Neuroscience Center Research Center		7,000		5,600
Plant-based Vaccine Research		2,500		2,000
Prevention of Radiation Injury by use of Statins		2,000		1,600
Proton Therapy		3,000		2,400
Rapid Vaccine Discovery Technology		2,500		2,000
Rapid Wound Healing Technology Development Project		1,500		1,200
Rare Blood Program		1,000		0
Regional NMR Facility		1,000		1,000
Remote Robotic Teleproctoring to Promote Rapid Surgical Skills Acquisition		1,000		1,000
Respiratory Biodefense Initiative		1,000	2,000	1,600
Storage Area Network		1,000		1,000
Synchrotron-Based Scanning Research		5,000		5,000
Synthetic Malaria Vaccine		3,000		2,400
Technological Regional Center of Excellence for PTSD		2,000		1,600
West Nile Virus Vaccine		940		940
Wound Infection Treatment Program		1,500		1,200
Carbon Nanotube Production			1,000	1,000
Complementary and Alternative Medicine Research (MIL-CAM)			5,000	5,000
MRI-DTI Technology to Improve Diagnosis and Treatment of TBI			2,500	2,500
New Vaccines to Fight Respiratory Infection			4,000	4,000
Orthopaedic Extremity Trauma Research Program			6,000	4,800
Staph Vaccine			2,000	2,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
29	**WARFIGHTER ADVANCED TECHNOLOGY**	**47,065**	**57,495**	**75,765**	**86,709**
	High Pressure Airbeam Shelter Cost Reduction Technology Improvements		1,800		1,440
	Flame & Thermal Protection for Individual Soldiers		2,000		1,600
	Remote Environmental Monitoring and Diagnostics in the Perishables Supply Chain		5,630		4,504
	Extended Shelf Life Produce for Remotely Deployed Forces		1,000		800
	Multifunctional Protective Packaging Technology (Transfer from line 30)				3,000
	Ration Packaging Materials and Systems for Meals Ready-to-Eat (Transfer from line 30)				4,600
	J50 program adjustment			-4,300	-3,300
	Alternative Energy Research			20,000	16,000
	BioSensor Communicator and Controller System			3,000	3,000
	ChemBio Integrated Material for Tent Structures			2,000	1,600
	Deployment of Affordable Guided Airdrop System			2,000	1,600
	High-Pressure/Microwave MRE Processing			2,000	1,600
	Joint Precision Airdrop System (JPADS) Program for Payloads up to 30K lbs			4,000	3,200
30	**MEDICAL ADVANCED TECHNOLOGY**	**53,274**	**287,474**	**134,924**	**301,584**
	Acellular Matrix Constructs for Military Casualties		2,500		2,000
	Advanced Diagnostic and Therapeutic Digital Technologies		2,000		1,600
	Advanced Non-Invasive Glucose Monitoring		1,000		800
	Advanced Proteomics Program		1,500		1,200
	Advanced Regenerative Medicine (ARM) Skin Cell Therapies, Limb and Digit Treatment		2,000	1,500	1,900
	Advanced Regenerative Medicine Development		2,500		2,000
	Advanced Restoration Therapies in Spinal Cord Injuries		1,000		1,000
	Alliance for NanoHealth		4,000		4,000
	ALS Therapy Development for Gulf War Illness Research		1,500		1,200
	Angiogenesis and Tissue Engineering Research		1,500		1,200
	Assistive Technology Research Center at the National Rehabilitation Hospital		3,000		2,400
	National Oncogenomics and Molecular Imaging Center		3,000		3,000
	Battlefield Exercise and Combat Related Spinal Cord Injury Research		3,000		3,000
	Bioceramic Bones for Battlefield Trauma (Includes transfer from RDTE, D-W line 17)		1,500		1,600
	Blood Safety and Decontamination Technology		2,500		2,000
	Cartledge Infuser		1,000		1,000
	Cellular Therapy for Battlefield Medical Care		1,000		800
	Center for Genetic Origins of Cancer		3,000		2,400
	Center for Integration of Medicine and Innovative Technology (CIMIT)		10,000	5,000	8,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1	Budget Request	House	Senate	Conference
Christian Sarkine Autism Treatment Center		2,500		2,000
COG/USOC Pediatric Cancer Center		2,000		1,600
Combat Wound Initiative at Walter Reed Army Medical Center				2,000
Composite Tissue Allotransplantation Research and Clinical Program		2,000		2,000
Cooperative International Neuromuscular Research Group (CINRG)		6,500		5,200
Dangerous Pathogens DNA Forensics Center		2,500		2,000
Electronic Medical Records Technology Infrastructure		1,500		1,200
Feeding Tube for Trauma and Burn Patients		1,000		500
Health Science Center Rapid Bio-Pathogen Detection Technology		2,000		4,000
Human Genomics, Molecular Epidemiology and Clinical Diagnostics for Infectious Diseases		1,500		1,200
Immersive Medical Environment for Distributed Intuitive Consultation (iMedic)		2,000		1,500
Indiana-Ohio Traumatic Amputation Rehabilitation Research		1,000		1,000
Integrated Functional Materials Initiative		1,000		1,000
Joint Medical Simulation Technology Research & Development Center		1,600		1,280
Maine Institute for Human Genetics				500
Medical Information Network Decision Support (MINDS) Tool Development		1,000		1,000
Medical Surveillance Initiative-Clinical Looking Glass		1,000		800
Military Biomaterials Institute for Acute and Regenerative Care		1,000		800
Military Low Vision Research		2,000		1,600
Military Molecular Medicine Initiative		15,000		12,000
Mobile Integrated Diagnostic and Data Analysis System (MIDDAS)		1,000		800
Multifunctional Protective Packaging Technology (Transfer to line 29)		3,000		0
National Bioterrorism Civilian Medical Response Center (CIMERC)		2,500		2,000
National Center of Ophthalmology Training and Education at Wills Eye Health System		2,500		2,000
National Functional Genomics Center		7,500		6,000
National Warfighter Health Sustainment Study		1,000		800
Neural Control of External Devices		1,000		1,000
Neurofibromatosis (NF) Research		10,000		8,000
Neuroimaging & Neuropsychiatric Trauma in US Warfighters		5,000	3,000	4,000
Neurotoxin Exposure Treatment Research Program		25,000		20,000
Norfolk State University Center for Systems and Modeling & Simulation		3,100		2,480
Nursing Clinical Simulation Lab		1,000		1,000
Obesity and Cancer in the Military Medical Research Program at WRAMC		2,000		1,600
PBRC Four Tasks to Address Personnel Readiness and Warfighter Performance		2,500		2,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1	Budget Request	House	Senate	Conference
Pediatric Brain Tumor & Neurological Disease Institute		2,000		1,600
Peoria Robotics		1,000		1,000
Personalized Orthopedic Implants for Combat Trauma Induced Orthopedic Surgery		500		500
Portable Burn Debridement Laser Demonstration		3,000		2,400
Portable Digital X-Ray		4,000		3,200
Host Pathogen Interaction Study		1,000		1,000
Prader-Willi Syndrome (PWS) Research		1,500		1,500
Proton Beam Therapy		10,000		8,000
Ration Packaging Materials and Systems for Meals Ready-to-Eat (Transfer to line 29)		5,000		0
Remote Bio-Medical Detector		1,000		1,000
Gulf War Illness Peer Reviewed Research		7,500	15,000	10,000
Rural Health - CERMUSA		2,000		1,600
Severe Battlefield Injury Treatment (Note: Technology to Prevent Compartment Syndrome)		2,000		1,600
Spinal Muscular Atrophy (SMA) Research Program		4,000		3,200
Technologies for Metabolic Monitoring (TMM)		2,000		1,600
Telehealth Access and Infrastructure Expansion		2,000		1,600
Telepharmacy Robotic Medicine Device Unit		2,000		1,600
The Institute for the Advancement of Bloodless Medicine		2,000		1,600
Three Dimensional Projection Environment for Molecular Design and Surgical Simulation		1,000		1,000
Tracking of Health of Soldiers with Advanced Implantable Nanosensors		2,000		1,600
National Eye Evaluation and Research Network - Clinical Trial of Orphan Retinal Degenerative Disease		3,000		2,400
Ultra High-Speed MEMS Electromagnetic Cell Sorter		3,000		2,400
Ultra-High Resolution Display for Army Medicine		4,500		3,600
UMDNJ Cancer Initiative (Note: includes continuation of the Gallo Prostate Cancer Center)		3,000		2,400
Targeted Radiation Therapy for Cancer Initiative				1,000
University of Kentucky Robotic Surgery Research				2,000
University of Kentucky Tissue Repair Research				1,000
Warfighter Cancer Care Engineering		1,500		1,200
Wireless Electronic Patient Records, WPIC-Personal Information Center		2,000	2,000	2,000
Advanced Lower Limb Prosthesis for Battlefield Amputees			3,000	3,000
Advanced Medical Training Platform: Madigan Army Medical Center			500	400
Advanced Surface Technologies for Prosthetic Development			2,000	1,600
Battlefield Tracheal Intubation for Wounded Soldiers			2,000	1,600
BEAR (Battlefield Extraction-Assist Robot)			2,000	1,600
Brain, Biology, and Machine Applied Research			2,000	2,000
Burns Outcomes Infrastructure Project - only for dual military/civilian application			3,000	2,400

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
	Control of Inflammation and Tissue Repair (CITR)			2,000	1,600
	Hibernation Genomics			2,000	1,600
	Institute for Regenerative Medicine			3,000	2,400
	Integrated Patient Quality Program			2,000	1,600
	Limb Tissue Regeneration after Battlefield Injuries using Bone Marrow Stem Cells			4,000	4,000
	Medical Modeling and Simulation Through Synthetic Digital Genes			2,000	1,600
	National Biodefense Training			1,750	1,750
	Post-IED Craniofacial Injury Reconstruction			2,000	1,600
	National Functional Genomics Study			3,000	2,400
	Robotic Telesurgery in Combat Environments			3,500	3,500
	Rugged Electronic Textile Vital Signs Monitoring			2,000	1,600
	Surgical Wound Disinfection and Biological Agents			2,000	1,600
	Trauma Care, Research and Training			2,000	2,000
	US Approved Drugs for Malaria and Leishmaniasis in US Military and Civilian Personnel			3,400	3,400
	Walter Reed Preventive Medicine Pilot Program			6,000	5,500
31	**AVIATION ADVANCED TECHNOLOGY**	**53,890**	**77,390**	**93,190**	**99,530**
	Drive System Composite Structural Component Risk Reduction Program		3,000		2,400
	Fuel Cells for Mobile Robotic Systems Project		1,000	3,000	2,400
	Universal Control Full Authority Digital Engine Control		3,000	3,000	3,000
	UAV-Resupply BURRO		2,000	2,000	2,000
	Night Vision Goggle Compatible Electrostatically Conductive Windscreen Laminates for use on Acrylic/polycarbonate windscreens on helicopters		1,500		1,200
	Power Dense Transmissions		1,000		800
	Inter Turbine Burner for Turbo Shaft Engines		5,000		4,000
	Technologies for Military Equipment Replenishment		4,000	4,000	4,000
	Autonomous Cargo Acquisition for Rotorcraft Unmanned Aerial Vehicles		3,000		2,400
	Alternate Payload Bomb Live Unit Munition			2,800	2,240
	Enhanced Rapid Tactical Integration and Fielding of Systems			2,000	1,600
	Excalibur			3,000	2,400
	Helmet Mounted Display/Visor Projection for Army Helicopters			2,000	1,600
	Improved VAROC/UAV compression system development			3,000	2,400
	Joint Technical Data Integration - Wide Intelligraf Content Enhancements			4,000	4,000
	Parts-on-Demand for CONUS Operations			4,500	3,600
	Quick-MEDS Automated Release Pod			2,000	1,600
	Vectored Thrust Ducted Propeller (VTDP) Compound Helicopter Advanced Technology Demonstration			4,000	4,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
32	**WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY**	**59,389**	**85,889**	**62,189**	**86,529**
	Micro Electrical Mechanical Systems (MEMS) Application for Armor and Munitions		2,500		2,500
	Lightweight Munitions and Surveillance System (LMSS) for Unmanned Air & Ground Vehicles (Includes transfer from line 17)		2,000		4,000
	Reactive Nanocomposite Materials		1,000		1,000
	Production of Affordable New Shaped MER Titanium		4,000		0
	Advanced Tungsten Penetrators and Ballistic Materials		2,000		1,600
	Nanotechnology Fuze-on-a-Chip		4,000		3,600
	Rapid Prototyping for Special Projects		5,000		5,000
	Rapid Insertion of Developmental Technologies		3,000		2,400
	Common Smart Submunition (CSS)		1,000		1,000
	Disruptive Technology Acceleration		2,000		1,600
	L96 program adjustment			-5,000	-2,000
	Development of Truck-deployed Explosive Containment Vessel			1,800	1,440
	Integrated Aircraft Test Bed			2,000	1,600
	Knowledge Driven Manufacturing System (KDMS)			1,000	1,000
	Lightweight Cannon Recoil Reduction			1,000	800
	Raman Chemical Identification System			2,000	1,600
33	**COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY**	**131,436**	**197,386**	**193,321**	**247,216**
	Tactical Wheeled Vehicle Structures for Improved Survivability and Performance		4,000	5,000	4,000
	Special Operations Vehicle - lightweight, Armored, Hybrid, Power Generating,Tactical Vehicle		2,000		1,600
	Tactical Rocket Propelled Grenade Airbag Protection System (TRAPS) Enhancement		2,000		1,600
	LEAN Digital Product Development		1,000		2,000
	Networked Reliability and Safety Early Evaluation System (NRSEES)		2,000		1,600
	Advance Lithium Iron Phosphate Battery System for Army Combat Hybrid HMMWV and Other Army Vehicle Platforms		2,000		1,600
	Antiballistic Windshield Armor (AWA)		3,000	4,000	4,000
	Center for Tribology and Coatings		2,000		1,600
	Defect-Free Commercially Viable Si/C Semiconductor Using Superlattice Technology		4,000		3,200
	On-Board Vehicle Power Management		2,000		1,600
	High Performance Aluminum Structures and Components		2,000		1,600

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
	Military and Interstate Commercial Truck Component Weight Reduction Program		3,000		2,400
	Hydraulic Hybrid Vehicles (HHV) for the Tactical Wheeled Fleet		1,000		1,000
	3-D Advanced Battery Technology		4,000	2,000	3,200
	High Speed Diesel Combustion		2,000	4,000	3,200
	Vehicle Armor Structure Development and Testing for Future Combat Systems and Joint Light Tactical Vehicle		1,000		1,000
	Liquid Desiccant-Based Atmospheric Water Generation without Reverse Osmosis		1,000		900
	Diminishing Manufacturing Sources and Material Shortages (DMSMS) Case Resolution Program		2,000	2,000	2,000
	Battlefield Requirements Management Support System		1,000		1,000
	High Strength, Powder Metal Gears for Vehicle Transmissions		3,250		2,600
	Improved HMMWV Tactical Shelter Project		1,200		1,000
	No Idle System (NIS)		1,000		1,000
	Advanced Thermal Management System		4,000		3,200
	Advanced Composites Development for Light Weight, Low Cost Transportation Systems Using 3+ Extruder		4,000		3,200
	Tactical Wheeled Vehicle Composite Component Weight Reduction Program		3,000		2,400
	Diesel Hybrid-Electric Utility Vehicles		2,500		2,000
	Secure On-the-Move Information Analysis and Control for Advanced Combat Vehicles		2,000		1,600
	Full Spectrum Close-in Layered Shield (FCLAS) for thin skinned vehicles (Transfer from line 55)				1,600
	FED			-10,000	0
	53G Unjustified Program			-14,215	0
	Active Protection Systems Initiative for the Joint Light Tactical Vehicle			3,800	3,040
	Advanced Digital Hydraulic Hybrid Drive System (Transfer to line 13)			1,000	0
	Advanced Lightweight Composite Armor			2,000	1,600
	Advanced Thermal and Oil Management Controls			2,000	1,600
	Armor Ready Composite Cab Transition			3,000	3,000
	Army Fuel Cell Non-Tactical Vehicle Propulsion (Included in below entry for Next Generation Non-Tactical Vehicle Propulsion)			2,000	0
	Center for Military Vehicle Technologies			5,100	4,080
	Crosshairs Hostile Fire Indicating System			3,000	3,000
	Enhanced Directed Armor RPG Vehicle Protection System			1,000	800
	Field Deployable Fleet Hydrogen Fueling			3,000	2,400
	Fuel Cell Cost Reduction and Durability Improvements			2,000	1,600

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
	Ground Forces Readiness Enabler for Advanced Tactical Vehicles (GREAT-V)			2,000	1,600
	Ground Vehicle Fastening and Joining Research			1,000	800
	Hybrid Engine Development Program for the Tactical Wheeled Vehicle Fleet			8,000	8,000
	Lightweight Structural Composite Armor for Blast and Ballistic Protection		2,000	2,000	2,000
	Next Generation Manufacturing Technologies for Defense Supply Chain			4,000	3,200
	Next Generation Non-Tactical Vehicle Propulsion (Includes funding for Army Fuel Cell Non-Tactical Vehicle propulsion)			2,000	1,600
	Novel Onboard Hydrogen Storage System Development			3,000	2,400
	Rotary Multi-Fuel Auxiliary Power Unit for M1A1 Abrams Tank		2,000	2,000	2,000
	Unmanned Ground Vehicle Initiative (UGVI)			12,000	12,000
	Vehicle Design Optimization Tools (Transfer to line 13)			1,000	0
	Vehicle Information Manager Display for Drivers (VMID)			1,000	800
	Vehicle Maintenance and Prognostics System			3,200	2,560
34	**COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY**	**12,255**	**14,255**	**12,255**	**14,255**
	No-Idle Climate Control for Military Vehicles		2,000		2,000
36	**ELECTRONIC WARFARE ADVANCED TECHNOLOGY**	**49,199**	**58,449**	**49,199**	**57,099**
	Applied Communications and Information Networking (ACIN)		5,000		4,000
	Advanced Wireless Technologies				500
	Portable Mobile Emergency Broadband Systems (PMEBS)		4,250		3,400
38	**NEXT GENERATION TRAINING AND SIMULATION SYSTEMS**	**18,723**	**22,223**	**21,723**	**22,523**
	Joint Fires and Effects Training System (JFETS)		2,500	2,000	2,000
	Vigilant Auto-ID and Access Control System		1,000		1,000
	Experiential Technologies for Urban Warfare and Disaster Response			1,000	800
40	**IED DEFEAT TECHNOLOGY DEVELOPMENT**	**0**	**3,000**	**0**	**2,400**
	Compact Pulse Power Initiative		3,000		2,400
41	**EXPLOSIVES DEMILITARIZATION TECHNOLOGY**	**10,349**	**13,349**	**19,849**	**21,649**
	Sierra Army Depot Cryofracture/Plasma Arc Transportable System		3,000		2,400
	Cryofracture/Plasma Arc Demilitarization Program			3,000	2,400
	Missile Recycling Capability - Letterkenney Munitions Center			6,500	6,500

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
42	**MILITARY HIV RESEARCH**	**6,998**	**16,998**	**6,998**	**14,998**
	HIV Research		10,000		8,000
45	**ELECTRONIC WARFARE TECHNOLOGY**	**17,419**	**44,919**	**23,419**	**42,219**
	Advanced IED Jammer Research and Development Program		3,000		2,400
	WIZARD - Remotely Controlled Improvised Explosive Device Countermeasures		2,000		1,600
	Advanced Communications ECM Demonstration (Augments current program)		12,000		9,600
	Non-communications ECM Technology Demonstration (Augments current program)		8,000		6,400
	US Army Future Force ELINT		2,500		2,000
	DAIRCM/CMWS for Army helicopters			6,000	2,800
46	**MISSILE AND ROCKET ADVANCED TECHNOLOGY**	**60,353**	**72,353**	**69,353**	**77,753**
	Waterside Wide Area Tactical Coverage & Homing (WaterWATCH)		3,000		3,000
	Smart Energetics Architecture for Missile Systems		2,000		1,600
	Rapid Response System for Protection of Air and Ground Vehicles		5,000		4,000
	Nanosystem Engineering for Missile Applications (NEMA)		1,000		0
	High Fidelity Virtual simulation and Analysis (HFVSA)		1,000		1,000
	Army Virtual Emergency Research Testbed (AVERT)			3,000	2,400
	Perimeter & Maritime Sensor Network			3,000	2,400
	Software Engineering Enhancements			3,000	3,000
48	**LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY**	**25,315**	**27,315**	**29,315**	**30,915**
	Enhanced Landmine and IED Detection Technology		2,000		1,600
	Advanced Demining Technology			4,000	4,000
49	**JOINT SERVICE SMALL ARMS PROGRAM**	**8,097**	**9,347**	**8,097**	**10,697**
	Modular Individual Weapon Sight and Low Cost Remote Weapon Station		1,250		1,000
	Polymer Small Arms Production (Transfer from PA,A line 2)				1,600
50	**NIGHT VISION ADVANCED TECHNOLOGY**	**35,892**	**44,892**	**47,892**	**54,292**
	Hyperspectral Sensors for Improved Force Protection (Hyper-IFP)		2,000		1,600
	Advanced Night Vision Sensors		2,500		2,000
	Cable Warning and Obstacle Avoidance System		1,500		1,200
	Hand Launched Unmanned Aerial System High Performance Payload (SUAS HPP)		3,000		2,400
	Enhanced Digital Electronic Night Vision (EDEN)			4,000	3,200
	FCS Short Range Electro Optic (SREO) Sensor for Stryker			4,000	3,200
	UCXR System			4,000	3,200
	Next Generation FPA Development (Transfer from line 19)				1,600

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
52	**MILITARY ENGINEERING ADVANCED TECHNOLOGY**	**6,837**	**22,037**	**15,037**	**28,537**
	Gas Engine Driven Air Conditioning Demonstration		1,500		1,200
	Synthetic Auto Virtual Environment (SAVE)		2,000		1,600
	Defense Applications of Carbonate Fuel Cells		2,000		1,600
	Zero Energy Homes at Ft. Knox, Kentucky		1,200		1,000
	Natural Gas Firetube Boiler Demonstration		500		500
	JGES for Improved Combat Situational Awareness		5,000		4,000
	Fireproofing/Corrosion Resistant Coating System for Military Infrastructure		1,000		1,000
	Army Applications of Direct Carbon Fuel Cells		2,000		1,600
	Advanced Tactical Fuels for the Military			2,000	2,000
	Development and Research of Zero Energy Homes at Ft. Campbell			1,200	2,200
	Direct Methanol Fuel Cell Development			2,000	2,000
	Regenerative Fuel Cell System for Silent Camp Operations			3,000	3,000
53	**ADVANCED TACTICAL COMPUTER SCIENCE & SENSOR TECHNOLOGY**	**67,011**	**78,511**	**67,631**	**74,611**
	Advanced Radar Transceiver Integrated Circuits Development		1,000		800
	Sensor Visualization and Data Fusion (SVDF)		1,500		1,200
	X-band Interferometric Radar		2,000	2,000	2,000
	1 Megawatt Molten Carbonate Fuel Cell Demonstrator at 29 Palms		2,000	4,000	3,200
	Aviation Responsive Maintenance System		2,000		1,600
	Advanced Battery Technology (Transfer to line 55)		1,000		0
	Software Lifecycle Affordability Management (SLAM)		2,000		2,000
	FOPEN descope			-16,380	-12,000
	Enhanced Multi-Mission Radar			3,000	2,400
	HYPERSAR Radar			4,000	3,200
	Shared Vision			4,000	3,200

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
55	**ARMY MISSILE DEFENSE SYSTEMS INTEGRATION**	**14,389**	**59,389**	**112,389**	**128,229**
	Standoff Hazardous Agent Detection & Evaluations System (SHADES)		2,000	2,000	2,000
	BAFST (Biological Air Filtration System Technology)		2,000		1,600
	Advanced Standoff Technologies for National Security		1,000		800
	Micro Seeker System for Small Steerable Projectiles		2,000		1,600
	Full Spectrum Active Protection Close-In Layered Shield (FCLAS) for Thin-Skinned Vehicles (Transfer to line 33)		2,000		0
	Advanced Hypersonic Weapon Mission Planning		3,000		2,400
	Next Generation Interceptors Materials Research		2,000		1,600
	Thermal and Electrical Nanoscale Transport (TENT)		2,000		1,600
	Integrated Composite Mounting Hardware		1,000		1,000
	Transfer Missile Power System		2,000	3,000	2,400
	Advanced Fuel Cell Research Program, also known as Advanced Laser Electric Power (ALEP)		3,000	2,000	2,400
	Radiation Hardening Initiative (RHI)		2,000	2,000	2,000
	Remote Explosive Analysis and Detection System (READS)		2,000		1,600
	Micro-systems and nano-technology for Advanced Technology Development		1,000		1,000
	Orion High Altitude Long Endurance UAV		7,500		6,000
	Next Generation Passive Sensors (NGPS)		5,000		4,000
	Dielectrically Enhanced Sensor System (DESS)		5,500		4,400
	Advanced Battery Technology (Transfer from line 53)				1,000
	Adaptive Lightweight Materials for Missile Defense			2,000	1,600
	Advanced Cavitation Power Technology			5,900	5,420
	Advanced Electronics Rosebud Integration			4,000	4,000
	Advanced Environmental Control System			4,000	4,000
	Advanced Hypersonic Weapon Technology Demonstration			41,700	41,700
	Advanced Strap-down Seeker			2,500	0
	AHW BMC2 HWIL Technology Demonstration			3,000	2,400
	Alternative Power Technology (APT) for Missile Defense			4,000	3,200
	Compact Pulsed Power for Defense Applications			2,000	1,600
	Future TOC Hardware/Software Integration			2,000	1,600
	Heat Dissipation for Electronic Systems & Enclosures			3,000	2,400
	Model-Based Enterprise			1,000	800
	Neutralization of IEDs			3,000	3,000
	Low-Earth Orbit Nanosatellite Integrated Defense Autonomous Systems (Transfer to RDTE,AF line 61)			5,000	0
	Vertical Integration for Missile Defense Surveillance Data			5,900	4,720

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
56	**ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)**	**17,421**	**29,321**	**39,621**	**49,601**
	Simulation and Design of Large Electromagnetic Systems		1,900		1,520
	Spatial Acquisition and Measurement of Power Sources		1,000		1,000
	Integrated Modeling of Air & Ground Environments (IMAGE)		3,000		2,400
	Geospatial Airship Research Platform (GARP)		4,000		3,200
	Ultra Light UAV Sensor Platform (ULSP)		2,000		1,600
	High Altitude Airship (Transfer from Senate GP 8116)				2,500
	High Energy Matter Space Propulsion (Transfer from RDTE,AF line11)				800
	Applied Counterspace Technology (ACT) Testbed			6,400	5,120
	HiSentinel			5,800	4,640
	Integrated Nanosat Delivery System			3,000	2,400
	Low Cost Interceptor (LCI)			5,000	5,000
	Tactical Overwatch High Altitude System (TOHAS)			2,000	2,000
57	**AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING**	**176,142**	**178,142**	**170,142**	**171,542**
	Army Extended Range Attack Missile (AERAM) Turbine Engine Development		2,000		1,600
	S32 unjustified growth			-10,000	-10,000
	Advanced Extended Range Attack Missile			1,000	800
	Border Security and Defense Systems Research			3,000	3,000
60	**SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV**	**19,449**	**19,449**	**6,449**	**9,449**
	Excessive program delays			-13,000	-10,000
61	**TANK AND MEDIUM CALIBER AMMUNITION**	**44,578**	**44,578**	**48,578**	**47,778**
	High Explosive Air Burst (HEAB) 25mm Ammunition			4,000	3,200
62	**ADVANCED TANK ARMAMENT SYSTEM (ATAS)**	**142,486**	**144,986**	**142,486**	**144,486**
	Northern Ohio Integrated Command Operations Program		2,500		2,000
63	**SOLDIER SUPPORT AND SURVIVABILITY**	**4,787**	**4,787**	**5,787**	**5,787**
	Responsive Textiles			1,000	1,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
66	**ENVIRONMENTAL QUALITY TECHNOLOGY**	**6,149**	**20,799**	**20,149**	**18,699**
	Western Hemisphere Information Exchange Program (WHIX)		3,000		2,400
	Hawaii Undersea Chemical Weapons Assessment Program (Transfer to line 20)		5,500	5,500	0
	National Defense Center for Environmental Excellence		1,500		1,200
	Integrated Mission Critical Environment, Safety and Occupational Health Technology and Regional Sustainability Solutions Program		3,000		2,400
	Battlefield Plastic Biodiesel		1,650		1,650
	Battlefield Asset Recovery Decontamination System			3,000	0
	Modifications to mVHP for use against TICs/TIMs			2,500	2,500
	Web-Based Environmental Compliance Management			3,000	2,400
67	**WARFIGHTER INFORMATION NETWORK-TACTICAL**	**222,296**	**356,296**	**222,296**	**322,296**
	Transfer from Other Procurement, Army, Line 38 for Increment II		134,000		100,000
70	**LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV**	**27,499**	**27,499**	**27,499**	**38,236**
	Transfer from Other Procurement, Army line 163 for Harbor Master Command and Control Center				10,737
71	**COMBAT SERVICE SUPPORT CONTROL SYSTEM EVAL**	**19,054**	**19,054**	**13,554**	**15,054**
	Program growth without acquisition strategy			-5,500	-4,000
72	**MEDICAL SYSTEMS ADVANCED DEVELOPMENT**	**12,479**	**23,479**	**22,979**	**29,879**
	Total Quality System for FDA Regulated Activities at U.S. Army Medical Research and Materiel Command		1,000		800
	Lightweight Trauma Module (LTM)		3,000		2,400
	Future Medical Shelter System - 44/48 Bed Combat Support Hospital		2,500	7,500	6,000
	Future Medical Shelter System (FMSS)				2,000
	Pneumothorax Detection Device		1,500		1,200
	Electroosmotic Pain Therapy System		2,000		1,600
	Leishmaniasis Skin Test Antigen		1,000		1,000
	Wireless Medical Monitoring System (WiMed)			3,000	2,400

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
73	**SOLDIER SYSTEMS - ADVANCED DEVELOPMENT**	**18,178**	**22,478**	**16,778**	**20,218**
	Acid Alkaline Direct Methanol Fuel Cell Technology		2,000		1,600
	Warrior SIGINT Capability		2,300		1,840
	S54 40mm Reconnaissance Cartridge			-1,400	-1,400
77	**ARMED, DEPLOYABLE OH-58D**	**82,310**	**129,310**	**182,310**	**182,310**
	Transfer from Aircraft Procurement, Army, Line 3		47,000	100,000	100,000
78	**ELECTRONIC WARFARE DEVELOPMENT**	**55,716**	**55,716**	**58,016**	**57,556**
	Bi-Directional English-Iraqi Instant Language Translation System			2,300	1,840
83	**INFANTRY SUPPORT WEAPONS**	**45,229**	**53,229**	**57,229**	**63,429**
	Integration of the Javelin Antitank Missile onto the US Army Common Remotely Operated Weapon Station		2,000		1,600
	Integration of MK47, 40mm Air Burst Fuse Capability onto U.S. Army Common Remotely Operated Weapon Station		1,000		1,000
	Common Remotely Operated Weapon Station (CROWS) with Acoustic Target Recognition and Cueing Control		1,000		800
	Protector Enhancements and Integration on New Vehicle Platforms Program		2,000		1,600
	Enhanced Flame Retardant Body Protection		2,000		1,600
	Enhanced Self-Sintered Silicon Carbide Body Armor			2,000	1,600
	XM312			10,000	10,000
84	**MEDIUM TACTICAL VEHICLES**	**1,994**	**4,794**	**4,494**	**6,394**
	Track Over Tire System		800		800
	Universal Diagnostic Data Management System - Deployment		2,000		1,600
	Fuel Saving Continuously Variable Transmission for FMTV and JLTV			2,500	2,000
86	**FAMILY OF HEAVY TACTICAL VEHICLES**	**1,947**	**2,947**	**11,947**	**12,747**
	High Performance Aluminum Military Trailers		1,000		800
	Heavy Expanded Mobile Tactical Truck A3			10,000	10,000
88	**LIGHT TACTICAL WHEELED VEHICLES**	**82,300**	**55,300**	**38,800**	**38,500**
	Program delay		-27,000	-45,000	-45,000
	Second Source Tires for JLTV			1,500	1,200
90	**NON-LINE OF SIGHT LAUNCH SYSTEM**	**253,410**	**253,410**	**255,010**	**254,690**
	Enforc-IT Anti Tamper System			1,600	1,280
92	**FCS MANNED GROUND VEHICLES AND COMMON GROUND VEHICLE**	**696,333**	**506,033**	**696,333**	**596,033**
	Program Adjustment		-190,300		-100,300

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
93	**FCS SYSTEMS OF SYSTEMS ENGINEERING AND PROGRAM MANAGEMENT**	**1,589,466**	**1,422,466**	**1,589,466**	**1,507,466**
	Program Adjustment		-192,000		-102,000
	Small Business Technology Insertion		25,000		20,000
94	**FCS RECONNAISSANCE (UAV) PLATFORMS**	**41,164**	**42,264**	**41,164**	**43,664**
	FC3, FCS Reconnaissance (UAV) Platforms		2,500		2,500
	Program Adjustment		-1,400		0
95	**FCS UNMANNED GROUND VEHICLES**	**90,667**	**87,567**	**90,667**	**90,667**
	Program Adjustment		-3,100		0
97	**FCS SUSTAINMENT & TRAINING R&D**	**678,781**	**631,781**	**678,781**	**651,781**
	Program Adjustment		-47,000		-27,000
99	**NIGHT VISION SYSTEMS - SDD**	**44,619**	**44,619**	**47,619**	**47,619**
	Lightweight Multi-purpose Laser			3,000	3,000
104	**AUTOMATIC TEST EQUIPMENT DEVELOPMENT**	**18,025**	**18,025**	**8,025**	**10,025**
	L59 funding ahead of need			-10,000	-8,000
105	**DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - SDD**	**16,594**	**18,744**	**16,594**	**18,314**
	Joint Training Integration and Evaluation Center		2,150		1,720
108	**WEAPONS AND MUNITIONS - SDD**	**55,368**	**68,368**	**57,368**	**65,668**
	Mortar Anti-Personnel/Anti-Materiel (MAPAM) Development		3,000	2,000	2,400
	HYBRID Propellant for Medium and Large Caliber Ammunition		8,000		6,400
	Lightweight Multi-Functional Material Technology		2,000		1,500
109	**LOGISTICS AND ENGINEER EQUIPMENT - SDD**	**45,009**	**48,009**	**45,009**	**47,409**
	2kW Military Tactical Generator Product Improvement		3,000		2,400
111	**MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT**	**15,823**	**22,323**	**22,323**	**27,923**
	Advanced Packaging Solutions for Biotherapeutics		1,000		800
	Plasma Sterilizer		3,000	3,000	3,000
	Rotary Valve Pressure Swing Absorption Oxygen Generator		2,000		1,600
	Veterinary Research Manpower Development for Defense		500		500
	Military Applications of Medical Grade Chitosan			3,500	3,000
	Life Support for Trauma and Transport (LSTAT/LSTAT-Lite) (Transfer from OP,A line 146)				3,200

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
112	**LANDMINE WARFARE/BARRIER - SDD**	**142,315**	**146,315**	**157,958**	**161,158**
	Magneto Inductive Remote Activation Munitions Systems MI-RAMS		4,000		3,200
	IMS FCS integration			-4,045	-4,045
	Spider follow-on stand-off capability (Transfer from OP,A line 40)			19,688	19,688
114	**ARTILLERY MUNITIONS**	**63,039**	**65,039**	**7,089**	**64,639**
	Advanced Cargo Projectile Technology		2,000		1,600
	Pending acquisition strategy			-55,950	0
116	**ARMY TACTICAL COMMAND & CONTROL HARDWARE &**	**99,202**	**99,202**	**101,302**	**100,882**
	C3T CDSOS (Cross Domain Strategic and Operational Solution)			2,100	1,680
118	**GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)**	**53,559**	**112,600**	**112,600**	**112,600**
	Transfer from Operation and Maintenance, Army, line 432		29,822	29,822	29,822
	Transfer from Other Procurement, Army, line 107		29,219	29,219	29,219
120	**SOLDIER SYSTEMS - WARRIOR DEM/VAL**	**0**	**2,000**	**0**	**1,600**
	Optimized M-25 Soldier Fuel Cell System		2,000		1,600
124	**INFORMATION TECHNOLOGY DEVELOPMENT**	**103,485**	**106,485**	**104,485**	**106,785**
	Health Informatics Initiative		3,000		2,400
	Electronic Commodity Program			1,000	900
126	**THREAT SIMULATOR DEVELOPMENT**	**21,887**	**23,887**	**21,887**	**23,487**
	Electronic Combat and Counter Terrorism Training		2,000		1,600
127	**TARGET SYSTEMS DEVELOPMENT**	**13,499**	**15,999**	**18,499**	**17,899**
	Next Generation Ice Protection Technologies System for UAVs		2,500	2,000	2,000
	Mobile Objects for Net-Centric Operations			3,000	2,400
130	**RAND ARROYO CENTER**	**16,342**	**18,342**	**20,342**	**20,342**
	Arroyo Center program adjustment		2,000	4,000	4,000
132	**CONCEPTS EXPERIMENTATION PROGRAM**	**34,004**	**38,004**	**29,466**	**29,866**
	Gunfire Detection System for Unmanned Aerial Vehicles		2,000		1,600
	Development of a Robust, Mobile Multispectral Fingerprint Capture Device Employing Multispectral Imaging Technology		2,000	2,000	2,000
	Program adjustment			-12,538	-12,538
	2D-3D Face Recognition System			3,000	2,400
	Arabic Language Training Program			1,000	800
	Automated Communication Support System			2,000	1,600

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
133	**SMALL BUSINESS INNOVATIVE RESEARCH**	**0**	**3,000**	**0**	**2,400**
	Electro-Magnetic Flak Impulse System		3,000		2,400
135	**ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS**	**74,391**	**76,391**	**86,991**	**86,431**
	Mobile Optical Tracking System (MOTS)		2,000		1,960
	Dugway Testing and Infrastructure Upgrade			3,500	2,800
	Joint Directed Energy Test Site - IED Defeat			6,000	4,800
	Joint Tactical Network Test Environment			2,500	2,000
	Robotic Manipulators for Explosive Ordnance Disposal			600	480
136	**SURVIVABILITY/LETHALITY ANALYSIS**	**40,343**	**41,843**	**42,343**	**41,943**
	Rotorcraft Survivability Assessment Facility		1,500	2,000	1,600
137	**DOD HIGH ENERGY LASER TEST FACILITY**	**2,801**	**2,801**	**2,801**	**8,801**
	Mid-Infrared Advanced Chemical Laser (HELSTF) (Transfer from Senate GP 8117)				3,000
	Sealight Beam Directors (HELSTF) (Transfer from Senate GP 8118)				3,000
142	**SUPPORT OF OPERATIONAL TESTING**	**75,293**	**77,293**	**78,293**	**79,293**
	EQUATE at Army Operational Test Command		2,000		1,600
	Denied GPS			3,000	2,400
144	**SIMULATION & MODELING FOR ACQUISITION, REQUIREMENTS, & TRAINING (SMART)**	**5,342**	**6,342**	**5,342**	**6,342**
	Passive Walking Beam Tracked Platform for Unmanned Ground Vehicles		1,000		1,000
146	**TECHNICAL INFORMATION ACTIVITIES**	**41,607**	**41,607**	**40,607**	**43,007**
	Unjustified growth			-4,000	-1,000
	Knowledge, Tech Sharing Program			3,000	2,400
147	**MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY**	**19,606**	**29,606**	**38,406**	**41,206**
	Medium Caliber Metal Parts Upgrade		2,000	3,000	2,400
	Advanced Cluster Energetics		4,000	5,000	5,000
	Defense Metals Technology Center		2,000		2,000
	National Polymer Innovation Center (NPIC)		1,000		1,000
	Domestically Produced Atomized Magnesium for Defense		1,000		1,000
	Depleted Uranium Sensing and Treatment for Removal			4,900	4,900
	Gun Propellant Demilitarization			3,000	2,400
	Thermal Battery Qualification			2,900	2,900

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
155	**COMBAT VEHICLE IMPROVEMENT PROGRAMS**	**27,615**	**35,115**	**36,415**	**41,455**
	Component Optimization for Ground Systems		2,000		1,600
	Ground Combat Systems Open Architecture Electronic Enhancements		3,500		2,800
	Virtual Simulation and Modernization of Bradley Fighting Vehicle		2,000		1,600
	Combat Vehicle Transmission Improvement			4,800	3,840
	Vehicle Health Management Systems Development			4,000	4,000
156	**MANEUVER CONTROL SYSTEM**	**43,961**	**45,961**	**43,961**	**45,561**
	ARH-70A Armed Reconnaissance Helicopter Vehicle Health and Usage Management System (VHUMS) Demonstration		2,000		1,600
157	**AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS**	**325,643**	**330,143**	**324,143**	**330,643**
	Operator Situational Awareness System - MEDEVAC		2,500		2,000
	Advanced Communications Intelligence (COMINT)		2,000		1,600
	ACS lack of acquisition strategy			-19,500	-15,000
	Aircraft Component Remediation			3,000	2,400
	CH-47 Integrated Vehicle Health Management System (IVHMS)			10,000	10,000
	Helicopter Autonomous Landing System			5,000	4,000
158	**AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM**	**476**	**1,476**	**476**	**1,476**
	Fort Hood Digitization		1,000		1,000
169	**SECURITY AND INTELLIGENCE ACTIVITIES**	**0**	**5,500**	**0**	**4,600**
	Biometrics Automated Toolset Enhancements		2,000		1,600
	Mobile Object Search Toolkit for Intelligence Analysts		2,500		2,000
	ISR Synchronization and Visualization Tool for the Battle Command Laboratory Collection		1,000		1,000
170	**INFORMATION SYSTEMS SECURITY PROGRAM**	**28,332**	**32,282**	**28,332**	**31,682**
	Multiple Independent Levels of Security (MILS) Separation Kernel Technology Development		950		950
	Information Assurance Development		3,000		2,400
171	**GLOBAL COMBAT SUPPORT SYSTEM**	**129,689**	**94,689**	**59,689**	**94,689**
	Authorization Adjustment		-35,000	-70,000	-35,000
175	**TACTICAL UNMANNED AERIAL VEHICLES**	**97,947**	**97,947**	**97,947**	**101,947**
	Integrated Vehicle Health Monitoring System for UAVs				4,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousand of dollars]

R-1		Budget Request	House	Senate	Conference
177	**DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS**	**0**	**6,000**	**7,000**	**9,100**
	Asymmetric Threat Response and Analysis Project (ATRAP)		3,000	2,000	2,400
	Defense Common Ground Station - Army All Source Analysis System Integration		3,000		2,400
	Advanced Architecture Designs Supporting U.S. Army Net Centric Warfare			2,000	1,600
	Heuristic Internet Protocol Engine			2,000	1,900
	Effect Based Approach to Operations			1,000	800
179	**END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES**	**66,869**	**78,869**	**84,869**	**87,869**
	Smart Machine Platform Initiative		3,000		3,000
	Specialized Compact Automated Mechanical Clearance Platform (SCAMP)		500		400
	SuperPulse Laser System Development for Turbine Engine Applications		2,000		1,600
	Solid State Processing of Titanium Alloys for Defense Materiel Armaments		1,000		0
	National Center for Defense Manufacturing and Machining		2,000		1,600
	Advanced Materials Processing for Ultra-Efficient Power Systems		1,000		1,000
	Aging Weapons Systems Structural Repair .			2,000	1,600
	Electrodeposited Coatings Systems			2,000	1,600
	High Temperature Ceramic Manufacturing Technology for Helicopter Rotor Blade Erosion Protection		2,500	2,000	2,000
	Improved Manufacturing Process for SAPI			4,000	3,200
	Laser Engineered Net Shaping (LENS) Qualification for Aging Weapons Systems			2,000	1,600
	Legacy Aerospace Gear Drive Re-Engineering Initiative			1,000	1,000
	Next Generation Combat Helmet			3,000	2,400
	Three Dimensional Printing of DOD Titanium Weapon System Components			2,000	0

NATIONAL EYE EVALUATION AND RESEARCH NETWORK

The conferees recognize the need to provide for our military readily accessible evaluation and testing for serious retinal injuries and diseases, as well as the need for a central repository for clinical trial data. Therefore, the conferees have provided $2,400,000 for the National Eye Evaluation and Research Network.

FUTURE COMBAT SYSTEMS (FCS)

The conferees recommend $3,357,398,000 in research and development funding for Army Future Combat Systems instead of $3,092,322,000 as proposed by the House and $3,565,018,000 as proposed by the Senate. Additionally, the FCS program for fiscal year 2008 includes for the first time procurement funds for facilitization and long lead items, which the conferees approved as requested, as detailed elsewhere in this report. Program funding for fiscal year 2008 supports the first of three planned technology spin outs which will deliver the benefits of FCS technology to other Army elements. Milestone 1 spin outs are planned to include Network Capability Integration kits for Abrams Tanks, Bradley Fighting Vehicles and HMMWVs. The conferees concur with the early integration of FCS technology across the total force, while continuing on a path towards fielding full FCS capability. The conferees designate FCS funding as a congressional special interest item for the purpose of prior approval reprogrammings as discussed elsewhere in this report.

GLOBAL COMBAT SUPPORT SYSTEM—ARMY (GCSS-A)

The conferees recommend $94,689,000 for GCSS-A, as proposed by the House, instead of $59,689,000 as proposed by the Senate. The conferees note that this is an increase of $46,703,000, almost 100 percent, over the amount provided in fiscal year 2007. The conferees direct the Army to provide to the congressional defense committees a revised fiscal year 2008 spend plan based on fiscal year 2008 appropriations no later than thirty days after enactment of this Act.

ORGANIC PRECISION INDIRECT FIRE CAPABILITY

Recent Operational Needs Statements from theater identified a requirement for an organic precision indirect fire capability for infantry brigades in the near term. The conferees understand that the Army has conducted an analysis of several potential systems, to include the 120mm Precision Guided Mortar Munition (PGMM), that could address this capability gap. The conferees further understand that based on cost, performance, technological readiness, compatibility with existing systems and near-term fielding availability, the Army considers PGMM the best solution. If additional funds are needed during fiscal year 2008 to ensure that sufficient funds are available to complete development of the PGMM, the Committees on Appropriations would entertain a reprogramming request.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY				
	BASIC RESEARCH				
1	UNIVERSITY RESEARCH INITIATIVES	76,637	93,137	90,637	100,637
2	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	16,556	16,556	17,556	16,556
3	DEFENSE RESEARCH SCIENCES	374,052	380,052	385,752	388,952
	TOTAL, BASIC RESEARCH	467,245	489,745	493,945	506,145
	APPLIED RESEARCH				
4	POWER PROJECTION APPLIED RESEARCH	83,419	102,019	99,419	108,019
5	FORCE PROTECTION APPLIED RESEARCH	155,936	167,436	196,436	196,436
6	MARINE CORPS LANDING FORCE TECHNOLOGY	26,785	27,785	31,285	32,285
7	MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY	---	2,500	2,000	2,000
8	COMMON PICTURE APPLIED RESEARCH	93,376	99,376	104,376	105,376
9	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	88,297	102,297	101,397	109,177
10	RF SYSTEMS APPLIED RESEARCH	45,451	51,451	51,451	52,451
11	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	49,869	55,369	49,869	54,669
12	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,081	6,081	6,081	6,081
13	UNDERSEA WARFARE APPLIED RESEARCH	68,455	70,955	71,455	72,855
14	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	59,874	68,374	64,374	71,474
	TOTAL, APPLIED RESEARCH	677,543	753,643	778,143	810,823
	ADVANCED TECHNOLOGY DEVELOPMENT				
15	POWER PROJECTION ADVANCED TECHNOLOGY	49,684	54,684	89,184	86,984
16	FORCE PROTECTION ADVANCED TECHNOLOGY	70,850	106,100	99,850	122,100
17	COMMON PICTURE ADVANCED TECHNOLOGY	40,782	43,782	111,540	93,382
18	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	102,124	113,624	95,124	102,824
19	RF SYSTEMS ADVANCED TECHNOLOGY	22,676	27,676	38,676	41,676
20	MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	70,968	76,468	74,968	78,768
21	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	10,938	13,438	10,938	13,438
23	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	12,145	43,645	19,145	49,845
24	UNDERSEA WARFARE ADVANCED TECHNOLOGY	73,626	74,626	76,826	77,826
25	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	41,196	41,196	41,196	41,196

(In thousands of dollars)

		Budget	House	Senate	Conference
26	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY....	26,840	27,840	26,840	27,640
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.............	521,829	623,079	684,287	735,679
	DEMONSTRATION & VALIDATION				
27	AIR/OCEAN TACTICAL APPLICATIONS........................	47,914	44,914	48,914	44,514
28	AVIATION SURVIVABILITY................................	6,252	20,252	11,752	21,852
29	DEPLOYABLE JOINT COMMAND AND CONTROL................	9,475	9,475	9,475	9,475
30	ASW SYSTEMS DEVELOPMENT...............................	16,706	21,706	16,706	20,706
31	TACTICAL AIRBORNE RECONNAISSANCE......................	4,063	4,063	4,063	4,063
32	ADVANCED COMBAT SYSTEMS TECHNOLOGY....................	9,331	9,331	9,331	9,331
33	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES........	91,122	92,722	91,122	91,122
34	SURFACE SHIP TORPEDO DEFENSE..........................	15,967	28,967	17,467	27,867
35	CARRIER SYSTEMS DEVELOPMENT...........................	84,806	89,306	84,806	88,406
36	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT................	9,450	27,050	34,550	44,550
37	PILOT FISH..	132,131	132,131	127,131	129,631
38	RETRACT LARCH...	89,601	89,601	89,601	89,601
39	RETRACT JUNIPER.......................................	37,405	37,405	37,405	37,405
40	RADIOLOGICAL CONTROL..................................	1,546	1,546	1,546	1,546
41	SURFACE ASW...	25,560	50,560	27,560	47,160
43	ADVANCED SUBMARINE SYSTEM DEVELOPMENT.................	134,882	139,382	155,182	155,482
44	SUBMARINE TACTICAL WARFARE SYSTEMS....................	9,865	10,865	11,515	12,185
45	SHIP CONCEPT ADVANCED DESIGN..........................	30,858	32,858	39,858	40,058
46	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES.........	18,736	18,736	26,436	26,436
47	ADVANCED NUCLEAR POWER SYSTEMS........................	166,196	166,196	166,196	166,196
49	CHALK EAGLE...	211,201	211,201	211,201	211,201
50	LITTORAL COMBAT SHIP (LCS)............................	217,502	229,002	300,502	309,302
51	COMBAT SYSTEM INTEGRATION.............................	53,427	58,427	53,427	57,427
52	CONVENTIONAL MUNITIONS................................	8,941	8,941	8,941	8,941
53	MARINE CORPS ASSAULT VEHICLES.........................	288,220	288,220	190,220	253,220
54	MARINE CORPS MINE/COUNTERMEASURES SYSTEMS - ADV DEV...	657	657	657	657
55	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM.............	80,403	83,903	54,403	57,203

(In thousands of dollars)

		Budget	House	Senate	Conference
56	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	83,361	83,361	83,361	83,361
57	COOPERATIVE ENGAGEMENT	33,283	38,283	33,283	37,283
58	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	5,122	5,122	5,122	5,122
59	ENVIRONMENTAL PROTECTION	19,850	21,350	19,850	21,050
60	NAVY ENERGY PROGRAM	5,335	6,335	5,335	6,135
61	FACILITIES IMPROVEMENT	4,131	10,581	4,131	9,481
62	CHALK CORAL	28,297	28,297	28,297	28,297
63	NAVY LOGISTIC PRODUCTIVITY	3,547	15,547	9,547	19,647
64	RETRACT MAPLE	346,144	346,144	346,144	346,144
65	LINK PLUMERIA	88,748	88,748	88,748	88,748
66	RETRACT ELM	79,144	79,144	79,144	79,144
67	SHIP SELF DEFENSE	10,954	10,954	10,954	10,954
68	LINK EVERGREEN	31,607	31,607	31,607	31,607
69	SPECIAL PROCESSES	40,940	40,940	40,940	40,940
70	NATO RESEARCH AND DEVELOPMENT	9,934	9,934	9,934	9,934
71	LAND ATTACK TECHNOLOGY	31,021	62,021	31,021	51,821
72	NONLETHAL WEAPONS	45,892	48,892	45,892	48,492
74	JOINT PRECISION APPROACH AND LANDING SYSTEMS	70,811	70,811	70,811	70,811
75	SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGINEER..	46,450	46,450	46,450	46,450
76	COUNTER-DRUG RDT&E PROJECTS	---	10,000	---	8,000
77	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	---	2,500	---	2,000
78	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES	27,569	34,569	27,569	33,169
79	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS)..	126,434	---	---	---
80	JOINT AIR-TO-GROUND MISSILE (JAGM)	15,000	15,000	15,000	15,000
81	SPACE & ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINE..	42,295	42,295	42,295	42,295
	TOTAL, DEMONSTRATION & VALIDATION	2,998,086	3,056,302	2,905,402	3,101,422
	ENGINEERING & MANUFACTURING DEVELOPMENT				
83	OTHER HELO DEVELOPMENT	46,815	42,815	41,815	41,815
84	AV-8B AIRCRAFT - ENG DEV	17,360	17,360	17,360	17,360

(In thousands of dollars)

	Budget	House	Senate	Conference
85 STANDARDS DEVELOPMENT................................	106,242	110,242	106,242	109,442
86 MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT..........	78,151	78,151	78,151	78,151
87 AIR/OCEAN EQUIPMENT ENGINEERING......................	5,162	5,162	5,162	5,162
88 P-3 MODERNIZATION PROGRAM............................	8,621	4,621	8,621	4,621
89 WARFARE SUPPORT SYSTEM...............................	2,911	4,911	2,911	6,311
90 TACTICAL COMMAND SYSTEM..............................	86,921	89,421	86,921	89,421
91 ADVANCED HAWKEYE.....................................	808,993	808,993	808,993	808,993
92 H-1 UPGRADES...	3,608	3,608	3,608	3,608
93 ACOUSTIC SEARCH SENSORS..............................	18,325	19,325	18,325	19,125
94 V-22A..	117,997	117,997	117,997	117,997
95 AIR CREW SYSTEMS DEVELOPMENT.........................	24,267	24,267	24,267	24,267
96 EA-18..	272,699	274,699	272,699	274,299
97 ELECTRONIC WARFARE DEVELOPMENT.......................	41,064	44,564	41,064	44,064
98 VHXX EXECUTIVE HELO DEVELOPMENT......................	270,971	230,971	270,971	230,971
99 JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY)........	853,676	853,676	853,676	853,676
100 SC-21 TOTAL SHIP SYSTEM ENGINEERING..................	621,544	629,544	637,544	642,744
101 SURFACE COMBATANT COMBAT SYSTEM ENGINEERING...........	142,810	146,810	142,810	146,210
102 LPD-17 CLASS SYSTEMS INTEGRATION......................	4,300	4,300	4,300	4,300
103 SMALL DIAMETER BOMB (SDB).............................	9,832	9,832	9,832	9,832
104 STANDARD MISSILE IMPROVEMENTS.........................	231,791	231,791	231,791	231,791
105 AIRBORNE MCM..	54,761	57,761	54,761	57,161
106 NAVAL INTEGRATED FIRE CONTROL-COUNTER AIR SYSTEMS ENG.	11,497	15,497	11,497	15,097
107 ADVANCED ABOVE WATER SENSORS..........................	121,494	121,494	121,494	121,494
108 SSN-688 AND TRIDENT MODERNIZATION.....................	114,789	115,789	122,789	121,189
109 AIR CONTROL...	4,166	4,166	4,166	4,166
111 SHIPBOARD AVIATION SYSTEMS............................	28,100	28,100	28,100	28,100
112 COMBAT INFORMATION CENTER CONVERSION..................	17,139	17,139	19,139	18,739
113 NEW DESIGN SSN..	223,958	249,958	228,958	249,058
114 SSN-21 DEVELOPMENTS...................................	2,457	2,457	2,457	2,457

(In thousands of dollars)

	Budget	House	Senate	Conference
115 SUBMARINE TACTICAL WARFARE SYSTEM.....................	53,703	55,703	55,703	56,903
116 SHIP CONTRACT DESIGN/ LIVE FIRE T&E..................	62,404	63,404	67,304	63,404
118 MINE DEVELOPMENT.....................................	2,092	2,092	2,092	2,092
120 LIGHTWEIGHT TORPEDO DEVELOPMENT......................	27,056	27,056	27,056	27,056
122 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT..........	10,382	10,382	10,382	10,382
123 PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS....	8,830	8,830	8,830	8,830
125 JOINT STANDOFF WEAPON SYSTEMS.........................	24,851	30,851	24,851	29,651
126 SHIP SELF DEFENSE (DETECT & CONTROL)..................	33,064	35,064	35,064	35,664
127 SHIP SELF DEFENSE (ENGAGE: HARD KILL).................	67,366	70,366	75,866	74,166
128 SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)..............	34,323	37,323	36,323	39,123
129 INTELLIGENCE ENGINEERING..............................	1,959	1,959	1,959	1,959
130 MEDICAL DEVELOPMENT...................................	7,973	37,573	20,873	43,173
131 NAVIGATION/ID SYSTEM..................................	42,121	42,121	42,121	42,121
133 JOINT STRIKE FIGHTER (JSF)............................	1,707,372	2,038,872	1,805,772	1,905,772
135 INFORMATION TECHNOLOGY DEVELOPMENT....................	22,181	26,181	22,181	25,581
136 INFORMATION TECHNOLOGY DEVELOPMENT....................	54,098	62,098	77,098	80,398
138 CH-53X..	417,161	407,161	397,161	397,161
139 MULTI-MISSION MARITIME AIRCRAFT (MMA).................	880,106	881,106	880,106	881,106
140 TACTICAL CRYPTOLOGIC SYSTEMS..........................	39,053	41,053	39,053	40,653
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT......	7,848,516	8,244,816	8,008,216	8,146,816
RDT&E MANAGEMENT SUPPORT				
141 THREAT SIMULATOR DEVELOPMENT..........................	23,924	23,924	23,924	23,924
142 TARGET SYSTEMS DEVELOPMENT............................	32,376	32,376	32,376	32,376
143 MAJOR T&E INVESTMENT..................................	37,614	41,714	42,614	41,714
144 STUDIES AND ANALYSIS SUPPORT - NAVY...................	7,516	7,516	7,516	7,516
145 CENTER FOR NAVAL ANALYSES.............................	49,360	49,360	49,360	49,360
148 TECHNICAL INFORMATION SERVICES........................	694	5,694	19,194	21,994
149 MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT........	49,498	49,498	49,498	49,498
150 STRATEGIC TECHNICAL SUPPORT...........................	3,452	3,452	3,452	3,452

(In thousands of dollars)

	Budget	House	Senate	Conference
151 RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	68,180	68,180	68,180	68,180
152 RDT&E INSTRUMENTATION MODERNIZATION	1,423	1,423	1,423	1,423
153 RDT&E SHIP AND AIRCRAFT SUPPORT	184,541	184,541	184,541	184,541
154 TEST AND EVALUATION SUPPORT	336,130	336,130	336,130	336,130
155 OPERATIONAL TEST AND EVALUATION CAPABILITY	12,176	12,176	12,176	12,176
156 NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	2,439	2,439	2,439	2,439
157 SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	29,071	24,071	29,071	24,071
158 MARINE CORPS PROGRAM WIDE SUPPORT	20,166	25,166	21,166	24,966
159 TACTICAL CRYPTOLOGIC ACTIVITIES	1,508	1,508	1,508	1,508
160 SERVICE SUPPORT TO JFCOM, JNTC	5,078	---	5,078	5,078
TOTAL, RDT&E MANAGEMENT SUPPORT	865,146	869,168	889,045	890,346
OPERATIONAL SYSTEMS DEVELOPMENT				
163 HARPOON MODIFICATIONS	43,470	43,470	43,470	43,470
164 UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT	161,665	161,665	161,665	161,665
165 STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	81,398	54,398	69,398	69,398
166 SSBN SECURITY TECHNOLOGY PROGRAM	33,109	33,109	33,109	33,109
167 SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	4,149	4,149	4,149	4,149
168 NAVY STRATEGIC COMMUNICATIONS	36,531	36,531	36,531	36,531
169 RAPID TECHNOLOGY TRANSITION (RTT)	44,756	40,756	40,056	40,556
170 F/A-18 SQUADRONS	44,891	50,891	48,891	52,891
171 E-2 SQUADRONS	22,691	22,691	22,691	22,691
172 FLEET TELECOMMUNICATIONS (TACTICAL)	23,108	24,108	23,108	24,108
173 TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	11,405	17,005	11,405	15,885
174 INTEGRATED SURVEILLANCE SYSTEM	27,740	29,740	29,740	31,340
175 AMPHIBIOUS TACTICAL SUPPORT UNITS	1,845	1,845	1,845	1,845
176 CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	6,987	10,487	6,987	9,787
177 CRYPTOLOGIC DIRECT SUPPORT	1,443	1,443	1,443	1,443
178 ELECTRONIC WARFARE (EW) READINESS SUPPORT	34,340	34,340	34,340	34,340
179 HARM IMPROVEMENT	34,762	38,262	34,762	44,262
180 TACTICAL DATA LINKS	5,534	5,534	5,534	5,534

(In thousands of dollars)

	Budget	House	Senate	Conference
181 SURFACE ASW COMBAT SYSTEM INTEGRATION.................	11,200	18,200	19,200	18,400
182 MK-48 ADCAP...	17,941	20,941	17,941	20,341
183 AVIATION IMPROVEMENTS.................................	100,284	108,284	115,284	119,684
184 NAVY SCIENCE ASSISTANCE PROGRAM.......................	3,473	3,473	3,473	3,473
185 OPERATIONAL NUCLEAR POWER SYSTEMS.....................	71,720	71,720	71,720	71,720
186 MARINE CORPS COMMUNICATIONS SYSTEMS...................	280,140	285,640	261,240	265,640
187 MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS....	57,177	66,177	59,177	64,377
188 MARINE CORPS COMBAT SERVICES SUPPORT..................	12,946	12,946	12,946	12,946
189 TACTICAL AIM MISSILES.................................	4,445	4,445	4,445	4,445
190 ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).....	4,579	4,579	2,579	2,579
191 JOINT HIGH SPEED VESSEL (JHSV)........................	18,934	18,934	18,934	18,934
192 MARITIME INTELLIGENCE.................................	---	---	6,000	4,800
195 SATELLITE COMMUNICATIONS (SPACE)......................	736,572	741,572	722,572	740,772
196 INFORMATION SYSTEMS SECURITY PROGRAM..................	28,393	32,393	31,893	34,393
197 JOINT COMMAND AND CONTROL PROGRAM (JC2)...............	1,007	1,007	1,007	1,007
198 JOINT COMMAND AND CONTROL PROGRAM (JC2)...............	5,015	5,015	5,015	5,015
199 COBRA JUDY..	132,679	132,679	132,679	132,679
200 NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)...	4,887	4,887	4,887	4,887
202 JOINT MILITARY INTELLIGENCE PROGRAMS..................	5,444	5,444	5,444	5,444
203 TACTICAL UNMANNED AERIAL VEHICLES.....................	50,185	59,185	54,185	62,585
204 ENDURANCE UNMANNED AERIAL VEHICLES....................	116,666	116,666	116,666	116,666
205 AIRBORNE RECONNAISSANCE SYSTEMS.......................	50,677	56,977	55,677	59,717
206 MANNED RECONNAISSANCE SYSTEMS.........................	22,488	22,488	23,988	23,688
207 DISTRIBUTED COMMON GROUND SYSTEMS.....................	19,350	21,350	19,350	21,350
208 AERIAL COMMON SENSOR (ACS)	16,606	6,606	16,606	6,606
209 MODELING AND SIMULATION SUPPORT.......................	7,832	7,832	7,832	7,832
210 DEPOT MAINTENANCE (NON-IF)............................	19,402	19,402	19,402	19,402
211 AVIONICS COMPONENT IMPROVEMENT PROGRAM................	1,635	1,635	1,635	1,635
212 INDUSTRIAL PREPAREDNESS...............................	58,445	58,445	58,445	58,445

(In thousands of dollars)

	Budget	House	Senate	Conference
213 MARITIME TECHNOLOGY (MARITECH)........................	---	1,500	16,000	14,000
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT..............	2,477,946	2,520,846	2,493,346	2,556,466
999 CLASSIFIED PROGRAMS...................................	1,219,225	1,161,225	1,219,225	1,170,825
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.....	17,075,536	17,718,624	17,472,210	17,918,522

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
(in thousands of dollars)

R-1	Budget Request	House	Senate	Conference
1 UNIVERSITY RESEARCH INITIATIVES	**76,637**	**93,137**	**90,637**	**100,637**
Blast and Impact Resistant Composite Structures for Navy Ships		2,000		1,600
Cell-Based Sensors for Chemical Threats		1,000	1,500	1,200
Center for Hetero-Functional Materials		2,500		2,000
Center for Nanoscience and Nanomaterials		1,500		1,200
CSTARS (Center for Southeastern Tropical Advanced Remote Sensing)		2,500		2,000
Microwave Ferrites and Multifunctional Integrated Circuits		1,000		800
National Security Training		2,000		2,000
Research Infrastructure for the Applied Physics Laboratory		4,000		3,200
Low Acoustic and Thermal Signature Battlefield Power Source			2,500	2,000
University Research Initiatives			10,000	8,000
2 IN-HOUSE LABORATORY INDEPENDENT RESEARCH	**16,556**	**16,556**	**17,556**	**16,556**
Alternative Futures at the Range Complex level for the SouthWest U.S. (transfer to RDTE, DW line 2)			1,000	0
3 DEFENSE RESEARCH SCIENCES	**374,052**	**380,052**	**385,752**	**388,952**
Energetics Technology Center/Energetics S&T Workforce		3,000		2,400
Mobile Ad Hoc Data Communications for Unmanned Systems		1,000		800
ONAMI Nanoelectronics and Nanometrology Initiative		1,000	2,500	2,000
Stand-off Biochemical Agent Detection		1,000		800
Evaluating ELF Signals in Maritime Environment (transfer from line 33)			1,700	1,600
Navy Science and Technology Outreach			1,000	800
Texas Microfactory			3,500	3,500
Rotational Molded Double Wall for Un-Manned Patrol Boat			3,000	3,000
4 POWER PROJECTION APPLIED RESEARCH	**83,419**	**102,019**	**99,419**	**108,019**
Aging Evaluation of Advanced Materials Used for Military Aircraft		1,500		1,200
Clustered Millimeter Wave Imaging Sensors		600	2,000	1,600
High Energy Conventional Energetics (Phase One)		6,000	5,000	5,000
High Power Free Electron Laser Development for Naval Applications (transfer from line 15)		2,500		2,000
Marine Mammals - Effects of Sound		1,000		800
Modular Payload Systems		2,500		2,000
Multifunctional Oxide Materials, Their Application and Devices (MFMA)		2,500		2,000
Strike Weapon Propulsion (SWEAP)		2,000		2,000
Advanced Propulsion for Gun Launched Projectiles and Missiles			1,000	800
Combustion Light Gas Gun Projectile			4,000	3,200
High Performance Alloy Materials, Steel Castings			2,000	2,000
Unmanned Aerial Vehicle Fuel Cell Power Source			2,000	2,000

R-1		Budget Request	House	Senate	Conference
5	**FORCE PROTECTION APPLIED RESEARCH**	**155,936**	**167,436**	**196,436**	**196,436**
	Advanced Simulation Tools for Aircraft Structures Made of Composite Materials		2,000	2,000	2,000
	Critical Composites Technologies for Enabling Special Operations Forces Medium Range Endurance Craft		1,000	1,000	1,000
	High Temperature Super Conducting Magnetic Energy Storage		500		400
	High Toughness Aluminum Structures		1,500		1,200
	Integration of Electro-Kinetic Weapons into Next Generation of Navy Ships		1,000		0
	Optical Recognition Protocol for Biologics Detection		1,000		800
	Planar Solid Oxide Fuel Cell System Demonstration at UTC SimCenter		3,500		3,500
	Stabilized Laser Designation Capability		1,000		1,000
	Alternative Energy Research			20,000	16,000
	Force Protection Applied Research			2,500	2,000
	Lithium-Ion Cell Development			3,000	3,000
	Magnetic Refrigeration Technology			4,000	3,200
	PMRF Force Protection Lab			2,500	2,000
	Shipboard Production of Synthetic Logistics and Aviation Fuel			2,000	1,600
	Undersea Perimeter Security Integrated Defense Environment			3,500	2,800
6	**MARINE CORPS LANDING FORCE TECHNOLOGY**	**26,785**	**27,785**	**31,285**	**32,285**
	High Power Lightweight Zinc-Air Battery		1,000		1,000
	Survivability Program			1,500	1,500
	Warfighter Rapid Awareness Processing Technology for Distributed Operations			3,000	3,000
7	**MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY**	**0**	**2,500**	**2,000**	**2,000**
	Digital Direct Manufacturing Research Center (transfer to line 9)		1,000		0
	Infrared Materials Laboratories		1,500	2,000	2,000
8	**COMMON PICTURE APPLIED RESEARCH**	**93,376**	**99,376**	**104,376**	**105,376**
	Advanced Panoramic Sensor Systems for UAV's		1,000		800
	All Weather Sense & Avoid for UAV's		2,000	3,000	2,400
	Radio Sensor Module (RASM)		2,000		1,600
	UGV Mobility & Coordination in Joint Urban/Littoral Environments		1,000		800
	M2C2			4,000	3,200
	Theater Undersea Warfare Initiative (TUSW)			4,000	3,200

R-1		Budget Request	House	Senate	Conference
9	**WARFIGHTER SUSTAINMENT APPLIED RESEARCH**	**88,297**	**102,297**	**101,397**	**109,177**
	Advanced Fouling and Corrosion Control Coatings		2,000	2,000	2,000
	Advanced Reinforced Materials and New Materials Research for Aircraft Tires		1,000		1,000
	Atmospheric Water Harvesting		1,000		1,000
	Durability of Composite Materials and Structures		2,000		1,600
	Mast-mounted In-Port Video Force Protection Surveillance System		2,000		1,600
	Mission Deployable Surveillance Biometrics		2,000		1,600
	Nanotechnology Engineer & Manufacturing Operation (NEMO)		1,000		800
	Virtual Clinical Learning Lab and Center of Excellence		3,000		2,400
	Amelioration of Military Hearing Loss			1,000	800
	Biosensors for Defense Applications			2,500	2,000
	Digital Directed Manufacturing Project (transfer from line 7)			1,600	1,280
	Miniaturization, Systemization of Semiconducting Metal Oxide			1,000	800
	Nanotechnology Research			5,000	4,000
10	**RF SYSTEMS APPLIED RESEARCH**	**45,451**	**51,451**	**51,451**	**52,451**
	Gallium Nitride RF Power Technology		2,000	2,500	2,000
	Notre Dame Center for the Engineering of Oxide-Nitride Structures (CEONS)		2,000		1,600
	Reparative Core Medicine		1,000		1,000
	Ultra Stable Coherent Laser		1,000		800
	National Initiatives for Applications of Multifunctional Materials			2,000	1,600
	Silicon Carbide MOSFETs for Electric Power Systems (transfer to RDTE,Army line 18)			1,500	0
11	**OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH**	**49,869**	**55,369**	**49,869**	**54,669**
	Autonomous Undersea Vehicle Applications Center		1,500		1,200
	Autonomous Marine Sensors and Networks for Rapid Littoral Assessment		2,000		1,600
	Littoral Battlespace Sensing (LBS) & Autonomous Underwater Vehicle System (UAV) Program		1,000		1,000
	Underwater Acoustic Imaging for Maritime Domain Awareness		1,000		1,000
13	**UNDERSEA WARFARE APPLIED RESEARCH**	**68,455**	**70,955**	**71,455**	**72,855**
	Autonomous Unmanned Undersea Vehicle (UUV) Delivery & Communications Demonstration		2,500		2,000
	Galfenol Energy Harvesting			2,000	1,600
	High Power Lithium Battery			1,000	800

R-1		Budget Request	House	Senate	Conference
14	**MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH**	**59,874**	**68,374**	**64,374**	**71,474**
	Autonomous Underwater Vehicle (AUV) Docking and Recharging Station		3,500		2,800
	Center for Detection and Neutralization of Electronically Initiated Improvised Explosive Devices		3,000		2,400
	Navy Special Warfare (NSW) Unattended Sensor Network		2,000		1,600
	Electromagnetic Signature Assessment System Using Multiple Autonomous Underwater Vehicles			2,500	2,000
	NMSU Water Security Program			1,000	800
	Virtual Onboard Analyst (VIRONA) for Multi-Sensor Mine Detection			1,000	1,000
	Remote Controlled Surveillance Sonar System (RCSSS)				1,000
15	**POWER PROJECTION ADVANCED TECHNOLOGY**	**49,684**	**54,684**	**89,184**	**86,984**
	Flow Path Analysis Tool (FPAT)		1,000		1,000
	High Speed Anti-radiation Demonstration (HSAD)		2,000		1,600
	Magdalena Ridge Observatory (MRO)		2,000	6,500	6,500
	Advanced Motor-Propulsor Development and Testing			5,000	4,000
	Autonomous Unmanned Surface Vessel (AUSV) (transfer to line 126)			1,000	0
	Excalibur			1,000	800
	Expeditionary Craft			20,000	20,000
	Free Electron Laser Naval Applications (transfer to line 4)			2,000	0
	Information Sharing for ISRTE			1,000	1,000
	Long Wavelength Array			3,000	2,400
16	**FORCE PROTECTION ADVANCED TECHNOLOGY**	**70,850**	**106,100**	**99,850**	**122,100**
	Accelerating Fuel Cells Manufacturability and their Application in the Armed Forces		2,750	3,000	2,750
	Advanced Logistics Fuel Reformer for Fuel Cells		3,000		2,400
	Advanced Navy Boat Lift (13,000 – 24,000 lbs.) Research and Development		1,000		1,000
	Agile Port and High Speed Ship Technology		3,000		2,400
	Cryogenic Power System for Unmanned Underwater Vehicles		1,000		1,000
	Detecting Improvised Explosive Devices		1,000		1,000
	Direct Motor Driven Waterjet		2,000		1,600
	High Speed Power Node Switching and Control Center		2,000		1,600
	Innovative Methods for Shipbuilding Affordability		2,000		1,600
	Integrated Advanced Communications Terminal (IACT)		1,000		1,000
	Multi-Fuel Combustor for Shipboard Fuel Cells		2,000		1,600
	M65 Bismaleimide Carbon Fiber Prepreg		3,000		2,400
	Pure Hydrogen Supply from Logistic Fuels		3,000		2,400
	Secure Infrastructure Technology Laboratory (SINTEL)		3,000	4,000	3,200
	Solid-State DC Protection System (SSDCP)		500		400
	Tactical Compact Optical Interrogator		2,000		1,600
	Underground Coordination of Managed Mesh-Networks		1,000		800
	Wide Area Sensor for Force Protection Targeting		2,000		1,600
	Advanced Volume Sensor System			2,000	1,600
	Electrochemical Field-Deployable System for Potable Water Generation			3,000	2,400
	Formable Textile for Complex Shaped Aerospace Composites			2,000	1,600
	Future Fuel Non-Tactical Vehicle Initiative			2,000	1,600
	Laser Perimeter Awareness System				1,500
	Manufacturing and Repair Cell			4,000	4,000
	Maritime Mobile Force Protection Program			2,000	1,600
	Single Generator Operations Lithium Ion Battery			5,000	5,000
	Wide-Band Gap Semiconductor Materials			2,000	1,600

R-1		Budget Request	House	Senate	Conference
17	**COMMON PICTURE ADVANCED TECHNOLOGY**	**40,782**	**43,782**	**111,540**	**93,382**
	Computer Forensics for Enhanced Maritime Domain Awareness		1,000		1,000
	Maritime Identification Surveillance Technology (MIST)		2,000		1,600
	GPS Extension Program, transfer from RDT&E,AF line 29			70,758	50,000
18	**WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY**	**102,124**	**113,624**	**95,124**	**102,824**
	Environmentally-Sealed, Ruggedized Avionics Displays		2,000		1,600
	Littoral Combat Ship (LCS) Networked Tactical Training System (NTTS)		1,000		1,000
	NADEP Cherry Point Center for Vertical Lift - Institute for Maintenance, Science and Technology		3,000		2,400
	National Center for Research on Evaluation, Standards, and Student Testing (CRESST) Skill Set Analysis (Note: Including $2M to support CRESST as a UARC for Educational and Training Technology Assessment)		3,000		2,400
	Validation of Prognostic and Health Management Systems		2,500		2,500
	Slow Execution			-10,000	-10,000
	Defense Modernization and Sustainment Initiative (transfer to RDTE,A line 18)			2,000	0
	Protective Apparel Technology Systems			1,000	800
19	**RF SYSTEMS ADVANCED TECHNOLOGY**	**22,675**	**27,675**	**38,675**	**41,675**
	C-Band Active Array Radar System		5,000		4,000
	Pacific Airborne Surveillance and Testing			16,000	15,000
20	**MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)**	**70,968**	**76,468**	**74,968**	**78,768**
	Craft Integrated Electronic Suite (CIES)		3,000		2,400
	Dual-Stage Ultra-Reliable Water Filtration Technology Development		2,500		2,000
	MEMS Microdetonator Packaging Technology			3,000	2,400
	Marine Air-Ground Task Force Situational Awareness			1,000	1,000
21	**JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT**	**10,938**	**13,438**	**10,938**	**13,438**
	Chameleon Chemical Detection Armband		2,500		2,500
23	**WARFIGHTER PROTECTION ADVANCED TECHNOLOGY**	**12,145**	**43,645**	**19,145**	**49,845**
	C. W. Bill Young Bone Marrow Donor Recruitment and Research Program		31,500		31,500
	Integrated Warfighter Biodefense Program			3,000	2,400
	Massive Tissue Injury/Amputation Repair with Composite Tissue Transplantation			3,000	3,000
	Neural Control of External Devices (artificial limb movement)			1,000	800
24	**UNDERSEA WARFARE ADVANCED TECHNOLOGY**	**73,626**	**74,626**	**76,826**	**77,826**
	Upward Looking Sonar (ULS)		1,000		1,000
	Deep Water Acoustic Detection System			3,200	3,200

R-1		Budget Request	House	Senate	Conference
26	**MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY**	**26,840**	**27,840**	**26,840**	**27,640**
	Joint Explosive Ordnance Disposal (JEOD) Diver Situational Awareness System		1,000		800
27	**AIR/OCEAN TACTICAL APPLICATIONS**	**47,914**	**44,914**	**48,914**	**44,514**
	Gateway System		2,000		1,600
	Meteorological and Ocean Sensors (METOC) Data Acquisition Program Growth		-10,000		-10,000
	Naval Observatory Joint Milli-Arcsecond Pathfinder Survey (J-MAPS) Program		5,000		4,000
	Semi-Submersible UUV			1,000	1,000
28	**AVIATION SURVIVABILITY**	**6,252**	**20,252**	**11,752**	**21,852**
	Equipment Life Extension Project (ELEP)		1,500		1,200
	Intelligent Autonomy Technology Transition Program (IA)		2,500		2,000
	Modular Advanced Helmet Vision System		2,000		1,600
	Silver Fox UAS		1,000		800
	Smart Visor		2,000		1,600
	Technology Collaboration for Aerospace Engineering Programs		2,000		1,600
	Unmanned Force Augmentation System		3,000		2,400
	Intelligence Gathering Uninhabited System			2,000	1,600
	Unmanned Aircraft Systems Optimization Technologies			3,500	2,800
30	**ASW SYSTEMS DEVELOPMENT**	**16,706**	**21,706**	**16,706**	**20,706**
	Marine Mammal Awareness, Alert and Response Systems (MMAARS)		3,000		2,400
	Tactical E-Field Buoy Development Program		2,000		1,600
33	**SURFACE AND SHALLOW WATER MINE COUNTERMEASURES**	**91,122**	**92,722**	**91,122**	**91,122**
	Evaluating Extremely Low Frequency (ELF) Signals in Maritime Environments (transfer to line 3)		1,600		0
34	**SURFACE SHIP TORPEDO DEFENSE**	**15,967**	**28,967**	**17,467**	**27,867**
	Anti-Torpedo Torpedo (ATT)		3,000		2,400
	Anti-Submarine Warfare (ASW) Enhancements		10,000		8,000
	Sensor Arrays for Multiple Applications			1,500	1,500
35	**CARRIER SYSTEMS DEVELOPMENT**	**84,806**	**89,306**	**84,806**	**88,406**
	Carrier Plant Automation and Manning Reduction Technology Insertion		1,000		800
	Improved Corrosion Protection for Electromagnetic Aircraft Launch System (EMALS) for CVN-21		2,500		2,000
	Quiet Interlude Processing System (QuIPS) Integration with Undersea Warfare – Decision Support System (USW-DSS)		1,000		800

R-1		Budget Request	House	Senate	Conference
36	**SHIPBOARD SYSTEM COMPONENT DEVELOPMENT**	**9,450**	**27,050**	**34,550**	**44,550**
	Advanced Combatant Materials Research		2,000		1,600
	Advanced Fluid Controls for Shipboard Applications		1,000	3,000	2,400
	Advanced Repair Technology for the Expeditionary Navy		1,000		800
	Air Gun Ship Shock Testing of Naval Vessels		2,000		1,600
	Circuit Breaker for Navy Shipboard Power Distribution Systems		600		600
	Diagnostic/Prognostic Pump				0
	High Efficiency Quiet Electric Drive		2,000		1,600
	High Temperature Superconductor (HTS) Navy Propulsion Motor for DDG-1000		2,500		2,000
	Integrated Power System Converter		1,000		800
	Internet Protocol over Power Line Carrier Technology Integration with Integrated Condition Assessment System (ICAS)		2,000		1,600
	Naval Flywheel Energy Storage System		1,000		500
	Smart Valve		1,000	3,000	2,400
	Shipboard Wireless Maintenance Assistant (SWMA)		1,500		1,200
	Advanced Steam Turbine			5,000	4,000
	DDG-51 Homopolar Hybrid Drive			6,100	5,500
	MTTC/IPI and National Surface Treatment Center			4,000	3,200
	Power Conversion Equipment for High Density Power			1,000	800
	Propulsor Manufacturing Technology			3,000	2,400
	High Temperature Superconductor AC Synchronous Propulsion Motor				2,000
37	**PILOT FISH**	**132,131**	**132,131**	**127,131**	**129,631**
	Slow Execution			-5,000	-2,500
41	**SURFACE ASW**	**25,560**	**50,560**	**27,560**	**47,160**
	Small Business Technology Insertion		25,000		20,000
	Improved Surface Vessel Torpedo Launcher			2,000	1,600
43	**ADVANCED SUBMARINE SYSTEM DEVELOPMENT**	**134,882**	**139,382**	**155,182**	**156,482**
	Acoustic Materials for Integral Bow Conformal Array		1,000		1,000
	Navy Submarine Hydraulic Oil Recycling and Waste Reduction		1,000		1,000
	Low Cost - Laser Module Assembly for the Navy's Acoustic Sensors (LC-LMA)				1,000
	Twinline Thinline Submarine Towed Array		2,500	4,000	3,200
	CISRT Enabling Materials Technology			3,000	2,400
	Controllable Shock Absorber for Advanced Submarines			1,800	1,800
	Organic Submarine Airborne ISRT Demonstration			3,500	2,800
	Submarine Artificial Intelligence-Based Combat System Kernal			3,000	2,400
	Undersea Launched Missile Study			5,000	5,000
44	**SUBMARINE TACTICAL WARFARE SYSTEMS**	**9,865**	**10,865**	**11,515**	**12,185**
	High Awareness Littoral Observing (HALO) Sensor - 360 Degree Imaging for Submarines		1,000		1,000
	Submarine Targeting Agile Array with Rapid Zooming			1,650	1,320

R-1		Budget Request	House	Senate	Conference
45	**SHIP CONCEPT ADVANCED DESIGN**	**30,858**	**32,858**	**39,858**	**40,058**
	Advanced Video Processing Technologies (AVPT)		1,000		1,000
	SCOUT MK3		1,000		1,000
	Autonomous Maritime Navigation Program			6,000	4,800
	Low-Signature Modular Weapon Platform			3,000	2,400
46	**SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES**	**18,736**	**18,736**	**26,436**	**26,436**
	Common Composite Island Concept			2,700	2,700
	Support for Naval Ship Hydrodynamic Facilities			5,000	5,000
50	**LITTORAL COMBAT SHIP (LCS)**	**217,502**	**229,002**	**300,502**	**309,302**
	Anti-Submarine Warfare (ASW) Contact Management Mission Planning Improvement		3,500		2,800
	LCS Mission Package Enterprise		5,000		4,000
	Remote Multi-Mission Vehicle Anti-Submarine Warfare (ASW) Mission Module for LCS		3,000		2,400
	Fully Fund LCS 1 and 2			81,000	81,000
	New Payloads and Sensors Unmanned Surface Vehicle System			2,000	1,600
51	**COMBAT SYSTEM INTEGRATION**	**53,427**	**58,427**	**53,427**	**57,427**
	Open Architecture/Maintenance Free Operating Period		3,000		2,400
	Automated Test and Re-Test		2,000		1,600
53	**MARINE CORPS ASSAULT VEHICLES**	**288,220**	**288,220**	**190,220**	**253,220**
	Program Delay (EFV)			-100,000	-35,000
	Intelligent Machining of Advanced Defense Materials (transfer to line 55)			2,000	0
55	**MARINE CORPS GROUND COMBAT/SUPPORT SYSTEN**	**80,403**	**83,903**	**54,403**	**57,203**
	Intelligent Machining of Advanced Defense Materials (transfer from line 53)		3,500		2,800
	Joint Light Tactical Vehicle Contract Delay			-35,000	-35,000
	Anti-Sniper Infrared Targeting System			5,000	5,000
	Urban Operations Environmental Lab			4,000	4,000
57	**COOPERATIVE ENGAGEMENT**	**33,283**	**38,283**	**33,283**	**37,283**
	Cooperative Engagement Capability		5,000		4,000
59	**ENVIRONMENTAL PROTECTION**	**19,850**	**21,350**	**19,850**	**21,050**
	Puget Sound Anoxia Research		1,500		1,200
60	**NAVY ENERGY PROGRAM**	**5,335**	**6,335**	**5,335**	**6,135**
	Ocean Thermal Energy Conversion (OTEC)		1,000		800
61	**FACILITIES IMPROVEMENT**	**4,131**	**10,581**	**4,131**	**9,481**
	Advanced Photovoltaic Material Integration Development		950		950
	Kinetic Hydropower System (KHPS) Turbine		4,000		3,200
	Swimmer Detection Sonar Network		1,500		1,200
63	**NAVY LOGISTIC PRODUCTIVITY**	**3,547**	**15,547**	**9,547**	**19,647**
	Defense Integrated Technical Data Center		1,500		1,200
	National Item Identification Number Validation and Correction		2,000		1,600
	Unique Identification of Tangible Items		8,500		8,500
	Highly Integrated Optical Interconnects			2,000	1,600
	Multi-Colored Infrared Sensors			4,000	3,200

R-1		Budget Request	House	Senate	Conference
71	**LAND ATTACK TECHNOLOGY**	**31,021**	**62,021**	**31,021**	**51,821**
	Affordable Weapon System		19,000		15,200
	Modular Advanced Ultra Light Weapons System Prototype Mount		10,000		4,000
	76mm Super Rapid Medium Caliber Gun System Explosives Safety Review		2,000		1,600
72	**NONLETHAL WEAPONS**	**45,892**	**48,892**	**45,892**	**48,492**
	Spherical Airship Research and Development		2,000		1,600
	High-Power Microwave System for Vehicle Immobilization		1,000		1,000
76	**COUNTER-DRUG RDT&E PROJECTS**	**0**	**10,000**	**0**	**8,000**
	Global Personal Locator Beacon for Counter-Narcoterrorism		2,000		1,600
	Project Athena		8,000		6,400
77	**DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS**	**0**	**2,500**	**0**	**2,000**
	Lasers for Navy Applications		2,500		2,000
78	**TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES**	**27,569**	**34,569**	**27,569**	**33,169**
	Assault Directed Infrared Countermeasures		5,000		4,000
	High Power Fiber Laser (HPFL) - Based Pod		2,000		1,600
79	**HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS)**	**126,434**	**0**	**0**	**0**
	Conventional Trident Modification		-126,434	-126,434	-126,434
83	**OTHER HELO DEVELOPMENT**	**46,815**	**42,815**	**41,815**	**41,815**
	Wireless Blade Monitoring System (WBMS)		1,000		0
	Program execution		-5,000		-5,000
	Program delay			-5,000	0
85	**STANDARDS DEVELOPMENT**	**106,242**	**110,242**	**106,242**	**109,442**
	Advanced Measurement Standards Development		4,000		3,200
88	**P-3 MODERNIZATION PROGRAM**	**8,621**	**4,621**	**8,621**	**4,621**
	Program execution		-4,000		-4,000
89	**WARFARE SUPPORT SYSTEM**	**2,911**	**4,911**	**2,911**	**6,311**
	Agent-Based Expeditionary Security System for Anti-Terrorism Afloat		1,000		800
	Wireless Imaging and Sensor Network		1,000		1,000
	Distributed Detection Classification and Localization (DCL) (transfer from line 126)				1,600
90	**TACTICAL COMMAND SYSTEM**	**86,921**	**89,421**	**86,921**	**89,421**
	Distributed Multi-Platform Sensor Support System		2,500		2,500
93	**ACOUSTIC SEARCH SENSORS**	**18,325**	**19,325**	**18,325**	**19,125**
	Deep Extended Echo Ranging (DEER)		1,000		800
96	**EA-18**	**272,699**	**274,699**	**272,699**	**274,299**
	Next Generation Electronic Warfare Simulator (NGEWS)		2,000		1,600
97	**ELECTRONIC WARFARE DEVELOPMENT**	**41,064**	**44,564**	**41,064**	**44,064**
	EA-6B ALQ-99 Band 5/6 Traveling Wave Tube (TWT) Driver Modification		1,000		1,000
	Point Mugu Electronic Warfare Lab Upgrade		2,500		2,000

R-1		Budget Request	House	Senate	Conference
98	**VH-71A EXECUTIVE HELO DEVELOPMENT**	**270,971**	**230,971**	**270,971**	**230,971**
	Program execution		-40,000		-40,000
100	**SC-21 TOTAL SHIP SYSTEM ENGINEERING**	**621,544**	**629,544**	**637,544**	**642,744**
	Floating Area Network (FAN) Littoral Sensor Grid		5,000		4,000
	SmartLink Planar Scanner Antenna Modernization		2,000		1,600
	Wireless Maritime Inspection System		1,000		1,000
	Permanent Magnet Motor			9,000	9,000
	Advanced Wireless Encryption Module			3,000	2,400
	Bio/Nano-MEMS for Defense Applications			4,000	3,200
101	**SURFACE COMBATANT COMBAT SYSTEM ENGINEERING**	**142,810**	**146,810**	**142,810**	**146,210**
	Aegis Combat Information Center (CIC)				
	Virtualization/Common Presentation Layer Integration		3,000		2,400
	Smart Integrated Data Environment		1,000		1,000
105	**AIRBORNE MCM**	**54,761**	**57,761**	**54,761**	**57,161**
	Airborne Mine Countermeasures (AMCM) "Open Architecture" Technology Insertion		3,000		2,400
106	**NAVAL INTEGRATED FIRE CONTROL-COUNTER AIR SYSTEMS ENGINEERING**	**11,497**	**15,497**	**11,497**	**15,097**
	Sustainability of AN/SPS - 49 Common Signal Data Processor		4,000		3,600
108	**SSN-688 AND TRIDENT MODERNIZATION**	**114,789**	**115,789**	**122,789**	**121,189**
	Advanced Intercept & Ranging System		1,000	4,000	3,200
	Improved Submarine Thin Line Towed Array Handler			4,000	3,200
112	**COMBAT INFORMATION CENTER CONVERSION**	**17,139**	**17,139**	**19,139**	**18,739**
	Environmentally Sealed, Ruggedized Large Scale Display for Tactical Operations Centers			2,000	1,600
113	**NEW DESIGN SSN**	**223,958**	**249,958**	**228,958**	**249,058**
	Oxygen Generator		1,000		800
	Small Business Technology Insertion		25,000		20,000
	Combat Control for Distributed Netted Systems			2,000	1,600
	Submarine Electronic Chart Updates			3,000	2,700
115	**SUBMARINE TACTICAL WARFARE SYSTEM**	**53,703**	**55,703**	**55,703**	**56,903**
	Submarine Maintenance Automation and Communication System (SMACS)		2,000		1,600
	Automated Submarine Command and Control Center			2,000	1,600
116	**SHIP CONTRACT DESIGN/ LIVE FIRE T&E**	**62,404**	**63,404**	**67,304**	**63,404**
	Automated Fiber Optic Manufacturing Initiative		1,000		1,000
	Transfer from NDSF for ship design			4,900	0
125	**JOINT STANDOFF WEAPON SYSTEMS**	**24,851**	**30,851**	**24,851**	**29,651**
	Joint Stand Off Weapon Research and Development		6,000		4,800
126	**SHIP SELF DEFENSE (DETECT & CONTROL)**	**33,064**	**35,064**	**35,064**	**35,664**
	Distributed Detection Classification and Localization (DCL) (transfer to line 89)		2,000		0
	Expeditionary Swimmer Defense System			2,000	1,600
	Autonomous Unmanned Surface Vessel (AUSV) (transfer from line 15)				1,000
127	**SHIP SELF DEFENSE (ENGAGE: HARD KILL)**	**67,366**	**70,366**	**75,866**	**74,166**
	Phalanx Next Generation		3,000	8,500	6,800

R-1	Budget Request	House	Senate	Conference
128 SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	**34,323**	**37,323**	**36,323**	**39,123**
Advanced Radar Absorbing Tiles for Surface Ships		2,000	2,000	2,000
Electronic Warfare Concept Demonstrator for the Littoral Combat Ship		1,000		800
130 MEDICAL DEVELOPMENT	**7,973**	**37,673**	**20,873**	**43,173**
Advanced Research and Development of Hemostatic Agents (Note: USMC)		4,000		3,200
Center for Deployment Psychology		1,000		1,000
Granular Chitosan Clotting Agent for Anti-Coagulated Hypothermic Blood		1,500	1,000	1,200
Implantable Middle Ear Hearing System		1,000		1,000
Military Dental Research		2,000		1,600
Mobile Oxygen, Ventilation and External Suction (MOVES) (transfer from line 187)		2,100		2,000
On-Demand Custom Body Implants and Prosthesis for Injured Personnel		2,000		1,600
Penn State Cancer Institute		7,000		5,600
Somatic Cell Processing Program		2,000		1,600
Strategies to Mitigate Individual Stress Reactivity and Operational Stress Reactions in the Military		2,000		1,200
US Navy Pandemic Influenza Vaccine Program		2,000		1,600
VisualDX Image-Based Real-Time Clinical Decision Support		3,000		2,400
Multivalent Dengue Vaccine Program			3,000	3,000
Next Generation Networking Electronic Medical Records Project			4,900	4,000
Phase 1 Clincal Trials for Infusible Hemostatic Agent			4,000	3,200
Hampton University Cancer Treatment Initiative				1,000
133 JOINT STRIKE FIGHTER (JSF)	**1,707,372**	**2,038,872**	**1,805,772**	**1,905,772**
Alternate Engine Development		240,000	240,000	240,000
Excess Award Fees		-8,500	-8,600	-8,600
Production Affordability Initiatives and Information Assurance		100,000		100,000
Joint Strike Fighter Overbilling			-133,000	-133,000
135 INFORMATION TECHNOLOGY DEVELOPMENT	**22,181**	**26,181**	**22,181**	**25,581**
Electronic Portal for Analysis and Surveillance of Medical and Preventative Health Records		3,000		2,400
Oblique Imaging and Software Tool for Marine Installations		1,000		1,000
136 INFORMATION TECHNOLOGY DEVELOPMENT	**54,098**	**62,098**	**77,098**	**80,398**
Navy Condition Based Maintenance for Shipyard Facilities and Equipment		3,000		3,000
National Terrorism Preparedness Institute Counter-Terrorism Technology Development Training		3,000		2,400
SPAWAR System Center Information Technology Center (ITC)		2,000	10,000	10,000
Condition Based Maintenance Enabling Technologies			3,000	2,700
Digitization of NCIS Investigative Files			8,000	6,400
Integration of Logistics Info for Knowledge Projection and Readiness			2,000	1,800
138 CH-53K RDTE	**417,161**	**407,161**	**397,161**	**397,161**
Program execution		-10,000		0
Program delay			-20,000	-20,000
139 MULTI-MISSION MARITIME AIRCRAFT (MMA)	**880,106**	**881,106**	**880,106**	**881,106**
Military Aircraft Loss of Control Training Research		1,000		1,000

R-1		Budget Request	House	Senate	Conference
140	**TACTICAL CRYPTOLOGIC SYSTEMS**	**39,053**	**41,053**	**39,053**	**40,653**
	AN/SSQ-137 (V) Ships Signals Exploitation Equipment Increment E		2,000		1,600
143	**MAJOR T&E INVESTMENT**	**37,614**	**41,714**	**42,614**	**41,714**
	Network Expansion & Integration of Navy/NASA RDT&E Ranges & Facilities		4,100	5,000	4,100
146	**TECHNICAL INFORMATION SERVICES**	**694**	**5,694**	**19,194**	**21,994**
	Commercialization of Advanced Technology (CAT)		3,000		2,400
	Integrated Manufacturing Enterprise		2,000		1,600
	HTDV			10,000	10,000
	Naval Aviation Technology Exploration Initiative			1,000	800
	Pacific-Based Joint Info Tech Center			7,500	6,500
157	**SEW SURVEILLANCE/RECONNAISSANCE SUPPORT**	**29,071**	**24,071**	**29,071**	**24,071**
	Program growth		-5,000		-5,000
158	**MARINE CORPS PROGRAM WIDE SUPPORT**	**20,166**	**25,166**	**21,166**	**24,966**
	Automated Identification and Data Capture (AIDC) Solutions Center		3,500		2,800
	USMC Logistics Analysis and Optimization		1,500		1,200
	Individual Chemical Alert System			1,000	800
160	**SERVICE SUPPORT TO JFCOM, JNTC**	**5,078**	**0**	**5,078**	**5,078**
	Transfer to Operation & Maintenance, Defense-wide (CE2T2)		-5,078		0
165	**STRATEGIC SUB & WEAPONS SYSTEM SUPPORT**	**81,398**	**54,398**	**69,398**	**69,398**
	Advanced Linear Accelerator (LINAC) Facility		3,000	3,000	3,000
	Reliable Replacement Warhead		-30,000	-15,000	-15,000
169	**RAPID TECHNOLOGY TRANSITION (RTT)**	**44,756**	**40,756**	**40,056**	**40,556**
	US Navy Mobile Condition Assessment System Pilot		1,000		800
	Program execution		-5,000		-5,000
	Reduce growth			-4,700	0
170	**F/A-18 SQUADRONS**	**44,891**	**50,891**	**48,891**	**52,891**
	Airborne Tactical Server		3,000		2,400
	F/A-18 Roadmap Procurement Plan Fidelity Upgrade		3,000		2,400
	F/A-18 Tactical Operational Flight Trainers Fidelity			2,000	1,600
	NAVAIR CPI Tech Manual Conversion and Support			2,000	1,600
172	**FLEET TELECOMMUNICATIONS (TACTICAL)**	**23,108**	**24,108**	**23,108**	**24,108**
	AN-USQ-155 Card Upgrade for Navy Voice over Internet Protocol Telephony		1,000		1,000
173	**TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)**	**11,405**	**17,005**	**11,405**	**15,885**
	Precision Terrain Aided Navigation		4,000		3,200
	Tomahawk Weapons Control System		1,600		1,280
174	**INTEGRATED SURVEILLANCE SYSTEM**	**27,740**	**29,740**	**29,740**	**31,340**
	Autonomous Anti-Submarine Vertical Beam Array		1,000		1,000
	Low Cost, Expendable, Fiber Optic Sensor Array		1,000		1,000
	Distributed Maritime Surveillance System			2,000	1,600
176	**CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT**	**6,987**	**10,487**	**6,987**	**9,787**
	Anti-Submarine Warfare (ASW) Training Interoperability Enterprise Demonstration Test Bed		1,500		1,200
	Total Ship Training System (TSTS) Support System		2,000		1,600

R-1	Budget Request	House	Senate	Conference
179 HARM IMPROVEMENT	**34,762**	**38,262**	**34,762**	**44,262**
Advanced Anti-Radiation Guided Missile (AARGM)		3,500		3,500
Advanced Precision Kill Weapons System				6,000
181 SURFACE ASW COMBAT SYSTEM INTEGRATION	**11,200**	**18,200**	**19,200**	**18,400**
Advanced Composite Materials for Acoustic Window Applications		6,000	8,000	6,400
Long Range Synthetic Aperture Sonar (SAS) for Anti-Submarine Warfare (ASW)		1,000		800
182 MK-48 ADCAP	**17,941**	**20,941**	**17,941**	**20,341**
Digital Data for Weapon System Readiness		1,000		800
MK-48 Torpedo Post-Launch Communication System		2,000		1,600
183 AVIATION IMPROVEMENTS	**100,284**	**108,284**	**115,284**	**119,884**
Age Exploration Model Enhancement and Vibration Analysis/Precision Measurement Integration		2,500		2,000
Advanced Avionics Miniaturization Program		1,000		1,000
Lightweight Composite Structure Development for Aerospace Vehicles		1,500		1,200
Aviation Improvements - Low Observable Aircraft Sealants		2,000		1,600
Rotor Blade Protection Against Sand and Water Erosion		1,000		800
Real-Time Weight and Balance Measurement System for C-130s			4,000	3,200
Arc Fault Circuit Breaker with Arc Location System			1,000	800
Rapid Repair UV Curable Structural Adhesives			4,000	4,000
Structural Life Tracking			2,000	1,600
F/A-18 Avionics Ground Support System			2,000	1,600
Wireless Sensors for Navy Aircraft			2,000	1,600
186 MARINE CORPS COMMUNICATIONS SYSTEMS	**280,140**	**285,640**	**261,240**	**265,640**
Battlefield Sensor Netting		3,000		2,400
STRIKE Research and Development and Integration with Intelligence C2 Systems / Counter Intelligence and Human Intelligence Equipment Program (CIHEP)		2,500		2,000
Program execution			-25,000	-25,000
Performance Enhancements for Information Assurance and Information Systems			6,100	6,100
187 MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	**57,177**	**66,177**	**59,177**	**64,377**
Expeditionary Fire Support System (EFSS) Projectile Technology Enhancements -- USMC		5,500		4,400
Tractable Durable Net Complex Shaped Body and Extremity Armor		2,000		1,600
Ultrasonic Consolidation of Embedded Sensors		1,500		1,200
Mobile Oxygen, Ventilation, and External Suction (MOVES) (transfer to line 130)			2,000	0
190 ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	**4,579**	**4,579**	**2,579**	**2,579**
Unjustified Request: Medium Range Missile Concept			-2,000	-2,000
192 MARITIME INTELLIGENCE	**0**	**0**	**6,000**	**4,800**
Secure Data Sharing for Digital Radiographic Imaging			1,500	1,200
Surf Eagle Open Source Environmental Intelligence			4,500	3,600

R-1	Budget Request	House	Senate	Conference
195 SATELLITE COMMUNICATIONS (SPACE)	**736,572**	**741,572**	**722,572**	**740,772**
Field Programmable Processor Array (FPPA) for Space Based "Reconfigurable" Wide Field of View Sensor		2,000		1,600
Joint Integrated Systems for Advanced Digital Networking (JIST-NET)		1,000		1,000
Transformational Satellite Communications (TSAT) Upgrade to Navy Multi-Band Terminal (NMT)		2,000		1,600
Internet Protocol Version 6			1,000	0
Program delay: EHF SATCOM Terminals			-15,000	0
196 INFORMATION SYSTEMS SECURITY PROGRAM	**28,393**	**32,393**	**31,893**	**34,393**
Tactical Key Loader		4,000		3,200
Universal Description, Discovery and Integration			3,500	2,800
203 TACTICAL UNMANNED AERIAL VEHICLES	**50,185**	**59,185**	**54,185**	**62,585**
Coastal Airship Surveillance Demonstrator		2,000		1,600
Micro-munitions Interface for Tactical Unmanned Systems		4,000		4,000
Unmanned Air Systems "Open Architecture" Migration		3,000		3,000
Advanced Airship Flying Laboratory			2,000	2,000
Skybus 80k and 130k LTA-UAS Multirole Technologies			2,000	1,800
205 AIRBORNE RECONNAISSANCE SYSTEMS	**50,677**	**56,977**	**55,677**	**59,717**
EP-3E Environmental Cooling System Upgrade		6,300		5,040
Fusion, Exploitation, Algorithm, Targeting, High-Altitude Reconnaisance (FEATHAR)			5,000	4,000
206 MANNED RECONNAISSANCE SYSTEMS	**22,488**	**22,488**	**23,988**	**23,688**
Collective Aperture Multi-Band Sensor System			1,500	1,200
207 DISTRIBUTED COMMON GROUND SYSTEMS	**19,350**	**21,350**	**19,350**	**21,350**
Distributed Common Ground System- Navy/AFATDS Interoperability		1,000		1,000
Maritime Intelligence Integration for Shared Situational Awareness		1,000		1,000
208 AERIAL COMMON SENSOR (ACS)	**16,606**	**6,606**	**16,606**	**6,606**
Program restructure		-10,000		-10,000
212 INDUSTRIAL PREPAREDNESS	**56,445**	**58,445**	**56,445**	**58,445**
Improved Advanced Watertight Door (IAWD) for Navy Surface Ships		1,000		1,000
U.S. Navy Nuclear Power Plant and Ship Propulsion Shaft Manufacturing Improvement Project		1,000		1,000
213 MARITIME TECHNOLOGY (MARITECH)	**0**	**1,500**	**16,000**	**14,000**
Enhanced Tracking and Asset Control (ETAC)		1,500		1,200
National Shipbuilding Research Program			15,000	12,000
Navy Automatic Identification Technology (AID) Engineering Support			1,000	800

BONE MARROW REGISTRY

The conferees reiterate the direction proposed by the House regarding funding provided for the C.W. Bill Young Bone Marrow Donor Recruitment and Research program.

ADVANCED PRECISION KILL WEAPONS SYSTEM

The conferees agree to provide $6,000,000 above the President's request for continued development of the Advanced Precision Kill Weapons System (APKWS) in Research, Development, Test and Evaluation, Navy. If additional funds are needed during fiscal year 2008 to ensure that sufficient funds are available to maintain progress in developing the program, the Committees on Appropriations would entertain a reprogramming request.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE				
	BASIC RESEARCH				
1	DEFENSE RESEARCH SCIENCES	258,259	265,759	268,959	274,359
2	UNIVERSITY RESEARCH INITIATIVES	104,304	104,304	123,304	120,704
3	HIGH ENERGY LASER RESEARCH INITIATIVES	12,636	12,636	12,636	12,636
	TOTAL, BASIC RESEARCH	375,199	382,699	404,899	407,699
	APPLIED RESEARCH				
4	MEDICAL DEVELOPMENT	---	8,000	---	4,700
5	MATERIALS	122,794	164,294	161,094	179,654
6	AEROSPACE VEHICLE TECHNOLOGIES	131,948	136,948	136,948	140,748
7	HUMAN EFFECTIVENESS APPLIED RESEARCH	79,856	84,856	87,856	91,056
8	AEROSPACE PROPULSION	179,161	201,461	212,961	216,961
9	AEROSPACE SENSORS	108,055	119,055	113,055	122,055
10	MULTI-DISCIPLINARY SPACE TECHNOLOGY	---	2,000	---	1,600
11	SPACE TECHNOLOGY	109,566	114,416	130,466	126,816
12	CONVENTIONAL MUNITIONS	57,804	59,304	57,804	59,004
13	DIRECTED ENERGY TECHNOLOGY	54,883	57,883	54,883	57,283
14	COMMAND CONTROL AND COMMUNICATIONS	116,705	125,105	118,705	122,205
15	HIGH ENERGY LASER RESEARCH	50,303	50,303	50,303	50,303
	TOTAL, APPLIED RESEARCH	1,011,075	1,123,625	1,124,075	1,172,385
	ADVANCED TECHNOLOGY DEVELOPMENT				
20	ADVANCED MATERIALS FOR WEAPON SYSTEMS	39,730	65,230	51,730	72,030
21	ADVANCED AEROSPACE SENSORS	55,549	65,549	55,549	64,349
22	AEROSPACE TECHNOLOGY DEV/DEMO	64,922	29,822	64,922	67,322
23	AEROSPACE PROPULSION AND POWER TECHNOLOGY	117,990	125,990	140,890	143,490
24	CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY	28,558	37,258	34,558	38,658
25	ELECTRONIC COMBAT TECHNOLOGY	23,743	26,743	25,843	27,943
28	ADVANCED SPACECRAFT TECHNOLOGY	78,704	98,004	93,004	101,304
29	GLOBAL POSITIONING SYSTEM (GPS) EXTENSION PROGRAM	70,758	---	---	---
30	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	5,237	7,237	46,737	42,437

(In thousands of dollars)

		Budget	House	Senate	Conference
32	CONVENTIONAL WEAPONS TECHNOLOGY	16,904	18,904	16,904	18,504
33	ADVANCED WEAPONS TECHNOLOGY	43,999	43,999	74,999	74,899
34	C3I ADVANCED DEVELOPMENT	27,357	29,357	32,257	33,057
36	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	3,815	3,815	3,815	3,815
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	577,266	551,908	641,208	687,808
	DEMONSTRATION & VALIDATION				
40	INTELLIGENCE ADVANCED DEVELOPMENT	4,930	5,930	4,930	5,930
41	PHYSICAL SECURITY EQUIPMENT	466	2,466	3,466	2,866
42	NAVSTAR GLOBAL POSITIONING SYSTEM III	587,226	507,226	437,226	487,226
43	ADVANCED EHF MILSATCOM (SPACE)	603,179	603,179	603,179	603,179
44	POLAR MILSATCOM (SPACE)	178,754	178,754	178,754	178,754
45	SPACE CONTROL TECHNOLOGY	37,604	62,604	42,604	66,604
46	COMBAT IDENTIFICATION TECHNOLOGY	26,054	26,054	26,054	26,054
47	NATO RESEARCH AND DEVELOPMENT	4,280	4,280	4,280	4,280
48	INTERNATIONAL SPACE COOPERATIVE R&D	619	619	619	619
49	TRANSFORMATIONAL SATCOM (TSAT)	963,585	963,585	763,585	813,585
50	INTEGRATED BROADCAST SERVICE	21,192	21,192	21,192	21,192
51	INTERCONTINENTAL BALLISTIC MISSILE	26,519	32,519	26,519	31,319
52	WIDEBAND GAPFILLER SYSTEM RDT&E (SPACE)	19,213	19,213	19,213	19,213
53	SPACE-BASED RADAR	---	186,000	---	---
54	POLLUTION PREVENTION (DEM/VAL)	2,838	8,838	7,838	11,038
55	JOINT PRECISION APPROACH AND LANDING SYSTEMS	7,544	7,544	7,544	7,544
60	COMMON AERO VEHICLE (CAV)	32,806	37,806	---	4,000
61	OPERATIONALLY RESPONSIVE SPACE	87,032	107,032	87,032	97,132
63	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SAT.	334,871	334,871	334,871	334,871
	TOTAL, DEMONSTRATION & VALIDATION	2,938,712	3,109,712	2,568,906	2,715,406
	ENGINEERING & MANUFACTURING DEVELOPMENT				
64	GLOBAL BROADCAST SERVICE (GBS)	29,407	29,407	29,407	29,407
66	NUCLEAR WEAPONS SUPPORT	20,319	20,319	20,319	20,319

(In thousands of dollars)

	Budget	House	Senate	Conference
67 B-1B	159,126	144,126	169,126	153,126
68 SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	12,622	12,622	15,622	15,022
70 B-2 ADVANCED TECHNOLOGY BOMBER	244,019	289,219	292,019	297,819
71 PERSONNEL RECOVERY SYSTEMS	290,059	190,059	98,059	105,000
72 ELECTRONIC WARFARE DEVELOPMENT	101,649	103,149	103,649	103,249
74 PHYSICAL SECURITY EQUIPMENT	34	34	34	34
75 SMALL DIAMETER BOMB (SDB)	145,191	145,191	145,191	145,191
76 COUNTERSPACE SYSTEMS	53,412	53,412	65,412	64,412
77 SPACE SITUATION AWARENESS SYSTEMS	187,804	197,604	187,804	197,604
78 AIRBORNE ELECTRONIC ATTACK	20,007	20,007	20,007	20,007
79 SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	587,004	614,604	587,004	587,004
80 ALTERNATIVE INFRARED SPACE SYSTEM (AIRSS)	230,887	75,887	75,000	75,887
82 ARMAMENT/ORDNANCE DEVELOPMENT	1,985	3,485	1,985	3,185
83 SUBMUNITIONS	1,988	1,988	1,988	1,988
84 AGILE COMBAT SUPPORT	10,623	12,623	10,623	12,223
86 LIFE SUPPORT SYSTEMS	12,649	13,649	12,649	13,649
87 COMBAT TRAINING RANGES	17,657	17,657	17,657	17,657
88 INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	189	13,189	8,189	17,589
89 INTELLIGENCE EQUIPMENT	1,469	1,469	5,969	5,069
91 JOINT STRIKE FIGHTER (JSF)	1,780,874	2,137,374	1,879,324	2,004,324
94 RDT&E FOR AGING AIRCRAFT	17,021	19,021	19,021	20,621
95 TEST AND EVALUATION SUPPORT	3,044	3,044	3,044	3,044
96 LINK-16 SUPPORT AND SUSTAINMENT	199,363	196,363	199,363	196,363
98 E-10 SQUADRONS	39,703	39,703	39,703	39,703
99 SINGLE INTEGRATED AIR PICTURE (SIAP)	4,976	4,976	4,976	4,976
100 FULL COMBAT MISSION TRAINING	87,096	72,096	87,096	72,096
102 JOINT CARGO AIRCRAFT (JCA)	42,368	42,368	---	21,000
103 CV-22	16,688	16,688	16,688	16,688
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	4,319,233	4,491,333	4,116,928	4,264,256

(In thousands of dollars)

	Budget	House	Senate	Conference
RDT&E MANAGEMENT SUPPORT				
104 THREAT SIMULATOR DEVELOPMENT..........................	39,892	39,892	39,892	39,892
105 MAJOR T&E INVESTMENT..................................	59,064	61,064	63,564	64,264
106 RAND PROJECT AIR FORCE................................	30,999	30,999	30,999	30,999
109 INITIAL OPERATIONAL TEST & EVALUATION.................	30,203	30,203	30,203	30,203
110 TEST AND EVALUATION SUPPORT...........................	737,558	712,558	737,558	722,558
111 ROCKET SYSTEMS LAUNCH PROGRAM (SPACE).................	15,145	20,145	15,145	19,145
112 SPACE TEST PROGRAM (STP)..............................	47,430	47,430	47,430	47,430
113 FACILITIES RESTORATION & MODERNIZATION - TEST & EVAL..	59,131	60,131	59,131	60,131
114 FACILITIES SUSTAINMENT - TEST AND EVALUATION SUPPORT..	30,865	34,865	30,865	34,065
117 INTERNATIONAL ACTIVITIES..............................	4,041	4,041	4,041	4,041
TOTAL, RDT&E MANAGEMENT SUPPORT.....................	1,054,328	1,041,328	1,058,828	1,052,728
OPERATIONAL SYSTEMS DEVELOPMENT				
118 ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY...............	10,930	10,930	10,930	10,930
120 B-52 SQUADRONS..	41,916	47,416	41,916	46,416
122 AIR-LAUNCHED CRUISE MISSILE (ALCM)....................	4,672	4,672	4,672	4,672
123 STRAT WAR PLANNING SYSTEM - USSTRATCOM................	20,340	20,340	20,340	20,340
124 NIGHT FIST - USSTRATCOM...............................	5,296	5,296	5,296	5,296
126 REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION..	23,495	23,495	23,495	23,495
127 WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRAN	14,245	14,245	14,245	14,245
128 MQ-9 UAV..	61,069	61,069	65,069	64,269
129 A-10 SQUADRONS..	1,963	1,963	1,963	1,963
130 F-16 SQUADRONS..	90,620	90,620	70,620	70,620
131 F-15E SQUADRONS.......................................	101,251	114,251	104,251	115,251
133 F-22 SQUADRONS..	743,593	379,563	611,393	611,393
135 TACTICAL AIM MISSILES.................................	7,927	7,927	7,927	7,927
136 ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).....	36,838	36,838	33,638	33,638
139 AF TENCAP...	11,526	11,526	11,526	11,526
141 COMPASS CALL..	4,603	4,603	9,603	8,603
142 AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.........	139,042	139,042	139,042	139,042

(In thousands of dollars)

	Budget	House	Senate	Conference
144 JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM).........	12,152	12,152	12,152	12,152
145 AIR AND SPACE OPERATIONS CENTER (AOC).................	111,557	111,557	101,057	101,057
146 CONTROL AND REPORTING CENTER (CRC)....................	16,505	16,505	25,005	25,005
147 AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)...........	152,721	152,721	152,721	152,721
148 TACTICAL AIRBORNE CONTROL SYSTEMS.....................	3,387	3,387	3,387	3,387
149 ADVANCED COMMUNICATIONS SYSTEMS.......................	33,584	33,584	33,584	33,584
150 EVALUATION AND ANALYSIS PROGRAM.......................	650,608	652,608	650,608	650,608
152 THEATER BATTLE MANAGEMENT (TBM) C4I...................	9,961	9,961	9,961	9,961
153 FIGHTER TACTICAL DATA LINK............................	39,545	39,545	39,545	39,545
154 BOMBER TACTICAL DATA LINK.............................	37,130	37,130	37,130	37,130
155 C2ISR TACTICAL DATA LINK..............................	1,809	1,809	1,809	1,809
156 COMMAND AND CONTROL (C2) CONSTELLATION................	45,049	45,049	45,049	45,049
157 JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM	65,924	82,924	65,924	82,724
158 SEEK EAGLE..	22,969	22,969	22,969	22,969
160 USAF MODELING AND SIMULATION..........................	23,044	25,044	24,244	25,844
161 WARGAMING AND SIMULATION CENTERS......................	6,490	6,490	6,490	6,490
162 DISTRIBUTED TRAINING AND EXERCISES....................	7,522	7,522	7,522	7,522
163 MISSION PLANNING SYSTEMS..............................	105,371	105,371	105,371	105,371
164 INFORMATION WARFARE SUPPORT...........................	12,111	12,111	12,111	12,111
165 SPECIAL EVALUATION SYSTEM.............................	760,312	760,312	760,312	770,412
167 COBRA BALL..	---	---	2,500	2,500
171 E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC).......	19,529	19,529	19,529	19,529
172 AIR FORCE COMMUNICATIONS (AIRCOM).....................	2,022	2,022	2,022	2,022
173 MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK ...	103,846	83,846	88,846	88,846
174 INFORMATION SYSTEMS SECURITY PROGRAM..................	229,657	187,610	210,457	187,810
175 GLOBAL COMBAT SUPPORT SYSTEM..........................	10,631	12,131	10,631	11,831
176 GLOBAL COMMAND AND CONTROL SYSTEM.....................	3,397	14,897	3,397	12,597
177 JOINT COMMAND AND CONTROL PROGRAM (JC2)...............	5,841	5,841	5,841	5,841
178 MILSATCOM TERMINALS...................................	388,491	388,491	388,491	388,491
180 AIRBORNE SIGINT ENTERPRISE............................	139,627	124,627	147,627	136,027

(In thousands of dollars)

	Budget	House	Senate	Conference
183 GLOBAL AIR TRAFFIC MANAGEMENT (GATM)..................	6,681	6,681	6,681	6,681
184 SATELLITE CONTROL NETWORK (SPACE).....................	27,256	27,256	27,256	27,256
185 WEATHER SERVICE.......................................	39,747	40,747	40,747	41,347
186 AIR TRAFFIC CONTROL, APPROACH, & LANDING SYSTEM (ATC).	4,672	5,392	7,672	8,392
187 AERIAL TARGETS..	7,376	7,376	7,376	7,376
190 SECURITY AND INVESTIGATIVE ACTIVITIES.................	829	829	829	829
194 NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)....	93,267	156,467	156,267	156,467
195 NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL).	120,931	120,931	120,931	120,931
197 SPACE AND MISSILE TEST AND EVALUATION CENTER..........	3,089	3,089	3,089	3,089
198 SPACE WARFARE CENTER..................................	1,678	1,678	1,678	1,678
199 SPACELIFT RANGE SYSTEM (SPACE).......................	27,300	27,300	27,300	27,300
200 INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS........	1,134	1,134	1,134	1,134
202 AIRBORNE RECONNAISSANCE SYSTEMS.......................	64,869	64,869	64,869	64,869
203 MANNED RECONNAISSANCE SYSTEMS.........................	12,672	15,672	17,672	19,072
204 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.............	107,117	108,117	107,117	107,917
205 PREDATOR UAV (JMIP)...................................	22,296	25,796	35,296	33,996
206 GLOBAL HAWK UAV.......................................	298,501	260,501	291,501	276,501
207 NETWORK-CENTRIC COLLABORATIVE TARGET (TIARA)..........	8,641	8,641	8,641	8,641
208 INTELLIGENCE SUPPORT TO INFORMATION WARFARE...........	5,362	5,362	5,362	5,362
209 NCMC - TW/AA SYSTEM...................................	11,882	11,882	11,882	11,882
211 NUDET DETECTION SYSTEM (SPACE)........................	38,974	38,974	38,974	38,974
213 NATIONAL SECURITY SPACE OFFICE........................	10,821	10,821	10,821	10,821
214 SPACE SITUATION AWARENESS OPERATIONS..................	23,980	23,980	23,980	23,980
215 WASS. IO TECHNOLOGY INTEGRATION & TOOL DEV............	15,681	15,681	15,681	15,681
216 SHARED EARLY WARNING (SEW)............................	3,152	3,152	3,152	3,152
217 C-130 AIRLIFT SQUADRON................................	188,069	192,069	251,569	251,669
218 C-5 AIRLIFT SQUADRONS.................................	203,585	185,585	178,585	180,185
219 C-17 AIRCRAFT...	181,734	181,734	181,734	181,734
220 C-130J PROGRAM..	74,223	74,223	74,223	74,223

(In thousands of dollars)

		Budget	House	Senate	Conference
222	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	19,324	19,324	19,324	19,324
223	KC-135S	8,766	8,766	8,766	8,766
224	KC-10S	36,790	13,790	13,790	13,790
225	KC-135 TANKER REPLACEMENT	314,454	114,454	314,454	114,454
226	OPERATIONAL SUPPORT AIRLIFT	4,868	4,868	4,868	4,868
228	SPECIAL TACTICS / COMBAT CONTROL	5,225	5,225	8,825	8,125
229	DEPOT MAINTENANCE (NON-IF)	1,510	1,510	1,510	1,510
230	ACQUISITION AND MANAGEMENT SUPPORT	22,317	22,317	22,317	22,317
231	INDUSTRIAL PREPAREDNESS	39,906	48,906	45,906	50,506
233	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	114,176	115,676	114,176	115,376
234	SUPPORT SYSTEMS DEVELOPMENT	11,076	17,576	22,576	34,076
235	JOINT NATIONAL TRAINING CENTER	3,128	---	3,128	3,128
236	OTHER PERSONNEL ACTIVITIES	115	115	115	115
237	JOINT PERSONNEL RECOVERY AGENCY	5,377	5,377	5,377	5,377
238	SERVICE-WIDE SUPPORT (NOT OTHERWISE ACCOUNTED FOR)	6,495	6,495	6,495	6,495
239	CIVILIAN COMPENSATION PROGRAM	8,070	8,070	8,070	8,070
240	PERSONNEL ADMINISTRATION	16,832	16,832	16,832	16,832
241	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	47,105	37,105	47,105	37,105
	TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	6,611,171	6,023,886	6,557,871	6,371,944
999	CLASSIFIED PROGRAMS	9,824,956	9,439,426	9,598,126	9,583,245
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE	26,711,940	26,163,917	26,070,841	26,255,471

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Conference
1	**DEFENSE RESEARCH SCIENCES**	**258,259**	**265,759**	**268,959**	**274,359**
	Chabot Space and Science Center		1,000		800
	Process Integrated Mechanism for Human-Computer Collaboration and Coordination		1,000		1,000
	Fully-Integrated Solar-Powered Interior Lighting Technology (Note: Senate included funding in Line 5)		1,000		1,600
	Nanotechnology based biosensors and bio-threat detectors		2,500		2,000
	Hybrid Materials for Thermal Management in Thin Films and Bulk Composites		2,000	1,000	1,600
	Coal Transformation Laboratory			1,000	1,000
	Development and Validation of Advanced Design Technologies for Hypersonic Research			3,000	2,400
	High Energy Laser for Detection, Inspection and Non-destructive Testing (Note: House included funding in RDT&E, Defense-Wide, Line 2)			5,000	5,000
	UNR-Millimeter Wave-Based Fatigue Countermeasure Technology			700	700
2	**UNIVERSITY RESEARCH INITIATIVES**	**104,304**	**104,304**	**123,304**	**120,704**
	Battlespace: Reducing Military Decision Cycles			3,000	2,400
	High Temperature Hydrogen Energy Production Facility			1,000	1,000
	Partnership in Innovative Preparation for Educators and Students (PIPES) and the Space Education Consortium (SEC)			2,000	1,600
	Secure Grids for Network Centric Operations			3,000	2,400
	University Research Initiatives			10,000	8,000
	Frank R. Seaver Science and Engineering Complex (Transferred from Line 4)		0		1,000
4	**MEDICAL DEVELOPMENT**	**0**	**8,000**	**0**	**4,700**
	Light Emitting Diode (LED) Wound Healing of Oral and Cutaneous Lesions (Transferred to Defense Health Program)		1,500		0
	Tricorder Detector		1,500		1,200
	National Center for Integrated Civilian-Military Domestic Disaster Medical Response (Yale New Haven Health System)		2,500		2,000
	Comprehensive Clinical Phenotyping and Genetic Mapping for the Discovery of Autism Susceptibility Gene		1,500		1,500
	Frank R. Seaver Science and Engineering Complex (Transferred to Line 2)		1,000		0
5	**MATERIALS**	**122,794**	**164,294**	**161,094**	**179,654**
	Chrome Free Environmentally Friendly Corrosion Protection for Aircraft		2,000		1,600
	Free Electron Laser Capabilities for Aerospace Microfabrication		2,000		1,600
	Intelligent Carbon Nanotube Based Computer Devices for Space Applications		6,000		4,800
	Aircraft Active Corrosion Protective Compounds		1,000		1,000
	Accelerated Insertion of Advanced Materials and Certification for Military Aircraft Structure Material		1,500	3,500	2,800
	Blast Resistant Concrete Products		2,000		1,600

R-1		Budget Request	House	Senate	Conference
	Large Area, APVT Materials Development for High Power Devices		2,000		1,600
	Plasma-Sphere Array for Flexible Electronics		2,000		1,600
	Advanced Carbon Fiber Research and Testing Initiative		3,500	3,000	3,000
	Institute for Science and Engineering Simulation (ISES) / Aircraft Fatigue Modeling and Simulation		2,500	2,500	2,500
	Science for Sustainment Initiative to Improve Mission		2,000		1,600
	ONAMI Safer Nanomaterials and Nanomanufacturing		2,000	4,000	3,200
	Pennsylvania Nanomaterials Commercialization Center		2,000		1,600
	High Temperature Aerogel Materials for Global Strike Vehicles		2,000		1,600
	Polymer Nanocomposites for Energy Storage and Pulsed Power		1,000		800
	Carbon Nano-Materials for Advanced Aerospace Applications, AQW Rice University		2,000		1,600
	University of Houston Consortium for Nanomaterials for Aerospace Commerce and Technology (CONTACT)		3,000	2,000	2,400
	Gallium Nitride (GaN) RF Power Technology		2,000		1,600
	Life Shield Blast Resistant Panels		1,000		1,000
	Affordable structural and non-structural materials for space - program growth			-3,500	-1,500
	Advanced Aerospace Carbon Foam Heat Exchangers		1,000	2,000	1,600
	Advanced Engineered Non-Linear Optical Materials for Critical Wavelengths			1,200	960
	Air Force Minority Leaders Program			7,500	6,000
	Durable Hybrid Coatings for Aircraft Systems			1,500	1,200
	Fire and Blast Resistant Materials for Force Protection			2,000	1,600
	Fully Integrated Solar-Powered Interior Lighting Technology (Transferred to Line 1)			2,000	0
	Nanocomposites for Lightning Protection of Composite Airframe Structures			2,000	1,600
	Nanotechnology research			5,000	5,000
	Polymer Stress and Sensor Damage Sensors for Composites			3,600	2,900
6	AEROSPACE VEHICLE TECHNOLOGIES	131,948	136,948	136,948	140,748
	Cognitive UAV		1,000		1,000
	Advanced Aerospace Heat Exchangers (Transferred to Line 5)		1,000		0
	Modeling and Simulation for Rapid Integration and Technology Evaluation		1,000		1,000
	Advancement of Intelligent Aerospace Systems (AIAS) for the U.S. Air Force		2,000		2,000
	Characterization of Airborne Environment for Tactical Lasers			4,000	4,000
	Single-Mode Optical Connectors for Advanced Air Vehicles			1,000	800
7	HUMAN EFFECTIVENESS APPLIED RESEARCH	79,856	84,856	87,856	91,056
	Warfighter Pocket XP-Next Gen		2,000		1,600
	Imaging Tools for Human Performance Enhancement and Diagnostics		2,000		1,600
	Ubiquitous RFID Chem/Bio Detection		1,000		800
	Component Object Model (COM) Attitude Control System Simulation/Trainer			4,000	4,000
	Solid Electrolyte Oxygen Separator			4,000	3,200

R-1		Budget Request	House	Senate	Conference
8	AEROSPACE PROPULSION	179,161	201,461	212,961	216,961
	Development & Testing of Advanced Paraffin-based Hybrid Rockets for Space Applications		2,000		1,600
	Center for Solar Electricity and Hydrogen		3,000		2,400
	LOX/Methane Cooled Upper Stage Rocket Engine		1,000		1,000
	Modified F-22 Maintenance-Free Nickel Cadmium Aircraft Batteries for the F-16		1,800	1,000	1,400
	Advanced Vehicle and Propulsion Center		2,000		1,600
	Integrated Electrical Starter/Generator		2,500		2,000
	Hydrocarbon Boost Technology Demonstrator		1,500		1,200
	THEMA - Thermal and Energy Management for Aerospace		3,500		3,500
	WASH Oxygen Sensor and Cell Level Battery Controller		1,500		1,200
	Active Combustion Control System for Military Aircraft		3,500	4,000	3,500
	Advanced Fuel Cell Based Power System for Small UAVs			800	800
	Alternative Energy Research			20,000	10,000
	High Energy Superior Lithium Battery Technology			6,000	6,000
	VDVP for UAV/UCAV Aircraft Engines			2,000	1,600
9	AEROSPACE SENSORS	106,055	119,055	113,055	122,055
	Optical Maximum Entropy Verification (OMEV)		1,000		800
	Sensor Fusion		2,000		1,600
	OPAL (Optically Pumped Atomic Laser for Defense)		4,000		3,200
	Center for Advanced Sensor and Communications Antennas		1,000		1,000
	Low Voltage, Wideband Electro-Optic Polymer Modulator		3,000		2,400
	Super-Resolution Sensor System (S3)			5,000	5,000
10	MULTI-DISCIPLINARY SPACE TECHNOLOGY	0	2,000	0	1,600
	Integrated Propulsion Analysis Tool (IPAT)		2,000		1,600
11	SPACE TECHNOLOGY	109,566	114,416	130,466	126,816
	Advanced Modular Avionics for Operationally Responsive Space Use		2,000	2,500	2,000
	Multicontinuum Technology for Space Structures		2,000	2,000	2,000
	Mission Design and Analysis Tool		500		500
	Shielding Rocket Payloads		350	400	350
	Deployable Structure Systems for Space			2,000	1,600
	Field Programmable Gate Arrays			2,000	1,600
	HAARP			4,000	3,200
	High Energy Matter Space Propulsion Initiative (Transferred to RDT&E, Army, Line 56)			1,000	0
	Microsatellite Target System			2,000	1,600
	Nuclear Test Seismic Research			3,000	2,400
	Reconfigurable Electronics and Non-Volatile Memory Research			2,000	2,000
12	CONVENTIONAL MUNITIONS	57,804	59,304	57,804	59,004
	Advanced Nanotube Micro-Munition Weapon Technology Initiative		1,500		1,200
13	DIRECTED ENERGY TECHNOLOGY	54,883	57,883	54,883	57,283
	Ceramics for Next-Generation Tactical Laser Systems		3,000		2,400

R-1		Budget Request	House	Senate	Conference
14	**COMMAND CONTROL AND COMMUNICATIONS**	**116,705**	**125,105**	**118,705**	**122,205**
	Compact Laser Terminal for Airborne Network Centric Warfare		2,500		2,000
	Compact Coherent LIDAR Transceiver System		2,000		0
	Adaptive Optics Lasercom		2,000		1,600
	Cyber Attack Mitigation and Exploitation Laboratory II (CAMEL II)		1,900	2,000	1,900
20	**ADVANCED MATERIALS FOR WEAPON SYSTEMS**	**39,730**	**65,230**	**51,730**	**72,030**
	Continuous Integrated Vehicle Health Monitoring System		1,500		1,200
	Encapsulated Ballistic Protection System (EBPS)		1,000		1,000
	Coated Field Repair (2K Gun)		1,000		1,000
	National Aerospace Leadership Initiative		20,000		16,000
	EMI Grid Fabrication Technology		2,000		1,600
	Aircraft Evaluation Readiness Initiative (AERI)			2,000	2,000
	Hybrid Bearings			3,000	2,400
	Metals Affordability Initiative			5,000	5,000
	Strategic Bio-fuels Supply Program			2,000	1,600
	Materials Integrity Management Research (Transferred from Senate General Provision 8108)				500
21	**ADVANCED AEROSPACE SENSORS**	**55,549**	**65,549**	**55,549**	**64,349**
	TacNode-Tactical Airborne Communications Node		4,000		3,200
	Active Unmanned Air Vehicle (UAV) Phenomenology (AUP) & ART Technology Transition		4,000		4,000
	Moving Target Strike		2,000		1,600
22	**AEROSPACE TECHNOLOGY DEVELOPMENT/DEMONSTRATION**	**64,922**	**29,822**	**64,922**	**67,322**
	Advanced Composite Cargo Aircraft Demonstration		-35,000		0
	Transfer to O&M, Defense-Wide for CE2T2		-3,100		0
	Advance Aerospace Titanium Structures Initiative		2,000		1,600
	Big Antennas Small Structures Efficient Tactical (BASSET) UAV		1,000		800
23	**AEROSPACE PROPULSION AND POWER TECHNOLOGY**	**117,990**	**125,990**	**140,890**	**143,490**
	FRESH (Field Renewable Energy System Hybrids) Li Ion Battery Program		1,000		1,000
	Versatile Affordable Advanced Turbine Engine (VAATE) -- Small Turbofan (STF)		4,500		3,600
	Ceramic Matrix Composite (CMC) Airfoil Capability Enhancements		1,000		1,000
	Texas Research Institute for Environmental Studies		1,500		1,200
	Bi-Polar Wafer-cell Nickel Metal Hydride Battery			2,000	2,000
	Family of Motors Capability Demonstration			8,000	6,400
	Silicon Carbide Power Electronics for More Electric Aircraft			6,900	5,500
	Versatile Affordable Advanced Turbine Engine, High Speed Turbine Engine Demonstrator			6,000	4,800
24	**CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY**	**28,558**	**37,258**	**34,558**	**38,658**
	Variable Transmittance Visor		1,000		1,000
	Virtual Medical Trainer		3,000		2,400
	Battlefield Automatic Life Status Monitor (BALSM)		2,000		1,600

R-1		Budget Request	House	Senate	Conference
	Low Cost/Improved Performance for Helmet Display and Life Support Technologies		2,700	3,000	2,700
	Water Purification with Fused Carbon Nanotube Nanostructured Material			3,000	2,400
25	**ELECTRONIC COMBAT TECHNOLOGY**	**23,743**	**26,743**	**25,843**	**27,943**
	BLADES (Real-Time Battlefield Laser Detection System)		2,000		1,500
	Innovative Polymeric Materials for Three-Dimensional (3-D) Microdevice Construction		1,000		1,000
	Advanced Threat Alert Advanced Technology Demonstration			2,100	1,700
28	**ADVANCED SPACECRAFT TECHNOLOGY**	**78,704**	**98,004**	**93,004**	**101,304**
	Small Low Cost Reconnaissance Spacecraft		2,300		1,800
	Micromachined Switches for Next Generation Modular Satellites		3,000		2,400
	Microsatellite Serial Manufacturing		2,000		1,600
	Satellite Coherent Optical Receiver (SCORE)		2,500		2,000
	Space Situational Awareness		1,500		1,200
	Systematic Approach to Radiation Hardened Electronics (SHARE)		2,000	3,000	2,400
	Intelligent Free Space Optical Satellite Communications Node		1,000	2,000	1,600
	Radially Segmented Launch Vehicle (RSLV) Risk Reduction Program		2,000		1,600
	Multi-mission Advanced Sensor System (MASS) (Transferred to RDT&E, Defense-Wide, Line 28)		3,000		0
	Advanced space-based infrared technology and hardened focal plane arrays program growth			-1,500	-1,500
	COTS Technology for Space Situational Awareness			2,500	2,000
	Large Automated Production of Expendable Launch Structures (LAPELS)			4,300	4,300
	Thin Film Amorphous Solar Arrays			4,000	3,200
29	**GLOBAL POSITIONING SYSTEM (GPS) EXTENSION PROGRAM**	**70,758**	**0**	**0**	**0**
	Transferred to RDTE, Navy, Line 17		-70,758	-70,758	-70,758
30	**MAUI SPACE SURVEILLANCE SYSTEM (MSSS)**	**5,237**	**7,237**	**46,737**	**42,437**
	High Accuracy Network Determination System (HANDS)		2,000	6,500	5,200
	Maui Space Surveillance System (MSSS) Operations & Research			24,000	23,000
	PanSTARRS			11,000	9,000
32	**CONVENTIONAL WEAPONS TECHNOLOGY**	**16,904**	**18,904**	**16,904**	**18,504**
	Body Armor Improved Ballistic Protection		2,000		1,600
33	**ADVANCED WEAPONS TECHNOLOGY**	**43,999**	**43,999**	**74,999**	**74,899**
	All Electric Laser			2,000	1,900
	Applications of LIDAR to Vehicles with Analysis (ALVA)			9,000	8,400
	Real-time Optical Surveillance Applications			2,000	1,600
	Satellite Active Imaging National Testbed Program			3,000	2,400
	Space Situational Awareness research			15,000	15,000
	Compound Zoom for Airborne Reconnaissance (CZAR) (Transferred from Line 150)				1,600

R-1		Budget Request	House	Senate	Conference
34	**C3I ADVANCED DEVELOPMENT**	**27,357**	**29,357**	**32,257**	**33,057**
	Interoperability Network to Fuse and Exchange Real-Time Information		1,000		800
	Collaboration Gateway		1,000		1,000
	Massively Parallel Optical Interconnects for Battlespace Information Exchange			4,900	3,900
40	**INTELLIGENCE ADVANCED DEVELOPMENT**	**4,930**	**5,930**	**4,930**	**5,930**
	Multilingual Text Mining Platform for Intelligence Analysts		1,000		1,000
41	**PHYSICAL SECURITY EQUIPMENT**	**466**	**2,466**	**3,466**	**2,866**
	Tactical Automated Security System (TASS), Advanced Communications Module (ACM)		2,000	3,000	2,400
42	**NAVSTAR GLOBAL POSITIONING SYSTEM III**	**587,226**	**507,226**	**437,226**	**487,226**
	GPS III		-80,000	-150,000	-100,000
45	**SPACE CONTROL TECHNOLOGY**	**37,604**	**62,604**	**42,604**	**66,604**
	Self Aware - Space Situational Awareness		25,000		25,000
	Multi-mission Deployable Optical System			5,000	4,000
49	**TRANSFORMATIONAL SATCOM (TSAT)**	**963,585**	**963,585**	**763,585**	**813,585**
	TSAT program growth			-200,000	-150,000
51	**INTERCONTINENTAL BALLISTIC MISSILE**	**26,519**	**32,519**	**26,519**	**31,319**
	Conventional Strike Missiles Capability Demonstration		6,000		4,800
53	**SPACE-BASED RADAR**	**0**	**186,000**	**0**	**0**
	Space Radar		186,000		0
54	**POLLUTION PREVENTION (DEMONSTRATION/VALIDATION)**	**2,838**	**8,838**	**7,838**	**11,038**
	Assessment of Alternative Energy for Aircraft Ground Equipment (AGE)		1,000	3,000	2,400
	Transforming Waste Plastics into Alternative Fuels		1,000		1,000
	Transformation and Modernization of Air Force Weapons Systems		3,000		2,400
	Microcomposite Coatings for Chrome Replacement		1,000		800
	02 Diesel Air Quality Project			2,000	1,600
60	**COMMON AERO VEHICLE (CAV)**	**32,806**	**37,806**	**0**	**4,000**
	Ballistic Missile Technology		5,000		4,000
	CAV (HTV and CSM) - transfer to RDT&E, Defense-Wide, Line 100A			-32,806	-32,806
61	**OPERATIONALLY RESPONSIVE SPACE**	**87,032**	**107,032**	**87,032**	**97,132**
	Operationally Responsive Space		20,000		6,100
	Low Earth Orbit Nanosatellite Integrated Defense Autonomous Systems (Transfer from RDT&E Army, Line 55)				4,000
67	**B-1B**	**159,126**	**144,126**	**169,126**	**153,126**
	Program execution - Vertical Situation Display		-15,000		-15,000
	B-1 Bomber 16 Carry Adapter			10,000	9,000
	Smart-Bomb Rack Unit (S-BRU) Upgrade (Transfer from Aircraft Procurement, Air Force, Line 24)				4,560

R-1		Budget Request	House	Senate	Conference
69	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	12,622	12,622	15,622	15,022
	AT-6B for the Air National Guard			3,000	2,400
70	B-2 ADVANCED TECHNOLOGY BOMBER	244,019	289,219	292,019	297,819
	AF Requested transfer for Radar Modernization Program		38,000	38,000	38,000
	Small Diameter Bomb		7,200		5,800
	Massive Ordnance Penetrator for B-2			10,000	10,000
71	PERSONNEL RECOVERY SYSTEMS	290,059	190,059	98,059	105,000
	Contract award delay		-100,000	-192,000	-86,059
	Transfer to Line 57, Aircraft Procurement, Air Force, only for H-60 upgrades				-99,000
72	ELECTRONIC WARFARE DEVELOPMENT	101,649	103,149	103,649	103,249
	Rapid Replacement of Mission Critical Logistics Electronic Components		1,500	2,000	1,600
76	COUNTERSPACE SYSTEMS	53,412	53,412	65,412	64,412
	Space Control Test Capabilities			5,000	4,000
	RAIDRS Block 20 (Air Force unfunded requirement)			7,000	7,000
77	SPACE SITUATION AWARENESS SYSTEMS	187,804	197,604	187,804	197,604
	Space Fence		9,800		9,800
79	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	587,004	614,604	587,004	587,004
	MCSB Upgrade		27,600		0
80	ALTERNATIVE INFRARED SPACE SYSTEM (AIRSS)	230,887	75,887	75,000	75,887
	Program Growth		-155,000	-155,887	-155,000
82	ARMAMENT/ORDNANCE DEVELOPMENT	1,985	3,485	1,985	3,185
	I-1000 Warhead Technology Demonstration		1,500		1,200
84	AGILE COMBAT SUPPORT	10,623	12,623	10,623	12,223
	Improvised Ordnance Detonator -Advanced Development		2,000		1,600
86	LIFE SUPPORT SYSTEMS	12,649	13,649	12,649	13,649
	ACES II Ejection Seat Improvement		1,000		1,000
88	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	189	13,189	8,189	17,589
	Program Engineering Interoperability Framework		2,000		1,600
	Enterprise Services for Reach Back Capabilities (ESRBC)		3,000		3,000
	MEDSTARS Integration with Global Combat Support System		2,000		1,600
	Airborne Web Services (AWS) Spiral 5		1,000		800
	Distributed Mission Interoperability Toolkit (DMIT)		5,000		4,000
	ASSET eWing and Data Fusion Technology Integration Base			5,000	4,000
	Global Awareness Presentation Services (GAPS)			3,000	2,400
89	INTELLIGENCE EQUIPMENT	1,469	1,469	5,969	5,069
	Electronic Warfare Modeling, Simulation and Wireless Testing Center			4,500	3,600

R-1		Budget Request	House	Senate	Conference
91	**JOINT STRIKE FIGHTER (JSF)**	**1,780,874**	**2,137,374**	**1,879,324**	**2,004,324**
	Alternate engine development		240,000	240,000	240,000
	Production Affordability Initiatives and Information Assurance		100,000		100,000
	Small Business Technology Insertion Program		25,000		25,000
	Excess Award Fees		-8,500	-8,550	-8,550
	Joint Strike Fighter overbilling			-133,000	-133,000
94	**RDT&E FOR AGING AIRCRAFT**	**17,021**	**19,021**	**19,021**	**20,621**
	Enhanced Smart Triple Ejector Rack		2,000		1,600
	Aging Landing Gear Life Extension			2,000	2,000
96	**LINK-16 SUPPORT AND SUSTAINMENT**	**199,363**	**196,363**	**199,363**	**196,363**
	Objective Gateway - Core contract award		-3,000		-3,000
100	**FULL COMBAT MISSION TRAINING**	**87,096**	**72,096**	**87,096**	**72,096**
	F-15/F-16 Simulator integration development		-15,000		-15,000
102	**JOINT CARGO AIRCRAFT (JCA)**	**42,368**	**42,368**	**0**	**21,000**
	Unjustified request			-42,368	-21,368
105	**MAJOR T&E INVESTMENT**	**59,064**	**61,064**	**63,564**	**64,264**
	FPS-16 Radar Mobilization Upgrade		2,000		1,600
	Holloman High Speed Test Track			4,500	3,600
110	**TEST AND EVALUATION SUPPORT**	**737,558**	**712,558**	**737,558**	**722,558**
	Execution		-25,000		-15,000
111	**ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)**	**15,145**	**20,145**	**15,145**	**19,145**
	Ballistic Missile Range Safety Technology		5,000		4,000
113	**FACILITIES RESTORATION & MODERNIZATION - TEST & EVALUATION**	**59,131**	**60,131**	**59,131**	**60,131**
	Internal Base Facility Energy Independence - Wind/Turbine		1,000		1,000
114	**FACILITIES SUSTAINMENT - TEST AND EVALUATION SUPPORT**	**30,865**	**34,865**	**30,865**	**34,065**
	Base Facility Energy Independence		4,000		3,200
120	**B-52 SQUADRONS**	**41,916**	**47,416**	**41,916**	**46,416**
	B-52 CCJ		5,000		4,000
	Common Reconfigurable Advanced Thermal Management System		500		500
128	**MQ-9 UAV**	**61,069**	**61,069**	**65,069**	**64,269**
	Predator Aircrew Mission Training System (PMATS) Upgrade			4,000	3,200
130	**F-16 SQUADRONS**	**90,620**	**90,620**	**70,620**	**70,620**
	Program Execution			-20,000	-20,000
131	**F-15E SQUADRONS**	**101,251**	**114,251**	**104,251**	**115,251**
	F-15 AN/ALR-56C RWR Digital Receiver Upgrade		7,000		5,600
	AESA Development and Demonstration		6,000		6,000
	F-15 AESA Radar Upgrade			3,000	2,400

R-1		Budget Request	House	Senate	Conference
133	**F-22 SQUADRONS**	**743,593**	**379,593**	**611,393**	**611,393**
	Transfer to MilPers, Air Force, BA-5 for PCS Obligation		-364,000		-132,200
	F-22A program growth			-132,200	0
136	**ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMF**	**36,838**	**36,838**	**33,638**	**33,638**
	JDRADM premature request			-3,200	-3,200
141	**COMPASS CALL**	**4,603**	**4,603**	**9,603**	**8,603**
	Compass Call			5,000	4,000
145	**AIR AND SPACE OPERATIONS CENTER (AOC)**	**111,557**	**111,557**	**101,057**	**101,057**
	Space C2 Operations - Reduction for Space C2 System only - premature request			-10,500	-10,500
146	**CONTROL AND REPORTING CENTER (CRC)**	**16,505**	**16,505**	**25,005**	**25,005**
	BCS-Mobile Upgrades - transfer from OPAF, Line 19			8,500	8,500
150	**EVALUATION AND ANALYSIS PROGRAM**	**650,608**	**652,608**	**650,608**	**650,608**
	Compound Zoom for Airborne Reconnaissance (CZAR) (Transferred to Line 33)		2,000		0
157	**JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM**	**65,924**	**82,924**	**65,924**	**82,724**
	SYERS Demonstration		16,000		16,000
	Joint STARS Electro-Optical Adjunct		1,000		800
160	**USAF MODELING AND SIMULATION**	**23,044**	**25,044**	**24,244**	**25,844**
	MAICE		2,000		1,600
	Research Visualization Facility			1,200	1,200
165	**SPECIAL EVALUATION SYSTEM**	**760,312**	**760,312**		**770,412**
	Air Force Requested Transfer				10,100
167	**COBRA BALL**	**0**	**0**	**2,500**	**2,500**
	Pointing and Stabilization System Upgrade for Cobra Ball			2,500	2,500
173	**MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK**	**103,846**	**83,846**	**88,846**	**88,846**
	Minuteman MEECN		-20,000	-15,000	-15,000
174	**INFORMATION SYSTEMS SECURITY PROGRAM**	**229,657**	**187,610**	**210,457**	**187,810**
	Unjustified program growth		-45,047		-45,047
	Cyber Security Defend and Attack Exercise		3,000		2,400
	Program execution			-20,000	0
	Montana Cyber Security Attack and Defend Exercises			800	800
175	**GLOBAL COMBAT SUPPORT SYSTEM**	**10,631**	**12,131**	**10,631**	**11,831**
	Technical Order Optimization		1,500		1,200
176	**GLOBAL COMMAND AND CONTROL SYSTEM**	**3,397**	**14,897**	**3,397**	**12,597**
	Carbon Nanotube Enhanced Power Sources for Space		1,500		1,200
	Command & Control Service Level Management (C2SLM) program		10,000		8,000

R-1		Budget Request	House	Senate	Conference
180	**AIRBORNE SIGINT ENTERPRISE**	**139,627**	**124,627**	**147,627**	**136,027**
	Execution		-15,000		-10,000
	Ku Beyond Line of Sight Satcom Datalink for Senior Scout			8,000	6,400
185	**WEATHER SERVICE**	**39,747**	**40,747**	**40,747**	**41,347**
	TAMDAR System Integration and Performance Evaluation on Unmanned Aerial Systems		1,000		800
	Operations Risk Management Visualization and Integration			1,000	800
186	**AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM**	**4,672**	**5,392**	**7,672**	**8,392**
	Terminal Radar Approach Control (TRACON) Quick Connect Panel and Switchgear		720		720
	Terminal Surveillance and Approach System (TSAS)/ATCALS			3,000	3,000
194	**NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)**	**93,267**	**156,467**	**156,267**	**156,467**
	GPS User Equipment - transfer from RDTE, Air Force, Line 42		63,200	63,000	63,200
203	**MANNED RECONNAISSANCE SYSTEMS**	**12,672**	**15,672**	**17,672**	**19,072**
	Rivet Joint Network Interface Growth		3,000		2,400
	Combat Sent Wideband Sensor Upgrade Program			5,000	4,000
204	**DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS**	**107,117**	**108,117**	**107,117**	**107,917**
	Advanced Architecture Designs Supporting U.S. Army Net Centric Warfare (AADSUNW)		1,000		800
205	**PREDATOR UAV (JMIP)**	**22,296**	**25,796**	**35,296**	**33,996**
	Integrator Unmanned Aircraft System (UAS) Advanced Concept Development		3,500	4,000	3,500
	Center of Excellence for Defense UAV Education			4,000	3,200
	Multi-Sensor Detect, See, & Avoid			5,000	5,000
206	**GLOBAL HAWK UAV**	**298,501**	**260,501**	**291,501**	**276,501**
	Execution		-38,000		-15,000
	Transfer to APAF, Line 63 for spares			-7,000	-7,000
217	**C-130 AIRLIFT SQUADRON**	**188,069**	**192,069**	**251,569**	**251,569**
	C-130 AMP transfer from APAF, Line 47			60,000	60,000
	Air Force C-130 Propeller De-icing System Safety Upgrade Using Metal Fiber Brushes		1,000	1,500	1,200
	C-130 AIRCAT CBM+		3,000	2,000	2,400
218	**C-5 AIRLIFT SQUADRONS**	**203,585**	**185,585**	**178,585**	**180,185**
	Test program execution		-20,000		0
	Inductive Thermography Systems Inspections		2,000		1,600
	C-5 RERP - production delay and program restructure			-25,000	-25,000
224	**KC-10S**	**36,790**	**13,790**	**13,790**	**13,790**
	SDD AMP contract delay		-23,000	-23,000	-23,000
225	**KC-135 TANKER REPLACEMENT**	**314,454**	**114,454**	**314,454**	**114,454**
	Transfer to Tanker Replacement Transfer Fund		-200,000		-200,000

R-1		Budget Request	House	Senate	Conference
228	**SPECIAL TACTICS / COMBAT CONTROL**	**5,225**	**5,225**	**8,825**	**8,125**
	Combat Casualty Management System			3,600	2,900
231	**INDUSTRIAL PREPAREDNESS**	**39,906**	**48,906**	**45,906**	**50,506**
	Technology Insertion Demonstration and Evaluation (TIDE)		1,500		1,200
	Laser Peening for Friction Stir Welded (FSW) Aerospace Structures		1,000		1,000
	Production of Nanocomposites for Aerospace Applications		2,000		1,600
	High Temperature, Laser Sintered Polymeric Material Digital Product Definition		2,500	2,000	2,000
	Prepreg Thickness Variability Reduction Program		2,000		1,600
	Rapid Manufacturing and Repair of Composite Components			2,000	1,600
	Refigurable Tooling Systems			2,000	1,600
233	**LOGISTICS INFORMATION TECHNOLOGY (LOGIT)**	**114,176**	**115,676**	**114,176**	**115,376**
	Expert Organizational Development System (EXODUS)		1,500		1,200
234	**SUPPORT SYSTEMS DEVELOPMENT**	**11,076**	**17,576**	**22,576**	**34,076**
	Alternative Energy Fuel Cell Power Generation		1,000	2,500	2,000
	Strategic Airlift Aircraft Availability Improvements		3,500		2,800
	Heavy Duty Hybrid Electric Vehicle		2,000	2,000	2,000
	Alternate Carbon Stationary Fuel Cell Demonstrator			4,000	3,200
	WR-ALC Special Operations Forces			3,000	3,000
	Alternative Energy Research, Transfer from Line 8				10,000
235	**JOINT NATIONAL TRAINING CENTER**	**3,128**	**0**	**3,128**	**3,128**
	Transfer to O&M, Defense-Wide for CE2T2		-3,128		0
241	**FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT**	**47,105**	**37,105**	**47,105**	**37,105**
	DEAMS Contract Award		-10,000		-10,000

COMBAT SEARCH AND RESCUE (CSAR-X)

The budget request includes $290,059,000 for development of a new platform to perform the combat search and rescue mission. Due to bid protests upheld by the Government Accountability Office, contract award for system development and demonstration has been delayed well into the summer of 2008. Due to this delay, a significant amount of the request cannot be executed during fiscal year 2008. Accordingly, the conferees reduce the request by $185,059,000. The conferees transfer $99,000,000 of this reduction to Aircraft Procurement, Air Force, for much needed modifications to the HH-60 fleet which, due to delays in the CSAR-X program, will perform the combat search and rescue mission for many years longer than planned. An explanation of the HH-60 modifications provided for is included in the Aircraft Procurement, Air Force section of the Joint Explanatory Statement of Managers.

SPACE SITUATIONAL AWARENESS

The conferees are committed to improving the nation's ability to survey space and characterize events and objects that could jeopardize our ability to operate in space. Enhancing these capabilities is critical, particularly following the Chinese anti-satellite weapon demonstration last January. The conferees agree to add over $100,000,000 above the President's budget request to accelerate our space situational awareness capabilities in programs such as the following: Self Aware Space Situational Awareness, Space Fence, Operationally Responsive Space, Space Control Test Capabilities, Rapid Identification, Detection and Reporting System (RAIDRS) Block 20, Maui Space Surveillance System, Space Situational Awareness research, Panoramic Survey Telescope and Rapid Response System, and the High Accuracy Network Discrimination System.

OPERATIONALLY RESPONSIVE SPACE

The conference agreement provides Operationally Responsive Space funds for efforts associated with responsive launch. The conferees encourage the Operationally Responsive Space program to continue to work with DARPA on the FALCON small launch vehicle program.

BALLISTIC MISSILE RANGE SAFETY TECHNOLOGY

The conferees direct that $3,000,000 of the funds made available for Spacelift Range Systems is restricted from obligation or expenditure until 30 days after notification to the congressional defense committees of the results from the Ballistic Missile Range Safety Technology certification process. This is in lieu of the $10,000,000 restriction proposed by the House.

GLOBAL BROADCAST RECEIVE SUITE

The conferees are encouraged with the progress the Air Force Global Broadcast System (GBS) Joint Program Office (JPO) has made on the development of the Suitcase Portable Receive Suite (SPRS). These efforts have led to the fielding of promising prototypes currently undergoing tests. The conferees urge the Air Force to continue to accelerate the development, procurement and fielding of this vital system and to reduce the size and weight of the system, leading to a smaller, lighter rucksack-portable capability as soon as possible.

MEDSTARS INTEGRATION WITH THE GLOBAL COMBAT SUPPORT SYSTEM

As the exposure to non-conventional weapons increases, service members need a front line medical system to enable the rapid relay, monitoring, and assessment of the health of the combat force. Therefore, the conferees provide $1,600,000 to develop and deploy a system to provide our forces with instant access to health care information and trauma reports.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	RESEARCH, DEVELOPMENT, TEST & EVAL, DEFENSE-WIDE				
	BASIC RESEARCH				
1	DTRA UNIVERSITY STRATEGIC PARTNERSHIP BASIC RESEARCH..	5,000	8,000	9,000	10,900
2	DEFENSE RESEARCH SCIENCES............................	---	10,800	160,922	176,115
2	FORCE HEALTH PROTECTION..............................	152,622	152,622	---	---
3	GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RESEAR	---	8,000	2,500	6,200
4	DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE	5,878	5,878	19,878	17,078
5	NATIONAL DEFENSE EDUCATION PROGRAM...................	44,372	44,372	44,372	44,372
6	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM..............	72,003	101,253	75,403	83,663
	TOTAL, BASIC RESEARCH.............................	279,875	330,925	312,075	338,328
	APPLIED RESEARCH				
	ADVANCED DEVELOPMENT INITIATIVES FUNDS...............	---	50,000	---	---
7	INSENSITIVE MUNITIONS--EXPLORATORY DEVELOPMENT........	15,542	11,542	15,542	12,542
8	MEDICAL FREE ELECTRON LASER..........................	---	2,000	3,000	2,400
9	HISTORICALLY BLACK COLLEGES & UNIV (HBCU) SCIENCE.....	15,150	15,150	18,450	37,790
10	LINCOLN LABORATORY RESEARCH PROGRAM..................	29,524	29,524	29,524	29,524
11	INFORMATION AND COMMUNICATIONS TECHNOLOGY............	229,739	235,139	227,867	231,859
12	COGNITIVE COMPUTING SYSTEMS..........................	179,728	179,728	176,355	175,797
13	BIOLOGICAL WARFARE DEFENSE...........................	99,137	85,466	67,007	72,562
14	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM..............	305,327	348,777	239,727	268,707
15	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APP	7,300	---	7,300	6,300
16	TACTICAL TECHNOLOGY..................................	374,717	365,341	347,358	338,117
17	MATERIALS AND BIOLOGICAL TECHNOLOGY..................	306,022	306,022	306,871	303,671
19	ELECTRONICS TECHNOLOGY...............................	213,529	203,929	198,565	197,965
21	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES.......	182,416	222,916	185,416	212,816
23	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT............	21,282	31,782	25,282	32,882
24	SOF MEDICAL TECHNOLOGY DEVELOPMENT...................	2,388	2,388	2,388	2,388
25	INSENSITIVE MUNITIONS - ADVANCED DEVELOPMENT..........	6,000	---	6,000	4,000
	TOTAL, APPLIED RESEARCH...........................	1,987,801	2,089,704	1,856,452	1,929,320

(In thousands of dollars)

		Budget	House	Senate	Conference
	ADVANCED TECHNOLOGY DEVELOPMENT				
27	SO/LIC ADVANCED DEVELOPMENT..........................	32,669	41,669	32,669	40,069
28	COMBATING TERRORISM TECHNOLOGY SUPPORT................	76,276	109,276	88,976	118,656
29	COUNTERPROLIFERATION INITIATIVES--PROLIF PREV & DEFEAT	213,240	220,740	213,240	219,440
30	BALLISTIC MISSILE DEFENSE TECHNOLOGY.................	118,569	101,569	131,569	109,169
31	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT........	23,488	23,488	23,488	23,488
32	ADVANCED AEROSPACE SYSTEMS...........................	86,385	70,385	71,232	72,385
33	SPACE PROGRAMS AND TECHNOLOGY........................	224,551	217,803	135,851	217,803
34	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED DEV	232,302	278,602	208,702	247,162
35	JOINT ELECTRONIC ADVANCED TECHNOLOGY.................	9,219	9,219	13,219	12,419
36	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS............	194,352	196,352	203,452	204,252
37	NETWORKED COMMUNICATIONS CAPABILITIES................	40,000	---	40,000	15,000
38	BIOMETRICS SCIENCE AND TECHNOLOGY....................	8,000	---	12,000	10,200
39	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADV	9,000	---	9,000	3,000
40	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROG	10,000	3,500	25,000	23,800
41	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS............	11,256	16,756	16,256	19,756
42	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS.......	18,736	33,736	49,336	52,216
44	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM.............	68,874	68,874	69,874	69,674
45	MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT....	---	28,000	27,800	47,440
46	JOINT WARFIGHTING PROGRAM............................	11,060	11,060	11,060	11,060
47	ADVANCED ELECTRONICS TECHNOLOGIES....................	220,548	224,048	203,300	204,240
48	SYNTHETIC APERTURE RADAR (SAR) COHERENT CHANGE DETECT.	6,500	---	3,500	3,500
49	ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS............	---	2,000	---	1,600
50	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM......	187,587	189,587	208,487	206,807
51	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS...........	256,868	256,868	251,645	256,868
52	LAND WARFARE TECHNOLOGY..............................	24,711	19,011	21,641	19,768
53	CLASSIFIED DARPA PROGRAMS............................	188,188	188,188	185,028	188,188
54	NETWORK-CENTRIC WARFARE TECHNOLOGY...................	151,641	144,641	142,765	151,641
55	SENSOR TECHNOLOGY....................................	196,462	196,462	187,509	196,462
56	GUIDANCE TECHNOLOGY..................................	127,777	127,777	122,576	127,777

(In thousands of dollars)

		Budget	House	Senate	Conference
57	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT..	13,282	13,282	13,282	13,282
58	SOFTWARE ENGINEERING INSTITUTE........................	29,851	29,851	25,951	25,951
60	QUICK REACTION SPECIAL PROJECTS.......................	109,514	112,414	112,514	114,234
61	JOINT EXPERIMENTATION.................................	112,017	108,717	113,017	108,177
62	JOINT WARGAMING SIMULATION MANAGEMENT OFFICE..........	37,837	27,837	17,837	22,837
63	TEST & EVALUATION SCIENCE & TECHNOLOGY................	62,889	62,889	62,889	62,889
64	TECHNOLOGY LINK.......................................	2,234	4,234	4,734	5,834
65	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT....	29,935	42,435	32,935	42,335
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.............	3,145,818	3,181,270	3,092,334	3,269,379
	DEMONSTRATION & VALIDATION				
66	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT .	38,060	45,060	44,060	49,560
67	PHYSICAL SECURITY EQUIPMENT...........................	---	---	2,000	1,600
68	RETRACT LARCH...	22,365	22,365	22,365	22,365
69	JOINT ROBOTICS PROGRAM................................	11,860	16,860	19,860	23,860
71	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	33,199	40,699	33,199	39,199
72	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT....	962,585	1,032,585	1,037,585	1,052,485
73	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT...	2,520,084	2,233,884	2,318,784	2,258,784
73A	SBX...	---	---	166,300	166,300
74	BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT.......	548,759	498,108	548,759	513,759
75	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM...............	57,160	62,160	62,160	64,360
76	BALLISTIC MISSILE DEFENSE SENSORS.....................	778,163	611,663	753,163	590,163
	SPACE SURVEILLANCE & TRACKING SYSTEM..................	331,525	286,167	272,525	233,125
77	BALLISTIC MISSILE DEFENSE SYSTEM INTERCEPTOR..........	227,499	372,853	197,499	342,453
78	BALLISTIC MISSILE DEFENSE TEST & TARGETS..............	586,150	586,150	636,150	626,150
86	BALLISTIC MISSILE DEFENSE C2BMC.......................	258,913	460,703	248,913	450,703
87	BALLISTIC MISSILE DEFENSE HERCULES....................	53,658	52,824	53,658	52,824
88	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT....	48,787	50,235	48,787	49,735
89	BALLISTIC MISSILE DEFENSE JOINT NATIONAL INTERGRATION.	104,012	79,099	104,012	79,099
90	BALLISTIC MISSILE DEFENSE SYSTEMS CORE................	482,016	431,788	387,416	416,788
91	SPECIAL PROGRAMS - MDA................................	323,250	198,250	198,850	198,250

(In thousands of dollars)

		Budget	House	Senate	Conference
82	AEGIS BMD	1,059,103	1,116,103	1,059,103	1,134,103
84	MULTIPLE KILL VEHICLES	271,151	274,251	221,151	231,529
85	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	27,666	17,666	12,666	16,666
92	HUMANITARIAN DEMINING	14,013	14,013	14,013	14,013
93	COALITION WARFARE	14,047	10,047	14,047	10,047
94	DEPARTMENT OF DEFENSE CORROSION PROGRAM	4,983	4,983	19,083	19,083
95	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	2,960	2,960	2,960	2,960
91	REGARDING TRENCH	2,000	2,000	2,000	2,000
96	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RES	5,700	---	5,700	1,000
97	JOINT SYSTEMS INTEGRATION COMMAND (JSIC)	19,375	19,375	19,375	19,375
98	JOINT FIRES INTEGRATION & INTEROPERABILITY TEAM	16,596	16,596	16,596	16,596
99	REDUCTION OF TOTAL OWNERSHIP COST	25,225	25,225	25,225	25,225
100	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,482	4,982	8,782	9,234
	PROMPT GLOBAL STRIKE	---	100,000	---	100,000
	TOTAL, DEMONSTRATION & VALIDATION	8,854,326	8,689,634	8,576,726	8,833,373
	ENGINEERING & MANUFACTURING DEVELOPMENT				
101	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	25,000	10,000	25,000	15,000
102	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)	28,970	28,970	28,970	28,970
103	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT	3,281	3,281	3,281	3,281
104	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	247,935	249,935	251,935	253,135
106	JOINT ROBOTICS PROGRAM	2,911	7,911	2,911	6,911
107	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	9,832	9,832	9,832	9,832
108	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	16,527	16,527	16,527	16,527
109	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	15,394	15,394	15,394	15,394
110	INFORMATION TECHNOLOGY DEVELOPMENT	11,297	11,297	11,297	11,297
113	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM	79,300	79,300	79,300	79,300
116	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	127,970	128,970	107,970	131,759
117	HOMELAND PERSONNEL SECURITY INITIATIVE	1,800	1,800	1,800	1,800
118	TRUSTED FOUNDRY	43,604	43,604	43,604	43,604

(In thousands of dollars)

	Budget	House	Senate	Conference
119 DEFENSE ACQUISITION EXECUTIVE (DAE) PILOT PROGRAM.....	5,838	5,838	5,838	5,838
121 GLOBAL COMBAT SUPPORT SYSTEM..........................	18,129	18,129	18,129	18,129
122 JOINT COMMAND AND CONTROL PROGRAM (JC2)...............	70,283	70,283	55,283	58,283
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT......	708,071	701,071	677,071	699,060
RDT&E MANAGEMENT SUPPORT				
126 GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS.......	4,000	4,000	4,000	4,000
127 TRAINING TRANSFORMATION (T2)..........................	51,752	54,252	60,252	61,052
129 DEFENSE READINESS REPORTING SYSTEM (DRRS).............	11,886	11,886	11,886	11,886
130 JOINT SYSTEMS ARCHITECTURE DEVELOPMENT................	14,437	14,437	14,437	14,437
131 CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT....	133,772	144,272	145,772	148,172
132 ASSESSMENTS AND EVALUATIONS...........................	1,645	1,645	---	---
133 THERMAL VICAR...	7,822	7,822	9,467	9,467
134 JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC).....	6,925	6,925	6,925	6,925
135 TECHNICAL STUDIES, SUPPORT AND ANALYSIS...............	31,263	35,263	156,263	35,263
136 USD(A&T)--CRITICAL TECHNOLOGY SUPPORT.................	4,021	4,021	4,021	4,021
137 FOREIGN MATERIAL ACQUISITION AND EXPLOITATION.........	52,683	52,683	52,683	52,683
139 JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION....	53,653	53,653	53,653	53,653
140 CLASSIFIED PROGRAM USD(P).............................	---	98,200	98,200	98,200
141 FOREIGN COMPARATIVE TESTING...........................	32,919	32,919	32,919	32,919
142 NUCLEAR MATTERS - PHYSICAL SECURITY...................	4,513	4,513	4,513	4,513
143 SUPPORT TO NETWORKS AND INFORMATION INTEGRATION.......	11,152	11,152	11,152	11,152
144 GENERAL SUPPORT TO USD (INTELLIGENCE).................	4,574	4,574	4,574	4,574
145 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM...............	99,053	99,053	99,053	99,053
150 SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTR	2,162	3,162	2,162	3,162
151 DEFENSE TECHNOLOGY ANALYSIS...........................	11,927	11,927	13,927	13,727
153 FORCE TRANSFORMATION DIRECTORATE......................	20,585	20,585	20,585	20,585
154 DEFENSE TECHNICAL INFORMATION CENTER (DTIC)...........	51,800	51,800	51,800	51,515
155 R&D IN SUPPORT OF DOD ENLISTMENT, TESTING & EVALUATION	9,326	9,326	9,326	9,326
156 DEVELOPMENT TEST AND EVALUATION.......................	18,712	18,712	18,712	18,712
157 MANAGEMENT HEADQUARTERS (RESEARCH & DEVELOPMENT)......	52,992	52,992	52,992	48,790

(In thousands of dollars)

	Budget	House	Senate	Conference
158 BUDGET AND PROGRAM ASSESSMENTS	5,750	---	5,750	1,750
161 SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	28,652	28,652	36,452	34,892
162 INFORMATION TECHNOLOGY RAPID ACQUISITION	5,197	5,197	5,197	5,197
163 INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	9,932	9,932	9,932	9,932
165 WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT	827	827	827	827
166 PENTAGON RESERVATION	6,058	6,058	6,058	6,058
167 MANAGEMENT HEADQUARTERS - MDA	85,906	85,906	80,906	80,906
168 IT SOFTWARE DEV INITIATIVES	888	888	888	888
TOTAL, RDT&E MANAGEMENT SUPPORT	836,784	947,234	1,085,284	958,237
OPERATIONAL SYSTEMS DEVELOPMENT				
170 DEFENSE INFORMATION SYSTEM FOR SECURITY (DISS)	34,417	34,417	34,417	34,417
171 PARTNERSHIP FOR PEACE (PFP) INFORMATION MANAGEMENT SYS	2,000	2,000	2,000	2,000
172 CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS D	7,716	7,716	7,716	7,716
173 JOINT INTEGRATION AND INTEROPERABILITY	53,892	53,892	53,892	53,892
174 JOINT STAFF ANALYTICAL SUPPORT	7,744	7,744	7,744	7,744
175 CLASSIFIED PROGRAMS	1,694	1,694	1,694	1,694
176 C4I INTEROPERABILITY	76,179	76,179	76,179	76,179
177 CRYPTOLOGIC ACTIVITIES	---	---	9,900	7,920
178 JOINT/ALLIED COALITION INFORMATION SHARING	26,321	26,321	26,321	26,321
184 NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	713	713	713	713
185 DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATIO	5,548	5,548	5,548	5,548
186 LONG HAUL COMMUNICATIONS (DCS)	16,487	16,487	16,487	16,487
187 MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK	9,482	9,482	9,482	9,482
188 PUBLIC KEY INFRASTRUCTURE (PKI)	9,389	9,389	9,389	9,389
189 KEY MANAGEMENT INFRASTRUCTURE (KMI)	52,090	52,090	52,090	52,090
190 INFORMATION SYSTEMS SECURITY PROGRAM	13,256	16,256	13,256	15,656
191 INFORMATION SYSTEMS SECURITY PROGRAM	394,314	394,314	394,314	394,314
192 INFORMATION SYSTEMS SECURITY PROGRAM	2,300	2,300	2,300	2,300
194 C4I FOR THE WARRIOR	3,624	3,624	3,624	3,624

(In thousands of dollars)

	Budget	House	Senate	Conference
196 GLOBAL COMMAND AND CONTROL SYSTEM......................	47,237	47,237	47,237	47,237
197 JOINT SPECTRUM CENTER..................................	18,653	18,653	18,653	18,653
198 NET-CENTRIC ENTERPRISE SERVICES (NCES)................	43,424	43,424	23,424	38,424
199 TELEPORT PROGRAM.......................................	5,798	5,798	5,798	5,798
200 SPECIAL APPLICATIONS FOR CONTINGENCIES................	15,687	17,687	15,687	17,287
202 DEFENSE GEOSPATIAL-INTELLIGENCE........................	---	---	1,000	2,800
203 CRITICAL INFRASTRUCTURE PROTECTION (CIP)..............	12,667	12,667	12,667	12,667
204 FOREIGN COUNTERINTELLIGENCE ACTIVITIES................	---	---	2,000	1,600
205 DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES..........	2,951	2,951	2,951	2,951
207 POLICY R&D PROGRAMS....................................	4,627	5,627	10,627	10,627
209 NET CENTRICITY...	10,243	10,243	10,243	10,243
215 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.............	15,800	17,800	15,800	17,400
217 MQ-1 PREDATOR A UAV....................................	13,100	13,100	13,100	13,100
219 COMBATANT COMMAND INTELLIGENCE OPERATIONS.............	---	---	14,000	12,400
226 INDUSTRIAL PREPAREDNESS................................	20,114	33,114	56,114	57,714
227 LOGISTICS SUPPORT ACTIVITIES...........................	2,846	2,846	2,846	2,846
228 MANAGEMENT HEADQUARTERS (JCS)..........................	3,210	3,210	3,210	3,210
229 NATO JOINT STARS.......................................	41,466	31,466	41,466	31,466
230 STORM..	27,107	27,107	27,107	27,107
232 SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEV......	60,750	81,909	56,909	56,909
233 SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT.............	42,262	54,262	55,612	60,362
234 SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT.......	35,783	46,283	52,383	63,263
235 SOF OPERATIONAL ENHANCEMENTS..........................	53,418	58,118	55,518	59,398
236 SPECIAL OPERATIONS CV-22 DEVELOPMENT..................	23,473	23,473	23,473	23,473
237 SPECIAL OPERATIONS AIRCRAFT DEFENSIVE SYSTEMS.........	5,195	5,195	5,195	5,195
238 OPS ADVANCED SEAL DELIVERY SYSTEM (ASDS) DEVELOPMENT..	20,292	20,292	20,292	20,292
239 MISSION TRAINING AND PREPARATION SYSTEMS (MTPS).......	6,405	6,405	6,405	6,405

(In thousands of dollars)

	Budget	House	Senate	Conference
240 UNMANNED VEHICLES (UV)	1,500	1,500	1,500	6,500
241 MC130J SOF TANKER RECAPITALIZATION	12,701	12,701	12,701	12,701
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	1,263,875	1,323,234	1,340,984	1,375,514
999 CLASSIFIED PROGRAMS	3,483,300	3,396,023	3,362,800	3,387,423
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DEF-WIDE.	20,559,850	20,659,095	20,303,726	20,790,634

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Conference
1	**DTRA UNIVERSITY STRATEGIC PARTNERSHIP BASIC RESEARCH**	5,000	8,000	9,000	10,900
	Combat Effective Facial Armor Research and Development		1,500		1,200
	Dual Use Technologies for Bio-defense		1,500		1,500
	University Strategic Partnership (Note: Includes transfer from RDTE,DW Line 21)			4,000	3,200
2	**DEFENSE RESEARCH SCIENCES**	152,622	163,422	160,922	176,115
	Nanoscience Nanotechnology Institute		3,000		2,400
	High Energy Laser for Detection, Inspection and Non-destructive Testing (Note: Transferred to RDTE,AF, Line 1)		2,000		0
	Illinois Institute of Technology		1,300		1,040
	Nanocrystal Source Display		1,500		1,200
	Bacterial Ghost Influenza Vaccine Development		2,000		1,600
	Advanced Research to Further National Security Goals		1,000		1,000
	Advanced Nano-Engineered Composites (AMRI)			5,000	4,000
	Advanced Photonic Composites Research			3,300	3,253
	Alternative Futures at the Range Complex Level for the Southwest US (Note: Transferred from RDTE,N Line 2)				1,000
	Focus Center Government-Industry Consortia for University Research (Note: Transferred from RDTE,DW Line 3)				8,000
3	**GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RESEARCH**	0	8,000	2,500	6,200
	Nanotechnology Initiative at Shaw University		1,000		1,000
	New York Structural Biology Center		2,000		1,600
	Integrated Cryo-cooled High Power Density Systems		2,000		1,600
	Focus Center Government-Industry Consortia for University Research (Note: Transferred to RDTE,DW Line 2)		3,000		0
	High Power Densities Research			2,500	2,000
4	**DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE**	5,878	5,878	19,878	17,078
	DEPSCoR program adjustment			14,000	11,200
6	**CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM**	72,003	101,253	75,403	83,663
	Chem Bio Defense Initiative		5,000		4,000
	Detection of Biological Agents in Water		2,500		2,000
	Diamond MEMS Sensors for Real-Time Sensing of Weaponized Pathogens		1,000		1,000
	Portable Continuous Monitor for Biodetection		2,000		1,600
	Portable Rapid Bacterial Warfare Detection Unit (Note: Transferred to RDTE,DW Line 34)		5,500		0
	Rapid Response Database Systems Initiative		1,000		1,000
	Initiative for Defense Against Bio-Warfare and Bio-Terrorism		2,000		1,600
	Zumwalt National Program for Countermeasures to Biological and Chemical Threats (Note: Transferred to RDTE,DW Line 14)		1,000		0

R-1		Budget Request	House	Senate	Conference
	Chemical/Biological Preparedness Center – Advanced Development of Mobile Rapid Response Prototype (Note: Transferred to RDTE,DW Line 34)		4,250		0
	Garden State Cancer Center Vaccine Development Program		1,000		800
	Novel Viral Biowarfare Agent Identification and Treatment (NOVBAIT) (Note: Transferred to RDTE,DW Line 14)		4,000		0
	CB 1 -- Unjustified TCTI funding			-5,300	-5,300
	DNA Safeguard			1,700	1,360
	High Speed, High Volume Laboratory Network for Infectious Diseases (Note: Transferred to RDTE,DW Line 34)			3,000	0
	Multisignal Nanosensors for Detection of IEDs			2,000	2,000
	PhotoScrub			2,000	1,600
XX	**ADVANCED DEVELOPMENT INITIATIVES FUND**	**0**	**50,000**		**0**
7	**INSENSITIVE MUNITIONS--EXPLORATORY DEVELOPMENT**	**15,542**	**11,542**	**15,542**	**12,542**
	Program Growth		-4,000		-3,000
8	**MEDICAL FREE ELECTRON LASER**	**0**	**2,000**	**3,000**	**2,400**
	Medical Free Electron Laser		2,000	3,000	2,400
9	**HISTORICALLY BLACK COLLEGES & UNIVERSITIES (HBCU) SCIENCE**	**15,150**	**15,150**	**18,450**	**37,790**
	Instrumentation Program for Tribal Colleges and Universities			3,300	2,640
	Historically Black Colleges and Universities				20,000
11	**INFORMATION AND COMMUNICATIONS TECHNOLOGY**	**229,739**	**235,139**	**227,667**	**231,859**
	National Repository of Digital Forensic Intelligence/Center for Telecommunications and Network Security		1,400		1,120
	Secure Open Systems Institute (Note: Transferred to RDTE,A Line 2)		3,000		0
	Software Assurance Education and Research Institute		1,000		1,000
	Execution adjustment			-2,072	0
12	**COGNITIVE COMPUTING SYSTEMS**	**179,728**	**179,728**	**176,355**	**175,797**
	Execution adjustment			-3,373	-3,931
13	**BIOLOGICAL WARFARE DEFENSE**	**99,137**	**85,466**	**67,007**	**72,562**
	Execution Delays		-4,400		
	Cancellation of Spectral Sensing of Bio-Aerosols (SSBA)		-9,771		-9,771
	Biomedical Engineering Initiative		500		500
	Execution adjustment			-32,130	-17,304
14	**CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM**	**305,327**	**348,777**	**239,727**	**268,707**
	Chem Bio Defense Initiative		10,000		8,000
	Asymmetrical Protocols for Biodefense: Rapid Acting Broad Spectrum Protection Against Biological Threat		3,000		0
	Chemical Warfare Agent Fate Model Verification and Validation (Note: Transferred to RDTE,DW Line 34)		1,000		0
	Point-of-Care Diagnostic System		1,000		1,000
	Biosurety Development and Management Program		800		800
	Strategic Bioterrorism Response for Battlefield Survival (Note: Transferred to RDTE,DW Line 34)		1,800		0

R-1		Budget Request	House	Senate	Conference
	Virus Mutation and Virus Transfer from Humans to Animals		3,000		3,000
	Mixed Oxidants for Chemical and Biological Decontamination		5,000		4,000
	Self-Decontaminating Polymer System for Chemical and Biological Warfare Agents		7,000		5,600
	Rapid Forensic Evaluation of Microbes in Biodefense		1,000		1,000
	Continuation of Unmanned Vehicle CBRNE Unitary Sensor Suite Development and Demonstration (Note: Transferred to RDTE,DW Line 34)		2,000		0
	Countermeasures to Chemical/Biological Control-Rapid Response		5,000		4,000
	Multifunctional Particles for Defeating CBWA (Chemical and Biological Warfare Agents)		1,000		1,000
	HyperAcute Vaccine Development		1,850	1,000	1,480
	TMTI -- program delays			-50,000	-50,000
	CB 2 -- Unjustified TCTI funding			-26,100	-25,100
	Advanced Emergency Medical Response Training Program (Note: Transferred to RDTE,DW Line 34)			2,000	0
	Antibody-based Therapeutic against Smallpox			1,000	1,000
	Chemical/Biological Infrared Detection System			2,000	1,600
	Multi-purpose Biodefense Immunoarray (Note: Transferred to RDTE,DW Line 34)			1,000	0
	Rapid Detection of Bacterial Pathogens			2,000	1,600
	Research on a Molecular Approach to Hazardous Materials Decontamination			1,500	1,200
	Zumwalt National Program for Countermeasures to Biological and Chemical Threats (Note: Transferred from RDTE,DW Line 6)				1,000
	Novel Viral Biowarfare Agent Identification and Treatment (NOVBAIT) (Note: Transferred from RDTE,DW Line 6)				3,200
15	**HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLICATIONS**	7,300	0	7,300	6,300
	Program growth		-7,300		-1,000
16	**TACTICAL TECHNOLOGY**	374,717	365,341	347,358	338,117
	Cancellation for Waveforms for Active Sensing		-3,670		-3,670
	Cancellation of SUAVE		-6,706		-6,706
	Optinet Sensor System		1,000		800
	Execution adjustment			-37,359	-37,024
	CEROS			10,000	10,000
17	**MATERIALS AND BIOLOGICAL TECHNOLOGY**	306,022	306,022	306,871	303,671
	Execution adjustment			-12,151	-12,151
	Bioceramic Bones for Battlefield Trauma (Note: Transferred to RDTE,A Line 30)			2,000	0
	Economic production of coal-to-liquid fuels			3,000	2,400
	Reduce environmental impact of coal-to-liquid fuels			3,000	2,400
	Strategic Materials and Silicon Carbide Optics			5,000	5,000
19	**ELECTRONICS TECHNOLOGY**	213,529	203,929	198,565	197,965
	Execution Delays		-9,600		0
	Execution adjustment			-17,964	-17,964
	3-D Technology for Advanced Sensor Systems			3,000	2,400

R-1		Budget Request	House	Senate	Conference
21	**WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES**	**182,416**	**222,916**	**185,416**	**212,816**
	Fissile Material Detection Research		26,500		21,200
	University Strategic Partnerships (Note: Transferred to RDTE,DW, Line 2)		3,000		0
	Simulated Virtual Prototype Environment Development		1,000		1,000
	Comprehensive National Incident Management System		3,000	2,000	2,400
	Center for Nonproliferation Studies, Monterey Institute for International Affairs		2,000		1,600
	Remote Sighting System		1,000		800
	PROTECTOR-DACS		3,000		2,400
	National Center for Blast Mitigation and Protection		1,000	1,000	1,000
23	**SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT**	**21,282**	**31,782**	**25,282**	**32,882**
	Pulsed Energy Projectile (PEP)		1,000		1,000
	Special Operations Forces Network-Centric Sharing and Storage		1,000		1,000
	Nickel Boron Metal Coating Technology for USSOCOM Vehicle Systems		2,000		1,600
	Athena - Threat Signal Locator		1,000		1,000
	Advanced Multi-Purpose Microdisplay System		1,000		1,000
	Flashlight Soldier-to-Soldier Combat ID System (FSCIS)		2,000	2,000	2,000
	Improved Sensor Systems		2,500		2,000
	Foliage Penetrating Reconnaissance and Surveillance System			2,000	2,000
25	**INSENSITIVE MUNITIONS - ADVANCED DEVELOPMENT**	**6,000**	**0**	**6,000**	**4,000**
	Reduce program growth		-6,000		-2,000
27	**SO/LIC ADVANCED DEVELOPMENT**	**32,669**	**41,669**	**32,669**	**40,069**
	Aerial Canopy Sensor Delivery System (ACSDS)		1,000		1,000
	BIGFOOT Tag Airborne Receiver		5,000		4,000
	Extended-Lifetime Radioisotope Batteries		1,000		800
	Day Night Wide Area Surveillance System		2,000		1,600
28	**COMBATING TERRORISM TECHNOLOGY SUPPORT**	**76,276**	**109,276**	**85,976**	**118,556**
	Automated Language Translation		3,000		2,400
	Counter-insurgency Biometrics Tactical Census Authentication Enrollment and Identification System		2,500		2,000
	CT-QAS Counterterrorism-Quality Assurance Science program		1,500		1,200
	DICAST System Enhancement		3,000		2,400
	Early Responders Distance Learning Center (ERDLC): Scenario and Incident Based Port Security Training		1,000		800
	EDIT Advanced Shallow Subsurface Tunnel, Bunker and Cache Detection		1,000		800
	DIFAR Sensor System		2,000		1,600
	Roll-On, Roll-Off Reconnaissance Pallet Improvement		6,000		4,800
	Facility Security Using Tactical Surveys		3,000		3,000
	Law Enforcement Test Bed for Counter-Insurgency Tactics, Techniques and Practices		2,000		1,600
	Port and Hull Security 3D, Real Time Sonar-System Echoscope		3,000		2,400
	Comprehensive Maritime Domain Awareness		3,000		4,500
	Accelerated DT&E of Affordable Robust Mid-Sized UGVs for Defense & Homeland Security Applications		1,000		800
	Contextual Arabic Blog and Slang Analysis Program		1,000	1,000	1,000

R-1		Budget Request	House	Senate	Conference
	Advanced Multi-sensor ISR Testbed			1,600	1,600
	Autonomous Intrusion Surveillance Sensor Networks			2,000	2,000
	Bioterrorism Operations Policy for Public Emergency Response (BOPPER)			2,000	1,600
	Interagency, Near-Term Engineering R&D to Increase the Survivability of Personnel Exposed to IED Attacks			3,000	2,400
	Robotic Mobility Platform Systems			1,000	800
	Ruggedized Mobile Gamma Radiation Detection System (GuARDS)			1,100	880
	Ruggedized Mobile Secure 1000			1,000	800
	Mulit-mission Advanced Sensor System (Note: Transferred from RDTE,AF Line 28)				3,000
29	**COUNTERPROLIFERATION INITIATIVES--PROLIFERATION PREVENTION & DEFEAT**	**213,240**	**220,740**	**213,240**	**219,440**
	Low Power Next Generation Portable Radionuclide Detection & ID Systems		2,000		1,600
	Stand-off Chemical Detector for SOF Venture		2,000		1,600
	AELED IED Detection for Naval UAVs		1,000		1,000
	Continuation of Advanced Materials Research for Nuclear Detection, Counter-proliferation and Imaging		2,500		2,000
30	**BALLISTIC MISSILE DEFENSE TECHNOLOGY**	**118,569**	**101,569**	**131,569**	**109,169**
	Program Reduction		-10,000		-10,000
	Transferred to RDTW,DW Line 86 for execution		-12,000		-12,000
	Advanced Surface Radar Technologies (ASuRT) (Note: Transferred to RDTE,DW Line 45)		3,000		0
	Aluminum Nitride for Substrates and Devices		2,000		1,600
	Massively Parallel Optical Interconnects for Microsatellite Applications			4,000	3,200
	Multi-Target Tracking Optical Sensor-Array Tracking			3,000	3,000
	Net Centric Airborne Defense Element (NCADE)			6,000	4,800
32	**ADVANCED AEROSPACE SYSTEMS**	**86,385**	**70,385**	**71,232**	**72,385**
	Execution Delays		-16,000		-16,000
	Execution adjustment			-15,153	0
	Buoyancy Assisted Lift Air Vehicle				2,000
33	**SPACE PROGRAMS AND TECHNOLOGY**	**224,551**	**217,803**	**135,851**	**217,803**
	Cancellation of Micro Electric Propulsion (MEP)		-6,748		-6,748
	Execution Adjustment			-38,700	0
	Falcon (Note: Transferred to RDTE,DW, Line 135 for Prompt Global Strike)			-50,000	0
34	**CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED DEVELOPMENT**	**232,302**	**278,602**	**208,702**	**247,162**
	Chem Bio Defense Initiative		10,000		8,000
	Develop & Test Environmentally Safe Biocides for Bio-Defense		500		500
	Fraunhofer USA Center for Molecular Biology		1,000		1,000
	Hand-held Nanotechnology Enabled Bio-warfare Agent Identification System		3,000		2,400
	Long Range Stand Off System for Detection of Biological Materials		1,000	1,400	1,120
	Myeloid Progenitor for Acute Radiation Syndrome		3,000		2,400
	Carbon Nanotube Chemical Detector		1,000		1,000
	Surface Enhanced Infrared Detection of Threats		3,300		2,640
	Regenerative Chemical Biological Filtration Systems		2,500		2,500

R-1		Budget Request	House	Senate	Conference
	Small Accelerators and Detection Systems for Homeland Defense and National Security Applications		2,000	1,300	1,600
	Total Perimeter Surveillance (TPS)		2,000		1,600
	Warfighter Personnel Decontamination		1,000		800
	Acinetobacter Baumannii Research		2,000		2,000
	Antioxidant Micronutrient Therapeutic Countermeasures for Chemical Agents		1,000		1,000
	Anthrax Monoclonal Antibody Therapeutic and Prophylaxis Program		2,000		1,600
	UCLA High Speed and High Volume Laboratory Network for Infectious Diseases (Note: Includes transfer from RDTE,DW Line 6)		5,000		4,000
	Modular Raman Chem/Bio Detection System		1,000		0
	Photo Catalytic Oxidation (PCO) Demonstration for Water Reuse		2,500		2,000
	Environmental Bioterrorism Detection Program		2,500		2,000
	TMTI -- program delays			-50,000	-50,000
	Fastman Analyzer Platform (Note: Transferred to RDTE,DW Line 75			2,000	0
	Improved Chemical, Biological, and Radiological Filters			2,000	1,600
	Joint Biological Agent Identification and Diagnostic System (Note: Transferred to RDTE,DW Line 104)			2,000	0
	Mobile Rapid Response Prototype/Chemical Biological Preparedness Center (Note: Includes transfer from RDTE, DW Line 6)			4,000	4,000
	Mobile Real-time, non-specific Viral Agent Detector			1,500	1,500
	Next Generation Gas Chromatographic Mass Spectrometer for WMD Civil Support Teams			1,000	800
	NIDS Automated Biological Agent Identifier			3,000	3,000
	Plant Vaccine Development			3,000	3,000
	Portable Rapid Bacterial Warfare Detection Unit (Note: Includes transfer from RDTE,DW Line 6)			3,000	4,400
	Reactive Coatings Enhanced to Resist Chemical/Biological Contamination			2,200	1,760
	Strategic Bioterrorism Response for Battlefield Survival (Note: Transferred from RDTE,DW Line 14)				1,440
	Continuation of Unmanned Vehicle CBRNE Unitary Sensor Suite Development and Demonstration (Note: Transferred from RDTE,DW Line 14)				1,600
	Chemical Warfare Agent Fate Model Verification and Validation (Note: Transferred from RDTE,DW Line 14)				1,000
	Advanced Emergency Medical Response Training Program (Note: Transferred from RDTE,DW Line 14)				1,600
	Multi-purpose Biodefense Immunoarray (Note: Transferred from RDTE,DW Line 14)				1,000
35	JOINT ELECTRONIC ADVANCED TECHNOLOGY	9,219	9,219	13,219	12,419
	Joint Technology Insertion and Accelerated System Integration Capability for Electronic Warfare			4,000	3,200

R-1		Budget Request	House	Senate	Conference
36	**JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS**	**194,352**	**196,352**	**203,452**	**204,252**
	Distributed Network Switching Joint Capability Demonstration		2,000		1,600
	Hardware Encryption Technology Program			2,000	1,600
	Louisiana Command & Control, Interoperable Communications & Information Sharing			2,000	2,000
	Simultaneous Field Radiation Technology (SFRT)			3,100	3,100
	Spartan Advanced Composite Technology			2,000	1,600
37	**NETWORKED COMMUNICATIONS CAPABILITIES**	**40,000**	**0**	**40,000**	**15,000**
	Program growth		-40,000		-25,000
38	**BIOMETRICS SCIENCE AND TECHNOLOGY**	**8,000**	**0**	**12,000**	**10,200**
	Program growth		-8,000		-1,000
	Variable Distance Iris Identification on the Move			4,000	3,200
39	**HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADV**	**9,000**	**0**	**9,000**	**3,000**
	Program growth		-9,000		-6,000
40	**DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM**	**10,000**	**3,500**	**25,000**	**23,800**
	Program growth		-10,000		-5,000
	Light Weight Composite Brakes for Armored Wheeled Vehicles		1,000		800
	Claflin University Detection and Remediation Response to Biological and Chemical Weapons Project		2,500		2,000
	Reduction to new start			-5,000	0
	Disruptive Manufacturing Technology Initiative			10,000	8,000
	High Performance Manufacturing Technology Initiative			10,000	8,000
41	**JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS**	**11,256**	**16,756**	**16,256**	**19,756**
	Joint Robotics Initiative		5,000		4,000
	Autonomous and Semi-autonomous Manipulation for Ground Robots		500		500
	Warrior Unmanned Ground Vehicle			5,000	4,000
42	**GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS**	**18,736**	**33,736**	**49,336**	**52,216**
	Advanced Mobile Microgrid System		3,000		0
	Aging Systems Sustainment and Enabling Technologies (ASSET)		2,500		2,000
	Emerging Critical Interconnection Technology Program (E/CIT)		1,000		800
	Parts Backorder Reduction		3,000		2,400
	Advanced Mobile Microgrid System		5,500	2,000	4,400
	Accelerate Defense Supply Chain			2,000	1,600
	Biofuels Program			2,000	1,600
	Defense Fuelcell Locomotive			3,000	2,400
	Green Product Evaluation Program (Note: Transferred to RDTE,DW Line 71)			2,000	0
	High Energy Battery for Unmanned Aerial Vehicles			2,600	2,080
	Hydrogen Storage Program			5,000	5,000
	New England Manufacturing Supply Chain Initiative			2,000	1,600
	Spray Technique Analysis and Research for Defense (STAR4D)			2,000	1,600
	Vehicle Fuel Cell and Hydrogen Logistics Program			8,000	8,000

R-1		Budget Request	House	Senate	Conference
44	**STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM**	**68,874**	**68,874**	**69,874**	**69,674**
	Dendrimer Enhanced Water Remediation Research			1,000	800
45	**MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT**	**0**	**28,000**	**27,800**	**47,440**
	Agile JTRS Integrated Circuits		2,000		1,600
	Defense Command Integration Center		1,000		1,000
	End to End Semi Fab Alpha Tool		2,000		1,600
	Semi Conductor Photomask Technology Initiative		3,000		2,400
	High Specific Energy Rechargeable Battery		2,000		1,600
	Superlattice Nanotechnology		2,000		1,600
	University Materials Characterization and Metrology Center		1,500		1,200
	Spintronics Memory Storage Technology		3,000		2,400
	3D Electronics		1,000		1,000
	Carbon Nanotube Thin Film Near Infrared Detector		1,000		1,000
	Next Generation Supercomputer IA Prototype for the NRL		5,000		4,500
	Advanced Dynamic Optics Program		1,500		1,200
	Foliage Penetrating Acoustically Cued Imagery Sensor		3,000		2,400
	Advanced Surface Radar Technologies (ASuRT) (Note: Includes transfer from RDTE,DW Line 30)			5,500	5,500
	Demonstrations,T&E of Mini-Sensors			6,000	4,800
	Transponders (EMFST)			3,000	3,000
	Feature Size Migration at DMEA ARMS Foundry			5,000	4,000
	Networked Micro-Sensors Technology Testbed			2,000	1,600
	Rapid Prototyping/Low Rate Production of Mini-Sensors			4,500	3,600
	Self-sensing Array container pre-screening sensor system			1,800	1,440
47	**ADVANCED ELECTRONICS TECHNOLOGIES**	**220,548**	**224,048**	**203,300**	**204,240**
	Computing and Nanoscale Electronic Processing		1,500		1,200
	The Center for Advanced Microelectronics Manufacturing (Note: Transferred to RDTE,A Line 6)		2,000		0
	Execution adjustment			-20,048	-20,048
	MilTech Extension Program			1,500	1,500
	Ultra Low Power Electronics for Special Purpose Computers			1,300	1,040
48	**SYNTHETIC APERTURE RADAR (SAR) COHERENT CHANGE DETECTION**	**6,500**	**0**	**3,500**	**3,500**
	Program growth		-6,500		0
	Phase 2 funding ahead of need			-3,000	-3,000
49	**ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS**	**0**	**2,000**	**0**	**1,600**
	Power Dozer Side-Casting Technology Operational Capability/Integration Evaluation		2,000		1,600

R-1		Budget Request	House	Senate	Conference
50	**HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM**	**187,587**	**189,587**	**208,487**	**206,807**
	Data-Intensive, High-Performance Computing-Phase 4		2,000		1,500
	ARSC			5,000	4,000
	High Performance Computational Design of Novel Materials			1,900	1,520
	Simulation Research			2,000	1,600
	High Performance Computing Infrastructure Enhancement			7,000	5,600
	MHPCC			5,000	5,000
51	**COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS**	**256,868**	**256,868**	**251,645**	**256,868**
	Execution Adjustment			-5,223	0
52	**LAND WARFARE TECHNOLOGY**	**24,711**	**19,011**	**21,641**	**19,768**
	Execution Delays/Adjustments		-5,700	-3,070	-4,943
53	**CLASSIFIED DARPA PROGRAMS**	**188,188**	**188,188**	**185,028**	**188,188**
	Execution Adjustment			-3,160	0
54	**NETWORK-CENTRIC WARFARE TECHNOLOGY**	**151,641**	**144,641**	**142,765**	**151,641**
	Cancellation of Confirmatory Hunter-Killer System: Close Combat Lethal Recon (CCLR)		-7,000		0
	Execution Adjustment			-8,876	0
55	**SENSOR TECHNOLOGY**	**196,462**	**196,462**	**187,509**	**196,462**
	Execution Adjustment			-8,953	0
56	**GUIDANCE TECHNOLOGY**	**127,777**	**127,777**	**122,576**	**127,777**
	Execution Adjustment			-5,201	0
58	**SOFTWARE ENGINEERING INSTITUTE**	**29,851**	**29,851**	**25,951**	**25,951**
	DeVenCI			-3,900	-3,900
60	**QUICK REACTION SPECIAL PROJECTS**	**109,514**	**112,414**	**112,514**	**114,234**
	Semi-Autonomous Robotic Manipulation and Sensing		1,500		1,200
	Counter Sniper Protection System (CSPS) Turret		1,400		1,120
	Small Craft Integrated Common Operational Picture			1,000	800
	Unmanned Aerial Vehicles			2,000	1,600
61	**JOINT EXPERIMENTATION**	**112,017**	**108,717**	**113,017**	**108,177**
	Reduce Program Growth		-10,000		-10,000
	Cultural and Societal Modeling & Simulation		3,200		2,560
	Joint Urban Fires Prototype (JUFP)		1,500		1,200
	Joint Experimentation Visualization		2,000		1,600
	East Coast Asymmetric Warfare Initiative			1,000	800
62	**JOINT WARGAMING SIMULATION MANAGEMENT OFFICE**	**37,837**	**27,837**	**17,837**	**22,837**
	Program Reduction		-10,000		-15,000
	Unjustified request			-20,000	0
64	**TECHNOLOGY LINK**	**2,234**	**4,234**	**4,734**	**5,834**
	First Link		2,000		1,600
	DOD Springboard			2,500	2,000
					0

R-1		Budget Request	House	Senate	Conference
65	**SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT**	**29,935**	**42,435**	**32,935**	**42,335**
	11m RIB Replacement Craft Design		1,000		800
	Field Experimentation Program for Special Operations		2,000		1,600
	Information Networking For Operational Reporting and Monitoring (INFORM)		2,500		2,000
	Waterway Threat Detection Sensor System		3,000		2,400
	Improved Information Transfer for Special Forces		4,000		3,200
	Special Operations Portable Power Source			3,000	2,400
66	**NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT**	**38,060**	**45,060**	**44,060**	**49,560**
	Integrated Base Defense Operation Planning Process		1,000		1,000
	Integrated High Activity Response System (INHARS)		5,000		4,000
	Digital Network Centric Remotely Operated Weapons System		1,000		1,000
	Intelligent Decision Exploration			6,000	5,500
67	**PHYSICAL SECURITY EQUIPMENT**	**0**	**0**	**2,000**	**1,600**
	Shipboard Visitor Control Center			2,000	1,600
69	**JOINT ROBOTICS PROGRAM**	**11,860**	**16,860**	**19,860**	**23,860**
	Joint Robotics Initiative		5,000		4,000
	Robotics Program			8,000	8,000
71	**ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM**	**33,199**	**40,699**	**33,199**	**39,199**
	Inland Empire Well Treatment of Perchlorate Contaminated Wells		2,500		2,000
	Multi-Sensor UXO Detection and Recovery System Reacquisition and Removal Phase at Camp Lejeune		2,000		1,600
	Green Product Evaluation and Implementation Program (Note: Includes transfer from RDTE,DW Line 42)		3,000		2,400
72	**BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT**	**962,585**	**1,032,585**	**1,037,585**	**1,052,485**
	Arrow Co-production		25,000	25,000	25,000
	Joint Short Range Ballistic Missile Program		19,000	35,000	20,000
	Study of Upper-tier Missile Program/Arrow ASIP		26,000	15,000	30,000
	Juniper Cobra (Note: Transferred from RDTE,DW Line 76)				14,900
73	**BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT**	**2,520,064**	**2,233,864**	**2,318,764**	**2,258,764**
	European Third Site Construction		-85,000	-85,000	-85,000
	Missile Field Equipment		-54,000		0
	Block 2004/06 Schedule Execution		-97,200		0
	Transferred to Line 86 for execution		-50,000		-50,000
	GMD upgrades			50,000	40,000
	SBX Transfer to Line 73A			-166,300	-166,300
73A	**SBX**			**166,300**	**166,300**
	SBX Transferred from Line 73			166,300	166,300

R-1		Budget Request	House	Senate	Conference
74.	**BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT**	**548,759**	**498,108**	**548,759**	**513,759**
	Program efficiencies identified by MDA		-35,000		-35,000
	Excessive Program Support		-15,651		0
75	**CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM**	**57,160**	**62,160**	**62,160**	**64,360**
	Protective Self-Decontaminating Surfaces		2,000		1,600
	Vacuum Sampling Pathogen Collection and Concentration		3,000	4,000	3,200
	Improved Skin Decontamination System			1,000	800
	Fastman Analyzer Platform (Note: Transferred from RDTE,DW Line 34)				1,600
76	**BALLISTIC MISSILE DEFENSE SENSORS**	**778,163**	**611,663**	**753,163**	**590,163**
	Airborne Infrared Surveillance (AIRS)		2,500		2,000
	Program efficiencies identified by MDA		-50,000	-25,000	-50,000
	Transferred to RDTE,DW Line 86 for execution		-119,000		-119,000
	Juniper Cobra (Note: Transferred to RDTE,DW Line 72)				-14,900
	Defense Agency Initiative (Note: Transferred to RDTE,DW Line 116 for execution)				-6,100
83	**SPACE SURVEILLANCE & TRACKING SYSTEM**	**331,525**	**286,167**	**272,525**	**233,125**
	Risk reduction for Follow-on Constellation		-45,069	-45,000	0
	Excessive Program Support		-2,289		0
	STSS Requirement Analysis		2,000		1,600
	STSS Program Restructure/Delay				-100,000
	STSS Follow-On - Program growth for program management support			-10,000	0
	STSS Program Wide Support			-4,000	0
77	**BALLISTIC MISSILE DEFENSE SYSTEM INTERCEPTOR**	**227,499**	**372,853**	**197,499**	**342,453**
	CG(X) Modular Launch System		2,000		1,600
	Excessive Program Support		-6,646		-6,646
	Program Acceleration		150,000		120,000
	Kinetic Energy Interceptor			-30,000	0
78	**BALLISTIC MISSILE DEFENSE TEST & TARGETS**	**586,150**	**586,150**	**636,150**	**626,150**
	Test Range Support and Upgrades			50,000	40,000
86	**BALLISTIC MISSILE DEFENSE C2BMC**	**258,913**	**460,703**	**248,913**	**450,703**
	Excessive Program Support		-3,210		-3,210
	Transferred from RDTE,DW Line 76 for execution		119,000		119,000
	Transferred from RDTE,DW Line 73 for execution		50,000		50,000
	Transferred from RDTE,DW Line 30 for execution		12,000		12,000
	Transferred from RDTE,DW Line 89 for execution		24,000		24,000
	C2BMC program growth			-10,000	-10,000
87	**BALLISTIC MISSILE DEFENSE HERCULES**	**53,658**	**52,824**	**53,658**	**52,824**
	Excessive Program Support		-834		-834
88	**BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT**	**48,787**	**50,235**	**48,787**	**49,735**
	Joint National Integration Center (JNIC)		2,500		2,000
	Excessive Program Support		-1,052		-1,052

R-1		Budget Request	House	Senate	Conference
89	**BALLISTIC MISSILE DEFENSE JOINT NATIONAL INTEGRATION**	104,012	79,099	104,012	79,099
	Excessive Program Support		-913		-913
	Transferred to RDTE,DW Line 86 for execution		-24,000		-24,000
80	**BALLISTIC MISSILE DEFENSE SYSTEMS CORE**	482,016	431,788	387,416	416,788
	Excessive Program Support		-15,228		-15,228
	Reduced program growth		-35,000	-50,000	-50,000
	Intelligence and Security - reduction only for Intelligence and Counterintelligence activities			-21,265	0
	Producibility and Manufacturing Technology			-23,335	0
81	**SPECIAL PROGRAMS - MDA**	323,250	198,250	198,850	198,250
	Classified reductions		-125,000	-124,400	-125,000
82	**AEGIS BMD**	1,059,103	1,116,103	1,059,103	1,134,103
	Ballistic Signal Processor/Open Architecture		22,000		16,000
	Upgrade 2 additional Aegis DDG's		20,000		0
	Asymmetric Defense Initiative		15,000		10,000
	AEGIS Upgrades for SM-3 and Ship Installs/Upgrades				49,000
84	**MULTIPLE KILL VEHICLES**	271,151	274,251	221,151	231,529
	Safe High Power (High Rate) Lithium Battery for MKV (Missiles) with Long Storage Life		3,100		2,480
	Multiple Engagement Payload (MEP) for the Standard Missile-3			-50,000	-62,900
	GBI/KEI Multiple Kill Vehicle Variant				25,000
	Defense Agency Initiative (Note: Transferred to RDTE,DW Line 116 for execution)				-4,202
85	**BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS**	27,666	17,666	12,666	16,666
	Space Test Bed		-10,000	-10,000	-10,000
	Space Experimentation Center			-5,000	-1,000
93	**COALITION WARFARE**	14,047	10,047	14,047	10,047
	Reduce Program Growth		-4,000		-4,000
94	**DEPARTMENT OF DEFENSE CORROSION PROGRAM**	4,983	4,983	19,083	19,083
	Department of Defense Corrosion Program			14,100	14,100
96	**HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB)**	5,700	0	5,700	1,000
	Program growth		-5,700		-4,700
100	**JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM**	3,482	4,982	8,782	9,234
	Secure Miniaturized Free Space Optical Communications		1,500		1,200
	Antenna, Diagnostic & Microwave Characterization Facility			1,300	1,300
	JET - Digital Aurora Radio Technology Program			4,000	3,252
100A	**PROMPT GLOBAL STRIKE (Note: Includes transfer from RDTE,DW Line 135)**	0	100,000		100,000
101	**DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY**	25,000	10,000	25,000	15,000
	Reduced Program Growth		-15,000		-10,000

R-1		Budget Request	House	Senate	Conference
104	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	247,935	249,935	251,935	253,135
	ParallelaVax Rapid Vaccine Testing Technology		2,000	2,000	2,000
	Rapid Identification of Biological Warfare Agents			2,000	1,600
	Joint Biological Agent Identification and Diagnostic System (Note: Transferred from RDTE,DW Line 34)				1,600
106	JOINT ROBOTICS PROGRAM	2,911	7,911	2,911	6,911
	Joint Robotics Initiative		5,000		4,000
116	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	127,970	128,970	107,970	131,759
	National Defense University Technology Research Program		1,000		1,000
	Program Adjustment			-20,000	-12,000
	Defense Agency Initiative (Note: Transferred from RDTE,DW Lines 76, 84, 154, & 157 for execution)				14,789
122	JOINT COMMAND AND CONTROL PROGRAM (JC2)	70,283	70,283	55,283	58,283
	Program adjustment			-15,000	-12,000
127	TRAINING TRANSFORMATION (T2)	51,752	54,252	60,252	61,052
	USJFCOM's Joint Warfighting Center (JWFC) Joint Training Blended Learning Initiative		2,500		2,000
	Agile Software Capability Intervention			2,000	1,600
	Playas Mobile Command, Control and Communications Shelter			2,500	2,500
	Playas Training and Research Center Joint Training Experiment			4,000	3,200
131	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT	133,772	144,272	145,772	148,172
	Advanced SAM Hardware Simulator Development-ITEAMS		4,500	4,000	4,000
	Joint Gulf Range Complex Test and Training Interdependency Initiative		1,000		1,000
	UAV Systems and Operations Validation Program (USOVP)		2,000	5,000	4,000
	Range Tactical Data Link (TDL) & Relay Capability		3,000		2,400
	Pacific Region Interoperability Test and Evaluation Capability			3,000	3,000
132	ASSESSMENTS AND EVALUATIONS	1,645	1,645	0	0
	Transfer to RDTE,DW, Line 133			-1,645	-1,645
133	THERMAL VICAR	7,822	7,822	9,467	9,467
	Transfer from RDTE,DW Line 132			1,645	1,645

R-1		Budget Request	House	Senate	Conference
135	**TECHNICAL STUDIES, SUPPORT AND ANALYSIS**	**31,263**	**35,263**	**156,263**	**35,263**
	Capabilities Study for Improvised Explosive Devices Detection		1,000		1,000
	Countering Missile-related Technology Proliferation		2,000		2,000
	Foreign Test Range Analysis – Measurement and Signature Intelligence (MASINT)		1,000		1,000
	Prompt Global Strike Capability Development (Note: Transferred to RDTE, Line 100A)			125,000	0
140	**CLASSIFIED PROGRAM USD(P)**	**0**	**98,200**	**98,200**	**98,200**
	Classified Adjustment		98,200	98,200	98,200
150	**SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE**	**2,162**	**3,162**	**2,162**	**3,162**
	Directed Energy Systems for UAV Payloads		1,000		1,000
151	**DEFENSE TECHNOLOGY ANALYSIS**	**11,927**	**11,927**	**13,927**	**13,727**
	Commodity Management Systems Consolidation			2,000	1,800
154	**DEFENSE TECHNICAL INFORMATION CENTER (DTIC)**	**51,800**	**51,800**	**51,800**	**51,515**
	Defense Agency Initiative (Note: Transferred to RDTE,DW Line 116 for execution)				-285
157	**MANAGEMENT HEADQUARTERS (RESEARCH & DEVELOPMENT)**	**52,992**	**52,992**	**52,992**	**48,790**
	Defense Agency Initiative (Note: Transferred to RDTE,DW Line 116 for execution)				-4,202
158	**BUDGET AND PROGRAM ASSESSMENTS**	**5,750**	**0**	**5,750**	**1,750**
	Program Reduction		-5,750		-4,000
161	**SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES**	**28,652**	**28,652**	**36,452**	**34,892**
	Enhanced Simulation Capabilities for Information Operations			7,800	6,240
167	**MANAGEMENT HEADQUARTERS - MDA**	**85,906**	**85,906**	**80,906**	**80,906**
	Management HQ reduction			-5,000	-5,000
177	**CRYPTOLOGIC ACTIVITIES**			**9,900**	**7,920**
	National Biometrics Security Project			4,000	3,200
	MatchBox (Biometrics Analysis and Identification)			5,900	4,720
190	**INFORMATION SYSTEMS SECURITY PROGRAM**	**13,256**	**16,256**	**13,256**	**15,656**
	Security for Critical Communication Networks (SCCN)		3,000		2,400
198	**NET-CENTRIC ENTERPRISE SERVICES (NCES)**	**43,424**	**43,424**	**23,424**	**38,424**
	Execution delays			-20,000	-5,000
200	**SPECIAL APPLICATIONS FOR CONTINGENCIES**	**15,687**	**17,687**	**15,687**	**17,287**
	Mobile Optical Wireless Networking for Intelligence, Surveillance, and Reconnaissance		2,000		1,600
202	**DEFENSE GEOSPATIAL-INTELLIGENCE PROGRAM**			**1,000**	**2,800**
	Digital Data High Quality Recorder			1,000	800
	Internet Observer and Inner View Insider Threat Mitigation Tools (Note: Transferred from Senate General Provision 8128)				2,000

R-1		Budget Request	House	Senate	Conference
204	**FOREIGN COUNTERINTELLIGENCE ACTIVITIES**	**0**	**0**	**2,000**	**1,600**
	Credibility Assessment Research Initiative			2,000	1,600
207	**POLICY R&D PROGRAMS**	**4,627**	**5,627**	**10,627**	**10,627**
	Improved Collapsible Urethane Fuel Storage Tanks (Note: Transferred to RDTE,DW Line 226)		1,000		0
	Pacific Disaster Center			6,000	6,000
215	**DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS**	**15,800**	**17,800**	**15,800**	**17,400**
	Constant Look Operation Support Environment (CLOSE)		2,000		1,600
219	**COMBATANT COMMAND INTELLIGENCE OPERATIONS**			**14,000**	**12,400**
	Armed Forces Health and Food Supply Research			3,000	3,000
	Biological and Chemical Warfare Online Respository of Technical Holdings System			1,000	800
	Missile-related Threat Representation - Shared			2,000	1,600
	National Consortium for MASINT Research			3,000	3,000
	Pat Roberts Intelligence Scholars Program (PRISP)			2,000	1,600
	Project FORTITUDE			3,000	2,400
226	**INDUSTRIAL PREPAREDNESS**	**20,114**	**33,114**	**56,114**	**57,714**
	Castings for Improved Defense Readiness		2,000	2,000	2,000
	Corrosion Resistant Ultrahigh-Strength Steel for Landing Gear		2,000		1,600
	Military High Pressure Packaging Project		2,000	4,000	3,200
	Northwest Manufacturing Initiative		1,000		1,000
	Technology Roadmapping and Strategic Investment Planning		2,000		1,600
	Advanced Microcircuit Emulation (AME)		4,000		3,200
	Industrial Base Innovation Fund			30,000	24,000
	Collapsible Urethane Fuel Storage Tanks (Note: Transferred from RDTE,DW Line 207)				1,000
229	**NATO JOINT STARS**	**41,466**	**31,466**	**41,466**	**31,466**
	Execution Delays		-10,000		-10,000
232	**SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT**	**60,750**	**81,909**	**56,909**	**56,909**
	Aviation Systems Advanced Development		-3,841		-3,841
	GPS Extension Program (Note: Transferred from RDT&E, AF, Line 29 and transferred to RDTE,N Line 17 in Conference)		25,000		0
	Excess to requirement			-3,841	0

R-1		Budget Request	House	Senate	Conference
233	**SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT**	**42,262**	**54,262**	**55,612**	**60,362**
	Covert WPM Waveform Modules		2,000	2,000	2,000
	Special Operation Forces Advanced Mission Planning Tools		2,000	4,000	3,200
	Expendable Airdrop Delivery Systems (EADS)		1,000		800
	Command and Control Mission Manager (C2MM) Spiral 5		2,000		1,600
	Semi-autonomous or Unattended Psychological Operations and Reconnaissance Tool (SUPPORT)		2,000		1,600
	Small Boat Family Integrated Combat System		2,000		1,600
	SOF Special Purpose Tagging, Tracking and Locating Tool Kit		1,000		1,000
	Communications Enhancements to Fielded TACTI-NET Systems to Extend Range and Increase Capacity			1,000	800
	Multi-User Panoramic Synthetic Vision System			3,000	2,400
	NSW RIB Payload Capacity Project			2,100	2,100
	SOCOM Computer Research			1,250	1,000
234	**SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT**	**35,783**	**46,283**	**52,383**	**63,263**
	DF Light: Advanced Packaging and Direction Finding in Support of Joint Threat Warning System		1,500		1,200
	Unattended SIGINT Node		4,000		3,200
	Integrated Bridge System		1,000		1,000
	SOF Mission Training and Preparation Systems Interoperability (Note: Transferred to OM,DW SOCOM)		1,500		0
	SOCOM Imagery Dissemination System		2,000		1,600
	Tactical SIGINT and Geo-location Cognitive Analysis		500		400
	Advanced, Long Endurance Unattended Ground Sensor Technologies			2,600	2,080
	Advanced Tactical Threat Warning Radio (ATTWR)			2,000	1,600
	Application Specific Integrated Circuit (ASIC) development			4,000	4,000
	Automated Threat Warning for Improved Warfighter Survivability			2,000	1,600
	Joint METOC Program (SOCOM)			2,000	1,600
	Multi-Spectral Laboratory and Analytical Services Program			1,000	800
	Picoceptor and Processor for Manportable Threat Warning			3,000	2,400
	LAW/ASM Heat Rocket Confined Spaces (Note: transferred from P,DW Line 73)				6,000
235	**SOF OPERATIONAL ENHANCEMENTS**	**53,418**	**58,118**	**55,518**	**59,398**
	Partnership for Defense Innovation Wi-Fi Test Laboratory		2,700		2,700
	Application Specific Integrated Circuits Fabrication Facility		2,000		1,600
	Parser Multi-Level Security			2,100	1,680
240	**UNMANNED VEHICLES (UV)**	**1,500**	**1,500**	**1,500**	**6,500**
	Trident Reach				5,000

FOCUS CENTER RESEARCH PROGRAM

The conference agreement provides $18,000,000 for the FOCUS Center Research Program, which is $8,000,000 above the request. The FOCUS Center Research Program is a jointly funded program between the Department of Defense and the semiconductor industry to support university research to advance semiconductor technology. The conferees strongly encourage the Department of Defense to fully fund the $20,000,000 requirement for the program within the Defense Advanced Research Projects Agency's Defense Research Sciences Program Element (0601011E) in future budget submissions.

MULTIPLE KILL VEHICLE

The conferees agree to reduce the budget request for the Multiple Engagement Payload (MEP) for the Standard Missile-3 by $62,900,000, the entire budget request for that program. The conferees are concerned that the Missile Defense Agency (MDA) does not have the resources to adequately fund both MEP and the Multiple Kill Vehicle (MKV) for the Ground-Based Interceptor (GBI) and the Kinetic Energy Interceptor (KEI). Thus, the conferees agree to increase the MKV for the GBI and KEI by $25,000,000 in order to restore reductions that the MDA has annually taken out of this program. The conferees further agree with the Senate language that directs that no funding in the Aegis Ballistic Missile Defense program element can be used for the MKV program. Additionally, the conferees direct that the Multiple Kill Vehicle, PE 0603894 is designated as a congressional special interest item subject to prior approval reprogramming procedures.

CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM

The conference agreement provides an increase of $20,000,000 for the Chemical and Biological Defense Initiative. The Secretary of Defense is directed to allocate these funds among the programs that yield the greatest gain in our chem-bio defensive posture. The conferees further direct that such funds may not be obligated until 15 days after a report, including a description of projects to be funded, is provided to the congressional defense committees.

DEFENSE ADVANCED RESEARCH PROJECTS AGENCY

The conferees provide $2,979,808,000 for DARPA, a reduction of $105,809,000 from the request. The conferees direct the Director of DARPA to submit to the congressional defense committees no later than 60 days after enactment of this Act a report that details by program element and program the application of undistributed reductions made in this Act.

INDUSTRIAL BASE INNOVATION FUND

The conferees provide $24,000,000 for the Industrial Base Innovation Fund to ensure that investments are made to address shortfalls in manufacturing processes and technologies in support of the Department's long-term and short-term needs. The conferees direct that funds may not be obligated from the Industrial Base Innovation Fund until 15 days after a report detailing the projects to be funded is provided to the congressional defense committees.

NEW STARTS

The conferees direct that no more than 15 percent of funding provided under this heading for new start programs under the cognizance of the Director, Defense Research and Engineering, may be obligated until five days after the congressional defense committees receive a report that details those programs' descriptions and objectives as well as performance metrics, transition schedules and sunset provisions.

OPERATIONAL TEST AND EVALUATION, DEFENSE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	OPERATIONAL TEST & EVAL, DEFENSE				
	RDT&E MANAGEMENT SUPPORT				
2	OPERATIONAL TEST AND EVALUATION	48,627	48,627	48,627	48,627
4	LIVE FIRE TESTING	11,133	11,133	11,133	11,133
6	OPERATIONAL TEST ACTIVITIES AND ANALYSES	120,504	120,504	120,504	120,504
	TOTAL, RDT&E MANAGEMENT SUPPORT	180,264	180,264	180,264	180,264
	TOTAL, OPERATIONAL TEST & EVAL, DEFENSE	180,264	180,264	180,264	180,264

TITLE V - REVOLVING AND MANAGEMENT FUNDS

The conference agreement provides $2,701,840,000 in Title V, Revolving and Management Funds, instead of $3,841,840,000 as proposed by the House and $2,396,940,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
TITLE V				
REVOLVING AND MANAGEMENT FUNDS				
Defense Working Capital Funds..........................	1,352,746	1,352,746	1,352,746	1,352,746
National Defense Sealift Fund: Ready Reserve Force	1,079,094	2,489,094	1,044,194	1,349,094
Defense Coalition Support Fund.........................	22,000	---	---	---
Total, title V, Revolving and Management Funds..	2,453,840	3,841,840	2,396,940	2,701,840

DEFENSE WORKING CAPITAL FUNDS

The conference agreement provides $1,352,746,000 for the Defense Working Capital Funds, as proposed by both the House and the Senate.

NATIONAL DEFENSE SEALIFT FUND

The conference agreement provides $1,349,094,000 for the National Defense Sealift Fund, instead of $2,489,094,000 as proposed by the House and $1,044,194,000 as proposed by the Senate.

The conferees agree to provide an additional $300,000,000 for advance procurement of long-lead time material and advance construction activities for three additional T-AKE ships to support economic order quantity purchases of materials in fiscal year 2008 that could yield additional savings and reduce pressure on the out-year shipbuilding budget.

TITLE VI - OTHER DEPARTMENT OF DEFENSE PROGRAMS

The conference agreement provides $26,316,190,000 in Title VI, Other Department of Defense Programs, instead of $26,098,675,000 as proposed by the House and $26,316,373,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
TITLE VI				
OTHER DEPARTMENT OF DEFENSE PROGRAMS				
Defense Health Program 1/:				
Operation and maintenance	22,044,381	22,140,381	22,650,758	22,559,501
Procurement	362,281	363,011	362,261	362,861
Research and development	134,462	453,792	477,032	536,330
Total, Defense Health Program	22,541,124	22,957,184	23,490,051	23,458,692
Chemical Agents & Munitions Destruction, Defense:				
Operation and maintenance	1,198,086	1,198,086	1,186,500	1,181,500
Procurement	36,426	36,426	18,424	18,424
Research, development, test and evaluation	221,212	221,212	312,800	312,800
Total, Chemical Agents 2/	1,455,724	1,455,724	1,517,724	1,512,724
Drug Interdiction and Counter-Drug Activities, Defense	936,822	945,772	962,603	984,779
Joint Improvised Explosive Device Defeat Fund 2/	500,000	500,000	120,000	120,000
Rapid Acquisition Fund 2/	100,000	---	---	---
Office of the Inspector General 2/	215,995	239,995	225,995	239,995
Total, title VI, Other Department of Defense Programs	25,749,665	26,098,675	26,316,373	26,316,190

1/ For FY 2007, includes H.J.Res.20 appropriations.
2/ Included in Budget under Procurement title.

DEFENSE HEALTH PROGRAM

The conference agreement provides $23,458,692,000 for the Defense Health Program, instead of $22,957,184,000 as proposed by the House and $23,490,051,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
DEFENSE HEALTH PROGRAM				
Defense Health Program 1/:				
Operation and maintenance	22,044,381	22,140,381	22,650,758	22,559,501
Procurement	362,261	363,011	362,261	362,861
Research and development	134,482	453,792	477,032	536,330
Total, Defense Health Program	22,541,124	22,957,184	23,490,051	23,458,692

1/ For FY 2007, includes H.J.Res.20 appropriations.

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Conference
OPERATION AND MAINTENANCE	**20,182,381**	**22,140,381**	**22,650,758**	**22,559,501**
IN-HOUSE CARE	**5,425,845**	**5,457,331**	**6,027,749**	**5,914,112**
Madigan Army Medical Center Trauma Assistance Program		1,000		1,000
Battlefield Wound Treatment Medicine		1,500		1,200
Wounded Warrior Assistance		66,000	73,000	70,000
Bethesda Hospital Emergency Preparedness Partnership		6,000		4,800
Comprehensive Cancer Screening			1,500	1,200
Army and Marine Corps Ground Force Augmentation			29,027	29,027
Civilian Pay Raise from 3.0% to 3.5%			12,077	0
Efficiency Wedge, Army			142,300	110,840
Efficiency Wedge, Navy			146,500	114,200
Efficiency Wedge, Air Force			197,500	154,000
Warrior Transition Unit Support for the 4/25th Airborne Brigade Combat Team				2,000
PRIVATE SECTOR CARE	**10,508,313**	**12,413,327**	**12,341,286**	**12,341,286**
Undistributed	1,905,014	1,905,014	1,862,000	1,905,014
Army and Marine Corps Ground Force Augmentation-moved to In-house Care			-29,027	-29,027
Budget Correction				-43,014
CONSOLIDATED HEALTH CARE	**1,283,645**	**1,288,245**	**1,306,645**	**1,309,525**
DOD Mortality Registry		1,500		1,200
Defense Medical Surveillance System Upgrades		1,400		1,120
Embedded Metal Fragment Registry (EMFR)		700		560
Composite Operational Health and Occupational Risk Tracking System		1,000		1,000
Riverside Hospital PTSD				1,000
AFIP Records Digitization Program			20,000	18,000
Epidemiologic Health Survey at the Iowa Army Ammunition Plant			1,000	1,000
Brown Tree Snakes			2,000	2,000
INFORMATION MANAGEMENT/IT	**1,043,295**	**1,046,295**	**1,053,795**	**1,054,995**
Parsons Institute for Information Mapping for Defense Health Program's TRICARE and AHLTA Systems		2,000		1,600
Mission Hospital Computer Physician Order Entry Initiative		1,000		1,000
Enhanced Medical Situational Awareness			3,000	2,400
HEALTHeFORCES			3,500	2,800
Tracking at Keesler Air Force Medical Center			1,000	1,000
Children's Hospital Integrated Patient Electronic Records System (CHIPERS)				500
Theater Enterprise Wide Logistics System			3,000	2,400
MANAGEMENT HEADQUARTERS	**268,801**	**268,801**	**268,801**	**268,801**
EDUCATION AND TRAINING	**469,029**	**482,929**	**469,029**	**487,329**
Fort Drum Regional Health Planning Organization		400		400
Peace Through Health Care Initiative		1,500		1,500

	Budget Request	House	Senate	Conference
USUHS WMD Collaborative Medical Readiness Training Initiative		1,000		1,000
Warrior Wellness Program		1,000		1,000
Tri-Service Nursing Program				6,400
Health Research and Disparities Eradication		10,000		8,000
BASE OPERATIONS AND COMMUNICATIONS	**1,183,453**	**1,183,453**	**1,183,453**	**1,183,453**
PROCUREMENT	**362,261**	**363,011**	**362,261**	**362,861**
Defense Occupational Health Readiness System (DOEHRS)		750		600
RESEARCH AND DEVELOPMENT	**134,482**	**453,792**	**477,032**	**536,330**
Advanced Military Wound Healing and Treatment		1,000		1,000
Autism Research		8,000		6,400
Defense Occupational and Environmental Health Readiness System (DOEHRS)		14,910		11,928
Epilepsy Research for Wounded Military		1,500		1,200
Ft. Jackson Identifying Health Barriers Project		3,000		2,400
Global HIV/AIDS Prevention		10,000		8,000
Gynecological Cancer Center @ WRAMC		5,000		4,000
Integrative Cardiac Health Care @ WRAMC		5,000		4,000
Malaria Vaccine Development		2,000		2,000
Duchenne Muscular Dystrophy		5,000		4,000
National Diabetes Model Program		25,000		20,000
Peer-Reviewed Breast Cancer Research Program		127,500	150,000	138,000
Peer-Reviewed Ovarian Cancer Research Program		10,000	10,000	10,000
Peer-Reviewed Prostate Cancer Research Program		80,000	80,000	80,000
Stress Disorders Research Initiative at Fort Hood		3,400		2,720
Tuberous Sclerosis Complex (TSC)		5,000		4,000
Universal Immunization Tracking System		4,000		3,200
US Military Cancer Institute		5,000		4,000
Vanadium Safety Readiness		4,000		3,000
Bone Marrow Failure Disorder Research				1,000
Copper Antimicrobial Research Program			3,000	3,000
Hawaii Federal Health Care Network			27,500	25,000
Integrated Translational Prostate Disease Research at WRAMC			5,000	5,000
Light Emitting Diode Wound Healing and Cutaneous Lesions (includes transfer from RDTE,AF Line 4)			4,000	3,200
Peer Reviewed Medical Research Program			50,000	50,000
Pharmacological Countermeasures to Ionizing Radiation			3,800	3,800
Telerobotic and Advance Minimally Invasive Surgery			1,250	1,000
Tri-Service Nursing Research Program (transfer to O&M - Bag 6 Education and Training)			8,000	0

DEFENSE HEALTH PROGRAM REPROGRAMMING PROCEDURES

The conferees remain concerned regarding the transfer of funds from Direct (or In-house) Care to pay for contractor-provided medical care. To limit such transfers and continue oversight within the Defense Health Program operation and maintenance account, the conferees agree to include bill language which limits the funds available for Private Sector Care under the TRICARE program subject to prior approval reprogramming procedures. In addition, the conferees also designate the funding for the Direct Care System as a special interest item, as defined elsewhere in this report. Any transfer of funds from the Direct (or In-house) Care budget activity into the Private Sector Care budget activity or any other budget activity will require the Department of Defense to follow prior approval reprogramming procedures. The language approved by the conferees should not be interpreted by the Department as limiting the amount of funds that may be transferred to the direct care system from other budget activities within the Defense Health Program.

In addition, the conferees direct the Department of Defense to provide budget execution data for all of the Defense Health Program accounts. Such budget execution data shall be provided quarterly to the congressional defense committees through the DD-COMP(M) 1002 accounting form.

BUDGET CORRECTION LANGUAGE

The conferees agree to reduce the Private Sector Care (bag 2) by $43,014,000 to reflect incorrect budget justification materials submitted to the Congress for Army and Marine Corps Ground Force Augmentation. The conferees were made aware of a discrepancy between the fiscal year 2008 budget request submitted by the Office of Management and Budget and the Department of Defense for the Defense Health Program and have adjusted bag 2 to accurately account and fully fund the requirement. The conferees expect the Department of Defense and the Office of Management and Budget to be more fiscally responsible in its budgeting for the Defense Health Program and to better coordinate the required justification material submitted to Congress.

BUDGET ANALYSIS OF THE DEFENSE HEALTH PROGRAM

To improve the analysis of future budget requests for the Defense Health Program, the conferees direct the Comptroller General to review the Department of Defense's fiscal year 2009 budget request for the Private Sector Care budget activity group of the Defense Health Program. The conferees further direct the Comptroller General to review the Department's justification for its budget request and underlying estimates, changes from its prior year request and factors driving any changes, and the extent that the Department, in developing the request, has considered historical information on its ability to execute funds appropriated, such as prior year unobligated balances or transfers to other budget activity groups or accounts.

MANAGEMENT IMPROVEMENTS IN THE DEFENSE HEALTH PROGRAM

The conferees are concerned about the direction taken by the Department of Defense to improve the cost-effectiveness of the Defense Health Program and believe the Department has not thoroughly examined other areas that could result in efficiencies. Therefore, the conferees direct the Secretary of Defense to assess management improvements that should be taken to improve efficiency and effectiveness of the Defense Health Program, and further direct the Assistant Secretary of Defense for Health Affairs and the Undersecretary of Defense for Personnel and Readiness, to develop recommendations in the areas of, but not limited to, the following: processes needed to verify the eligibility of health care recipients; actions necessary to develop fully compliant financial management systems; procedures to better integrate the direct care and purchased care systems; and, actions which can be taken to create incentives for beneficiaries to use the least costly pharmacy programs. The conferees also direct the Secretary to develop a plan to implement these recommendations, identify associated costs, and submit the plan to the congressional defense committees not later than six months after enactment of this Act.

CARRYOVER

The conferees direct the Assistant Secretary of Defense for Health Affairs to submit a detailed spend plan for fiscal year 2007 designated carryover funds to the congressional defense committees 30 days after enactment of this Act.

WARRIOR TRANSITION

This year has proven that the military's system for ensuring that its programs to support wounded warriors is extremely overburdened and in need of significant improvement. The conferees direct the Department of Defense and Veterans Affairs to report to the congressional defense committees and the House and Senate Military Construction and Veterans Affairs Appropriations Committees by January 15, 2008, on how it plans to update the Physical Disability Evaluation System. The conferees further direct the Undersecretary of Defense for Personnel and Readiness to report quarterly to the congressional defense committees on the status of implementing improvements to the Military Health System and the Physical Disability Evaluation System.

PEER REVIEWED MEDICAL RESEARCH PROGRAM

The conferees agree to provide $50,000,000 for the Peer Reviewed Medical Research Program, and recommend the following projects as candidates for study: amyotrophic lateral sclerosis; alcoholism research; blood cancer; drug abuse; epilepsy research; eye and vision research; integrated tissue hypoxia research; Interstitial Cystitis; inflammatory bowel diseases; leishmaniasis; Lupus; kidney cancer; mesothelioma; multiple sclerosis; nutrition and health promotion; Padget's disease; polycystic kidney disease; pulmonary hypertension; scleroderma; social work research; and tinnitus. The conferees reiterate that funds provided under the Peer Reviewed Medical Research Program shall be used only for the purposes listed above.

The conferees direct the Department to provide a report by March 3, 2008, on the status of this Peer Reviewed Medical Research Program.

DEFENSE ENROLLMENT ELIGIBILITY REPORTING SYSTEM (DEERS)

The conferees direct the Department of Defense to report to the congressional defense committees by April 15, 2008, on the number of dual military member families currently in the military system and on how the Department intends to correct the inability of the system to register dependents under both parents. The report should include the cost estimates for correcting any flaws and deficiencies within the system.

REVIEW OF TRICARE CO-PAYS

The conferees direct the Assistant Secretary of Defense for Health Affairs to provide a report to the congressional defense committees by April 15, 2008, which reviews TRICARE co-pays and analyzes whether or not elimination of certain co-pays would result in a cost savings.

TRI-SERVICE NURSING RESEARCH PROGRAM

The conferees agree to provide $6,400,000 for the Tri-Service Nursing Research Program and direct the Assistant Secretary of Defense for Health Affairs, the Service Surgeons General and the Nursing Corps Chiefs to provide a report to the congressional defense committees by April 25, 2008, that details the number and topic areas of research proposals submitted and funded. The report should also provide a detailed accounting of the entire program, to include administrative costs, overhead and travel.

ELECTRONIC MEDICAL RECORD INTEROPERABILITY

The conferees direct the Departments of Defense and Veterans Affairs to issue a joint report to the congressional defense committees by March 3, 2008, detailing the actions being taken by each department to achieve an interoperable electronic medical record (EMR). The report should include, but not be limited to, a detailed spending plan for the use of funding provided in the Joint Incentive Fund as well as identify all other ongoing and planned projects and programs. The report should clearly identify the Departments' goals for interoperability and how these projects and programs will address those goals.

WOUNDED WARRIOR ASSISTANCE

The conferees agree to provide $70,000,000 to fund initiatives addressed in H.R. 1598 as passed by both the House and Senate that address the urgent medical needs of wounded service members.

REPLACEMENT OF JAPANESE ENCEPHALITIS VACCINE

The conferees direct the Undersecretary of Defense for Personnel and Readiness to report to the congressional defense committees by April 15, 2008, on the current policies for maintaining the Japanese encephalitis vaccine stockpile, the status of replacing the current Japanese encephalitis virus vaccine, and the costs associated with such a replacement.

FOOD ALLERGY RESEARCH

The conferees are aware of the increased diagnosis of food allergies and anaphylaxis occurring in the United States. The conferees direct the Assistant Secretary of Defense for Health Affairs and the Service Surgeons General to report to the congressional defense committees by April 15, 2008, on the rising incidences of food allergies and anaphylaxis among service members and their families, any current research to address this epidemic, and the need to establish a national program on food allergy and anaphylaxis that will work in coordination with other federal agencies.

ANTIBIOTIC RESISTANT BACTERIA

The conferees are concerned about the increasing number of wounded service members returning from theater with life-threatening infections caused by bacteria that may have originated in Iraq and that are increasingly resistant to currently used antibiotics. The conferees therefore direct the Service Surgeons General to report to the congressional defense committees by February 15, 2008 on the antibiotic regimen being used to treat service members with these infections, what new antibiotics are available but currently not being used by the military, what research is being conducted in this area, and what is needed to ensure that the service members receive the necessary treatment to reduce these life-threatening infections.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	CHEMICAL AGENTS & MUNITIONS DESTRUCTION, DEFENSE				
1	CHEM DEMILITARIZATION - OPERATION AND MAINTENANCE	1,198,086	1,198,086	1,186,500	1,181,500
3	CHEM DEMILITARIZATION - PROCUREMENT	36,426	36,426	18,424	18,424
2	CHEM DEMILITARIZATION - RESEARCH, DEV, TEST & EVAL	221,212	221,212	312,800	312,800
	TOTAL, CHEM AGENTS & MUNITIONS DESTRUCTION, DEFENSE	1,455,724	1,455,724	1,517,724	1,512,724

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Conference
CHEM DEMILITARIZATION-O&M	**1,198,086**	**1,198,086**	**1,186,500**	**1,181,500**
Program Adjustment		-	24,000	19,000
CHEM DEMILITARIZATION-PROC	**36,426**	**36,426**	**18,424**	**18,424**
CHEM DEMILITARIZATION-RDTE	**221,212**	**221,212**	**312,800**	**312,800**
Pueblo Chemical Agent Destruction Pilot Plant	[132,400]	-	[142,400]	[142,400]
Blue Grass Chemical Agent Destruction Pilot Plant	[118,600]	-	[144,600]	[144,600]
TOTAL, CHEM AGENTS & MUNITIONS DESTRUCTION, DEFENSE	**1,455,724**	**1,455,724**	**1,517,724**	**1,512,724**

The conferees note that numerous changes to this account were requested by the Department of Defense. However, not one of these adjustments were submitted to the Congress through the appropriate procedures. The conferees believe that this program does not have the level of attention it requires within the Department of Defense and the Office of Management and Budget. As such, the conferees direct that any future changes to this account after the President's budget transmittal to Congress be submitted through an official budget amendment by the President to the Congress.

CHEMICAL STOCKPILE EMERGENCY PREPAREDNESS PROGRAM

The conferees agree to provide $88,245,000 to assist State and local governments under the Chemical Stockpile Emergency Preparedness Program and have made these funds available until September 30, 2009. The conferees understand that the majority of these funds are used to continue ongoing programs and support emergency response capabilities near chemical weapon demilitarization facilities. The conferees agree to continue this flexibility because State and local governments operate on different fiscal calendars than the federal government. Since the majority of these funds are for ongoing efforts, the conferees direct the Department of Defense to work with these State and local governments to develop a responsible and efficient manner to execute future funds within one fiscal year.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The conference agreement provides $984,779,000 for Drug Interdiction and Counter-Drug Activities, Defense, instead of $945,772,000 as proposed by the House and $962,603,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Conference
COUNTER NARCOTICS	936,822	945,772	962,603	984,779
Nevada National Guard Counter-Drug Operations		3,500	3,900	3,500
Regional Counter-Drug Training Academy-Meridian		2,700	2,000	2,160
Indiana National Guard Counter-Drug Program		1,000		800
Multi-Jurisdictional Counter-Drug Task Force Training		2,500		3,000
Southwest Border Fence		1,500		1,200
Alaska National Guard Counter-Drug Program			3,000	2,500
Hawaii National Guard Counter-Drug Program			3,000	3,000
Kentucky National Guard Counter-Drug Program			4,000	3,200
Midwest Counter-Drug Training Center			5,000	5,000
New Mexico National Guard Counter-Drug Support			3,000	3,000
Northeast Counter-Drug Training Center			5,000	4,000
Appalachia High Intensity Drug Trafficking Area Tennessee			4,000	4,000
West Virginia Counter-Drug Program			1,630	1,304
Wireless Exploitation Program			1,500	1,200
National Guard Counter-Drug Support			25,000	20,000
Afghanistan and Central Asia-Aviation Manager		-400		0
Tajikistan-Contract Support/Admin Expenses		-600		0
Turkmenistan-Contractor Support/Admin Expenses		-650		0
Kyrgyzstan-Contractor Support/ Admin Expenses		-600		0
PC 9201 Support for Bolivia			-500	-500
PC 9201 Program Execution			-10,000	-7,000
PC 6504 Support for Thailand			-573	-573
PC 9202 Support for Thailand			-300	-300
PC 3365 Support for Thailand			-1,534	-1,534
Reduction to Classified Programs			-2,946	0
PC 9204 Support for Afghanistan, GWOT requirement, deferred to supplemental			-14,296	0
PC 9225 Support for Afghanistan, GWOT requirement, deferred to supplemental			-5,100	0

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
	JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND				
	NETWORK ATTACK				
1	ATTACK THE NETWORK....................................	---	299,400	40,000	40,000
	JIEDDO DEVICE DEFEAT				
2	DEFEAT THE DEVICE.....................................	200,000	83,200	---	---
	FORCE TRAINING				
3	TRAIN THE FORCE.......................................	---	54,400	48,000	48,000
	STAFF AND INFRASTRUCTURE				
4	STAFF AND INFRASTRUCTURE..............................	300,000	63,000	32,000	32,000
	TOTAL, JOINT IED DEFEAT FUND.........................	500,000	500,000	120,000	120,000

The conference agreement provides $120,000,000 for the Joint Improvised Explosive Device Defeat Fund, as proposed by the Senate, instead of $500,000,000 as proposed by the House. The conferees direct the Joint Improvised Explosive Device Defeat Organization to follow standard reprogramming procedures when transferring a cumulative amount of $20,000,000 or more between subactivities.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
OFFICE OF THE INSPECTOR GENERAL				
OFFICE OF THE INSPECTOR GENERAL OPERATION AND MAINTENANCE............................	214,995	238,995	224,995	238,995
PROCUREMENT..	1,000	1,000	1,000	1,000
TOTAL, OFFICE OF THE INSPECTOR GENERAL.............	215,995	239,995	225,995	239,995

TITLE VII - RELATED AGENCIES

The conference agreement provides $988,026,000 in Title VII, Related Agencies, instead of $945,776,000 as proposed by the House and $971,876,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
TITLE VII				
RELATED AGENCIES				
Central Intelligence Agency Retirement and Disability System Fund..	262,500	262,500	262,500	262,500
Intelligence Community Management Account.............	705,376	683,276	709,376	725,526
Transfer to Department of Justice.................	(16,000)	(39,000)	(16,000)	(39,000)
Total, title VII, Related agencies..............	967,876	945,776	971,876	988,026

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

The conference agreement provides $262,500,000 for the Central Intelligence Agency Retirement and Disability Fund, as proposed by both the House and the Senate.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $725,526,000 for the Intelligence Community Management Account, instead of $683,276,000 as proposed by the House and $709,376,000 as proposed by the Senate.

The conference agreement provides for a transfer of $39,000,000, as proposed by the House, to the Department of Justice for the National Drug Intelligence Center to support the Department of Defense's counter-drug intelligence responsibilities.

TITLE VIII—GENERAL PROVISIONS

The conference agreement incorporates general provisions from the House and Senate versions of the bill which were not amended. Those general provisions that were addressed in conference follow:

The conference agreement retains a provision proposed by the Senate which provides the Department of Defense with transfer authority not to exceed $3,700,000,000. The House bill contained a similar provision.

The conference agreement includes a provision similar to that proposed by the House requiring the Department of Defense to submit a report to the congressional defense committees establishing the baseline for application of reprogramming and transfer authorities for fiscal year 2008 not later than 60 days after enactment of this Act. The Senate bill contained no similar provision.

The conference agreement includes a provision similar to that proposed by the Senate concerning phased repair projects at Alaskan ranges. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House that approves the Army CH-47 Chinook Helicopter as a multiyear procurement platform. The Senate bill contained a similar provision but did not include this platform.

The conference agreement retains a provision proposed by the Senate relating to incentive payments as authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544). The House bill contained a similar provision.

The conference agreement modifies a provision proposed by the House and the Senate which provides funding from various appropriations for the Civil Air Patrol Corporation.

The conference agreement modifies a provision proposed by the House and the Senate with respect to Federally Funded Research and Development Centers.

The conference agreement retains a provision proposed by the Senate relating to the use of funds made available for operation and maintenance to purchase items having an investment item unit cost of not more than $250,000. The House bill contained a similar provision.

The conference agreement modifies a provision proposed by the House concerning the expansion of vacuum induction melting furnace capacity and vacuum arc re-melting furnace capacity for defense applications. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate concerning the mitigation of environmental impacts on Indian lands resulting from Department of Defense activities. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House which provides authority to the Secretary of Defense, acting through the Office of Economic Adjustment, to use funds made available under the heading "Operation and Maintenance, Defense-Wide" in accordance with guidance provided in the Joint Explanatory Statement of Conference to accompany this Act. The Senate bill contained a similar provision.

The conference agreement modifies a provision proposed by the House and the Senate recommending rescissions. The rescissions agreed to are:

(RESCISSIONS)

2006 Appropriations:	
Procurement, Marine Corps:	
Expeditionary Fighting Vehicle	$15,000,000
Aircraft Procurement, Air Force:	
C–5 RERP	10,000,000
C–5 RERP (AP)	15,786,000
2007 Appropriations:	
Procurement of Weapons and Tracked Combat Vehicles, Army:	
Stryker Brigade Combat Team Wiring Trace Out	2,600,000
Shipbuilding and Conversion, Navy:	
Littoral Combat Ship	81,000,000
Aircraft Procurement, Air Force:	
C–5 RERP	40,000,000
C–5 RERP (AP)	11,000,000
Procurement, Defense-Wide:	
PSYOP Equipment	13,963,000
Mission Training and Preparation Systems	1,950,000
Research, Development, Test and Evaluation, Army:	
Advanced Precision Kill Weapons System	13,300,000
Research, Development, Test and Evaluation, Navy:	
Expeditionary Fighting Vehicle	24,000,000
Research, Development, Test and Evaluation, Air Force:	
Personnel Recovery Systems	92,000,000
Defense Reconnaissance/Support Activities	50,000,000
ISSP	15,000,000
C–130 Modifications	10,000,000
Research, Development, Test and Evaluation, Defense-Wide:	
Defense Advanced Research Projects Agency	144,000,000

The conference agreement retains a provision proposed by the Senate relating to new advanced concept technology demonstration projects within "Research, Development, Test and Evaluation, Defense-Wide". The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate which provides permanent authority to credit operation and maintenance, and research, development, test and evaluation accounts with refunds received from the use of Government travel and purchase cards. The House bill contained a similar provision.

The conference agreement modifies a provision proposed by the House and the Senate to include the Territory of Guam.

The conference agreement modifies a provision proposed by the House which provides $10,000,000 only for the construction and furnishing of additional Fisher Houses. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate concerning phased electrical infrastructure upgrades at Hickam Air Force Base. The House bill contained no similar provision.

The conference agreement modifies a provision proposed by the House and Senate concerning the Arrow missile defense program. The conference agreement provides a total of $155,575,000 for the Arrow program of which $37,383,000 is for missile component coproduction, $20,000,000 is for a study of an upper-tier missile defense system and $37,000,000 is only for the Short Range Ballistic Missile Defense initiative.

The conference agreement retains a provision proposed by the House relating to language that allocates Shipbuilding and Conversion, Navy dollars for the cost increases of prior year shipbuilding programs. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate concerning operational control of U.S. Navy forces assigned to the Pacific fleet. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate which provides additional direct hire authority for occupational specialties. The House bill contained a similar provision, providing the same authority for fewer occupational specialties.

The conference agreement retains a provision proposed by the House which prohibits funds provided in this Act from being made available through a reprogramming that initiates a new start program or project, unless such program or project must be undertaken immediately in the interest of national security and after written notification to the congressional defense committees. The Senate bill contained a similar provision.

The conference agreement retains a provision proposed by the House which provides $990,000 for the Center for Military Recruitments, Assessment and Veterans Employment. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate which provides $5,500,000 for school repair and technology innovation to support military families. The House bill contained no similar provision.

The conference agreement modifies a provision proposed by the House and the Senate concerning the financing and fielding of key Army capabilities.

The conference agreement modifies a provision proposed by the House providing funds for specific grants. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate concerning repair and upgrades at the Pacific Missile Range Facility. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate relating to budget justification for overseas contingencies. The House bill contained a similar provision. The conferees have addressed this issue under Title II.

The conference agreement modifies a provision proposed by the House and the Senate relating to Shipbuilding and Conversion, Navy transfers.

The conference agreement modifies a provision proposed by the Senate which reduces funding made available under Title II for savings due to contractor efficiencies. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House which provides for the presentation of promotional material to military personnel returning from service in Operation Enduring Freedom or Operation Iraqi Freedom. The Senate bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate concerning revised economic assumptions. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate relating to the prohibition on transfer of program authorities relating to current TUAVs. The House bill contained no similar provision.

The conference agreement modifies a provision proposed by the Senate concerning the Joint Interagency Training and Education Center. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate which extends the authority of a Defense Advanced Research Project Agency program through September 30, 2008. The House bill contained no similar provision.

The conference agreement modifies a provision proposed by the House relating to the obligation of supervision and administration costs associated with overseas construction projects. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the Senate concerning the Asia Pacific Regional Initiative. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House relating to a major force program category for space. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House concerning the Tanker Replacement Transfer Fund. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House relating to permanent bases in Iraq. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House relating to torture. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House that provides limitations on the use of funds made available in this Act to pay negotiated indirect cost rates on basic research contracts and grants. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which provides that any request for funds for an ongoing military operation overseas for any fiscal year beyond 2008, including Afghanistan and Iraq, shall be included in the President's annual budget submission. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House relating to award fees to defense contractors. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate concerning the USS Arizona Memorial Museum and Visitor Center. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate which provides for a deadline for the destruction of the U.S. chemical weapons stockpile. The House bill contained no similar provision.

The conference agreement deletes a provision proposed by the Senate relating to nuclear weapons handling procedures. The House bill contained no similar provision. The conferees have addressed this issue elsewhere in this statement.

The conference agreement modifies a provision proposed by the Senate regarding airline travel. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate which provides for the establishment on the Department of Defense (DoD) homepage a direct link to the homepage of the DoD Inspector General. The House bill contained no similar provision.

The conference agreement includes a new provision which provides $11,630,000,000 in emergency funding to purchase Mine Resistant Ambush Protected Vehicles.

COMPLIANCE WITH RULE XXI, CL. 9 (HOUSE) AND WITH RULE XLIV (SENATE)

The following list is submitted in compliance with clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate, which require publication of a list of congressionally directed spending items (Senate), congressional earmarks (House), limited tax benefits, and limited tariff benefits included in the conference report, or in the joint statement of managers accompanying the conference report, including the name of each Senator, House Member, Delegate, or Resident Commissioner who submitted a request to the Committee of jurisdiction for each item so identified. Congressionally directed spending items (as defined in the Senate rule) and congressional earmarks (as defined in the House rule) in this division of the conference report or joint statement of managers are listed below. Neither the conference report nor the statement of managers contains any limited tax benefits or limited tariff benefits as defined in the applicable House and Senate rules.

The following list is also submitted in compliance with House Resolution 491, which requires a listing of congressional earmarks in the conference report or joint statement of managers that were not committed to the committee of conference by either House, not in a report on a bill committed to conference, and not in a Senate committee report on a companion measure. Such earmarks are marked with an "*" in the list below.

DEFENSE

Account	Project Name	Requesting Member		Amount
		House	Senate	
AP,A	Air Warrior		Warner, Webb	$800,000
AP,A	Cockpit Air Bag System (CABS)	Mitchell, Pastor		$1,600,000
AP,A	FLIR Radar System for the UH-60 Blackhawk Helicopter for the New York ANG	Hall, John		$800,000
AP,A	Ft Knox Godman Airfield ASR		McConnell	$3,200,000
AP,A	Internal Extended Range Fuel System	Pastor, Renzi		$3,600,000
AP,A	IVHMS System—Tennessee National Guard		Alexander, Corker, Leahy	$2,880,000
AP,A	UH-60 MEDEVAC Search and Rescue Thermal Imaging Upgrades	Young (FL), Cole, Hooley, McNulty, King (NY), Walsh	Domenici, Smith, Wyden	$1,000,000
AP,A	UH-60A Re-Wiring Program	Granger		$2,000,000
AP,A	UH-60A to UH-60L Upgrade	Ortiz, Bilirakis, Cummings, Ellsworth, King (NY), Shays	Dodd, Johnson, Landrieu, Mikulski, Shelby	$1,600,000
AP,A	Vibration Management Enhancement Program	Barrett, Brown (SC), Clyburn	Feinstein, Graham	$2,400,000
AP,AF	Upgrades for 76-aircraft B-52 fleet		Conrad, Dorgan, Landrieu, Vitter	$15,200,000
AP,AF	AN/APN-241 Radar for ANG C-130	Gingrey, Hayes, Kingston, Marshall	Biden, Carper	$3,200,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
AP,AF	ARC 210 Improved Communications for A-10	Loebsack	Durbin, Grassley, Vitter	$2,000,000
AP,AF	ARC 210 Improved Communications for F-16		Bennett, Durbin, Grassley, Harkin, Inhofe, Sessions, Vitter	$6,000,000
AP,AF	C-130 Active Noise Cancellation	Tiahrt		$1,500,000
AP,AF	Civil Air Patrol (AC)	Tiahrt		$1,800,000
AP,AF	Communications Special Test Equipment (STE) for Global Hawk	Cannon	Hatch	$1,600,000
AP,AF	F-16 On-Board Oxygen Generation Systems (OBOGS) Retrofit	Braley, Hare	Harkin, Durbin	$1,600,000
AP,AF	RAINCOAT	Walsh	Domenici	$2,400,000
AP,AF	RC-26B Modernization Program	Young (FL), Doolittle		$3,200,000
AP,AF	Senior Scout Integrated Mission Trainer	Lamborn, Udall (CO)	Allard, Salazar	$1,000,000
AP,N	CH-46 Communications Enhancements		Warner, Webb	$1,600,000
AP,N	Direct Squadron Readiness Training		Byrd	$3,600,000
AP,N	Integrated Mechanical Diagnostics Health and Usage Management System (IMDS) for CH-53		Leahy, Johnson, Sanders, Thune	$4,640,000
AP,N	P-3 AIP ESM Multi Platform Emitter Geolocation (MPEG) Upgrade		Feinstein	$2,400,000
AP,N	Advanced Helicopter Emergency Egress Lighting System (ADHEELS)	Alexander, Melancon	Landrieu, Vitter	$1,600,000
AP,N	AN/AAR-47	Young (FL)		$4,000,000
AP,N	C-130 Aircraft Health Monitoring System	Tiahrt		$1,000,000
AP,N	C4ISR Operations & Training	Murtha		$4,000,000
AP,N	LAU-7 Sidewinder Missile Launcher Replacement Program	Waters		$1,000,000
AP,N	P-3 Command, Control, Communications and Computers (C4) for Anti-Submarine Warfare (ASW)	Inglis	Graham, Klobuchar	$4,000,000
AP,N	P-3C High Resolution Digital Recorder	Saxton, Andrews, LoBiondo		$1,500,000
AP,N	USMC UC-12 Replacement Aircraft (RA)	Tiahrt	Brownback, Lott	$8,300,000
ChemDemil	Blue Grass Chemical Agent Destruction Pilot Plant		McConnell	$28,000,000
ChemDemil	Pueblo Chemical Agent Destruction Pilot Plant		Salazar, Allard	$10,000,000
DHP	AFIP Records Digitization Program		Byrd	$18,000,000
DHP	Brown Tree Snakes		Inouye	$2,000,000
DHP	Comprehensive Cancer Screening		Byrd	$1,200,000
DHP	Enhanced Medical Situational Awareness		Kohl	$2,400,000
DHP	Epidemiologic Health Survey at the Iowa Army Ammunition Plant	Loebsack	Grassley, Harkin	$1,000,000
DHP	Hawaii Federal Health Care Network		Inouye	$25,000,000
DHP	HEALTHeFORCES		Byrd	$2,800,000
DHP	Integrated Translational Prostate Disease Research at WRAMC		Stevens	$5,000,000
DHP	Patient Medication Administration and Medical Equipment Tracking at Keesler Air Force Medical Center		Cochran	$1,000,000
DHP	Telerobotic and Advance Minimally Invasive Surgery		Byrd	$1,000,000
DHP	Advanced Military Wound Healing and Treatment	Reynolds		$1,000,000
DHP	Battlefield Wound Treatment Medicine	Udall (NM)	Bingaman, Domenici	$1,200,000
DHP	Bethesda Hospitals Emergency Preparedness Partnership	Van Hollen	Cardin	$4,800,000
DHP	Composite Operational Health and Operational Risk Tracking System	Emerson		$1,000,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
DHP	Copper Antimicrobial Research Program	Akin, Arcuri, Costello, Gerlach	Casey, Durbin, Grassley, Harkin, Lott, Reed	$3,000,000
DHP	Epilepsy Research for Wounded Military	Emanuel		$1,200,000
DHP	Fort Drum Regional Health Planning Organization	McHugh		$400,000
DHP	Ft. Jackson Identifying Health Barriers Project	Clyburn		$2,400,000
DHP	Health Research and Disparities Eradication Program	Clyburn	Graham	$8,000,000
DHP	Light Emitting Diode Wound Healing and Cutaneous Lesions	Davis, Danny	Durbin, Obama	$3,200,000
DHP	Madigan Army Medical Center Trauma Assistance Program	Dicks, Baird, Smith (WA)	Cantwell	$1,000,000
DHP	Malaria Vaccine Development	Reichert, McDermott, Smith (WA)	Cantwell, Murray	$2,000,000
DHP	Mission Hospital Computer Physician Order Entry Initiative	Shuler		$1,000,000
DHP	Parsons Institute for Information Mapping for Defense Health Program's TRICARE System and the AHLTA	Nadler	Clinton, Schumer	$1,600,000
DHP	Peace Through Health Care Initiative	Franks		$1,500,000
DHP	Pharmacological Countermeasures to Ionizing Radiation	Ramstad	Coleman	$3,800,000
DHP	Stress Disorders Research Initiative at Fort Hood	Edwards		$2,720,000
DHP	Theater Enterprise Wide Logistics System	Sestak	Specter	$2,400,000
DHP	USUHS WMD Collaborative Medical Readiness Training Initiative	Van Hollen	Cardin	$1,000,000
DHP	Vanadium Safety Readiness	Space, English, Murphy (CT), Paul	Casey, Dodd, Lincoln, Pryor, Specter	$3,000,000
DHP	Warrior Wellness Program	Young (FL)		$1,000,000
DPA	Lightweight Ammunition and Armor Initiative		Cochran	$3,000,000
DPA	Lithium Ion Battery Cell Production	McKeon		$1,000,000
DPA	Microclimate Cooling Systems		Bunning	$1,600,000
DPA	POSS Nanotechnology Engineering Scale-Up Initiative		Lott	$2,400,000
DPA	Reactive Plastic CO2 Absorbent Production Capacity		Biden, Carper	$1,600,000
DPA	Titanium Metal Matrix Nano Enhanced Titanium		Byrd	$8,000,000
DPA	ALON and Spinel Optical Ceramics	Bono, Tierney	Kerry	$2,800,000
DPA	Automated Composite Technologies and Manufacturing Center (ACTMC)	Bishop (UT), Cannon	Bennett, Hatch	$10,000,000
DPA	Beryllium Supply Industrial Base	Gillmor, Bishop (UT), Kaptur	Hatch, Bennett, Brown, Casey, Sessions, Voinovich	$3,200,000
DPA	Domestic Armstrong Titanium Production	Biggert, Weller	Durbin	$5,000,000
DPA	Flexible Aerogel Material Supplier Initiative	Kennedy	Reed	$5,000,000
DPA	Global Personal Recovery System Single Card Solution	Gallegly		$1,200,000
DPA	Life Cycle Support Center for Unmanned Systems	Murtha		$2,400,000
DPA	Low Cost Military GPS	Loebsack, Braley, Latham		$1,600,000
DPA	Photovoltaic Solar Cell Encapsulant	Courtney	Dodd, Lieberman	$2,400,000
DPA	Production of Affordable Direct Methanol Fuel Cells Components	Carney	Casey, Specter	$1,600,000
DPA	Production of Miniature Compressors for Electronics and Personal Cooling	Rogers (KY)		$1,000,000
DPA	Read Out Integrated Circuit Manufacturing Improvement	Simpson	Craig	$2,400,000
DPA	SWORDS Safety Confirmation Testing for Accelerated Fielding and Production	Conyers, Meehan, Ross	Pryor, Levin, Lincoln	$1,600,000
DRUGS	Alaska National Guard Counter-Drug Program		Stevens	$2,500,000
DRUGS	Hawaii National Guard Counter-Drug Program		Inouye	$3,000,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
DRUGS	Kentucky National Guard Counter-Drug Program		McConnell	$3,200,000
DRUGS	Midwest Counter-Drug Training Center		Grassley, Harkin	$5,000,000
DRUGS	New Mexico National Guard Counter-Drug Support		Bingaman	$3,000,000
DRUGS	Northeast Counter-Drug Training Center		Specter	$4,000,000
DRUGS	West Virginia Counter-Drug Program		Byrd	$1,304,000
DRUGS	Wireless Exploitation Program		Burr	$1,200,000
DRUGS	Appalachia High Intensity Drug Trafficking Area Tennessee	Gordon	Alexander, Corker	$4,000,000
DRUGS	Indiana National Guard Counter Drug Program	Visclosky		$800,000
DRUGS	Multi-Jurisdictional Counter-Drug Task Force Training	Young (FL)		$3,000,000
DRUGS	Nevada National Guard Counterdrug Operations	Berkley	Reid	$3,500,000
DRUGS	Regional Counterdrug Training Academy, Meridian	Pickering	Lott	$2,160,000
DRUGS	Southwest Border Fence	Hunter		$1,200,000
ENV	Lake Erie/Toussaint River Project	Kaptur		$1,000,000
ENV	Restoration of Naval Facility at Centerville Beach	Thompson (CA)		$3,000,000
ENV	Spring Valley Formerly Used Defense Site	McGovern		$3,200,000
GP	Harnett County/Ft. Bragg, NC Infrastructure Improvements	Etheridge		$3,500,000
GP	Jamaica Bay Unit of Gateway National Recreation Area	Weiner		$4,800,000
GP	Joint Venture Education Program		Inouye	$5,500,000
GP	National Bureau for Asian Research	Dicks		$1,200,000
GP	Presidio Main Post	Pelosi		$2,000,000
GP	Project SOAR	Braley, Pelosi	Grassley, Harkin	$5,000,000
GP	Red Cross Consolidated Blood Services Facility	Kaptur, Marcy		$1,200,000
GP	U.S.S. Arizona		Inouye	
Intel	Advanced Geospatial Intelligence (AGI) Exploitation Tools	Hobson, David	Brown, Voinovich	$2,400,000
Intel	Airborne Commercial Radar Mapping	Lewis (CA)		$3,200,000
Intel	All Sources Intelligence Environment	Moran (VA)		$1,000,000
Intel	Carbon Nanotube-based Radiation Hard Non-Volatile RAM	Blunt		$4,800,000
Intel	Center for Innovative Geospatial Technology	Lewis (CA)		$5,000,000
Intel	China Geospatial Data Project	Boustany, Everett, Jindal		$2,500,000
Intel	Digital Information Sharing Pilot (DISP)	Hobson	Voinovich	$2,400,000
Intel	Enhanced Foreign System Signature Prediction/MSIC	Cramer		$2,400,000
Intel	GeoSAR System Enhancements	Lewis (CA), Bartlett		$3,200,000
Intel	Geospatial Intelligence Analysis Education	Lewis (CA)		$2,400,000
Intel	Geospatial Science Initiative	Wilson (NM)	Domenici	$850,000
Intel	Intelligence Analyst Education and Training	Wicker	Cochran	$3,200,000
Intel	Intelligence Training at the Kennedy School of Government		Rockefeller	$200,000
Intel	Laboratory for High Performance Computational Systems/MSIC	Cramer		$1,200,000
Intel	National Drug Intelligence Center (NDIC)	Murtha		$23,000,000
Intel	National Media Exploitation Center		Rockefeller	$6,000,000
Intel	Next Generation MSIC Simulation Testbed	Cramer, Aderholt		$3,200,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
Intel	NMEC Intelligence Community R&D Lab and Better Service to Combatant Commands	Young (FL)		$2,400,000
Intel	Northwest Maritime Information and Littoral Operations Program	Dicks		$4,000,000
Intel	Open Source Naval and Missile Database Reporting System	Dicks		$1,600,000
Intel	Portable Neutron Imaging System	Harman		$1,000,000
Intel	Rapid Missile All Source Analysis	Cramer, Everett	Bond	$400,000
Intel	Tactical SIPRNET	Reyes		$1,000,000
Intel	War-fighter Support Using HELIOS/MSIC	Cramer		$2,400,000
MILPERS,ANG	166th Network Warfare Squadron		Biden, Carper	$600,000
MILPERS,ANG	A Second Civil Support Team for Weapons of Mass Destruction in Florida	Young (FL)		$400,000
MILPERS,ANG	Crypto-Linguist/Intelligence Officer Initiative		Hagel	$1,600,000
MILPERS,ANG	Establishment of a Second Civil Support Team (CST) in New York	King (NY), Hall (NY)	Clinton, Schumer	$359,000
MILPERS,ANG	Joint Interagency Training and Education Center		Byrd	$650,000
MILPERS,ARNG	A Second Civil Support Team for Weapons of Mass Destruction in Florida	Young (FL)		$1,300,000
MILPERS,ARNG	Establishment of a Second Civil Support Team (CST) in New York	King (NY), Hall (NY)	Clinton, Schumer	$1,968,000
MILPERS,ARNG	Joint Interagency Training and Education Center		Byrd	$3,600,000
OM,A	Advanced Combat Helmet PLUS		Leahy	$4,000,000
OM,A	Air Battle Captain (ROTC Heli Flight Training Program)		Conrad, Dorgan	$2,000,000
OM,A	Air-Supported Temper Tent	Rogers (KY)		$1,600,000
OM,A	Anniston Army Depot Industrial Efficiencies		Shelby, Sessions	$1,200,000
OM,A	Army Condition Based Maintenance	Sanchez, Loretta	Feinstein	$1,600,000
OM,A	Army Conservation and Ecosystem Management		Inouye	$3,500,000
OM,A	Army Strategic Logistics Initiatives—Asset Visibility	Murtha		$1,600,000
OM,A	Autonomics Logistics Demonstration	Rahall		$1,600,000
OM,A	Biosecurity Research for Soldier Food Safety		Roberts	$1,200,000
OM,A	Cognitive Air Defense Simulators	Reyes	Bingaman, Cornyn	$1,600,000
OM,A	Common Logistics Operating Environment	Bishop (GA)		$3,200,000
OM,A	Critical Language Instruction for Military Personnel, Education, Training and Distance Learning	Putnam, Boyd		$3,000,000
OM,A	Extended Cold Weather Clothing System ? Gen III	Inglis		$2,800,000
OM,A	Fleece Insulating Liners for Extended Cold Weather Clothing System, Generation III (ECWCS GEN III)	Hodes, Walberg, Meehan	Graham, Gregg, Kennedy, Kerry, Stabenow, Sununu	$3,200,000
OM,A	Fort Hood Training Lands Restoration and Maintenance	Carter, Edwards		$3,000,000
OM,A	Fort Stewart Live Fire Ranges Modernization & Improvements	Kingston		$1,200,000
OM,A	Leadership for Leaders at CGSC and KSU	Boyda	Brownback	$500,000
OM,A	Low Profile Phased Array Antenna	Visclosky		$1,200,000
OM,A	McAlester AAP Bomb Line Modernization	Boren		$2,000,000
OM,A	Mobile Battery Shops (MBS)	Farr		$800,000
OM,A	Modular Command Post Tent	Rogers (KY)		$4,000,000
OM,A	NanoSensor StageGate Accelerator	McNulty		$1,600,000
OM,A	Nanotechnology Corrosion Support	Rahall		$1,000,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
OM,A	Northern Nevada Special Operations Training Project		Reid	$1,560,000
OM,A	One Soul: Holocaust Education Exhibit	Ryan (OH)	Cantwell, Clinton, Kennedy, Landrieu, Lautenberg, Lieberman, Menendez, Schumer, Stabenow, Wyden	$1,600,000
OM,A	Online Technology Training Program at Ft. Lewis		Murray	$1,600,000
OM,A	Operational/Technical Training Validation Testbed for Maneuver Units at Fort Bliss	Reyes		$2,600,000
OM,A	PARC/Multi-Brigade Training Requirements		Stevens	$15,100,000
OM,A	Quadcons and Tricons for Strategic Mobility	Brown (SC)	Graham	$1,200,000
OM,A	Recapturing the Army's Training Ranges	Bishop (GA)		$800,000
OM,A	Retrograde Tracking, Monitoring and Security of U.S. Military Materiel	Hayes	Feinstein	$3,200,000
OM,A	Rock Island Arsenal, Building 299 Roof Replacement Phase II	Hare	Grassley, Harkin, Obama	$6,000,000
OM,A	Roofing Restoration Program at Fort Stewart, GA	Kingston		$1,600,000
OM,A	Sawfly Combat Ballistic Protection Eyewear		Leahy	$1,600,000
OM,A	Scanning Technology for Accelerating Reset	Brown (SC), Wilson (SC)	Graham, Sessions, Stabenow	$1,600,000
OM,A	Second Civil Support Team for Weapons of Mass Destruction in Florida	Young (FL)		$300,000
OM,A	Sense and Respond Logistics Capability	Bishop (GA)		$2,800,000
OM,A	Tracking Reusable Assets for Contingency and Emergency Response		Byrd	$3,600,000
OM,A	Transformation of ISO Containers to Smart Containers	McHenry		$1,800,000
OM,A	U.S. Army Battery Management Program Utilizing Pulse Technology	Marchant, Sessions		$2,800,000
OM,A	U.S. Army Extended Cold Weather Clothing System (ECWCS) Hand Protection System	Dicks, Baird, McDermott, Reichert	Cantwell, Murray	$1,600,000
OM,A	UH-60 Leak Proof Transmission Drip Pans	Rogers (KY)		$2,000,000
OM,A	Water Purification & Distribution Operating Systems	Kaptur		$2,400,000
OM,AF	AK CAP Survival Equipment		Stevens	$500,000
OM,AF	Alaska Land Mobile Radio (ALMR)		Stevens, Murkowski	$4,300,000
OM,AF	Center for Space and Defense Studies		Allard, Salazar	$500,000
OM,AF	Civil Air Patrol		Biden, Harkin, Carper	$2,300,000
OM,AF	Eielson Utilidors		Stevens	$9,000,000
OM,AF	Electrical Distribution Upgrade at Hickam		Inouye	$7,000,000
OM,AF	Interoperable Communications/Enterprise Network for USNORTHCOM		Salazar	$3,200,000
OM,AF	Military Legal Assistance Clinic		Brown	$4,000,000
OM,AF	Mission Critical Power System Reliability Surveys		Voinovich	$800,000
OM,AF	Mobile Shear		Reid	$400,000
OM,AF	National Security Space Institute		Allard	$2,640,000
OM,AF	Operational Upgrades, BLDG 9480		Stevens	$9,000,000
OM,AF	Red Flag PARC Upgrades		Stevens	$7,500,000
OM,AF	8th Air Force Cyberspace Innovation Center	McCrery	Landrieu, Vitter	$4,000,000
OM,AF	Advanced Technical Intelligence Center (ATIC)—Human Capital Development (HCD)	Hobson	Voinovich	$4,000,000
OM,AF	Air Force Manufacturing Technical Assistance and Production Program	Miller (MI), Markey	Levin	$1,200,000
OM,AF	Air Force Materiel Command's Net-centric Emergency Notification System	Lantos		$800,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
OM,AF	Building 641 (AFIT)	Hobson		$2,000,000
OM,AF	Center for Parts Configuration Management (CPCM)	Bishop (GA), Marshall, Kingston	Chambliss, Isakson	$2,400,000
OM,AF	Demonstration Project for Contractors Employing Persons with Disabilities	Tiahrt		$1,600,000
OM,AF	Engine Health Management Plus Data Repository Center	Murtha		$1,600,000
OM,AF	Engineering Training & Knowledge Preservation System	Davis (KY)	Bunning	$1,600,000
OM,AF	Lean Process Improvement	Marshall		$1,600,000
OM,AF	Mac Dill Air Force Base Online Technology Program	Castor		$800,000
OM,AF	MBU-20/P Oxygen Mask and Mask Light	Dreier		$3,000,000
OM,AF	Naval Postgraduate School PhD in Homeland Defense	Lamborn, Udall (CO)	Allard, Salazar	$3,200,000
OM,AF	Online Technology Training Program at Nellis Air Force Base	Porter	Reid	$1,600,000
OM,AFR	931st Air Refueling Group (ARG) Maintenance Acceleration Plan	Tiahrt		$1,600,000
OM,AFR	Whiteman Conventional Munitions Storage	Emerson		$1,600,000
OM,ANG	166th Network Warfare Squadron		Carper, Biden	$200,000
OM,ANG	Atlantic Thunder ? Quarterly Joint Training Events at Savannah Combat Readiness Training Center	Kingston		$500,000
OM,ANG	Controlled Humidity Protection (CHP) SC Air National Guard	Wilson (SC)	Graham	$2,700,000
OM,ANG	Crypto-Linguist/Intelligence Officer Initiative		Hagel	$400,000
OM,ANG	Establishment of a second Civil Support team (CST) in New York State	King (NY), Hall (NY)	Clinton, Schumer	$247,000
OM,ANG	Great Plains Joint Regional Training Center Safety Equipment	Boyda		$1,280,000
OM,ANG	Joint Interagency Training and Education Center		Byrd	$150,000
OM,ANG	Joint Training Experimentation Program (JTEP)	Lewis (CA)		$1,600,000
OM,ANG	Mobility Equipment and Training Supplies, 139th Airlift Wing, St. Joseph, Missouri	Graves, Sam		$265,000
OM,ANG	National Guard Bureau—J3/J6 National Military Cyber Operations—Air National Guard	Mitchell		$2,400,000
OM,ANG	Smoky Hill Range Operations Facility Refurbishment	Moran (KS)		$1,100,000
OM,ANG	Unmanned Air Vehicle Technology Evaluation Program	Tiahrt		$1,000,000
OM,AR	2nd Generation Extended Cold Weather Clothing System		Carper, Reed, Biden	$1,760,000
OM,AR	M-Gator	Petri		$4,000,000
OM,AR	Mobile Corrosion Prevention and Abatement Program	Higgins	Akaka, Clinton, Schumer	$1,800,000
OM,AR	Reserve Component Automation System (RCAS) Regional Level Application Software (RLAS) Integration Capability	Murtha		$1,200,000
OM,AR	Tactical Operation Centers (ELAMS/ESAMS/MECCS)	Young (FL)		$1,600,000
OM,ARNG	2nd Generation Extended Cold Weather Clothing System	Taylor	Biden, Carper, Mikulski, Reed	$3,200,000
OM,ARNG	A Second Civil Support Team for Weapons of Mass Destruction in Florida	Young (FL)		$1,200,000
OM,ARNG	Acquisition of 17 M916A3	Welch		$1,600,000
OM,ARNG	Advanced Law Enforcement Rapid Response Training	Doggett	Cornyn	$1,600,000
OM,ARNG	Army National Guard Battery Modernization Program	Cooper	Alexander	$2,400,000
OM,ARNG	Ballistic Helmet Liner Kits	Wu, Blumenauer, DeFazio, Hooley	Smith, Wyden	$1,000,000
OM,ARNG	Biodegradable Soil Penetrant Dust Palliative for Land Surfaces	Visclosky		$2,000,000
OM,ARNG	Civil Support Team Trainer (CSTT)		Enzi	$4,000,000
OM,ARNG	Columbia Regional Geospatial Service Center System	Gohmert	Hutchison	$2,000,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
OM,ARNG	CST/CERFP Sustainment Training and Evaluation Program (STEP)	Dicks, Hastings (WA)		$1,000,000
OM,ARNG	Establishment of a Second Civil Support Team (CST) in New York	King (NY), Hall (NY)		$1,239,000
OM,ARNG	Field Maintenance Shop (FMS) Directed Design	Walz		$960,000
OM,ARNG	Homeland Defense Operational Planning System (HOPS)	Lewis (CA), Doolittle, McNerney, Tauscher		$3,200,000
OM,ARNG	Integrated Disaster Management System / RDMS		Collins, Snowe	$3,000,000
OM,ARNG	Joint Border Operations Training Center	Cuellar		$1,000,000
OM,ARNG	Joint Forces Orientation Distance Learning Project	Murtha		$1,280,000
OM,ARNG	Joint Interagency Training and Education Center		Byrd	$5,600,000
OM,ARNG	Minnesota National Guard Reintegration Program	Peterson (MN)	Coleman, Klobuchar	$3,520,000
OM,ARNG	Mobile Corrosion Prevention and Abatement	Higgins	Akaka	$1,800,000
OM,ARNG	National Guard Global Education Project	Rothman	Lautenberg, Menendez	$750,000
OM,ARNG	National Service Member Outreach Program (as provided in Senate Sec 8130)		Akaka, Brown, Kerry, Obama, Sanders	$3,000,000
OM,ARNG	Operator Driving Simulators for the U.S. Army National Guard	Dingell	Levin, Stabenow, Warner, Webb	$2,400,000
OM,ARNG	Pennsylvania National Guard Integration of the Joint CONUS Communications Support Environment (JCCSE)		Casey	$2,500,000
OM,ARNG	Personnel Armor System Ground Troops (PASGT) Helmet Retrofit Pad Sets	Tancredo	Allard	$1,200,000
OM,ARNG	UH-60 Leak Proof Transmission Drip Pans	Rogers (KY)		$1,600,000
OM,ARNG	Vermont National Guard Family Counseling Demonstration		Leahy, Sanders	$3,000,000
OM,ARNG	Virginia National Guard Command and Control Interoperability Upgrades		Warner, Webb	$800,000
OM,ARNG	Virginia National Guard Humidity Protection		Warner, Webb	$800,000
OM,ARNG	Weapons Skills Trainer	Keller, Stearns	Nelson (FL)	$4,000,000
OM,DW	Access to Joint Tanana Training Complex		Stevens	$44,200,000
OM,DW	Aircraft Logging and Recording for Training		Conrad, Dorgan	$1,600,000
OM,DW	Armed Forces Health and Food Supply Research		Roberts	$3,200,000
OM,DW	Charles E. Kelly Relocation Project	Murphy, Tim	Casey, Specter	$4,000,000
OM,DW	Commercial Airborne IFSAR Mapping		Allard	$4,160,000
OM,DW	Commercial Technologies for Maintenance Activities	Kingston; Brown (FL); Butterfield; Davis (CA); Jones (NC); Ortiz; Shea-Porter; Bishop (UT)		$1,600,000
OM,DW	Critical Language Training—San Diego State University	Davis (CA)		$1,000,000
OM,DW	Davids Island—Fort Slocum Remediation	Lowey		$8,000,000
OM,DW	Defense Critical Languages and Cultures Program		Baucus, Tester	$1,000,000
OM,DW	Defense Threat Reduction University Consortium	Udall (NM)	Bingaman	$1,000,000
OM,DW	Delaware Valley Continuing Education Initiative for National Guard and Reserve	Schwartz; Gerlach; Murphy, Patrick	Lautenberg, Menendez	$1,000,000
OM,DW	Enterprise-wide Data and Knowledge Management System to Enhance USSOCOM Mission	Young (FL)		$1,000,000
OM,DW	Exhibit on Role of Arab Americans in the Defense of Our Country		Stabenow	$2,000,000
OM,DW	Frankford Arsenal Environmental Assessment and Remediation	Schwartz		$1,600,000
OM,DW	Hunters Point Naval Shipyard	Pelosi	Feinstein	$9,300,000
OM,DW	Intermodal Marine Facility-Port of Anchorage		Stevens	$11,000,000
OM,DW	Joint Logistics Education Training and Experimentation Testbed/Transformation (JLETT) AUSDATL	Kingston, Marshall		$1,000,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
OM,DW	Lewis Center for Education Research	Lewis (CA)		$2,400,000
OM,DW	McClellan AFB Infrastructure Improvements	Lungren, Matsui		$2,400,000
OM,DW	Middle East Regional Security Issues Program	Berman	Feinstein	$2,400,000
OM,DW	Military Intelligence Service Historic Learning Center	Pelosi, Honda	Akaka	$800,000
OM,DW	Modeling & Simulation of Joint Logistics Command and Control Processes	Rahall		$1,000,000
OM,DW	Norton AFB ? infrastructure improvements	Lewis (CA), Baca		$4,000,000
OM,DW	Parents as Teachers Heroes at Home	Boyda, Kaptur, Kingston, Smith (WA), Young (AK)	Bond	$2,400,000
OM,DW	Port of San Francisco Site Investigation and Remedial Action	Pelosi	Boxer	$2,400,000
OM,DW	SOF Mission Training and Preparation Systems Interoperability	Young (FL)		$1,200,000
OM,DW	Soldier Center at Patriot Park, Ft. Benning	Bishop (GA)	Chambliss, Isakson	$6,000,000
OM,DW	Stabilization/Repair of the Ship Repair Facility at MOTBY	Sires	Lautenberg, Menendez	$8,000,000
OM,DW	Strategic Language Initiative (CSU Center for Strategic Languages)	Royce, Watson	Boxer	$1,200,000
OM,DW	Thorium/Magnesium Excavation—Blue Island	Jackson		$1,200,000
OM,DW	Translation and Interpretation Skills for DOD	Farr		$1,600,000
OM,MC	Acclimate Flame Resistant High Performance Base Layers	Hayes		$1,600,000
OM,MC	Advanced Fire Resistant Protective Shirt Program	Carney	Specter	$800,000
OM,MC	Bellows Air Force Base Environmental Cleanup of Pier Dump Site, Bellows Air Force Base, Kaneohe Mari	Hirono		$2,000,000
OM,MC	Cold Weather Layering System	Meehan, Rogers (MI), Walberg	Kennedy, Kerry, Levin, Stabenow, Sununu	$2,400,000
OM,MC	Combat Casualty Care Equipment Upgrade Program	Spratt	Graham	$1,600,000
OM,MC	Combat Desert Jacket		Mikulski, Biden, Carper	$3,200,000
OM,MC	Marine Corps Merino Wool Cushion Boot Sock	Welch	Leahy, Sanders	$1,600,000
OM,MC	Mobile Corrosion Prevention and Abatement	Higgins	Akaka, Clinton, Schumer	$1,800,000
OM,MC	Mountain Cold Weather Clothing and Equipment Program (MCWCEP)—Marine Corps Base Layers	Hooley, Wu	Burr, Casey, Clinton, Dole, Schumer, Smith, Wyden	$2,400,000
OM,MC	Multi-Voltage EMI Hardened Fluorescent Stringable Tent Lighting System	Spratt, John	Graham	$1,600,000
OM,MC	Performance Enhancements for Information Assurance and Information Systems—Operations		Cochran	$1,200,000
OM,MC	Range Transformation Initiative	Lewis (CA)		$4,000,000
OM,MC	Self-Inflating MARPAD Sleep Pad	McDermott, Reichert		$800,000
OM,MC	Ultra Light Camouflage Net Systems (ULCANS)	Etheridge	Dole	$2,400,000
OM,MC	USMC Shelters and Tents CP Large		Warner, Webb	$2,400,000
OM,N	Mk 45 Mod 5? Gun Depot Overhauls		McConnell	$11,760,000
OM,N	Navy Ocean/Surveillance Fleet Consolidation		Cochran	$6,880,000
OM,N	PMRF Flood Control		Inouye	$3,000,000
OM,N	Aircraft Rescue Firefighting (ARFF) Training	Brown (FL)		$1,600,000
OM,N	Center for Defense Technology and Education for the Military Services	Farr		$4,000,000
OM,N	Global Force Management Visibility Tool	Forbes	Warner, Webb	$1,200,000
OM,N	Joint Electronic Warfare Training	Larsen		$1,200,000
OM,N	Local Situational Awareness Systems, NAS Lemoore	Costa		$1,600,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
OM,N	Military Physicians Combat Medical Training by the University of Florida College of Medicine	Brown (FL)	Martinez	$1,000,000
OM,N	Modernization/Restoration of Naval Air Station Key West Facilities and Infrastructure	Ros-Lehtinen		$2,400,000
OM,N	Naval Oceanographic Office Charting	Taylor	Cochran	$3,900,000
OM,N	Navy Shore Infrastructure Transformation (NSIT)	Dicks		$3,200,000
OM,N	Pierside Wireless Connection System	Crenshaw, Bilirakis, Kingston		$1,600,000
OM,N	Professional Development Education	Brown-Waite	Martinez	$1,200,000
OM,N	Puget Sound Navy Museum	Dicks		$1,000,000
OM,N	Radio Frequency Identification (RFID) SMART Container: Passive tags dynamically updating active tag	Davis, Tom		$2,400,000
OP,A	1/25 SIB Range Improvement		Stevens	$11,000,000
OP,A	Air and Missile Defense Instrumentation System	Reyes		$1,600,000
OP,A	All Terrain Lifter Army System II	Shuster	Specter	$2,400,000
OP,A	America's Army Live-Fire Shoot House Deployment	Lampson	Inhofe	$800,000
OP,A	AN/TPQ—37 Firefinder Radar Reliability, Maintainability Improvements	Pickering	Cochran, Lott	$2,500,000
OP,A	Armored Security Vehicle, M-1117 Guardian ASV Turret Upgrades	Jindal	Landrieu, Vitter	$2,800,000
OP,A	Automated ID Technology Life Cycle Asset Management for the 160th Special Operations Aviation Regiment		Shelby	$2,400,000
OP,A	Battlefield Anti-Intrusion System		Lautenberg, Menendez	$1,200,000
OP,A	Call for Fire Trainer for ARNG	Holden		$3,200,000
OP,A	Call For Fire Trainer/Joint Fires and Effects Trainer System	Cole	Inhofe	$3,200,000
OP,A	Cartledge Infuser	Westmoreland, Gingrey	Chambliss	$1,800,000
OP,A	Combat Arms Training System (CATS) for ARNG	Kingston, Gingrey	Chambliss, Isakson	$3,200,000
OP,A	Combat Skills Simulation Systems, Ohio Army National Guard	Space		$1,000,000
OP,A	Combat Support Hospitals	Salazar	Domenici, Salazar	$3,200,000
OP,A	Combined Arms Virtual Trainers	Hare	Durbin	$4,800,000
OP,A	Combined Arms Virtual Trainers for TN ARNG	Cooper	Alexander	$4,800,000
OP,A	Critical Army Systems ? Cyber Attack Technology (CASCAT)	Visclosky	Lugar	$1,200,000
OP,A	Defense Advanced GPS Receiver (DAGR)	Loebsack, Hinchey, Latham	Grassley, Harkin, Vitter	$4,000,000
OP,A	Depot Automated Identification Technology (D-AIT) at Anniston Army Depot and Red River Army Depot	Rogers (AL), Akin, Hall (TX)	Lincoln, Pryor, Sessions, Shelby, Voinovich	$1,600,000
OP,A	Fido Explosive Detector		Inhofe	$3,000,000
OP,A	FlexTrain eXportable Combat Training Capability (XCTC)	Ortiz, Whitfield	Lott	$2,000,000
OP,A	FlexTrain eXportable Combat Training Capability (XCTC), Camp Ripley, MN	Oberstar	Coleman	$2,000,000
OP,A	Handheld Phraselator System		Reed	$2,400,000
OP,A	HMMWV Restraint system	Young (FL)		$4,000,000
OP,A	IHITS for Blue Force Tracking and Training		Baucus	$4,000,000
OP,A	Immersive Group Simulation Training Demonstration for Hawaii ARNG		Akaka	$1,000,000
OP,A	Information Technology Upgrades for Detroit Arsenal		Levin	$1,700,000
OP,A	Laser Collective Combat Advanced Training System for the Army National Guard	Langevin	Reed	$4,000,000
OP,A	Laser Marksmanship Training System (LMTS)	Kennedy		$4,000,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
OP,A	Lightweight Maintenance Enclosure (LME)	Davis, Lincoln	Alexander	$4,000,000
OP,A	Lightweight Water Purifier		Landrieu, Vitter	$1,600,000
OP,A	M871 Series Trailer Refurbishment Program	Boyda		$800,000
OP,A	M872A4 34T Flatbed Trailers	Berkley	Reid	$2,960,000
OP,A	Microclimate Cooling Unit (MCU) for Military Tactical Vehicles	Reynolds, Higgins	Clinton, Schumer	$1,000,000
OP,A	Mobile Defense Fighting Positions	Walsh	Clinton, Schumer	$3,500,000
OP,A	Mobile Virtual Training Capability (MVTC)	Keller		$2,500,000
OP,A	Modular Tactical LED Weapon Light with IR Illuminator	Lantos		$1,600,000
OP,A	MQ-5B Hunter Tactical Unmanned Aircraft System		Lott	$8,000,000
OP,A	Muscatatuck Urban Training Center (MUTC) Instrumentation	Hill, Ellsworth, Visclosky	Lugar, Bayh	$1,600,000
OP,A	MX-2A Miniature Remote Thermal Imager	Dent, Renzi	Casey, Specter	$1,600,000
OP,A	Profiler—Meteorological Measuring Set	Berry, Herseth Sandlin, Ruppersberger, Shea-Porter	Inhofe, Lincoln, Pryor	$2,500,000
OP,A	Radio Personality Modules for SINCGARS Test Sets	Tiahrt	Brownback	$2,000,000
OP,A	Recon-Navigation System (RNAV) for the DPD	Bishop (NY), Ros-Lehtinen, Mica	Clinton, Schumer	$2,400,000
OP,A	Satellite Multi-Modal Collaborative Crisis and Training Network for the Minnesota Army National Guard	Oberstar	Coleman, Klobuchar	$3,000,000
OP,A	Tabletop Trainers	Hare	Crapo, Durbin	$4,000,000
OP,A	Tabletop Trainers for the TN National Guard	Cooper, Jim	Alexander	$4,000,000
OP,A	Trunked Radio System		Brownback	$2,500,000
OP,A	Up-Armored HMMWV and Tactical Truck Convoy Trainers for the TN National Guard	Cooper, Wamp	Alexander, Corker	$9,000,000
OP,A	Vehicle Emergency Escape Window	Altmire		$800,000
OP,A	Virtual Door Gunner Trainer for the TN National Guard	Cooper	Alexander	$4,800,000
OP,A	Virtual Warrior Interactive (VWI)	Mica, Cooper, Hare, Marshall	Durbin, Coleman	$3,200,000
OP,A	Warrior Block 0 All-Weather, Hi-Fidelity Sensor Upgrades	Lewis (CA), McKeon		$4,000,000
OP,A	Wideband Imagery Dissemination Systems for National Guard		Cochran	$7,680,000
OP,A	Windows Based AFATDS for Tennessee National Guard	Cooper, Gordon	Alexander, Corker	$3,360,000
OP,AF	Air National Guard (ANG) Joint Threat Emitter (JTE) Savannah Combat Readiness Training Centers (CRTC)	Kingston, Marshall	Chambliss, Isakson	$4,000,000
OP,AF	AK NORAD Comm Survivability and Diversity		Stevens	$7,468,000
OP,AF	Alaska Land Mobile Radio (ALMR)		Stevens	$2,000,000
OP,AF	AVT234 ? Target Motion Cueing (TMC) Integration Kits	Reynolds		$500,000
OP,AF	Digital Deployed Training Campus (DDTC) for the Air National Guard	Maloney		$3,200,000
OP,AF	Distributed Ground Station—Workstation Equipment Sets	Delahunt		$1,600,000
OP,AF	Fixed Base Weather Observation Systems	McDermott	Cantwell, Murray	$4,000,000
OP,AF	Great Plains Joint Regional Training Center	Boyda	Brownback	$500,000
OP,AF	Great Plains Joint Regional Training Center Safety Equipment	Boyda		$320,000
OP,AF	Ground Multiband Terminal (GMT)	Israel	Clinton, Schumer	$1,600,000
OP,AF	Ground Space Electronic Security System, Schriever AFB		Salazar	$1,600,000
OP,AF	IBDSS for Moody Air Force Base	Kingston		$1,600,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
OP,AF	IMPACT (Information Modernization for Processing with Advanced Coating Technologies)	Kingston, Marshall	Isakson	$1,600,000
OP,AF	Inertia Reel Restraint System Retrofit	Young (FL)		$2,400,000
OP,AF	Integrated Imagery Network—Nevada National Guard	Berkley	Reid	$5,800,000
OP,AF	Joint Combined Aircrew Systems Tester (JCAST)	Biggert, Boswell	Durbin	$2,000,000
OP,AF	Joint Helmet Mounted Cueing System	Granger	Bond	$3,500,000
OP,AF	Laser Marksmanship Training System (LMTS)		Cardin, Mikulski	$4,000,000
OP,AF	Life Support Radio Test Sets		Brownback	$1,200,000
OP,AF	Machine Gun Training System (MGTS) for the Air National Guard	Alexander		$4,000,000
OP,AF	Mobile Common Data Link Gateway	Murtha		$1,600,000
OP,AF	Pocket J for NORAD Immediate Warfighter Need	Murtha	Baucus, Tester	$2,400,000
OP,AF	QUADEYE Night Vision Goggles for HH-60 Aircraft	Granger		$1,600,000
OP,AF	Red Flag PARC Upgrades		Stevens	$20,000,000
OP,AF	Rescue Streamer Distress Signal Kits	Abercrombie	Akaka	$1,500,000
OP,AF	ROVER III Receiver	Matheson, Bishop (UT)	Bennett, Hatch	$2,400,000
OP,AF	Secure Wireless LAN, 183rd Fighter Wing (ILANG)	LaHood	Durbin	$2,000,000
OP,AF	SELDI (Science, Engineering, and Laboratory Data Integration)	Bishop (UT)	Bennett, Hatch	$1,600,000
OP,AF	Smoky Hill Range Urban Operations / Disaster City Training Site	Moran (KS)		$2,400,000
OP,AF	Unmanned Threat Emitter Modernization	Higgins, Berkley, Meehan, Renzi	Clinton, Reid, Schumer	$2,400,000
OP,N	Advanced Boat Lifts for Navy Small Boats Program		Cantwell, Murray	$1,600,000
OP,N	Aegis Computer Center Upgrades	Miller, Gary		$1,600,000
OP,N	Allen Telescope Array	Eshoo		$1,600,000
OP,N	AN/SPQ-9B Radar for DDG 51 Modernization Program	Ackerman, Israel, Bishop (NY), McCarthy (NY)	Clinton, Schumer	$4,800,000
OP,N	AN/SPS-67 Back Fit Engineering Support	Young (FL)		$1,600,000
OP,N	AN/SPY-1 Radar System Readiness Improvement	Young (FL)		$1,000,000
OP,N	AN/WSN-7 Fiber Optic Gyro System Upgrades	Goode		$2,400,000
OP,N	Canned Lube Pumps for LSD-41/49 Class	Hayes, Myrick	Burr, Lautenberg, Menendez	$1,600,000
OP,N	Carrier/LHA Ship Self Defense System Open Architecture and Security Upgrades	Murtha		$1,600,000
OP,N	CB 90 Riverine Craft	Dicks	Murray, Cantwell	$6,000,000
OP,N	Communications Upgrade for DDG Modernization	Hoyer	Mikulski	$3,120,000
OP,N	Cooperative Engagement Capability	Young (FL)		$4,000,000
OP,N	CVN Propeller Replacement Program	Taylor	Cochran, Lott	$5,600,000
OP,N	Dive Boat Replacement and Modernization	Melancon	Landrieu, Vitter	$2,400,000
OP,N	Enhanced Detection Adjunct Processor	Kaptur		$4,000,000
OP,N	Envelop Protective Covers	McCollum	Coleman, Durbin, Klobuchar	$1,600,000
OP,N	High Performance Computing Capability	Hunter		$500,000
OP,N	Inspection Systems for Propulsion Equipment	Walsh	Clinton, Schumer	$1,500,000
OP,N	Intelligent Interface with Intelligent Graphics for Shared Naval Radar Components	Dicks		$3,200,000
OP,N	Intelligraf Data Distribution Training		Murray	$6,000,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
OP,N	JP-5 Manifold (Globe) Electric Valve Operator (EVOs)	King (NY), Bishop (NY), McCarthy (NY)	Clinton, Schumer	$1,600,000
OP,N	Laser Marksmanship Training System (LMTS) for the Navy Reserve	Bartlett		$1,600,000
OP,N	Life Raft Procurement	Regula	Voinovich	$1,600,000
OP,N	LSD-41/49 Diesel Engine Low Load Upgrade Kit	Baldwin	Kohl	$3,200,000
OP,N	Man Overboard Identification (MOBI) System	Visclosky, Davis (CA)	Bayh	$800,000
OP,N	Minesweeping System Replacement (MCM-1 Class Combat System Upgrade/ Acoustic Generators)	Boyd		$800,000
OP,N	MSAT Simulator for GWOT Training		Reid	$1,920,000
OP,N	Multi Climate Protection System (MCPS)	Hodes, Meehan, Walberg	Gregg, Kennedy, Kerry, Levin, Stabenow	$2,000,000
OP,N	NAVRES IT COOP		Vitter	$1,600,000
OP,N	NIROP Industrial Facilities Materials Staging Area	Mollohan		$3,200,000
OP,N	Radar Distribution OA Refresh	Murtha		$4,000,000
OP,N	Real-time Identification and Total Asset Visibility (RITAV)	Kingston		$500,000
OP,N	Shipboard Network Protection System	Moran (VA)		$1,600,000
OP,N	Sonobuoys—All Types	Souder, Mica, Walberg	Bayh, Levin, Lugar, Nelson (FL), Stabenow	$2,500,000
OP,N	Weapon Retriever Vehicle	Hunter		$1,600,000
P,DW	Chem Bio Protective Shelter	Emerson, Akin	Bond	$1,000,000
P,DW	Expansion of Mobile Forensic Labs and Technical Assistance and Training Support in Largo Florida	Young (FL)		$1,600,000
P,DW	First Responders Integrated Communications Device—Louisiana National Guard WMD-CST		Vitter	$800,000
P,DW	Fusion Goggle System (FGS)		Gregg, Sununu	$3,120,000
P,DW	Joint Biological Point Detection System (JBPDS)	Hayes, Myrick, Watt	Burr, Dole, Graham	$3,500,000
P,DW	Joint Biological Stand-off Detection System (JBSDS)		Shelby	$3,200,000
P,DW	Joint Transportable Decontamination System—Small Scale	Davis (KY); Hare; LaHood	Hagel	$6,800,000
P,DW	M291/M295 Skin Decontamination	Ross; Schwartz; Bishop (NY); Murphy, Patrick	Casey, Clinton, Lincoln, Pryor, Schumer, Specter	$5,600,000
P,DW	Mission Helmet Recording System		Gregg, Sununu	$3,200,000
P,DW	MK47 Mod 0 Striker 40	Allen	Collins, Lott, Snowe	$4,800,000
P,DW	Optimal Placement of Unattended Sensors (OPUS)	Visclosky		$2,000,000
P,DW	SOVAS Handheld Imager		Gregg, Sununu	$6,000,000
P,DW	Special Operations Craft—Riverine	Taylor	Lott	$3,600,000
P,DW	SU-232 Thermal Sight	Shea-Porter	Gregg, Sununu	$3,000,000
P,MC	Tactical Support Structures for AN/TPS-59 Radar System		Reid	$4,800,000
P,MC	Combat Operations Center	Murtha		$2,400,000
P,MC	Joint Precision AirDrop System ? Mission Planner Rapid Fielding Initiative	Taylor		$800,000
P,MC	Light Vehicle Intercom System	Shea-Porter	Gregg, Sununu	$2,400,000
P,MC	MAGTFTC Range Transformation Initiative	Lewis (CA)		$4,000,000
P,MC	Marine Corps Enterprise Information Technology Systems COOP	Price (NC)	Chambliss, Isakson	$1,600,000
P,MC	Marine Corps Flat-Rack	Aderholt	Sessions, Shelby	$2,400,000
P,MC	Mobile Optical Sensor Suite (MOSS)	Lewis (CA)		$3,200,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
P,MC	Praetorian	Lewis (CA)		$4,000,000
P,MC	Requirement Objective for Lightweight Maintenance Enclosure (LME) for USMC	Davis, Lincoln		$1,600,000
PA,A	Ammunition Peculiar Equipment Outloading Module	Boren, Ellsworth	Inhofe	$800,000
PA,A	Ammunition Production Base Support—Scranton AAP—FY2008	Carney, Kanjorski	Casey, Specter	$3,200,000
PA,A	Blue Grass Army Depot Supercritical Water Oxidation (SCWO)	Chandler		$2,400,000
PA,A	Bunker Defeat Munition	Pastor		$2,400,000
PA,A	Holston Army Ammunition Plant—Critical Reliability Upgrade	Davis, David		$1,600,000
PA,A	Holston Army Ammunition Plant—Thermobaric Extruder Facility	Davis, David	Alexander	$2,400,000
PA,A	Lake City Army Ammunition Infrastructure Requirements	Graves, Cleaver	Bond	$3,000,000
PA,A	M18 Smoke Grenades	Ross	Lincoln, Pryor	$4,000,000
PA,A	Magneto Inductive Remote Activation Munition Systems MI-RAMS	Lewis (CA)		$3,200,000
PA,A	Procurement of the CTG, Mortar, 60mm, Practice, M769	Kanjorski		$1,600,000
PA,A	Radford Army Ammunition Plant—Solvent Recovery System and Environmental Mitigation		Warner, Webb	$8,000,000
PANMC	554 Ammunition	Radanovich		$2,400,000
PANMC	M72 Lightweight Attack Weapon System (LAW)	Roybal-Allard		$3,200,000
RDTE,A	1 Megawatt Molten Carbonate Fuel Cell Demonstrator at 29 Palms	Murphy (CT)	Lieberman	$3,200,000
RDTE,A	2D-3D Face Recognition System		Gregg, Sununu	$2,400,000
RDTE,A	2kW Military Tactical Generator Product Improvement	Garrett, Rothman, Frelinghuysen, Pascrell	Lautenberg, Menendez	$2,400,000
RDTE,A	3-D Advanced Battery Technology	LaHood	Durbin	$3,200,000
RDTE,A	3D Woven Ballistic Materials for Future Combat Systems		Reed, Whitehouse	$2,000,000
RDTE,A	Acellular Matrix Constructs for Military Casualties (ACM)	Ferguson	Lautenberg, Menendez	$2,000,000
RDTE,A	Acid Alkaline Direct Methanol Fuel Cell Technology	McIntyre, Price (NC)		$1,600,000
RDTE,A	Activated Nanostructures for De-icing	Snyder	Lincoln, Pryor	$1,200,000
RDTE,A	Active and Smart Packaging for Combat Feeding	Gingrey	Chambliss, Isakson	$1,000,000
RDTE,A	Active Protection Systems Initiative for the Joint Light Tactical Vehicle	Stupak	Levin	$3,040,000
RDTE,A	Adaptive Lightweight Materials for Missile Defense		Baucus, Tester	$1,600,000
RDTE,A	Advance Lithium Iron Phosphate Battery System for Army Combat Hybrid HMMWV and Other Army Vehicle Platforms	Dingell	Kerry, Levin	$1,600,000
RDTE,A	Advanced 3-D Locator (A3DL) Technology	Sanchez, Loretta		$3,200,000
RDTE,A	Advanced Architecture Designs Supporting U.S. Army Net Centric Warfare		Lautenberg, Menendez	$1,600,000
RDTE,A	Advanced Battery Technology	Young (FL)		$1,000,000
RDTE,A	Advanced Bio-engineering for Enhancement of Soldier Survivability	Johnson (GA), Barrow, Gingrey, Lewis (GA), Marshall, Scott (GA)	Chambliss, Isakson	$1,600,000
RDTE,A	Advanced Bonded Diamond for Optical Applications	Kingston	Chambliss, Isakson	$2,000,000
RDTE,A	Advanced Cargo Projectile Technology	Hastings (WA)		$1,600,000
RDTE,A	Advanced Cavitation Power Technology		Cochran	$5,420,000
RDTE,A	Advanced Ceramic Surface Engineering for Helicopter Compressor Blades		Baucus, Tester	$2,400,000
RDTE,A	Advanced Cluster Energetics	Frelinghuysen, Payne, Rothman	Lautenberg, Menendez	$5,000,000
RDTE,A	Advanced Communications Intelligence (COMINT)	Wicker	Lott	$1,600,000
RDTE,A	Advanced Composite Materials Research for Air and Ground Vehicles	Rogers (MI)	Levin, Stabenow	$1,600,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Advanced Composites Development for Light Weight, Low Cost Transportation Systems Using 3+ Extruder	Stupak	Levin, Stabenow	$3,200,000
RDTE,A	Advanced Demining Technology		Leahy	$4,000,000
RDTE,A	Advanced Detection of Explosives Program	Young (FL), Abercrombie	Akaka	$1,000,000
RDTE,A	Advanced Diagnostic and Therapeutic Digital Technologies	Capuano, Cummings, Towns	Cardin, Mikulski	$1,600,000
RDTE,A	Advanced Digital Hydraulic Hybrid Drive System	Upton, Ramstad	Coleman, Levin, Stabenow	$2,000,000
RDTE,A	Advanced Electronics Rosebud Integration	Herseth Sandlin	Johnson, Thune	$4,000,000
RDTE,A	Advanced Environmental Control System		Reid	$4,000,000
RDTE,A	Advanced Extended Range Attack Missile	Boyda	Brownback, Roberts	$800,000
RDTE,A	Advanced Fabric Treatment for Flame Resistant Uniforms	Lee, Doolittle, Price (NC)		$1,000,000
RDTE,A	Advanced Fuel Cell Research Program	Poe	Cornyn, Hutchison	$2,400,000
RDTE,A	Advanced Hypersonic Weapon Mission Planning	Everett, Aderholt		$2,400,000
RDTE,A	Advanced Hypersonic Weapon Technology Demonstration		Cochran, Sessions, Shelby	$41,700,000
RDTE,A	Advanced IED Jammer Research and Development Program	Honda, Lofgren		$2,400,000
RDTE,A	Advanced Lightweight Composite Armor		Biden, Carper, Cantwell, Murray	$1,600,000
RDTE,A	Advanced Lightweight Transparent Armor for Tactical Wheeled Vehicles and Force Protection	Doyle		$800,000
RDTE,A	Advanced Lithium-Carbon Monoflouride Combat Portable Batteries	Blunt		$3,920,000
RDTE,A	Advanced Lower Limb Prosthesis for Battlefield Amputees	McGovern, Markey, Meehan	Kennedy, Kerry	$3,000,000
RDTE,A	Advanced Manufacture of Lightweight Materials and Components		Kohl	$1,600,000
RDTE,A	Advanced Materials & Process for Armament Structures (AMPAS)	Regula, Sutton	Brown	$5,600,000
RDTE,A	Advanced Materials Development and Manufacturing of Body Armor	Issa	Sessions	$2,000,000
RDTE,A	Advanced Materials Processing for Ultra-Efficient Power Systems	Tiahrt, Bishop (UT)	Bennett, Hatch, Salazar	$1,000,000
RDTE,A	Advanced Medical Training Platform: Madigan Army Medical Center		Cantwell	$400,000
RDTE,A	Advanced Night Vision Sensors	Murtha		$2,000,000
RDTE,A	Advanced Non-Invasive Glucose Monitoring	Doyle		$800,000
RDTE,A	Advanced Packaging Solutions for Biotherapeutics	Holden		$800,000
RDTE,A	Advanced Portable Power Institute (APPI)	Gordon		$1,600,000
RDTE,A	Advanced Proteomics Program	Cooper		$1,200,000
RDTE,A	Advanced Radar Transceiver IC Development	Harman, Hayes, Saxton		$800,000
RDTE,A	Advanced Rarefaction Weapon Engineered System	Kaptur		$1,600,000
RDTE,A	Advanced Regenerative Medicine (ARM) Skin Cell Therapies, Limb and Digit Treatment	Doyle	Casey, Specter	$1,900,000
RDTE,A	Advanced Regenerative Medicine Development	Foxx		$2,000,000
RDTE,A	Advanced Restoration Therapies in Spinal Cord Injuries	Cummings, Hoyer, Ruppersberger	Cardin, Mikulski	$1,000,000
RDTE,A	Advanced Stand off Technologies for National Security	Boyd, Young (FL)		$800,000
RDTE,A	Advanced Surface Technologies for Prosthetic Development		Baucus, Tester	$1,600,000
RDTE,A	Advanced Tactical Fuels for the Military	Pomeroy	Conrad, Dorgan	$2,000,000
RDTE,A	Advanced Thermal and Oil Management Controls		Levin	$1,600,000
RDTE,A	Advanced Thermal Management System	Stupak		$3,200,000
RDTE,A	Advanced Tungsten Penetrators and Ballistic Materials	Murtha	Casey, Specter	$1,600,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Advanced Wearable Microcell Power System Process Development	Pelosi		$2,000,000
RDTE,A	Advanced, Integrated Portable Power Generation and Charging System		Cochran, Lott	$2,480,000
RDTE,A	Aging Weapons Systems Structural Repair		Johnson, Thune	$1,600,000
RDTE,A	AHW BMC2 HWIL Technology Demonstration		Lott, Shelby	$2,400,000
RDTE,A	Airborne Threats		Stevens	$1,280,000
RDTE,A	Aircraft Component Remediation		Sessions	$2,400,000
RDTE,A	Aircraft Structural Condition Monitoring (ASCM) for Diagnostics and Prognostics	Cramer		$2,400,000
RDTE,A	Alliance for NanoHealth	Culberson		$4,000,000
RDTE,A	ALS Therapy Development for Gulf War Research	Capuano, Brown (SC)	Graham, Shelby	$1,200,000
RDTE,A	Alternate Payload Bomb Live Unit Munition	Meehan, Tierney, Visclosky	Kennedy, Reed, Whitehouse	$2,240,000
RDTE,A	Alternative Power Technology (APT) for Missile Defense		Johnson, Thune	$3,200,000
RDTE,A	Angiogenesis and Tissue Engineering Research	Capuano		$1,200,000
RDTE,A	Antiballistic Windshield Armor (AWA)	Donnelly	Bayh, Lugar	$4,000,000
RDTE,A	Applied Communications and Information Networking (ACIN)	Andrews, LoBiondo	Casey, Lautenberg, Menendez, Specter	$4,000,000
RDTE,A	Applied Counterspace Technology (ACT) Testbed		Cochran	$5,120,000
RDTE,A	Arabic Language Training Program		Brownback	$800,000
RDTE,A	ARH-70A Armed Reconnaissance Helicopter Vehicle Health and Usage Management System (VHUMS) Demonstration	Welch		$1,600,000
RDTE,A	Armament System Engineering and Integration Initiative (ASEI2)	Frelinghuysen, Sires		$2,400,000
RDTE,A	Armed Services Gynecological Cancer Health Protection Program	Burton		$1,600,000
RDTE,A	Armor Ready Composite Cab Transition		Biden, Carper, Reed	$3,000,000
RDTE,A	Army Applications of Direct Carbon Fuel Cells	Regula		$1,600,000
RDTE,A	Army Center of Excellence in Acoustics		Cochran	$3,280,000
RDTE,A	Army Extended Range Attack Missile (AERAM) Turbine Engine Development	Kaptur		$1,600,000
RDTE,A	Army Missile and Space Technology Initiative		Shelby	$5,000,000
RDTE,A	Army Virtual Emergency Research Testbed (AVERT)		Shelby	$2,400,000
RDTE,A	Arroyo Center program adjustment		Feinstein	$4,000,000
RDTE,A	Asymmetric Threat Response and Analysis Project (ATRAP)	Giffords, Renzi	Kyl	$2,400,000
RDTE,A	Automated Communication Support System		Chambliss, Isakson	$1,600,000
RDTE,A	Automotive Research Equipment Purchase		Stevens	$1,600,000
RDTE,A	Autonomous Cargo Acquisition for Rotorcraft Unmanned Aerial Vehicles	Cramer		$2,400,000
RDTE,A	Aviation Responsive Maintenance System	Murtha		$1,600,000
RDTE,A	BAFST (Biological Air Filtration System Technology)	Berry		$1,600,000
RDTE,A	Battlefield Connectivity, Multi-Level Secure Networks	Moran (VA)		$1,600,000
RDTE,A	Battlefield Exercise and Combat Related Spinal Cord Injury Research	Brown-Waite		$3,000,000
RDTE,A	Battlefield Plastic Biodiesel	Latham, Boswell	Grassley, Harkin	$1,650,000
RDTE,A	Battlefield Requirements Management Support System	Murtha		$1,000,000
RDTE,A	Battlefield Tracheal Intubation for Wounded Soldiers		Hagel, Nelson (NE)	$1,600,000
RDTE,A	BEAR—(Battlefield Extraction—Assist Robot)	Capuano	Cardin, Mikulski	$1,600,000
RDTE,A	Beneficial Infrastructure for Rotorcraft Risk Reduction Demonstrations (BIRRRD)	Sestak		$800,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Bi-Directional English-Iraqi Instant Language Translation System		Coleman, Klobuchar	$1,840,000
RDTE,A	Bio-Battery	Cramer		$1,200,000
RDTE,A	Bioceramic Bones for Battlefield Trauma	Fortenberry	Hagel, Nelson (NE)	$1,600,000
RDTE,A	BioFoam Protein Hydrogel for Battlefield Trauma	Gingrey	Chambliss, Isakson	$2,000,000
RDTE,A	Biologically Inspired Security Infrastructure for Tactical Environments	Miller (FL)	Martinez, Nelson (FL)	$2,000,000
RDTE,A	Biometrics Automated Toolset Enhancements	Miller, George		$1,600,000
RDTE,A	Biosecurity Research for Soldier Food Safety		Roberts	$2,000,000
RDTE,A	BioSensor Communicator and Controller System		Reid	$3,000,000
RDTE,A	Biowaste to Bioenergy: Phase Two	McNulty	Clinton, Schumer	$1,600,000
RDTE,A	Blast Risk Analysis and Mitigation Application (BRAMA)	Young (AK)		$1,600,000
RDTE,A	Blood Safety and Decontamination Technology	Pelosi; Capuano; McDermott; Miller, George	Coleman	$2,000,000
RDTE,A	Bone Health and Military Medical Readiness Program	Moran (VA)		$800,000
RDTE,A	Border Security and Defense Systems Research		Hutchison	$3,000,000
RDTE,A	Boston University Photonic Center		Kennedy	$4,000,000
RDTE,A	Brain, Biology and Machine Applied Research	Blumenauer, DeFazio, Hooley, Walden, Wu	Smith, Wyden	$2,000,000
RDTE,A	Burn and Shock Trauma Institute		Durbin	$1,600,000
RDTE,A	Burns Outcome Research Infrastructure Program	Lungren, Matsui	Boxer	$2,400,000
RDTE,A	Burns Outcomes Infrastructure Project-only for dual military civilian application		Boxer	$2,400,000
RDTE,A	C3T CDSOS (Cross Domain Strategic and Operational Solution)		Cochran, Lott	$1,680,000
RDTE,A	C4ISR Integrated Digital Environment Service Model (IDESM)	Saxton		$2,000,000
RDTE,A	Cable Warning and Obstacle Avoidance System	Hunter		$1,200,000
RDTE,A	Cancer Prevention through Remote Biological Sensing	Bishop (NY)	Clinton, Schumer	$1,600,000
RDTE,A	Carbon Nanotube Armor Protection System	Hodes	Gregg, Sununu	$1,600,000
RDTE,A	Carbon Nanotube Production		Hutchison	$1,000,000
RDTE,A	Cartilage Infuser	Westmoreland, Kingston	Chambliss	$1,000,000
RDTE,A	Cedars-Sinai Core Imaging Center	Waxman		$2,400,000
RDTE,A	Cellular Therapy for Battlefield Medical Care	Tubbs Jones	Brown	$800,000
RDTE,A	Center for Advanced Microelectronics Manufacturing (CAMM)	Hinchey	Clinton, Schumer	$2,000,000
RDTE,A	Center for Advanced Surgical and Interventional Technology (CASIT)	Lewis (CA)		$1,000,000
RDTE,A	Center for Advanced Vehicle Design and Simulations	Upton	Levin, Stabenow	$1,600,000
RDTE,A	Center for Borane Technology		Bond	$2,000,000
RDTE,A	Center for Genetic Origins of Cancer (CGOC/NFGC)	Dingell, Upton	Levin, Stabenow	$2,400,000
RDTE,A	Center for Information Assurance	Scott (VA)	Warner, Webb	$800,000
RDTE,A	Center for Injury Biomechanics	Boucher, Goode	Warner, Webb	$3,200,000
RDTE,A	Center for Integration of Medicine and Innovative Technology (CIMIT)	Capuano, Lynch	Kennedy	$8,000,000
RDTE,A	Center for Military Vehicle Technologies		Cochran, Lott	$4,080,000
RDTE,A	Center for Opthalmic Innovation	Diaz-Balart, L.		$2,000,000
RDTE,A	Center for Research on Integrative Medicine for the Military (CRIMM)	Moran (VA)		$1,000,000
RDTE,A	Center for Resuscitation Research	Ruppersberger, Sarbanes	Cardin, Mikulski	$3,000,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Center for Tribology and Coatings	Hastert		$1,600,000
RDTE,A	Center for Vaccine Scale-Up/Process Research Phase I	Lewis (GA)		$800,000
RDTE,A	Center of Excellence in Industrial Metrology & 3D Imaging Research	Ryan (OH)		$1,600,000
RDTE,A	Ceramic Membrane—10(X) More Energy for Battery Systems	Schwartz	Casey, Specter	$1,000,000
RDTE,A	CH-47 Integrated Vehicle Health Management System (IVHMS)		Leahy	$10,000,000
RDTE,A	Chem-Bio Integrated Materials for Tent Structures	Hodes	Gregg, Sununu	$1,600,000
RDTE,A	Chemical And Biological-Protective Hangars (CAB-PH)	Hulshof		$1,600,000
RDTE,A	Christian Sarkine Autism Treatment Center	Burton		$2,000,000
RDTE,A	COG/USOC Pediatric Cancer Research	Young (FL), Kennedy, Kingston	Lautenberg, Menendez	$1,600,000
RDTE,A	Cogeneration for Enhanced Cooling and Heating of Advanced Tactical Vehicles		Kohl	$2,400,000
RDTE,A	Cold Spray Wear Coating for FCS	Murtha		$1,000,000
RDTE,A	Cold Spring Harbor Laboratory Women's Cancer Genomics Center	McCarthy (NY), Lowey		$3,200,000
RDTE,A	Combat Mental Health Initiative	Kaptur		$2,800,000
RDTE,A	Combat Vehicle Transmission Improvement		Bayh, Lugar	$3,840,000
RDTE,A	Common Remotely Operated Weapon Station (CROWS) with Acoustic Target Recognition & Cueing Control	Bean	Durbin	$800,000
RDTE,A	Common Smart Submunition (CSS)	Frelinghuysen		$1,000,000
RDTE,A	Compact Pulse Power Initiative	Conaway, Neugebauer, Granger		$2,400,000
RDTE,A	Compact Pulsed Power for Defense Applications		Hutchison	$1,600,000
RDTE,A	Complex-shaped Armor for Soldier Torso and Extremity Protection		Chambliss, Isakson	$2,000,000
RDTE,A	Complimentary and Alternative Medicine Research (MIL-CAM)		Harkin	$5,000,000
RDTE,A	Component Optimization for Ground Systems	Conyers, Dingell	Levin	$1,600,000
RDTE,A	Composite Small Main Rotor Blades	Tiahrt	Brownback, Dodd	$1,600,000
RDTE,A	Composite Tissue Allotransplantation Research and Clinical Program	Yarmuth		$2,000,000
RDTE,A	Cone Beam CT Scanners	Slaughter		$3,200,000
RDTE,A	Consortium for Bone and Tissue Repair and Regeneration	Cleaver		$1,000,000
RDTE,A	Control of Inflammation and Tissue Repair (CITR)		Cantwell, Murray	$1,600,000
RDTE,A	Control System for Laser Powder Deposition	Herseth Sandlin	Johnson	$400,000
RDTE,A	Cooperative International Neuromuscular Research Group (CINRG)	Wicker	Cochran	$5,200,000
RDTE,A	Copper Air Quality Program	Whitfield, Costello, Loebsack	Cochran, Lieberman, Lott	$1,600,000
RDTE,A	C-RAM Armor Development	Moran (VA)		$1,200,000
RDTE,A	Crosshairs Hostile Fire Indicating System		Cornyn	$3,000,000
RDTE,A	Cryofracture/Plasma Arc Demilitarization Program		Baucus, Tester	$2,400,000
RDTE,A	Cutting Tools for Aerospace Materials	Grijalva		$1,200,000
RDTE,A	Cyber Threat Analytics	Lewis (CA)		$2,400,000
RDTE,A	CZT-Based Liquid Explosives Detections Systems	Altmire	Casey	$1,360,000
RDTE,A	DAIRCM/CMWS for Army Helicopters	Shea-Porter	Gregg, Sununu	$2,800,000
RDTE,A	Dangerous Pathogens DNA Forensics Center	Renzi		$2,000,000
RDTE,A	Defect-Free Commercially Viable Si/C Semiconductor Using Superlattice Technology	Hinchey, Maloney, McNulty	Clinton, Schumer	$3,200,000
RDTE,A	Defense Against Viral Infection (DAVI)	Slaughter	Clinton, Schumer	$1,600,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Defense Applications of Carbonate Fuel Cells	Larson		$1,600,000
RDTE,A	Defense Common Ground Station—Army All Source Analysis System (ASAS) Integration	Holt		$2,400,000
RDTE,A	Defense Metals Technology Center	Regula	Voinovich	$2,000,000
RDTE,A	Defense Modernization and Sustainment Initiative, Rochester Institute of Technology	Kuhl, Reynolds	Clinton, Schumer	$2,000,000
RDTE,A	Denied GPS		Casey, Hatch, Specter	$2,400,000
RDTE,A	Depleted Uranium Sensing and Treatment for Removal		Cochran	$4,900,000
RDTE,A	Deployment of Affordable Guided Airdrop System		Dodd, Lieberman	$1,600,000
RDTE,A	Detecting and Eradicating Corrosion in Army vehicles		Conrad, Dorgan	$1,200,000
RDTE,A	Development and Demonstration of Multi-use/Urban Operations Joint Training System at Fort Dix		Lautenberg, Menendez	$2,400,000
RDTE,A	Development and Research of Zero Energy Homes at Ft. Campbell	Tanner	Alexander	$2,200,000
RDTE,A	Development and Simulation for Advanced Troop Protection Concepts in Urban Warfare	Etheridge, Miller (NC), Price (NC)		$800,000
RDTE,A	Development of a High Performance Computing System Based on a Modern High Speed Switch Fabric	Towns	Clinton, Schumer	$1,000,000
RDTE,A	Development of a Robust, Mobile Multispectral Fingerprint Capture Device Employing Multispectral Imaging Technology	Wilson (NM)	Bingaman, Domenici	$2,000,000
RDTE,A	Development of Enabling Chemical Technologies for Power from Green Sources	Olver		$1,600,000
RDTE,A	Development of Logistical Fuel Processors to Meet Army/TARDEC/TACOM Needs	Bachus, Rogers (AL)	Sessions, Shelby	$2,800,000
RDTE,A	Development of Truck-Deployed Explosive Containment Vessel	Berkley	Reid	$1,440,000
RDTE,A	Developmental Mission Integration	Frelinghuysen		$4,000,000
RDTE,A	Dielectrically Enhanced Sensor System (DESS)	Wicker	Cochran	$4,400,000
RDTE,A	Diesel Hybrid-Electric Utility Vehicles	Hobson		$2,000,000
RDTE,A	Digital Engine/Hydraulic Valve Actuation Technology	Udall (CO), Lambom	Salazar	$800,000
RDTE,A	Diminishing Manufacturing Sources and Material Shortages (DMSMS) Case Resolution Program	Miller (MI), Knollenberg, Levin, Rodriguez	Stabenow	$2,000,000
RDTE,A	Direct Methanol Fuel Cell ? Battery Recharger Program	Visclosky		$1,600,000
RDTE,A	Direct Methanol Fuel Cell Development		Martinez	$2,000,000
RDTE,A	Disposable Unit Dose Drug Pumps for Anesthesia & Antibiotics	Pelosi	Boxer	$2,000,000
RDTE,A	Disruptive Technology Acceleration	Frelinghuysen, Payne		$1,600,000
RDTE,A	Document Exploitation for Handwriting Recognition		Warner	$1,000,000
RDTE,A	DoD Hydrogen PEM Fuel Cell Medium/Heavy Duty Vehicle Demonstration Program	Larson, Murphy (CT)	Dodd, Lieberman	$3,200,000
RDTE,A	Domestically Produced Atomized Magnesium for Defense	Kaptur		$1,000,000
RDTE,A	Dominant Military Operations on Urbanized Terrain Viewer		Kyl	$2,400,000
RDTE,A	Drive System Composite Structural Component Risk Reduction Program	Brady (PA)	Casey, Specter	$2,400,000
RDTE,A	Dugway Testing & Infrastructure Upgrade	Bishop (UT)	Bennett, Hatch	$2,800,000
RDTE,A	Dynamically Managed Data Dissemination	Olver		$1,000,000
RDTE,A	Effect Based Approach to Operations		Bennett	$800,000
RDTE,A	Effects Based Operations Decision Support Services (EBODSS)	Doyle		$800,000
RDTE,A	Electroconversion of Energetic Materials		Enzi	$5,800,000
RDTE,A	Electrodeposited Coatings Systems		Kohl	$1,600,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Electrolytic Super-Capacitor		Bond	$2,400,000
RDTE,A	Electro-Magnetic Flak Impulse System	Smith (TX), Carter, McCaul		$2,400,000
RDTE,A	Electromagnetic Geolocation	Davis (CA)	Boxer	$1,000,000
RDTE,A	Electromagnetic Gun Initiative	Gerlach, Sestak	Casey, Specter	$2,000,000
RDTE,A	Electron Microprobe Research	Etheridge	Burr	$1,500,000
RDTE,A	Electronic Combat and Counter Terrorism Training	Kingston	Shelby	$1,600,000
RDTE,A	Electronic Commodity Program		Byrd	$900,000
RDTE,A	Electronic Medical Records Technology Infrastructure	Bonner		$1,200,000
RDTE,A	Electronic Technology Infrastructure in Support of Military Missions	Scott (GA), Bishop (GA), Gingrey, Johnson (GA)	Isakson	$1,600,000
RDTE,A	Electroosmotic Pain Therapy System	Matheson		$1,600,000
RDTE,A	Energetic Formulation and Fabrication	Frelinghuysen		$4,000,000
RDTE,A	Enforc-IT Anti Tamper System		Bayh, Lugar	$1,280,000
RDTE,A	Engineered Surfaces for Weapons Life Extension	Pomeroy	Conrad, Dorgan	$3,000,000
RDTE,A	Enhanced Digital Electronic Night-Vision (EDEN)	Granger	Hutchison	$3,200,000
RDTE,A	Enhanced Directed Armor RPG Vehicle Protection System	Blumenauer, Hooley, Wu	Cantwell, Murray, Smith, Wyden	$800,000
RDTE,A	Enhanced Flame Retardant Body Protection	Spratt		$1,600,000
RDTE,A	Enhanced Holographic Imaging Program	Granger, Conaway, McCaul		$1,600,000
RDTE,A	Enhanced Landmine and IED Detection Technology	Cubin		$1,600,000
RDTE,A	Enhanced Micro-Image Display Technology	Frank	Kerry	$1,600,000
RDTE,A	Enhanced Multi-Mission Radar		Clinton, Schumer	$2,400,000
RDTE,A	Enhanced Rapid Tactical Integration and Fielding of Systems	Aderholt	Sessions, Shelby	$1,600,000
RDTE,A	Enhanced Self-Sintered Silicon Carbide Body Armor	Peterson (PA)	Casey, Specter	$1,600,000
RDTE,A	Enhanced Vapor Aeration Capabilities (EVAC)	Bishop (GA), Kaptur, LaTourette	Voinovich	$2,400,000
RDTE,A	Enzyme Biofuel Cell (SEBC)		Bond	$1,000,000
RDTE,A	Epigenetic Disease Research	McMorris-Rodgers	Cantwell	$1,600,000
RDTE,A	EQUATE at Army Operational Test Command	English		$1,600,000
RDTE,A	Excalibur		Warner, Webb	$2,400,000
RDTE,A	Experiential Technologies for Urban Warfare and Disaster Response	Hayes, McIntyre, Price (NC)	Burr	$800,000
RDTE,A	Exploding Foil Initiators with Nanomaterial-Based Circuits	Herseth Sandlin	Johnson	$2,400,000
RDTE,A	Extended Shelf Life Produce for Remotely Deployed Forces	Thompson (CA)		$800,000
RDTE,A	Extreme-Condition Vehicle Tribology for Military Vehicle Technology at Northwestern University	Lipinski		$1,000,000
RDTE,A	Fatigue Odometer for Vehicle Components and Gun Barrels Project Cannon Systems		Johnson	$2,640,000
RDTE,A	FC3, FCS Reconnaissance (UAV) Platforms	Hoekstra	Levin	$2,500,000
RDTE,A	FCS Short Range Electro Optic (SREO) Sensor for Stryker		Nelson (FL)	$3,200,000
RDTE,A	Feeding Tube for Battlefield Trauma Patients	Ryan (OH)		$500,000
RDTE,A	Fibrin Adhesive Stat (FAST) Dressing	Etheridge, Price (NC), Van Hollen	Cardin, Clinton, Dole, Mikulski, Schumer	$2,000,000
RDTE,A	Field Deployable Fleet Hydrogen Fueling	Welch	Leahy, Sanders	$2,400,000
RDTE,A	Fireproofing/Corrosion Resistant Coating System for Military Infrastructure	LaHood	Durbin	$1,000,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Flame & Thermal Protection for Individual Soldier	Kagen	Kohl	$1,600,000
RDTE,A	Flexible Electronics Research Initiative		Specter	$1,000,000
RDTE,A	Flexible Solar Cell for Man-Portable Power Generator	Jackson	Durbin, Obama	$1,840,000
RDTE,A	Florida Collaborative Development of Advanced Materials for Strategic Applications	Buchanan		$950,000
RDTE,A	Fort Hood Digitization	Carter, Edwards		$1,000,000
RDTE,A	Fuel Cell Cost Reduction and Durability Improvements	Levin	Levin, Stabenow	$1,600,000
RDTE,A	Fuel Cells for Mobile Robotic Systems Project	Jackson	Durbin, Obama	$2,400,000
RDTE,A	Fuel Saving Continuously Variable Transmission for FMTV and JLTV		Bayh, Lugar	$2,000,000
RDTE,A	Full Spectrum Active Protection Close-In Layered Shield (FCLAS) for Thin-Skinned Vehicles	Dreier, Bishop (UT)	Bennett	$1,600,000
RDTE,A	Functionally Integrated Reactive Surface Technologies (FIRST) Program	Gillibrand, Smith (TX), Walsh	Clinton, Schumer	$2,400,000
RDTE,A	Future Affordable Multi-Utility Materials for the Army Future Combat Systems	Boyd, Herseth Sandllin	Grassley, Harkin, Johnson	$6,400,000
RDTE,A	Future Medical Shelter System	Baird, Blumenauer, DeLauro, Welch, LaHood	Cantwell, Dodd, Durbin, Lautenberg, Leahy, Lieberman, Menendez, Smith, Wyden	$2,000,000
RDTE,A	Future Medical Shelter System—44/48 Bed Combat Support Hospital	Boozman	Lincoln, Pryor	$6,000,000
RDTE,A	Future TOC Hardware/Software Integration	Everett	Sessions, Shelby	$1,600,000
RDTE,A	GEDAC Demonstration	Berkley, Franks, Grijalva		$1,200,000
RDTE,A	Geosciences/Atmospheric Research	Musgrave	Allard, Salazar	$2,000,000
RDTE,A	Geospatial Airship Research Platform (GARP)	Kaptur		$3,200,000
RDTE,A	Global Military Operating Environments		Ensign, Reid	$1,600,000
RDTE,A	Globally Accessible Manufacturing and Maintenance Activity (GAMMA)	Knollenberg	Levin	$2,400,000
RDTE,A	Green Armament/RangeSafe	Frelinghuysen, Sires	Lautenberg, Menendez	$2,400,000
RDTE,A	Ground Combat Systems Open Architecture Electronic Enhancements	McKeon	Stabenow	$2,800,000
RDTE,A	Ground Forces Readiness Enabler for Advanced Tactical Vehicles (GREAT-V)		Hutchison	$1,600,000
RDTE,A	Ground Vehicle Fastening and Joining Research		Levin, Stabenow	$800,000
RDTE,A	Gun Propellant Demilitarization		Coleman, Klobuchar	$2,400,000
RDTE,A	Gunfire Detection System for Unmanned Aerial Vehicles	Everett		$1,600,000
RDTE,A	HAMMER	Kaptur		$4,000,000
RDTE,A	Hand Launched Unmanned Aerial System High Performance Payload (SUAS HPP)	Kingston		$2,400,000
RDTE,A	Hawaii Undersea Military Munitions Assessment	Abercrombie, Hirono	Akaka	$5,500,000
RDTE,A	Health Informatics Initiative	Castor		$2,400,000
RDTE,A	Health Science Center Rapid Bio-Pathogen Detection Technology	Cohen		$4,000,000
RDTE,A	Heat Dissipation for Electronic Systems & Enclosures		Reid	$2,400,000
RDTE,A	Heavy Expanded Mobile Tactical Truck A3		Kohl	$10,000,000
RDTE,A	Helicopter Autonomous Landing System		Reid	$4,000,000
RDTE,A	Helmet-Mounted Display/Visor Projection for Army Helicopters	Miller, Gary; Sanchez, Loretta	Feinstein	$1,600,000
RDTE,A	Heuristic Internet Protocol Packet Inspection Engine	Akin	Bond	$1,900,000
RDTE,A	Hibernation Genomics		Stevens	$1,600,000
RDTE,A	High Altitude Airship	Ryan (OH)	Brown	$2,500,000
RDTE,A	High Brightness Diode-pumped Fiber Laser (HiBriD-FL)	Baldwin		$1,600,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	High Energy Matter Space Propulsion Initiative		Murray	$800,000
RDTE,A	High Explosive Air Burst (HEAB) 25mm Ammunition	Costello, LaHood	Durbin	$3,200,000
RDTE,A	High Fidelity Virtual simulation and Analysis (HFVSA)	Cramer		$1,000,000
RDTE,A	High Optempo Performance Soldier Training	Carter, McCaul		$1,600,000
RDTE,A	High Performance Aluminum Military Trailers	Kagen		$800,000
RDTE,A	High Performance Aluminum Structures and Components	Kagen		$1,600,000
RDTE,A	High Pressure Airbeam Shelter Cost Reduction Technology Improvements	Issa		$1,440,000
RDTE,A	High Speed Diesel Combustion	LaHood	Durbin	$3,200,000
RDTE,A	High Strength, Powder Metal Gears for Vehicle Transmissions	Peterson (PA)		$2,600,000
RDTE,A	High Temperature Ceramic Manufacturing Technology for Helicopter Rotor Blade Erosion Protection	DeLauro, Larson, Shays	Dodd, Lieberman	$2,000,000
RDTE,A	High-Frequency, High-Power Electronic and Optoelectronic Devices on Aluminum Nitride (AlN)	Price (NC)	Burr, Dole	$2,400,000
RDTE,A	High-Pressure/Microwave MRE Processing		Cantwell, Murray	$1,600,000
RDTE,A	HiSentinel	Herseth Sandlin	Johnson, Thune	$4,640,000
RDTE,A	Hi-tech Eyes for the Battlefield		Hutchison	$1,000,000
RDTE,A	Hospital Emergency Planning and Integration (HEPI) Letterkenny Army Depot and Chambersburg Hospital	Shuster		$1,600,000
RDTE,A	Human Genomics, Molecular Epidemiology and Clinical Diagnostics for Infectious Diseases	Pastor		$1,200,000
RDTE,A	Hybrid Engine Development Program for the Tactical Wheeled Vehicle Fleet		Levin	$8,000,000
RDTE,A	HYBRID Propellant for Medium and Large Caliber Ammunition	Boyd		$6,400,000
RDTE,A	Hydraulic Hybrid Vehicles (HHV) for the Tactical Wheeled Fleet	Knollenberg	Levin	$1,000,000
RDTE,A	HYPERSAR Radar		Bond	$3,200,000
RDTE,A	Hyperspectral Sensor for UAV Surveillance/Targeting	Olver	Kennedy	$1,600,000
RDTE,A	Hyperspectral Sensors for Improved Force Protection (Hyper-IFP)	Akin		$1,600,000
RDTE,A	Imaging Research Center	McCaul		$900,000
RDTE,A	Immersive Medical Environment for Distributed Intuitive Consultation (iMedic)	Tiahrt		$1,500,000
RDTE,A	Impact of Intensive Lifestyle Modification on Chronic Medical Conditions	Pelosi		$2,000,000
RDTE,A	Improved Energy Density Battery	Markey	Kerry	$800,000
RDTE,A	Improved HMMWV Tactical Shelter Project	Platts	Specter	$1,000,000
RDTE,A	Improved Manufacturing Process for SAPI		Allard	$3,200,000
RDTE,A	Improved VAROC/UAV compression system development		Leahy	$2,400,000
RDTE,A	Improving Musculoskeletal Health & Function	Pence, Visclosky	Lugar	$1,200,000
RDTE,A	Improvised Explosive Device Simulation in Different Soils	Herseth Sandlin	Johnson, Thune	$400,000
RDTE,A	Indiana-Ohio Traumatic Amputation Rehabilitation Research	Hobson	Bayh, Brown, Lugar, Voinovich	$1,000,000
RDTE,A	Information Assurance Development	Holt		$2,400,000
RDTE,A	Infotonics Research	Kuhl	Clinton, Schumer	$2,400,000
RDTE,A	Injection Molded Ceramic Body Armor	Olver		$400,000
RDTE,A	Injury Research Center-Ryder Trauma Center	Diaz-Balart, Lincoln	Martinez	$2,800,000
RDTE,A	Innovative, Computational Water-borne Pathogen Research for Chemical/Biological Detection	Hoyer	Mikulski	$1,000,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Institute for Advanced Materials and Manufacturing Strategies (IAMMS)	Kildee	Levin, Stabenow	$2,400,000
RDTE,A	Institute for Regenerative Medicine		Burr, Dole	$2,400,000
RDTE,A	Integrated Aircraft Test Bed		Shelby	$1,600,000
RDTE,A	Integrated Composite Mounting Hardware	Johnson (GA)		$1,000,000
RDTE,A	Integrated Functional Materials Initiative	Young (FL)		$1,000,000
RDTE,A	Integrated Information Technology Policy Analyses Research	Lewis (CA)		$1,600,000
RDTE,A	Integrated Lightweight Electronics Shelter	Buyer		$1,400,000
RDTE,A	Integrated Medicine, Communications, Compassion, Chronic, Care Program	Visclosky		$1,600,000
RDTE,A	Integrated Mission Critical ESOH Technology and Regional Sustainability Solutions Program	Murtha		$2,400,000
RDTE,A	Integrated Modeling of Air & Ground Environments (IMAGE)	Cramer		$2,400,000
RDTE,A	Integrated Multi-Target Remote-Sensing Technology and Its Applications		Nelson (FL)	$2,000,000
RDTE,A	Integrated Nanosat Delivery System		Sessions, Shelby	$2,400,000
RDTE,A	Integrated nanosensors for NBC threat detection		Graham	$1,600,000
RDTE,A	Integrated Patient Quality Program	Simpson	Craig	$1,600,000
RDTE,A	Integrated Systems in Sensing, Imaging, and Communications	Stupak	Levin, Stabenow	$800,000
RDTE,A	Integration of MK47, 40mm Air Burst Fuze Capability onto USA Common Remotely Operated Weapon Station	Bean	Durbin	$1,000,000
RDTE,A	Integration of the Javelin Antitank Missile onto the US Army Common Remotely Operated Weapon Station	Bean	Durbin	$1,600,000
RDTE,A	Intelligent Distributed Command & Control (IDC2)	Visclosky		$2,000,000
RDTE,A	Inter Turbine Burner for Turbo Shaft Engines	Lewis (CA)		$4,000,000
RDTE,A	ISR Synchronization and Visualization Tool for the Battle Command Battle Laboratory Collection	Cramer	Shelby	$1,000,000
RDTE,A	Jam Resistant Technology for INS/GPS Precision	Frelinghuysen		$1,500,000
RDTE,A	JGES for Improved Combat Situational Awareness	Lewis (CA)		$4,000,000
RDTE,A	John H. Hopps, Jr. Defense Research Scholars Program	Lewis (GA), Bishop (GA), Marshall, Scott (GA)	Chambliss, Isakson	$2,000,000
RDTE,A	Joint Directed Energy Test Site—IED Defeat		Bingaman, Domenici	$4,800,000
RDTE,A	Joint Fires and Effects Training System (JFETS)	Cole, Tom	Inhofe	$2,000,000
RDTE,A	Joint Medical Simulation Technology Research & Development Center	Feeney, Tom		$1,280,000
RDTE,A	Joint Precision Airdrop System (JPADS) Program for Payloads up to 30K lbs		Lott	$3,200,000
RDTE,A	Joint Tactical Network Test Environment		Bingaman, Domenici	$2,000,000
RDTE,A	Joint Technical Data Integration—Wide Intelligraf Content Enhancements		Cantwell	$4,000,000
RDTE,A	Joint Training Integration and Evaluation Center	Feeney, Tom		$1,720,000
RDTE,A	Knowledge Driven Manufacturing System (KDMS)	McCollum	Coleman, Klobuchar	$1,000,000
RDTE,A	Knowledge Integration and Management	Cummings	Cardin, Mikulski	$3,000,000
RDTE,A	Knowledge, Tech Sharing Program		Bond	$2,400,000
RDTE,A	Laboratory for Engineered Human Protection (LEHP)	Fattah		$1,600,000
RDTE,A	Land and Sea Special Operations (LASSO)	Young (AK)		$1,000,000
RDTE,A	Large Format Li-Ion Battery		Kohl, Specter	$800,000
RDTE,A	Laser Based Explosives and Chem/Bio Standoff and Point Detector	Ruppersberger	Cardin, Mikulski	$3,200,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Laser Engineered Net Shaping (LENS) Qualification for Aging Weapons Systems		Johnson	$1,600,000
RDTE,A	LEAN Digital Product Development	Capuano		$2,000,000
RDTE,A	Legacy Aerospace Gear Drive Re-Engineering Initiative	Larson	Dodd	$1,000,000
RDTE,A	Leishmaniasis Skin Test Antigen	Hunter		$1,000,000
RDTE,A	LENS XX Hypervelocity Ground Testing	Higgins		$800,000
RDTE,A	Life Support for Trauma and Transport (LSTAT / LSTAT ? Lite)	Sanchez, Young (FL)		$3,200,000
RDTE,A	Light Utility Vehicle	Hunter		$1,000,000
RDTE,A	Light Weight Structural Composite Armor for Blast and Ballistic Protection	Shuler, Price (NC)	Biden, Burr, Carper	$2,000,000
RDTE,A	Lightweight Cannon Recoil Reduction		Ensign, Reid	$800,000
RDTE,A	Lightweight Motors for the Future Combat System	Perlmutter, Bishop (UT), Matheson	Bennett, Hatch, Salazar	$1,600,000
RDTE,A	Lightweight Multi-Functional Material Technology	Frelinghuysen, Rothman	Lautenberg, Menendez	$1,500,000
RDTE,A	Lightweight Multi-purpose Laser		Cantwell, Murray	$3,000,000
RDTE,A	Lightweight Munitions and Surveillance System for Unmanned Air and Ground Vehicles	Garrett	Lautenberg, Menendez	$4,000,000
RDTE,A	Lightweight Theater Transportable TOC	Young (FL)		$2,400,000
RDTE,A	Lightweight Trauma Module (LTM)	Frelinghuysen, Pascrell	Lautenberg, Menendez	$2,400,000
RDTE,A	Lightweight, Armored, Hybrid, Power Generating, Tactical Vehicle	Cannon	Bennett, Hatch	$1,600,000
RDTE,A	Limb Tissue Regeneration after Battlefield Injuries using Bone Marrow Stem Cells	Baird, Blumenauer, Hooley, Wu	Smith, Wyden	$4,000,000
RDTE,A	Liquid Desiccant-Based Atmospheric Water Generation without Reverse Osmosis	Meek		$900,000
RDTE,A	Lithium Air Metal Battery	Lee		$4,000,000
RDTE,A	Long Range Initiator	Shuler		$1,400,000
RDTE,A	Low Cost Interceptor (LCI)		Shelby	$5,000,000
RDTE,A	Low Signature Portable Fuel Cell Power Systems	McGovern, Olver	Kerry	$2,800,000
RDTE,A	Low Temperature Vehicle Performance Research		Levin	$800,000
RDTE,A	LWI Training-based Collaborative Research	Skelton		$21,000,000
RDTE,A	Magneto Inductive Remote Activation Munition Systems MI-RAMS	Lewis (CA)		$3,200,000
RDTE,A	Manufacturing and Industrial Technology Center	Boyd	Martinez	$1,000,000
RDTE,A	Manufacturing Technology Development of Advanced Components for High Power Solid-State Lasers	McNerney, Carney	Casey, Specter	$1,600,000
RDTE,A	Mariah II Hypersonic Wind Tunnel Development	Rehberg	Baucus, Tester	$4,000,000
RDTE,A	Mass Decontamination and Biosecurity Initiative	McCrery, Alexander	Landrieu, Vitter	$350,000
RDTE,A	Massively Broadband Wireless Integrated Circuits	Smith (TX)		$1,200,000
RDTE,A	Materials Application Research Center	Bachus		$1,000,000
RDTE,A	Medical Image Database Holographic Archiving Library System (MIDHALS)	Musgrave	Allard, Salazar	$1,000,000
RDTE,A	Medical Information Network Decision Support (MINDS) Tool Development	Waxman	Boxer	$1,000,000
RDTE,A	Medical Modeling and Simulation through Synthetic Digital Genes		Craig	$1,600,000
RDTE,A	Medical Resources Conservation Technology Pilot Energy Cost Control Evaluation (PECCE)	Visclosky		$1,200,000
RDTE,A	Medical Surveillance Initiative—Clinical Looking Glass	Engel	Clinton, Schumer	$1,000,000
RDTE,A	Medium Caliber Metal Parts Upgrade	Kanjorski	Casey, Specter	$2,400,000
RDTE,A	Mega-Capacity Hybrid Chemistry Lithium Primary Portable Batteries	McHenry	Burr, Dole	$1,600,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	MEMS Antenna for wireless comms/UAVs		Conrad, Dorgan	$2,400,000
RDTE,A	Micro Electrical Mechanical Systems (MEMS) Application for Armor and Munitions	Ferguson	Lautenberg, Menendez	$2,500,000
RDTE,A	Micro Seeker System for Small Steerable Projectiles	Dreier		$1,600,000
RDTE,A	Micromachined Switches in Support of Transformational Communications Architecture	Miller, George		$1,600,000
RDTE,A	Micro-systems and nano-technology for Advanced Technology Development	Young (FL)		$1,000,000
RDTE,A	Mid-Infrared Advanced Chemical Laser (HELSTF)—Transferred from Senate GP 8117	Wilson (NM)	Domenici, Bingaman	$3,000,000
RDTE,A	Military and Interstate Commercial Truck Component Weight Reduction Program	Kennedy		$2,400,000
RDTE,A	Military Applications of Medical Grade Chitosan		Inouye	$3,000,000
RDTE,A	Military Biomaterials Institute for Acute and Regenerative Care	Rothman	Lautenberg, Menendez	$800,000
RDTE,A	Military Fuels Research Program		Bunning, McConnell	$1,600,000
RDTE,A	Military Interoperable Digital Hospital Testbed	Murtha		$4,000,000
RDTE,A	Military Low Vision Research	Lynch, Capuano	Kennedy, Kerry	$1,600,000
RDTE,A	Military Molecular Medicine Initiative (M3I)	Murtha		$12,000,000
RDTE,A	MILS Separation Kernel Technology Development	Bilirakis, Capps		$950,000
RDTE,A	Miniature Cooling Unit for Electronic Devices	Johnson (IL)	Durbin	$1,000,000
RDTE,A	Miniaturized Sensors for Small and Tactical Unmanned Aerial Vehicles (MINISENS)	Reyes		$1,000,000
RDTE,A	Missile Aero-Propulsion Computer System (MACS) Modernization	Cramer	Sessions, Shelby	$6,000,000
RDTE,A	Missile Recycling Capability—Letterkenney Munitions Center		Specter	$6,500,000
RDTE,A	Mitigation of Energetics Single Point Failures	Frelinghuysen		$2,400,000
RDTE,A	Mobile Integrated Diagnostic and Data Analysis System (MIDDAS)	Schwartz	Lautenberg, Menendez	$800,000
RDTE,A	Mobile Medic Training Program	Mica		$1,600,000
RDTE,A	Mobile Object Search Toolkit for Intelligence Analysts	Dicks		$2,000,000
RDTE,A	Mobile Objects for Net-Centric Operations		Cantwell	$2,400,000
RDTE,A	Mobile Optical Tracking System (MOTS)	Reyes, Rodriguez		$1,960,000
RDTE,A	Model-Based Enterprise		Bunning, McConnell	$800,000
RDTE,A	Modeling and Analysis of the Response of Structures		Cochran, Lott	$1,000,000
RDTE,A	Modifications to mVHP for use against TICs/TIMs		Brown, Voinovich	$2,500,000
RDTE,A	Modular Ballistic System for Force Protection	Michaud, Allen	Collins, Salazar, Snowe	$4,000,000
RDTE,A	Modular Individual Weapon Sight and Low Cost Remote Weapon Station	Altmire		$1,000,000
RDTE,A	Molecular Switch Vaccines for Biodefense and Cancer	Tauscher; Cummings; Honda; Murphy, Patrick; Sarbanes	Bingaman, Cardin, Domenici, Mikulski, Smith, Wyden	$1,600,000
RDTE,A	Mortar Anti-Personnel Anti-Materiel (MAPAM) Development	Rothman, Ramstad	Coleman, Klobuchar, Lautenberg, Menendez	$2,400,000
RDTE,A	MRI-DTI Technology to Improve Diagnosis and treatment of TBI		Durbin	$2,500,000
RDTE,A	Multi Mission Armored Watercraft (MMAW) Project	Larsen	Cantwell, Murray	$1,200,000
RDTE,A	Multifunctional Protective Packaging Technology	Obey	Kohl	$3,000,000
RDTE,A	Multi-scale modeling of impact resistant materials for body armor		Durbin, Obama	$1,500,000
RDTE,A	NAC University Automotive Research Coalitions	Barrett	Graham	$1,600,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Nano-Crystalline Cement for High Strength, Rapid Curing Concrete with Improved Blast Resistance	Visclosky		$1,600,000
RDTE,A	Nano-Engineered Multi-Functional Transparent Armor		Levin	$800,000
RDTE,A	Nanofabricated Bioartificial Kidney and Bioterrorism	Knollenberg	Levin	$1,000,000
RDTE,A	Nanomanufacturing of Multifunctional Sensors	Meehan	Kennedy, Kerry	$1,600,000
RDTE,A	Nanomedical Technologies Research	Johnson (IL)	Obama	$2,000,000
RDTE,A	Nanophotonic Devices		Hutchison	$1,600,000
RDTE,A	Nanoscale Biosensor Research		Lincoln, Pryor	$2,500,000
RDTE,A	Nanotechnology Fuze-on-a-Chip	Obey		$3,600,000
RDTE,A	Nanotubes Optimized for Lightweight Exceptional Strength Composite Materials	Boyd, Crenshaw	Martinez, Nelson (FL)	$2,800,000
RDTE,A	National Biodefense Training		Hutchison	$1,750,000
RDTE,A	National Bioterrorism Civilian Medical Response Center (CIMERC)	Fattah		$2,000,000
RDTE,A	National Center for Defense Manufacturing and Machining	Murtha		$1,600,000
RDTE,A	National Center of Ophthalmology Training and Education at Wills Eye Health System	Brady (PA)		$2,000,000
RDTE,A	National Defense Center for Environmental Excellence	Hoekstra	Levin	$1,200,000
RDTE,A	National Eye Evaluation and Research Network; Clinical Trials of Orphan Retinal Degenerative Diseases	Lewis (CA)		$2,400,000
RDTE,A	National Functional Genome Research Project	Hayes, McIntyre, Price (NC)	Dole, Martinez, Nelson (FL)	$2,400,000
RDTE,A	National Functional Genomics Center	Young (FL), Bilirakis, Castor	Nelson (FL)	$6,000,000
RDTE,A	National Network Security Test Bed		McConnell	$1,600,000
RDTE,A	National Oncogenomics and Molecular Imaging Center	Knollenberg	Levin	$3,000,000
RDTE,A	National Polymer Innovation Center (NPIC)	Sutton	Voinovich	$1,000,000
RDTE,A	National Warfighter Health Sustainment Study	Capuano, Price (NC)		$800,000
RDTE,A	Natural Gas Firetube Boiler Demonstration	Moore (WI), Davis (CA)		$500,000
RDTE,A	Network Enabled Combat Identification (CID)	Pascrell, Andrews	Lautenberg, Menendez	$2,400,000
RDTE,A	Networked Reliability & Safety Early Evaluation System (NRSEES)	Dent, Gerlach	Levin	$1,600,000
RDTE,A	Neural Control of External Devices	Kennedy, Matheson	Whitehouse	$1,000,000
RDTE,A	Neuroimaging & Neuropsychiatric Trauma in U.S. War-fighters	Pelosi	Boxer	$4,000,000
RDTE,A	Neuroscience Research Consortium to Study Spinal Cord Injury	Wasserman Schultz		$800,000
RDTE,A	Neutralization of IEDs		Bond	$3,000,000
RDTE,A	Neutron/Hadron Particle Therapy	Hastert		$1,600,000
RDTE,A	New Vaccines to Fight Respiratory Infection		Hagel, Nelson (NE)	$4,000,000
RDTE,A	Next Generation Combat Helmet		Gregg, Sununu	$2,400,000
RDTE,A	Next Generation Communications System	Altmire	Specter	$1,000,000
RDTE,A	Next Generation FPA Development	Sessions		$1,600,000
RDTE,A	Next Generation Ice Protection Technologies System for UAVs	Tiahrt	Roberts	$2,000,000
RDTE,A	Next Generation Interceptors Materials Research	Everett		$1,600,000
RDTE,A	Next Generation Lightweight Electric Drive Systems for Army Weapons Systems	Herseth Sandlin	Johnson, Thune	$2,000,000
RDTE,A	Next Generation Manufacturing Technologies for Defense Supply Chain		Durbin	$3,200,000
RDTE,A	Next Generation Non-Tactical Vehicle Propulsion	Kuhl	Clinton, Levin, Schumer, Stabenow	$1,600,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Next Generation Passive Sensors (NGPS)	Wicker	Cochran	$4,000,000
RDTE,A	Nickel Boron Coating Technology for Army Weapons	Mahoney, Boyd		$2,400,000
RDTE,A	Night Vision Goggle Compatible Electrostatically Conductive Windscreen Laminates for use on Acrylic/	Spratt	Graham	$1,200,000
RDTE,A	No Idle System (NIS)	Reynolds	Clinton, Levin, Schumer, Stabenow	$1,000,000
RDTE,A	No-Idle Climate Control for Military Vehicles	Brady (TX)	Hutchison	$2,000,000
RDTE,A	Non-Flammable, High Energy Density, Low Temperature Warrior Battery	Berman		$800,000
RDTE,A	Norfolk State University Center for Systems and Modeling & Simulation	Scott (VA)		$2,500,000
RDTE,A	Northern Ohio Integrated Command Operations Program	Kaptur		$2,000,000
RDTE,A	Novel Extremity Body Armor	Herseth Sandlin	Johnson	$480,000
RDTE,A	Novel Lightweight Armor Material for Insensitive Munitions Protection of Tactical Missiles		Reid	$1,000,000
RDTE,A	Novel Onboard Hydrogen Storage System Development		Levin	$2,400,000
RDTE,A	Novel Zinc Air Power Sources for Military Applications	Rogers (AL)	Sessions, Shelby	$2,000,000
RDTE,A	Nursing Clinical Simulation Lab	LaHood		$1,000,000
RDTE,A	Obesity and Cancer in the Military Medical Research Program at WRAMC	Kingston, Barrow	Isakson	$1,600,000
RDTE,A	ONAMI Miniature Tactical Energy Systems Development	Walden, Blumenauer, DeFazio, Hooley, Wu	Smith, Wyden	$2,500,000
RDTE,A	On-Board Vehicle Power Management	Hinchey	Clinton, Schumer	$1,600,000
RDTE,A	One-Step JP-8 Bio Diesel Fuel	Obey		$4,500,000
RDTE,A	Operator Situational Awareness System—MEDEVAC	Pelosi		$2,000,000
RDTE,A	Optimized M-25 Soldier Fuel Cell System	Castle	Biden	$1,600,000
RDTE,A	Orion High Altitude Long Endurance UAV	Wicker	Cochran, Lott	$6,000,000
RDTE,A	Orthopedic Extremity Trauma Research Program	Ruppersberger	Harkin, Hutchison	$4,800,000
RDTE,A	Orthopedic Implant Design and Manufacturing for Traumatic Injuries	Donnelly, Souder	Bayh	$1,600,000
RDTE,A	Oxygen Diffusion Dressings for the Accelerated Healing of Battlefield Wounds and Burns	Hunter		$500,000
RDTE,A	Pain and Neuroscience Center Research Program	Murtha		$5,600,000
RDTE,A	Paint Shield for Protecting People from Microbial Threats	Tubbs Jones	Brown, Voinovich	$1,600,000
RDTE,A	Parts-on-Demand for CONUS Operations		Conrad, Dorgan	$3,600,000
RDTE,A	Passive Walking Beam Tracked Platform for Unmanned Ground Vehicles	Peterson (MN)		$1,000,000
RDTE,A	PBRC—Four Tasks to Address Personnel Readiness and Warfighter Per	Baker		$2,000,000
RDTE,A	Pediatric Brain Tumor & Neurological Disease Institute	Meek, Ros-Lehtinen		$1,600,000
RDTE,A	PEM Fuel Cell Tactical Generators	Hoyer, Wynn	Cardin, Mikulski	$5,000,000
RDTE,A	Peoria Robotics	LaHood	Durbin	$1,000,000
RDTE,A	Perimeter & Maritime Sensor Network		Cardin, Mikulski	$2,400,000
RDTE,A	Perpetually Available and Secure Information Systems (PASIS)	Doyle		$4,000,000
RDTE,A	Personal Miniature Thermal Viewer (PMTV)	Michaud; Sanchez, Loretta	Boxer, Collins, Snowe	$800,000
RDTE,A	Personalized Orthopedic Implants for Combat Trauma Induced Orthopedic Surgery	Moore (WI)		$500,000
RDTE,A	Plant-based Vaccine Research/ Mitchell Memorial Cancer Center	Lewis (KY)		$2,000,000
RDTE,A	Plasma Sterilizer	Ellison, McCollum	Coleman, Klobuchar	$3,000,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Pneumothorax Detection Device	LaTourette	Voinovich	$1,200,000
RDTE,A	Polymer Center of Excellence for Blast-Ballistic Protective Armor	Dent	Casey	$2,000,000
RDTE,A	Polymer Small Arms Production	Bishop (GA)		$1,600,000
RDTE,A	Portable Burn Debridement Laser Demo	Lewis (CA)		$2,400,000
RDTE,A	Portable Digital X-ray	Bishop (GA)		$3,200,000
RDTE,A	Portable Flexible Communication Display Devices	Bartlett, Cummings, Marshall	Lautenberg, Menendez, Mikulski	$1,200,000
RDTE,A	Portable Hydrogen Generator and Hybrid Power Source		Kohl	$1,600,000
RDTE,A	Portable Mobile Emergency Broadband Systems (PMEBS)	Gerlach, Sestak	Casey, Specter	$3,400,000
RDTE,A	Post Pathogen Interaction Study	Cramer		$1,000,000
RDTE,A	Post-IED Craniofacial Injury Reconstruction		Cardin, Mikulski	$1,600,000
RDTE,A	Power Dense Transmissions	Spratt, Inglis	Graham	$800,000
RDTE,A	Power Efficient Microdisplay Development for US Army Night Vision	Hall (NY)	Clinton, Schumer	$2,400,000
RDTE,A	Prader-Willi Syndrome (PWS) Research	Royce, Price (NC)		$1,500,000
RDTE,A	Prevention of Radiation Injury by Use of Statins	Berkley, Porter	Reid	$1,600,000
RDTE,A	Project Kryptolite	Smith (NJ)		$1,200,000
RDTE,A	Propelling Agent for Slurry Gel	Brady (PA)	Reid	$1,200,000
RDTE,A	Protection Against Improvised Explosive Devices	Fortenberry	Hagel, Nelson (NE)	$4,000,000
RDTE,A	Protective Textile Fabric		Levin, Stabenow	$800,000
RDTE,A	Protector Enhancements and Integration on New Vehicle Platforms Program	Murtha		$1,600,000
RDTE,A	Proton Therapy	Hastert	Durbin	$2,400,000
RDTE,A	Quick Reaction Advanced Tactical Vehicle Technology	Knollenberg	Levin	$2,800,000
RDTE,A	Quick-MEDS Automated Release Pod	Everett	Sessions, Shelby	$1,600,000
RDTE,A	Radiation Hardening Initiative (RHI)	Cramer, Everett	Sessions, Shelby	$2,000,000
RDTE,A	Raman Chemical Identification System	Tierney	Kennedy	$1,600,000
RDTE,A	Rapid and Accurate Pathogen Identification/Detection (RAPID) Program	Visclosky	Bayh, Lugar	$1,200,000
RDTE,A	Rapid Insertion of Developmental Technologies	Frelinghuysen, Sires		$2,400,000
RDTE,A	Rapid Prototyping for Special Projects	Frelinghuysen		$5,000,000
RDTE,A	Rapid Response Force Protection System (Remote Weapons Platform)	Rothman		$3,200,000
RDTE,A	Rapid Response System for Protection of Air and Ground Vehicles	Cramer		$4,000,000
RDTE,A	Rapid Up-Armor Synthesis and Crashworthiness Design for Improved Soldier Survivability	Visclosky, Donnelly		$1,600,000
RDTE,A	Rapid Vaccine Discovery Technology	Visclosky	Kerry	$2,000,000
RDTE,A	Rapid Wound Healing Technology Development Project	Doyle		$1,200,000
RDTE,A	Ration Packaging Materials and Systems for Meals Ready-to-Eat	Obey		$4,600,000
RDTE,A	Reactive Nanocomposite Materials	Payne	Lautenberg, Menendez	$1,000,000
RDTE,A	Regenerative Fuel Cell System for Silent Camp Operations		Dodd, Lieberman	$3,000,000
RDTE,A	Regional NMR Facility	Yarmuth		$1,000,000
RDTE,A	Remote Bio-Medical Detector	Murtha		$1,000,000
RDTE,A	Remote Environmental Monitoring and Diagnostics in the Perishables Supply Chain	Putnam, Stearns		$4,504,000
RDTE,A	Remote Explosive Analysis & Detection System (READS)	Cramer		$1,600,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Remote Robotic Teleproctoring to Promote Rapid Surgical Skills Acquisition	Green, Al		$1,000,000
RDTE,A	Remote Video Weapon Sight, USSOCOM Phase III	Radanovich		$1,000,000
RDTE,A	Remotely Operated Weapons and Sensor Technology	Frelinghuysen		$3,200,000
RDTE,A	Renewable Energy for Military Applications	Carson	Bayh, Lugar	$1,500,000
RDTE,A	Renewable Energy Testing Center	Lungren, Matsui		$2,000,000
RDTE,A	Research for Army Cannon Systems		Johnson	$1,840,000
RDTE,A	Research of Advanced Communications Technologies for enhanced secure, mobile, networked communications	Holt		$800,000
RDTE,A	Research Support for Nanoscale Sciences and Technologies	Young (FL)	Nelson (FL)	$1,000,000
RDTE,A	Respiratory Biodefense Initiative	DeGette	Allard, Crapo, Salazar	$1,600,000
RDTE,A	Responsive Textiles	Meehan	Kerry	$1,000,000
RDTE,A	Revolutionary Self Sealing Plastic Enclosure For Military Batteries	Kind	Kohl	$1,600,000
RDTE,A	Ripsaw Unmanned Ground Vehicle Weaponization	Allen	Collins, Snowe	$1,600,000
RDTE,A	Robotic Manipulators for Explosive Ordnance Disposal		Enzi	$480,000
RDTE,A	Robotic Telesurgery in Combat Environments		Hagel, Nelson (NE)	$3,500,000
RDTE,A	Robotics Workforce and Military Curriculum	Murtha		$800,000
RDTE,A	Roll-to-Roll Microelectronics Manufacturing in Support of the Flexible Display Initiative	Lofgren, Issa, Loebsack, Meehan, Myrick, Shays, Wynn	Bingaman, Domenici, Harkin	$1,600,000
RDTE,A	Rotary Valve Pressure Swing Absorption Oxygen Generator	Davis (CA)		$1,600,000
RDTE,A	Rotary, Multi-Fuel, Auxiliary Power Unit for M1-A1 Abrams Tank	Sarbanes, Castle, Ruppersberger	Biden, Cardin, Carper, Mikulski	$2,000,000
RDTE,A	Rotorcraft Survivability Assessment Facility	Ramstad, Rupperberger	Cardin, Mikulski	$1,600,000
RDTE,A	Rugged Electronic Textile Vital Signs Monitoring		Reed, Whitehouse	$1,600,000
RDTE,A	Ruggedized Cylinders for Expandable Mobile Shelters	Obey	Kohl	$4,500,000
RDTE,A	Rural Health—CERMUSA	Murtha		$1,600,000
RDTE,A	S31 Technology		Bingaman	$800,000
RDTE,A	Sealight Beam Directors (HELSTF)—Transferred from Senate GP 8118		Bingaman, Domenici	$3,000,000
RDTE,A	Second Source Tires for JLTV	Boyda, Tiahrt	Brownback	$1,200,000
RDTE,A	Secure Mobile MANET System	Ryan (OH), Kaptur		$1,200,000
RDTE,A	Secure On-the-Move Information Analysis & Control for Advanced Combat Vehicles	Visclosky		$1,600,000
RDTE,A	Secure Open Systems Institute	Price (NC), Miller (NC)	Burr	$2,400,000
RDTE,A	Self Powered, Lightweight, Flexible Display Unit on a Plastic Substrate	Latham	Grassley, Harkin	$1,600,000
RDTE,A	Semiconductor-based Nanotechnology Applications		Craig, Crapo	$800,000
RDTE,A	Sensor Visualization and Data Fusion (SVDF)	Kingston, Bishop (GA), Meehan, Tierney	Kerry, Isakson	$1,200,000
RDTE,A	Severe Battlefield Injury Treatment: Technology to Prevent Compartment Syndrome	McCollum	Coleman	$1,600,000
RDTE,A	Shared Vision	Latham	Grassley, Harkin	$3,200,000
RDTE,A	Sierra Army Depot Cryofracture/Plasma Arc Transportable System	Doolittle		$2,400,000
RDTE,A	Silicon Carbide Armor Manufacturing Initiative		Bunning	$2,400,000
RDTE,A	Silicon Carbide MOSFETs for Electric Power Systems	Price (NC)	Dole, Burr	$1,600,000
RDTE,A	Silver Fox and Manta UAS	Franks, Giffords	Kyl	$3,200,000
RDTE,A	Simulation and Design of Large Electromagnetic Systems	Wamp		$1,520,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Single Crystal Chemical Vapor Deposition Diamond Thermal Management Elements for High-Energy Lasers	McGovern	Kennedy, Kerry	$1,000,000
RDTE,A	SkyPure—Water from Air	Wilson (NM)	Domenici	$1,600,000
RDTE,A	SLEUTH Tungsten Heavy Alloy Penetrator and Warhead Development	Carney	Specter	$1,600,000
RDTE,A	Small Business Infrared Materials Manufacturing—Silicon Alternatives	Biggert	Durbin	$1,600,000
RDTE,A	Small Unmanned Aerial Vehicles (UAVs) and Sensors	Herseth Sandlin	Johnson	$500,000
RDTE,A	Smart Energetics Architecture for Missile Systems	McKeon		$1,600,000
RDTE,A	Smart Machine Platform Initiative	Chabot, McNulty	Brown, Clinton, Schumer, Voinovich	$3,000,000
RDTE,A	Software Engineering Enhancements		Shelby	$3,000,000
RDTE,A	Software Lifecycle Affordability Management (SLAM)	Saxton	Lautenberg, Menendez	$2,000,000
RDTE,A	Soldier Fuel Cell System	Visclosky	Bayh	$800,000
RDTE,A	Soldier Portable Solid Fuel Hydrogen Generator Cartridge	Murphy (CT), Whitfield	Dodd, McConnell, Lieberman	$4,000,000
RDTE,A	Spatial Acquisition and Measurement of Power Sources	Yarmuth		$1,000,000
RDTE,A	Specialized Compact Automated Mechanical Clearance Platform (SCAMP)	Murphy, Patrick	Casey, Specter	$400,000
RDTE,A	Spinal Muscular Atrophy (SMA) Research Program	Pelosi, Nadler	Clinton, Schumer	$3,200,000
RDTE,A	Spring-Suspended Airless Tires for Convoy Protection	Obey		$4,500,000
RDTE,A	Standoff Hazardous Agent Detection & Evaluations System (SHADES)	Berry	Lincoln, Pryor	$2,000,000
RDTE,A	Standoff Improvised Explosive Device Detection Program	Berry, Boyd	Akaka, Lincoln, Nelson (FL), Pryor	$3,200,000
RDTE,A	Staph Vaccine		Conrad, Dorgan	$2,000,000
RDTE,A	Storage Area Network	Bono		$1,000,000
RDTE,A	Strategic Technology Development and Integration for the JM&L LCMC	Frelinghuysen		$1,000,000
RDTE,A	Super High Accuracy Range Kit—105mm Artillery Technology	Young (FL)		$3,200,000
RDTE,A	SuperPulse Laser System Development for Turbine Engine Applications	Shays		$1,600,000
RDTE,A	Surgical Wound Disinfection and Biological Agents	Berry	Lincoln, Nelson (NE), Pryor	$1,600,000
RDTE,A	Synchrotron-Based Scanning Research	Lewis (CA)		$5,000,000
RDTE,A	Synthetic Auto Virtual Environment (SAVE)	Hodes	Gregg	$1,600,000
RDTE,A	Synthetic Malaria Vaccine	Holt, DeLauro	Dodd, Lautenberg, Lieberman, Menendez	$2,400,000
RDTE,A	Systems Biology Biomarker Molecular Toxicology Initiative	Dicks, Baird, Larsen, Smith (WA)	Cantwell, Murray	$1,600,000
RDTE,A	Tactical Metal Fabrication System (TacFab)	Holt, Andrews, Brown (SC), Clyburn, Meehan, Ryan (OH), Saxton, Tierney, Turner, Wilson (SC)	Graham, Kerry, Lautenberg, Menendez	$2,400,000
RDTE,A	Tactical Overwatch High Altitude System (TOHAS)	Aderholt	Shelby	$2,000,000
RDTE,A	Tactical RPG Airbag Protection System (TRAPS) Enhancement	Capps, Farr	Durbin	$1,600,000
RDTE,A	Tactical Wheeled Vehicle Composite Component Weight Reduction Program	Hobson		$2,400,000
RDTE,A	Tactical Wheeled Vehicle Structures for Improved Survivability and Performance	Buyer, Souder	Bayh, Casey, Grassley, Harkin, Lugar, Specter	$4,000,000
RDTE,A	Technological Regional Center of Excellence for PTSD	Bishop (GA)		$1,600,000
RDTE,A	Technologies for Metabolic Monitoring (TMM)	Wicker	Cochran, Lott	$1,600,000
RDTE,A	Technologies for Military Equipment Replenishment	Obey	Kohl	$4,000,000
RDTE,A	Technology Commercialization and Management Network	Lewis (CA)		$1,600,000
RDTE,A	Telehealth Access and Infrastructure Expansion	Musgrave		$1,600,000
RDTE,A	Telepharmacy Robotic Medicine Device Unit	English, Brady (PA)	Casey	$1,600,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Terahertz Spectrometer Technology	Murphy (CT)	Dodd, Leahy, Lieberman	$1,600,000
RDTE,A	The Institute for the Advancement of Bloodless Medicine	Rothman	Lautenberg, Menendez	$1,600,000
RDTE,A	Thermal and Electrical Nanoscale Transport (TENT)	Honda		$1,600,000
RDTE,A	Thermal Battery Qualification		Brownback, Roberts	$2,900,000
RDTE,A	Thin Lithium-Iron Disulfide Primary Batteries	Akin, Kucinich, Welch	Brown, Dole, Leahy, Voinovich	$2,400,000
RDTE,A	Three Dimensional Projection Environment for Molecular Design and Surgical Simulation	Brady (PA)		$1,000,000
RDTE,A	Titanium Fabrication for Military/Industrial Equipment	Braley	Durbin	$1,350,000
RDTE,A	Total Quality System for FDA Regulated Activities at USAMRMC	Bishop (GA)		$800,000
RDTE,A	Track Over Tire System	McHugh		$800,000
RDTE,A	Tracking the Health of Soldiers with Advanced Implantable Nano-Sensors	DeLauro, Courtney		$1,600,000
RDTE,A	Transfer Missile Power System	Pickering	Lott	$2,400,000
RDTE,A	Transparent Nanocomposite Armor	Herseth Sandlin	Johnson, Thune	$300,000
RDTE,A	Trauma Care, Research and Training		Hutchison	$2,000,000
RDTE,A	U.S. Army Future Force ELINT	Visclosky		$2,000,000
RDTE,A	UAV-Resupply BURRO	Larson	Dodd, Lieberman	$2,000,000
RDTE,A	UCXR System		Martinez	$3,200,000
RDTE,A	Ultra High-Speed MEMS Electromagnetic Cell Sorter	Capps	Boxer	$2,400,000
RDTE,A	Ultra Light UAV Sensor Platform (ULSP)	Wicker	Cochran, Lott	$1,600,000
RDTE,A	Ultra Lightweight Metallic Armor	Costello	Durbin	$1,600,000
RDTE,A	Ultra-Endurance Coating	Hobson		$2,400,000
RDTE,A	Ultra-High Resolution Display for Army Medicine	Hall (NY), Reichert	Clinton, Schumer	$3,600,000
RDTE,A	UMDNJ Cancer Initiative (includes continuation of the Gallo Prostate Cancer Center)	Pallone, Holt, Pascrell, Payne, Sires, Smith (NJ)	Lautenberg	$2,400,000
RDTE,A	Universal Control Full Authority Digital Engine Controls	Larson	Dodd, Lieberman	$3,000,000
RDTE,A	Universal Diagnostic Data Management System—Deployment	Murtha		$1,600,000
RDTE,A	University-based Automotive Research	Dingell	Levin, Stabenow	$2,000,000
RDTE,A	Unmanned Ground Vehicle Initiative (UGVI)		Levin	$12,000,000
RDTE,A	Unmanned Systems Technology Development		Sessions, Shelby	$1,600,000
RDTE,A	Urban Warfare Analysis Center (UWAC)	Fallin	Inhofe	$2,000,000
RDTE,A	Urban Warfare Knowledge Base	Fallin		$1,000,000
RDTE,A	US Approved Drug for Malaria and Leishmaniasis in US Military and Civilian Personnel		Cochran, Lott	$3,400,000
RDTE,A	UT-Tyler Organic Semiconductor Modeling and Simulation Research	Gohmert	Cornyn	$1,000,000
RDTE,A	Vanadium Technology Program	Wilson (SC)	Graham	$1,600,000
RDTE,A	Vectored Thrust Ducted Propeller (VTDP) Compound Helicopter Advanced Technology Demonstration	Andrews; Murphy, Patrick; Sestak	Casey, Specter	$4,000,000
RDTE,A	Vehicle Armor Structure Development &Testing for Future Combat Systems & Joint Light Tactical Vehicle	Levin	Levin, Stabenow	$1,000,000
RDTE,A	Vehicle Health Management Systems Development	Cramer	Sessions, Shelby	$4,000,000
RDTE,A	Vehicle Information Manager Display for Drivers (VIMD)	Inslee	Cantwell	$800,000
RDTE,A	Vehicle Maintenance and Prognostics System	Biggert	Cochran, Lott	$2,560,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,A	Vertical Integration for Missile Defense Surveillance Data		Cochran, Lott	$4,720,000
RDTE,A	Veterinary Research Manpower Development for Defense	Neal		$500,000
RDTE,A	Vigilant Auto-ID and Access Control System	Tiahrt		$1,000,000
RDTE,A	Virtual Simulation and Modernization of Bradley Fighting Vehicle	McNerney		$1,600,000
RDTE,A	Visualization for Training and Simulation in urban terrains		McConnell	$1,120,000
RDTE,A	Warfighter Cancer Care Engineering	Carson	Bayh, Lugar	$1,200,000
RDTE,A	Warrior SIGINT Capability	Johnson, Sam		$1,840,000
RDTE,A	Waterside Wide Area Tactical Coverage & Homing (WaterWATCH)	Aderholt		$3,000,000
RDTE,A	Wearable Video Capture System	Stupak	Levin	$800,000
RDTE,A	Web-Based Environmental Compliance Management System		Boxer	$2,400,000
RDTE,A	West Nile Virus Vaccine	Sali	Crapo	$940,000
RDTE,A	Western Hemisphere Information Exchange Program (WHIX)	Hastings (FL), Ros-Lehtinen		$2,400,000
RDTE,A	Wireless Electronic Patient Records, WPIC—Personal Information Center	Harman	Feinstein	$2,000,000
RDTE,A	Wireless Medical Monitoring System (WiMed)		Grassley, Harkin	$2,400,000
RDTE,A	WIZARD—Remotely Controlled Improvised Explosive Device Countermeasures (RDIED)	Rothman	Lautenberg, Menendez	$1,600,000
RDTE,A	Wound Infection Treatment Program	Baldwin		$1,200,000
RDTE,A	WRAMC Preventive Medicine Pilot Program		Stevens	$5,500,000
RDTE,A	X-band Interferometric Radar	Langevin	Reed, Whitehouse	$2,000,000
RDTE,A	XM312	Allen, Welch	Collins, Leahy, Snowe	$10,000,000
RDTE,A	Zero Energy Homes at Ft. Knox, Kentucky	Lewis (KY)		$1,000,000
RDTE,AF	Advanced Engineered Non-Linear Optical Materials for Critical Wavelengths		Baucus, Tester	$960,000
RDTE,AF	Advanced Fuel Cell Based Power System for Small UAVs		Reid	$800,000
RDTE,AF	Advanced Threat Alert Advanced Technology Demonstration		Gregg, Sununu	$1,700,000
RDTE,AF	Aging Landing Gear Life Extension		Bennett, Hatch	$2,000,000
RDTE,AF	All Electric Laser		Bond	$1,900,000
RDTE,AF	Applications of LIDAR to Vehicles with Analysis (ALVA)		Inouye	$8,400,000
RDTE,AF	ASSET eWing and Data Fusion Technology Integration Base		Byrd	$4,000,000
RDTE,AF	AT-6B for the Air National Guard		Brownback	$2,400,000
RDTE,AF	B-1 Bomber 16 Carry Adapter		Thune, Johnson	$9,000,000
RDTE,AF	Battlespace: Reducing Military Decision Cycles		Hagel, Nelson (NE)	$2,400,000
RDTE,AF	Characterization of Airborne Environment for Tactical Lasers		Voinovich	$4,000,000
RDTE,AF	Coal Transformation Laboratory		Lugar	$1,000,000
RDTE,AF	Combat Casualty Management System		Reid	$2,900,000
RDTE,AF	Combat Sent Wideband Sensor Upgrade Program		Ensign	$4,000,000
RDTE,AF	Component Object Model (COM) Attitude Control System Simulation/Trainer		Murray	$4,000,000
RDTE,AF	Deployable Structure Systems for Space		Allard, Salazar	$1,600,000
RDTE,AF	Development and Validation of Advanced Design Technologies for Hypersonic Research		Coleman, Klobuchar	$2,400,000
RDTE,AF	Electronic Warfare Modeling, Simulation and Wireless Testing Center		Craig, Crapo	$3,600,000
RDTE,AF	F-15 AESA Radar Upgrade		Feinstein, Lott	$2,400,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,AF	Field Programmable Gate Arrays		Bingaman, Domenici	$1,600,000
RDTE,AF	Global Awareness Presentation Services (GAPS)		Nelson (NE)	$2,400,000
RDTE,AF	HAARP		Stevens	$3,200,000
RDTE,AF	High Energy Superior Lithium Battery Technology		Bond	$6,000,000
RDTE,AF	High Temperature Hydrogen Energy Production Facility		Hutchison	$1,000,000
RDTE,AF	Ku Beyond Line of Sight Satcom Datalink for Senior Scout		Bennett, Hatch	$6,400,000
RDTE,AF	Large Automated Production of Expendable Launch Structures (LAPELS)		Cochran, Lott, Sessions	$4,300,000
RDTE,AF	Low-Earth Orbit Nanosatellite Integrated Defense Autonomous Systems	Hirono	Inouye	$4,000,000
RDTE,AF	Massive Ordnance Penetrator for B-2		Feinstein, Inhofe	$10,000,000
RDTE,AF	Massively Parallel Optical Interconnects for Battlespace Information Exchange		Ensign, Reid	$3,900,000
RDTE,AF	Materials Integrity Management Research		Roberts	$500,000
RDTE,AF	Maui Space Surveillance System (MSSS) Operations & Research		Inouye	$23,000,000
RDTE,AF	Microsatellite Target System		Allard, Salazar	$1,600,000
RDTE,AF	Multi-mission Deployable Optical System		Inouye	$4,000,000
RDTE,AF	Multi-Sensor Detect, See, & Avoid		Reid	$5,000,000
RDTE,AF	Nanocomposites for Lightning Protection of Composite Airframe Structures		Brownback	$1,600,000
RDTE,AF	PanSTARRS		Inouye	$9,000,000
RDTE,AF	Pointing and Stabilization System Upgrade for Cobra Ball		Nelson (FL)	$2,500,000
RDTE,AF	Polymer Stress and Sensor Damage Sensors for Composites		Cochran	$2,900,000
RDTE,AF	Predator Aircrew Mission Training System (PMATS) Upgrade		Clinton, Schumer	$3,200,000
RDTE,AF	Rapid Manufacturing and Repair of Composite Components		Reid	$1,600,000
RDTE,AF	Real-time Optical Surveillance Applications		Inouye	$1,600,000
RDTE,AF	Reconfigurable Electronics and Non-Volatile Memory Research		Craig, Crapo	$2,000,000
RDTE,AF	Refigurable Tooling Systems		Ensign	$1,600,000
RDTE,AF	Research Visualization Facility		Reid	$1,200,000
RDTE,AF	Silicon Carbide Power Electronics for More Electric Aircraft		Cochran, Lott	$5,500,000
RDTE,AF	Smart-Bomb Rack Unit (S-BRU) Upgrade		Durbin, Thune	$4,560,000
RDTE,AF	Super-Resolution Sensor System (S3)		Allard	$5,000,000
RDTE,AF	Terminal Surveillance and Approach System (TSAS)/ATCALS		Smith, Wyden	$3,000,000
RDTE,AF	Thin Film Amorphous Solar Arrays		Levin	$3,200,000
RDTE,AF	UNR-Millimeter Wave-Based Fatigue Countermeasure Technology		Reid	$700,000
RDTE,AF	VDVP for UAV/UCAV Aircraft Engines		Dodd, Lieberman	$1,600,000
RDTE,AF	Accelerated Insertion of Advanced Materials and Certification for Military Aircraft Structure Materials	Tiahrt	Brownback, Roberts	$2,800,000
RDTE,AF	ACES II Ejection Seat Improvement	Murtha	Allard, Dodd, Hatch, Lieberman, Lott, Salazar	$1,000,000
RDTE,AF	Active Combustion Control System for Military Aircraft	Boswell, King (IA)	Grassley, Harkin	$3,500,000
RDTE,AF	Active Unmanned Air Vehicle (UAV) Phenomenology (AUP) & ART Technology Transition	Hobson		$4,000,000
RDTE,AF	Adaptive Optics Lasercom	Eshoo, Honda	Domenici	$1,600,000
RDTE,AF	Advance Aerospace Titanium Structures Initiative	Hoekstra	Levin, Stabenow, Warner	$1,600,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,AF	Advanced Aerospace Carbon Foam Heat Exchangers	Wilson (OH)	Voinovich	$1,600,000
RDTE,AF	Advanced Architecture Designs Supporting U.S. Army Net Centric Warfare (AADSUNW)	Rothman, Andrews		$800,000
RDTE,AF	Advanced Carbon Fiber Research and Testing Initiative	Spratt, Inglis	Graham	$3,000,000
RDTE,AF	Advanced Modular Avionics for Operationally Responsive Space Use	Wilson (NM)	Bingaman, Domenici	$2,000,000
RDTE,AF	Advanced Nanotube Micro-Munition Weapon Technology Initiative	Bishop (GA)		$1,200,000
RDTE,AF	Advanced Vehicle and Propulsion Center	Lewis (CA), McKeon		$1,600,000
RDTE,AF	Advancement of Intelligent Aerospace Systems (AIAS) for the U.S. Air Force	McHugh	Clinton, Schumer	$2,000,000
RDTE,AF	Air Force Minority Leaders Program	Baker, Turner	Alexander, Hutchison, Landrieu	$6,000,000
RDTE,AF	Airborne Web Services (AWS) Spiral 5	Mollohan		$800,000
RDTE,AF	Aircraft Active Corrosion Protective Compounds	Wicker	Lott	$1,000,000
RDTE,AF	Aircraft Evaluation Readiness Initiative (AERI)	Latham	Grassley, Harkin	$2,000,000
RDTE,AF	Alternate Carbon Stationary Fuel Cell Demonstrator	McCrery	Landrieu, Vitter	$3,200,000
RDTE,AF	Alternative Energy Fuel Cell Power Generation	Sutton, Ryan (OH)	Brown	$2,000,000
RDTE,AF	Assessment of Alternative Energy for Aircraft Ground Equipment (AGE)	Wu	Smith, Wyden	$2,400,000
RDTE,AF	B-52 CCJ	Tiahrt		$4,000,000
RDTE,AF	Ballistic Missile Range Safety Technology	Young (FL)	Nelson (FL)	$4,000,000
RDTE,AF	Ballistic Missile Technology	Young (FL)		$4,000,000
RDTE,AF	Base Facility Energy Independence	Kaptur		$3,200,000
RDTE,AF	Battlefield Automatic Life Status Monitor (BALSM)	Visclosky		$1,600,000
RDTE,AF	Big Antennas Small Structures Efficient Tactical (BASSET) UAV	Harman		$800,000
RDTE,AF	Bipolar Wafer-Cell Nickel-Metal Hydride Battery	Murphy (CT)	Dodd, Lieberman	$2,000,000
RDTE,AF	BLADES (Real-Time Battlefield Laser Detection System)	Hobson		$1,500,000
RDTE,AF	Blast Resistant Concrete Products	Boyd		$1,600,000
RDTE,AF	Body Armor Improved Ballistic Protection	Murtha		$1,600,000
RDTE,AF	C-130 AIRCAT CBM+	Kingston, Marshall	Chambliss, Isakson	$2,400,000
RDTE,AF	C-130 Propeller De-icing System Safety Upgrade Using Metal Fiber Brushes	Moran (VA)	Warner, Webb	$1,200,000
RDTE,AF	Carbon Nano-Materials for Advanced Aerospace Applications, AQW Rice University	Culberson		$1,600,000
RDTE,AF	Carbon Nanotube Enhanced Power Sources for Space	Markey, Olver		$1,200,000
RDTE,AF	Center for Advanced Sensor and Communications Antennas	Olver		$1,000,000
RDTE,AF	Center for Solar Electricity and Hydrogen	Kaptur		$2,400,000
RDTE,AF	Center of Excellence for Defense UAV Education	Pomeroy	Conrad, Dorgan	$3,200,000
RDTE,AF	Ceramic Matrix Composite (CMC) Airfoil Capability Enhancements	Napolitano, Rogers (AL)	Sessions, Tester, Voinovich	$1,000,000
RDTE,AF	Ceramics for Next-Generation Tactical Laser Systems	Bilirakis		$2,400,000
RDTE,AF	Chabot Space and Science Center	Lee		$800,000
RDTE,AF	Chrome Free Environmentally Friendly Corrosion Protection for Aircraft	Altmire		$1,600,000
RDTE,AF	Coated Field repair (2K Gun)	Hobson		$1,000,000
RDTE,AF	Cognitive UAV	Goode		$1,000,000
RDTE,AF	Collaboration Gateway	Price (NC)	Burr	$1,000,000
RDTE,AF	Command & Control Service Level Management (C2SLM) program	Blunt		$8,000,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,AF	Common Reconfigurable Advanced Thermal Management System	Tiahrt		$500,000
RDTE,AF	Compact Laser Terminal for Airborne Network Centric Warfare	Visclosky, Meehan, Tierney	Kerry	$2,000,000
RDTE,AF	Compass Call	Hodes, Shea-Porter, Souder	Gregg, Lugar, Sununu	$4,000,000
RDTE,AF	Compound Zoom for Airborne Reconnaissance (CZAR)	Sherman		$1,600,000
RDTE,AF	Comprehensive Clinical Phenotyping and Genetic Mapping for the Discovery of Autism Susceptibility Gene	Pryce		$1,500,000
RDTE,AF	Continuous Integrated Vehicle Health Monitoring System	Tiahrt		$1,200,000
RDTE,AF	Conventional Strike Missiles Capability Demonstration	Lewis (CA)		$4,800,000
RDTE,AF	COTS Technology for Space Situational Awareness	Gerlach	Specter	$2,000,000
RDTE,AF	Cyber Attack Mitigation and Exploitation Laboratory II (CAMEL II)	Arcuri	Clinton, Schumer	$1,900,000
RDTE,AF	Cyber Security Defend and Attack Exercise (TX)	Rodriguez		$2,400,000
RDTE,AF	Development & Testing of Advanced Paraffin-based Hybrid Rockets for Space Applications	Lofgren		$1,600,000
RDTE,AF	Distributed Mission Interoperability Toolkit (DMIT)	Andrews, LoBiondo, Sestak		$4,000,000
RDTE,AF	Durable Hybrid Coatings for Aircraft Systems	Pomeroy	Conrad, Dorgan	$1,200,000
RDTE,AF	EMI Grid Fabrication Technology	Bono, Calvert		$1,600,000
RDTE,AF	Encapsulated Ballistic Protection System (EBPS)	Lewis (CA)		$1,000,000
RDTE,AF	Enhanced Smart Triple Ejector Rack	Murphy, Patrick		$1,600,000
RDTE,AF	Enterprise Services for Reach Back Capabilities (ESRBC)	Crenshaw		$3,000,000
RDTE,AF	Expert Organizational Development System (EXODUS)	Capito		$1,200,000
RDTE,AF	F-15 AN/ALR-56C RWR Digital Receiver Upgrade	Pascrell, Rothman	Lautenberg, Menendez	$5,600,000
RDTE,AF	Family of Motors Capability Demonstration	Bishop (UT), Cannon	Bennett, Hatch	$6,400,000
RDTE,AF	Fire and Blast Resistant Materials for Force Protection	Meehan	Kohl	$1,600,000
RDTE,AF	FPS-16 Radar Mobilization Upgrade	Miller (FL)	Nelson (FL)	$1,600,000
RDTE,AF	Frank R. Seaver Science and Engineering Complex	Waters		$1,000,000
RDTE,AF	Free Electron Laser Capabilities for Aerospace Microfabrication	Davis, Jo Ann		$1,600,000
RDTE,AF	FRESH (Field Renewable Energy System Hybrids) Li Ion Battery Program	Miller (NC)		$1,000,000
RDTE,AF	Fully Integrated Solar Powered Interior Lighting Technology	Kaptur, Gillmor	Brown, Voinovich	$1,600,000
RDTE,AF	Gallium Nitride (GaN) RF Power Technology	Coble, Watt		$1,600,000
RDTE,AF	Heavy Duty Hybrid Electric Vehicle	Bartlett	Cardin, Mikulski	$2,000,000
RDTE,AF	High Accuracy Network Determination System (HANDS)	Abercrombie	Inouye	$5,200,000
RDTE,AF	High Energy Laser for Detection, Inspection and Non-destructive Testing	Fortenberry	Hagel, Nelson (NE)	$5,000,000
RDTE,AF	High Temperature Aerogel Materials for Global Strike Vehicles	McGovern, Olver	Kerry	$1,600,000
RDTE,AF	High Temperature, Laser Sintered Polymeric Material Digital Product Definition	Smith, Adrian	Nelson (NE)	$2,000,000
RDTE,AF	Holloman High Speed Test Track	Pearce	Domenici	$3,600,000
RDTE,AF	Hybrid Bearings	Shuler, Turner	Gregg, Voinovich, Sununu	$2,400,000
RDTE,AF	Hybrid Materials for Thermal Management in Thin Films and Bulk Composites	Dingell	Levin, Stabenow	$1,600,000
RDTE,AF	Hydrocarbon Boost Technology Demonstrator	McCarthy (CA), Doolittle, McKeon		$1,200,000
RDTE,AF	I-1000 Warhead Technology Demonstration	Boyd, Granger, Miller (FL), Sessions		$1,200,000
RDTE,AF	Imaging Tools for Human Performance Enhancement and Diagnostics	Hobson	Brown, Voinovich	$1,600,000
RDTE,AF	Improvised Ordnance Detonator -Advanced Development	Pence	Bayh, Lugar	$1,600,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,AF	Inductive Thermography Systems Inspections	Smith (WA)	Cantwell, Murray	$1,600,000
RDTE,AF	Innovative Polymeric Materials for Three-Dimensional (3-D) Microdevice Construction	Emerson	Bond	$1,000,000
RDTE,AF	Institute for Science and Engineering Simulation (ISES)/Aircraft Fatigue Modeling and Simulation	Burgess	Hutchison	$2,500,000
RDTE,AF	Integrated Electrical Starter/Generator	Turner	Voinovich	$2,000,000
RDTE,AF	Integrated Propulsion Analysis Tool (IPAT)	Lewis (CA)		$1,600,000
RDTE,AF	Integrator Unmanned Aircraft Systems (UAS) Advanced Concepts Development	Hastings (WA)	Cantwell, Murray, Smith, Wyden	$3,500,000
RDTE,AF	Intelligent Carbon Nanotube Based Computer Devices for Space Applications	Blunt	Bond	$4,800,000
RDTE,AF	Intelligent Free Space Optical Satellite Communications Node	Snyder, Boozman	Lincoln, Pryor	$1,600,000
RDTE,AF	Internal Base Facility Energy Independence—Wind/Turbine	Kaptur		$1,000,000
RDTE,AF	Interoperability Network to Fuse and Exchange Real-Time Information	Arcuri	Clinton, Schumer	$800,000
RDTE,AF	Joint STARS Electro-Optical Adjunct	Capuano		$800,000
RDTE,AF	Large Area, APVT Materials Development for High Power Devices	Frelinghuysen	Cochran, Lautenberg, Menendez	$1,600,000
RDTE,AF	Laser Peening for Friction Stir Welded (FSW) Aerospace Structures	Tiahrt	Roberts	$1,000,000
RDTE,AF	Life Shield Blast Resistant Panels	Chabot	Brown, Mikulski, Voinovich	$1,000,000
RDTE,AF	Low Cost/Improved Performance for Helmet Display and Life Support Technologies	Carney	Casey	$2,700,000
RDTE,AF	Low Voltage, Wideband Electro-Optic Polymer Modulator	Inslee	Murray	$2,400,000
RDTE,AF	LOX/Methane Cooled Upper Stage Rocket Engine	Lewis (CA)		$1,000,000
RDTE,AF	MAICE	Gonzalez		$1,600,000
RDTE,AF	MEDSTARS Integration with Global Combat Support System	Moran (VA)		$1,600,000
RDTE,AF	Microcomposite Coatings for Chrome Replacement	Tubbs Jones		$800,000
RDTE,AF	Micromachined Switches for Next Generation Modular Satellites	Miller, George		$2,400,000
RDTE,AF	Microsatellite Serial Manufacturing	Lewis (CA)		$1,600,000
RDTE,AF	Mission Design and Analysis Tool	Kingston		$500,000
RDTE,AF	Modeling and Simulation for Rapid Integration and Technology Evaluation	Young (FL)		$1,000,000
RDTE,AF	Modified F-22 Maintenance-Free Nickel Cadmium Aircraft Batteries for the F-16	Kingston, Bishop (GA)	Chambliss, Isakson	$1,400,000
RDTE,AF	Montana Cyber Security Attack and Defend Exercises		Baucus, Tester	$800,000
RDTE,AF	Moving Target Strike	Miller (FL)		$1,600,000
RDTE,AF	Multicontinuum Technology for Space Structures	Cubin	Enzi	$2,000,000
RDTE,AF	Multilingual Text Mining Platform for Intelligence Analysts	Reynolds	Clinton, Schumer	$1,000,000
RDTE,AF	Nanotechnology Based Biosensors and Bio-Threat Detectors	Meek	Nelson (FL)	$2,000,000
RDTE,AF	National Center for Integrated Civilian-Military Domestic Disaster Medical Response (Yale New Haven Health System)	DeLauro	Dodd, Lieberman	$2,000,000
RDTE,AF	Nuclear Test Seismic Research	Markey	Cardin, Leahy, Kerry	$2,400,000
RDTE,AF	O2 Diesel Air Quality Project	Berkley	Reid	$1,600,000
RDTE,AF	ONAMI Safer Nanomaterials and Nanomanufacturing	DeFazio, Blumenauer, Hooley, Walden, Wu	Smith, Wyden	$3,200,000
RDTE,AF	OPAL (Optically Pumped Atomic Laser for Defense Microelectronics)	Hobson, Eshoo, Grijalva, Honda, Lofgren		$3,200,000
RDTE,AF	Operations Risk Management Visualization & Integration	Bishop (NY)	Nelson (NE)	$800,000
RDTE,AF	Optikey, Optical Maximum Entropy Verification (OMEV)	Courtney, Harman, Porter	Reid	$800,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,AF	Partnership in Innovative Preparation for Educators and Students (PIPES) and the Space Education Consortium (SEC)	Udall (CO)	Allard, Salazar	$1,600,000
RDTE,AF	Pennsylvania NanoMaterials Commercialization Center	Doyle		$1,600,000
RDTE,AF	Plasma-Sphere Array for Flexible Electronics	Kaptur		$1,600,000
RDTE,AF	Polymer Nanocomposites for Energy Storage and Pulsed Power	Spratt	Graham	$800,000
RDTE,AF	Prepreg Thickness Variability Reduction Program	Hall, Ralph		$1,600,000
RDTE,AF	Process Integrated Mechanism for Human-Computer Collaboration and Coordination	Stearns		$1,000,000
RDTE,AF	Production of Nanocomposites for Aerospace Applications	Turner	Voinovich	$1,600,000
RDTE,AF	Program Engineering Interoperability Framework	Visclosky		$1,600,000
RDTE,AF	Radially Segmented Launch Vehicle (RSLV) Risk Reduction Program	Kind	Kohl, Sessions, Shelby	$1,600,000
RDTE,AF	Rapid Replacement of Mission Critical Logistics Electronic Components	Kingston, Marshall	Chambliss, Isakson	$1,600,000
RDTE,AF	Rivet Joint Network Interface Growth	Hall (TX), Granger		$2,400,000
RDTE,AF	Satellite Active Imaging National Testbed Program	Wilson (NM)	Bingaman, Domenici	$2,400,000
RDTE,AF	Satellite Coherent Optical Receiver (SCORE)	Pelosi		$2,000,000
RDTE,AF	Science for Sustainment Initiative to Improve Mission	Hobson	Voinovich	$1,600,000
RDTE,AF	Secure Grids for Network Centric Operations	Johnson, Sam	Cornyn	$2,400,000
RDTE,AF	Sensor Fusion	Hobson	Voinovich	$1,600,000
RDTE,AF	Shielding Rocket Payloads	Herseth Sandlin	Johnson, Thune	$350,000
RDTE,AF	Single-Mode Optical Connectors for Advanced Air Vehicles	Dingell	Levin, Stabenow	$800,000
RDTE,AF	Small Low Cost Reconnaissance Spacecraft	Bishop (UT)		$1,800,000
RDTE,AF	Solid Electrolyte Oxygen Separator	Dent	Casey, Specter	$3,200,000
RDTE,AF	Space Control Test Capabilities	Aderholt, Everett	Sessions, Shelby	$4,000,000
RDTE,AF	Space Situational Awareness	Edwards		$1,200,000
RDTE,AF	Strategic Airlift Aircraft Availability Improvements	Kingston		$2,800,000
RDTE,AF	Strategic Biofuels Supply Program	Rodriguez	Cornyn	$1,600,000
RDTE,AF	Systematic Approach to Radiation Hardened Electronics (SHARE)	Simpson	Craig, Crapo	$2,400,000
RDTE,AF	TacNode-Tactical Airborne Communications Node	Hobson		$3,200,000
RDTE,AF	Tactical Automated Security System (TASS), Advanced Communications Module (ACM)	Wynn, Bartlett	Mikulski	$2,400,000
RDTE,AF	TAMDAR System Integration and Performance Evaluation on Unmanned Aerial Systems	DeLauro		$800,000
RDTE,AF	Technical Order Optimization	Visclosky		$1,200,000
RDTE,AF	Technology Insertion Demonstration and Evaluation (TIDE)	Doyle		$1,200,000
RDTE,AF	Terminal Radar Approach Control (TRACON) Quick Connect Panel and Switchgear	McKeon, McCarthy (CA)		$720,000
RDTE,AF	Texas Research Institute for Environmental Studies	Brady (TX), Rodriguez		$1,200,000
RDTE,AF	THEMA—Thermal and Energy Management for Aerospace	Manzullo	Durbin	$3,500,000
RDTE,AF	Transformation and Modernization of Air Force Weapons Systems	Murtha		$2,400,000
RDTE,AF	Transforming Waste Plastics into Alternative Fuels	Hobson		$1,000,000
RDTE,AF	Tricorder Detector	Davis, Danny		$1,200,000
RDTE,AF	Ubiquitous RFID Chem/Bio Detection	Gillibrand, Gonzalez		$800,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,AF	University of Houston Consortium for Nanomaterials for Aerospace Commerce and Technology (CONTACT)	Green, Gene	Hutchison	$2,400,000
RDTE,AF	Variable Transmittance Visor	Ryan (OH)		$1,000,000
RDTE,AF	Versatile Affordable Advanced Turbine Engine (VAATE)—Small Turbofan (STF)	Pastor		$3,600,000
RDTE,AF	Versatile Affordable Advanced Turbine Engine, High Speed Turbine Engine Demonstrator	Bishop (UT)	Bennett, Hatch	$4,800,000
RDTE,AF	Virtual Medical Trainer	Murtha		$2,400,000
RDTE,AF	Warfighter Pocket XP-Next Gen	McMorris-Rodgers	Cantwell, Murray	$1,600,000
RDTE,AF	Water Purification with Fused Carbon Nanotube Nanostructure Material	Welch	Leahy	$2,400,000
RDTE,AF	Wavelength Agile Spectral Harmonic Oxygen Sensor and Cell Level Battery Controller	Dreier		$1,200,000
RDTE,AF	WR-ALC Special Operations Forces	Marshall	Isakson	$3,000,000
RDTE,DW	11m RIB Replacement Craft Design	Allen, Michaud	Collins, Snowe	$800,000
RDTE,DW	3D Electronics	Lewis (CA)		$1,000,000
RDTE,DW	3-D Technology for Advanced Sensor Systems	Simpson	Craig, Crapo, Dole	$2,400,000
RDTE,DW	Accelerate Defense Supply Chain		Kohl	$1,600,000
RDTE,DW	Accelerated DT&E of Affordable Robust Mid-Sized UGVs for Defense & Homeland Security Applications	Meehan	Kennedy	$800,000
RDTE,DW	Acinetobacter Baumannii Research	Lantos		$2,000,000
RDTE,DW	Advanced Dynamic Optics Program	Young (FL)		$1,200,000
RDTE,DW	Advanced Emergency Medical Response Training Program		Durbin	$1,600,000
RDTE,DW	Advanced Microcircuit Emulation (AME)	Hobson		$3,200,000
RDTE,DW	Advanced Mobile Microgrid System	Kilpatrick, Conyers	Levin, Stabenow	$4,400,000
RDTE,DW	Advanced Multi-Purpose Microdisplay System	Reynolds, Kuhl		$1,000,000
RDTE,DW	Advanced Multi-sensor ISR Testbed		Cochran	$1,600,000
RDTE,DW	Advanced Nano-Engineered Composites (AMRI)	Jefferson, Jindal	Landrieu, Vitter	$4,000,000
RDTE,DW	Advanced Photonic Composites Research	Clyburn	Graham	$3,253,000
RDTE,DW	Advanced SAM Hardware Simulator Development ? ITEAMS	Cramer, Johnson (GA), Gingrey, Marshall, Scott (GA)	Chambliss, Isakson	$4,000,000
RDTE,DW	Advanced Surface Radar Technologies (ASuRT)	Sarbanes, Bartlett, Ruppersberger	Cardin, Mikulski	$5,500,000
RDTE,DW	Advanced Tactical Threat Warning Radio (ATTWR)	Lofgren	Boxer	$1,600,000
RDTE,DW	Advanced, Long Endurance Unattended Ground Sensor Technologies	Pickering	Cochran, Lott	$2,080,000
RDTE,DW	Advancing Research to Further National Security Goals	Lowey, Nadler		$1,000,000
RDTE,DW	AELED IED Detection for Naval UAVs	Murtha		$1,000,000
RDTE,DW	Aerial Canopy Sensor Delivery System (ACSDS)	Rogers (KY)		$1,000,000
RDTE,DW	Agile JTRS Integrated Circuits	Capps		$1,600,000
RDTE,DW	Agile Software Capability Intervention		Bond	$1,600,000
RDTE,DW	Aging Systems Sustainment and Enabling Technologies (ASSET)	Lucas	Inhofe	$2,000,000
RDTE,DW	Airborne Infrared Surveillance (AIRS)	Sullivan, Boren	Inhofe	$2,000,000
RDTE,DW	Alternative Futures at the Range Complex Level for the Southwest US		Ensign	$1,000,000
RDTE,DW	Aluminum Nitride for Substrates and Devices	Wilson (SC)		$1,600,000
RDTE,DW	Antenna, Diagnostic & Microwave Characterization Facility		Reid	$1,300,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,DW	Anthrax Monoclonal Antibody Therapeutic and Prophylaxis Program	Holt, Latham	Cardin	$1,600,000
RDTE,DW	Antibody-Based Therapeutic Against Smallpox	Van Hollen	Cardin, Mikulski	$1,000,000
RDTE,DW	Antioxidant Micronutrient Therapeutic Countermeasures for Chemical Agents	McCarthy (NY)		$1,000,000
RDTE,DW	Application Specific Integrated Circuit (ASIC) development		Leahy	$4,000,000
RDTE,DW	Application Specific Integrated Circuits Fabrication Facility	Young (FL)		$1,600,000
RDTE,DW	Armed Forces Health and Food Supply Research		Roberts	$3,000,000
RDTE,DW	ARSC		Stevens, Murkowski	$4,000,000
RDTE,DW	Athena—Threat Signal Locator	Matsui		$1,000,000
RDTE,DW	Automated Language Translation	Harman		$2,400,000
RDTE,DW	Automated Threat Warning for Improved Warfighter Survivability	Brown (SC)	Graham	$1,600,000
RDTE,DW	Autonomous and Semi-autonomous Manipulation for Ground Robots	Reynolds		$500,000
RDTE,DW	Autonomous Intrusion Surveillance Sensor Networks		Conrad, Dorgan	$2,000,000
RDTE,DW	Bacterial Ghost Influenza Vaccine Development	Carney	Specter	$1,600,000
RDTE,DW	BIGFOOT Tag Airborne Receiver	Mollohan		$4,000,000
RDTE,DW	Biofuels Program		Levin	$1,600,000
RDTE,DW	Biological And Chemical Warfare Online Repository of Technical Holdings System	Hastings (WA)	Murray	$800,000
RDTE,DW	Biomedical Engineering Initiative	Young (FL)		$500,000
RDTE,DW	Biosurety Development and Management Program	Reyes		$800,000
RDTE,DW	Bioterrorism Operations Policy for Public Emergency Response (BOPPER)	Watt	Burr	$1,600,000
RDTE,DW	Capabilities Study for Improvised Explosive Devices Detection	Baker		$1,000,000
RDTE,DW	Carbon Nanotube Chemical Detector	Edwards		$1,000,000
RDTE,DW	Carbon Nanotube Thin Film Near Infrared Detector	Lewis (CA)		$1,000,000
RDTE,DW	Castings for Improved Defense Readiness	Boyda, Bean, Kennedy	Casey, Durbin, Reed, Roberts, Whitehouse	$2,000,000
RDTE,DW	Center for Nonproliferation Studies, Monterey Institute for International Affairs	Berman		$1,600,000
RDTE,DW	CEROS		Inouye	$10,000,000
RDTE,DW	CG(X) Modular Launch System	Eshoo	Lott	$1,600,000
RDTE,DW	Chemical Warfare Agent Fate Model Verification and Validation	Kildee	Levin	$1,000,000
RDTE,DW	Chemical/Biological Infrared Detection System		Collins	$1,600,000
RDTE,DW	Claflin University Detection and Remediation Response to Biological and Chemical Weapons Project	Clyburn		$2,000,000
RDTE,DW	Combat Effective Facial Armor Research and Development	Buyer	Bayh	$1,200,000
RDTE,DW	Command and Control Mission Manager (C2MM) Spiral 5	Mollohan		$1,600,000
RDTE,DW	Commodity Management Systems Consolidation		Byrd	$1,800,000
RDTE,DW	Communications Enhancements to Fielded TACTI-NET Systems to Extend Range and Increase Capacity		Shelby	$800,000
RDTE,DW	Comprehensive Maritime Domain Awareness	Young (FL)		$4,500,000
RDTE,DW	Comprehensive National Incident Management System	Moran (VA), Goode	Warner, Webb	$2,400,000
RDTE,DW	Computing and Nanoscale Electronic Processing	Walden, Blumenauer, Wu		$1,200,000
RDTE,DW	Constant Look Operation Support Environment (CLOSE)	Young (AK)		$1,600,000
RDTE,DW	Contextual Arabic Blog and Slang Analysis Program	Tiahrt, Udall (CO)	Lott, Warner, Webb	$1,000,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,DW	Continuation of Advanced Materials Research for Nuclear Detection, Counter-proliferation and Imaging	Young (FL)		$2,000,000
RDTE,DW	Continuation of Unmanned Vehicle CBRNE Unitary Sensor Suite Development and Demonstration	Young (FL)		$1,600,000
RDTE,DW	Corrosion Resistant Ultrahigh-Strength Steel for Landing Gear	Schakowsky, Hobson		$1,600,000
RDTE,DW	Counter Sniper Protection System (CSPS) turret	Murtha		$1,120,000
RDTE,DW	Countering Missile-related Technology Proliferation	Goode		$2,000,000
RDTE,DW	Counterinsurgency Biometrics Tactical Census Authentication Enrollment and Identification System	Capito		$2,000,000
RDTE,DW	Countermeasures to Chemical/Biological Control-Rapid Response	Young (FL), Boyd		$4,000,000
RDTE,DW	Covert WPM Waveform Modules	Gingrey	Chambliss, Isakson	$2,000,000
RDTE,DW	Credibility Assessment Research Initiative		Craig, Crapo	$1,600,000
RDTE,DW	CT-QAS Counterterrorsim-Quality Assurance Science program	Clay, Wm.		$1,200,000
RDTE,DW	Cultural and Societal Modeling & Simulation	Forbes		$2,560,000
RDTE,DW	Data-Intensive, High-Performance Computing-Phase 4	Hobson	Voinovich	$1,500,000
RDTE,DW	Day Night Wide Area Surveillance System	Sherman		$1,600,000
RDTE,DW	Defense Command Integration Center	Moore (KS), Boyda		$1,000,000
RDTE,DW	Defense Fuelcell Locomotive		Brownback	$2,400,000
RDTE,DW	Demonstrations,T&E of Mini-Sensors		Conrad, Dorgan	$4,800,000
RDTE,DW	Dendrimer Enhanced Water Remediation Research		Levin	$800,000
RDTE,DW	Department of Defense Corrosion Program		Cochran	$14,100,000
RDTE,DW	Detection of Biological Agents in Water	Kilpatrick, Walsh	Clinton, Levin, Schumer, Stabenow	$2,000,000
RDTE,DW	Develop & Test Environmentally Safe Biocides for Bio-Defense	Meek		$500,000
RDTE,DW	DF Light: Advanced Packaging and Direction Finding in Support of Joint Threat Warning System	Bilirakis		$1,200,000
RDTE,DW	Diamond MEMS Sensors for Real-Time Sensing of Weaponized Pathogens	Biggert		$1,000,000
RDTE,DW	DICAST System Enhancement	Harman		$2,400,000
RDTE,DW	DIFAR Sensor System	Moran (VA)		$1,600,000
RDTE,DW	Digital Data High Quality Recorder		Brownback	$800,000
RDTE,DW	Digital Network Centric Remotely Operated Weapons System	Tiahrt		$1,000,000
RDTE,DW	Directed Energy Systems for UAV Payloads	Tiahrt		$1,000,000
RDTE,DW	Distributed Network Switching Joint Capability Demonstration	Sanchez, Loretta		$1,600,000
RDTE,DW	DNA Safeguard		Craig, Crapo	$1,360,000
RDTE,DW	DOD Springboard		Stevens	$2,000,000
RDTE,DW	Dual Use Technologies for Bio-defense	Diaz-Balart, Mario		$1,500,000
RDTE,DW	Early Responders Distance Learning Center (ERDLC): Scenario and Incident Based Port Security Training	Brady (PA), Gerlach		$800,000
RDTE,DW	East Coast Asymmetric Warfare Initiative		Collins, Snowe, Warner, Webb	$800,000
RDTE,DW	Economic production of coal-to-liquid fuels		Byrd	$2,400,000
RDTE,DW	EDIT Advanced Shallow Subsurface Tunnel, Bunker and Cache Detection	Udall (NM), Wilson (NM)	Domenici	$800,000
RDTE,DW	Electronics and Materials for Flexible Sensors and Transponders (EMFST)		Conrad, Dorgan	$3,000,000
RDTE,DW	Emerging Critical Interconnection Technology Program (E/CIT)	Ellsworth	Bayh, Lugar	$800,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,DW	End to End Semi Fab Alpha Tool	Sanchez, Loretta		$1,600,000
RDTE,DW	Enhanced Simulation Capabilities for Information Operations		Cochran, Lott	$6,240,000
RDTE,DW	Environmental Bioterrorism Detection Program	Young (FL)		$2,000,000
RDTE,DW	Expendable Airdrop Delivery Systems (EADS)	McIntyre, Coble, Hayes		$800,000
RDTE,DW	Extended-Lifetime Radioisotope Batteries	Price (NC)		$800,000
RDTE,DW	Facility Security Using Tactical Surveys	Lewis (CA)		$3,000,000
RDTE,DW	Fastman Analyzer Platform		Bond	$1,600,000
RDTE,DW	Feature Size Migration at DMEA AMRS Boundary	Lungren	Feinstein	$4,000,000
RDTE,DW	Field Experimentation Program for Special Operations	Farr		$1,600,000
RDTE,DW	First Link	Murtha		$1,600,000
RDTE,DW	Flashlight Soldier-to-Soldier Combat ID System (FSCIS)	Rodriguez, Granger	Cornyn	$2,000,000
RDTE,DW	Foliage Penetrating Acoustically Cued Imagery Sensor	Young (FL)		$2,400,000
RDTE,DW	Foliage Penetration Reconnaissance and Surveillance System	Hirono	Akaka	$2,000,000
RDTE,DW	Foreign Test Range Analysis ? Measurement and Signature Intelligence (MASINT)	Cramer		$1,000,000
RDTE,DW	Fraunhofer USA Center for Molecular Biology	Castle		$1,000,000
RDTE,DW	Garden State Cancer Center Vaccine Development Program	Rothman, Pascrell	Lautenberg, Menendez	$800,000
RDTE,DW	Green Product Evaluation and Implementation Program	Clyburn	Graham	$2,400,000
RDTE,DW	Hand-held Nanotechnology Enabled Bio-warfare Agent Identification System	Kuhl	Clinton, Schumer	$2,400,000
RDTE,DW	Hardware Encryption Technology Program		Cochran	$1,600,000
RDTE,DW	High Energy Battery for Unmanned Aerial Vehicles		Bayh, Lugar	$2,080,000
RDTE,DW	High Performance Computational Design of Novel Materials		Cochran, Lott	$1,520,000
RDTE,DW	High Performance Computing (HPC) for Defense Modeling and Simulation Research	Brown (FL)	Nelson (FL)	$1,600,000
RDTE,DW	High Performance Computing Infrastructure Enhancement		Lott	$5,600,000
RDTE,DW	High Power Densities Research		Martinez	$2,000,000
RDTE,DW	High Specific Energy Rechargeable Battery	Giffords		$1,600,000
RDTE,DW	Hydrogen Storage Program		Levin	$5,000,000
RDTE,DW	HyperAcute Vaccine Development	Latham	Grassley, Harkin	$1,480,000
RDTE,DW	Illinois Institute of Technology	Rush		$1,040,000
RDTE,DW	Improved Chemical, Biological, and Radiological Filters		Warner, Webb	$1,600,000
RDTE,DW	Improved Collapsible Urethane Fuel Storage Tanks	Regula; Davis, David	Voinovich	$1,000,000
RDTE,DW	Improved Information Transfer for Special Forces	Young (FL)		$3,200,000
RDTE,DW	Improved Sensor Systems	Murtha		$2,000,000
RDTE,DW	Improved skin decontamination system		Brownback	$800,000
RDTE,DW	Information Networking For Operational Reporting and Monitoring (INFORM)	Rothman, Holt	Lautenberg, Menendez	$2,000,000
RDTE,DW	Initiative for Defense Against Bio-Warfare and Bio-Terrorism	Sestak		$1,600,000
RDTE,DW	Inland Empire Wellhead Treatment of Perchlorate Contaminated Wells	Baca		$2,000,000
RDTE,DW	Integrated Base Defense Operation Planning Process	Boyd		$1,000,000
RDTE,DW	Integrated Bridge System	Young (FL), Mollohan		$1,000,000
RDTE,DW	Integrated Cryo-cooled High Power Density Systems	Boyd		$1,600,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,DW	Integrated High Activity Response System (INHARS)	Boyd		$4,000,000
RDTE,DW	Intelligent Decision Exploration		Inouye	$5,500,000
RDTE,DW	Interagency, Near-Term Engineering R&D to Increase the Survivability of Personnel Exposed to IED Attacks		Cornyn	$2,400,000
RDTE,DW	Internet Observer and Inner View Insider Threat Mitigation Tools—(Transferred from Senate General Provision 8182)		Bennett	$2,000,000
RDTE,DW	JET—Digital Aurora Radio Technology Program		Stevens	$3,252,000
RDTE,DW	Joint Biological Agent Identification and Diagnostic System		Bennett	$1,600,000
RDTE,DW	Joint Experimentation Visualization	Moran (VA)		$1,600,000
RDTE,DW	Joint Gulf Range Complex Test and Training Interdependency Initiative	Miller (FL), Boyd		$1,000,000
RDTE,DW	Joint METOC Program (SOCOM)	Tancredo, Udall (CO)	Allard, Salazar	$1,600,000
RDTE,DW	Joint National Integration Center (JNIC)	Lamborn	Allard, Salazar	$2,000,000
RDTE,DW	Joint Technology Insertion and Accelerated System Integration Capability for Electronic Warfare		Bayh, Lugar	$3,200,000
RDTE,DW	Joint Training and Experimentation Center (JTEC) Joint Robotics Program		Barrasso	$8,000,000
RDTE,DW	Joint Urban Fires Prototype (JUFP)	Forbes		$1,200,000
RDTE,DW	Law Enforcement Test Bed for Counter-Insurgency Tactics, Techniques and Practices	Young (FL)		$1,600,000
RDTE,DW	Light Weight Composite Brakes for Armored Wheeled Vehicles	Kilpatrick	Levin, Stabenow	$800,000
RDTE,DW	Long-Range Stand Off System for Detection of Biological Materials	Cubin	Enzi	$1,120,000
RDTE,DW	Louisiana Command & Control, Interoperable Communications & Information Sharing		Vitter	$2,000,000
RDTE,DW	Low Power Next Generation Portable Radionuclide Detection & ID Systems	English	Specter	$1,600,000
RDTE,DW	Massively Parallel Optical Interconnects for Microsatellite Applications		Ensign, Reid	$3,200,000
RDTE,DW	MatchBox (Biometrics Analysis and Identification)		Byrd	$4,720,000
RDTE,DW	Medical Free Electron Laser	Cooper; Calvert; Lynch; Meehan; Price (NC); Sanchez, Loretta; Wamp	Alexander, Boxer, Burr, Dole, Feinstein, Kennedy	$2,400,000
RDTE,DW	MHPCC		Inouye	$5,000,000
RDTE,DW	Military High Pressure Packaging Project	Ellsworth	Bayh, Lugar	$3,200,000
RDTE,DW	MilTech Extension Program		Baucus, Tester	$1,500,000
RDTE,DW	Missile-related Threat Representation—Shared		Shelby	$1,600,000
RDTE,DW	Mixed Oxidants for Chemical and Biological Decontamination	Boyd		$4,000,000
RDTE,DW	Mobile Optical Wireless Networking for Intelligence, Surveillance, and Reconnaissance	Cummings	Mikulski	$1,600,000
RDTE,DW	Mobile Rapid Response Prototype/Chemical Biological Preparedness Center	Rothman	Lautenberg, Menendez	$4,000,000
RDTE,DW	Mobile Real-Time Non-Specific Viral Agent Detector	Hayes, Price (NC)	Dole	$1,500,000
RDTE,DW	Multifunctional Particles for Defeating CBWA (Chemical and Biological Warfare Agents)	Meehan		$1,000,000
RDTE,DW	Multi-mission Advanced Sensor System (MASS)	Bonner, Arcuri	Clinton, Schumer	$3,000,000
RDTE,DW	Multi-purpose Biodefense Immunoarray	Bartlett, DeLauro	Cardin, Dodd, Lieberman, Mikulski	$1,000,000
RDTE,DW	Multi-Sensor UXO Detection and Recovery System Re-acquisition and Removal Phase Camp Lejeune, North	Duncan	Coleman, Klobuchar	$1,600,000
RDTE,DW	Multisignal Nanosensors for Detection of IEDs		Reid	$2,000,000
RDTE,DW	Multi-Spectral Laboratory and Analytical Services Program	Lucas	Inhofe	$800,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,DW	Multi-Target Tracking Optical Sensor-Array Tracking		Akaka	$3,000,000
RDTE,DW	Multi-User Panoramic Synthetic Vision System	Hodes	Gregg, Sununu	$2,400,000
RDTE,DW	Myeloid Progenitor for Acute Radiation Syndrome	Eshoo, Lantos	Boxer	$2,400,000
RDTE,DW	Nanocrystal Source Display	Markey, Olver		$1,200,000
RDTE,DW	Nanoscience Nanotechnology Institute	Rangel		$2,400,000
RDTE,DW	Nanotechnology Initiative at Shaw University	Etheridge		$1,000,000
RDTE,DW	National Biometrics Security Project		Byrd	$3,200,000
RDTE,DW	National Center for Blast Mitigation and Protection	Moran (VA)	Warner, Webb	$1,000,000
RDTE,DW	National Consortium for MASINT Research		Bingaman, Durbin, Obama	$3,000,000
RDTE,DW	National Defense University Technology Research Program	Smith (WA)		$1,000,000
RDTE,DW	National Repository of Digital Forensic Intelligence/Center for Telecommunications and Network Security	Lucas	Inhofe	$1,120,000
RDTE,DW	Net-Centric Airborne Defense Element (NCADE)	Inslee	Kyl	$4,800,000
RDTE,DW	Networked Micro-Sensors Technology Testbed	Johnson, Sam	Hutchison	$1,600,000
RDTE,DW	New England Manufacturing Supply Chain Initiative	Courtney, Hodes, McGovern, Michaud, Welch	Collins, Kennedy, Leahy, Reed, Sanders, Snowe	$1,600,000
RDTE,DW	New York Structural Biology Center	Rangel	Clinton, Schumer	$1,600,000
RDTE,DW	Next Generation Gas Chromatographic Mass Spectrometer for WMD Civil Support Teams		Bayh, Lugar	$800,000
RDTE,DW	Next Generation Supercomputer IA Prototype for the NRL	Obey		$4,500,000
RDTE,DW	Nickel Boron Metal Coating Technology for USSOCOM Vehicle Systems	Mahoney		$1,600,000
RDTE,DW	NIDS Automated Biological Agent Identifier	Castle	Biden, Carper	$3,000,000
RDTE,DW	Northwest Manufacturing Initiative	Blumenauer, Baird, DeFazio, Hooley, Wu	Smith, Murray, Wyden	$1,000,000
RDTE,DW	Novel Viral Biowarfare Agent Identification and Treatment (NOVBAIT)	Pelosi	Harkin	$3,200,000
RDTE,DW	NSW RIB Payload Capacity Project	Taylor	Cochran, Lott	$2,100,000
RDTE,DW	Optinet Sensor System	Moran (VA)		$800,000
RDTE,DW	Pacific Disaster Center		Inouye	$6,000,000
RDTE,DW	Pacific Region Interoperability Test and Evaluation Capability		Inouye	$3,000,000
RDTE,DW	ParallelaVax Rapid Vaccine Testing Technology	Pomeroy	Conrad, Dorgan	$2,000,000
RDTE,DW	Parser Multi-Level Security		Sanders	$1,680,000
RDTE,DW	Partnership for Defense Innovation Wi-Fi Test Laboratory	Hayes		$2,700,000
RDTE,DW	Parts Backorder Reduction	Murtha		$2,400,000
RDTE,DW	Pat Roberts Intelligence Scholars Program (PRISP)		Roberts	$1,600,000
RDTE,DW	Photo Catalytic Oxidation (PCO) Demonstration for Water Reuse	Visclosky		$2,000,000
RDTE,DW	PhotoScrub		Hutchison	$1,600,000
RDTE,DW	Picoceptor and Processor for Manportable Threat Warning		Gregg	$2,400,000
RDTE,DW	Plant Vaccine Development		Biden, Carper	$3,000,000
RDTE,DW	Playas Mobile Command, Control and Communications Shelter		Bingaman, Domenici	$2,500,000
RDTE,DW	Playas Training and Research Center Joint Training Experiment	Wilson (NM)	Bingaman, Domenici	$3,200,000
RDTE,DW	Point-of-Care Diagnostic System	Reynolds, Bartlett		$1,000,000
RDTE,DW	Port and Hull Security 3D, Real Time Sonar-System Echoscope; Program of National Interest	Young (FL)		$2,400,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,DW	Portable Continuous Monitor for Biodetection	Brown (FL)		$1,600,000
RDTE,DW	Portable Rapid Bacterial Warfare Detection Unit	Boswell, Latham	Grassley, Harkin	$4,400,000
RDTE,DW	Power Dozer Side-Casting Technology Operational Capability/Integration Evaluation	Smith (NJ)		$1,600,000
RDTE,DW	Project FORTITUDE		Bunning	$2,400,000
RDTE,DW	Protective Self-Decontaminating Surfaces	Grijalva, Aderholt		$1,600,000
RDTE,DW	PROTECTOR-DACS	Moran (VA), Goode		$2,400,000
RDTE,DW	Pulsed Energy Projectile (PEP)	Bartlett	Coleman, Klobuchar	$1,000,000
RDTE,DW	Range Tactical Data Link (TDL) & Relay Capability	Kingston	Chambliss, Isakson	$2,400,000
RDTE,DW	Rapid Detection of Bacterial Pathogens	Perlmutter	Allard	$1,600,000
RDTE,DW	Rapid Forensic Evaluation of Microbes in Biodefense	Murtha		$1,000,000
RDTE,DW	Rapid Identification of Biological Warfare Agents	Bartlett, Cummings, Sarbanes	Hagel, Nelson (NE)	$1,600,000
RDTE,DW	Rapid Prototyping/Low Rate Production of Mini-Sensors		Conrad, Dorgan	$3,600,000
RDTE,DW	Rapid Response Database Systems Initiative	Pallone, Smith (NJ)	Lautenberg, Menendez	$1,000,000
RDTE,DW	Reactive Coatings Enhanced to Resist Chemical/Biological Contamination		Kennedy, Kerry	$1,760,000
RDTE,DW	Reduce environmental impact of coal-to-liquid fuels		Byrd	$2,400,000
RDTE,DW	Regenerative Chemical Biological Filtration Systems	LaTourette		$2,500,000
RDTE,DW	Remote Sighting System	Gillibrand	Clinton, Schumer	$800,000
RDTE,DW	Research on a Molecular Approach to Hazardous Materials Decontamination		Craig, Crapo	$1,200,000
RDTE,DW	Robotic Mobility Platform System	Boyd	Gregg	$800,000
RDTE,DW	Roll-On, Roll-Off Reconnaissance Pallet Improvement	Murtha		$4,800,000
RDTE,DW	Ruggedized Mobile Gamma Radiation Detection System (GuARDS)	Taylor	Cochran, Lott	$880,000
RDTE,DW	Ruggedized Mobile Secure 1000	Taylor	Lott	$800,000
RDTE,DW	Safe High Power (High Rate) Lithium Battery for MKV (Missiles) with Long Storage Life	Sestak		$2,480,000
RDTE,DW	Secure Miniaturized Free Space Optical Communications	Rothman	Lautenberg, Menendez	$1,200,000
RDTE,DW	Security for Critical Communication Networks (SCCN)	Sires	Lautenberg, Menendez	$2,400,000
RDTE,DW	Self-Decontaminating Polymer System for Chemical and Biological Warfare Agents	Blunt, Akin		$5,600,000
RDTE,DW	Self-sensing Array Container Pre-screening Sensor System		Reid	$1,440,000
RDTE,DW	Semi-autonomous or Unattended Psychological Operations and Reconnaissance Tool (SUPORT)	Spratt		$1,600,000
RDTE,DW	Semi-Autonomous Robotic Manipulation and Sensing	Udall (CO)	Allard	$1,200,000
RDTE,DW	Semiconductor Photomask Technology Initiative	Tauscher		$2,400,000
RDTE,DW	Shipboard Visitor Control Center		Cantwell, Murray	$1,600,000
RDTE,DW	Simulated Virtual Prototype Environment Development	Moran (VA)		$1,000,000
RDTE,DW	Simultaneous Field Radiation Technology (SFRT)	Pickering	Cochran, Lott	$3,100,000
RDTE,DW	Small Accelerators and Detection Systems for Homeland Defense and National Security Applications	Simpson	Craig, Crapo	$1,600,000
RDTE,DW	Small Boat Family Integrated Combat System	Murtha		$1,600,000
RDTE,DW	Small Craft Integrated Common Operational Picture	Allen	Collins, Snowe	$800,000
RDTE,DW	SOCOM computer research		Hutchison	$1,000,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,DW	SOCOM Imagery Dissemination System	Young (FL)		$1,600,000
RDTE,DW	SOF Special Purpose Tagging, Tracking and Locating Tool Kit	Young (FL)		$1,000,000
RDTE,DW	Software Assurance Education and Research Institute	Conyers, Kilpatrick	Levin, Stabenow	$1,000,000
RDTE,DW	Spartan Advanced Composite Technology		Conrad, Dorgan	$1,600,000
RDTE,DW	Special Operation Forces Advanced Mission Planning Tools	Hulshof, Akin	Bond	$3,200,000
RDTE,DW	Special Operations Forces Network-Centric Sharing and Storage	Gerlach	Specter	$1,000,000
RDTE,DW	Special Operations Portable Power Source	Dingell	Levin, Stabenow	$2,400,000
RDTE,DW	Spintronics Memory Storage Technology	Lewis (CA)		$2,400,000
RDTE,DW	Spray Technique Analysis and Research for Defense (STAR4D)	Braley	Grassley, Harkin	$1,600,000
RDTE,DW	Stand-off Chemical Detector for SOF Venture	Moran (VA)		$1,600,000
RDTE,DW	Strategic Bioterror Response for Battlefield Survival	Murphy, Patrick		$1,440,000
RDTE,DW	Strategic Materials and Silicon Carbide Optics		Inouye	$5,000,000
RDTE,DW	Superlattice Nanotechnology	Hayes	Burr	$1,600,000
RDTE,DW	Surface Enhanced Infrared Detection of Threats	Edwards		$2,640,000
RDTE,DW	Tactical SIGINT and Geo-location Cognitive Analysis	Cramer, Berry		$400,000
RDTE,DW	Technology Roadmapping and Strategic Investment Planning	Duncan		$1,600,000
RDTE,DW	Total Perimeter Surveillance (TPS)	Walberg	Levin, Stabenow	$1,600,000
RDTE,DW	UAV Systems and Operations Validation Program (USOVP)	Pearce, Wilson (NM)	Bingaman, Domenici	$4,000,000
RDTE,DW	UCLA High Speed and High Volume Laboratory Network for Infectious Diseases	Pelosi, Waxman, Harman	Boxer, Domenici	$4,000,000
RDTE,DW	Ultra Low Power Electronics for Special Purpose Computers		Craig, Crapo	$1,040,000
RDTE,DW	Unattended SIGINT Node	Lewis (CA)		$3,200,000
RDTE,DW	University Materials Characterization and Metrology Center	Eshoo, Honda		$1,200,000
RDTE,DW	University Strategic Partnership	Wilson (NM)	Bingaman, Domenici	$3,200,000
RDTE,DW	Unmanned Aerial Vehicles		Stevens, Murkowski	$1,600,000
RDTE,DW	USJFCOM's Joint Warfighting Center (JWFC) Joint Training Blended Learning Initiative	Visclosky		$2,000,000
RDTE,DW	Vacuum Sampling Pathogen Collection and Concentration	Simpson	Craig	$3,200,000
RDTE,DW	Variable Distance Iris Identification on the Move	Markey	Kennedy	$3,200,000
RDTE,DW	Vehicle Fuel Cell and Hydrogen Logistics Program		Levin	$8,000,000
RDTE,DW	Virus Mutation and Virus Transfer from Humans to Animals	Slaughter	Clinton, Schumer	$3,000,000
RDTE,DW	Warfighter Personnel Decontamination	Clay		$800,000
RDTE,DW	Warrior Unmanned Ground Vehicle	Tierney	Kennedy, Kerry	$4,000,000
RDTE,DW	Waterway Threat Detection Sensor System	Murtha		$2,400,000
RDTE,DW	Zumwalt National Program for Countermeasures to Biological and Chemical Threats	Neugebauer		$1,000,000
RDTE,N	76mm Super Rapid Medium Caliber Gun System Explosives Safety Review	Brady (PA), McNulty	Clinton, Schumer	$1,600,000
RDTE,N	Accelerating Fuel Cells Manufacturability and their Application in the Armed Forces	Slaughter	Clinton, Schumer	$2,750,000
RDTE,N	Acoustic Materials for Integral Bow Conformal Array	Crenshaw		$1,000,000
RDTE,N	Advanced Airship Flying Laboratory	Wu	Smith, Wyden	$2,000,000
RDTE,N	Advanced Anti-Radiation Guided Missile (AARGM)	Kirk, Jones (NC), Ortiz		$3,500,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,N	Advanced Avionics Miniaturization Program	Tiahrt		$1,000,000
RDTE,N	Advanced Combatant Materials Research	Murtha		$1,600,000
RDTE,N	Advanced Composite Materials for Acoustic Window Applications	Taylor	Cochran, Lott	$6,400,000
RDTE,N	Advanced Fluid Controls for Shipboard Applications	Frelinghuysen, Garrett	Lautenberg, Menendez	$2,400,000
RDTE,N	Advanced Fouling and Corrosion Control Coatings	Pomeroy	Conrad, Dorgan	$2,000,000
RDTE,N	Advanced Intercept & Ranging Systems	Frank, Kennedy, Meehan	Kerry, Reed	$3,200,000
RDTE,N	Advanced Linear Accelerator (LINAC) Facility	Hill	Bayh, Lugar	$3,000,000
RDTE,N	Advanced Logistics Fuel Reformer for Fuel Cells	DeLauro		$2,400,000
RDTE,N	Advanced Measurement Standards Development	Calvert		$3,200,000
RDTE,N	Advanced Motor-Propulsor Development and Testing		Craig	$4,000,000
RDTE,N	Advanced Navy Boat Lift (13,000 ? 24,000 lbs.) Research and Development	Dicks		$1,000,000
RDTE,N	Advanced Panoramic Sensor Systems for UAV's	Doyle		$800,000
RDTE,N	Advanced Photovoltaic Material Integration Development	Camp, Knollenberg	Levin	$950,000
RDTE,N	Advanced Precision Kill Weapon System (APKWS)	Meehan, Ruppersberger, Pascrell, Sullivan	Dodd, Gregg, Inhofe, Kerry, Lautenberg, Lieberman, Menendez, Mikulski, Sununu	$6,000,000
RDTE,N	Advanced Propulsion for Gun Launched Projectiles and Missiles		Snowe	$800,000
RDTE,N	Advanced Radar Absorbing Tiles for Surface Ships	Cardoza, Radanovich	Feinstein	$2,000,000
RDTE,N	Advanced Reinforced Materials and New Materials Research for Aircraft Tires	Ryan (OH), Goode	Voinovich	$1,000,000
RDTE,N	Advanced Repair Technology for the Expeditionary Navy	Capps		$800,000
RDTE,N	Advanced Research and Development of Hemostatic Agents	DeLauro	Dodd, Lieberman	$3,200,000
RDTE,N	Advanced Simulation Tools for Aircraft Structures Made of Composite Materials	Clay	Bond	$2,000,000
RDTE,N	Advanced Steam Turbine	Hinchey, Kuhl	Clinton, Schumer	$4,000,000
RDTE,N	Advanced Video Processing Technologies (AVPT)	Boozman		$1,000,000
RDTE,N	Advanced Volume Sensor System		Gregg, Sununu	$1,600,000
RDTE,N	Advanced Wireless Encryption Module		Nelson (NE)	$2,400,000
RDTE,N	Aegis Combat Information Center (CIC) Virtualization/Common Presentation Layer Integration	Murtha		$2,400,000
RDTE,N	Affordable Weapon System	Hunter		$15,200,000
RDTE,N	Age Exploration Model Enhancement & Vibration Analysis/Precision Measurement Integration	Hoyer	Mikulski	$2,000,000
RDTE,N	Agent-based Expeditionary Security System for Anti-Terrorism Afloat	Dicks, Davis (CA)		$800,000
RDTE,N	Agile Port and High Speed Ship Technology	Sanchez, Linda		$2,400,000
RDTE,N	Aging Evaluation of Advanced Materials Used for Military Aircraft	Tiahrt		$1,200,000
RDTE,N	Air Gun Ship Shock Testing of Naval Vessels	Nadler	Clinton, Schumer	$1,600,000
RDTE,N	Airborne Mine Countermeasures (AMCM) ?Open Architecture? Technology Insertion	Davis, Tom		$2,400,000
RDTE,N	Airborne Tactical Server	Frelinghuysen, Rothman		$2,400,000
RDTE,N	All Weather Sense & Avoid for UAVs	Hoyer	Cardin, Mikulski	$2,400,000
RDTE,N	Amelioration of Military Hearing Loss		Baucus, Tester	$800,000
RDTE,N	AN/SSQ-137 (V) Ships Signals Exploitation Equipment Increment E	Moran (VA)		$1,600,000
RDTE,N	Anti Torpedo Torpedo (ATT)	Perlmutter	Salazar	$2,400,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,N	Anti-Sniper Infrared Targeting System	Rogers (KY)	Bunning, McConnell	$5,000,000
RDTE,N	AN-USQ-155 Card Upgrade for Navy Voice over Internet Protocol Telephony	Davis, Tom		$1,000,000
RDTE,N	Arc Fault Circuit Breaker with Arc Location System		Bennett	$800,000
RDTE,N	Assault Directed Infrared Countermeasures	Rothman, Pascrell		$4,000,000
RDTE,N	ASW Contact Management Mission Planning Improvement	Wamp		$2,800,000
RDTE,N	ASW Training Interoperability Enterprise Demonstration Test Bed	Dicks		$1,200,000
RDTE,N	Atmospheric Water Harvesting	Young (FL)		$1,000,000
RDTE,N	Automated Fiber Optic Manufacturing Initiative	Drake, Meehan, Scott (VA)	Warner, Webb	$1,000,000
RDTE,N	Automated Identification and Data Capture (AIDC) Solutions Center	Bishop (GA)	Isakson	$2,800,000
RDTE,N	Automated Submarine Command and Control Center		Reed	$1,600,000
RDTE,N	Automated Test and Re-Test	Moran (VA)		$1,600,000
RDTE,N	Autonomous Anti-Submarine Vertical Beam Array	Miller (NC), Coble	Burr	$1,000,000
RDTE,N	Autonomous Marine Sensors and Networks for Rapid Littoral Assessment	Young (FL)		$1,600,000
RDTE,N	Autonomous Maritime Navigation Program		Byrd	$4,800,000
RDTE,N	Autonomous Undersea Vehicle Applications Center	Shea-Porter	Collins, Gregg, Snowe, Sununu	$1,200,000
RDTE,N	Autonomous Underwater Vehicle (AUV) Docking and Recharging Station	Pryce		$2,800,000
RDTE,N	Autonomous Unmanned Surface Vessel (AUSV)		Akaka	$1,000,000
RDTE,N	Autonomous Unmanned Undersea Vehicle (UUV) Delivery & Communications Demonstration	Dicks, Inslee	Murray	$2,000,000
RDTE,N	Aviation Improvements—Low Observable Aircraft Sealants	Foxx	Burr	$1,600,000
RDTE,N	Battlefield Sensor Netting	Young (FL)		$2,400,000
RDTE,N	Bio/Nano-MEMS for Defense Applications		McConnell	$3,200,000
RDTE,N	Biosensors for Defense Applications	Melancon	Landrieu, Vitter	$2,000,000
RDTE,N	Blast and Impact Resistant Composite Structures for Navy Ships	Wicker	Cochran, Lott	$1,600,000
RDTE,N	Carrier Plant Automation and Manning Reduction Technology Insertion (SBIR N05-051)	Brady (PA)		$800,000
RDTE,N	C-Band Active Array Radar System	Young (FL)		$4,000,000
RDTE,N	Cell-Based Sensors for Chemical Threats	Kingston	Isakson	$1,200,000
RDTE,N	Center for Deployment Psychology	Young (FL)	Domenici	$1,000,000
RDTE,N	Center for Detection and Neutralization of Electronically Initiated Improvised Explosive Devices	Emerson		$2,400,000
RDTE,N	Center for Hetero-Functional Materials	Conaway, Rodriguez		$2,000,000
RDTE,N	Center for Nanoscience and Nanomaterials	Watt		$1,200,000
RDTE,N	Chameleon Chemical Detection Armband	Drake		$2,500,000
RDTE,N	Circuit Breaker for Navy Shipboard Power Distribution Systems	Murphy, Tim	Specter	$600,000
RDTE,N	CISRT Enabling Materials Technology		Reid	$2,400,000
RDTE,N	Clustered Millimeter Wave Imaging Sensors	Castle	Biden, Carper	$1,600,000
RDTE,N	Coastal Airship Surveillance Demonstrator	Shays, Butterfield	Dodd, Lieberman	$1,600,000
RDTE,N	Collective Aperture Multi-Band Sensor System		Gregg, Sununu	$1,200,000
RDTE,N	Combat Control for Distributed Netted Systems		Reed	$1,600,000
RDTE,N	Combustion Light Gas Gun Projectile		Byrd	$3,200,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,N	Commercialization of Advanced Technology (CAT)	Lewis (CA), Issa		$2,400,000
RDTE,N	Common Composite Island Concept		Cochran, Lott	$2,700,000
RDTE,N	Computer Forensics for Enhanced Maritime Domain Awareness	Boyd		$1,000,000
RDTE,N	Condition Based Maintenance Enabling Technologies		Byrd	$2,700,000
RDTE,N	Controllable Shock Absorber for Advanced Submarines	Berkley	Ensign, Reid	$1,800,000
RDTE,N	Cooperative Engagement Capability	Young (FL)		$4,000,000
RDTE,N	Craft Integrated Electronic Suite (CIES)	Mollohan		$2,400,000
RDTE,N	Critical Composites Technologies for Enabling Special Operations Forces Medium Range Endurance Craft	Allen	Collins, Snowe	$1,000,000
RDTE,N	Cryogenic Power System for Unmanned Underwater Vehicles	Kaptur		$1,000,000
RDTE,N	CSTARS (Center for Southeastern Tropical Advanced Remote Sensing	Diaz-Balart, Mario	Nelson (FL), Martinez	$2,000,000
RDTE,N	DDG-51 Homopolar Hybrid Drive	Davis (CA)	Cochran	$5,500,000
RDTE,N	Deep Extended Echo Ranging (DEER)	Murphy, Patrick	Casey	$800,000
RDTE,N	Deep Water Acoustic Detection System		Lautenberg, Menendez	$3,200,000
RDTE,N	Defense integrated Technical Data Center	Kaptur		$1,200,000
RDTE,N	Detecting Improvised Explosive Devices	Schiff		$1,000,000
RDTE,N	Digital Data for Weapon System Readiness	Dicks		$800,000
RDTE,N	Digital Directed Manufacturing Project		McConnell	$1,280,000
RDTE,N	Digitization of NCIS Investigative Files		Byrd	$6,400,000
RDTE,N	Direct Motor Driven Waterjet	Altmire		$1,600,000
RDTE,N	Distributed Common Ground System—Navy/AFATDS Interoperability	Souder	Lugar	$1,000,000
RDTE,N	Distributed Detection Classification and Localization (DCL)	Israel		$1,600,000
RDTE,N	Distributed Maritime Surveillance System		Hutchison	$1,600,000
RDTE,N	Distributed Multi-Platform Sensor Support System	Rehberg		$2,500,000
RDTE,N	Dual-Stage Ultra-Reliable Water Filtration Technology Development	Visclosky		$2,000,000
RDTE,N	Durability of Composite Materials and Structures	Wasserman Schultz, Wexler		$1,600,000
RDTE,N	EA-6B ALQ-99 Band 5/6 TWT Driver Modification	Dent	Casey, Specter	$1,000,000
RDTE,N	EFSS Projectile Technology Enhancements—USMC	Platts, Young (FL), Latham		$4,400,000
RDTE,N	Electrochemical Field-Deployable System for Potable Water Generation	Berkley	Ensign, Reid	$2,400,000
RDTE,N	Electromagnetic Signature Assessment System Using Multiple Autonomous Underwater Vehicles		Crapo	$2,000,000
RDTE,N	Electronic Portal for Analysis and Surveillance of Medical and Preventive Health Records	Bishop (GA)	Isakson	$2,400,000
RDTE,N	Electronic Warfare Concept Demonstrator for the Littoral Combat Ship	McNerney, Lofgren		$800,000
RDTE,N	Energetics Technology Center/Energetics S&T Workforce	Hoyer	Cardin, Mikulski	$2,400,000
RDTE,N	Enhanced Tracking and Asset Control	Sessions; Johnson, Sam		$1,200,000
RDTE,N	Environmentally Sealed, Ruggedized Large Scale Display for Tactical Operations Centers	Barrett	Graham	$1,600,000
RDTE,N	Environmentally-Sealed, Ruggedized Avionics Displays	Butterfield, Hayes		$1,600,000
RDTE,N	EP-3E Environmental Cooling System Upgrade	Edwards		$5,040,000
RDTE,N	Equipment Life Extension Project (ELEP)	Myrick		$1,200,000
RDTE,N	Evaluating ELF Signals in Maritime Environments	Sali	Craig, Crapo	$1,600,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,N	Excalibur		Warner, Webb	$800,000
RDTE,N	Expeditionary Craft		Murkowski, Stevens	$20,000,000
RDTE,N	Expeditionary Swimmer Defense System	Inslee, Larsen	Cantwell, Murray	$1,600,000
RDTE,N	F/A-18 Avionics Ground Support System	Peterson (PA)	Casey, Specter	$1,600,000
RDTE,N	F/A-18 Tactical Operational Flight Trainers Fidelity Upgrade		Cornyn	$1,600,000
RDTE,N	FA-18 Roadmap Procurement Plan Fidelity Upgrade	Barton		$2,400,000
RDTE,N	Field Programmable Processor Array (FPPA) for Space Based ?Reconfigurable? Wide Field of View Sensor	Holden		$1,600,000
RDTE,N	Floating Area Network (FAN) Littoral Sensor Grid	Dicks		$4,000,000
RDTE,N	Flow Path Analysis Tool (FPAT)	Lewis (CA), McCarthy (CA), McKeon		$1,000,000
RDTE,N	Force Protection Applied Research		Martinez	$2,000,000
RDTE,N	Formable Textile for Complex Shaped Aerospace Composites		Collins, Snowe	$1,600,000
RDTE,N	Fusion, Exploitation, Algorithm, Targeting, High-Altitude Reconnaissance (FEATHAR)		Bennett	$4,000,000
RDTE,N	Future Fuel Non-Tactical Vehicle Initiative		Clinton, Levin, Schumer, Stabenow	$1,600,000
RDTE,N	Galfenol Energy Harvesting	Latham	Grassley, Harkin	$1,600,000
RDTE,N	Gallium Nitride RF Power Technology	Coble, Watt	Burr, Dole	$2,000,000
RDTE,N	Gateway System	Mica		$1,600,000
RDTE,N	Global Personal Locator Beacon for Counter-narcoterrorism	Moran (VA)		$1,600,000
RDTE,N	Granular Chitosan Clotting Agent for Anti-coagulated Hypothermic Blood	Hooley	Smith, Wyden	$1,200,000
RDTE,N	HALO ? 360 Degree Imaging for Submarines	Neal, Meehan, Olver	Leahy, Kerry	$1,000,000
RDTE,N	High Efficiency Quiet Electric Drive	Miller, Gary; Sanchez, Loretta		$1,600,000
RDTE,N	High Energy Conventional Energetics (Phase One)	Hoyer	Bingaman, Cardin, Domenici, Mikulski	$5,000,000
RDTE,N	High Performance Alloy Materials, Steel Castings		Bond	$2,000,000
RDTE,N	High Power Fiber Laser (HPFL)—Based Pod	Ellsworth	Lugar	$1,600,000
RDTE,N	High Power Free Electron Laser Development for Naval Applications	Davis, Jo Ann	Warner, Webb	$2,000,000
RDTE,N	High Power Lightweight Zinc-Air Battery	Kucinich, Emerson, Akin	Voinovich	$1,000,000
RDTE,N	High Power Lithium Battery	Baldwin	Kohl	$800,000
RDTE,N	High Speed Anti-radiation Demonstration (HSAD)	Davis, Tom; McKeon		$1,600,000
RDTE,N	High Speed Power Node Switching and Control Center	Murphy, Patrick; Brady (PA), Schwartz	Casey, Specter	$1,600,000
RDTE,N	High Temperature Super Conducting Magnetic Energy Storage	Moore (WI)		$400,000
RDTE,N	High Temperature Superconductor (HTS) Navy Propulsion Motor for DDG 1000	Olver, Meehan, McGovern	Kennedy, Kerry	$2,000,000
RDTE,N	High Temperature Superconductor AC Synchronous Propulsion Motor		Kennedy	$2,000,000
RDTE,N	High Toughness Aluminum Structures	Moran (VA)		$1,200,000
RDTE,N	Highly Integrated Optical Interconnects	Stupak	Levin, Stabenow	$1,600,000
RDTE,N	High-Power Microwave System for Vehicle Immobilization	Schiff		$1,000,000
RDTE,N	HTDV		Inouye	$10,000,000
RDTE,N	Implantable Middle-Ear Hearing System	Udall (CO)	Salazar	$1,000,000
RDTE,N	Improved Advanced Watertight Door (IAWD) for Navy Surface Ships	Shuster		$1,000,000
RDTE,N	Improved Corrosion Protection for Electromagnetic Aircraft Launch System (EMALS) for CVN-21	LoBiondo, Smith (NJ)		$2,000,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,N	Improved Submarine Thin-Line Towed Array Handler	Kennedy	Reed	$3,200,000
RDTE,N	Improved Surface Vessel Torpedo Launcher		Reed	$1,600,000
RDTE,N	Individual Chemical Alert System		Boxer	$800,000
RDTE,N	Information Sharing for ISRTE		Akaka	$1,000,000
RDTE,N	Infrared Materials Laboratories	Cole	Inhofe	$2,000,000
RDTE,N	Innovative Methods for Ship-Building Affordability	Allen		$1,600,000
RDTE,N	Integrated Advanced Communications Terminal (iACT)	Tierney		$1,000,000
RDTE,N	Integrated Manufacturing Enterprise	McCrery	Landrieu, Vitter	$1,600,000
RDTE,N	Integrated Power System Converter	Altmire; Doyle; Murphy, Tim	Casey, Specter	$800,000
RDTE,N	Integrated Warfighter Biodefense Program	Castle	Biden, Carper	$2,400,000
RDTE,N	Integration of Logistics Info for Knowledge Projection and Readiness		Byrd	$1,800,000
RDTE,N	Intelligence Gathering Uninhabited System (IGUS)	McHenry	Burr	$1,600,000
RDTE,N	Intelligent Autonomy Technology Transition Program (IA)	Myrick		$2,000,000
RDTE,N	Intelligent Machining of Advanced Defense Materials	Jordan	Voinovich	$2,800,000
RDTE,N	Internet Protocol over Power Line Carrier Technology Integration with ICAS	McIntyre		$1,600,000
RDTE,N	JEOD Diver Situational Awareness System	Moran (VA)		$800,000
RDTE,N	Joint Integrated Systems for Advanced Digital Networking (JIST-NET)	Hunter		$1,000,000
RDTE,N	Joint Stand Off Weapon RDT&E	Blunt, Akin	Bond	$4,800,000
RDTE,N	Kinetic Hydropower System (KHPS) Turbine	Inslee, Maloney, Engel	Clinton, Murray, Schumer	$3,200,000
RDTE,N	Laser Perimeter Awareness System		Coleman	$1,500,000
RDTE,N	Lasers for Navy Applications	Murtha		$2,000,000
RDTE,N	LCS Mission Package Enterprise	Murtha		$4,000,000
RDTE,N	Lightweight Composite Structure Development for Aerospace Vehicles	Sullivan	Inhofe	$1,200,000
RDTE,N	Lithium-Ion Cell Development		Bond	$3,000,000
RDTE,N	Littoral Battlespace Sensing (LBS) & Autonomous Underwater Vehicle System (UAV) Program	Boustany	Landrieu	$1,000,000
RDTE,N	Littoral Combat Ship (LCS) Networked Tactical Training System (NTTS)	Drake		$1,000,000
RDTE,N	Long Range Synthetic Aperture Sonar (SAS) for Anti Submarine Warfare (ASW)	Moran (VA)		$800,000
RDTE,N	Long Wavelength Array		Bingaman, Domenici	$2,400,000
RDTE,N	Low Acoustic and Thermal Signature Battlefield Power Source		Baucus, Tester	$2,000,000
RDTE,N	Low Cost, Expendable, Fiber Optic Sensor Array	Murtha		$1,000,000
RDTE,N	Low Signature Modular Weapon Platform	Baird, Blumenauer, DeFazio, Hooley, Wu	Smith, Wyden	$2,400,000
RDTE,N	M2C2		Inouye	$3,200,000
RDTE,N	M65 Bismaleimide Carbon Fiber Prepreg	Tauscher, Aderholt, Bishop (UT), Larsen, Shays	Bennett, Hatch, Sessions	$2,400,000
RDTE,N	Magdalena Ridge Observatory (MRO)	Pearce, Wilson (NM)	Bingaman, Domenici	$6,500,000
RDTE,N	Magnetic Refrigeration Technology	Baldwin	Kohl	$3,200,000
RDTE,N	Manufacturing and Repair Cell	Conyers, Levin	Levin, Stabenow	$4,000,000
RDTE,N	Marine Air-Ground Task Force Situational Awareness		Akaka, Inouye	$1,000,000
RDTE,N	Marine Mammal Awareness, Alert and Response Systems (MMAARS)	Abercrombie	Akaka	$2,400,000
RDTE,N	Marine Mammals—Effects of Sound	Abercrombie		$800,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,N	Maritime Identification Surveillance Technology (MIST)	Moran (VA); Conaway; Davis, Jo Ann; LoBiondo		$1,600,000
RDTE,N	Maritime Intelligence Integration for Shared Situational Awareness	Hoyer	Mikulski	$1,000,000
RDTE,N	Maritime Mobile Force Protection Program	Langevin	Reed, Whitehouse	$1,600,000
RDTE,N	Massive Tissue Injury/Amputation Repair with Composite Tissue Transplantation	Ruppersberger	Cardin, Mikulski	$3,000,000
RDTE,N	Mast-mounted In-Port Video Force Protection Surveillance System	Moran (VA)		$1,600,000
RDTE,N	MEMS Microdetonator Packaging Technology	Herseth Sandlin	Johnson	$2,400,000
RDTE,N	Micro-munitions Interface for Tactical Unmanned Systems	Ehlers	Levin, Stabenow	$4,000,000
RDTE,N	Microwave Ferrites and Multifunctional Integrated Circuits	Capuano		$800,000
RDTE,N	Military Aircraft Loss of Control Training Research	Reynolds, Higgins	Clinton, Schumer	$1,000,000
RDTE,N	Military Dental Research	Kirk	Durbin	$1,600,000
RDTE,N	Miniaturization, Systemization of Semiconducting Metal Oxide		Collins	$800,000
RDTE,N	Mission Deployable Surveillance Biometrics	Sires, Rothman	Lautenberg, Menendez	$1,600,000
RDTE,N	MK-48 Torpedo Post-Launch Communication System	Arcuri	Clinton, Schumer	$1,600,000
RDTE,N	Mobile Ad Hoc Data Communications for Unmanned Systems.	Moran (VA)		$800,000
RDTE,N	Mobile Oxygen, Ventilation, and External Suction (MOVES)	Johnson, Sam; Granger	Cornyn	$2,000,000
RDTE,N	Modular Advanced Helmet Vision System	Hastert	Durbin	$1,600,000
RDTE,N	Modular Advanced Ultra Light Weapons System Prototype Mount	Obey	Coleman, Kohl	$4,000,000
RDTE,N	Modular Payload Systems	Murtha		$2,000,000
RDTE,N	MTTC/IPI and National Surface Treatment Center		McConnell	$3,200,000
RDTE,N	Multi-Colored Infrared Sensors		Gregg, Sununu	$3,200,000
RDTE,N	Multi-Fuel Combustor for Shipboard Fuel Cells	Lampson		$1,600,000
RDTE,N	Multifunctional Oxide Materials, Their Application and Devices (MFMA)	Pryce	Warner, Webb	$2,000,000
RDTE,N	Multivalent Dengue Vaccine Program	Brown (SC)	Graham	$3,000,000
RDTE,N	Nanotechnology Engineer & Manufacturing Operation (NEMO)	Hirono		$800,000
RDTE,N	National Center for Research on Evaluation, Standards, and Student Testing (CRESST) Skill Set Analysis (Note: Including $2M to support CRESST as a UARC for Educational and Training Technology Assessment)	Lewis (CA)		$2,400,000
RDTE,N	National Initiative for Applications of Multifuctional Materials	McCaul	Hutchison	$1,600,000
RDTE,N	National Item Identification Number Validation and Correction	Tancredo, Perlmutter	Allard, Salazar	$1,600,000
RDTE,N	National Security Training	Serrano		$2,000,000
RDTE,N	National Terrorism Preparedness Institute Counter-Terrorism Technology Development Training	Young (FL)		$2,400,000
RDTE,N	NAVAIR CPI Tech Manual Conversion and Support		Baucus	$1,600,000
RDTE,N	Naval Aviation Technology Exploration Initiative		Cardin, Mikulski	$800,000
RDTE,N	Naval Flywheel Energy Storage System	Tierney, Meehan	Kennedy	$600,000
RDTE,N	Navy Special Warfare (NSW) Unattended Sensor Network	Murtha		$1,600,000
RDTE,N	Navy Automatic Identification Technology (AID) Engineering Support		Cochran, Lott	$800,000
RDTE,N	Navy Condition Based Maintenance for Shipyard Facilities and Equipment	Peterson (PA)	Casey, Specter	$3,000,000
RDTE,N	Navy Science and Technology Outreach		Warner, Webb	$800,000
RDTE,N	Navy Submarine Hydraulic Oil Recycling and Waste Reduction	Frelinghuysen	Lautenberg, Menendez	$1,000,000
RDTE,N	ND Center for the Engineering of Oxide-Nitride Structures (CEONS)	Visclosky		$1,600,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,N	Network Expansion & Integration of Navy/NASA RDT&E Ranges & Facilities	Hoyer	Cardin, Mikulski	$4,100,000
RDTE,N	Neural Control of External Devices (artificial limb movement)		Bennett	$800,000
RDTE,N	New Payloads and Sensors Unmanned Surface Vehicle System		Cardin, Mikulski	$1,600,000
RDTE,N	Next Generation Electronic Warfare Simulator (NGEWS)	McCarthy (CA)		$1,600,000
RDTE,N	Next Generation Networking Electronic Medical Records Project		Cochran	$4,000,000
RDTE,N	NMSU Water Security Program		Domenici	$800,000
RDTE,N	Oblique Imaging and Software Tool for Marine Installations	Reynolds		$1,000,000
RDTE,N	Ocean Thermal Energy Conversion to produce liquid hydrocarbon fuels from sea water	Abercrombie		$800,000
RDTE,N	ONAMI Nanoelectronics and Nanometrology Initiative	DeFazio, Blumenauer, Hooley, Wu	Smith, Wyden	$2,000,000
RDTE,N	On-Demand Custom Body Implants/Prosthesis for Injured Personnel	Dingell	Levin, Stabenow	$1,600,000
RDTE,N	Open Architecture/Maintenance Free Operating Period	Moran (VA)		$2,400,000
RDTE,N	Optical Recognition Protocol for Biologics Detection	Abercrombie, Hirono		$800,000
RDTE,N	Organic Submarine Airborne ISRT Demonstration		Reed	$2,800,000
RDTE,N	Oxygen Generator	Frank, Murphy (CT)	Lieberman	$800,000
RDTE,N	Pacific Airborne Surveillance and Testing		Inouye	$15,000,000
RDTE,N	Pacific-Based Joint Info Tech Center		Inouye	$6,500,000
RDTE,N	Penn State Cancer Institute	Holden		$5,600,000
RDTE,N	Performance Enhancements for Information Assurance and Information Systems		Cochran, Lott	$6,100,000
RDTE,N	Permanent Magnet Motor System	Bartlett, Meehan, Murphy (CT), Olver	Dodd, Kennedy, Kohl, Lieberman	$9,000,000
RDTE,N	Phalanx Next Generation	McCaul, Eshoo, Everett	Bennett, Hatch, McConnell, Sessions	$6,800,000
RDTE,N	Phase I Clinical Trials for Infusible Hemostatic Agent	Price (NC)	Burr, Dole	$3,200,000
RDTE,N	Planar Solid Oxide Fuel Cell System Demonstration at UTC SimCenter	Wamp		$3,500,000
RDTE,N	PMRF Force Protection Lab		Inouye	$2,000,000
RDTE,N	Point Mugu Electronic Warfare Lab Upgrade	Gallegly		$2,000,000
RDTE,N	Power Conversion Equipment for High Density Power Generation	Boren, Sullivan	Inhofe	$800,000
RDTE,N	Precision Terrain Aided Navigation	Young (FL)		$3,200,000
RDTE,N	Project Athena	Kennedy, Langevin	Reed, Whitehouse	$6,400,000
RDTE,N	Propulsor Manufacturing Technology Development	Taylor	Cochran, Lott	$2,400,000
RDTE,N	Protective Apparel Technology Systems		Inhofe	$800,000
RDTE,N	Puget Sound Anoxia Research	Dicks		$1,200,000
RDTE,N	Pure Hydrogen Supply from Logistic Fuels	Murphy, Patrick	Casey	$2,400,000
RDTE,N	QuIPS Integration with Undersea Warfare ? Decision Support System (USW-DSS)	Dicks		$800,000
RDTE,N	Radio Sensor Module (RASM)	Price (NC)	Burr	$1,600,000
RDTE,N	Rapid Repair UV Curable Structural Adhesives		Reed, Whitehouse	$4,000,000
RDTE,N	Real-Time Measurement Weight and Balance System for C-130s	Inslee	Murray	$3,200,000
RDTE,N	Remote Multi-Mission Vehicle ASW Mission Module for LCS	Walsh		$2,400,000
RDTE,N	Reparative Core Medicine	Young (FL)		$1,000,000
RDTE,N	Research Infrastructure for the Applied Physics Laboratory	Dicks, McDermott	Cantwell	$3,200,000
RDTE,N	Rotational Molded Double Wall for Un-Manned Patrol Boat		Coleman	$3,000,000

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Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,N	Rotor Blade Protection Against Sand and Water Erosion	Edwards		$800,000
RDTE,N	SCOUT Mk3	Young (FL)		$1,000,000
RDTE,N	Secure Data Sharing for Digital Radiographic Imaging		Cantwell	$1,200,000
RDTE,N	Secure Infrastructure Technology Laboratory (SINTEL)	Rothman, Sires	Lautenberg, Menendez	$3,200,000
RDTE,N	Semi-Submersible UUV		Vitter	$1,000,000
RDTE,N	Sensor Arrays for Multiple Applications		Nelson (FL)	$1,500,000
RDTE,N	Shipboard Production of Synthetic Logistics and Aviation Fuel		Bennett, Hatch	$1,600,000
RDTE,N	Silver Fox UAS	Giffords		$800,000
RDTE,N	Single Generator Operations Lithium Ion Battery		Reid	$5,000,000
RDTE,N	Skybus 80k and 130k LTA-UAS Multirole Technologies		Collins, Snowe	$1,800,000
RDTE,N	Smart Integrated Data Environment	Moran (VA)		$1,000,000
RDTE,N	Smart Valve	Allen	Collins, Snowe	$2,400,000
RDTE,N	Smart Visor	Lowey	Clinton, Schumer	$1,600,000
RDTE,N	SmartLink Planar Scanner Antenna Modernization	Sherman		$1,600,000
RDTE,N	Solid-State DC Protection System (SSDCP)	Moore (WI),Bartlett, Meehan, Murphy (CT)	Dodd	$400,000
RDTE,N	Somatic Cell Processing Program	Wasserman Schultz		$1,600,000
RDTE,N	SPAWAR System Center Information Technology Center (ITC)	Jindal, Jefferson	Landrieu, Vitter	$10,000,000
RDTE,N	Spherical Airship R&D	Bishop (GA)		$1,600,000
RDTE,N	Stabilized Laser Designation Capability	Thompson (CA)		$1,000,000
RDTE,N	Stand-off Biochemical Agent Detection	Edwards		$800,000
RDTE,N	Strategies to Mitigate Individual Stress Reactivity and Operational Stress Reactions in the Military	Davis (CA)		$1,200,000
RDTE,N	STRIKE RDT&E and Integration with Intelligence C2 Systems / CIHEP	Boyd		$2,000,000
RDTE,N	Strike Weapon Propulsion (SWEAP)	Barton		$2,000,000
RDTE,N	Structural Life Tracking		Warner, Webb	$1,600,000
RDTE,N	Submarine Artificial Intelligence-Based Combat System Kernal		Reed, Whitehouse	$2,400,000
RDTE,N	Submarine Electronic Chart Updates		Nelson (FL)	$2,700,000
RDTE,N	Submarine Maintenance Automation and Communication System (SMACS)	Moran (VA)		$1,600,000
RDTE,N	Submarine Targeting Agile Array with Rapid Zooming		Durbin	$1,320,000
RDTE,N	Support for Naval Ship Hydrodynamic Facilities	Van Hollen	Cardin, Mikulski	$5,000,000
RDTE,N	Surf Eagle Open Source Environmental Intelligence		Lott	$3,600,000
RDTE,N	Survivability Program	Simpson	Craig, Crapo	$1,500,000
RDTE,N	Sustainability of AN/SPS—49 Common Signal Data Processor	Obey	Kohl	$3,600,000
RDTE,N	Swimmer Detection Sonar Network	Shea-Porter, Allen, Hodes	Collins, Gregg, Snowe, Sununu	$1,200,000
RDTE,N	SWMA: Critical On Demand Information System for Shipboard Maintainers	Dingell	Levin, Stabenow	$1,200,000
RDTE,N	Tactical Compact Optical Interrogator (TCOI)	Abercrombie		$1,600,000
RDTE,N	Tactical E-Field Buoy Development Program	Hunter		$1,600,000
RDTE,N	Tactical Key Loader	Lewis (CA)	Allard	$3,200,000
RDTE,N	Technology Collaboration for Aerospace Engineering Programs	Lampson		$1,600,000
RDTE,N	Texas Microfactory		Hutchison	$3,500,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
RDTE,N	Theater Undersea Warfare Initiative (TUSW)		Akaka, Inouye	$3,200,000
RDTE,N	Tomahawk Weapons Control System	Sestak	Casey, Specter	$1,280,000
RDTE,N	Total Ship Training System (TSTS) Support System	Moran (VA)		$1,600,000
RDTE,N	Tractable Durable Net Complex Shaped Body and Extremity Armor	Wamp		$1,600,000
RDTE,N	Transformational Satellite Communications (TSAT) upgrade to Navy Multi-Band Terminal (NMT)	Lowey		$1,600,000
RDTE,N	Twinline Thinline Submarine Towed Array	Courtney	Dodd, Lieberman	$3,200,000
RDTE,N	U.S. Navy Mobile Condition Assessment System Pilot	Taylor	Cochran, Lott	$800,000
RDTE,N	U.S. Navy Nuclear Power Plant and Ship Propulsion Shaft Manufacturing Improvement Project	Dent		$1,000,000
RDTE,N	U.S. Navy Pandemic Influenza Vaccine Program	McHugh, Gillibrand	Clinton, Schumer	$1,600,000
RDTE,N	UGV Mobility & Coordination in Joint Urban/Littoral Environments	Carney	Specter	$800,000
RDTE,N	Ultra Stable Coherent Laser	Schiff		$800,000
RDTE,N	Ultrasonic Consolidation of Embedded Sensors	Dingell	Levin, Stabenow	$1,200,000
RDTE,N	Underground Coordination of Managed Mesh-networks	Visclosky		$800,000
RDTE,N	Undersea Launched Missile Study	Courtney, Langevin, Scott (VA)	Dodd, Lieberman, Reed	$5,000,000
RDTE,N	Undersea Perimeter Security Integrated Defense Environment	Kennedy	Reed	$2,800,000
RDTE,N	Underwater Acoustic Imaging for Maritime Domain Awareness	Young (FL)		$1,000,000
RDTE,N	Unique Identification of Tangible Items	Wicker	Cochran	$8,500,000
RDTE,N	Universal Description, Discovery and Integration		Conrad, Dorgan	$2,800,000
RDTE,N	Unmanned Aerial Vehicle Fuel Cell Power Source	Higgins	Clinton, Schumer	$2,000,000
RDTE,N	Unmanned Air Systems ?Open Architecture? Migration	Porter, Hoyer	Mikulski, Reid	$3,000,000
RDTE,N	Unmanned Aircraft Systems Optimization Technologies		Byrd	$2,800,000
RDTE,N	Unmanned Force Augmentation System	Burgess, Marchant, Sessions		$2,400,000
RDTE,N	Upward Looking Sonar (ULS)	Tiahrt		$1,000,000
RDTE,N	Urban Operations Environmental Lab		Brownback, Roberts	$4,000,000
RDTE,N	USMC Logistics Analysis and Optimization	Bishop (GA)		$1,200,000
RDTE,N	Validation of Prognostic and Health Management Systems	Doolittle		$2,500,000
RDTE,N	Vertical Lift Center of Excellence—Institute of Maintenance, Science and Technology	Jones (NC)	Dole	$2,400,000
RDTE,N	Virtual Clinical Learning Lab and Center of Excellence	Ortiz		$2,400,000
RDTE,N	Virtual Onboard Analyst (VIRONA) for Multi-Sensor Mine Detection		Akaka, Inouye	$1,000,000
RDTE,N	VisualDx Image-Based Real-Time Clinical Decision Support	Slaughter		$2,400,000
RDTE,N	Warfighter Rapid Awareness Processing Technology for Distributed Operations		Akaka	$3,000,000
RDTE,N	Wide Area Sensor for Force Protection Targeting	Calvert		$1,600,000
RDTE,N	Wide-Band Gap Semiconductor Materials		Levin, Stabenow	$1,600,000
RDTE,N	Wireless Imaging and Sensor Network	Davis (CA)		$1,000,000
RDTE,N	Wireless Maritime Inspection System	Shuster	Casey	$1,000,000
RDTE,N	Wireless Sensors for Navy Aircraft		Leahy	$1,600,000
SCN	AGS Pallets		McConnell	$3,840,000
WP,N	ABL Facility Restoration Program		Byrd	$54,000,000

DEFENSE—Continued

Account	Project Name	Requesting Member		Amount
		House	Senate	
WP,N	Destroyer Modernization Weapons		McConnell	$8,000,000
WP,N	Coyote GQM-163A Supersonic Sea-Skimming Target	Tiahrt		$1,000,000
WP,N	MK 54 Torpedo Test Hardware	Dicks		$1,600,000
WP,N	MK-30 Mod2 Anti-Submarine Warfare Training System	Shea-Porter	Gregg, Sununu, Kennedy	$1,600,000
WP,N	Mk-48 ADCAP Torpedo Critical Component Production Restart	Dicks, Inslee		$3,200,000
WTCV,A	Watervliet—Arsenal Support Program		Clinton, Schumer	$9,600,000
WTCV,A	Base Security System	Rogers (MI)	Levin	$1,600,000
WTCV,A	Combat Vehicle and Automotive Advanced Technology for the Antiballistic Windshield Armor Project	Clyburn		$2,000,000
WTCV,A	Rock Island Arsenal—Arsenal Support Program	Hare	Durbin, Grassley, Harkin, Obama	$11,500,000
WTCV,A	USASOC M9 9mm Pistol	Hoyer	Cardin, Mikulski	
* DHP	Bone Marrow Failure Disorder Research	Matsui		$1,000,000
* DHP	Children's Hospital Integrated Patient Electronic Records System (CHIPERS)	Lee		$1,000,000
* DHP	Riverside General Hospital Program for the Treatment of Post Traumatic Stress Disorder	Jackson-Lee		$1,000,000
* DHP	Warrior Transition Unit Support for the 4/25th Airborne Brigade Combat Team		Stevens	$2,000,000
* GP	United States Olympic Committee (USOC) Paralympic Military Program	Langevin, Kennedy		$5,000,000
* OM,A	Warrior Transition Unit Support for the 4/25th Airborne Brigade Combat Team		Stevens	$1,000,000
* OM,DW	First Tee	Clyburn		$3,000,000
* OM,DW	Special Operations Forces Tele-Training Systems (SOFTS)	Walsh		$1,000,000
* OP,A	America's Future Soldier Trainer Acquisition Program	Lampson, Boyd		$2,000,000
* P,DW	Tactical Local Area Network (TACLAN) for SOCOM	Carter		$2,000,000
* RDTE,A	Advanced Composite Armor for Force Protection	Coble		$3,000,000
* RDTE,A	Advanced Wireless Technologies	Sestak, Ackerman	Casey, Clinton, Schumer	$500,000
* RDTE,A	Combat Wound Initiative at Walter Reed Army Medical Center	Kennedy	Reed	$2,000,000
* RDTE,A	Integrated Vehicle Health Monitoring System for UAVs	Kuhl	Clinton, Schumer	$4,000,000
* RDTE,A	Maine Institute for Human Genetics	Michaud		$500,000
* RDTE,A	Nano-enabled Ultra High Storage Density Non-volatile Memory for Next Generation Commander?s Digital	Doggett		$1,000,000
* RDTE,A	Targeted Radiation Therapy for Cancer Initiative	Smith (WA)	Cantwell, Murray	$1,000,000
* RDTE,A	University of Kentucky Robotic Surgery Research	Chandler		$2,000,000
* RDTE,A	University of Kentucky Tissue Repair Research	Chandler		$1,000,000
* RDTE,DW	Buoyancy Assisted Lift Air Vehicle	Sherman		$2,000,000
* RDTE,DW	Historically Black Colleges and Universities	Cummings	Landrieu	$20,000,000
* RDTE,N	Hampton University Cancer Treatment Initiative	Scott (VA)		$1,000,000
* RDTE,N	Low Cost—Laser Module Assembly for the Navy?s Acoustic Sensors (LC-LMA)	Sestak	Casey	$1,000,000
* RDTE,N	Remote Controlled Surveillance Sonar System (RCSSS)	Hodes	Sununu	$1,000,000

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2008 recommended by the Committee of Conference, with comparisons to the fiscal year 2007 amount, the 2008 budget estimates, and the House and Senate bills for 2008 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2007	$573,493,020
Budget estimates of new (obligational) authority, fiscal year 2008[1]	639,100,933
House bill, fiscal year 2008	448,673,495
Senate bill, fiscal year 2008	452,467,500
Conference agreement, fiscal year 2008	460,303,497

Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2007	−113,189,523
Budget estimates of new (obligational) authority, fiscal year 2008	−178,797,436
House bill, fiscal year 2008	+11,630,002
Senate bill, fiscal year 2008	+7,835,997

[1] Includes FY 08 Global War on Terror supplemental funding request

DIVISION B—FURTHER CONTINUING APPROPRIATIONS, 2008

Division B of the conference agreement makes further continuing appropriations for fiscal year 2008. No comparable provisions were included in the House or Senate versions of H.R. 3222.

In particular, division B amends the first fiscal year 2008 continuing resolution (Public Law 110-92) to extend its general expiration date to December 14, 2007 and to add additional provisions as follows. (In the following discussion, the section numbers cited refer to sections of Public Law 110-92 as they would be added by the conference agreement.)

New section 151 of the continuing resolution (as added by the conference agreement) extends authority through the general termination date of the continuing resolution for the National Dairy Promotion and Research Board (which is funded through producer assessments) to expend funds for foreign market development.

Section 152 provides an operating rate under the continuing resolution of $1,025,398,000 for the Census Bureau's Periodic Censuses and Programs account, in order to accommodate contracts and activities needed to be undertaken now to stay on schedule for 2010 decennial census and the economic censuses.

Section 153 provides an emergency designation for funds available under the first continuing resolution for the Department of Defense and that are not subsumed into the regular fiscal year 2008 Defense Appropriations Act.

Section 154 appropriates funds for the traditional payment to the heirs of the late Representative Jo Ann Davis.

Section 155 provides operating rates under the continuing resolution equal to the President's fiscal year 2008 budget request for accounts within the Department of Veterans Affairs.

Section 156 extends, through the general termination date of the continuing resolution, a provision of law limiting liability of air carriers for claims arising out of acts of terrorism. This provision was last extended by the fiscal year 2007 full-year continuing resolution and expired on September 30. It has been proposed to be extended in the House-passed and Senate Committee-reported FAA authorization bills.

Section 157 makes a $500,000,000 emergency appropriation to the Forest Service and the Bureau of Land Management for emergency wildland fire suppression, wildfire risk reduction, reconstruction, and recovery activities in response to the catastrophic wildfire season of 2007. The conferees have included funds to repay other program funds borrowed during fiscal year 2007 to fund emergency wildfire suppression activities, provide additional suppression resources to offset the cost of fighting the devastating Southern California wildfires, and fund critical hazardous fuels and rehabilitation activities. The conferees direct the agencies and their partners to allocate hazardous fuels and mitigation funding to areas that face the greatest risk from wildfires as a result of population densities and excessive fuel loads. Funding has also been provided for urgently needed fire risk reduction projects on State and private lands using all authorities available to the Forest Service. Rehabilitation funds shall be allocated to areas that face the greatest emergency stabilization and watershed protection needs based on values at risk.

Section 158 makes a $2,900,000,000 emergency appropriation to the Federal Emergency Management Agency: disaster relief fund, to provide the additional amounts estimated by the Department of Homeland Security to be needed for continued and anticipated disaster response and relief efforts for fiscal year 2008.

Section 159 makes a $3,000,000,000 emergency appropriation to the Department of Housing and Urban Development's Community Development Fund solely to alleviate a shortfall in the "Road Home" program to assist people whose homes were damaged by Hurricanes Katrina and Rita. These amounts would be used exclusively to fund eligible claims, for the homeowners' program in Louisiana that were submitted by the program deadline but not covered by current program funding.

COMPLIANCE WITH RULE XXI, Cl. 9 (HOUSE) AND WITH RULE XLIV (SENATE)

The following statement is submitted in compliance with clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate, which require publication of a list of congressionally directed spending items (Senate), congressional earmarks (House), limited tax benefits, and limited tariff benefits included in the conference report, or in the joint statement of managers accompanying the conference report, including the name of each Senator, House Member, Delegate, or Resident Commissioner who submitted a request to the Committee of jurisdiction for each item so identified. Neither the conference report nor the statement of managers for this division contains any congressionally directed spending items (as defined in the Senate rule) congressional earmarks (as defined in the House rule), limited tax benefits or limited tariff benefits as defined in the applicable House and Senate rules.

The following statement is submitted in compliance with House Resolution 491, which requires a listing of congressional earmarks in the conference report or joint statement of managers that were not committed to the committee of conference by either House, not in a report on a bill committed to conference, and not in a Senate committee report on a companion measure. Neither the conference report nor the statement of managers for this division contains any congressionally directed spending items (as defined in the Senate rule) or congressional earmarks (as defined in the House rule).

JOHN P. MURTHA,
NORMAN D. DICKS,
PETER J. VISCLOSKY,
JAMES P. MORAN,
MARCH KAPTUR,
BUD CRAMER,
ALLEN BOYD,
STEVEN R. ROTHMAN,
SANFORD D. BISHOP, Jr.,
DAVID OBEY,
BILL YOUNG,
DAVE HOBSON,
P. FRELINGHUYSEN,
TODD TIAHRT,
ROGER F. WICKER,
Managers on the Part of the House.

DANIEL K. INOUYE,
ROBERT C. BYRD,
PATRICK J. LEAHY,
TOM HARKIN,
BYRON L. DORGAN,
DICK DURBIN,
DIANNE FEINSTEIN,
BARBARA A. MIKULSKI,
HERB KOHL,
PATTY MURRAY,
Managers on the Part of the Senate.

CONFERENCE REPORT ON H.R. 3043, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. OBEY. Madam Speaker, pursuant to House Resolution 794, I call up the conference report on the bill (H.R. 3043) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mrs. TAUSCHER). Pursuant to House Resolution 794, the conference report is considered read.

(For conference report and statement, see proceedings of the House of November 5, 2007, at page 29413.)

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) and the gentleman from New York (Mr. WALSH) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tabular and extraneous material on the conference report to accompany H.R. 3043.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. OBEY. Madam Speaker, I yield myself 30 seconds.

I think everyone understands what the legislation is before us, and I urge adoption of the conference report.

Madam Speaker, I reserve the balance of my time.

Mr. WALSH of New York. Madam Speaker, I yield myself such time as I may consume.

I thank my chairman, Mr. OBEY, for the hard work, the energy and the thought that went into this bill, and both the minority and the majority staff for the hard work that they did in preparing us for the culmination of this work.

But I have to say, Madam Speaker, as someone who supported both of these bills that are contained in this conference report before us, I must admit to no small measure of frustration and disappointment with respect to where we stand today. I'm disappointed because this exercise embodies what is wrong with Washington.

By lancing these 2 bills together, we ensure a Presidential veto of both. By combining these bills, it makes certain that neither will advance in a timely fashion. And tying them together guarantees that we will further delay vital and noncontroversial spending for our veterans; funding to provide our wounded warriors needed health care; funding to reduce the backlog in the processing of claims benefits; and funding to invest in our veterans hospitals and defense facilities, both here at home and abroad.

I've said over and over, I can't figure out how anyone thinks that holding the veterans funding, which we all support, hostage to a bill that is going to be vetoed is good public policy. The fact is, everyone knows it's not good public policy; and, frankly, it's not even good politics. As former Appropriations Committee Chairman Bill Young asked, Give me one good government reason why joining these two bills makes sense.

I supported both the Labor-HHS and the Military Construction-Veterans Appropriations bills when they came to the House earlier this year. I think they're both good bills, and they're both well designed by the chairmen and the ranking members.

Chairman OBEY and I have worked shoulder to shoulder on the Labor-HHS bill for several months now, and I am satisfied with this bill as it has been produced over the last several weeks. I think it is a fair compromise. Knowing the President is not going to sign the bill, I am optimistic that he will negotiate with us in good faith in the coming weeks so that we can produce a final product that he can sign and we can pass that preserves the important bipartisan priorities this legislation seeks to address.

I am incredibly disappointed that leaders of this committee have been forced to yield to the political whims and flippant strategies of party leaders advancing this needless game of partisan one-upmanship.

Appropriations has always been a committee of principle, a committee of good governance. Appropriators have traditionally cast aside politics for policy. Tonight, Madam Speaker, this committee has become the primary sponsor of a partisan stand-off, and that's a shame.

My constituents sent me here to develop good policy. They sent me here to do the right thing. And the fact is that delaying vital funding for our veterans is not the right thing.

I regret that we're here discussing this. I regret that we haven't seen the Military Construction-Veterans bill go to the White House. It's a bill that could have been sent a month ago.

If the Senate sends the Labor-HHS bill back to us as a stand-alone conference report, I will vote for it. As importantly, I will be among the first to vote for a stand-alone Military Construction-Veterans conference report as soon as the House decides to appoint conferees, but the process that has been used to bring us to this point leaves a very bad taste in my mouth.

Madam Speaker, I reserve the balance of my time.

Mr. OBEY. Madam Speaker, I yield 7 minutes to the distinguished gentleman from Texas (Mr. EDWARDS), chairman of the Military Subcommittee.

Mr. EDWARDS. Madam Speaker, let me first respond to my colleague and friend, the last speaker, who is highly critical of Democrats having the gall to combine the VA appropriation bill with another bill. I must say, if that is a crime, then some of my Republican colleagues would be serving a life sentence, because in 2003, 2004, 2005 and 2006 they did exactly what they're criticizing tonight. They put the VA appropriation bill in other bills. And oh, by the way, they forgot to tell you, as they criticize us tonight for being 1 month late in passing the VA appropriation bill after Democrats have already led the charge to add $5.2 billion for veterans health care and benefits programs, they forgot to tell you they didn't pass a VA appropriation bill at all last year, not one month late, not two months late, not three months late, not four months late. They just simply didn't do it at all.

So I think it would be fair for an objective person to raise a question of credibility when some in this House say one thing and do another. And by the way, when they talk about how, under Democratic leadership, we're late, just over a month now, in passing the appropriation bill, they conveniently seem to forget, I call it "politically convenient memory," maybe I should call it "politically convenient loss of memory," they forget to say the last time under a Republican leadership they passed a VA appropriation bill on time wasn't 2005 or 2004 or 2003 or 2002 or 2001. It was 1996.

But let's talk about the substance of this bill under the new leadership in Congress, because that's what this debate is all about. And I'm proud of that substance.

This conference report sends a clear message to America's servicemen and women, their families, and our veterans that a grateful Nation deeply respects their service and sacrifice. This bill says to all who have served in uniform, just as you have kept your promise to our country, we intend to keep our promise to you.

For our veterans, this is a historic bill under Democratic leadership, without precedent. We increase VA discretionary spending by $6.6 billion, which is $3.7 billion above the President's request.

This bill represents the largest single increase in VA discretionary and health care funding in the 77-year history of the Veterans Administration, and our veterans have earned every dime through their service and sacrifice for our Nation.

What this bill means, this bill crafted under Democratic leadership, to our veterans is this: more doctors and nurses for improved medical care, shorter waiting times for doctors appointments. It means case managers for Iraq war veterans with traumatic combat wounds. For those suffering from combat-related PTSD and mental health care issues, it means better and more timely services. For members of the National Guard and Reserve forces in rural areas, it means quality health care closer to home. And for many of the 2,000 homeless veterans on the streets of our Nation tonight, this bill means the dignity of housing and hope for the future.

Let me mention seven major initiatives in this bill, Madam Speaker. First, we increase VA health care funding by $5.3 billion above last year's levels. It bears repeating this is the largest single increase in VA health care funding in our Nation's history.

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When combined with the fiscal year 2000 continuing resolution passed under Democratic leadership and the 2007 Iraq supplemental bill passed earlier this year, listen to this my colleagues, this new Congress in less than 12 months under new leadership will have added $10.2 billion to improve millions of veterans' health care, and $11 billion in increase in VA discretionary spending, which includes health care and benefits.

For the first time in the 21-year history of the veterans service organizations independent budget, led by the DAV, the VFW, AMVETS and Paralyzed Veterans of America and 52 other organizations, under Democratic leadership we meet and exceed the independent budget to the Veterans Health Administration, the first time, and will require no less than $2.9 billion be invested in PTSD and mental health care treatment for veterans.

Our second initiative, and this is important, we had 1,800 new VA caseworkers to reduce unacceptable waiting times for VA benefits, waiting times that are averaging 6 months. Many of those veterans are combat wounded.

A third initiative, for the first time since 1979 when gasoline prices were 90 cents a gallon, we increased the mileage reimbursement for veterans from 11 cents to 28½ cents. That is $78 more for a 400-mile round trip for a veteran to get the care he or she needs at a VA hospital. It may not be a lot of money to some, but to many of our Nation's veterans it might mean the difference between making that trip or not.

Fourth, for the first time in 5 years, we fund a real increase after inflation in VA medical research. That research will help millions of America's veterans live better, longer lives.

Fifth, we increase VA construction by $870 million. Why? Because we want to ensure that not one veteran, not one, ever has to live with the indignity that many of our Army soldiers had to face at Walter Reed Hospital Annex 18.

Six, under Democratic leadership, we recognize that our military spouses and children are truly the unsung heroes and heroines of our Nation's defense. They may not wear our Nation's uniform, but they sacrifice and serve every day. We take a new initiative, the military family initiative, in this bill, that I wish my Republican colleagues would join with us in voting for tonight, provide $130 million for 16 new day care centers to help 3,500 military children get the day care they need.

Seven, we fund $2.8 billion to continue growing the active Army and the Marines so that our Marines and Army soldiers can spend more time at home with the families they love and less time deployed overseas.

We spend $21.5 billion in military construction, support operations, training, quality of life improvements for our service men and women. This is a $5.2 billion increase over fiscal year 2007. The DAV, one of America's most respected veterans organizations, urges this House to vote for this bill. Our veterans, our service men and women deserve that vote tonight.

MILITARY CONSTRUCTION - VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2008 (H.R. 2642)
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Conference	Conference vs. Enacted
TITLE I - DEPARTMENT OF DEFENSE						
Military construction, Army	2,017,321	4,039,197	4,070,959	3,928,149	3,950,383	+1,933,062
Rescission	-43,348	---	---	---	-8,690	+34,658
Emergency appropriations (P.L. 110-28)	1,255,890	---	---	---	---	-1,255,890
Emergency appropriations (P.L. 110-28), (By (transfer, Army Sec. 3309)	(6,250)	---	---	---	---	(-6,250)
Total	3,229,863	4,039,197	4,070,959	3,928,149	3,941,693	+711,830
Military construction, Navy and Marine Corps	1,130,821	2,104,276	2,125,138	2,168,315	2,220,784	+1,089,963
Rescissions	-27,500	---	-5,862	---	-10,557	+16,943
Emergency appropriations (P.L. 110-28)	370,990	---	---	---	---	-370,990
Total	1,474,311	2,104,276	2,119,276	2,168,315	2,210,227	+735,916
Military construction, Air Force	1,083,000	912,109	927,428	1,048,518	1,159,747	+76,747
Rescissions	-2,694	---	-5,319	---	-10,470	-7,776
Emergency appropriations (P.L. 110-28)	43,300	---	---	---	---	-43,300
Total	1,123,606	912,109	922,109	1,048,518	1,149,277	+25,671
Military construction, Defense-Wide	1,127,000	1,799,336	1,806,928	1,758,755	1,609,596	+482,596
Rescission	-110,229	---	-7,592	---	-10,192	+100,037
Total	1,016,771	1,799,336	1,799,336	1,758,755	1,599,404	+582,633
Total, Active components	6,844,551	8,854,918	8,911,680	8,903,737	8,900,801	+2,056,050
Military construction, Army National Guard	473,000	404,291	439,291	478,836	536,656	+63,656
Rescissions	-2,129	---	---	---	---	+2,129
Total	470,871	404,291	439,291	478,836	536,656	+65,785
Military construction, Air National Guard	126,000	85,517	95,517	228,995	287,537	+161,537
Military construction, Army Reserve	166,000	119,684	154,684	138,424	148,133	-17,867
Military construction, Navy Reserve	43,000	59,150	69,150	59,150	64,430	+21,430
Military construction, Air Force Reserve	45,000	26,559	39,628	27,559	28,359	-16,641
Rescission	---	---	-3,069	-3,100	-3,069	-3,069
Total	45,000	26,559	36,559	24,459	25,290	-19,710
Total, Reserve components	850,871	695,201	795,201	929,864	1,062,046	+211,175
Total, Military construction	7,695,422	9,550,119	9,706,881	9,833,601	9,962,647	+2,267,225
Appropriations	(6,211,142)	(9,550,119)	(9,728,723)	(9,836,701)	(10,005,625)	(+3,794,483)
Rescissions	(-185,900)	---	(-21,842)	(-3,100)	(-42,978)	(+142,922)
Emergency appropriations	(1,670,180)	---	---	---	---	(-1,670,180)
North Atlantic Treaty Organization Security Investment Program	204,789	201,400	201,400	201,400	201,400	-3,389
Family housing construction, Army	579,000	419,400	419,400	419,400	424,400	-154,600
Rescission	---	---	---	---	-4,559	-4,559
Total	579,000	419,400	419,400	419,400	419,841	-159,159
Family housing operation and maintenance, Army	671,311	742,920	742,920	742,920	731,920	+60,609
Family housing construction, Navy and Marine Corps	305,000	298,329	298,329	288,329	293,129	-11,871
Family housing operation and maintenance, Navy and Marine Corps	505,472	371,404	371,404	371,404	371,404	-134,068
Family housing construction, Air Force	1,168,000	362,747	362,747	362,747	327,747	-840,253
Rescission	-18,000	---	---	---	-15,000	+3,000
Total	1,150,000	362,747	362,747	362,747	312,747	-837,253
Family housing operation and maintenance, Air Force	750,000	688,335	688,335	688,335	688,335	-61,665
Family housing construction, Defense-Wide	9,000	---	---	---	---	-9,000
Family housing operation and maintenance, Defense-Wide	49,000	48,848	48,848	48,848	48,848	-152
Department of Defense Family Housing Improvement Fund	2,475	500	500	500	500	-1,975
Total, Family housing	4,021,258	2,932,483	2,932,483	2,922,483	2,866,724	-1,154,534

MILITARY CONSTRUCTION - VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2008 (H.R. 2642)
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Conference	Conference vs Enacted
Appropriations	(4,039,258)	(2,932,483)	(2,932,483)	(2,922,483)	(2,886,283)	(-1,152,975)
Rescissions	(-18,000)	---	---	---	(-19,559)	(-1,559)
Chemical demilitarization construction, Defense-Wide	131,000	86,176	86,176	104,176	104,176	-26,824
Base realignment and closure:						
Base realignment and closure account, 1990	252,279	220,689	270,689	320,689	295,689	+43,410
Base realignment and closure account, 2005	2,489,421	8,174,315	8,174,315	8,174,315	8,040,401	+5,550,980
Emergency appropriations (P.L. 110-28)	3,136,802	---	---	---	---	-3,136,802
Total, Base realignment and closure	5,878,502	8,395,004	8,445,004	8,495,004	8,336,090	+2,457,588
Appropriations	(2,741,700)	(8,395,004)	(8,445,004)	(8,495,004)	(8,336,090)	(+5,594,390)
Emergency appropriations	(3,136,802)	---	---	---	---	(-3,136,802)
Total, title I	17,930,971	21,165,182	21,371,944	21,556,664	21,471,037	+3,540,066
Appropriations	(13,327,889)	(21,165,182)	(21,393,786)	(21,559,764)	(21,533,574)	(+8,205,685)
Rescissions	(-203,900)	---	(-21,842)	(-3,100)	(-62,537)	(+141,363)
Emergency appropriations	(4,806,982)	---	---	---	---	(-4,806,982)
TITLE II - DEPARTMENT OF VETERANS AFFAIRS						
Veterans Benefits Administration						
Compensation and pensions	38,007,095	41,236,322	41,236,322	41,236,322	41,236,322	+3,229,227
Readjustment benefits	3,262,006	3,300,289	3,300,289	3,300,289	3,300,289	+38,283
Veterans insurance and indemnities	49,850	41,250	41,250	41,250	41,250	-8,600
Veterans housing benefit program fund program account (indefinite)	66,234	17,389	17,389	17,389	17,389	-48,845
(Limitation on direct loans)	(500)	(500)	(500)	(500)	(500)	---
Credit subsidy	-100,000	-108,000	-108,000	-108,000	-108,000	-8,000
Administrative expenses	154,284	154,562	154,562	154,562	154,562	+278
Vocational rehabilitation loans program account	53	71	71	71	71	+18
(Limitation on direct loans)	(4,242)	(3,287)	(3,287)	(3,287)	(3,287)	(-955)
Administrative expenses	305	311	311	311	311	+6
Native American veteran housing loan program account	584	628	628	628	628	+44
(Limitation on direct loans)	(30,000)	---	---	---	---	(-30,000)
Total, Veterans Benefits Administration	41,440,411	44,642,822	44,642,822	44,642,822	44,642,822	+3,202,411
Veterans Health Administration						
Medical services	25,518,254	27,167,671	29,031,400	28,979,220	29,104,220	+3,585,966
Emergency appropriations (P.L. 110-28)	466,778	---	---	---	---	-466,778
Medical administration	3,177,968	3,442,000	3,510,600	3,642,000	3,517,000	+339,032
Emergency appropriations (P.L. 110-28)	250,000	---	---	---	---	-250,000
Medical facilities	3,569,533	3,592,000	4,100,000	4,092,000	4,100,000	+530,467
Emergency appropriations (P.L. 110-28)	595,000	---	---	---	---	-595,000
Medical and prosthetic research	413,980	411,000	480,000	500,000	480,000	+66,020
Emergency appropriations (P.L. 110-28)	32,500	---	---	---	---	-32,500
Medical care cost recovery collections:						
Offsetting collections	-2,329,000	-2,414,000	-2,414,000	-2,414,000	-2,414,000	-85,000
Appropriations (indefinite)	2,329,000	2,414,000	2,414,000	2,414,000	2,414,000	+85,000
Total, Veterans Health Administration	34,024,013	34,612,671	37,122,000	37,213,220	37,201,220	+3,177,207
Appropriations	(32,679,735)	(34,612,671)	(37,122,000)	(37,213,220)	(37,201,220)	(+4,521,485)
Emergency appropriations	(1,344,278)	---	---	---	---	(-1,344,278)
National Cemetery Administration						
National Cemetery Administration	160,747	166,809	170,000	217,709	195,000	+34,253
Total, National Cemetery Administration	160,747	166,809	170,000	217,709	195,000	+34,253
Departmental Administration						
General operating expenses	1,481,473	1,471,837	1,598,500	1,612,031	1,605,000	+123,527
Emergency appropriations (P.L. 110-28)	83,200	---	---	---	---	-83,200
Information technology systems	1,214,000	1,859,217	1,859,217	1,898,000	1,966,465	+752,465
Emergency appropriations (P.L. 110-28)	35,100	---	---	---	---	-35,100
Office of Inspector General	70,641	72,599	76,500	88,700	80,500	+9,859
Construction, major projects	399,000	727,400	1,410,800	727,400	1,069,100	+670,100
Construction, minor projects	198,937	233,396	615,000	751,398	630,535	+431,598
Emergency appropriations (P.L. 110-28)	340,485	---	---	---	---	-340,485
Emergency appropriations (P.L. 110-28) (Rescission)	-14,485	---	---	---	---	+14,485
Grants for construction of State extended care facilities	85,000	85,000	165,000	250,000	165,000	+80,000

MILITARY CONSTRUCTION - VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2008 (H.R. 2642)
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Conference	Conference vs. Enacted
Grants for the construction of State veterans cemeteries	32,000	32,000	37,000	100,000	39,500	+7,500
Total, Departmental Administration	4,086,098	4,648,258	5,932,017	5,645,238	5,751,100	+1,665,002
Appropriations	(3,641,798)	(4,648,258)	(5,932,017)	(5,645,238)	(5,751,100)	(+2,109,302)
Emergency appropriations	(458,785)	---	---	---	---	(-458,785)
Rescissions (emergency appropriations)	(-14,485)	---	---	---	---	(+14,485)
Administrative Provisions						
Sec. 230 Mileage reimbursement, VA medical services	---	---	---	125,000	---	---
Sec. 230 Mileage reimbursement, VA medical administration	---	---	---	-125,000	---	---
Sec. 230 VA Medical Services (P.L. 110-28)	---	---	---	---	-66,000	-66,000
Sec. 230 Construction Major Projects (P.L. 110-28)	---	---	---	---	66,000	+66,000
Total, title II	79,550,522	83,903,751	87,696,839	87,501,280	87,595,142	+8,044,620
Appropriations	(77,761,944)	(83,903,751)	(87,696,839)	(87,501,280)	(87,595,142)	(+9,833,198)
Emergency appropriations	(1,803,063)	---	---	---	---	(-1,803,063)
Rescissions (emergency appropriations)	(-14,485)	---	---	---	---	(+14,485)
(Limitation on direct loans)	(34,742)	(3,787)	(3,787)	(3,787)	(3,787)	(-30,955)
Discretionary	38,265,337	39,416,501	43,209,589	43,014,030	43,107,892	+4,842,555
Mandatory	41,285,185	44,487,250	44,487,250	44,487,250	44,487,250	+3,202,065
TITLE III - RELATED AGENCIES						
American Battle Monuments Commission						
Salaries and expenses	37,000	42,100	43,470	45,600	44,600	+7,600
Foreign currency fluctuations account	5,000	11,000	11,000	11,000	11,000	+6,000
Total, American Battle Monuments Commission	42,000	53,100	54,470	56,600	55,600	+13,600
U.S. Court of Appeals for Veterans Claims						
Salaries and expenses	20,189	21,217	21,397	24,217	22,717	+2,528
Department of Defense - Civil						
Cemeterial Expenses, Army						
Salaries and expenses	30,000	26,892	30,592	31,865	31,230	+1,230
Armed Forces Retirement Home						
Operation and maintenance	55,991	55,724	55,724	55,724	55,724	-267
Capital program	1,236	---	---	---	---	-1,236
General fund appropriation	---	5,900	800	5,900	800	+800
Total, Armed Forces Retirement Home	57,227	61,624	56,524	61,624	56,524	-703
Total, title III	149,416	162,833	162,983	174,306	166,071	+16,655
Appropriations	(149,416)	(162,833)	(162,983)	(174,306)	(166,071)	(+16,655)
GENERAL PROVISIONS						
Sec. 411 Conventions (emergency appropriations)	---	---	---	100,000	---	---
Grand total	97,630,909	105,231,766	109,231,766	109,332,250	109,232,250	+11,601,341
Appropriations	(91,239,249)	(105,231,766)	(109,253,608)	(109,235,350)	(109,294,787)	(+18,055,538)
Rescissions	(-203,900)	---	(-21,842)	(-3,100)	(-62,537)	(+141,363)
Emergency appropriations	(6,610,045)	---	---	(100,000)	(66,000)	(-6,544,045)
Rescissions (emergency appropriations)	(-14,485)	---	---	---	(-66,000)	(-51,515)

MILITARY CONSTRUCTION - VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2008 (H.R. 2642)
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Conference	Conference vs. Enacted
CONGRESSIONAL BUDGET RECAP						
Scorekeeping adjustments:						
Emergency appropriations defense	-4,806,982	---	---	---	---	+4,806,982
Emergency appropriations non-defense	-1,788,578	---	---	-100,000	---	+1,788,578
ATB pay raise (Sec. 111 of P.L. 110-5) adjustment	-925	---	---	---	---	+925
Sec. 232 Rounding of benefits	---	---	---	15,000	---	---
Total, adjustments	-6,596,485	---	---	-85,000	---	+6,596,485
Total (including adjustments)	91,034,424	105,231,766	109,231,766	109,247,250	109,232,250	+18,197,826
Scorekeeping adjustments	(-6,596,485)	---	---	(-85,000)	---	(+6,596,485)
Prior year outlays	---	---	---	---	---	---
Total mandatory and discretionary	91,034,424	105,231,766	109,231,766	109,247,250	109,232,250	+18,197,826
Mandatory	(41,285,185)	(44,487,250)	(44,487,250)	(44,487,250)	(44,487,250)	(+3,202,065)
Mandatory (prior year)	---	---	---	---	---	---
Mandatory (total)	(41,285,185)	(44,487,250)	(44,487,250)	(44,487,250)	(44,487,250)	(+3,202,065)
Discretionary	(49,749,239)	(60,744,516)	(64,744,516)	(64,760,000)	(64,745,000)	(+14,995,761)
Discretionary (prior year)	---	---	---	---	---	---
Discretionary (total)	(49,749,239)	(60,744,516)	(64,744,516)	(64,760,000)	(64,745,000)	(+14,995,761)

MILITARY CONSTRUCTION - VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2008 (H.R. 2642)
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Conference	Conference vs Enacted
RECAP BY FUNCTION						
Mandatory	41,285,185	44,487,250	44,487,250	44,487,250	44,487,250	+3,202,065
Prior year outlays	---	---	---	---	---	---
Total, Mandatory	41,285,185	44,487,250	44,487,250	44,487,250	44,487,250	+3,202,065
General purpose discretionary:						
Defense	13,123,989	21,165,182	21,371,944	21,556,664	21,471,037	+8,347,048
Prior year outlays	---	---	---	---	---	---
Total, Defense	13,123,989	21,165,182	21,371,944	21,556,664	21,471,037	+8,347,048
Nondefense	36,625,250	39,579,334	43,372,572	43,203,336	43,273,963	+6,648,713
Prior year outlays	---	---	---	---	---	---
Total, Nondefense	36,625,250	39,579,334	43,372,572	43,203,336	43,273,963	+6,648,713
Subtotal, General purpose discretionary	49,749,239	60,744,516	64,744,516	64,760,000	64,745,000	+14,995,761
Prior year outlays	---	---	---	---	---	---
Total General purpose discretionary	49,749,239	60,744,516	64,744,516	64,760,000	64,745,000	+14,995,761
Grand total, Mandatory and Discretionary	91,034,424	105,231,766	109,231,766	109,247,250	109,232,250	+18,197,826
DISCRETIONARY 302B ALLOCATION						
GENERAL PURPOSE	49,749,239	60,744,516	64,744,516	64,760,000	64,745,000	+14,995,761
302B ALLOCATION	---	---	64,744,516	64,745,000	64,745,000	+64,745,000
OVER/UNDER	49,749,239	60,744,516	---	15,000	---	-49,749,239

Mr. WALSH of New York. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in an attempt to set the record straight with respect to recent history of funding for these important veterans programs. Certain speakers over the past several days have made statements that have, in the least, inferred that the manner in which we are being asked to vote for the veterans portion of this package before us is consistent with past practice. This is simply not the case.

The facts of the matter are these: In 7 of 12 years of previous Republican control, funding for veterans was approved in stand-alone bills. In five of those cases, the conference report containing veterans funding was approved in September or October. In one case, the conference report was approved on November 8, and another was approved on November 18.

In 4 of the remaining 5 years, veterans funding was included in multiple omnibus bills. But in all but one of these cases, the House had approved the stand-alone veterans bill. In all but two cases, the Senate passed a stand-alone bill. In one case, fiscal year 2003, the election year in which the Senate switched its majority, neither body approved a stand-alone bill.

In every one of these 4 years, the omnibus bill that was finally approved was both fiscally responsible and negotiated openly by the House and the Senate bodies with full awareness and agreement of the executive branch. In the final circumstance, last year, the House approved a veterans bill before the beginning of the fiscal year and waited until the day before Congress adjourned for the Senate to appoint conferees.

Unfortunately, such appointment occurred too late to act. As we saw, when we had the majority in the House, there was a tremendous amount of frustration with the other body in closing some of these conferences out. I suspect my good friends on the other side of the aisle are experiencing similar frustration this evening.

Although funding for our veterans has found its way to these deserving Americans in more than one manner, the real point here is that not once in the past 12 years or even before that, as far as I am aware, has such funding for veterans been placed in jeopardy in the manner that it is being placed tonight. Never has it been paired with a bill that everyone is certain will be vetoed. Never has it been used as a pawn to force the President to choose veterans over other programs, no matter how important they may be.

Madam Speaker, as many of my friends are wont to say, people are entitled to their own opinions but not to their own facts. In the debate regarding the funding for our veterans, it is particularly important that the facts are not distorted for political purposes.

Veterans Funding History Under Republican Congresses

FY 1996: Stand alone VA-HUD conference report passed in December. Subsequently vetoed, and wrapped into an Omnibus which passed the following Spring (4/25/96). House passed conference report 12/7/95. Senate passed conference report 12/14/95. President vetoed conference report 12/18/95. Enacted as part of the Omnibus 4/25/96.

FY 1997: Stand alone VA-HUD conference report enacted before the end of the fiscal year (9/26/06). House passed conference report 9/24/96. Senate passed conference report 9/25/96. President signed conference report 9/26/96.

FY 1998: Stand alone VA-HUD conference report enacted in October (10/27/97). House passed conference report 10/8/97. Senate passed conference report 10/9/97. President signed conference report 10/27/97.

FY 1999: Stand alone VA-HUD conference report enacted in October (10/21/98). House passed conference report 10/6/98. Senate passed conference report 10/8/98. President signed conference report 10/21/98.

FY 2000: Stand alone VA-HUD conference report enacted in October (10/20/99). House passed conference report 10/14/99. Senate passed conference report 10/15/99. President signed conference report 10/20/99.

FY 2001: VA-HUD conference report enacted in October with the Energy and Water attached (10/27/00). Energy and Water conference was previously vetoed and the revised E&W agreement was included within the VA-HUD conference agreement. House passed conference report 10/19/00. Senate passed conference report 10/19/00. President signed conference report 10/27/00.

FY 2002: Stand alone VA-HUD conference report enacted in November (11/26/01). House passed conference report 11/8/01. Senate passed conference report 11/8/01. President signed conference report 11/26/01.

FY 2003: Neither the House nor Senate passed a VA-HUD bill (nor did they pass 9 other appropriations bills). This was the year the Senate changed parties in the 2002 election. The omnibus which was enacted in February 2003 contained 11 of the 13 appropriations bills. House passed omnibus conference report 2/13/03. Senate passed omnibus conference report 2/13/03. President signed omnibus conference report 2/13/03.

FY 2004: Senate did not pass the VA-HUD bill until November 18, 2003. The bill was wrapped into an omnibus conference report which was filed one week after Senate passage (11/25/03) that included 7 of 13 appropriations bills.

The House passed the omnibus in December (12/8/03), however a filibuster in the Senate delayed passage of the omnibus conference report until January (1/22/04) and the omnibus was enacted the next day (1/23/04). House passed omnibus conference report 12/08/03. Senate passed omnibus conference report 1/22/04. President signed omnibus conference report 1/23/04.

FY 2005: Senate never passed the VA-HUD bill. The bill was wrapped into an omnibus which contained 9 of the 13 appropriations bills. The omnibus conference report was enacted in December (12/8/04). House passed omnibus conference report 11/20/04. Senate passed omnibus conference report 11/20/04. President signed omnibus conference report 12/08/04.

FY 2006: Stand alone Military Quality of Life-VA conference report enacted in November (11/30/05). House passed conference report 11/18/05. Senate passed conference report 11/18/05. President signed conference report 11/30/06.

FY 2007: Senate did not pass the Military Quality of Life-VA bill until November (11/14/06) and did not appoint conferees until December (12/06/06) due to objections over earmarks. The bill was wrapped into an omnibus continuing resolution enacted in February 2007 (2/15/07) which contained 9 of the 11 appropriations bills.

Madam Speaker, I reserve the balance of my time.

Mr. OBEY. Madam Speaker, I yield 15 seconds to the gentleman from Texas.

Mr. EDWARDS. Madam Speaker, facts are a stubborn thing. These are the facts. In the last 5 years under Republican leadership, only 1 time, only 1 time under Republican House leadership did they send a VA appropriation bill to the President as a free-standing bill. And in 1 of those 5 years, they didn't send any bills at all. Those are the facts.

Mr. WALSH of New York. Madam Speaker, at this time, I yield 4 minutes to the member of the subcommittee, the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Madam Speaker, I thank the gentleman for yielding.

I rise to say while I am pleased with many of the provisions in this bill, and I certainly want to commend the chairman particularly for a hard-fought negotiation with the other body on the issue of getting a toxic substance, mercury, out of the injections that we give little babies, I have to vote "no" on this conference report. I want to make very clear that there is an important, I think, distinction. There has been a lot of discussion back and forth about how we had combined appropriations bills in the past as the majority is doing today. At least my recollection of the facts in the past, we were forced to combine appropriations bills typically because there was a problem getting these bills through the other body because they wanted more spending and we wanted less spending.

The purpose of the combination here tonight is to achieve more spending. Now, I saw a poll recently, and it truly amazed me, if you asked the American people a question, do you think the Federal Government taxes and spends too much, you get about 85 percent of Americans agree with that statement. Indeed, a majority of Democrats feel that we tax and spend too much. This bill increases spending $21.2 billion over last year.

Now, the majority has been very quick to point out this is less than what we will spend in 2 months in Iraq and Afghanistan as if we can't deal with those problems and we can walk away from them. I think we have all agreed in this body, we have to try to see the war on terror and the challenges we have there through. But the important point with those conflicts is they will some day end; whereas, the money that is going in this bill will be incorporated in the baseline, and next year, all of these dollars will be increased another, I don't know, what, 3, 4, 5 percent. Depending on how you do the calculations, this $21 billion of increased spending could be $200 billion in 7 years, 10 years, and in my opinion, we have a responsibility to make tough decisions. And this bill is an attempt to achieve additional spending over and above the President's request. In my opinion, it just goes too far.

I also want to just mention one other item. There are a lot of items in this bill. We cut the Department of Labor 20 percent that oversees our unions. When I first got on this committee, I have to say, I was shocked to see the loose degree of regulation and oversight that we have. The unions have to file a document called an LM-2, which details all their spending. And I saw a document from one union. It was a big union. They had taken in about $78 million. It was one page on one side. The reason it had gotten so bad is because, under the previous administration, oversight had been very, very lax. And this administration, because it is the union workers' money, and how it gets spent needs to be monitored because sometimes it is abused, and it is funneled into political operations inappropriately, this bill reduces that level of oversight. Now, I think that is taking us in a wrong direction.

While there are a lot of features in this bill I think are good, I am forced to vote "no" on the conference report.

Mr. OBEY. Madam Speaker, I yield 1 minute to the distinguished Speaker of the House.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding. I thank him for his leadership in bringing this important legislation to the floor. I commend Chairman OBEY for his leadership of the Appropriations Committee, particularly on the Labor, Health and Human Services and Education Subcommittee on which I had the privilege to serve for a number of years. I commend the chairman of the Veterans Quality of Life Subcommittee, Mr. EDWARDS, for his extraordinary leadership on behalf of America's veterans.

Everyone who wants to honor our promises to our veterans, everyone who salutes their service to our country owes a deep debt of gratitude to you, Mr. EDWARDS, for your extraordinary leadership.

Madam Speaker, our national budget should be a statement of our national values. The legislation that we debate here today invests in America's correct priorities. It includes the largest increase in veterans benefits in the 77-year history of the Veterans Administration, and potentially life-saving biomedical research, and it does it all in a fiscally sound way.

Madam Speaker, I have a long speech this evening. But in the interest of time, I am going to submit it for the RECORD and just say two things, because the main focus of this legislation is on our veterans and the other is on the investments made by the Labor, Health and Human Services and Education Subcommittee.

In the military, it is said that we leave no soldier behind on the battlefield, and when they come home, we promise here in this House that we will leave no veteran behind. This legislation fulfills that promise to our veterans. The President has said that he will perhaps veto this bill. I hope that he will have a change of heart and a change of mind in that regard because those who care about our veterans, and I believe that includes everyone, I know everyone in this Chamber and in the Senate, in the Congress and in the country wants them to have what they have earned and what they deserve.

In terms of the other aspects of the bill, I bring to the floor some deep concerns about the priorities that the President is criticizing in this bill. The President says he will veto any bill that is $1 more than what he has asked for in his budget. In this bill, we have $1.4 billion more for the National Institutes of Health. That isn't even enough to meet their needs, to meet the requests for grants that they have in any responsible way. But it is $1.4 billion more than what the President requests. And I can't help but juxtaposition the war in Iraq with this budget today. In the war in Iraq, we spend about 10, $12 billion a month, some of it unaccounted for, some of it in no-bid contracts, some of it in no-performance contracts, some of it the money has just disappeared. Democrats, in taking over the majority, have tried to hold the administration accountable. What we are finding is that it is hard to find some of that money. At the same time, consider this. As the President is spending 10 to $12 billion a month in Iraq, we spend 5 billion, $5½ billion a year on cancer research.

□ 2145

In America, 550,000 people die of cancer each year. That doesn't count those who are diagnosed, those who are suffering with; I am just talking about 550,000 people who die of cancer. Wouldn't it be better for us to invest more money? Say we doubled the biomedical research for cancer research from $5.5 billion to $10 billion or $11 billion in a year. Think of the return that that could be in scientific advancement. We know the scientific opportunity is there.

The heads of the National Institutes of Health, the National Cancer Institute, the Centers for Disease Control, all the entities of government that deal with the health of the American people want more investments in their budgets; and yet their boss, the President of the United States, who has appointed them, has dismissed their professional judgment on these issues, and not only failed to fund, but threatened to veto if we in Congress try to meet those needs.

Across America, almost every family, certainly probably every family in this body, has been affected by cancer, Alzheimer's, Parkinson's, diabetes, HIV/AIDS, you name it, the list goes on, all of which would benefit by a bigger, more robust investment in basic biomedical research in the budget of the National Institutes of Health. So that is why this bill is so important, because it directly relates to health and well-being of the American people and it directly relates to our national security and how we honor our commitment and our promises to our veterans.

I wish the President were here, and I wish the rules of this House would allow us to address him directly because it's a mystery to me and I wonder how anyone who might consider our national budget a statement of our national values could possibly say that although I know that hundreds of thousands of people in this country are dying of cancer, and although I know that scientific opportunity exists that we are ignoring. We have a moral responsibility to fund that opportunity, that scientific opportunity, but which we are ignoring by the President's call for a veto. How do you justify that?

So, my colleagues, I think it is really important that we send a message to the President in the only way that the rules allow us to do in this House, and that is to send it with this bill to the President's desk with a very, very strong vote, a vote for the health and well-being of the American people. How do you explain to your constituents that we cannot afford to find cures for cancer, Alzheimer's, diabetes, as I said, and the list goes on, but we can afford to spend $1 trillion in Iraq, much of it unaccounted for, and do that all at the same time?

I urge my colleagues to think about your friends, think about your neighbors, think about your families, think about your own responsibility to a healthy America when you make this vote, because you can make all the difference in the world. I think that we should vote as if the lives of our constituents depended upon this vote, because they certainly do. With that, I urge a "yes" vote on this important legislation and once again commend the presenters of this legislation for their great leadership.

Our budget is a statement of our values.

The legislation we debate today invests in American priorities: It includes the largest increase in veterans spending in the 77-year history of the VA, and potentially lifesaving medical research, and it does so in a fiscally responsible way.

These bills have passed the House and Senate with the strong bipartisan majorities they deserve.

The President has said he will veto these bills. But allow me to make the case that these are investments that are necessary and right.

The Labor-HHS spending bill has been historically called the "People's Bill." It is where Congress addresses the aspirations of the American people: The economic security of their families, the health and well being of their families, and the education of their children.

Today, this bill is once again the "People's Bill."

This is because it makes crucial investments in the health of all Americans: Every dollar spent on NIH research is returned to us manifold: in improved quality of life and millions of lives saved.

We should be proud that NIH supported researchers have made the United States the world leader in biomedical and behavioral research, creating thousands of jobs and new businesses in the process.

But in order to build upon past scientific achievements, address current medical needs, and anticipate future health challenges, we must make investments today.

We stand today on the precipice of countless scientific breakthroughs. For example, mapping of the human genome has greatly advanced our knowledge about the links between genetics and diseases.

Scientists are working right now to identify genetic changes that increase and decrease risk for cancer, to determine patterns of protein markers for very early detection of cancer, and to better treat and cure the disease.

By funding these critical investments, we can declare a national war on cancer—a disease that kills 550,000 Americans a year.

In my hometown, NIH is funding cutting edge research at the San Francisco VA Medical Center on the health of our veterans. Right now, scientists are breaking new ground in the diagnosis, prevention and management of disorders such as post-traumatic stress disorder, traumatic brain injuries and spinal cord injuries that result from combat.

No group of Americans has stood stronger and braver for our Nation than those who serve in the Armed Forces. From the bitter cold winter at Valley Forge to the boiling hot Iraqi terrain, our soldiers have courageously answered when called, gone where ordered, and defended our Nation with honor. They have done everything asked of them.

How we repay that service speaks volumes about our national character.

I want to thank all of our veterans and military service organizations who have long advocated for the funding contained in this bill.

I also want to thank Chairman SPRATT, Chairman OBEY, and Chairman EDWARDS for their leadership and their dedication to those who have worn our Nation's uniform.

This bill provides $6.6 billion more than last year and $3.7 billion more than the President's budget. These are dollars well-invested.

For example in this bill:

We provide quality healthcare to 5.8 million America veterans, including 263,000 who have fought in Iraq and Afghanistan.

We ensure that the veterans returning from Iraq and Afghanistan—one third of whom will be suffering from Post Traumatic Stress Disorder and 300,000 who are expected to suffer from Traumatic Brain Injury—get the best treatment possible. We will ensure the polytrauma centers and Centers of Excellence for Mental Health and PTSD are fully operational.

For our veterans living in rural areas, this bill will increase the travel reimbursement rates for those who travel long distances to the nearest VA facility.

These benefits have been earned. These are the benefits our veterans deserve.

Madam Speaker, on this coming Monday, our Nation will honor its veterans with Veterans Day. But in this body, every day should be Veterans Day. On the battlefield, the military pledges to leave no soldier behind. As a Nation, let it be our promise that when they return home, we leave no veteran behind.

Today, we are delivering on that promise.

I urge my colleagues to support this legislation.

Mr. WALSH of New York. Madam Speaker, I yield such time as he may consume to the gentleman from California (Mr. LEWIS), the distinguished ranking member of the Appropriations Committee.

Mr. LEWIS of California. Madam Speaker, I appreciate my colleague yielding me this time and rise simply to say that one of the most important things for all of us to recognize on both sides of the aisle is that the American public is absolutely sick and tired of seeing us doing purely partisan battle in the name of serving the public.

Over the years, if there's an arena where we have come together in a totally nonpartisan way, it has been in support of our veterans. To hear my friend, my colleague from Texas, this evening painting veterans affairs programs in partisan terms, as though this is a partisan political game, would cause our colleague Sonny Montgomery to turn over in his grave. Absolutely he would find this style unacceptable.

Our veteran service organizations know an awful lot better than we do how important it is that we strike a nonpartisan tone. In this arena we have the opportunity to come together, Democrats and Republicans, on behalf of the American people. I urge us to get back to that pattern that says this is not a partisan game. We all, Democrats and Republicans, support our veterans. The record has already been laid out that will make that very, very clear to anybody who would but take the time to read it.

Above and beyond that, Madam Speaker, it is very likely that this package will be vetoed by the President, largely because the President is trying to strike a tone which says you don't solve every problem that faces the American public by way of simply throwing money at those problems. There are those who think that government is the only solution and the only way to get to an end is by throwing mud at the wall and hoping some will stick.

In the arena that involves fundamental and basic research leading to better health care for all Americans, when we played a nonpartisan role, we have gotten very, very positive results. I think the public recognizes that the sooner we can get this House to come together and bring our people together, the more progress we are going to make. It's long past due that we recognize that we do our best work by going to the subcommittee level and setting aside partisan politics, knowing full well that our Appropriation Committee works extremely well with the give-and-take and compromise that happens at the subcommittee level. Some way this year in this House we have gotten away from this. If we continue on this pattern, I predict that we are going to destroy the Appropriations Committee as we know it.

Now, one more thing. The President will veto this bill. I predict his veto will be sustained. Then this House will come back and hopefully in a nonpartisan way, I say to my friend from Texas, in a nonpartisan way pass a bill that reflects all of our support for America's veterans.

Mr. OBEY. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Madam Speaker, I would like to respond to my colleague Mr. LEWIS's comments. He said he doesn't like partisan politics. I agree. Let me tell you what is partisan politics on this bill. Partisan politics is having the Republican majority in this house for 12 years and not passing a VA appropriation bill on time since 1996, and then coming to the floor of this House on a bill I worked with the Republicans on a bipartisan basis on, come to the floor of this House and say it is shameful that we are now 1 month late in passing a VA appropriation bill, while ignoring the fact that under Democratic leadership we have already added more money for VA health care funding and benefits this year, $5.2 billion, than the Republicans ever passed. That is partisan politics.

I will tell you what partisan politics is, Madam Speaker. It is members of the Republican Caucus in this House coming to this floor and chastising Democrats for having the audacity to put the VA appropriation bill with another appropriation bill, when the ugly fact is they don't want to admit that in four of the last five years they did exactly what they are criticizing tonight. Mr. LEWIS, that is what partisan politics is.

What is good for veterans is what the DAV has said is on this floor tonight, what the Disabled American Veterans have said should be passed in this House. I would urge my Republican colleagues to join with us and vote together on a bipartisan basis for the largest increase in the history of VA health care funding.

Democrats promised a new direction for veterans, and tonight and all this year we have delivered on that promise. When we came into the majority in

January of this year, under Republican leadership they had frozen VA health care funding and our VA hospitals were struggling to keep up with care for Iraq and Afghanistan war veterans. What did we do? We increased VA health care and benefits funding by $5.2 billion, and then we passed a budget resolution to provide an additional $6.6 billion in increased funding for veterans health care and for other veterans benefits, including benefits to combat wounded veterans. I am disappointed that every Republican who spoke on the floor tonight about wanting to support veterans and wanting to be bipartisan voted against the budget resolution led by Democrats to provide an unprecedented increase in veterans spending.

So, yes, Madam Speaker, there has been partisan politics played with this bill. But at the end of the debate, I hope my colleagues, Republicans and Democrats alike, will listen to the words of the Disabled American Veterans and pass what in their words is the best bill that has ever been provided for veterans, the largest increase for veterans health care spending in our Nation's history.

Mr. WALSH of New York. Madam Speaker, I yield myself just a few brief moments, but first I would like to ask the chairman if he has any additional speakers.

Mr. OBEY. I have one remaining speaker—me.

Mr. WALSH of New York. In that case I will wrap up.

I would just like to express to my good friend and colleague, the chairman of the Military Construction and Veterans' Affairs Committee, that I envy him the ability to say tonight that he has provided, his subcommittee bill has provided, the greatest increase in the history of veterans spending, because I was able to do that 4 times myself, and it is a great feeling. It is a credit to the subcommittee.

I do believe that is a good bill. I think it is just really unfortunate that we had to put these two bills together and put them both at risk.

With that, Madam Speaker, I yield back the balance of my time.

Mr. OBEY. Madam Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 18¼ minutes.

Mr. OBEY. First of all, Madam Speaker, I will not take the full time, but I simply want to rise to thank the staff that has helped to put these bills together: Cheryl Smith, Sue Quantius, Nicole Kunko, Teri Bergman, Andria Oliver, Beth Chaney, Rob Nabors, David Reich, Kirstin Brost, Lesley Turner, John Daniel, Christina Hamilton, Steve Crane, Anne Marie Goldsmith, Ron Anderson, all the associate staff and the staff on both sides of the aisle.

I also want to express my appreciation to Mr. WALSH. He is a good man and I think he understands these issues very thoroughly.

Having said that, I would like to spend just a few moments to talk about what this debate is really about, because, so far, it has skirted around the edges.

The fact is that last November the public sent two messages to Washington. The first is that they wanted a change in Iraqi policy and the second is that they wanted a change in priorities here at home.

The President has decided to stiff the American public and reject both of those messages. First, what he is saying to the American people is forget what message you thought you were sending in the last election. I am the great decider and we are going to do things my way. That is what is happening here.

The President isn't just stiffing the Congress when he says that he will veto any appropriation bill that departs from his budget ceiling by one dollar. He is also stiffing the American people, who made it quite clear that they thought very little of his budget and foreign policy priorities.

Since that time, since the election, the President had said "stay the course" in Iraq, and in addition to the gargantuan defense budget that he has asked for, he is also asking for $200 billion in additional spending just to deal with the war that he started.

□ 2200

He is also saying stay the course when it comes to the $60 billion we are providing this year in tax cuts for people who make a million dollars a year. But at the same time, Madam Speaker, he is saying oh, tut, tut, tut, we cannot afford to invest here at home, so he sends the Congress a budget which cuts $16 billion out of education, out of health care, out of science, out of law enforcement and other critical domestic national priorities. And then he threatens to veto any appropriation bill that departs from his great wisdom.

Well, let's walk through where this bill would be and what it would look like tonight if we had followed the President's budget advice. If this bill did what the President wanted to do in his budget, it would be cutting vocational education by 50 percent. Is there anybody on either side of the aisle who is shortsighted enough to think that is a good idea?

If we had followed his instructions, we would have eliminated every student aid program on the books except Work-Study and Pell Grants.

In the area of handicapped education, there are a number of Members on the Republican side of the aisle who have made that their number one priority. They want to raise funds for special education. The President suggested we cut $300 million out of that program. Even the Republican Party objected in the House to that, and they raised the money that I had provided in the chairman's mark above the mark that we had provided, and we restored a significant amount of money to that program.

The President wanted us to cut mental health services by $100 million. He wanted us to cut funds that teach medical personnel how to deal with illness in children's hospitals by 63 percent. The President wanted us to cut rural health programs by 54 percent. He wanted us to cut the Low-Income Heating Assistance Program by 18 percent. We have rejected those cuts, and this House on a bipartisan basis provided 53 Republican votes for this bill as it left the House.

Now some people say this bill spends too much. This bill is a billion dollars less than it was when it left the House because we cut that in a concession to our minority party Members.

We have also in the bill respected a good many Republican priorities and respected a good many Republican initiatives, and in the process we have cut $1 billion.

Surely, surely at a time when we are spending $200 billion or close to it in Iraq, surely we can spend the equivalent of what we spend in Iraq in 6 weeks in order to meet high-priority domestic needs in the education, health, and job training areas.

Now our Republican friends cry newly found crocodile tears because we are also marrying this bill up with the military construction bill. Well, it seems to me if we can't agree on the advisability of the war, at least we ought to be able to agree how we feel about the warriors. And what we are doing in this bill is adding $3.5 billion for veterans health care. And we paid for it. We paid for it by making an identical reduction in the Defense appropriation bill, but that didn't suit the President. He said you have to pay for it again, and so he has issued this dictate that we pay for this increase in veterans health care twice by now going in and cutting other domestic programs by $3.5 billion. And that is why we are marrying these two bills together, because we want the public to see what the specifics are. We want the public to see what the domestic priorities are that would have to be cut if the President wants us to double pay for the bill we have already paid for in increasing veterans health care by $3.5 billion.

Now the President says he is going to veto any bill we send him, and the House Republican leadership says they already have the votes to sustain any veto the President makes. So we have a choice. We can sit here like potted palms and do nothing and supinely roll over to the President's dictation; or we can try to make it as uncomfortable as possible for him to be irresponsible and unnecessarily confrontational. And that's what we are trying to do.

We are sending these bills to the Senate because it is the right thing to do. And as the gentleman from Texas points out, when the minority says that this is an unprecedented act, that is absolute nonsense, because they did the same thing four times themselves; nary a peep from anybody on that side of the aisle then.

I would simply make one last point. We have heard the slogan "better late than never." Well, last year the Republicans decided rather than being late, they chose never. And they delivered not one dollar, not one dollar in additional expenditures for veterans health care, and it fell to us after they shut this Congress down and went home without appropriating a single dollar in veterans health care. It was left to us to fix that mess and to add over $3.5 billion in new funding for veterans. We did it last year. We are doing it again this year. We have made it our number one priority.

But that isn't what the boys and the girls on the other side of the aisle want to talk about. They want to obscure a few facts. And here they are:

In health care, the President cut funding for the primary Federal agencies responsible for increasing health care access in this country. This conference report rejects those cuts and provides $1.5 billion above the President's request to provide programs to improve health care access for the millions of Americans that don't have it. We do that at the cost of 5 days of what we spend in Iraq.

On education, the President cut funding for the Department of Education by $1.2 billion. This conference report rejects those cuts. We invest $4.5 billion above the President's request to the Department of Education, roughly the cost of 2 weeks in Iraq. And by doing that, we provide strong increases for Pell Grants, Head Start and various other education programs.

In job training, the President cut the largest job training in vocational education programs by $1.2 billion. This conference report rejects those cuts and invests $1.3 billion above the President's request, roughly the cost of 4 days of the war in Iraq.

In medical research, the President cut funding for medical research at the National Institutes of Health by $480 million. I have never had anybody in my life come to me and say, "Obey, why don't you guys in Washington get together and cut cancer research." But that's what the previous Congress did in each of the last 2 years. They cut 1,100 grants out of the National Institutes of Health with the complicity of this President. We are saying no way. Let's have an end to that nonsense. We reject those cuts. We invest $1.4 billion above the President's request, roughly the cost of 3 days of fighting in Iraq.

For economic development, in helping to alleviate poverty, the President slashed those programs by over a billion dollars. We rejected those cuts, costing roughly 4 days of what we spend in Iraq.

Lastly, the Low-Income Heating Assistance Program. The President comes from an oil State. He knows energy prices have skyrocketed, but he has cut LIHEAP by $380 million in his budget. We have rejected those cuts and invested $630 million more than the President's request, roughly the cost of 2 days of activity in Iraq.

So we are left with this. We are left with two arguments. We hear some of our Republican friends say we are going to vote "no," we are going to vote against the Labor-Health-Education bill because we don't like the fact that the bill also contains the veterans funding. And we hear others say we are going to vote "no" on the Military Construction bill because we don't like the fact that it contains too much for education and health. Those are two beauties as reasons for voting against this bill.

I want to see whether the minority party Members of this House, I want to see whether they are going to be following the wishes of their constituents or whether they have their votes tied once again lock, stock and barrel to the President's desk. I want to see if they came here to represent their constituents or be another set of lemmings jumping off the cliff once again for this President. We will find out on that vote tonight. I hope we see the right vote.

Mr. MORAN of Virginia. Madam Speaker, I rise today in strong support of the Conference Report on the Labor, Health and Human Services and Education and Military Construction/Veterans Affairs Appropriations bills. This bill begins to correct key deficits in biomedical research, elementary and secondary education, job training, and health care for veterans and civilians alike, and sets out a clear, sustainable vision for the future. I want to thank and congratulate Chairman OBEY, Ranking Member WALSH, the Conferees and their staff for putting together such an excellent bill, one which will bring needed relief to so many of our constituents.

The President, of course, has vowed to veto this bill, because he believes it costs too much, that we can't afford to make these investments in cancer research, in Head Start, in economic development. Meanwhile, the President is asking us to spend an additional $200 billion this year alone in his misguided war in Iraq. The amount by which this bill exceeds the President's request, $9.8 billion, would pay for approximately 1 month of that war. Instead, this bill would use that money to help States provide health coverage to people with pre-existing conditions, help college-ready low-income students afford higher education, and help low-income individuals and their families keep their homes warm in the wintertime—a wintertime that could well feature oil at costs in excess of $100 a barrel.

The President says we can't afford to make these investments; I believe we can't afford not to. These are investments which pay dividends over time, investments which will keep America strong, competitive, and healthy. While I strongly support this Conference Report, I would be remiss if I didn't express my concern that this bill includes a $27.8 million increase for abstinence education programs, which research has shown to be ineffective, and worse, often medically inaccurate. Since 2001, we have spent more than $1 billion on these programs, some of which tell our children that using condoms is "like Russian Roulette," and that HIV/AIDS can be transmitted through skin-to-skin contact.

Madam Speaker, teen pregnancy and sexually transmitted infections are serious problems that demand serious solutions. Of course we should want to delay the onset of sexual activity in our children—what parent of a teenager wouldn't want that? But we cannot let that desire blind us to the very real fact that teenagers, despite our best intentions, will and do have sex, and that our wanting them not to does not absolve us of our obligation to protect them and keep them safe.

Pretending that sexual activity among teenagers does not exist will not reduce the number of new sexually transmitted infections; it will not reduce the number of teenage girls who become pregnant; and it will not reduce the number of abortions performed every year.

I want to thank Chairman OBEY for including language in this Conference Report to ensure that programs will not be funded that are medically inaccurate. I hope that in the future, we can continue to work together to ensure that our children receive high quality, science-based, age-appropriate sex education that is medically sound and free from ideological or religious bias. Despite my concerns about this program, Madam Speaker, I am proud to support this important bill and urge my colleagues to do the same, so that we can get needed funds to these critical programs as soon as possible.

Mr. CARDOZA. Madam Speaker, I rise in strong support of this conference report and want to single out one provision that is vital if we are going to protect our children.

I want to thank Chairman OBEY for including language in this conference report adopted by the Senate which includs $500,000 for a feasibility study for a National Registry of Substantiated Cases of Child Abuse or Neglect, as described in the Adam Walsh Child Protection Act. I also want to thank my home state colleague, Senator DIANNE FEINSTEIN, who was instrumental in getting the Senate to adopt this important provision.

The Adam Walsh Child Protection and Safety Act was signed into law in July of 2006. This landmark piece of legislation served to reform the Federal standards for sex offender registration, enhances criminal penalties for sex offenders, creates and amends various grant programs to protect children, and called for the creation of a National Child Abuse Registry to further protect America's children.

Unfortunately, child abuse is a huge problem and the statistics tell a troubling story. Each week, child protective services, CPS, agencies throughout the United States receive more than 50,000 reports of suspected child abuse or neglect. In 2002, 2.6 million reports concerning the welfare of approximately 4.5 million children were made.

In over two-thirds of these cases, an assessment or investigation followed. As a result of these investigations, approximately 896,000 children were found to have been victims of abuse or neglect—an average of more than 2,450 children per day.

As the parent of two children adopted from foster care, I am particularly concerned about the number of children in the foster care system who have been physically abused.

People who work in the foster care system estimate that the percentages of boys and girls in foster care who have been physically abused is as high as 75 percent. Many came into foster care initally because of physical abuse and others are children who were revictimized while in foster care.

This is unconscionable. All children, no matter what their background, deserve to grow up in a stable and loving home.

The Adam Walsh Act addresses this problem by directing the Secretary of Health and Human Services to establish the National Registry which would be available to child protection authorities for use as a resource in tracking previous instances of child maltreatment in order to enable child protection workers to be better equipped with relevant information in assessing cases.

Each State already collects information on substantiated cases of abuse and neglect, but once an investigation is under way, adult perpetrators need only to move to another State to escape detection and punishment. This National Registry will address this loophole and ensure that violators, no matter where they live, can be brought to justice.

Unfortunately, the Registry has not come to fruition. This legislation would require the Department of Health and Human Services to complete the study on the feasibility of establishing the Registry within a year of enactment.

The President should sign this conference report and enact this vital provision. We must do a better job of protecting our Nation's most vital resource, our children, and this money will help us in that effort.

Mrs. LOWEY. Madam Speaker, thank you to Chairman OBEY and Ranking Member WALSH and their staffs for their hard work in crafting this bill.

This conference report goes a long way towards addressing the current and future needs of millions of Americans and their families.

It provides relief for families that desperately need child care and afterschool programs; for teachers anxious to receive classroom training or professional development; for students who won't be able to attend college without an increase in the maximum Pell Grant; and for the elderly who depend on LIHEAP to help pay for the rising cost of home heating oil.

What some of my friends on the other side of the aisle who intend to vote against this conference report don't seem to understand is that the programs funded in this bill literally make a life-or-death difference in the lives of millions of American families who are struggling to make ends meet.

We find a way to pay $12 billion every month for the war in Iraq, yet some of you will fight tooth and nail against the additional $9.8 billion in this bill that will help 436,000 more disadvantaged children receive math and reading assistance; or 130,000 more children receive afterschool care; or support 600 additional research grants at NIH; or provide 1.2 million uninsured Americans access to healthcare at community health centers.

It is outrageous, and it is unconscionable.

Chairman OBEY should be commended for what he accomplished in this bill, and I urge every member in this body to support the conference report.

Mr. UDALL of Colorado. Madam Speaker, I rise today in support of this bill.

The conference report includes funding for many important programs and I recognize that the conferees had a challenging task in shaping the report because of budget constraints. Overall, I think the report is a good one and I hope that the President will change his mind and sign it.

This conference report funds our military construction needs and keeps our commitment to veterans, with the largest single funding increase in the history of the Department of Veterans Affairs. The report provides needed funding for veterans' medical care—both for VA hospitals and clinics as well as for research into conditions such as Traumatic Brain Injury and Post Traumatic Stress Disorder, both of which are common problems facing Iraq and Afghanistan veterans. The report also includes funding to provide 1800 new claims processors to address the 400,000 benefit claims backlog.

I am pleased that key funding for Colorado installations and facilities has also been included in this report.

The report includes $7.3 million for a new F–16 facility for the 140th Air Wing of the Colorado Air National Guard at Buckley Air Force Base (AFB). I led the Colorado delegation this year in securing this funding, which will help the Guard replace an outdated facility that can no longer provide proper security and communications to support one of its key missions—to fly F–16s in support of homeland defense. The soldiers and airmen of the Colorado National Guard who are activated and deployed to support our homeland defense deserve this safe and modern facility.

The report also includes $61.3 million for the Fitzsimons Veterans Hospital, another key priority for the Colorado delegation. The funding will enable construction to begin on the facility's parking structure and energy plant. Denver's current Veterans Hospital is fifty years old, is at full capacity and does not meet the needs of our veterans. As Colorado's service members continue to be placed in harm's way, it is essential that we be prepared to meet their needs when they return home. This funding will put us on a path toward making the new campus at Fitzsimons a reality.

The conference report also includes an amendment, passed overwhelmingly in the House in June and later passed in the Senate, that prohibits the Pentagon from taking the first steps toward expanding the Army's Pinon Canyon training site.

After meeting with community members in La Junta and Trinidad in September, it is even more clear to me that the Pentagon has failed to convince Coloradans of a pressing military need for the Army to acquire an additional 418,000 acres at this particular location. I hope the Army hears the strong message Congress is delivering today that we will ensure that the livelihoods and property of Colorado citizens are respected and protected.

Another key provision for southern Colorado is the inclusion of $35.1 million for the construction of on-site chemical destruction facilities at the Pueblo Chemical Depot.

We need to continue to do all we can to safely and expeditiously remove the mustard agent remaining at the Pueblo depot. The sooner we clean up these weapons, the sooner the surrounding communities will be safe—and a clean-up by the Chemical Weapons Convention treaty deadline of 2012 will come at a lower cost to taxpayers.

The conference report also includes nearly $170 million to support Fort Carson as it expands because of the stationing of two new brigades and the new headquarters of the Fourth Infantry Division. This includes $53 million for new barracks; $18 million for an addition to Evans Army Hospital and a dental clinic; $8.3 million for a Defense Access Road to allow personnel and equipment to deploy easily from Peterson Air Force Base; $4.9 million for a new indoor range; $72 million for new unit operation facilities; and $13.5 million for construction of new facility support operations for the 13th Air Support Operations Squadron.

The conference report also includes $24.5 million for an Air and Space Integration Facility at Schriever Air Force Base and $15 million to upgrade academic facilities at the Air Force Academy.

This conference report also provides funding for the Department of Health and Human Services, one of the most vital agencies in our government. This report will increase funding by $4.4 billion over the fiscal year 2007 budget—a 6.9 percent increase and one that I strongly support. This funding will be important both to Colorado and to our country.

This report provides funding for a broad range of important projects, from increasing funding for essential research at the National Institutes of Health (NIH) to increasing health care access in rural areas. I strongly support include the 3.8 percent increase in funding for the NIH. This increase will be pivotal in jump starting a reinvestment in important medical discoveries.

Included in the report is important funding for Children's Hospital of Denver. Funding obtained to build the North Campus Ambulatory Surgery Center will broaden access to pediatric care in the north Denver metro area. This new development will also add more convenient alternative to patients, families, pediatricians, and physicians while also decreasing the burden on other health centers in the Denver metro area.

Making our health care system safe and more efficient is a goal of this Congress and I am happy to announce that Avista Hospital will contribute to that goal. Avista has been a leader in the Electronic Medical Record field and will continue to implement a cutting edge system thanks to funding included in the report.

The report provides for increases in the Center for Disease Control (CDC) which will fund important public health programs such as children's immunizations, environmental health and cervical and breast cancer screenings.

Our nation's youth are our greatest resource, and we must do all that we can to prepare them to lead our country in future years. This report would provide very important funding for the Department of Education to further the education of our children.

I supported the passage of the No Child Left Behind (NCLB) Act in 2001 because we need to create higher academic standards and accountability in our education system and close the so-called achievement gap in this country. However, NCLB has been underfunded since it was first passed, meaning that local school districts do not have the resources available to try to meet these new standards. This report takes a step in the right direction by increasing funding for NCLB over both the fiscal year 2007 budget and the President's request. I am also pleased to see increases in funding for the Individuals with Disabilities Act (IDEA). IDEA provides resources to meet the unique challenges in educating children with disabilities.

In an increasingly competitive global marketplace, higher education is more important than it has ever been. Yet skyrocketing tuitions are making college education increasingly difficult for many students and families to afford. Just a few weeks ago, the College Board announced that the average tuition at four-year schools in my home state of Colorado had increased 16 percent from last year. Pell Grants are one important and effective way that the federal government helps students and families afford college. The conference report will increase the maximum Pell Grant award to $4,925.

I am encouraged that the report includes an increase in funding for the Low-Income Home Energy Assistance Program (LIHEAP). LIHEAP is a critical program that helps many Colorado families, who are struggling to get by, avoid having to make choices between paying their heating bill and putting food on the table. The conference report will increase funding for this program by $250 million over the fiscal year 2007 budget.

I am pleased the labor provisions of this report reflect a new direction and commitment to expanding job training and enhancing the safety of workers, by increasing funding for a number of employment, education, and protection programs for the American workforce.

With that said, I am disappointed the conference report does not include my amendment to increase the funding for the National Labor Relations Board (NLRB). The board plays a vital role in labor-management relations. While funding is not the only problem that faces the NLRB I am concerned that without the additional funding, there is a danger they will have to layoff some of their staff in order to pay for their required overhead, including salaries.

The funding for programs included in this report is a cause for celebration, not a veto. The President suggested underfunding for many of these programs and has threatened to veto the report in its current form. I request that the President reconsider his veto threat and sign this conference report.

In summary, Madam Speaker, this is a good report that provides funding for many important purposes. It is good for Colorado and good for the country, and it deserves approval.

Mr. CONYERS. Madam Speaker, colleagues, appropriations bills are moral statements. They document the direction that we as a Congress desire our Nation to go. With our vote on H.R. 3043 today, we once again have an opportunity to show Americans that the 110th Congress is committed to taking our Nation in a New Direction—putting the needs of the American people first and making long-delayed investments in our future.

Unfortunately, this commitment to improving the lives of our soldiers, veterans and ordinary Americans seems not to be shared by the President. The Administration apparently feels that while it is necessary to spend $12 billion a month in Iraq, the Federal Year 2008 Labor, Health and Human Services, and Education Appropriations bill is just $9.8 billion too expensive and needs to be vetoed. He believes that an extra $10 billion to provide grants to low-income children for after school programs, increasing the purchasing power of Pell Grants, fund job training programs for dislocated workers and helping families facing rising energy prices with the Low Income Home Energy Assistance Program is just wasteful spending.

The President, in an attempt to burnish his credentials as a bona fide fiscal conservative, now seems to know the cost of everything and the value of nothing. I wonder where this conservatism was from 2001 through 2006, when the Republican-led Congress went on a deficit financed spending spree with our national treasury taking the United States from a $5.6 trillion, 10-year surplus to a $2 trillion, 10-year deficit.

By passing H.R. 3043, which combines the Labor, Health and Human Services, Education FY 08 Appropriations bill and the Military Construction, Veterans Affairs FY 08 Appropriations bill, we will be making the largest investment in veterans' health care in history and making long overdue investments in education, worker safety and health care for our citizens.

If the President is truly concerned with how his legacy will read, I urge him to listen to the overwhelming bi-partisan majority in Congress that supports H.R. 3043. Mr. Bush, help us reverse the sharp rise in college costs that continue to be a barrier to millions of low- and middle-income students by increasing the Pell Grant from $4,050 to $4,435. Help us increase access to Head Start programs so that more disadvantaged children have access to preschool. Provide a 10.1 percent increase for community health centers, an increase that will serve an additional 1 million uninsured people. Stand with the strong bipartisan majority that passed both these bills this summer. Mr. President, approve this bill and help us make America stronger.

Mr. HOYER. Madam Speaker, I first want thank the Chairman of the Appropriations Committee, DAVID OBEY—who also chairs the Subcommittee on Labor, Health and Human Services, and Education—for his hard work and vision in putting this appropriations conference report together.

I also want to thank the Chairman of the Subcommittee on Military Construction and Veterans Affairs—Congressman EDWARDS of Texas—for his outstanding work on this conference report and his unwavering dedication to our Nation's veterans.

This is an excellent, fiscally responsible conference report that makes vital investments in expanding access to health care for our people, in educating our children, in job training, in medical research, and in providing the largest single increase in the 77-year history of the Department of Veterans Affairs.

Simply put, this conference report deserves the overwhelming support of members—just as the individual bills did when they were considered in both the House and Senate.

Recall, we passed the Labor-HHS-Education Appropriations bill on a bipartisan vote of 276 to 140, with 53 Republicans joining a nearly unanimous Democratic caucus.

The Senate passed its own version of this bill 75 to 19.

And, both chambers passed the Military Construction-Veterans Affairs Appropriations bill by overwhelming margins—409 to 2 in the House, and 92 to 1 in the Senate.

This conference report demonstrates our democratic priorities—as well as the President's misguided, shortsighted budget proposals, which would cut funding for Labor, Health and Education programs by $3.6 billion below the enacted funding level in fiscal year 2007.

If the President had his way, he would cut vocational education; eliminate all student aid other than work study and Pell Grants; cut medical research; cut law enforcement grants; cut education for children with disabilities; cut rural health programs; cut clean water programs; and cut the Low-Income Heating Assistance Program. The American people do not support such a proposal. And neither do Democrats.

Thus, this conference report provides $9.8 billion above the President's request for Labor, Health and Education programs—which barely keeps pace with inflation and population growth.

Through this conference report, 1.2 million more Americans would have access to community health centers, and we would increase funding for programs that help parents pay for college, for No Child Left Behind programs, for vocational education and Job Corps, and for medical research into life threatening diseases.

Through this conference report, we also will keep our commitment to our Nation's veterans, providing $3.7 billion more than the President requested for veterans' medical care, claims processing personnel, and facility improvements.

The President has said such funding is unnecessary.

We absolutely disagree.

The idea that we cannot find the funds necessary to invest in health care, education and medical research, and in medical care of the men and women who have sacrificed for this country is patently absurd—and it must be rejected.

How is it that the President can demand that this Congress spend another $200 billion of taxpayers' dollars for his failing policy in Iraq while he seeks to shortchange critical programs at home?

His vain attempt to try to claim the mantle of fiscal responsibility by threatening to veto this conference report—particularly in light of his disastrous and irresponsible fiscal policies—will fool no one.

Madam Speaker, this is an excellent conference report that reflects the priorities of the American people, and rejects the President's misguided proposals.

Finally, let me say that Mr. OBEY effectively dispensed yesterday—in his speech at the National Press Club—with the Republican complaint that this conference report threatens enactment of the Military Construction-Veterans Affairs bill.

Only once in the last 5 years did the Republican Majority send the President a free-standing Military Construction conference report. Three times you packaged that bill with others. And last year, you failed to even enact a Military Construction-Veterans Affairs bill.

I urge my colleagues: Vote for this fiscally responsible conference report, which makes critical investments in our Nation, our people and our future.

Mr. WAXMAN. Madam Speaker, I am deeply disappointed that this bill increases the amount of money going to abstinence-only programs.

In 2004 I asked my staff to look at the curricula most popular among federally funded grantees in this abstinence-only program. We found that most contained significant scientific and medical errors. Kids were being taught that HIV can be spread through tears and sweat. They were taught that condoms didn't help prevent STD transmission. And they were taught that pregnancy occurs one in every seven times a couple uses condoms.

But these findings didn't lead to change—instead the administration and other defenders of this kind of program dug in their heels. They insisted there was no problem, without taking seriously the fact that flawed public health information was being provided to American teens with taxpayer dollars. In 2006, GAO found that HHS still wasn't reviewing the medical accuracy of curricula used in the biggest Federal abstinence-only programs.

It would be one thing if these programs actually worked. If they helped kids make healthier decisions, then maybe it would make sense to go in and try to deal with some of the accuracy issues. But abstinence-only programs don't work. In 2007, HHS released the results of an independent study it had requested on the effectiveness of federally funded abstinence-only programs. This was a randomized, controlled study—the gold standard of research. The researchers found that compared to the control group, abstinence-only programs had no impact at all on whether participants had sex. They had no impact on the age of first sex. They had no impact on the number of partners. And they had no impact on rates of pregnancy or sexually transmitted disease.

There is no evidence to support these programs, and they should get no Federal funding. It is an outrage that instead they are receiving an increase.

Defenders of abstinence-only like to claim that parents support abstinence education. It's true that surveys show parents want programs to promote abstinence as the healthiest choice for young people. We all want that. But the surveys also show that parents overwhelmingly want a full range of age-appropriate information taught, so that youth are best prepared to stay healthy.

Parents care more about the health of their children than about politics or ideology. I think that's probably why they understand that the abstinence-only programs we've been funding are a mistake. They contain serious misinformation and, most importantly, are not effective in improving adolescent health. After putting more than a billion Federal dollars into these programs, we have seen no results.

I know it's critical that we pass this appropriations bill. But it's wrong to spend scarce dollars on programs that we know don't work. It's wrong to put our children at risk of health problems and unwanted pregnancies because we've withheld essential health information. And it's indefensible to use adolescents as political pawns instead of taking an honest, evidence-based look at their health and well-being.

Mr. GENE GREEN of Texas. Madam Speaker, I rise in support of the conference report accompanying the fiscal year 2008 appropriations bill funding the Departments of Labor, HHS, and Education, as well as Military Construction and the Department of Veterans Affairs.

On the domestic side, this legislation makes important investments in our health care and education programs. After many years of flat funding and small increases that have resulted in funding reductions when taking inflation into account, the National Institutes of Health would receive a 4 percent increase over current funding levels. This legislation provides $30 billion for life-saving medical research, much of which is performed in my back yard at the Baylor College of Medicine, the MD Anderson Cancer Center, UT Health Science Center, and many other impressive research facilities located in the Texas Medical Center.

I am also pleased that the bill provides a 35 percent increase for the Low-Income Home Energy Assistance Program. The $2.4 billion in LIHEAP funding that this bill provides will better ensure that LIHEAP funding is more equitably distributed among cold weather and hot weather states. By providing LIHEAP funding above the threshold of $1.975 billion, this legislation ensures that the funding will be sufficient to meet the historical needs of cold weather states while also recognizing the unmet needs of hot weather states, which experience higher levels of weather-related deaths.

I would also like to thank the conference committee for retaining House-passed funding for two projects in our district. The conference committee generously provided funding for Gateway to Care, the community health care access collaborative in Harris County. Gateway to Care will utilize this funding to help coordinate the deployment of health information technology among the county's health care clinics. The bill also provides much-needed funding for the Harris County Hospital District's Diabetes Program, which offers a culturally-sensitive, interdisciplinary, and educational approach to the treatment of diabetes in our community, which experiences higher than normal rates of this devastating disease.

As Veterans' Day approaches, we should also highlight the significant funding increases made in the Military Construction/VA portion of the bill. The conference agreement provides a total of $109.2 billion for veterans' affairs and military construction programs, roughly $18 billion more than the current level and $4 billion more than the president's request. For the last 11 months, this Congress has demonstrated its commitment to fulfilling the promises made to our veterans, and this bill reaffirms that commitment in the strongest terms by providing the largest funding increase in VA history. With the current wars in Iraq and Afghanistan creating hundreds of thousands of new veterans, this level of funding reassures our veterans, our troops, and their families that this Congress will fulfill the promises we made to those who fight for our country, even after they are done with their service.

I would also like to offer my thanks for the inclusion of funding for a new fire station at Ellington Field. I have supported this project for several years, and am glad to see it funded in this bill. The existing fire station at Ellington field is in a rapidly deteriorating condition and does not meet OSHA or Air Force Standards. Roof leaks and lack of insulation have resulted in equipment being destroyed and extremely high operating costs. New firefighting apparatus must be parked outside the station because they will not fit into the truck bays. This fire station supports all flying operations at Ellington Field including Air National Guard, Army National Guard, US Coast Guard, NASA, and civilian aircraft. Construction of the new fire station at Ellington is critical for the Texas Air National Guard and all units stationed at Ellington Field, and I am pleased funding for this project was included.

Madam Speaker, I again urge my colleagues to join me in supporting this conference report.

Mr. LANGEVIN. Madam Speaker, I wish to express my support of H.R. 3043, the Fiscal Year 2008 Departments of Labor, Health and Human Services, and Education, and Military Construction-Veterans Affairs Appropriations Act.

I have increasingly heard grave concerns from Rhode Islanders about the cuts and limitations in critical domestic programs over the past 6 years. Currently, one in six Americans is without health insurance, our schools are in desperate need of resources to meet the standards set in No Child Left Behind, and the recent housing slump and credit crunch have left our economy in trouble. Our safety net programs are more important than ever, as Americans work hard to keep their families healthy and their finances in order.

This legislation takes important steps to address the problems faced by so many Americans and prioritizes funding for those programs that have suffered the most under cuts by the Republican leadership in recent years. I am proud that Democrats have crafted a bill that will increase funding for Community Health Centers and Title VII programs, designed to increase access to health services for the medically underserved. This measure will also improve education by targeting resources toward special education and Title I grants to help low-income students and by increasing the maximum Pell Grant from $4,310 to $4,925, making college more affordable for many students. And it rejects the President's proposed cuts for medical research at the National Institutes of Health by supplying a level of funding that will sustain existing, cutting-edge research into diseases like cancer, Alzheimer's, Parkinson's and heart disease. Finally, it provides $2.4 billion for the Low-Income Home Energy Assistance Program—$250 million more than the current level—offering much-needed relief to the residents of Rhode Island, who are now facing the highest prices for home heating oil on record.

The Democratic leadership has also addressed the challenges facing our veterans by restoring accountability and oversight to ensure they receive the care they deserve. H.R. 3043 provides the biggest increase in veterans benefits in over 75 years, and the need could not be more urgent. This legislation includes an increase of $18 billion above the current level for military construction and veterans affairs, and is also $3.8 billion above the President's request. I am also pleased that this bill recognizes the concerns and reflects the advice of our veterans, by not only meeting, but exceeding the independent budget request, a needs estimate published by four veterans' service groups. This increase is critical to meet the needs of the many returning veterans who are suffering from Post-Traumatic Stress Disorder or Traumatic Brain Injury and require better care to successfully rebuild their lives. Additional funding will help alleviate the backlogged claim process and provide much-needed maintenance for VA health care facilities. The support shown by this Congress is a testament to the priority all of us place on our veterans.

In closing, I want to express my thanks to Chairman OBEY for reconciling so many diverse needs to craft a fair and fiscally responsible package, and reiterate my support for H.R. 3043.

Mr. DINGELL. Madam Speaker, today the House will vote on a conference report which includes the 2008 Labor, Health and Human Services, and Education Appropriations bill and the 2008 Military Construction and Veterans Affairs Appropriations bill. I rise in support of this legislation because I believe that this legislation will fund programs families in the 15th District need and rely on—quality education, strong health care, jobs that are safe for its workers and secure retirement plans.

I am disappointed that the President has threatened to veto this legislation. I find it extremely irresponsible that he finds it acceptable to fund another $200 billion for the war in Iraq, but has issue with an increase of $9.8 billion for education, health and workforce programs and an increase of $4 billion for veterans' health care.

Specifically this legislation will:

Provide $37.2 billion to VA hospitals and clinics, and traumatic brain injury and post traumatic stress disorder research, over $2.6 billion more than the President requested.

Invest $124.2 million into VA claims processors to address the backlog of 400,000 benefit claims.

Increase education funding to $60.7 billion, funding that will be dedicated to Title I grants to help low-income children, teacher quality and after school programs, IDEA grants and Pell grants.

Dedicate $12 billion to dislocated worker training, Job Corps, and worker protection efforts at the Mine Safety and Health Administration and the National Institutes for Occupational Safety and Health.

Through this legislation we will fund all these programs, while only spending enough money equal to the cost of 2 months in Iraq. Let me be clear that it is not the goal of this Congress to withhold funding for our troops; however, it is important that Congress give this administration the message that our domestic programs should not be forgotten at the expense of a poorly handled and mismanaged war in Iraq.

Madam Speaker, the annual appropriations process is never easy, but this Congress we have an opportunity to pass a good piece of legislation that is also fiscally responsible. As Members of Congress, it is our duty to our constituents to fund programs that will improve their quality of life, which is why I urge my colleagues to join me in supporting this legislation.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of the FY 2008 Labor-HHS Conference Report which—together with this year's Military Construction-Veterans Affairs spending bill—announces an important new direction regarding the Nation's priorities.

We start with our most basic investment: education. Today's conference report increases education funding by $4.5 billion over the President's request—including an additional $254 million for Head Start so more children can access a high quality early childhood education; $600 million more for No Child Left Behind to improve teacher quality, enhance after school programming and deploy 21st century classroom technology; an $800 million boost for special education; and a new $2 billion investment for higher education which will enable us to significantly increase the current value of the maximum Pell Grant from $4,310 to $4,925. Additionally, I am very pleased that the final conference report contains $12 million for Teach for America, one of our Nation's premiere teacher training programs.

Because we are competing in a rapidly changing global economy, and because education is in truth a lifelong process, this conference report also makes responsible investments in job training and vocational education—$609 million over the President's request for workforce development; another $606 million for vocational education; and $98 million on top of the President's request for Job Corps and the vital training, placement and support services it provides.

On health, today's legislation wisely rejects the President's proposed $480 million cut at the National Institutes of Health, NIH, in favor of a $1.4 billion increase over the President's budget so that the NIH can continue its cutting edge research into deadly scourges like cancer, Alzheimer's and heart disease. This additional funding—representing the cost of just 3 days in Iraq—will fund over 1,400 more research grants into these and other life-threatening illnesses. Furthermore, in an effort to address the plight of the Nation's 47 million uninsured, this legislation enhances health care access by investing $1.5 billion into community health centers, state health care access initiatives and high risk insurance pools. Together, these investments will serve over 1.5 million citizens without health care coverage in the coming year.

Finally, Madam Speaker, Sunday is Veterans Day. With our Nation at war, this conference report honors our brave men and women in uniform by proposing the largest single increase for the Department of Veterans Affairs in the institution's 77-year history. The $43.1 billion this legislation appropriates will enable us to provide quality care to 5.8 million patients, add 1,800 processors to tackle the outstanding backlog of 400,000 claims, and invest in needed treatment for increasingly prevalent conditions like traumatic brain injury, TBI, and post-traumatic stress disorder, PTSD. It is the least we can do—and now is the time for us to do it.

Madam Speaker, these two bills both passed the House with strong, bipartisan majorities. Together, they set the right priorities for America. They comply with our five-year balanced budget plan. And they deserve our support today.

Ms. MCCOLLUM of Minnesota. Madam Speaker, I rise in strong support of this conference report, including the Labor, Health and Human Services, Education appropriations bill and the Military Construction/Veterans appropriations bill.

I am here to represent the 4th district of Minnesota—that's my job. And my district has made it very clear to me that investing in our communities is a priority.

In fact, most members of the House of Representatives have said they support both of these bills. But there has been a lot of complaining about the process.

I'm a former civics teacher. Part of my work was to teach my students about the separation of powers between the legislative and executive branches of our government.

For those watching today, I want to be very clear about the issues in this debate and the procedure that got us here.

We are in this position because the Administration has adopted a "my way or the highway" approach to governing. The President has steadfastly refused to recognize the constitutional role of Congress in setting our Nation's budget priorities.

And he has ignored the clear message sent by the American people in the last election.

Democrats disagree with the President's priorities. The President proposed to cut education funding. His budget cut special education, teacher training, and Head Start. It also eliminated several programs targeted for at-risk students.

Democrats have rejected those cuts and proposed a modest increase in order to keep our students competitive in a global economy.

The President's budget cut funding for health care. We do not agree with reducing opportunities to find life saving cures through research or reducing access to quality care for American families.

The President proposed cuts to job training and vocational education. Democrats understand that our economy is changing, and that investing in our greatest resources—working families (including veterans)—is important today and tomorrow.

Madam Speaker, the amount of money that separates the President's budget and the

Democrats' proposal is approximately what we spend in 1 month in Iraq—and all of that is on a credit card.

In addition, this bill includes the largest increase in veterans' health care since the beginning of the Veterans Administration.

If we say we value families and communities—and veterans—in America, then surely we can agree that a modest investment in our future is reasonable.

Let's put politics aside, let's listen to the American people, and let's pass this bill. Let's do our jobs.

Mr. MORAN of Virginia. Madam Speaker, I rise today in strong support of the Conference Report on the Labor, Health and Human Services and Education and Military Construction/Veterans Affairs Appropriations bills. This bill begins to correct key deficits in biomedical research, elementary and secondary education, job training, and health care for veterans and civilians alike, and sets out a clear, sustainable vision for the future. I want to thank and congratulate Chairman OBEY, Ranking Member WALSH, the Conferees and their staff for putting together such an excellent bill, one which will bring needed relief to so many of our constituents.

The President, of course, has vowed to veto this bill, because he believes it costs too much, that we can't afford to make these investments in cancer research, in Head Start, in economic development. Meanwhile, the President is asking us to spend an additional $200 billion this year alone in his misguided war in Iraq. $9.8 billion, the amount by which this bill exceeds the President's request, would pay for approximately 1 month of that war. Instead, this bill would use that money to help States provide health coverage to people with pre-existing conditions, help college-ready low-income students afford higher education, and help low-income individuals and their families keep their homes warm in the winter-time—a winter-time that could well feature oil at costs in excess of $100 a barrel.

The President says we can't afford to make these investments; I believe we can't afford not to. These are investments which pay dividends over time, investments which will keep America strong, competitive and healthy.

While I strongly support this Conference Report, I would be remiss if I didn't express my concern that this bill includes a $27.8 million increase for abstinence education programs, which research has shown to be ineffective, and worse, often medically inaccurate. Since 2001, we have spent more than $1 billion on these programs, some of which tell our children that using condoms is "like Russian Roulette," and that HIV/AIDS can be transmitted through skin-to-skin contact.

Madam Speaker, teen pregnancy and sexually transmitted infections are serious problems that demand serious solutions. Of course we should want to delay the onset of sexual activity in our children—what parent of a teenager wouldn't want that? But we cannot let that desire blind us to the very real fact that teenagers, despite our best intentions, will and do have sex, and that our wanting them not to does not absolve us of our obligation to protect them and keep them safe.

This money does not exist merely on paper—it is real money which we are borrowing from countries whose interests are inimical to our own, countries that have accumulated sovereign wealth funds at alarming rates over the past 6 years. And we are leaving this legacy of fiscal wreckage to our children, and our children's children, mortgaging away their future at a rate of more than $15,000 per second.

Since 2001, China's accumulation of foreign reserves, mostly U.S. dollars, have increased from $46.6 billion to $1.066 trillion—that is, every new dollar we borrow adds leverage to China—which has profoundly different strategic aims than we do.

The idea that this is a preferable alternative to a bill that would help 95 percent of the people who felt any impact from its passage is unconscionable. The idea that we should sacrifice the futures of our children and our grandchildren in order to have our cake and eat it too, to continue giving enormous tax preferences to the richest of the rich in this country is morally bankrupt and fiscally unsound.

Madam Speaker, income is income. Even if we accept that there should be a distinction between the taxation of labor and capital income, income received as payment for the service of investing other people's money is not capital income under even the loosest of possible understandings. The idea that a hedge fund manager earning $500 million a year should be taxed at a lower rate than his secretary, who earns $40,000 a year is preposterous in both moral and economic terms and should embarrass us all. I know it embarrasses me, and that it embarrasses my constituents.

This bill is about making a choice between what is right and what is easy. I applaud Chairman RANGEL for standing firm in the face of overwhelming pressure to do the easy thing, for drawing a line in the sand and demanding that we pass a bill which is true to our principles. We were not elected to make easy choices—we were elected to do right by our constituents, their children, and their children's children. I am proud to support this bill today, and I urge my colleagues to do the same.

Mrs. MALONEY. Madam Speaker, I rise in strong support of this conference report, which keeps our commitments to our veterans and invests in critical domestic priorities to strengthen our Nation. By putting the needs of the American people first, we are moving in a new direction to make overdue investments in education, health care, and jobs. We're doing this in a bipartisan way: both pieces of the bill originally passed the House with strong bipartisan support.

I would like to thank Chairman OBEY again for working with Representative WELDON to secure an important provision that Representative WELDON put forward in today's LHHS conference report that will ban the use of funds from being used to administer a mercury-containing flu vaccine to children under the age of three. This provision implements the policy advocated by the American Academy of Pediatrics, the U.S. Public Health Service, and vaccine manufacturers. Providing our children with safe vaccines is long overdue.

In addition to making vaccines safer, helping families pay for college, funding job training and providing for groundbreaking medical research, this bill helps the heroes of 9/11 who have become sick because of their work at Ground Zero. These are police officers, fire fighters, cleanup workers and others who risked their lives in the hours after the planes hit and risked their health in the weeks and months that followed, laboring in the toxic dust and fumes. For the first time, funding for 9/11 health needs is being included in regular spending. The $52.5 million included in the conference report will go a long way in providing medical monitoring and treatment for everyone exposed to the toxins of Ground Zero.

I have to emphasize again the "everyone." I have always said that it shouldn't matter what hat you were wearing after 9/11, because everyone was exposed to the same toxins. Provisions in the bill recognize that reality; for the first time residents, area workers and school children who were exposed to the deadly toxins will move toward having the same high quality care that responders have. We've been fighting for residents for a long time, and this is a giant first step in taking care of them. I want to sincerely thank Chairman OBEY and his outstanding subcommittee staff for their hard work.

It is critical that the Federal Government step up to the plate and fulfill its responsibility to all the victims of the attacks of September 11. New Yorkers know it, people from everywhere else in the Nation know it, and this spending measure shows that Congress knows it, as well. The President should sign this bill to keep our commitment to our veterans and invest in crucial domestic priorities, so that we can show all Americans we're serious about putting the people's priorities first and ensuring that the heroes and heroines of 9/11 get the care they need and deserve. It is the least we can do as a grateful Nation.

Mr. OBEY. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

MOTION TO ADJOURN

Mr. PUTNAM. Madam Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. PUTNAM. Madam Speaker, on that I demand the yeas and nays.

PARLIAMENTARY INQUIRY

Mr. OBEY. Madam Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Wisconsin will state his parliamentary inquiry.

Mr. OBEY. Are we participating in Little League politics or doing the country's business tonight?

The SPEAKER pro tempore. The gentleman is not stating a parliamentary inquiry.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 158, nays 248, not voting 26, as follows:

[Roll No. 1049]

YEAS—158

Aderholt
Akin
Alexander
Bachmann
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boustany
Brady (TX)
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Fallin
Feeney
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Porter
Price (GA)
Putnam
Rehberg
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Smith (NE)
Smith (TX)
Souder
Sullivan
Taylor
Terry
Thornberry
Tiahrt
Turner
Upton
Walberg
Walsh (NY)
Wamp
Weldon (FL)
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wu
Young (FL)

NAYS—248

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boozman
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown (SC)
Brown, Corrine
Burgess
Capps
Capuano
Cardoza
Carnahan
Carney
Castle
Castor
Chabot
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Everett
Farr
Fattah
Filner
Frank (MA)
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Perlmutter
Peterson (MN)
Platts
Pomeroy
Price (NC)
Radanovich
Rahall
Ramstad
Rangel
Regula
Reichert
Reyes
Reynolds
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wolf
Woolsey
Wynn

NOT VOTING—26

Berkley
Brady (PA)
Butterfield
Buyer
Carson
Chandler
Costa
Cubin
Ferguson
Fossella
Gordon
Hulshof
Jindal
LaHood
McNulty
Oberstar
Pastor
Paul
Payne
Pryce (OH)
Tancredo
Waters
Westmoreland
Wilson (OH)
Yarmuth
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in the vote.

☐ 2233

Messrs. MELANCON, HINOJOSA and HINCHEY changed their vote from "yea" to "nay."

Mr. BILBRAY changed his vote from "nay" to "yea."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 269, nays 142, not voting 22, as follows:

[Roll No. 1050]

YEAS—269

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Castle
Castor
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Filner
Fortenberry
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pelosi
Perlmutter
Peterson (MN)
Peterson (PA)
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Regula
Reichert
Reyes
Reynolds
Richardson
Rodriguez
Rogers (MI)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—142

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Fallin
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Petri
Pickering
Pitts
Poe
Price (GA)
Putnam
Radanovich
Rehberg
Renzi
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Walberg
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (SC)

NOT VOTING—22

Brady (PA)
Butterfield
Buyer
Carson
Chandler
Cubin
Ferguson
Fossella
Gordon
Jindal
LaHood
McNulty
Oberstar
Pastor
Paul
Payne
Pryce (OH)
Tancredo
Westmoreland
Wilson (OH)
Yarmuth
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

☐ 2250

Mr. WHITFIELD changed his vote from "yea" to "nay."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. ALTMIRE). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

13 IS THE NUMBER BEFORE US

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, unlucky or not, 13 is the number before us. That's how many predominantly Sunni nations in the Middle East have declared in the past year that they want nuclear power. We know that Iran is building a nuclear capacity which it claims will be used solely for power generation. Iran is predominantly a Shiite nation. While both are Muslim, Sunni and Shiite are different. At the grass-roots level, everyday people intermarry and get along just fine, until the governments in power decide they want religious ideology to govern everyone.

Sunni-Shiite dominance was behind the Iran-Iraq war two decades ago when Don Rumsfeld went to Iraq to pledge U.S. support to Saddam Hussein. Today the Iraq war has inflamed Sunni-Shiite passions and U.S. forces are in the middle of it, fighting and dying in a fight that we shouldn't be in. There's been a lot in the news about Iran's nuclear program, including threats by the Vice President that Iran will never be permitted to acquire nuclear capacity. In other words, the administration's international diplomacy with Iran begins with an order from the U.S. military to lock and load. A military strike directly ordered by the administration, or indirectly sanctioned by the administration, is considered a foregone conclusion by many in the Middle East.

Given this, let's renew the bidding, because 13 other nations in the Middle East are not being threatened by the administration. In fact, quite the opposite is true. A recent article in the Christian Science Monitor lays out the fact. I submit it for the RECORD.

[From the Christian Science Monitor, Nov. 1, 2007]

MIDDLE EAST RACING TO NUCLEAR POWER—SHIITE IRAN'S AMBITIONS HAVE SPURRED 13 SUNNI STATES TO DECLARE ATOMIC ENERGY AIMS THIS YEAR

(By Dan Murphy)

CAIRO.—This week Egypt became the 13th Middle Eastern country in the past year to say it wants nuclear power, intensifying an atomic race spurred largely by Iran's nuclear agenda, which many in the region and the West claim is cover for a weapons program.

Experts say the nuclear ambitions of majority Sunni Muslim states such as Libya, Jordan, Yemen, and Saudi Arabia are reactions to Shiite Iran's high-profile nuclear bid, seen as linked with Tehran's campaign for greater influence and prestige throughout the Middle East.

"To have 13 states in the region say they're interested in nuclear power over the course of a year certainly catches the eye," says Mark Fitzpatrick, a former senior nonproliferation official in the U.S. State Department who is now a fellow at the International Institute for Strategic Studies in London. "The Iranian angle is the reason."

But economics are also behind this new push to explore nuclear power, at least for some of the aspirants. Egypt's oil reserves are dwindling, Jordan has no natural resources to speak of at all, and power from oil and gas has grown much more expensive for everyone. Though the day has not arrived, it's conceivable that nuclear power will be a cheaper option than traditional plants.

But analysts say the driver is Iran, which appears to be moving ahead with its nuclear program despite sanctions and threats of possible military action by the U.S. The Gulf Cooperation Council, a group of Saudi Arabia and the five Arab states that border the Persian Gulf, reversed a longstanding opposition to nuclear power last year.

As the closest U.S. allies in the region and sitting on vast oil wealth, these states had said they saw no need for nuclear energy. But Fitzpatrick, as well as other analysts, say these countries now see their own declarations of nuclear intent as a way to contain Iran's influence. At least, experts say, it signals to the U.S. how alarmed they are by a nuclear Iran.

"The rules have changed on the nuclear subject throughout the whole region," Jordan's King Abdullah, another U.S. ally, told Israel's Haaretz newspaper early this year. "Where I think Jordan was saying, 'We'd like to have a nuclear-free zone in the area,' . . . [now] everybody's going for nuclear programs."

Though the U.S. has been vociferous in its opposition to Iran's nuclear bid, particularly since the country says it's determined to establish its own nuclear fuel cycle, which would dramatically increase its ability to build a nuclear bomb, it has generally been tolerant of the nuclear ambitions of its friends in the region.

"Those states that want to pursue peaceful nuclear energy . . . [are] not a problem for us," State Department spokesman Sean McCormack said in response to Egyptian President Hosni Mubarak's announcement on Monday.

Henry Sokolski, executive director of the Nonproliferation Policy Education Center in Washington and a former Defense Department official focused on containing the spread of nuclear weapons, says he finds that hands-off approach of the Bush administration alarming.

"I think we're trying to put out a fire of proliferation with a bucket of kerosene," he says. He said he recently spoke with a senior administration official on the matter, who argued that it was better for the U.S. to cooperate with Egypt and other countries since, in the official's view, nuclear power in these countries is "inevitable" and it's better to be in a position to influence their choices and monitor the process.

Egypt has had an on-again, off-again nuclear program since the 1950s. In the 1960s, Egypt threatened to develop a bomb largely out of anger over Israel's nuclear pursuit. Under Mr. Mubarak, who has ruled since 1981, the country has been consistent in saying it does not want nuclear weapons, and Egypt has been at the forefront of diplomatic efforts to declare the region a nuclear-weapons-free zone—a strategy it uses to target Israel's nuclear weapons.

Today, the country has a 22-megawatt research reactor north of Cairo that was built by an Argentine company and completed in 1997. A drive to develop a power plant in the 1980s stalled after the Chernobyl nuclear disaster in Russia.

In a nationally televised speech Monday, Mubarak said nuclear power is an "integral part of Egypt's national security" while also promising that the country would not seek the bomb. Other Egyptian officials say the country is planning on having a working reactor within a decade, though analysts say that's an optimistic time line.

Egypt's nuclear plans have been reinvigorated in recent years, with Mubarak's son, Gamal, widely seen in Egypt as his father's favored successor, calling for the building of a reactor. Mubarak discussed nuclear power cooperation on state visits to Russia and China last year.

"They feel politically threatened by Iran's nuclear program, they've pointed out rightly that Israel [hasn't been] a member of [nonproliferation] treaties for many years," says Jon Wolfsthal, a nonproliferation expert at the Center for Strategic and International Studies in Washington. "Of course there is economic logic: If they can sell whatever oil they have for $93 a barrel instead of using it, that's attractive . . . but it shouldn't be assumed that it's all benign."

For Egypt, the allure of nuclear power is apparent. Its oil consumption is growing and electricity demand is growing at about 7 percent a year.

"Egypt can absolutely make a legitimate case for nuclear energy," says Mr. Fitzpatrick. "Its reserves are dwindling, it needs the oil and gas for export, and it needs to diversify its energy resources."

Even major oil producers such as Saudi Arabia are, along with Iran, arguing that they need nuclear power. They say it's better to sell their oil than to burn it at home.

But some analysts argue that nuclear power remains an economic loser. Mr. Sokolski says that when state subsidies to nuclear power are removed, nuclear plants are not economically viable. "If it was, private banks would be financing nuclear plants without loan guarantees. They can't do it and make money yet."

Of course whenever the topic of nuclear power comes up, particularly in the Middle East, concerns about the possible spread of nuclear weapons are not far behind. Experts who follow the nuclear weapons question say assurances of only pursuing peaceful objectives, as have been given by all the countries pursuing nuclear power, Iran included, shouldn't be taken at face value.

"Although Egypt does not feel directly threatened by Iran, it does feel its own power and influence in the region threatened by a resurgent nuclear armed Iran," says Fitzpatrick.

"There are a lot of countries in the region who have expressed interest in nuclear power, and I think there are good reasons to be concerned about this interest and the timing of this interest," says Mr. Wolfsthal. "Nuclear power has had economic arguments in its favor for a decade, but the fact is these programs are only coming to a head in light of the Iranian program."

Wolfsthal says the key issues in the coming years will be whether Egypt contracts a turn-key plant from a foreign company—which would minimize the amount of skill and technology transferred to Egyptian engineers—or if it will pursue nuclear partnerships that broaden its knowledge and skills bases.

Will they pursue their own nuclear fuel cycle, which, he says, would make little economic sense and would be a clear "red flag" of intent to develop a weapon, or will they buy nuclear fuel from abroad? "If you are interested in having the capability of building a nuclear weapon, the best way to start is by building up your nuclear power infrastructure," he says. "The same people that help you design and build nuclear reactors have many of the skill sets you will need if you are going to build a nuclear weapon."

Fitzpatrick agrees that if Egypt promises not to develop a nuclear fuel cycle and would agree to more intrusive inspections by the International Atomic Energy Agency, there would be little reason for concern, though he doubts those commitments will be made. "Egypt won't take those steps because it says its hands can't be bound anymore while Israel's hands are unbound. They already resent the nuclear asymmetry with Israel, and a nuclear armed Iran on top of that adds too much for them."

The conclusion is clear: a nuclear Iran is not acceptable, but a nuclear Israel, a nuclear Egypt, a nuclear India, a nuclear Pakistan, a nuclear Yemen, a nuclear Saudi Arabia and nuclear all the others, well, that's a different story.

There was a time when world leaders hoped for a nuclear-free zone in the Middle East. Instead, while we try to shoot our way to peace in Iraq, other world leaders are watching the creation of a nuclear excess zone in the Middle East. We threaten Iran, while we encourage the others.

The President has used two terms to implement a nuclear double standard. Today's U.S. friends can have nuclear power because they really only intend to use it for power generation. But today's U.S. foes must be stopped from acquiring nuclear power because they might use it in a bad way.

Today's friend is the President's standard for supporting the proliferation of nuclear capacity in the world.

Timing is everything. Not many years ago, Iran was our friend. Under the Shah of Iran, maybe they should have started their nuclear work sooner because that would have met the President's definition for a nation deserving of nuclear power.

But let's not forget Rumsfeld's meeting with Saddam. He may not have been our friend that day, but we sure acted like it.

Today Pakistan is in political crisis. And we know they have nuclear weapons, not just nuclear power. What will the President do about it? His State Department spokesman said the other day the administration doesn't have a problem with nations developing peaceful nuclear energy. That's diplomatic-speak for today's U.S. friends get to develop nuclear energy, while today's U.S. foes get threatened with bunker-buster bombs. The administration has been drumbeating for months against Iran, but how much have we heard about the other 13 nations who intend to develop nuclear capacity?

A double standard is no standard at all. And history shows that in the Middle East, today's friend can be tomorrow's foe. What kind of policy is that?

The President has destroyed the philosophy, the practicality, and the prudence of the nuclear nonproliferation treaty. Instead he has embarked on a new policy that will guarantee, that will guarantee, that we live in a much more dangerous world.

So much for security from this administration.

☐ 2300

PAKISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, all eyes are watching the nation of Pakistan. And I rise today to acknowledge that the people of Pakistan are friends of the United States.

Over the last decade or so, they have been moving toward democracy, a growing middle class, a desire for education for the boys and girls of Pakistan, and a real commitment to fighting the Taliban and terrorists in the Afghanistan-Pakistan border. President Musharraf has shown leadership and commitment on these issues.

But today we see a raging Pakistan, a collapse of democracy, the calling of emergency rule, and the complete lacking of sensitivity to the needs of the Pakistan people. So today I am calling on President Musharraf to lift the emergency rule, to restore constitutional order, and to put Pakistan back on track. There is a definitive need for free and honest elections, and he should make an announcement that the elections should be called as of November 15 and that they should be held on January 16, 2008.

Why return Pakistan back to a period when democracy did not reign? It is a Muslim country. It is a democratic country. And it has flourished under the concept of democracy.

Dissidents should be allowed to dissent. Political prisoners and the lawyers of Pakistan should be released. There should be an independent judiciary. And the United States should show its leadership by immediately dispatching a diplomatic team from the Defense Department and State Department in order to negotiate directly with President Musharraf. Pakistan has a great future if it will maintain civility and democracy and freedom of speech and association.

It is important for President Musharraf to allow the judiciary to a decide his fate, to possibly seek another opportunity for election. But the most important part is that we, as an ally of Pakistan, must not abandon the people of Pakistan. It does have nuclear capacity. We must ensure that that nuclear capacity falls not in the wrong hands but is used only for civilian purposes and to provide the necessary energy resources. We can only do that if democracy is restored and if America insists that its friend Pakistan and the people of Pakistan fight and are protected in their fight to preserve democracy and the constitution.

We hope over the next couple of days that we will begin that kind of approach and as well that the present funding that Pakistan receives, it should be made very clear that even though those moneys may not presently be in jeopardy that those moneys will be subject to the scrutiny of determining whether human rights, constitutional rights, and democracy and order are restored to Pakistan. This is the only way to save Pakistan for its people and to allow its people to flourish in democracy and to grow as a prosperous middle class and for the children of Pakistan to see a bright future.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YARMUTH (at the request of Mr. HOYER) for today on account of business in the district.

Mr. FOSSELLA (at the request of Mr. BOEHNER) for today after 5 p.m. on account of personal reasons.

Mr. WESTMORELAND (at the request of Mr. BOEHNER) for today on account of illness in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. McDERMOTT) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mr. DeFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mrs. McCARTHY of New York, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. McDERMOTT, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

(The following Members (at the request of Mr. PRICE of Georgia) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, November 13.

Mr. JONES of North Carolina, for 5 minutes, November 13.

Mr. GINGREY, for 5 minutes, November 7.

Mr. PETERSON of Pennsylvania, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1347. An act to amend the Omnibus Indian Advancement Act to modify the date as of which certain tribal land of the Lytton Rancheria of California is deemed to be held in trust and to provide for the conduct of certain activities on the land; to the Committee on Natural Resources.

ENROLLED BILL SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2546. An act to designate the Department of Veterans Affairs Medical Center in Asheville, North Carolina, as the "Charles George Department of Veterans Affairs Medical Center".

ADJOURNMENT

Ms. JACKSON-LEE of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Wednesday, November 7, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4013. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Oriental Fruit Fly; Addition and Removal of Quarantined Areas in California [Docket No. APHIS-2006-0151] received October 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4014. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received October 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4015. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Member Inspection of Credit Union Books, Records, and Minutes (RIN: 3133-AD33) received October 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4016. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Management Official Interlocks Threshold Change — received October 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4017. A letter from the General Counsel, NCUA, National Credit Union Administration, transmitting the Administration's final rule — Share Insurance Appeals; Clarification of Enforcement Authority of the NCUA Board — received October 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4018. A letter from the Acting General Counsel, Consumer Product Safety Commission, transmitting the Commission's final rule — Safety Standard for Automatic Residential Garage Door Operators — received October 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4019. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — December 2006 Wassenaar Arrangement Plenary Agreement Implementation: Categories 1, 2, 3, 5 Part I, 6, 7, 8, and 9 of the Commerce Control List; Wassenaar Reporting Requirements; Definitions; and Statement of Understanding on Source Code [Docket No. 070105004-7050-01] (RIN: 0694-AD95) received October 31, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4020. A letter from the Associate Director, PP&I, Department of the Treasury, transmitting the Department's final rule — Sudanese Sanctions Regulations — received October 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4021. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting the Secretary's recommended authorization of the Site 1 Impoundment, Palm Beach County, Florida, ecosystem restoration project; to the Committee on Transportation and Infrastructure.

4022. A letter from the Assistant Secretary, Transportation Security Administration, Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection provided at the Gallup Municipal Airport and Roswell Industrial Air Center will be equal to or greater than the level that would be provided at the aiport by TSA Transportation Security Officers; to the Committee on Homeland Security.

4023. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's Third Quarterly Report on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects, pursuant to Public Law 109-702, section 3201; jointly to the Committees on Armed Services and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CONYERS: Committee on the Judiciary. H.R. 1119. A bill to amend title 36, United States Code, to revise the congressional charter of the Military Order of the Purple Heart of the United States of America, Incorporated, to authorize associate membership in the corporation for the spouse of a recipient of the Purple Heart medal; with amendments (Rept. 110–428). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 2884. A bill to assist members of the Armed Forces in obtaining United States citizenship, and for other purposes; with an amendment (Rept. 110–429). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANTOS: Committee on Foreign Affairs. H.R. 3887. A bill to authorize appropriations for fiscal years 2008 through 2011 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat forced labor, and for other purposes; with amendments (Rept. 110–430 Pt. 1). Ordered to be printed.

Mr. RANGEL: Committee on Ways and Means. H.R. 3996. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; with an amendment (Rept. 110–431). Referred to the committee of the Whole House on the State of the Union.

Ms. MATSUI: Committee on Rules. House Resolution 801. Resolution providing for consideration of the bill (H.R. 3688) to implement the United States-Peru Trade Production Agreement (Rept. 110–432). Referred to the House Calendar.

Ms. CASTOR: Committee on Rules. House Resolution 802. Resolution providing for consideration of the bill (H.R. 3355) to ensure the availability and affordability of homeowners' insurance coverage for catastrophic events (Rept. 110–433). Referred to the House Calendar.

Mr. MURTHA: Committee of Conference. Conference report on H.R. 3222. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes (Rept. 110–434). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII, the committee on Energy and Commerce discharged from further consideration of H.R. 3887.

TIME LIMITATION OF REFERRED BILL PURSUANT TO RULE XII

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 3887. Referral to the Committee on the Judiciary extended for a period ending not later than November 9, 2007.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. POMEROY (for himself, Mrs. CAPITO, and Mr. ALLEN):

H.R. 4082. A bill to improve the quality of, and access to, long-term care; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAXMAN (for himself and Mr. ALLEN):

H.R. 4083. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the amendment or repeal of monographs, to expand the Food and Drug Administration's authority to regulate drug advertising, and for other purposes; to the Committee on Energy and Commerce:

By Mr. HALL of New York:

H.R. 4084. A bill to amend title 38, United States Code, to require a study on the Department of Veterans Affairs schedule for rating disabilities, to provide for the treatment of claims under laws administered by the Secretary of Veterans Affairs in the case of the death of a claimant, to require an annual report on the workload of the Court of Appeals for Veteran Claims, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KLEIN of Florida:

H.R. 4085. A bill to amend the Internal Revenue Code of 1986 to make permanent the penalty-free distributions from retirement plans to individuals called to active duty and the election to include combat pay as earned income for purposes of the earned income tax credit; to the Committee on Ways and Means.

By Mr. KLEIN of Florida:

H.R. 4086. A bill to amend the Internal Revenue Code of 1986 to make permanent the tax-free distributions from individual retirement plans for charitable purposes and the deduction for State and local sales tax, and to extend the residential energy efficient property credit, the above the line deduction for eligible educator expenses, and the deduction for qualified tuition and related expenses; to the Committee on Ways and Means.

By Mr. JONES of North Carolina:

H.R. 4087. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to extend the authorized time period for rebuilding of certain overfished fisheries, and for other purposes; to the Committee on Natural Resources.

By Mr. SHULER (for himself, Mr. BILBRAY, Mr. RODRIGUEZ, Mr. ELLSWORTH, Mr. HOLDEN, Mr. GORDON, Mr. MCINTYRE, Mr. MURTHA, Mr. BISHOP of Georgia, Mr. LINCOLN DAVIS of Tennessee, Mr. BARROW, Mr. ALTMIRE, Mr. SPACE, Mrs. GILLIBRAND, Mr. ROSS, Mr. TAYLOR, Mr. BOYD of Florida, Mr. DONNELLY, Mr. HILL, Mr. CRAMER, Mr. BERRY, Mr. CARNEY, Mr. TANNER, Mr. MARSHALL, Mr. COOPER, Mr. LAMPSON, Mr. RYAN of Ohio, Mr. BOSWELL, Mr. PATRICK MURPHY of Pennsylvania, Mr. HIGGINS, Mr. BOREN, Mr. KAGEN, Mr. UDALL of Colorado, Mr. PERLMUTTER, Mr. STUPAK, Mr. KANJORSKI, Mr. MELANCON, Mr. BOUCHER, Mr. BAIRD, Mr. DAVIS of Alabama, Mrs. BOYDA of Kansas, Ms. BEAN, Mr. MCNERNEY, Mr. ARCURI, Mr. HODES, Mr. GOODLATTE, Mr. FEENEY, Mr. DEAL of Georgia, Mr. WAMP, Mr. SESSIONS, Mr. DUNCAN, Mr. RENZI, Mrs. BLACKBURN, Mr. ROYCE, Mr. MILLER of Florida, Mr. PRICE of Georgia, Mr. WALBERG, Mr. JONES of North Carolina, Mr. ROHRABACHER, Mr. ALEXANDER, Mr. COBLE, Mr. WESTMORELAND, Mr. ROSKAM, Mr. SMITH of Nebraska, Mr. CULBERSON, Mr. DOOLITTLE, Mr. POE, Mr. HAYES, Mr. HUNTER, Mrs. CAPITO, Mr. SMITH of Texas, Mr. MCCAUL of Texas, Mr. BROUN of Georgia, Mr. SHUSTER, Ms. FALLIN, Mr. DAVID DAVIS of Tennessee, Mr. LAMBORN, Mr. MCHENRY, Mr. GRAVES, Mr. TANCREDO, Mr. GARY G. MILLER of California, Mr. CALVERT, Mr. WELDON of Florida, Mrs. MYRICK, Mr. BURTON of Indiana, Mr. BARRETT of South Carolina, Mr. BOOZMAN, Mr. INGLIS of South Carolina, Mr. GOODE, and Mr. GINGREY):

H.R. 4088. A bill to provide immigration reform by securing America's borders, clarifying and enforcing existing laws, and enabling a practical employer verification program; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, Ways and Means, Education and Labor, Oversight and Government Reform, Armed Services, Agriculture, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER (for himself, Mr. TIM MURPHY of Pennsylvania, and Mr. LATOURETTE):

H.R. 4089. A bill to amend title 38, United States Code, to improve the collective bargaining rights and procedures for review of adverse actions of certain employees of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FILNER:

H.R. 4090. A bill to amend the Internal Revenue Code of 1986 to exempt motor vehicle donations to certain charities from the limitations on such donations; to the Committee on Ways and Means.

By Mr. COOPER (for himself, Mr. LAMPSON, Mr. OBERSTAR, Ms. NORTON, Mr. PICKERING, Mr. ELLISON, Mrs. BOYDA of Kansas, Mr. SOUDER, and Ms. BERKLEY):

H.R. 4091. A bill to amend part E of title IV of the Social Security Act to promote the adoption of children with special needs; to the Committee on Ways and Means.

By Mr. DEAL of Georgia:

H.R. 4092. A bill to establish the Mountaintown National Scenic Area in the Chattahoochee National Forest, Georgia; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO (for himself, Mr. WU, Mr. BLUMENAUER, and Ms. HOOLEY):

H.R. 4093. A bill to amend the Migratory Bird Treaty Act to provide for penalties and enforcement for intentionally taking protected avian species, and for other purposes; to the Committee on Natural Resources.

By Mr. FORBES (for himself and Mr. TERRY):

H.R. 4094. A bill to amend the Adam Walsh Child Protection and Safety Act of 2006 to modify the minimum standards required for the electronic monitoring units used in the pilot program for monitoring sexual offenders; to the Committee on the Judiciary.

By Mr. HOEKSTRA:

H.R. 4095. A bill to direct the National Highway Traffic Safety Administration to conduct a rulemaking regarding the use of aspheric outside mirrors on passenger cars, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUNTER:

H.R. 4096. A bill to facilitate the ability of private property owners and local communities that manage public land to clear brush or make other modifications to their property for the purpose of creating fire breaks in order to protect human lives and property; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEEK of Florida:

H.R. 4097. A bill to amend title 10, United States Code, to prohibit the disposal by the Department of Defense of surplus military items designated as Identification Friend or Foe items, to amend title 18, United States Code, to make it a misdemeanor to possess or traffic in Identification Friend or Foe items, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 4098. A bill to revise the composition of the Board of Regents of the Smithsonian

Institution so that all members are individuals appointed by the President from a list of nominees submitted by the leadership of the Congress, and for other purposes; to the Committee on House Administration.

By Mr. SALI (for himself, Ms. BERKLEY, and Mr. ENGLISH of Pennsylvania):

H.R. 4099. A bill to amend the Internal Revenue Code of 1986 to modify the rules relating to coins and bullion that may be held by individual retirement accounts and certain other individually-directed accounts; to the Committee on Ways and Means.

By Ms. WOOLSEY (for herself, Mr. HARE, Mr. GORDON, Mr. PAYNE, Mr. THOMPSON of Mississippi, Ms. LINDA T. SÁNCHEZ of California, Mr. YARMUTH, Mr. HONDA, Mr. LOEBSACK, and Mr. COHEN):

H.R. 4100. A bill to amend the Elementary and Secondary Education Act of 1965 to establish an instructional level assessment pilot program; to the Committee on Education and Labor.

By Ms. SHEA-PORTER (for herself and Mr. HAYES):

H. Con. Res. 246. Concurrent resolution honoring the United States Marine Corps for serving and defending the United States on the anniversary of its founding on November 10, 1775; to the Committee on Armed Services.

By Mr. PAYNE (for himself, Mr. KIRK, Mr. JACKSON of Illinois, Mr. MCDERMOTT, Ms. WOOLSEY, Ms. MCCOLLUM of Minnesota, Mr. HONDA, Ms. LEE, Ms. CLARKE, Mr. MORAN of Virginia, Ms. JACKSON-LEE of Texas, Ms. CORRINE BROWN of Florida, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Ms. MOORE of Wisconsin, Mr. WATT, and Mr. RUSH):

H. Con. Res. 247. Concurrent resolution expressing support for advancing vital United States interests through increased engagement in health programs that alleviate disease and poverty, and reduce premature death in developing nations, especially through programs that combat high levels of infectious disease, improve children's and women's health, decrease malnutrition, reduce unintended pregnancies, fight the spread of HIV/AIDS, encourage healthy behaviors, and strengthen health care capacity; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CHRISTENSEN:

H. Con. Res. 248. Concurrent resolution expressing the sense of the Congress that the United States Fish and Wildlife Service should incorporate consideration of global warming and sea-level rise into the comprehensive conservation plans for coastal national wildlife refuges, and for other purposes; to the Committee on Natural Resources.

By Mr. KUCINICH:

H. Res. 799. A resolution impeaching Richard B. Cheney, Vice President of the United States, of high crimes and misdemeanors; to the Committee on the Judiciary.

By Mr. LATHAM (for himself, Mr. BOEHNER, Mr. BLUNT, Mr. WALBERG, Mr. CRENSHAW, Mr. BURTON of Indiana, Ms. GINNY BROWN-WAITE of Florida, Mr. KUHL of New York, Mr. REYNOLDS, Mr. GINGREY, Mr. LOBIONDO, Mr. ISSA, Mr. HUNTER, Mrs. EMERSON, Mr. JONES of North Carolina, Mr. SOUDER, Mr. KELLER, Mr. GARY G. MILLER of California, Mrs. MYRICK, Mr. BAKER, Mr. GALLEGLY, Mr. FORTENBERRY, Mr. HOEKSTRA, Mr. FEENEY, Mr. DREIER, Mr. WALSH of New York, Mr. SHAYS, Mrs. MILLER of Michigan, Mr. BUCHANAN, Mrs. CAPITO, Mr. GERLACH, Mr. KING of New York, Mr. WICKER, Mrs. GILLIBRAND, Mr. MCCAUL of Texas, Mr. HULSHOF, Mr. BILBRAY, Mrs. BOYDA of Kansas, Mr. ROGERS of Kentucky, Mr. ROGERS of Michigan, Mr. SHULER, Mr. DOOLITTLE, and Mrs. SCHMIDT):

H. Res. 800. A resolution expressing the sense of the House of Representatives regarding the issuance of State driver's licenses or other government-issued photo identification to illegal aliens; to the Committee on Transportation and Infrastructure.

By Ms. DELAURO (for herself, Mr. DOGGETT, Mr. HARE, Mr. HOLT, Ms. SCHAKOWSKY, Mr. EMANUEL, Mr. RYAN of Ohio, Mr. CARDOZA, Ms. ESHOO, Ms. SUTTON, Mr. COURTNEY, Mrs. MALONEY of New York, Ms. WASSERMAN SCHULTZ, Ms. RICHARDSON, Mr. LARSON of Connecticut, and Mr. WELCH of Vermont):

H. Res. 803. A resolution expressing the sense of the House of Representatives that the House has lost confidence in the performance of Consumer Product Safety Commission Chairwoman Nancy Nord, and urging the President to request her resignation; to the Committee on Energy and Commerce.

By Ms. HOOLEY (for herself, Mr. ELLISON, Mr. MARKEY, Mr. COHEN, Mr. DOGGETT, Mr. HOLT, Mr. LARSON of Connecticut, Mrs. MCCARTHY of New York, Mr. MURTHA, Mrs. CAPPS, Mr. GRIJALVA, Mr. FILNER, Mr. NADLER, Ms. LEE, Ms. LORETTA SANCHEZ of California, Mr. STARK, Mr. ABERCROMBIE, Mr. DEFAZIO, Ms. BERKLEY, Ms. MCCOLLUM of Minnesota, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Georgia, Mr. WYNN, Mr. ROTHMAN, Mr. WEXLER, Ms. LINDA T. SÁNCHEZ of California, Ms. CLARKE, Mr. FARR, Mr. CUMMINGS, Ms. WOOLSEY, Mr. UDALL of Colorado, Mr. WU, Mr. RODRIGUEZ, Mrs. NAPOLITANO, Mr. RAHALL, Mr. REYES, Mr. BACA, Mr. MCDERMOTT, Ms. HIRONO, Ms. WATERS, Mr. VAN HOLLEN, Mr. KANJORSKI, Ms. ZOE LOFGREN of California, Ms. ROYBAL-ALLARD, Mr. KENNEDY, Mr. MOORE of Kansas, Mrs. BOYDA of Kansas, Mr. INSLEE, Mr. HOLDEN, and Mr. MICHAUD):

H. Res. 804. A resolution expressing the sense of the House of Representatives that the House has lost confidence in the performance of Consumer Product Safety Commission Chairman Nancy Nord, and urging the President to request her resignation; to the Committee on Energy and Commerce.

By Mr. STEARNS (for himself, Mr. BUCHANAN, Mr. JONES of North Carolina, Mr. JORDAN, Mr. WOLF, Mr. PENCE, Mr. PITTS, Mr. WELDON of Florida, Mr. ADERHOLT, Mr. COBLE, Mr. GINGREY, and Mr. INGLIS of South Carolina):

H. Res. 805. A resolution honoring the life of Dr. D. James Kennedy; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

211. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 156 encouraging the Congress of the United States and the Department of Agriculture to implement food policies that promote healthy food, farms, and communities by encouraging local production of fruits and vegetables by specialty crop farmers; to the Committee on Agriculture.

212. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 183 memorializing the Congress of the United States to continue exempting returning workers from the cap on H2B visas; to the Committee on the Judiciary.

213. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 175 memorializing the Congress of the United States to reestablish medical care for certain veterans whose income and disability status disqualified them for Department of Veterans Affairs medical care as of January 17, 2003; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. GEORGE MILLER of California introduced a bill (H.R. 4101) for the relief of Christopher Freking; which was referred to the Committee on Oversight and Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 60: Mr. RODRIGUEZ.

H.R. 74: Mr. MORAN of Virginia.

H.R. 89: Mr. KLINE of Minnesota.

H.R. 135: Mr. DEAL of Georgia, Mr. JOHNSON of Georgia, and Mr. LEWIS of Georgia.

H.R. 178: Mr. PAYNE.

H.R. 542: Mr. CUELLAR.

H.R. 627: Mr. MCDERMOTT.

H.R. 690: Mr. MCCOTTER.

H.R. 726: Mr. LIPINSKI.

H.R. 821: Mr. CHANDLER, Mr. BISHOP of New York, Mr. KLEIN of Florida, and Mr. MCDERMOTT.

H.R. 840: Mr. KILDEE.

H.R. 871: Mr. HOLT.

H.R. 882: Mr. MURPHY of Connecticut.

H.R. 887: Mr. ISRAEL and Mr. ETHERIDGE.

H.R. 897: Mr. TOWNS, Ms. SLAUGHTER, and Mr. ALTMIRE.

H.R. 953: Mr. ALTMIRE.

H.R. 971: Mr. GUTIERREZ.

H.R. 1000: Mr. LANGEVIN, Mr. WEINER, and Mr. WAXMAN.

H.R. 1014: Mr. LOBIONDO.

H.R. 1078: Ms. ESHOO, Ms. MATSUI, and Ms. LEE.

H.R. 1091: Mr. RUPPERSBERGER.

H.R. 1102: Mr. UDALL of Colorado.

H.R. 1112: Mr. DREIER.

H.R. 1198: Mr. FERGUSON, Mr. GERLACH, Mr. TIM MURPHY of Pennsylvania, and Mr. BILIRAKIS.

H.R. 1222: Mr. WALZ of Minnesota and Mr. COHEN.

H.R. 1223: Mr. WALZ of Minnesota and Mr. COHEN.

H.R. 1237: Mr. WHITFIELD, Mr. MEEK of Florida, and Mr. LANGEVIN.

H.R. 1286: Mr. SHAYS.

H.R. 1293: Mr. KLEIN of Florida.

H.R. 1304: Mr. KLEIN of Florida.

H.R. 1314: Mr. YOUNG of Florida.

H.R. 1363: Mr. WU.

H.R. 1422: Mr. CARDOZA and Mrs. CAPPS.

H.R. 1440: Mr. MILLER of North Carolina.

H.R. 1456: Mr. ROYCE.

H.R. 1576: Mr. MORAN of Kansas, Mr. TOM DAVIS of Virginia, and Mr. DELAHUNT.

H.R. 1582; Mr. MITCHELL and Mr. COSTA.

H.R. 1590: Mr. RUSH.

H.R. 1608: Mr. PRICE of North Carolina.

H.R. 1643: Mr. KLINE of Minnesota.

H.R. 1738: Mr. LANGEVIN.

H.R. 1746: Mr. HASTINGS of Florida, Mr. RAMSTAD, and Mr. KIRK.

H.R. 1829: Mr. FEENEY, Mr. TERRY, and Mr. REYNOLDS.

H.R. 1881: Mr. MURPHY of Connecticut and Mr. SOUDER.

H.R. 1884: Mrs. MCMORRIS RODGERS, Ms. DEGETTE, and Mr. LAMBORN.

H.R. 1919: Mr. ANDREWS.

H.R. 1992: Mr. BERRY, Mr. HOLT, Mr. ORTIZ, Ms. VELÁZQUEZ, and Mr. DOGGETT.

H.R. 2012: Mr. BACHUS.

H.R. 2014: Mr. TERRY.

H.R. 2032: Mr. GORDON, Mr. PLATTS, and Mr. STUPAK.

H.R. 2049: Mr. WEINER and Mr. HIGGINS.

H.R. 2054: Mr. ABERCROMBIE.

H.R. 2070: Mr. GORDON and Mr. KLEIN of Florida.

H.R. 2075: Ms. KAPTUR and Mr. TURNER.

H.R. 2123: Mr. LOEBSACK, Mr. SERRANO, and Mr. HIGGINS.

H.R. 2164: Mr. THOMPSON of Mississippi.

H.R. 2266: Mr. MILLER of North Carolina and Mr. GILCHREST.

H.R. 2303: Mr. BOYD of Florida and Mr. ORTIZ.

H.R. 2321: Ms. MATSUI, Mr. DANIEL E. LUNGREN of California, Ms. ZOE LOFGREN of California, and Mrs. TAUSCHER.

H.R. 2332: Mr. GONZALEZ, Mr. FEENEY, Mr. REGULA, Ms. FOXX, Mrs. BLACKBURN, and Mr. WELLER.

H.R. 2425: Mr. FILNER.

H.R. 2464: Mr. ROGERS of Michigan.

H.R. 2488: Mr. WHITFIELD.

H.R. 2489: Mr. SHAYS.

H.R. 2514: Ms. WATSON, Mrs. NAPOLITANO, and Mr. HONDA.

H.R. 2548: Mr. GRIJALVA.

H.R. 2567: Mrs. CUBIN.

H.R. 2620: Mr. STARK.

H.R. 2651: Mr. MORAN of Virginia.

H.R. 2668: Mrs. MCCARTHY of New York, Mr. CHANDLER, and Mr. BOUCHER.

H.R. 2702: Mr. UDALL of Colorado.

H.R. 2749: Mr. ALLEN.

H.R. 2762: Mrs. MALONEY of New York, Mr. MILLER of North Carolina, Mr. POE, Ms. SHEA-PORTER, Mr. HARE, Mrs. TAUSCHER, Mr. CARDOZA, Mr. YOUNG of Alaska, Mr. HELLER, Mr. BURTON of Indiana, Mr. MATHESON, Mr. MEEK of Florida, and Mr. TIERNEY.

H.R. 2802: Ms. DEGETTE and Mr. BISHOP of New York.

H.R. 2880: Mr. LOBIONDO.

H.R. 2892: Ms. SCHWARTZ.

H.R. 2894: Mr. ROGERS of Michigan, Mr. ENGEL, Mr. SERRANO, Mrs. GILLIBRAND, Mrs. SCHMIDT, Mr. LYNCH, Mr. COSTELLO, Mr. KIND, Ms. DEGETTE, Mr. STEARNS, Ms. WATSON, Mr. GEORGE MILLER of California, Mr. GILCHREST, Mr. LAHOOD, Mr. ABERCROMBIE, Mr. MARSHALL, Mr. CARTER, Mr. JONES of North Carolina, Mr. WAMP, Mr. CLAY, Mr. PENCE, Mr. FLAKE, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. DEFAZIO, Mr. AL GREEN of Texas, Mr. GORDON, Mr. WALZ of Minnesota, and Mr. MEEKS of New York.

H.R. 2927: Mr. ROSKAM.

H.R. 3026: Mr. ALEXANDER.

H.R. 3028: Mr. GONZALEZ, Ms. HIRONO, and Mr. ENGLISH of Pennsylvania.

H.R. 3042: Mr. LANGEVIN.

H.R. 3080: Mr. RYAN of Ohio.

H.R. 3090: Mr. MCCOTTER.

H.R. 3099: Mr. DENT, Mr. GERLACH, and Mr. ENGLISH of Pennsylvania.

H.R. 3151: Mr. KING of New York.

H.R. 3167: Mr. MCNERNEY and Mr. WYNN.

H.R. 3175: Mr. PAYNE and Ms. BALDWIN.

H.R. 3219: Mr. NADLER and Mr. WEINER.

H.R. 3249: Mr. ALTMIRE.

H.R. 3289: Mr. PAYNE.

H.R. 3326: Mr. CAPUANO.

H.R. 3331: Mr. WELCH of Vermont.

H.R. 3357: Mr. ABERCROMBIE.

H.R. 3360: Ms. SHEA-PORTER, Mr. LEVIN, and Ms. SLAUGHTER.

H.R. 3369: Mr. ENGLISH of Pennsylvania.

H.R. 3402: Mr. SESTAK.

H.R. 3453: Mr. BISHOP of New York.

H.R. 3456: Mr. MCDERMOTT.

H.R. 3507: Mr. WELCH of Vermont.

H.R. 3508: Ms. FOXX, Mr. SESSIONS, and Mr. TERRY.

H.R. 3533: Mr. BECERRA.

H.R. 3544: Mr. INSLEE, Ms. BERKLEY, and Mr. TERRY.

H.R. 3547: Mr. MITCHELL and Mr. COSTA.

H.R. 3548: Mr. LANTOS.

H.R. 3609: Mr. FILNER, Mr. GRIJALVA, Mr. WYNN, Mr. MCDERMOTT, Mr. JACKSON of Illinois, and Mr. LOEBSACK.

H.R. 3616: Mr. DOYLE.

H.R. 3689: Mr. ROSS.

H.R. 3691: Mr. MICHAUD, Ms. NORTON, Ms. MOORE of Wisconsin, Mr. LIPINSKI, Mr. REYES, and Mr. MEEKS of New York.

H.R. 3700: Ms. WOOLSEY.

H.R. 3706: Mr. STARK.

H.R. 3713: Mr. WEINER.

H.R. 3738: Mr. EHLERS, Mr. GERLACH, Mr. LATOURETTE, Mr. PETRI, and Mr. SHAYS.

H.R. 3757: Mr. PRICE of North Carolina and Ms. WOOLSEY.

H.R. 3781: Mr. LATHAM.

H.R. 3793: Mr. MCDERMOTT, Mr. MICHAUD, Mr. LEWIS of Georgia, Ms. SCHWARTZ, and Mr. LYNCH.

H.R. 3797: Mr. HODES and Mr. HONDA.

H.R. 3812: Ms. JACKSON-LEE of Texas.

H.R. 3818: Mr. BILIRAKIS, Mr. RENZI, Mr. CANNON, Mrs. SCHMIDT, Mr. TERRY, and Mr. DEAL of Georgia.

H.R. 3819: Mr. HONDA.

H.R. 3820: Mr. CAMP of Michigan.

H.R. 3837: Mr. BACA, Mrs. BIGGERT, and Mrs. CAPITO.

H.R. 3842: Ms. SCHAKOWSKY.

H.R. 3845: Mr. GERLACH.

H.R. 3846: Mr. BRADY of Pennsylvania, Mr. HINOJOSA, Mr. WEINER, and Ms. CLARKE.

H.R. 3850: Mr. COHEN.

H.R. 3861: Mr. HERGER.

H.R. 3882: Mr. BILIRAKIS, Ms. GINNY BROWN-WAITE of Florida, Mr. COHEN, Ms. MATSUI, Mrs. TAUSCHER, Mr. SNYDER, Ms. DELAURO, Mr. GRIJALVA, Mr. HOLT, Mr. MCGOVERN, Mr. HOLDEN, Mr. DELAHUNT, Mrs. CHRISTENSEN, Mr. MOORE of Kansas, Mr. BRADY of Pennsylvania, Mr. CARNEY, Ms. JACKSON-LEE of Texas, Mr. TOM DAVIS of Virginia, and Mr. BISHOP of Utah.

H.R. 3910: Mr. BACA and Mr. COHEN.

H.R. 3915: Mr. LATOURETTE and Ms. GIFFORDS.

H.R. 3947: Ms. BERKLEY.

H.R. 3981: Mr. CHANDLER and Mr. NADLER.

H.R. 3989: Mr. KING of New York.

H.R. 3995: Ms. SHEA-PORTER and Mr. LYNCH.

H.R. 4042: Mr. SOUDER.

H.R. 4044: Mr. KIRK, Mr. AL GREEN of Texas, Ms. SUTTON, and Ms. DEGETTE.

H.R. 4054: Mr. PERLMUTTER, Mr. ABERCROMBIE, Mr. SHERMAN, Mr. MARKEY, Mr. HOLT, Mrs. BIGGERT, Mr. GORDON, Mr. WEINER, and Mr. MURPHY of Connecticut.

H.R. 4060: Ms. CORRINE BROWN of Florida.

H.R. 4063: Mr. WYNN and Mr. MCDERMOTT.

H.R. 4065: Mrs. BLACKBURN.

H.R. 4074: Mr. BACA.

H.J. Res. 54: Mrs. BLACKBURN, Mr. BRADY of Pennsylvania, Mr. CANNON, Mr. CULBERSON, Mr. HASTERT, and Mr. HOLT.

H. Con. Res. 154: Mr. TERRY.

H. Con. Res. 162: Mr. MITCHELL and Mr. HODES.

H. Con. Res. 163: Ms. SUTTON and Mr. NEAL of Massachusetts.

H. Con. Res. 214: Mr. BRADY of Pennsylvania, Mr. COHEN, Ms. CORRINE BROWN of Florida, and Mr. LEWIS of Georgia.

H. Con. Res. 223: Ms. BERKLEY.

H. Con. Res. 235: Mr. GERLACH and Mr. BAKER.

H. Con. Res. 237: Mr. MCDERMOTT and Mr. MCNULTY.

H. Res. 111: Mr. MCCAUL of Texas, Mr. PEARCE, Mr. HULSHOF, Mr. GUTIERREZ. Mr. TERRY, Mr. MORAN of Virginia, Mr. SCHIFF, Mr. BURGESS, and Mrs. DRAKE.

H. Res. 163: Mr. MURPHY of Connecticut.

H. Res. 493: Mr. WALSH of New York, Mr. RADANOVICH, Mr. ROYCE, and Mr. GALLEGLY.

H. Res. 556: Mr. POE and Mr. LAMBORN.

H. Res. 690: Mrs. EMERSON, Ms. WASSERMAN SCHULTZ, Mr. SCHIFF, Mr. LANGEVIN, Ms. SCHWARTZ, Mr. BISHOP of New York, Ms. BERKLEY, Mr. ARCURI, Mr. HIGGINS, Mr. SIRES, Mrs. TAUSCHER, Mr. WILSON of South Carolina, and Mr. ELLSWORTH.

H. Res. 695: Mr. COHEN.

H. Res. 705: Mr. MCCAUL of Texas and Mr. GALLEGLY.

H. Res. 711: Mrs. TAUSCHER.

H. Res. 743: Ms. SCHAKOWSKY and Mr. WEINER.

H. Res. 760: Mr. PUTNAM.

H. Res. 769: Mr. AL GREEN of Texas.

H. Res. 771: Ms. ROYBAL-ALLARD and Mrs. MCMORRIS RODGERS.

H. Res. 783: Mr. FORTENBERRY, Mr. GINGREY, Mr. GARRETT of New Jersey, Mr. MARIO DIAZ-BALART of Florida, Mr. TURNER, Mr. YOUNG of Florida, Mrs. MUSGRAVE, Mr. MILLER of Florida, Mrs. WILSON of New Mexico, Mr. DOOLITTLE, Mr. MCCOTTER, Mr. LEWIS of Kentucky, Mr. KLINE of Minnesota, Mr. BARTON of Texas, Mr. NEUGEBAUER, Mr. BILIRAKIS, Mr. ALEXANDER, and Mr. PICKERING.

H. Res. 784: Mrs. DRAKE, Mr. KUHL of New York, Mr. YOUNG of Alaska, Mr. DAVID DAVIS of Tennessee, Mr. ROGERS of Kentucky, Mr. CAMPBELL of California, Mr. SIMPSON, Mr. NUNES, Mr. BURGESS, Mr. LAMBORN, Mr. DANIEL E. LUNGREN of California, Mr. SMITH of Nebraska, Mr. BILIRAKIS, Mrs. MCMORRIS RODGERS, Mr. HAYES, Mr. HELLER, Mr. BUCHANAN, Mr. WELDON of Florida, Mr. BROUN of Georgia, Mr. DEAL of Georgia, Mr. GERLACH, Mr. MCHENRY, Mr. GINGREY, Mr. MCCOTTER, Mr. PRICE of Georgia, Mr. BOUSTANY, Mr. WILSON of South Carolina, Mr. KING of Iowa, Mr. MARCHANT, Mr. PETRI, Mr. TERRY, Mr. LOBIONDO, Mr. WICKER, Mr. ROSKAM, Mr. EHLERS, Mr. WAMP, Mr. FEENEY, Mrs. BACHMANN, Mr. HALL of Texas, Mrs. BONO, Mr. MACK, Mr. KINGston, and Mr. SHUSTER.

H. Res. 786: Mr. HALL of Texas, Mrs. MUSGRAVE, Mr. KLINE of Minnesota, Mr. MILLER of Florida, Mr. MCCARTHY of California, Mr. PETRI, Mr. DEAL of Georgia, Mr. CANTOR, Mr. GALLEGLY, Mr. BARRETT of South Carolina, Mr. LUCAS, Mr. COLE of Oklahoma, Mr. HENSARLING, Mr. HOEKSTRA, Mr. SHADEGG, Mr. CULBERSON, Mr. LEWIS of Kentucky, Mr. ROGERS of Kentucky, Mrs. BACHMANN, Mr.

SMITH of Nebraska, Mr. CAMPBELL of California, Mr. ROGERS of Alabama, Mr. EVERETT, Mr. RENZI, Mr. BRADY of Texas, Mr. ROYCE, Mr. WELDON of Florida, Mr. NUNES, Mr. FORTENBERRY, Mr. BOUSTANY, Mr. HAYES, Mr. MORAN of Kansas, Mr. ADERHOLT, Mr. ISSA, Mr. LOBIONDO, Mr. NEUGEBAUER, Mr. BOEHNER, Mr. PUTNAM, Mrs. MCMORRIS RODGERS, Mr. HERGER, Mr. RADANOVICH, Mr. MCCAUL of Texas, Mr. SAM JOHNSON of Texas, Mr. MANZULLO, Mr. SULLIVAN, Mr. PLATTS, Mr. SHIMKUS, Mr. CARTER, Mrs. CUBIN, Mrs. SCHMIDT, Mr. CRENSHAW, Mr. SMITH of Texas, Mr. REICHERT, Mr. GARY G. MILLER of California, Mrs. BONO, Mr. MACK, Mrs. WILSON of New Mexico, Mr. WELLER, Mr. ROHRABACHER, Mr. LINDER, Mr. SESSIONS, Mr. LATHAM, Mr. GRAVES, Mr. INGLIS of South Carolina, Mr. DENT, Mr. GOODE, Mr. GOHMERT, and Mr. TIM MURPHY of Pennsylvania.

H. Res. 787: Mr. MCINTYRE.

H. Res. 795: Mr. GRIJALVA and Mr. HONDA.

H. Res. 796: Ms. FOXX.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3355

OFFERED BY: MR. MANZULLO

AMENDMENT NO. 1: Page 15, line 2, strike "and".

Page 15, line 5, strike the period and insert "; and".

Page 15, after line 5, insert the following new paragraph:

(6) the qualified resinsurance program and the State authorizing the program are not delinquent, as determined by the Secretary, with respect to any payment due under any loan previously made under this Act or under any other loan provided by any agency or establishment of the Federal Government to the program or the State for assistance in connection with a natural or other major disaster.

H.R. 3355

OFFERED BY: MS. CASTOR

AMENDMENT NO. 2: Page 21, after line 25, insert the following new subparagraphs:

(C) limit new development and increases in density, intensity, or range of use allowances in zoning and planning programs in coastal and other areas subject to a higher risk of catastrophic financial loss from natural disasters and catastrophic events, as such areas are determined in accordance with standards established by the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency and other appropriate agency heads;

(D) limit rebuilding of substantially demolished structures after catastrophic events to current density, intensity, use, and structural limits;

Page 22, line 1, strike "(C)" and insert "(E)".

Page 22, line 5, strike "(D)" and insert "(F)".

Page 22, line 12, strike "(E)" and insert "(G)".

H.R. 3355

OFFERED BY: MR. CAMPBELL OF CALIFORNIA

AMENDMENT NO. 3: Page 2, line 5, before "Homeowners'" insert "Business Owners' and'".

Page 6, line 15, before "homeowners" and insert "business owners and".

Page 13, lines 5 and 6, strike "**HOMEOWNERS'**".

Page 13, line 13, before "homeowners'" insert "property and".

Page 18, line 9, strike "personal real".

Page 20, line 25, insert "property and" after "all".

H.R. 3355

OFFERED BY: MR. MATHESON

AMENDMENT NO. 4: Page 8, line 24, before the period insert the following: ", and the first such annual report shall include an assessment of the costs to States and regions associated with catastrophe risk and an analysis of the costs and benefits, for States not participating in the Consortium, of such nonparticipation".

H.R. 3355

OFFERED BY: MR. SHAYS

AMENDMENT NO. 5:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Commission on Natural Catastrophe Risk Management and Insurance Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Establishment.
Sec. 4. Membership.
Sec. 5. Duties of the Commission.
Sec. 6. Timing.
Sec. 7. Powers of the Commission.
Sec. 8. Commission personnel matters.
Sec. 9. Termination.
Sec. 10. Authorization of appropriations.

SEC. 2. FINDINGS.

The Congress finds that—

(1) catastrophic hazards, including tornadoes, earthquakes, volcanoes, landslides, tsunamis, flooding, and hurricanes, directly affect hundreds of millions of people each year;

(2) during the 1990s, 2,800 natural disasters killed more than 500,000 people and directly affected 1,300,000,000 people worldwide;

(3) property damage from natural catastrophes has dramatically increased in recent decades, roughly doubling every seven years—a 14-fold increase over the past 40 years;

(4) risk costs have particularly soared in coastal areas, where hurricane frequency and severity has significantly increased, along with home values and building costs;

(5) increased risk costs are being reflected in increased catastrophe insurance and reinsurance costs;

(6) an inefficient legal and regulatory environment in some States has further exacerbated insurance cost increases, including through ineffective price controls, restrictions on capital movement, sub-optimal solvency regulation, and duplicative or unnecessary regulation;

(7) consumers further suffer from temporary rate and availability volatility after major catastrophes while the marketplace adjusts to the losses;

(8) government catastrophe mitigation requirements have been sub-optimal, sometimes ineffective, and uncoordinated;

(9) some State efforts to reduce insurance prices in catastrophe-prone areas have sometimes reduced long-term availability and competitive affordability of coverage, as well as subsidized excessive development in environmentally sensitive areas at the expense of taxpayers;

(10) several proposals have been introduced in the Congress to address the affordability of natural catastrophe insurance, but there is little consensus on the appropriate role of the Federal Government in facilitating the private insurance marketplace while avoiding cross-subsidies; and

(11) therefore, an efficient and effective approach to assessing natural catastrophe risk management and insurance is to establish a nonpartisan commission to study the management of natural catastrophe risk, and to require such commission to report to the Congress on its findings before the next hurricane season begins.

SEC. 3. ESTABLISHMENT.

There is established a nonpartisan Commission on Natural Catastrophe Risk Management and Insurance (in this Act referred to as the "Commission").

SEC. 4. MEMBERSHIP.

(a) APPOINTMENT.—The Commission shall be composed of 16 members, of whom—

(1) 2 members shall be appointed by the Majority Leader of the Senate;

(2) 2 members shall be appointed by the Minority Leader of the Senate;

(3) 2 members shall be appointed by the Speaker of the House of Representatives;

(4) 2 members shall be appointed by the Minority Leader of the House of Representatives;

(5) 2 members shall be appointed by the Chairman of the Committee on Banking, Housing, and Urban Affairs of the Senate;

(6) 2 members shall be appointed by the Ranking Member of the Committee on Banking, Housing, and Urban Affairs of the Senate;

(7) 2 members shall be appointed by the Chairman of the Committee on Financial Services of the House of Representatives; and

(8) 2 members shall be appointed by the Ranking Member of the Committee on Financial Services of the House of Representatives.

(b) QUALIFICATION OF MEMBERS.—

(1) IN GENERAL.—Members of the Commission shall be appointed under subsection (a) from among persons who—

(A) have expertise in insurance, reinsurance, insurance regulation, policyholder concerns, emergency management, risk management, public finance, financial markets, actuarial analysis, flood mapping and planning, structural engineering, building standards, land use planning, natural catastrophes, meteorology, seismology, environmental issues, or other pertinent qualifications or experience; and

(B) are not officers or employees of the United States Government or of any State government.

(2) DIVERSITY.—In making appointments to the Commission—

(A) every effort shall be made to ensure that the members are representative of a broad cross section of perspectives within the United States; and

(B) each member of Congress described in subsection (a) shall appoint not more than 1 person from any single primary area of expertise described in paragraph (1)(A) of this subsection.

(c) PERIOD OF APPOINTMENT.—

(1) IN GENERAL.—Each member of the Commission shall be appointed for the duration of the Commission.

(2) VACANCIES.—A vacancy on the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) QUORUM.—

(1) MAJORITY.—A majority of the members of the Commission shall constitute a

quorum, but a lesser number, as determined by the Commission, may hold hearings.

(2) APPROVAL ACTIONS.—All recommendations and reports of the Commission required by this Act shall be approved only by a two-thirds vote of all of the members of the Commission.

(e) CHAIRPERSON.—The Commission shall, by majority vote of all of the members, select 1 member to serve as the Chairperson of the Commission (in this Act referred to as the "Chairperson").

(f) MEETINGS.—The Commission shall meet at the call of its Chairperson or a majority of the members.

SEC. 5. DUTIES OF THE COMMISSION.

The Commission shall examine and report to the Congress on the natural catastrophe insurance marketplace, including the extent to which insurance costs and availability are affected by the factors described in section 2, which factors the Federal Government can and should address to increase catastrophe insurance availability and competitiveness, and which actions the Federal Government can undertake to achieve this goal without requiring a long-term cross-subsidy from the taxpayers. In developing its report, the Commission shall consider—

(1) the current condition of, as well as the outlook for, the availability and affordability of insurance and reinsurance for natural catastrophes in all regions of the United States;

(2) the current ability of States, communities, and individuals to mitigate their natural catastrophe risks, including the affordability and feasibility of such activities;

(3) the impact of Federal and State laws, regulations, and policies (including rate regulation, market access requirements, reinsurance regulations, accounting and tax policies, State residual markets, and State catastrophe funds) on—

(A) the affordability and availability of catastrophe insurance;

(B) the ability of the private insurance market to cover losses inflicted by natural catastrophes;

(C) the commercial and residential development of high-risk areas; and

(D) the costs of natural catastrophes to Federal and State taxpayers;

(4) the benefits and costs of—

(A) a national, regional, or other pooling mechanism designed to provide adequate insurance coverage and increased underwriting capacity to insurers and reinsurers, including private-public partnerships to increase insurance capacity in constrained markets, including proposed Federal natural catastrophe insurance programs (specifically addressing the costs to taxpayers, tax equity considerations, and the record of other government insurance programs, particularly with regard to charging actuarially sound prices);

(B) improving Federal and State tax policy to allow insurers or individuals to set aside catastrophe reserves;

(C) directing existing Federal agencies to begin selling catastrophe insurance to individuals;

(D) creating a consortium of Federal and State officials to facilitate state catastrophe bonds and reinsurance purchasing as well as providing temporary Federal disaster loans to the States for insurance purposes;

(E) expanding the Liability Risk Retention Act of 1986 to allow businesses to pool together to buy insurance and set up their own insurance funds;

(F) providing temporary Federal assistance to low-income individual homeowners whose catastrophe insurance rates have increased beyond a certain level after a major disaster, with the possibility that the assistance would be repaid upon sale of the underlying home;

(G) providing for limited Federal development and oversight of the sale of catastrophe insurance in high-risk areas during periods of relative unavailability; and

(H) facilitating further growth of the catastrophe bond marketplace and other competitive alternatives to the traditional insurance and reinsurance marketplace;

(5) the present and long-term financial condition of State residual markets and catastrophe funds in high-risk regions, including the likelihood of insolvency following a natural catastrophe, the concentration of risks within such funds, the reliance on post-event assessments and State funding, the adequacy of rates, and the degree to which such entities have been actuarially solvent in comparison to comparably sized private insurers;

(6) the need for strengthened land use regulations and building codes in States at high risk for natural catastrophes, and methods to strengthen the risk assessment and enforcement of structural mitigation and vulnerability reduction measures, such as zoning and building code compliance;

(7) the ability of the private insurance market in the United States—

(A) to cover insured losses caused by natural catastrophes, including an estimate of the maximum amount of insured losses that could be sustained during a single year and the probability of natural catastrophes occurring in a single year that would inflict more insured losses than the United States insurance and reinsurance markets could sustain; and

(B) to recover after covering substantial insured losses caused by natural catastrophes;

(8) the impact that demographic trends could have on the amount of insured losses inflicted by future natural catastrophes;

(9) the appropriate role, if any, for the Federal Government in stabilizing the property and casualty insurance and reinsurance markets; and

(10) the role of the Federal, State, and local governments in providing incentives for feasible risk mitigation efforts.

SEC. 6. TIMING.

Before the beginning of the 2008 hurricane season, which for purposes of this section shall be considered to be June 1, 2008, the Commission shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a final report containing—

(1) a detailed statement of the findings and assessments conducted by the Commission pursuant to section 5; and

(2) specific and detailed recommendations for legislative, regulatory, administrative, or other actions at the Federal, State, or local levels that the Commission considers appropriate, in accordance with the requirements of section 5.

SEC. 7. POWERS OF THE COMMISSION.

(a) MEETINGS; HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers necessary to carry out the purposes of this Act. Members may attend meetings of the Commission and vote in person, via telephone conference, or via video conference.

(b) AUTHORITY OF MEMBERS OR AGENTS OF THE COMMISSION.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this Act.

(c) OBTAINING OFFICIAL DATA.—

(1) AUTHORITY.—Notwithstanding any provision of section 552a of title 5, United States Code, the Commission may secure directly from any department or agency of the United States any information necessary to enable the Commission to carry out this Act.

(2) PROCEDURE.—Upon request of the Chairperson, the head of such department or agency shall furnish to the Commission the information requested.

(d) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, any administrative support services necessary for the Commission to carry out its responsibilities under this Act.

(f) ACCEPTANCE OF GIFTS.—The Commission may accept, hold, administer, and utilize gifts, donations, and bequests of property, both real and personal, for the purposes of aiding or facilitating the work of the Commission. The Commission shall issue internal guidelines governing the receipt of donations of services or property.

(g) VOLUNTEER SERVICES.—Notwithstanding the provisions of section 1342 of title 31, United States Code, the Commission may accept and utilize the services of volunteers serving without compensation. The Commission may reimburse such volunteers for local travel and office supplies, and for other travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code.

(h) FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949.—Subject to the Federal Property and Administrative Services Act of 1949, the Commission may enter into contracts with Federal and State agencies, private firms, institutions, and individuals for the conduct of activities necessary to the discharge of its duties and responsibilities.

(i) LIMITATION ON CONTRACTS.—A contract or other legal agreement entered into by the Commission may not extend beyond the date of the termination of the Commission.

SEC. 8. COMMISSION PERSONNEL MATTERS.

(a) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(b) SUBCOMMITTEES.—The Commission may establish subcommittees and appoint members of the Commission to such subcommittees as the Commission considers appropriate.

(c) STAFF.—Subject to such policies as the Commission may prescribe, the Chairperson may appoint and fix the pay of such additional personnel as the Chairperson considers appropriate to carry out the duties of the Commission. The Commission shall confirm the appointment of the executive director by majority vote of all of the members of the Commission.

(d) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—Staff of the Commission may be—

(1) appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service; and

(2) paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay prescribed for GS–15 of the General Schedule under section 5332 of that title.

(e) Experts and Consultants.—In carrying out its objectives, the Commission may procure temporary and intermittent services of consultants and experts under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for GS–15 of the General Schedule under section 5332 of that title.

(f) Detail of Government Employees.—Upon request of the Chairperson, any Federal Government employee may be detailed to the Commission to assist in carrying out the duties of the Commission—

(1) on a reimbursable basis; and

(2) such detail shall be without interruption or loss of civil service status or privilege.

SEC. 9. TERMINATION.

The Commission shall terminate 90 days after the date on which the Commission submits its report under section 6.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission, such sums as may be necessary to carry out this Act, to remain available until expended.

H.R. 3355

Offered By: Mr. Roskam

Amendment No. 6: Page 21, strike lines 21 through 25.

Page 22, line 1, strike "(C)" and insert "(B)".

Page 22, line 5, strike "(D)" and insert "(C)".

Page 22, line 12, strike "(E)" and insert "(D)".

Page 22, line 17, strike "and".

Page 22, after line 17, insert the following new paragraph:

(7) develops, maintains, and enforces best practices in building codes that the Secretary deems adequate to address the natural disaster exposures of the State, taking into consideration the geography, catastrophe risk, and building patterns in the State; and

Page 22, line 18, strike "(7)" and insert "(8)".

H.R. 3355

Offered By: Mr. Price of Georgia

Amendment No. 7: Page 24, line 7, strike "section 301" and insert "section 301 and has been certified by the Secretary of the Treasury that it does not significantly reduce or displace private sector competition".

H.R. 3355

Offered By: Mr. Price of Georgia

Amendment No. 8: Page 18, after line 14, insert the following new subsection:

(g) Limiting Federal Loans to Only Catastrophic Events.—Notwithstanding subsections (d) and (e), the Secretary shall not make any subsidized loans under this section unless it determines that a natural disaster, or series of natural disasters, has occurred causing homeowners insurance losses that either—

(1) exceed the capacity of the insurance industry for that region; or

(2) exceed the amount equal to such losses projected to incur from a natural disaster event or events having losses of a magnitude such that the event or events occur once every 100 years in the United States for homeowners insurance with respect to the covered peril.

H.R. 3355

Offered By: Mr. Price of Georgia

Amendment No. 9: Page 24, after line 14, insert the following new section:

SEC. 303. REQUIREMENT OF OFFSETS.

(a) In General.—No amounts made available by this Act, authorization of appropriations made by this Act, or any other provision of this Act that results in costs to the Federal Government shall be effective except to the extent that this Act provides for offsetting decreases in spending of the Federal Government, such that the net effect of this Act does not either increase the Federal deficit or reduce the Federal surplus.

(b) Definitions.—In this subsection, the terms "deficit" and "surplus" have the meanings given such terms in the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.).

Page 24, line 15, strike "**SEC. 303.**" and insert "**SEC. 304.**"

H.R. 3355

Offered By: Mr. Roskam

Amendment No. 10: Page 17, line 2, strike "and" and insert a comma.

Page 17, line 8, before the period insert the following: ", and that the qualified reinsurance program has retained sufficient losses in excess of the amount of losses that would result from a single event of a catastrophic peril covered by the program of such magnitude that it has a one percent chance of being equaled or exceeded in any year, as determined by the Secretary".

H.R. 3355

Offered By: Mr. Putnam

Amendment No. 11: Page 20, line 12, after the period insert the following: "No Federal funds of any kind or from any source (including any disaster or other financial assistance, loan proceeds, and any other assistance or subsidy) may be used to repay any loan made under this title."

H.R. 3355

Offered By: Ms. Ginny Brown-Waite of Florida

Amendment No. 12: Page 22, line 11, strike "and".

Page 22, after line 17 insert the following new subparagraph:

(F) prohibit price gouging in any disaster area located within the State; and

Page 24, after line 3 insert the following new paragraph:

(3) Price gouging.—The term "price gouging" means the providing of any consumer good or service by a supplier related to repair or restoration of property damaged from a catastrophe for a price that the supplier knows or has reason to know is greater, by at least the percentage set forth in a State law or regulation prohibiting such act (not withstanding any real cost increase due to any attendant business risk and other reasonable expenses that result from the major catastrophe involved), than the price charged by the supplier for such consumer good or service immediately before the disaster.

Page 24, line 4, redesignate paragraph (3) as paragraph (4).

Page 24, line 8, redesignate paragraph (4) as paragraph (5).

Page 24, line 10, redesignate paragraph (5) as paragraph (6).

H.R. 3355

Offered By: Mr. Roskam

Amendment No. 13: Page 17, line 2, strike "and" and insert a comma.

Page 17, line 8, before the period insert the following: ", and that the qualified reinsurance program has retained losses in excess of the amount of losses that would result from a single event of a catastrophic peril covered by the program of such magnitude that it has a one percent chance of being equaled or exceeded in any year, as determined by the Secretary".

EXTENSIONS OF REMARKS

HONORING THE 2007 INDUCTEES TO THE UPS CIRCLE OF HONOR

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. LIPINSKI. Madam Speaker, I rise today to honor George David, Jr. of Western Springs, Charles Cech of Burbank, Carl Sandrik of Oak Lawn, and William Stevens of Chicago for their induction into the United Parcel Service Circle of Honor.

In 1955, UPS created the elite Circle of Honor award to commend its safest employees. Circle of Honor drivers, who now number more than 4,500, are recognized only after completing 25 years without accidents. On October 2, 2007, UPS inducted 785 new drivers into the Circle of Honor. These extraordinary employees were honored with a ceremony as well as an advertisement in USA Today.

I am proud to report that among this year's inductees were 4 residents of my district. These 4 individuals are exemplars of responsible and conscientious driving habits, and as such contribute greatly to the safety of our Nation's roads and highways and all those who use them.

I rise today to join UPS in congratulating Mr. David, Mr. Cech, Mr. Sandrik, and Mr. Stevens for their wonderful 25-year achievement. I applaud their successful efforts to make safety a top priority while they perform their jobs and wish them a safe journey on the miles ahead.

TRIBUTE TO STUDENTS OF BUFORD INTERMEDIATE CENTER IN MT. VERNON, ILLINOIS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. SHIMKUS. Madam Speaker, I rise today to honor, not only our courageous men and women in uniform, but the students at Buford Intermediate Center in Mt. Vernon, IL, for their contributions to our service men and women.

The pupils at Buford personally welcomed home Zach Wood, Brian Gibson, and Tony Mays, all National Guard soldiers, from a 15-month deployment in Iraq. Along with welcoming home soldiers, the students are raising money for gift cards for soldiers who will be serving during the holidays. In addition, the students send care packages and letters to the soldiers to become acquainted with them.

After their welcome home, the soldiers took time to answer questions from the students ranging from fast food opportunities to the deaths of fellow soldiers to help students and faculty better empathize with the soldiers and their struggles.

Now, more than ever, our service men and women need the encouragement demonstrated by the students at Buford Intermediate School to show they are in our thoughts and prayers. We must demonstrate our support and admiration for their work and I thank these students for the example they have set for us.

I applaud the students at Buford Intermediate School for their service to our men and women serving in Iraq. May God bless them for their efforts and may He continue to bless America.

IN HONOR OF BORBA FARMS AS THE 2007 AGRICULTURAL BUSINESS OF THE YEAR

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. COSTA. Madam Speaker, I rise today to congratulate Borba Farms of Riverdale, California for receiving the 2007 Agricultural Business of the Year Award from the Greater Fresno Area Chàmber of Commerce.

Borba Farms began in 1919 when A.J. Borba emigrated from the Azores Islands off Portugal and started a dairy farm in Riverdale with 40 cows and 120 acres of land. Eventually, A.J.'s sons, Ross, Sr. and Darril diversified their farming operation by expanding into cotton, tomatoes, and other row crops. The sons of Ross Borba, Sr. and his wife Justina, Mark and Ross Borba, Jr., now farm about 8,600 acres of crops that include lettuce, cotton, tomatoes, garlic, onions, alfalfa, sugar beets, wheat and almonds. The success of the Borba family's farming operation is evident in the quality of these crops, which often garner high praise from chefs, and appear in Farmer's markets around the State.

Also, the Borbas have been active in addressing water, marketing and political issues important to the industry, serving as leaders in the National Cotton Council, Westlands Water District, the California Leadership Program and other organizations. This involvement further emphasizes the Borba's commitment to their trade and their strong ties to California's San Joaquin Valley.

Borba Farms is a model institution and a shining example for other industry professionals. It is with great pride that I congratulate Borba Farms on receiving this distinguished award, and I wish them success in their future endeavors.

HONORING THE 50TH WEDDING ANNIVERSARY OF GENE AND CHARLOTTE GRAY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. LIPINSKI. Madam Speaker, I rise today to honor Gene and Charlotte Gray on their 50th wedding anniversary.

Married in 1957 at Sacred Heart Church, the Grays are long-time Chicago residents and the proud parents of 4 children. Gene worked as a machinist before starting his own corporation, G7G, Inc. and owning the Family Pride Laundromat in Summit, Illinois. After their children were grown, Charlotte returned to work and eventually retired from the Tootsie Roll industry.

Gene and Charlotte have been active members of their community, where together they have served as coaches in the Clear Ridge Baseball Association as well as treasurers of the Southwest Senior Citizens Program. I will always think of Gene as "coach" because he was my coach when I played baseball in Clear Ridge Little League. As a program manager for the Community Economic Development Association, Gene has been instrumental in assisting low-income senior citizens throughout the district to receive gas and electric services. Gene has also ably served the community of Chicago as a volunteer in my district office for a number of years.

It is my honor to recognize Gene and Charlotte Gray and provide my heartfelt congratulations to them on this wonderful event in their lives. Together they exemplify the ideals of strong family and community involvement. I would like to extend my best wishes to the Grays as they and their family celebrate their 50th wedding anniversary.

TRIBUTE TO ST. JOSEPH'S CHURCH

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. SHIMKUS. Madam Speaker, I rise today to honor the St. Joseph's Church in Olney, Illinois as they celebrate their 150-year anniversary.

The St. Joseph's Church in Olney, was established in 1857 by Father Laughren and celebrated its 150-year anniversary on October 7, 2007. It was Bishop Junken, who was appointed as the first Bishop of the Alton Diocese by His Holiness Pope Pius IX in 1857, who selected Father Laughren as the founding Pastor of St. Joseph's Church. The first church was built in 1861 on property that was

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

donated by Thomas Lily at the corner of Fair and Butler Streets. The church was then moved on rollers to its present location to Elliot and Chestnut Streets.

A prominent family of the time, that of Dr. George Weber, was very influential in establishing St. Joseph's school do to the fact he wanted to provide his own children with a Catholic education close to home. When the school was completed in 1907, Weber strove to bring the Ursuline Sisters of Paola, Kansas, who taught from 1907–1914, to the school. It grew to 70 students by the fall of 1908.

Construction of the present day church began in 1937 and was dedicated on Thanksgiving Day in 1938. The exterior of the church remains basically unchanged to this day, and the parish is presently serving about 700 families. The first and smaller parish house was purchased from the estate of C.P. Porter in 1953 and originally served as the sister' covenant. A larger and more modern structure was then built and became known as the Parish House but was then demolished in 1997 to make room for a more spacious building to enhance the parish facilities.

I salute St. Joseph's Church as it is an icon in the city of Olney and has provided a sense of stability and constancy as it has endured many tests during the course of the last 150 years. Members of the church and community equally have had this pillar of strength given to them by the church, which is something that will expectantly remain important for the city of Olney for at least an additional 150 years.

HONORING NAT DIBUDUO AS THE 2007 AGRICULTURIST OF THE YEAR

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. COSTA. Madam Speaker, I rise today to congratulate Mr. Nat DiBuduo, President of Allied Grape Growers in Fresno, for receiving the 2007 Agriculturist of the Year Award from the Greater Fresno Area Chamber of Commerce. His service and commitment to various agricultural organizations is worthy of respect and admiration. Some of these include The Big Fresno Fair, Fresno City Planning Commission, United Cerebral Palsy, the Bulldog Foundation at Fresno State, and the University's Viticulture and Enology Industry Advisory Board.

A native of California's San Joaquin Valley, Nat attended California State University, Fresno where he earned a B.S. in Plant Science/Viticulture and a minor in Business. Nat is also a graduate of the California Ag Leadership Program. Over thirty years ago his family pioneered the wine grape industry in California's San Joaquin Valley.

Nat has been able to glean valuable experience in wine grape production and processing through his involvement with his family's local winery. Nat holds a Certified Pest Control Advisor's license as well as a Department of Real Estate sales license. Nat's wide range of work experience has also contributed to his extensive knowledge in the agricultural field. One of his previous positions involved overseeing the farm management of 24,000 acres of winegrapes, nuts, and vegetables. He holds extensive exposure to regional wine growing in the Central San Joaquin Valley, and throughout other wine producing regions of the state.

Nat's proficiency is virtually unmatched. He was hired in May of 2000 to replace the outgoing president of Allied Grape Growers of Fresno, an organization which represents 500 grape growing members throughout the state of California. Together they annually produce 200,000 to 250,000 tons of wine grapes.

The leadership and commitment Mr. DiBuduo has shown in Fresno County, where he and his wife Marilyn live, has never wavered. He personifies a man of great principle and integrity. Nat is a role model for all of us, especially our Valley's upcoming generation of agricultural professionals. It is with great pride that I congratulate him for receiving this distinguished award and I wish him continued success in his future endeavors.

HONORING THE VETERANS OF FOREIGN WARS McDONALD-LINN CHICAGO RIDGE POST 177 ON ITS 85TH ANNIVERSARY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. LIPINSKI. Madam Speaker, I rise today to honor the VFW McDonald-Linn Chicago Ridge Post 177 as they celebrate their 85th Anniversary. Through their dedicated and unwavering service to their community and their country, the veterans of the McDonald-Linn Chicago Ridge Post continue a strong tradition of patriotism and duty.

Named in memory of two World War II servicemen killed in 1945, the McDonald-Linn Chicago Ridge Post 177 has undergone many changes. The Post was originally chartered in November 1922 as the Joseph J. Lucas VFW Post 1671 and has since merged with other VFW Posts throughout the area. Charged with the purpose of promoting patriotism, aiding war veterans, and assisting the community, the veterans of Post 177 have distinguished themselves with their patriotic spirit and devotion to the community.

Throughout its long history, the McDonald-Linn Chicago Ridge Post has endured its share of hardships. In 1974, an electrical fire destroyed the inside of the Post building. As a testament of the strong will of these veterans and the strength of their community, donations from VFW members enabled the veterans of the Post to rebuild the VFW building with their own hands. The McDonald-Linn Chicago Ridge Post on Ridgeland Avenue continues to serve today as a community landmark and a place of camaraderie for our nation's heroes.

The extraordinary level of community involvement of the veterans of Post 177 has been a great source of pride for its members. As sponsors of the Voice of Democracy Scholarship Competition for high school students, they promote the values of patriotism while helping provide scholarships to enable high school students continue their education. The members of Post 177 are always ready to assist fellow veterans when they are in need, visiting sick veterans at home, in hospitals, or nursing homes.

I rise today to recognize the VFW McDonald-Linn Chicago Ridge Post 177 on their 85th anniversary. Through their staunch patriotism and outstanding contributions to their community, the veterans of the McDonald-Linn Post nobly continue the legacy of service they began when they first answered the call of duty. I commend them for their ongoing community work and their courageous service to our country in time of war. I am honored that my district is home to such an exceptional organization, and I am proud to congratulate them on their 85th anniversary.

IN HONOR OF THE HOUSATONIC VALLEY REGIONAL HIGH SCHOOL ENVIROTHON TEAM

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. MURPHY of Connecticut. Madam Speaker, today I take great pride in recognizing five extraordinary students from Housatonic Valley Regional High School in Falls Village, CT who won this year's International Envirothon competition.

They started off their quest last fall by training for Connecticut's Envirothon, sponsored by the State's five conservation districts and the State's Department of Environmental Protection. The Envirothon, started in 1992 by Connecticut's Soil and Water Conservation Districts, now includes teams from 50 schools from around the State. Through this event, both students and teachers have benefited by meeting people working in a broad range of environmental careers and have experienced both professional and academic growth.

In preparation for the competition, each team, led by a teacher or advisor, receives curriculum materials and is invited to a series of training workshops. All of this extensive training culminates in a field day competition—this May, it was held in Farmington, CT. The hard-working students from Housatonic Valley Regional were the top-scoring team in four out of the five subject areas and garnered particularly high scores in Clean Renewable Energy, Wildlife, and Soils.

Their preparation paid off yet again as they competed in the extremely competitive Canon North American Envirothon, which took place in upstate New York. While competing against teams from over 40 States as well as a few Canadian provinces, Team Connecticut secured another first place victory—making them the Envirothon's international champion.

A particularly impressive accomplishment was Team Connecticut's Oral Presentation. With only 10 hours to prepare, in which they responded to a challenge to design and create a clean renewable school building, Team Connecticut scored 156 out of a possible 200 points. Team Connecticut's teamwork and talent shows how truly committed they are to a future founded on clean renewable energy and innovative ideas to keep our environment sustainable.

The students, Linnea Palmer Paton of Sharon, Andrew Alquesta of East Canaan, Sunny Kellner of Warren, Arlen Kleinsasser of Falls Village, and Jeremy Kleinsasser of Falls Village, will each be receiving $5,000 in scholarships from the Canon North American Envirothon. I commend the students and their teachers for all of their hard work, as well as the Northwest Conservation District for encouraging their growth. I wish them the best of luck in their future endeavors and ask all the Members of the House of Representatives to join me in congratulating their great accomplishment.

TRIBUTE TO MIKE KESSLER

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. STARK. Madam Speaker, I rise today to pay tribute to Mike Kessler, who died on October 4, 2007 after a short illness. Mike was an active member of his community and a zealous political activist. I will always be thankful to Mike and his wife, Lillian, because they encouraged me to run for Congress.

Mike, a longtime political activist, was born in the College Point area of Brooklyn, New York on September 9, 1916. He married Lillian Hecht in 1941 and was drafted into the U.S. Army in 1942 where he served until 1945.

In the late 1940's Mike and Lillian moved to the west coast, where he earned a degree in Education, started a family, and worked as a furniture sales representative. Despite their active personal and professional lives, he and Lillian always found time to champion the civil rights and social justice causes important to them.

Mike achieved many impressive and diverse goals while working as a political activist. As part of the Hayward Demos' response to incidents of racial discrimination, Mike campaigned for adoption of the "No Room for Racism" resolution. Because of his efforts, the "No Room for Racism" placard is now proudly displayed in many cities and schools throughout California. He challenged the Patriot Act, which he said was not only racist but would curb the rights of many citizens. He also advocated for a U.S. stamp in recognition of Paul Robeson. Most recently, Mike was an outspoken advocate for a single payer health care system.

Mike was a lifelong Democrat and was never shy about his politics or seeking justice for those forgotten members of the community who could not advocate for themselves. His intensity, while sometimes overwhelming, did not obscure his sincerity and desire to help create a better world for all, regardless of race or creed.

Mike Kessler's constant activism and dedicated efforts to make a difference will be missed and long remembered. On November 17, 2007, Mike's family and friends will gather to celebrate his life. It was a life well lived where he provided hope, promise and recognition to many. He left his mark on the world and his light will continue to shine.

PERSONAL EXPLANATION

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. AKIN. Madam Speaker, I was unable to participate in the following votes. Had I been present, I would have voted as follows: November 5, 2007: rollcall vote No. 1034, on motion to close portions of the Conference on the FY2008 Department of Defense Appropriations, I would have voted "aye"; rollcall vote No. 1035, on motion to suspend the rules and pass, as amended, H.R. 513—National Heroes Credit Protection Act, I would have voted "aye"; rollcall vote No. 1036, on motion to suspend the rules and agree, H. Res. 744—Recognizing the contributions of Native American veterans and calling upon the President to issue a proclamation urging the people of the United States to observe a day in honor of Native American veterans, I would have voted "aye."

HONORING VICTOR DAVIS HANSON, PH.D.

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Victor Davis Hanson upon being honored with the 2007 "Friend of Israel" Award. Dr. Hanson is to be honored at the annual dinner for the Republican Jewish Coalition of Central California on November 4, 2007 in Fresno, California.

Dr. Hanson grew up as a Central Valley farmer. He graduated from the University of California, Santa Cruz with a Bachelors Degree in Classics in 1975. He attended the American School of Classics Studies in 1978 and 1979 and received his Ph.D. in Classics from Stanford University in 1980. He was a full-time farmer on his tree and vine farm before joining the staff at California State University, Fresno in 1984 to initiate a classics program. In 1991, he was awarded an American Philological Association Excellence in Teaching Award. This award is given annually to the country's top undergraduate teachers of Greek and Latin.

Victor Davis Hanson has been honored with many achievements and awards. In 1992–1993 he was a National Endowment for the Humanities Fellow at the Center for Advanced Studies in the Behavior Sciences and he was a visiting professor of classics at Stanford University in 1991–1992. He has been the recipient of the Eric Breindel Award for opinion journalism (2002) and an Alexander Onassis Fellow (2001). Further, Dr. Hanson was named as alumnus of the year for the University of California, Santa Cruz in 2002. From 2002–2003 he was the visiting Shifrin Chair of Military History at the U.S. Naval Academy in Annapolis, Maryland. He was honored with the Manhattan Institute's Wriston Lectureship in 2004 and the 2006 Nimitz Lectureship in Military History at the University of California, Berkeley.

Dr. Hanson has authored about 170 articles, book reviews, newspaper editorials and essays that discuss Greek, agrarian, domestic policy, military history and contemporary culture. He has written or edited 16 books. He has been published by the University of California Press, Routledge, Free Press, Cassell, Doubleday, Encounter and Random House. Dr. Hanson has had editorials published in the New York Times, Wall Street Journal, Los Angeles Times, International Herald Tribune, New York Post, National Review and Washington Times along with numerous others. Dr. Hanson has used these different outlets, in his writings and speeches, to place a focus on the importance of Israel, while keeping the priority on the United States. Dr. Hanson has been a champion of the cause to keep Israel in mind with the United State's foreign policy.

Madam Speaker, I rise today to commend and congratulate Victor Davis Hanson upon being awarded with the 2007 "Friend of Israel" Award. I invite my colleagues to join me in wishing Dr. Hanson many years of continued success.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately yesterday, November 5, 2007, I was unable to cast my vote on Closing Portions of H.R. 3222, H.R. 513, and H. Res. 744 and wish the record to reflect my intentions had I been able to vote.

Had I been present for rollcall No. 1034 on Closing Portions of the Conference on H.R. 3222, Making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes, I would have voted "aye."

Had I been present for rollcall No. 1035 on suspending the rules and passing H.R. 513, the National Heroes Credit Protection Act, I would have voted "aye."

Had I been present for rollcall No. 1036 on suspending the rules and passing H. Res. 744, Recognizing the contributions of Native American veterans and calling upon the President to issue a proclamation urging the people of the United States to observe a day in honor of Native American veterans, I would have voted "aye."

PERSONAL EXPLANATION

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. WELLER of Illinois. Madam Speaker, I rise today to enter into the RECORD votes I would have cast had I been present for rollcall votes 961 through 971. I was absent on Monday, October 29th through Friday, November 2nd due to an illness in the family.

If I were present I would have voted "yea" on rollcall vote 1010, "yea" on rollcall vote

1011, "yea" on rollcall vote 1012, "nay" on rollcall vote 1013, "yea" on rollcall vote 1014, "yea" on rollcall vote 1015, "yea" on rollcall vote 1016, "yea" on rollcall vote 1017, "yea" on rollcall vote 1018, "yea" on rollcall vote 1019, "yea" on rollcall vote 1020, "nay" on rollcall vote 1021, "nay" on rollcall vote 1022, "nay" on rollcall vote 1023, "yea" on rollcall vote 1024, "nay" on rollcall vote 1025, "yea" on rollcall vote 1026, "nay" on rollcall vote 1027, "nay" on rollcall vote 1028, "nay" on rollcall vote 1029, "yea" on rollcall vote 1030, "yea" on rollcall vote 1031, "yea" on rollcall vote 1032, "nay" on rollcall vote 1033, "yea" on rollcall vote 1034, "yea" on rollcall vote 1035, and "yea" on rollcall vote 1036.

IN HONOR OF THE 50TH ANNIVERSARY OF THE DANBURY CHAPTER OF THE NAACP

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. MURPHY of Connecticut. Madam Speaker, throughout America, the National Association for the Advancement of Colored People, NAACP, has worked tirelessly to ensure our Nation's creed, "that all men are created equal," rings true.

Recently, Connecticut's Greater Danbury Chapter of the NAACP celebrated its 50th anniversary. I rise to honor the efforts and contributions of those who have been instrumental in the development of this local chapter over the years and commend them for their support and dedication to the community.

During the height of the civil rights movement, the Danbury chapter of the NAACP was actively involved in numerous local and national events in pursuit of justice and equality. In 1963, approximately 75 members traveled from Danbury to Washington, DC to listen to Dr. Martin Luther King's historic "I Have a Dream" speech and participated in the historic March on Washington.

In 1979, Danbury's main street was flooded with some 400 people, including the son of President Jimmy Carter, James Earl "Chip" Carter, to march from Kenney Park to city hall protesting the distribution of offensive pamphlets by a member of the Klu Klux Klan.

And in the 1960s and 1970s, the Danbury NAACP was instrumental in influencing policy changes to encourage the hiring of African-Americans and minorities citywide in response to discriminatory hiring and admission practices at the Henry Abbott Technical School.

Today, continuing the tradition of promoting social justice, the Danbury chapter of the NAACP is focused on improving affordable housing, ensuring quality education for children and adults, and encouraging people to vote and participate in the political process. Under the leadership of the Reverend Ivan S. Pitts, the chapter has seen a surge in membership, amplified meeting attendance, and the renewed respect of its leaders within the community.

Beyond today's chapter leadership, I would like to formally applaud former presidents of the Danbury NAACP over the past 50 years: Constantine Brandi, the Reverend Leslie G. Lawson, Richard Brown, Dr. Frederick Adam, Samuel Hyman, Sylvester Craig, Ben Andrews, Robert Cherry, Jr., Harold Taylor, Gladys Cooper, the Reverend Aaron Samuels, William J. Knight, Stanford Smith, Sr., Daryle Dennis, Sherrie Neptune, and the Reverend Donald Dolberry.

Recent events in Danbury remind us that racism is not just a historical stain in our community—it is ever present. The Danbury chapter of the NAACP is an example and an inspiration to all organizations dedicated to the cause of justice and I am proud to recognize them for their efforts. I ask that all Members of the United States House of Representatives join me in honoring their 50 years of outstanding achievement.

PAYING TRIBUTE TO RANDY BLACK, SR.

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Randy Black, Sr., who is the recipient of the 2007 Lieder Award. The Lieder Award is given annually to a person or organization that demonstrates outstanding leadership in the southern Nevada real estate industry by the Lied Institute for Real Estate Studies at the University of Nevada Las Vegas.

Randy has had a lasting impact on southern Nevada that began when he enrolled in Clark County Community College in an effort to become a realtor. Throughout his career he has had a multi-faceted experience, working as a title examiner for First American Title/Stewart Title, a commercial real estate salesman with Robert Realty Investment and Development, and a commercial real estate broker with Consolidated Realty and Management. Since 1977, he has served as the chairman of the board, owner, and broker with Diversified Realty. He has also been a partner with many different businesses in southern Nevada including Beano's Casino Restaurant and Lounge and Shuck's Seafood Restaurant and Lounges. In addition, he has been a managing partner with Virgin River Hotel and Casino, Casablanca Hotel Resort and Casino, and Oasis Resort Casino in Mesquite, Nevada. Randy also owns many development projects in southern Nevada.

Along with all of his work in the real estate industry, Randy has also dedicated his time to various boards and commissions. He has been active with the City of Las Vegas Citizens Advisory Board and the Nellis Air Force Base Support Team. He has utilized his expertise in real estate to contribute his time to the Southern Nevada Homebuilders Association and the Las Vegas Board of Realtors Political Action Committee.

Madam Speaker, I am proud to honor Randy Black, Sr. His constant commitment to the advancement of the real estate community in southern Nevada is honorable, and I wish him congratulations as the 2007 Lieder Award recipient.

PROTECTING VETERANS FUNDING LETTERS

HON. STEVAN PEARCE

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. PEARCE. Madam Speaker, I submit the two letters I referred to in my 1 minute this morning.

CONGRESS OF THE UNITED STATES,
Washington, DC, October 4, 2007.

Office of the Senate Majority Leader,
U.S. Capitol,
Washington, DC.

DEAR MAJORITY LEADER REID: We write today to ask you to keep the Senate in session the week of October 8, to help pass this years' veterans appropriations. Now that we are already into the new fiscal year, it is imperative that the House and Senate reach a prompt agreement on the conference report on the FY2008 Military Construction and Veterans Affairs Appropriations Act (H.R. 2642).

It is unfortunate the Senate has been unable to act upon many of its Constitutionally mandated appropriations bills. While the House continues to wait upon the Senate to complete its work, we call upon you to quickly move veterans appropriations through conference so a final version of the bill may be passed and presented to the President. We believe that veterans issues rise above the partisan divisions of Washington which is evident by the passage of the FY08 MilCon-Veterans appropriations with overwhelming majorities in both Houses, 501–3 combined.

The Senate cannot allow this critically important funding to continue to fall victim to the usual partisan wrangling which occurs all too often in Washington. If tragedies such as the recent revelations at Walter Reed Army Medical Center are to be diverted in the future, we must pass veterans funding now. From FY 2001 the total VA budget rose from $48 billion to approximately $70 billion in FY 2006, a 46 percent increase. This year, the House voted to increase funding by $6 billion dollars over FY07, one of the largest in the 77 year history of the Department of Veterans Affairs. Because we have asked so much of or brave men and women in uniform during the War on Terror we must uphold our commitment to veterans upon their return home.

Earlier in the year, the new Majority agreed they would continue the trend of significant increases in veterans funding begun by the Republican Congress. We ask you to honor that agreement and see the commitment we made to our veterans is upheld.

We must never forget the sacrifice of our veterans. As members of Congress, we have a solemn obligation to fulfill our promises to them. We ask you to look past the heightened partisanship of our times and unite us on this issue by making it a first priority to bring a stand-alone veterans appropriations bill through conference so the Congress may present the President with a bill no later than October 12, 2007.

Sincerely,

Steve Pearce, Tim Walberg, Jean Schmidt, Darrell Issa, Jim Saxton, Don Young, Scott Garrett, Jeff Miller, Trent Franks, Duncan Hunter, Jo Ann Davis, Pete Sessions.

Phil Gingrey, Phil English, Thelma Drake, Jeb Hensarling, Ginny Brown-Waite, Peter Roskam, Vito Fossella,

Lincoln Diaz-Balart, John Carter, Dan Burton, K. Michael Conaway, John Kuhl.
Tom Feeney, Tom Price, James Sensenbrenner, Gus Bilirakis, Wally Herger, Doug Lamborn, Greg Walden, Gary Miller, Michele Bachmann, John Kline, Tom Tancredo, Geoff Davis.
Adrian Smith, Paul Ryan, John Doolittle, John Peterson, Rick Renzi, Mark Souder, Louie Gohmert, Michael McCaul, Randy Neugebauer, Wayne Gilchrest, Jim Gerlach.

CONGRESS OF THE UNITED STATES,
Washington, DC, September 17, 2007.
OFFICE OF THE SPEAKER,
U.S. Capitol,
Washington, DC.

MADAM SPEAKER: We write to urge you in the strongest possible terms to reach a prompt agreement on the conference report on the FY2008 Military Construction and Veterans Affairs Appropriations Act (H.R. 2642). Few issues are more important than adequate funding for our nation's veterans. The leadership in the House cannot allow this critically important funding to fall victim to the usual partisan wrangling which occurs all too often in Washington.

Veterans should not be used as tools for political bargaining and gamesmanship. Both the House and Senate passed the FY08 MilCon-Veterans appropriations with overwhelming majorities because our commitment to veterans rises above partisan squabbling. Tragedies such as the recent revelations at Walter Reed Army Medical Center must never be repeated. The findings of insufficient care at Walter Reed and other facilities should be seen by Congress as a mandate to finish the work and live up to the promises we have made to our veterans.

After decades of flat funding, total VA budget rose from $48 billion in FY 2001 to approximately $70 billion in FY 2006, a 46 percent increase. This year, the House voted to increase funding by $6 billion dollars over FY07, one of the largest in the 77 year history of the Department of Veterans Affairs. Both the Senate and House versions received overwhelming majority support passing by a vote of 409-2 in the House and 92-1 in the Senate.

Earlier in the year, the new Majority agreed they would continue the trend of significant increases in veterans funding begun by the Republican Congress. We ask you to honor that agreement and see that the commitment we made to our veterans is honored.

We must never forget the sacrifice of our veterans. As members of Congress, we have a solemn obligation to fulfill our promises to them. We ask for you to look past the heightened partisanship of our times and unite us on this issue by making it a first priority to quickly bring a stand alone Veterans appropriations bill through conference so the Congress may present the President with a bill by October 1, 2007.

We stand ready to assist you in reaching this goal.

Sincerely,
Steve Pearce, Gus Bilirakis, Thelma Drake, Pete Sessions, Louie Gohmert, Jean Schmidt, Jim Saxton, Dana Rohrabacher, Mario Diaz-Balart, Sue Myrick, Tom Feeney.
Jon Porter, Rick Renzi, Marilyn Musgrave, Michael Burgess, Michael Conaway, Mark Souder, Tim Walberg, Steve King, Ron Lewis, Jeff Miller, Tom Tancredo.
Steve Buyer, Peter Roskam, John Mica, John Kline, Paul Ryan, Greg Walden, Tom Price, Mary Fallin, Randy Forbes, Mary Bono, Spencer Bachus.
Dean Heller, Barbara Cubin, John Shimkus, Jim Gerlach, Jeb Hensarling, Geoff Davis, Scott Garrett, Adrian Smith, Mike Ferguson, Don Young, Ginny Brown-Waite.

SMITHSONIAN MODERNIZATION ACT OF 2007

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, November 6, 2007

Ms. NORTON. Madam Speaker, the Smithsonian Institution is a unique and irreplaceable cultural, historical, educational and artistic complex without any public or private counterpart in the world. Since its founding, the Smithsonian has become an extraordinary array of world class museums, galleries, educational showplaces and unique research centers including 19 museums and galleries, 9 research facilities, the National Zoo, and a National Museum of African American History and Culture, approved by Congress, now seeking funding from the private sector for construction. The Smithsonian has grown with trust funds, donations from American culture and life, and other financial contributions. However, most of its funding continues to come from federal appropriations. Despite receiving 70 percent of its support from the federal government, the Smithsonian has long had serious and mounting unmet infrastructure and other financial needs. Infrastructure needs have increased to $2.5 billion, and continuing deterioration threatens exhibits and restricts access. Congress must help the Smithsonian Institution strengthen its ability to build resources beyond what taxpayers are able to provide. The most important step that Congress could take today is to finally rescue the Smithsonian from the 19th century governance structure that keeps it from accessing needed available private resources and limits close and critical internal oversight similar to what public and private facilities receive today. This bill provides a structure befitting an agency of the unique complexity of the Smithsonian's, without which these goals cannot be reached.

In no small part, the difficulty the Smithsonian has faced results from limitations inherent to its antiquated governance structure. The existing structure may have fit the Smithsonian 160 years ago, but today, the structure has proven to be a relic that has disserved the Institution. The present governance places immense responsibility on dedicated but overextended members of the House and Senate, the Vice President of the United States and Chief Justice of the United States Supreme Court, fully half of the board, who must perform their fiduciary duties as board members while giving first priority to their sworn responsibilities as important Federal officials.

The need for new revenue streams and for a modern governance structure has been clear for years but can no longer be avoided following unprecedented controversies and irresponsible risks taken by Smithsonian management. The Smithsonian's first full-blown scandal in its 160 year history, replete with embarrassing coverage, has damaged the Smithsonian's reputation and perhaps the confidence of potential contributors. The poor judgment and overreaching of Smithsonian personnel require new and concentrated oversight by citizens from whom the Smithsonian can command priority attention. The Regents, of course, have taken some important action on their own. After irregularities were uncovered by the media, the Regents responded to the controversies by creating a Governance Committee, chaired by Patty Stonesifer, a Regent who is chief executive officer of the Bill & Melinda Gates Foundation, with a mandate to comprehensively review the policies and practices of the Smithsonian and how the Board conducts its oversight of the Institution. The Board also established an Independent Review Committee (IRC), chaired by Charles A. Bowsher, former Comptroller General of the United States, to review the issues arising from the Inspector General's reports, the Regents' response, and related Smithsonian practices.

The Independent Review was forthright in its investigation and recommendations. The IRC stated explicitly in its report that the root cause of the current problems at the Smithsonian was an antiquated governance structure that led to failures in governance and management. According to the IRC, the Board of Regents for the Smithsonian must recognize a fiduciary responsibility that carries a "major commitment of time and effort, a reputational risk and potentially, financial liability." The IRC further found that the Smithsonian, with a budget of over $1 billion a year, must have a Board of Regents who "act as true fiduciaries and who have both the time and the experience to assume the responsibilities of setting strategy and providing oversight. Time is a major factor." The IRC cited lack of clarity of the roles of the Vice President and Chief Justice on the Board, and said that "it is not feasible to expect the Chief Justice to devote the hours necessary to serve as a fiduciary agent." The same might be said of members of the House and Senate who serve. The IRC recommends expanding the level of expertise and number of board members and ensuring that Regents who are appointed have sufficient time and attention to dedicate to the Smithsonian.

The Smithsonian's own Governance Committee identified several board weaknesses and concluded that the Regents did not receive or demand the reports necessary for competent decision making, that staff whom the Regents depended upon for oversight inquiries, did not have direct access or the relationships necessary to bring forward important issues, and that the inability of staff to communicate red flag issues "crippled" internal compliance and oversight mechanisms.

PERSONAL EXPLANATION

HON. PETER J. VISCLOSKY

OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, November 6, 2007

Mr. VISCLOSKY. Madam Speaker, on Monday, November 5, 2007, I was absent from the

House due to a family illness and therefore missed rollcall votes 1034 through 1036.

Had I been present for rollcall 1034, H.R. 3222, on closing portions of the conference for a measure making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes, I would have voted "yea."

Had I been present for rollcall 1035, H.R. 513, on a motion to suspend the rules and pass, as amended the National Heroes Credit Protection Act, I would have voted "yea."

Had I been present for rollcall 1036, H. Res. 744, on a motion to suspend the rules and agree to a measure recognizing the contributions of Native American veterans and calling upon the President to issue a proclamation urging the people of the United States to observe a day in honor of Native American veterans, I would have voted "yea."

HONORING NANCY KEEFER, RECIPIENT OF BONITA SPRINGS 2007 CITIZEN OF THE YEAR

HON. CONNIE MACK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. MACK. Madam Speaker, I rise today to honor Nancy Keefer, Bonita Springs 2007 Citizen of the Year, for her years of dedicated service to southwest Florida. Nancy exemplifies the ideals that we in southwest Florida hold dear.

Over the last decade, Nancy's energy and dedication for Bonita Springs has led to great service and leadership in our community. In addition to serving as the president of the Bonita Springs Chamber of Commerce since 1997, she is a member of the Bonita Springs Rotary Club, on the Bonita Springs YMCA board of directors and is a member of the International College President's Council. Nancy is also a member of the Southwest Florida Transportation Initiative.

We all owe a tremendous amount of appreciation to Nancy for showing our community what leadership and service truly means.

I'm honored to represent such a remarkable individual, and I would like to thank citizens like her for making southwest Florida a great place to live, work and visit.

HONORING FORMER OHIO STATE MARCHING BAND ARRANGER RICHARD W. HEINE

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. BOEHNER. Madam Speaker, I rise to recognize Mr. Richard W. Heine, arranger for The Ohio State University Marching Band, and to express my appreciation for the lifetime he spent creating the unmistakable sound of The Ohio State University Marching Band. For more than 60 years, Mr. Heine contributed his talents to the students of Ohio State, and for this, I offer him my utmost congratulations and thanks for his efforts.

After graduating from Greenville High School in 1934, Mr. Heine began his association with The Ohio State University as a student and member of the marching band. More than any other person, he was responsible for the unique sound of this brass marching band. In addition to many original compositions, Mr. Heine arranged most of the Ohio State school songs including Buckeye Battle Cry, I Want To Go Back To Ohio State, Chimes & Carmen Ohio and Beautiful Ohio. There are very few non band members who have had the rare honor of dotting the "i" during the famous Script Ohio formation; however, Mr. Heine is one of the select few to be so honored by the Ohio State Marching Band.

Madam Speaker, I've seen the Ohio State Marching Band and Script Ohio formation many times and there is little doubt that the band referred to as "The Best Damn Band in the Land" is exactly that, and Mr. Heine played no small part in that legacy.

It was with sadness that I learned that Mr. Heine passed away October 11, 2007 at the age of 91. Richard's memory will live on in the lives of those he touched, and every Saturday in the fall as the sounds he created echo in the hearts of football fans across the country.

PERSONAL EXPLANATION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. SHUSTER. Madam Speaker, on rollcall No. 1034, 1035, and 1036 I was not present because I was delayed returning from Iraq on official travel.

Had I been present, I would have voted "yes" on each of these rollcall votes.

PERSONAL EXPLANATION

HON. TIM MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, had I been present, I would have voted:

1. "Yes" on Rollcall 1034, H.R. 3222, Making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes.
2. "Yes" on Rollcall 1035, H.R. 513, National Heroes Credit Protection Act.
3. "Yes" on Rollcall 1036, H. Res. 744, Recognizing the contributions of Native American veterans and calling upon the President to issue a proclamation urging the people of the United States to observe a day in honor of Native American veterans.

RECOGNIZING ZACH KINNE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Zach Kinne of Eagleville, Missouri. Zach is a very special young man who has exemplified the finest qualities of leadership by being elected to serve as 2007–2008 National Future Farmers of America President.

Zach was among 6 individuals selected from a field of 40 to hold a national office. He was later chosen and presented as President at the 80th National FFA Convention in Indianapolis, Indiana. As president, this position will require Zach to travel more than 100,000 miles, visit approximately 40 states, and participate in an international experience tour to Japan. Zach will also be responsible for providing personal growth and leadership training for students, setting policies that shape the future of the organization, and promoting agricultural literacy.

Currently, Zach attends school at the University of Missouri in Columbia. There, he is involved in many student organizations including College of Agriculture Student Development board, MU Alumni Association Student Board, Agriculture Economics Club, Collegiate Farm Bureau, College of Agriculture Learning Improvement Committee, and the Missouri Department of Education Preparatory Taskforce.

Zach has been very active as a member of FFA. Over the years, Zach has been involved he has participated in a Supervised Agricultural Experience, which required producing and selling registered Angus seed stock bulls. Zach was also selected as a state winner and national semi-finalist in prepared speaking, and was named State Star in Agricultural Placement.

Madam Speaker, I proudly ask you to join me in commending Zach Kinne for his accomplishments with the Future Farmers of America and for his efforts put forth in achieving the highest distinction of President for the 2007–2008 calendar year.

INTRODUCTION OF THE WILDFIRE PREVENTION ACT

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. HUNTER. Madam Speaker, today I am introducing legislation that will significantly enhance the ability of the American people to protect their homes and property from dangerous wildfires. This crucial legislation will augment our fire emergency preparedness by eliminating burdensome government rules and regulations rather than creating new ones. More and bigger government is not the solution to the challenges we face and my legislation gives the American people the opportunity to take the initiative in protecting themselves and their property.

We have all witnessed the destruction and devastation wrought by the recent fires in southern California. According to the latest reports, 518,021 acres have burned and over 3,500 structures have been damaged or destroyed. Thousands of families are now left homeless and hundreds of thousands more were forced to evacuate their homes as the fires threatened. While our brave first responders performed as outstandingly in this crisis as we have come to expect, these events have made it increasingly clear that our government has not been providing citizens with the tools necessary to protect themselves and has relied excessively on a large and unresponsive bureaucracy.

I am sad to report that current laws and regulations make it difficult, if not altogether impossible, for private property owners to clear brush and create fire breaks that might save their homes in the event of a wildfire. Intrusive federal regulations, such as the Endangered Species Act, discourage, and in some cases prohibit, property owners from modifying their property to better prepare for wildfires. Our misguided policies have placed special interests above the all- important right and obligation of homeowners and property owners to prepare themselves for natural disasters. We know intrusive and bloated government is always a problem, but in a fire emergency, it can be deadly and destructive.

My legislation, the Wildfire Prevention Act, works by empowering citizens rather than bureaucrats. The Wildfire Prevention Act makes it clear that no Federal law will prevent private property owners, or local communities that manage public land, from clearing brush or making other modifications to their property for the purpose of creating fire breaks in order to protect their lives and their property.

Madam Speaker, this legislation is a step in the right direction in providing property owners with the resources they need to protect themselves. I am proud to introduce the Wildfire Prevention Act and request my colleagues give this important legislation their utmost consideration.

HONORING THE MEMORY OF NON QUINCY ADAMS

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. BONNER. Madam Speaker, the city of Mobile and indeed the entire state of Alabama recently lost a dear friend. I rise today to honor him and pay tribute to memory of Mr. Non Quincy Adams.

A native and resident of Mobile, Mr. Adams graduated from Murphy High School and attended Millsaps College in Jackson, Mississippi. During World War II, he served in the U.S. Navy in the Pacific theater of operation aboard the USS *George Clymer* and attained the rank of lieutenant junior grade.

After the war, he received degrees in business and law from the University of Alabama. Starting his career as a teenager with First National Bank in 1940, he returned to Mobile after college to practice law. Over the years, he held positions in the trust and commercial areas. During the 1970s, Mr. Adams rose through the ranks to become a member of the board of directors. Later, he became president and in just 4 years, chief executive in 1982. After the bank merged with AmSouth Bank, he was named chairman of AmSouth's Southern region.

In 1974, he was elected to the board of directors of Loyal American Life Insurance Co., and he later became the chairman and chief executive officer of the Modern Banking Association of Alabama. In 1988, Mr. Adams ran for a seat on the Mobile County school board and served a term as the District 2 commissioner. He also served as a director of both the Industrial Development Board of the city of Mobile and the Business Council of Alabama.

Along with his business associations, Mr. Adams served as director of the Mobile Area Council of Boy Scouts and was a trustee of the YMCA. He also served as the director of the Exploreum and was chairman of the Keep Mobile Beautiful Commission. During the 1980s, he was significantly involved with the tree preservation, beautification and revitalization of Bienville Square. Mr. Adams was a deacon and lifelong member of First Baptist Church of Mobile. In 1990, he was bestowed the honor of Mobilian of the Year.

There is no doubt—Mr. N. Q. Adams' contributions to Mobile and the state of Alabama will be long remembered. He loved life and lived it to the fullest, and his passing marks a tremendous loss for all of south Alabama. He will be deeply missed by many, most especially his wife of 54 years, Eran Jobe Adams; his sister, Dora Lee Davidson; his son, Samuel Russell Adams; his daughter, Laura Aline Adams; his granddaughter; and his great-grandson; as well as countless friends he leaves behind.

Our thoughts and prayers go with them all in this difficult time.

HONORING LARRY McCARTHY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. RADANOVICH. Madam Speaker, I rise today to honor a great Californian. Larry McCarthy has served as president of the California Taxpayers' Association since 1989, building the association into a powerful force for the taxpayers of the Golden State, and conducting detailed policy research that has helped shaped the laws of my great State.

Larry McCarthy has advocated on behalf of taxpaying residents and entrepreneurs as president of the California Tax Foundation and as chairman of the National Taxpayers Conference, a nationwide organization of state taxpayer associations. Larry also was the lead advocate and strategist for two $300 million unemployment insurance tax reductions in the early 1980s and a complete refinance of the California unemployment insurance system in 1985. Larry also played a major role in strengthening the economy, helping businesses prosper and creating new employment opportunities for Californians.

As research director of Cal-Tax, he supervised extensive research projects on local government finance in California, winning a national award for research on the use of benefit assessments in California after passage of Proposition 13. Early in his career in California and in Washington State, Larry McCarthy authored publications called Citizens Guide to Local Government Budgeting to help individuals become involved in the complicated budget processes of cities, counties and school districts.

Larry's success as the leader of Cal-Tax is reflected by the dedication and devotion of his staff, the majority of whom have served with him for more than 20 years. He has also distinguished himself as a strong family man, dedicated to his wife, Sandy, and their 3 children, Steven, Michelle and Christine.

Madam Speaker, Larry McCarthy is fighting valiantly against cancer, maintaining his sense of humor and drawing upon his strong faith in God to battle the disease. The people of California have been blessed to have Larry McCarthy on their side; we salute him for his dedication to improving California and our Nation, and for his achievements on behalf of the hard-working taxpayers of California.

Madam Speaker, I hope you will join me in extending heartfelt thanks to Larry McCarthy for his tremendous contributions to our State and wish him strength during this difficult time.

PERSONAL EXPLANATION

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mrs. LOWEY. Madam Speaker, I regrettably missed rollcall votes Nos. 1034, 1035, and 1036 on November 5, 2007. Had I been present, I would have voted in the following manner: rollcall No. 1034: "yes"; rollcall No. 1035: "yes"; rollcall No. 1036: "yes."

RECOGNIZING CAROL GORDY ON THE COMPLETION OF A SUCCESSFUL YEAR AS 2007 BCA CHAIRMAN

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. BONNER. Madam Speaker, it is with great pride and pleasure that I rise today to honor Mrs. Carol Gordy as she completes a highly successful term as the 2007 chairman of the Business Council of Alabama (BCA).

Carol has been a distinguished member of the Brewton, Alabama, business community for almost 3 decades. In 1990, she purchased Natural Decorations Inc., known as NDI, from its original founders. Since that time, Carol and her husband, Joe, have grown the company from 10 to 100 employees and increased sales from less than $1 million to more than $16 million a year.

NDI is located in a small town in Alabama; nevertheless, it is a world-class leading manufacturer of high-end floral and botanical reproductions. Counted among its customers are Neiman-Marcus, Horchow, and interior designers worldwide, with ads appearing regularly in magazines such as Architectural Digest, Veranda, and Traditional Home. NDI also has exclusive licensing agreements with the Colonial Williamsburg Foundation and the Versailles Foundation for Monet's Giverney Gardens.

Under Carol Gordy's leadership as both chairman and chief executive officer, NDI has been nominated for 10 ARTS Awards, the premier awards program for the home decorative accessories industry, and received 6. In 2001, NDI was inducted into the ARTS Hall of Fame. Additionally, NDI has been recognized for outstanding achievements in workplace safety.

It is this commitment to excellence in her own business that has made Carol such a valuable asset to BCA. In 2005, BCA leaders recognized her dedication to the association and asked her to join other volunteer leaders to serve as the group's first vice-chairman, a position that put Carol in line to be the first woman in BCA's history to serve as chairman.

A native of Dublin, Texas, Carol was raised in New Mexico. She started her first of 3 retail flower shops in Albuquerque and was the first person from New Mexico ever to be inducted into the American Institute of Floral Design in Washington, DC in 1980.

Carol's commitment to her community is second to none. She currently serves on the boards of A+ Education Foundation, BankTrust, Alabama Technology Network, Rotary International, the Quality of Life Chair for Alabama Communities of Excellence, and the Accessory Division of International Home Furnishings Center, High Point, NC.

Carol is a member of the Governor's Commission on Quality Teaching and has served on the Governor's Commission on Efficiency, Consolidation and Funding. She was a member of Leadership Alabama Class XXIII and served as a judge for the Tournament of Roses Parade in Pasadena, California. She is also a member of Voices for Alabama's Children.

Madam Speaker, there are few individuals more dedicated or more committed to helping their communities than Carol Gordy, and I would like to offer my congratulations for her service as the first woman chairman of BCA and for her many personal and professional achievements.

I know her husband, Joe, her family and many friends join me in praising her accomplishments and extending thanks for her many efforts on behalf of Brewton and the state of Alabama.

PERSONAL EXPLANATION

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. BRALEY of Iowa. Madam Speaker, due to a flight delay on my return trip from Iowa to Washington on November 5, 2007, I unavoidably missed rollcall votes Nos. 1034, 1035, and 1036.

Had I been present, on rollcall vote No. 1034, I would have voted "yea."

As a co-sponsor of H.R. 513, the National Heroes Credit Protection Act, I would have voted "yea" on rollcall vote No. 1035. I am pleased that this important bill, which would protect the credit ratings of military servicemembers and alleviate financial stress for troops serving our country in Iraq and Afghanistan, passed the House unanimously.

On rollcall vote No. 1036, I would have voted "yea."

INTRODUCTION OF RESOLUTION ON SEA LEVEL RISE

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mrs. CHRISTENSEN. Madam Speaker, over 160 National Wildlife Refuges exist along the 95,000 miles of United States coastline and are in danger of being seriously affected by global warming. Scientists all around the world expect sea levels to rise as polar ice and glaciers melt, and oceans physically expand.

As we proactively begin to engage to protect our natural resources most susceptible to global warming, it is crucial to consider our coastal national wildlife refuges under the jurisdiction of the U.S. Fish and Wildlife Service. Though uncertainty exists regarding the projected increases in sea level rise and global warming, we know for certain that global warming is occurring and coastal communities and refuges are already being affected.

Studies currently show that the continuation of historical trends of greenhouse gas emissions will result in additional global warming with current projections that the earth will warm between 2.5°F to 10.4°F by the year 2100. Sea level rise induced by global warming will inundate coastal areas, change precipitation patterns, increase the risk of droughts and floods, threaten biodiversity and offer a host of potential challenges and setbacks to public health. Additionally, sea level rise will force recreational beaches inland, exacerbate coastal flooding, and quite possibly even contribute to the severity of natural disasters such as hurricanes.

Refuges in the Virgin Islands and Hawaii face massive coral bleaching as sea temperatures continue to rise. Scientists predict a rise in sea level over the next century significant enough to drown refuges such as Chincoteague on the Virginia coast, Alligator River in North Carolina, Merritt Island in Florida and the Texas home of the whooping crane, Arkansas National Wildlife Refuge. Anticipated changes in climate and rainfall could alter forest makeup and alpine habitats in Silvio O. Conte National Wildlife Refuge in the Northeast; interrupt seabird-nesting success in the Oregon Islands refuge; and dry the prairie potholes in Devils Lake Wetland Management District, a crucial migratory stopover and nesting ground for waterfowl.

A conservation concept unparalleled, the National Wildlife Refuge System started by President Theodore Roosevelt offers a network of places where the needs of wildlife must come first. Without them, many species simply would not survive. Yet, these important areas are increasingly threatened by forces outside refuge boundaries—global warming and sea level rise being among the most threatening.

It is vitally important that we proactively address the effects of global warming and sea-level rise as they continue to confront our Nation's coastal refuges. In this regard, the resolution I introduce today, expresses the sense of the Congress that the U.S. Fish and Wildlife Service should incorporate consideration of the effects of global warming and sea-level rise into the comprehensive conservation plan for each coastal national wildlife refuge as required by the National Wildlife Refuge Improvement Act of 1997.

By requiring Fish and Wildlife refuge managers to incorporate consideration of the effects of global warming and sea-level rise, we will not only broaden our overall understanding of how our coastal and marine resources may be affected but also draw more conclusive data which may point to a specific timeframe in which these events are expected to occur.

I urge my colleagues to join me in supporting this important resolution.

PERSONAL EXPLANATION

HON. STEPHANIE HERSETH SANDLIN

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Ms. HERSETH SANDLIN. Madam Speaker, due to airline delays, on November 5, 2007, I missed the vote on rollcall No. 1034 (the Motion to Close Portions of the Conference—H.R. 3222); rollcall No. 1035 (H.R. 513, to enhance the protection of credit ratings of active duty military personnel); and rollcall No. 1036 (H.R. 744, recognizing the contributions of Native American veterans). Had I been present and voting, I would have voted "yea" on all three.

IN TRIBUTE TO THOMAS P. FRIERY AND HIS 29 YEARS OF SERVICE AS SACRAMENTO CITY TREASURER

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Ms. MATSUI. Madam Speaker, I rise in tribute to Thomas P. Friery and his 29 years of service as the city of Sacramento's treasurer. Under Mr. Friery's nearly 3 decades of leadership and dedication, Sacramento has experienced great growth and prosperity. As his friends, family and coworkers gather to celebrate his farewell, I ask all my colleagues to join in honoring his leadership and many remarkable accomplishments.

Since becoming treasurer in 1978, Mr. Friery has worked under 10 mayors, and 72 council members. Upon taking over as treasurer, Mr. Friery inherited the responsibility of managing the Sacramento City Employee's Retirement System and its unfunded liability of $60 million. The pension fund was expected to grow to a $170 million deficit, but under Treasurer Friery's superior financial management the deficit was eliminated in 1991, and the system now has $450 million invested in it. In doing so, Thomas Friery helped re-establish Sacramento's AA credit rating, allowing the city to borrow money at a lower cost.

Mr. Friery's innovative financial strategies have been vital to the prosperity of the city of Sacramento. City leaders and I have always been confident of Mr. Friery's financial management skills. In 29 years of service, Thomas has always been able to provide a capable solution to the most pressing problems. Under his guidance, Sacramento became the first city pension fund in the State to invest in gold and silver. Those funds delivered 120 percent returns on the investment over a 2-year period. Additionally, over the past 29 years, the city has issued 250 bond offerings, raising more than $4 billion for the city. In the 18 years prior to Mr. Friery, the city had made only 10 bond issues worth a total of $70 million.

Mr. Friery also played a key role in the successful transition of the former Sacramento Army Depot into a business and industrial center after the depot was closed. In 1996, Treasurer Friery along with Mayor Joe Serna, assembled a financing package that included a loan of $17 million to Packard Bell Electronics for improvements to the former Army depot, which included $9 million for moving and other expenses. In the end, the company moved to Sacramento and at its peak employed 5,000 employees. The plant has since closed, but the company repaid the loan back and over $400 million in salaries were paid to local reserves. That deal spurred future development at the depot which has now grown to house over 60 companies and is far more diversified.

In another bold move, Mr. Friery was vital in ensuring that Sacramento still remains the home for the Sacramento Kings. In 1997, when the Kings were exploring alternative cities and venues, he crafted a loan that enabled the team to continue building upon its legacy. It was also Mr. Friery who helped develop the financing that was crucial in ensuring light rail was developed in the region. This significant upgrade to Sacramento's transit system has allowed for further city development and an increase in property values throughout the region.

Madam Speaker, I am honored to recognize the numerous contributions made by Sacramento City treasurer Thomas Friery during his 29 years on the job. His devotion and love to our city of Sacramento is held in the highest regards. On behalf of the people of Sacramento and the Fifth Congressional District of California, I ask all my colleagues to join me in thanking Mr. Friery for his public service as we wish him success in his future endeavors.

HONORING THE ANNIVERSARY OF TOMBALL, TEXAS

HON. MICHAEL T. McCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. McCAUL of Texas. Madam Speaker, I rise today to recognize one of the most extraordinary towns in our country, Tomball, Texas and join them in celebrating their 100 year anniversary. This community began in the early 1800's as a farming community and has grown to be a town encompassing economic growth and core American values which makes our nation a great place to live.

Tomball is known for many things; it began as an agricultural community and has continued to grow expeditiously from day one. Originally this town was known as Peck, but at the turn of the century in 1907, the town was officially named Tomball in honor of Mr. Thomas Henry Ball; a Congressman, a lawyer, a proud father, and an honorable man.

Tomball saw their first boom in 1906 when the railroad came to town. The first freight train and the first passenger rail rolled through town in 1907. Today visitors can step back in time and enjoy the newly refurbished train depot, in the heart of downtown Tomball, as trains move through town as they did a century ago.

Tomball was also known as "Oil Town U.S.A." in the early 1930's when oil was discovered in a big Texas way with a "gusher." The city was quick to realize the extraordinary asset before them and negotiated a deal with Humble Oil and Gas allowing the company drilling rights within the city in exchange for free oil and gas to Tomball residents for the next 50 years.

Tomball has seen growth in all aspects of the community. Since the turn of the century, there has been the boom of the railroad, the great success of oil and gas, real estate growth, and road improvements all contributing to the strong economic base for this town. Tomball has always been a place with extraordinary schools, both public and private. The city possesses citizens with an eagerness to learn extending to higher education within the college system. Faith is important to this community and is the foundation that enables numerous churches to congregate within the area.

Tomball is an amazing town within Harris County, Texas. It is the residents continued dedication to this town which makes it one of the friendliest places to live not only in Texas but in the United States. Although Tomball has endured many changes over the last century one thing remains the same, the people. The people of this community have always been the most thoughtful and caring individuals a town could ever ask for. As we celebrate the first 100 years of Tomball it is with great joy I say thank you for being a wonderful and compassionate community. I wish this city all the best in the next 100 years, as I know only good things will come from such an amazing place. Happy Birthday Tomball and congratulations on reaching this remarkable milestone.

TRIBUTE TO JAMES LEADER

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. VAN HOLLEN. Madam Speaker, I rise today to pay tribute to James Leader, a dedicated Foreign Service Officer who has done so much to promote and strengthen relations between the United States and the Republic of Sri Lanka. He has been an example of the best of our Foreign Service—passionate, knowledgeable, and effective.

Jim served at the American Embassy in Colombo from 1970–72 and as a Desk Officer for Sri Lanka in the Department of State from 1973–77. He maintained contact with many Sri Lankans and Americans interested in Sri Lankan affairs and recognized the need to form an organization to nurture and build on those relationships. To meet that need, in 1994, Jim teamed up with Gil Shinbaum to launch the auspiciously-named Serendipity Group.

The Serendipity Group is an organization of former American Ambassadors and officials who lived in Sri Lanka and retain a strong interest in Sri Lankan affairs. My father, who served as an Ambassador to Sri Lanka between 1973–76, and my mother were part of this group, and I witnessed the commitment, shared by all its members, to building stronger ties between the United States and Sri Lanka.

Jim and his wife, Carillon, invited Group members to their home for informal discussions and activities. He recruited speakers to Serendipity Group forums and fostered conversation between Sri Lankan Ambassadors to the United States, U.S. Ambassadors to Colombo, scholars, writers, and others who shared his passion for Sri Lankan-American interests.

In addition to his diplomatic efforts, Jim deserves recognition for his philanthropic work. In 2004, when Sri Lanka was devastated by the tsunami, he mobilized resources for a significant relief donation.

In all, James Leader's initiative in founding the Serendipity Group, and his inspired leadership, have made an important contribution to the relationship between the United States and the Republic of Sri Lanka. As he steps down as leader of the Group, I congratulate him on his years of service, both in public and private life, and wish him all the best in his future endeavors.

DOMESTIC VIOLENCE AWARENESS MONTH

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Ms. ROYBAL-ALLARD. Madam Speaker, domestic violence is a widespread tragedy that indiscriminately affects families of all races and classes. It is a serious crime that has no social barriers.

Thanks to the leadership of the women in Congress, this body has made great strides in addressing many issues surrounding domestic violence.

For example, The Violence Against Women Act of 1994, helped dispel the myth that living with domestic violence was a lifestyle choice of the victim. This landmark legislation directly impacted federal and state laws which today recognize domestic violence as a crime for which the abuser, not the victim, is responsible.

Unfortunately, much more still needs to be done to help victims become survivors.

For example, studies estimate that in the United States close to one-third of women will be physically or sexually abused by a husband or boyfriend in their lifetime.

Credible research has also found that the inability to financially support themselves and their children is a critical factor contributing to one staying in an abusive relationship.

Without the ability to be self-sufficient, many survivors are left with the terrifying choice of staying with their abuser or being unable to provide for themselves and their children.

While many states, including my home state of California, have taken action to help survivors retain their financial independence, the job protections offered by state laws vary dramatically.

For example, in 21 states when a survivor is forced to quit a job due to the abuse, she or he is not eligible for unemployment benefits.

And only nine states protect a survivor's job if they are attacked by a partner or spouse and need time off to find a safe place to live.

These discrepancies in state laws often determine whether a person will continue to be a victim of abuse or a survivor.

On October 31, I, together with Representative POE from Texas, introduced three bills to help victims of domestic violence become survivors regardless of where in the country they live.

Our bills address three key economic factors that prevent many survivors from leaving an abusive relationship by providing victims of abuse with the employment protections and the increased economic stability they need to leave an abuser.

The three bills are: The Job Protection for Survivors Act, the Insurance Non-Discrimination for Survivors Act, and the Unemployment Insurance for Survivors Act.

The Job Protection for Survivors Act will allow survivors of domestic violence, without the fear of losing their jobs, to take limited leave from work to make necessary court appearances, and get help with safety planning. Employees will also have job protection if they ask for reasonable safety modifications in the workplace.

The Insurance Non-Discrimination Act for Survivors will prohibit employers or insurance providers from basing hiring or coverage decisions on an individual's history of abuse. This will help address the fear many have of seeking help because they know companies may use documents such as police records to drop or reject their insurance coverage.

The third bill, the Unemployment Insurance for Survivors Act, guarantees that survivors are eligible for unemployment benefits. Current Federal law remains inadequate in ensuring survivors have the resources they need while seeking new employment and a safe place to live.

Madam Speaker, for many this package of bills can literally make the difference between life and death.

I want to thank the many dedicated advocates who labor every day to end domestic violence for their support of these bills. I have worked closely with them for many years, and their input and expertise has been invaluable in crafting these measures.

I also thank Representative POE for his cosponsorship and I look forward to working with him to pass these bills.

Madam Speaker, violence in America's families has a devastating effect not only on the target of the abuse but on the family unit. It is especially damaging to the children who suffer emotionally or are themselves the target of physical abuse.

I urge my colleagues to join me and Congressman POE and co-sponsor the Job Protection for Survivors Act, the Insurance Non-Discrimination for Survivors Act, and the Unemployment Insurance for Survivors Act to empower survivors against the violence in their lives.

PERSONAL EXPLANATION

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Ms. SCHAKOWSKY. Madam Speaker, on November 5, I was detained in my district due to travel delays, and missed the votes on passage of the Motion to Close Portions of the Conference to H.R. 3222, the FY08 Department of Defense Appropriations Conference; H.R. 513, the National Heroes Credit Protection Act; and H. Res. 744, recognizing the contributions of Native American veterans and calling upon the President to issue a proclamation urging the people of the United States to observe a day in honor of Native American veterans. Had I been present, I would have voted "yea" on passage of all three bills.

PAYING TRIBUTE TO PAULA FRANCIS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Paula Francis who has served Las Vegas as a Senior Television Anchor for over 25 years.

Ms. Paula Francis graduated from the University of Wisconsin at Madison and in 1985 moved to Las Vegas as the evening news anchor at KTNV-TV. In 1990 she joined KLAS-TV as the evening news anchor alongside friend and colleague Gary Waddell.

In addition to her professional career, Ms. Francis has continually given back to the community. She serves on the board of the Shade Tree Shelter for Homeless Women and Children, the Community Advisory Board for the Assistance League, and the Southern Nevada Chapter of International Women's Forum. She also contributes her time by reading to students during Nevada Reading Week. She also speaks to individuals and organizations about health issues including her campaign to educate women about breast cancer awareness called "Buddy Check 8".

Ms. Francis has received numerous awards for her time spent in Southern Nevada. She was chosen as "Best TV Anchor in Las Vegas" by the readers of the Las Vegas Review-Journal six different times, and along with Gary Waddell, received the Best Anchor Team Award in the Women in Communications Electronic Media Awards. She also was inducted into the KLAS-TV Hall of Fame in July 2000.

Madam Speaker, I am proud to honor Paula Francis. Her contributions to KLAS-TV and to Southern Nevada are admirable. I applaud her commitment to Southern Nevada and I thank her for her time and support to our community.

IN HONOR OF VETERANS DAY 2007

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. SCOTT of Georgia. Madam Speaker, I rise in honor of the veterans who have served so bravely in defense of our freedoms to say thank you for your service. November 11, 1918 marked the day major hostilities during World War I ended, and was subsequently adopted as Veterans Day in the United States. This day now gives us an opportunity to reflect on the many sacrifices made by the Armed Forces throughout our history. As members of Congress continue to address the needs of today's soldiers and veterans, I share these thoughts in honor of those who have fought and died for our country.

Earlier this year, I made my third trip to the Landstuhl Regional Medical Center in Germany where I met with our brave service members who were injured while serving in Operation Enduring Freedom and Operation Iraqi Freedom. Repeatedly, I see the severity of these injuries and I know that properly caring for our returning soldiers demands far more funding than what has been allocated by previous Congresses. Since the beginning of our military engagements in the Middle East, health care for returning service members and veterans has been wholly unsatisfactory.

Under the strong leadership of Democrats, we have begun the process of providing the necessary funding to adequately address the needs of our soldiers and veterans. In May, Congress provided $5 billion for the health care needs of soldiers returning from the Middle East, including $1.8 billion for veterans enrolled in VA health care programs. This funding will ensure the Department of Defense and Veterans Administration both have the resources to provide timely and efficient case management services, especially for the young men and women who served in operations in Afghanistan and Iraq. In March, I supported legislation limiting the number of cases assigned to a physical evaluation officer, in order to ensure the utmost attention to soldiers' needs. This proposal would also encourage accountability by establishing a toll-free number for families to report deficiencies in military medical facilities.

As nearly one in three soldiers admitted to Walter Reed Army Medical Center presents with traumatic brain injuries (TBI), we will continue to target investments to respond to these most debilitating injuries. I am pleased Congress provided $900 million specifically for TBI treatment and services to soldiers. Additionally, this year the Senate has proposed $10 million for the TBI Program, to improve services for soldiers' families. I also supported legislation that would establish four VA facilities solely dedicated to rehabilitating and tracking the progress of soldiers with TBI. In honor of the brave men and women who suffer these injuries, I will continue to advocate for increased funding throughout the appropriations process for fiscal year 2008.

Congress must also continue to take a hard look at the current rating systems for disabled veterans, which many have described as disparate, unfair and outdated. Earlier this year, Lt. General James Terry Scott, chair of the Veterans Disability Benefits Commission (VDBC), expressed concern that the status quo is not meeting the needs of veterans and returning soldiers. The VDBC, and the Dole-Shalala Commission formed by President Bush this year in response to the deplorable conditions at the Walter Reed Annex, both agree that the dual-disability rating system through the Veterans Administration and the Department of Defense needs a permanent fix. With the commissions' detailed recommendations in mind, I will work diligently to ensure a system that equitably compensates soldiers with service-connected disabilities, while reducing the red tape that so often compromises the ability for veterans to receive care.

As a representative to the United States Congress for nearly 6 years now, I have worked tirelessly to represent the interests of the active duty and retired military who call the 13th District home. On this Veterans Day, let us remember our family, friends and neighbors who have proudly worn the uniform. We are forever grateful for their service and we will continue to work persistently to ensure our nation's veterans will want for nothing.

TRIBUTE TO GUNNERY SERGEANT ANGEL BARCENAS, U.S. MARINE CORPS

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. SESSIONS. Madam Speaker, the poem below was written by poet and Capitol guide Albert Carey Caswell in honor of Gunnery Sergeant Angel Barcenas from Paramount, California. Gunnery Sgt. Barcenas admirably served our great nation on Marine One during the Clinton and Bush Administrations. In July 2006, he was wounded by an improvised explosive device in Iraq and had both of his legs amputated below the knee. He started walking again 3 months after his attack, crediting the professionals at Walter Reed for his quick recovery. In May 2007, fighting all odds, he led a two-mile motivational run through lower Manhattan with the Marine Corps, and New York firefighters and police. Gunnery Sgt. Barcenas is an American hero whose unwavering sense of duty and dedication should be an example for all Americans. I proudly submit the following into the RECORD.

MARINE ONE

Marine One,
America's Son, . . . A Most Heroic One!
Who so bravely marched off to war, . . . to do what had to be done!
Terminating Evil . . . as have all of our fine heroes, long as time begun!
Lock and Load,
A True American Hero, Who So Lives By A Code . . .
A Marine's, Marine . . . a presence, a force upon the scene . . . who'll make hearts explode . . .
So Very Bold!
From That Great Golden State,
As A Hero's Hero . . . our Lord God, would so create!
Strength In Honor, In awe at what we saw . . . as we so watch you rebuild, with but your new gait!
I've got a life to live, for this Angel . . . Heaven can wait!
Serving, Two Presidents . . .
Aboard Marine One, as has been your most honored residence . . .
Bringing home a Hero, who gave his fine legs . . . as you too would live that same page . . .
And still your courage weights, and has been getting greater by the day!
Building, from where none lies left . . .
Rising up from the ashes, for no one will take your dreams . . . for you are, America's Best!
As into a future, this our world . . . as an Earth Angel, you shall bless . . .
On the ready, my fine son . . . you never rest!
As An Angel, here on earth . . . until, on the scene as an Angel in The Angel of Our Lord you burst!
Teaching us all, about your fine character and courage first . . . and of a human being's true fine worth!
Our True Fine Sum, Thy Kingdom Will Come . . . Someday, when you leave this earth.
Someday, you shall shine . . . in our Lord's Sun!
Until then! Standing Guard, Standing Strong, Standing Hard . . . for That's Who You Are!
That's What You Do . . . So Tried And True . . . As Angel, Your Heart Takes Your Far!
Walking like Travolta, no walks like you! Running fast and far . . . A Force A Shining Star
On the road of life, where it all begins and ends . . .
Is the Greatest of all forces, which so burns bright until times end . . . is but, The Heart Which sends . . .
As Angel, yours so emanates . . . from deep down within, your soul is one of greatness . . . my fine friend!
For you are my Son, A Marine's Marine . . . You Are . . . Marine One!

PAYING TRIBUTE TO MARY-ELLEN McMULLEN

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Mrs. Mary-Ellen McMullen who has been bestowed the honor of Nevada Alumni Association Alumna of the Year from the University of Nevada, Reno.

Mrs. McMullen has a history as a longtime Nevadan, moving to Reno at the age of 13 with her family. She was immediately exposed to the University of Nevada as her father began his tenure as the dean of the College of Education.

Mary-Ellen was a student in the College of Education majoring in English with a minor in Journalism. Mrs. McMullen became a model student of student life and involved herself in many activities in order to improve the campus. During her time at UNR, she was active in Student Government and was elected to the Student Senate and then the Activities Board. She met her husband, Sam McMullen during her time on the Senate and Activities Board, while he was serving as Student Body Vice President. Upon graduation the young couple decided to head to our Nation's capitol, where Mary-Ellen worked for Senator Howard Cannon and Senator Alan Bible. She worked with the Senators while attending George Washington University to earn a Master's Degree in Women's Studies.

Mary-Ellen was ecstatic to return to the University of Nevada, Reno upon her graduation from Georgetown, to teach alongside Dr. Ann Howard. She has served the university in many diverse facets including acting Assistant Dean of Students, Special School Recruitment Coordinator, and Director of Annual Giving for the University of Nevada, Reno Foundation and Publications/Public Relations Coordinator for the Nevada System of Higher Education. As a volunteer for the university, her activities have included the Alumni Council, where she held the position of first vice president, as well as chairperson of several committees. Today, she continues to serve in her second six-year term as a Trustee of the University of Nevada, Reno Foundation.

Madam Speaker, I am proud to honor Mrs. Mary-Ellen McMullen and acknowledge her award as the Nevada Alumni Association Alumna of the Year. Her self-dedication to the university and commitment in bringing quality education to the people of Nevada should be applauded by all. I would like to congratulate her for her award and look forward in seeing her future accomplishments.

TRIBUTE TO BENJAMIN OAS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Benjamin Oas, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 9, and by earning the most prestigious award of Eagle Scout.

Ben has been very active with his troop, participating in many Scout activities. Over the years Ben has been involved in Scouting, he has earned 26 merit badges and held numerous leadership positions, serving as Patrol Leader, Chaplain's Aide, and Quartermaster. Ben is also a Warrior in the Tribe of Mic-O-Say.

For his Eagle Scout project, Ben constructed a permanent cabinet to be used for storing valuables for the Community Clothes Closet in Warrensburg, MO. Ben has also earned the Ad Altare Dei special award.

Madam Speaker, I proudly ask you to join me in commending Benjamin Oas for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HOUSTON POLICE OFFICERS PATTON AND RAMIREZ RECEIVE THE DISTINGUISHED SERVICE AWARD

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. POE. Madam Speaker, being a police officer means dedicating your life to defending and protecting the local community. Great deeds are regularly performed by these brave individuals, who mean the difference between the law and lawlessness. Despite this fact, our lawmen and women rarely ask for any commendation in return for their valor. At the annual Greenspoint-North Houston Chamber of Commerce Law Enforcement Awards, however, some of only the many police officers were applauded.

Recipients of the Distinguished Service award, Officers Genarrow Patton, and Rogolio Ramirez represent the true compassion of those who choose to "protect and serve". Perhaps the most significant evidence towards these lawmen's empathy is not found in highly publicized "old western" circumstances, but in situations where, without hesitation, an innocent life is saved.

When confronted at the Greenspoint Storefront by a frantic couple with an unconscious baby, on the night of February 12, 2007, the officers coordinated response is an example of true heroism. A real life nightmare for the distressed parents; their baby's complexion was purple resulting from its inability to breathe.

Without hesitation, Officer Ramirez immediately began administering CPR to the tiny innocent infant, while Officer Patton called for an ambulance. Because of these selfless individuals, the baby soon began breathing again. Although actions performed in the Greenspoint store front may not have involved detective work, stake outs, or the use of force, to this young child's parents Officers Ramirez and Patton represent true heroes.

And that's just the way it is.

TRIBUTE TO SCOTT FAGAN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Scott Fagan, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 9, and by earning the most prestigious award of Eagle Scout.

Scott has been very active with his troop, participating in many Scout activities. Over the years Scott has been involved in Scouting, he has earned 24 merit badges and held numerous leadership positions, serving as Quartermaster, Librarian, Patrol Leader, and Historian. Scott is also a Firebuilder in the Tribe of Mic-O-Say.

For his Eagle Scout project, Scott renovated the back area of an office building at Elmwood Cemetery in Kansas City, MO that can be used for meetings and socials for the Elmwood Cemetery Society. Scott has also earned the Mile Swim special award.

Madam Speaker, I proudly ask you to join me in commending Scott Fagan for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

2007: DEADLIEST YEAR FOR U.S. TROOPS IN IRAQ

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Ms. SCHAKOWSKY. Madam Speaker, I rise to pay tribute to the 852 men and women of the Armed Forces who have sacrificed their lives in Iraq this year. Tragically, this brings the total number of American troops killed in Iraq to 3,855.

The sobering news that 2007 has been the deadliest for U.S. soldiers in Iraq so far is another reminder of the grave human costs of the President's misguided war strategy. The President's promises that his surge would reduce violence ring hollow, despite the increase in number of troops and the hard work of our men and women on the ground who are fighting in the midst of a civil war. Every month in 2007 has seen more U.S. casualties than the same month in 2006. And with 2 months left before the New Year, U.S. casualties may far exceed previous years.

This grim milestone shared the headlines with another important headline this morning: According to an ABC News poll, 59 percent of Americans do not think the United States is making significant progress restoring civil order in Iraq. A record 6 in 10 want the level of U.S. forces in Iraq reduced.

Congress must listen to the American people, who want the war in Iraq brought to an end. I strongly urge all of my colleagues to vote against any additional funding for this war until it is tied to a firm date for the withdrawal of U.S. troops.

As we continue to debate the best way out of the war in Iraq, I hope that we remember the sacrifices Americans have made in blood and treasure. We must not let this war, and the tragic loss of life, continue.

TRIBUTE TO MLADEN KOJIC

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Mladen Kojic, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 9, and by earning the most prestigious award of Eagle Scout.

Mladen has been very active with his troop, participating in many Scout activities. Over the years Mladen has been involved in Scouting, he has earned 34 merit badges and held numerous leadership positions, serving as Assistant Senior Patrol Leader, Librarian, Assistant Patrol Leader, Chaplain's Aide and Quartermaster. Mladen is also a Firebuilder in the Tribe of Mic-O-Say.

For his Eagle Scout project, Mladen poured a concrete slab sidewalk and landing area in front of the Methodist church's new elevator entrance in North Kansas City, MO. Mladen has also earned several special awards, including the 50 Mile Award and World Conservation Badge.

Madam Speaker, I proudly ask you to join me in commending Mladen Kojic for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. MANZULLO. Madam Speaker, on Monday, November 5, 2007, I was unable to return to Washington in time to vote because of unexpected flight delays at Chicago O'Hare International Airport. Had I been present, I would have voted "yea" on rollcall No. 1034, dealing with closing portions of the Fiscal Year 2008 Defense Department appropriations conference, "yea" on rollcall No. 1035, dealing with the National Heroes Credit Protection Act, and "yea" on rollcall No. 1036, dealing with recognizing and honoring the contributions of Native American veterans.

SIMPLIFY VEHICLE DONATIONS FOR CHARITIES

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 6, 2007

Mr. FILNER. Madam Speaker, I rise today to introduce legislation intended to simplify the charitable giving rules for automobile donations, H.R. 4090.

As you know, in 2004, Congress enacted legislation that imposed new reporting requirements on individuals and charities for automobile donations. This legislation has had the unintended consequence of reducing the number of automobiles donated to charities in my district. The corresponding loss in revenue and reduction in services offered by these charities has hurt the San Diego region.

To correct this situation, my bill will exempt certain charities from the reporting requirements of the 2004 law. My bill is targeted only to those charities that operate "in-house" vehicle donation programs and that retain at least 80 percent of the proceeds from their vehicle donation programs.

I invite my colleagues to join me as cosponsors of this legislation to simplify the vehicle donation process for charitable organizations across the United States.